

Don't Feed the Homeless:

A Look at Los Angeles' Proposed Ban on Feeding the Homeless in Public Spaces

Emma E. Noftz¹

Abstract

Los Angeles' City Council has proposed banning the feeding of homeless individuals in public spaces, thereby restricting food distribution to indoor locations only. Is this an attempt to help the homeless – or legislate them out of sight? I conclude it is the latter. With approximately 57,735 homeless individuals in Los Angeles, it is clear Los Angeles needs to employ additional efforts to help the homeless. However, this proposed ban is not the answer.

First, the proposed ban is unlikely to withstand a constitutional challenge, as was the fate of similar bans in Las Vegas, Orlando, and Philadelphia. Second, even if the ban is found to be constitutional, it would fail to accomplish its asserted goal of helping the homeless. Instead, it would merely choke Los Angeles' distribution of food to its homeless community. Therefore, the Los Angeles City Council should abandon its proposed legislation and increase efforts to directly relieve the plight of the homeless.

Introduction

Spring is upon us, but Los Angeles City Councilmen Tom LaBonge and Mitch O'Farrell are not feeling the sunshine. In September 2013, LaBonge and O'Farrell filed a motion requesting the City Attorney's Office draft legislation to ban food distribution to the homeless in public spaces.² LaBonge hopes the legislation will prevent organizations from feeding the

¹ Emma Noftz is a third year law student at The Catholic University, Columbus School of Law in Washington, D.C. where she is focusing on becoming a public defender while also gaining expertise in other areas of interest, including land use and property law.

² Anthony Kurzweil, *Group to Protest Possible Restrictions on Public Feeding of the Homeless*, KTLA 5 (Dec. 11, 2013), <http://ktla.com/2013/12/11/group-to-protest-proposed-restrictions-on-public-feeding-of-homeless/>.

homeless in public spaces and restrict food distribution to designated indoor locations, such as homeless shelters and soup kitchens.³

LaBonge's motion is in response to resident and businesses' complaints regarding the Greater West Hollywood Food Coalition's nightly food distribution on public property at the corner of Romaine Street and Sycamore Avenue in Los Angeles.⁴ Local businesses submitted a petition with more than 40 signatures calling the coalition's food line a "public nuisance" and urging the city to take "immediate action" to discontinue the program.⁶ Residents have also grown frustrated with the nightly food service, which they report has led to loitering, trespassing, and indecent exposure.⁷ If passed, the proposed legislation would prohibit the Greater West Hollywood Food Coalition and approximately fifty similar organizations from providing food for the homeless at outdoor locations across Los Angeles.⁸

Substantial legal precedent suggests that Los Angeles' proposed ban on feeding the homeless in public spaces will be held unconstitutional if passed. Therefore, the Los Angeles City Council should abandon the proposed legislation and employ efforts that directly relieve the plight of the homeless, which will, in turn, address many of the concerns raised by proponents of the legislation. This comment will first address the issues presented by Los Angeles' proposed ban on feeding the homeless in public spaces. Second, it will analyze other jurisdiction's failure

³ Matthew Bramlett, *Advocates Will Protest Ban On Feeding Homeless In Public*, LAist (Dec. 14, 2013), http://laist.com/2013/12/10/protest_planned_against_motion_to_b.php.

⁴ Adam Nagourney, *As Homeless Line Up for Food, Los Angeles Weighs Restrictions*, N.Y. TIMES (Nov. 25, 2013), http://www.nytimes.com/2013/11/26/us/as-homeless-line-up-for-food-los-angeles-weighs-restrictions.html?_r=0. The Coalition draws nightly crowds of approximately 200 hungry homeless people, *id.*

⁶ Craig Clough, *LaBonge Reacts to Criticism of Homeless Food Distribution Motion*, West Hollywood Patch (Dec. 5, 2013), <http://westhollywood.patch.com/groups/politics-and-elections/p/labonge-reacts-to-criticism-of-homeless-food-distribution-motion>.

⁷ *Sorry Neighbors, But the Homeless Need the 'Public Feedings'*, L.A. TIMES (Dec. 6, 2013), <http://articles.latimes.com/2013/dec/06/opinion/la-ed-homeless-meals-labonge-20131206> [hereinafter *Sorry Neighbors, But the Homeless Need the "Public Feedings"*].

⁸ *Id.*

to successfully enforce similar bans. Finally, it will adopt the position that Los Angeles should abandon its proposed ban and instead employ direct remedies for challenges faced by the homeless.

I. Los Angeles' Proposed Ban on Feeding the Homeless in Public Spaces

According to the 2013 Annual Homeless Assessment Report released by the Department of Housing and Urban Development, Los Angeles has approximately 57,735 homeless people.⁹ That makes Los Angeles's homeless population the second largest in the United States, after New York City.¹⁰ Further, while the national average homeless population has declined by approximately four percent since 2012, Los Angeles has seen a 23.5 percent increase.¹¹ This increase is partially attributed to California's court-ordered reduction of its inmate population, which has pushed thousands of former inmates onto the streets with little assistance or support. Cuts to federal spending on services for the homeless, and Southern California's temperate climate have also contributed to the increase.¹² Therefore, the Los Angeles City Council's proposed ban on feeding the homeless in public spaces comes at a time when the needs of its homeless population are at its greatest and federal funding for services is at its lowest. Yet, Councilman LaBonge maintains that "non-commercial meal distribution in the public rights of way" is a public safety and health issue.¹³ The following is an analysis of issues raised by Los

⁹ *Nagourney, supra* note 4, at 2.

¹⁰ MEGAHN HENRY ET AL, U.S. DEPT. OF HOUSE AND URBAN DEV, OFFICE OF CMTY. PLANNING AND DEV. ANNUAL HOMELESS ASSESSMENT REPORT TO CONG. 14 (2013).

¹¹ *Nagourney, supra* note 4, at 2.

¹² *Id.*

¹³ See Los Angeles City Council Pub. Works and Gang Reduction Motion, 13-1238, Sept. 17, 2013, available at <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.vie.wrecord&cfnumber=13-1238>.

Angeles businesses and residents, the views of opponents of the ban, and Councilman LaBonge's response to opponents of the ban.

a. Concerns of Los Angeles Businesses and Residents

Los Angeles' City Council's proposed ban on feeding the homeless in public spaces was drafted in response to complaints made by neighborhood businesses and residents concerning the Greater West Hollywood Food Coalition's nightly food distribution on public property at the corner of Romaine Street and Sycamore Avenue.¹⁴ The neighborhood surrounding the food distribution location includes a mix of industrial buildings, including a Cemex cement factory, film production facilities, and the stately former headquarters of Howard Hughes's enterprises, as well as a gentrifying neighborhood of middle class single-family homes.¹⁵ Businesses in the area submitted a petition with more than 40 signatures calling the coalition's food line a "public nuisance."¹⁶ As discussed in *Bove v. Donner-Hanna Coke Corporation*, nuisance is generally defined as an unreasonable interference with the use or enjoyment of land.¹⁷ Therefore, businesses in the area are in effect claiming the food distribution is an unreasonable interference with the use and enjoyment of their business properties.¹⁸ Hollywood Media Business Improvement District President Mike Malick, who supports the proposed legislation, believes a "well-run food program exists in partnership with the community, working with businesses, residents, and other service providers to help those in need."¹⁹ Malick stresses that any food service program should be conducted "in a clean, safe, respectful, accountable, and coordinated

¹⁴ *Clough, supra* note 5, at 2.

¹⁵ *Nagourney, supra* note 4, at 3.

¹⁶ *Clough, supra* note 5, at 2.

¹⁷ *Bove v. Donner-Hanna Coke Corp.*, 236 App. Div. 37, 39 (1932).

¹⁸ See *Clough, supra* note 5, at 2 (businesses claim the food distribution is a "public nuisance").

¹⁹ *Letters: How to Feed Hollywood's Homeless*, L.A. TIMES (Dec. 10, 2013), <http://www.latimes.com/opinion/la-le-1210-tuesday-hollywood-homeless-20131210,0,5067049.story#ixzz2nZI5yS2v>.

fashion.”²⁰ Malick further concludes that, “a well-run food program should not be conducted on public property.”²¹

Residents have also become frustrated by collateral consequences of the nightly meals, which they report include loitering, trespassing, and indecent exposure.²² One resident Alexander Polinsky told the *New York Times* “if you give out free food on the street with no other services to deal with the collateral damage, you get hundreds of people beginning to squat.”²³ Polinsky adds, “they are living in my bushes . . . we have a neighborhood which now seems like a mental ward.”²⁴

b. The Opposition’s View of the Proposed Ban

Greater West Hollywood Food Coalition Founder Ted Landreth questions the motives of those in favor of the proposed ban, stating, “people who want to get rid of us see dollar signs [and] property values, ahead of pretty much everything else.”²⁵ Monday Night Mission founder Mel Tillerkerante also points out that many organizations that provide food to the homeless in public spaces lack the resources to comply with the proposed ban and would cease to exist.²⁶ Further, while Andy Bales, CEO of Union Rescue Mission, argues that public feeding might prevent some homeless people from taking advantage of comprehensive services at permanent

²⁰ *Id.*

²¹ *Id.*

²² *Sorry Neighbors, But the Homeless Need the “Public Feedings,” supra* note 7.

²³ *Nagourney, supra* note 4, at 1.

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Bramlett, supra*, note 3.

shelters, he acknowledges that more homeless people would probably go unfed if outdoor feeding were banned.²⁸

Debra Morris is not homeless but “can barely pay [her] own rent” and depends on the Greater West Hollywood Food Coalition for a well-rounded meal.²⁹ While sitting in her wheelchair eating pasta and tomato sauce, Morris told the *New York Times* the coalition is “helping human beings.”³⁰ For people like Morris, the issue is more than a political tug-of-war. It is the difference between getting or going without a meal.

On December 14, 2013, a protest organized by Monday Night Mission attracted between five hundred and one thousand people holding signs and shouting slogans such as “Los Angeles Cares,” “Hunger is not a crime,” and “Food, not football stadiums”.³¹ The ban’s opposition has also grown beyond Los Angeles’ county limits. The proposal won Los Angeles first place on Forbes’ “Five Most Ridiculous Government Bans of 2013.”³²

c. Reaction to the Opposition

In response to mounting criticism of the proposed legislation, LaBonge insists it “is not a ban on food distribution.”³³ LaBonge asserts the City Council is merely “asking the representatives and experts from the Los Angeles Homeless Services Authority and others to advise the City Council on ways to best enhance opportunities to help those in greatest need.”³⁴

²⁸ Morgan Lee, *Los Angeles Considers Ordinance Banning the Feeding of City’s Growing Homeless Population*, The Christian Post (Mar. 31, 2014), <http://www.christianpost.com/news/los-angeles-may-ban-outdoor-feeding-of-the-homeless-but-homeless-advocates-say-real-problem-is-feeding-volunteers-110463/>.

²⁹ *Nagourney*, *supra* note 4, at 1.

³⁰ *Id.*

³¹ Bramlett, *supra* note 3.

³² Eli Federman, *The Five Most Ridiculous Government Bans of 2013*, FORBES (Jan. 2, 2014), <http://www.forbes.com/sites/realspin/2014/01/02/the-five-most-ridiculous-government-bans-of-2013/>.

³³ *Kurzweil*, *supra* note 2.

³⁴ *Id.*

However, restricting homeless individuals' access to resources is a growing pattern in Los Angeles. LaBonge's proposed legislation comes on the heels of Los Angeles City Council's unanimous vote to draft a new ordinance banning encampments along the San Fernando Valley's Tujunga Wash, a rural area at the edge of the Angeles National Forest.³⁵ As with the proposed ban on feeding the homeless, proponents the Tujunga Wash ordinance maintain that the law will address the "health and human hazard" created by homeless individuals living in the Wash.³⁶ The Los Angeles City Council is expected to debate LaBonge's motion against public food distribution throughout early 2014.³⁷

II. Failed Attempts to Ban Feeding the Homeless in Public Spaces

Los Angeles is not alone in attempting to ban the feeding of homeless individuals in public spaces.³⁸ According to the National Law Center on Homelessness and Poverty, more than thirty cities, including Las Vegas, Orlando, and Philadelphia, have adopted or attempted to adopt legislation aimed at restricting public feeding of the homeless.³⁹ National Coalition of the Homeless Executive Director Jerry Jones states "it's a common but misguided tactic to drive homeless people out of downtown areas" through prohibiting public feeding.⁴⁰ According to Jones, attempting to make the difficult problem of homelessness disappear in this manner is

³⁵ Dakota Smith, *Ban Proposed on Homeless Encampments in Tujunga Wash*, L.A. DAILY NEWS (Sept. 24, 2013), <http://www.dailynews.com/government-and-politics/20130924/ban-proposed-on-homeless-encampments-in-tujunga-wash>. The new law will bar tents and other makeshift homes from the Wash and "No Trespassing" signs will be immediately installed along the Wash, *id.*

³⁶ *Id.*

³⁷ Lisette Guzman, *Activists Protest L.A. City Motion to Restrict Homeless Feeding*, KTTV (Dec. 14, 2013), <http://www.myfoxla.com/story/24222972/activists-protest-a-city-motion-to-restrict-homeless-feeding#ixzz2nacJoFB>.

³⁸ *Nagourney*, *supra* note 4, at 1.

³⁹ Yamiche Alcindor, *Cities' Homeless Crackdown: Could it be Compassion Fatigue?* USA TODAY (June 10, 2012), <http://usatoday30.usatoday.com/news/nation/story/2012-06-10/cities-crack-down-on-homeless/55479912/1>.

⁴⁰ *Nagourney*, *supra* note 4, at 1.

“both callous and ineffective.”⁴¹ As in Los Angeles, other cities’ attempts to ban feeding the homeless in public spaces have met fierce resistance.⁴² Furthermore, bans that have passed do not generally survive constitutional challenge.

a. Las Vegas Sets Precedent

In 2006, Las Vegas was the first city in the United States to outright ban private individuals and nonprofits from feeding the homeless in public spaces.⁴³ American Civil Liberties Union of Nevada General Counsel Allen Lichtenstein called the measure absurd and an unconstitutional infringement on free assembly.⁴⁴ The American Civil Liberties Union of Nevada brought suit following the arrest of homeless advocate Gail Sacco, who continued to feed the homeless in public spaces after the ban went into effect.⁴⁵ The United States Court of Appeals for the Ninth Circuit asked the parties to participate in mediation after hearing oral arguments and noting the huge divide between the parties’ understanding of the law.⁴⁶ Mediation ultimately ended in a settlement where the city agreed to replace the restrictive 2006 ban with a new ordinance permitting the feeding of up to seventy-five homeless individuals in public spaces at a given time.⁴⁷

⁴¹ *Id.* Homeless and Poverty Law Center Civil Rights Attorney Heath Johnson says, “we’re seeing these types of laws being proposed and passed all over the country. We think that criminalization measures such as these are counterproductive. Rather than address the root cause of homelessness, they perpetuate homelessness.” *Alcindor, supra* note 39.

⁴² *Nagourney, supra* note 4, at 1.

⁴³ Matt Pearce, *Homeless Feeding Bans: Well-Meaning Policy or War on the Poor?* L.A. TIMES (June 11, 2012), <http://articles.latimes.com/2012/jun/11/nation/la-na-nn-homeless-feeding-bans-20120611>.

⁴⁴ *Id.* At a city council meeting, Las Vegas Mayor Oscar Goodman, stated that in addition to the ban, panhandlers with signs asking for food should be sued for “false advertising” since soup kitchens provide free meals, *id.* This suggestion never came to pass, *id.*

⁴⁵ Heidi Kyser, *Whatever Happened to the Homeless Feeding Ban?* Vegas Seven (Oct. 16, 2013), <http://vegasseven.com/2013/10/16/whatever-happened-homeless-feeding-ban/#sthash.cj7TSw5o.dpuf>.

⁴⁶ Phil Hooper, *Putting the “Public” Back into Public Parks*, The Torch (June 15, 2010), <http://www.aclunv.org/blog/sacco>.

⁴⁷ *Kyser, supra* note 45.

b. Orlando Follows the Trend

In July 2006, claiming concern for public health and safety, Orlando city officials enacted a ban on feeding the homeless in public spaces in downtown Orlando.⁴⁸ City Commissioner Patty Sheehan created the ordinance in response to complaints from businesses and residents that homeless people were “causing problems” at a popular downtown park.⁴⁹ Orlando city commissioners were divided on the ordinance, which passed by a three-two vote. Commissioner Robert Stuart, who voted against the ordinance and is also the head of a homeless shelter, said the ordinance would “criminalize goodhearted people.”⁵⁰ Commissioner Sam Ings, the other commissioner opposed to the ban, said the ordinance was merely a “Band-Aid on a critical problem.”⁵¹

The American Civil Liberties Union brought suit following the enactment of the ordinance on behalf of two organizations that sought the right to feed the homeless in public spaces: the First Vagabonds Church of God and Orlando Food Not Bombs. These organizations asserted that the ordinance violated their constitutional rights to free speech, free assembly, free association, and freedom of religion. Federal Judge Gregory A. Presnell struck down the ordinance in 2008, stating “the Court finds that there is no rational basis for this Ordinance” because “none of the legitimate government interests proffered by the City are served by this Ordinance.”⁵² Judge Presnell concluded that the city avoided addressing the problem of homelessness and instead attempted to “limit the expressive activity which attracts the homeless

⁴⁸ *Orlando Bans Feeding Homeless Downtown*, WASH. POST (July 25, 2006), <http://www.washingtonpost.com/wp-dyn/content/article/2006/07/25/AR2006072500835.html> [hereinafter *Orlando Bans Feeding Homeless Downtown*].

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ *Orlando Bans Feeding Homeless Downtown*, *supra* note 48.

⁵² *Federal Judge Strikes Down Orlando Homeless Feeding Ban*, American Civil Liberties Union (Sept. 26, 2008), <https://www.aclu.org/racial-justice/prisoners-rights/drug-law-reform/immigrants-rights/federal-judge-strikes-down-orlando> [hereinafter *Federal Judge Strikes Down Orlando Homeless Feeding Ban*].

to these neighborhoods.”⁵³ Therefore, “while the Ordinance may very well accomplish the goal of diminishing the number of homeless in [the targeted neighborhood], the restriction clearly prevents the First Vagabonds Church of God and Orlando Food Not Bombs from communicating its constitutionally protected speech at a meaningful location.”⁵⁴

c. Philadelphia Joins the Trend

In March 2012, Philadelphia Mayor Michael Nutter announced a Parks Department regulation banning the serving of food in public parks.⁵⁵ Nutter based the regulation on his position that “people, regardless of their station in life, should be able to actually sit down, at a table, to eat a meal inside, away from the heat and the cold, the rain and the snow, the vehicle exhaust and all the other distractions of everyday city life.”⁵⁶

The American Civil Liberties Union brought suit on behalf of four religious organizations that distributed food to the homeless in public spaces against the City and Mayor Nutter.⁵⁷ U.S. District Judge William Yohn of the Eastern District of Pennsylvania granted an injunction, prohibiting city officials from enforcing the recently enacted law.⁵⁸ Judge Yohn wrote the “defendants have failed to show by a preponderance of the evidence that the ban is the least restrictive means of furthering their objectives of ending homelessness, feeding the homeless indoors, providing social services to the homeless, increasing the dignity of the homeless, or

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ Carolyn Beeler, *Laws That Target Homeless Imperil Programs That Feed Them Outdoors*, NPR (July 6, 2012), <http://www.npr.org/blogs/thesalt/2012/07/30/156328035/philadelphia-bans-serving-food-to-the-homeless-in-public>.

⁵⁶ *Id.*

⁵⁷ Dave Warner, *Philadelphia Homeless Feeding Ban Challenged by Charities*, THE HUFFINGTON POST (July 11, 2012), http://www.huffingtonpost.com/2012/07/10/philadelphia-homeless-feeding-ban_n_1663058.html).

⁵⁸ Jon Campisi, *Judge Files Memorandum Outlining Reasons Behind Granting Injunction in Philly’s Outdoor Homeless Feeding Ban Case*, THE PENNSYLVANIA RECORD (Aug. 14, 2012), <http://pennrecord.com/news/6874-judge-files-memorandum-outlining-reasons-behind-granting-injunction-in-phillys-outdoor-homeless-feeding-ban-case>.

reducing the trash burden along the Parkway.”⁵⁹ Judge Yohn therefore concluded the plaintiffs showed a reasonable likelihood of success on the merits of the Pennsylvania Religious Freedom Protection Act (PRFPA) claim.⁶⁰

III. Abandon the Ban, Los Angeles

Are Los Angeles officials trying to help the poor—or legislate them out of sight?⁶¹ The bulk of the evidence clearly suggests the later. Los Angeles City Council should scratch its proposed ban on feeding the homeless in public spaces before it gains more regional and national opposition and is ultimately blocked or overturned in federal court. Instead, Los Angeles should employ efforts that directly relieve the plight of the homeless.

a. Scratch the Ban

Like Las Vegas, Orlando, and Philadelphia, Los Angeles asserts the primary goal of its proposed ban on feeding the homeless in public spaces is to induce homeless people to take advantage of regulated indoor feeding centers that may provide them with additional services. However, as courts have repeatedly found, these types of bans do not further cities’ stated purpose of helping the homeless and are mere pretexts to legislate the homeless out of sight. As noted by Federal District Court Judge Presnell while striking down Orlando’s ban on feeding the homeless in public spaces, bans on public feeding merely eliminate the source of attraction to targeted locations but fail to address the root of the problem of homelessness.⁶² Furthermore, these bans infringe on organization’s Constitutional rights of free speech, free assembly, free association, and freedom of religion. Given the Ninth Circuit’s skepticism of such bans and the

⁵⁹ *Id.*

⁶⁰ *Id.* PRFPA “prohibits a municipal agency from substantially burdening a person’s free exercise of religion except where the agency proves that the burden is both in furtherance of a compelling interest of the agency and the least restrictive means of furthering that compelling interest,” *id.*

⁶¹ *Pearce, supra* note 45.

⁶² *Federal Judge Strikes Down Orlando Homeless Feeding Ban, supra* note 52.

current national trend of striking down such a ban, it is unlikely the Los Angeles City Council's proposed ban would survive a constitutional challenge. Therefore, the Los Angeles City Council should abandon its proposed ban on feeding the homeless in public spaces.

b. Provide Direct Support for Los Angeles' Homeless

Rather than banning feeding the homeless in public spaces, The City of Los Angeles should confront its homeless problem with increased services to the homeless. One stated goal of proponents of the ban is to ensure the homeless community has access to services beyond daily meals.⁶³ It might be true that established homeless service organizations with permanent indoor meal provision programs are more capable of providing services than mobile or temporary food providers. However, indoor food distribution facilities are mostly concentrated in certain parts of the city, making it difficult for many homeless people to access.⁶⁴ Furthermore, even if the homeless community concentrates around indoor food distribution facilities, the current facilities would be unable to accommodate the approximately 57,735 homeless individuals living in Los Angeles without the supplemental support of mobile or temporary outdoor food distributors.⁶⁵ Therefore, limiting food distribution to permanent, indoor facilities is not the best approach to increasing the homeless' access to support services. Instead, additional services should be made available through a variety of outlets, including outdoor food distribution centers, where many homeless people tend to congregate nightly.

Los Angeles should also be proactive in preventing growth in the homeless population by expanding the mission of organizations that interact with vulnerable populations. The Los

⁶³ See *Lee*, supra note 28.

⁶⁴ David Weinberg, *Skid Row was L.A.'s Solution for Homelessness. Now That's Changing*, *Marketplace* (Mar. 19, 2013), <http://www.marketplace.org/topics/wealth-poverty/skid-row-was-las-solution-homelessness-now-thats-changing>.

⁶⁵ *Henry*, supra note 9, at 14.

Angeles County Public Defender, for example, should be given additional funds to provide post-incarceration re-entry services like the highly successful, holistic approach taken by the Bronx Defenders. According to Bronx Defenders founder Robin Steinberg, "even when you get the not-guilty verdict, you don't hug them and send them into the night. That's when the work begins."⁶⁶ The Bronx Defenders have re-defined the role of public defenders in many aspects, including the re-entry process by advocating for employment discrimination protections for job-seekers with conviction histories, improved access to education for people with criminal justice involvement, and restored fairness to the parole system.⁶⁷ Given California's court-ordered reduction of its inmate population, re-entry programs through the Los Angeles County Public Defender would help prevent former inmates from becoming homeless upon re-entry and allow the city to maximize its efforts to help the homeless by reducing the homeless population.

IV. Conclusion

Privately funded programs offering public food distribution to the homeless have proven to be hugely successful at providing a needed social service at no cost to the local government. Moreover, any attempt to ban these programs would probably not survive a constitutional challenge. Therefore instead of banning feeding the homeless in public spaces, the City of Los Angeles should advance its stated goal of making services accessible to the homeless by working with existing organizations, like the Greater West Hollywood Food Coalition and Monday Night Mission. Additionally, local governments should strive to stem the growth of the homeless population by expanding the role and increasing funding for groups that interact with vulnerable populations, like the Los Angeles County Public Defender.

⁶⁶ Tracey Kaplan, 'Holistic' Criminal Defense Gains Footing in Bay Area, THE MERCURY NEWS (Mar. 21, 2014), http://www.mercurynews.com/crime-courts/ci_25396518/holistic-criminal-defense-gains-footing-bay-area.

⁶⁷ The Bronx Defenders, *Policy & Community Development*, <http://www.bronxdefenders.org/our-work/policy-community-development/> (Mar. 29 2013).