



Downtown News

The HALO Effect

New Program Steers Homeless Offenders to Social Services Instead of Jail

By **Ryan Vaillancourt**
Friday, June 12, 2009

DOWNTOWN LOS ANGELES - City Attorney Rocky Delgadillo's office thinks it may have finally found the best approach to dealing with homeless individuals accused of minor infractions: Steer them toward social services instead of fines and jail.

Citations in Skid Row for jaywalking, littering and other low-level offenses often lead to non-payments. When the homeless, many of whom are also mentally ill, drug-addicted, or both, fail to appear in court after tickets pile up, a warrant is triggered. The problem has been a source of controversy since 2006, when the Safer Cities Initiative put 50 additional cops in Skid Row, in part to crack down on "quality of life" crimes.

Under a new city program, certain non-violent homeless individuals and residents of subsidized housing can get these kinds of tickets dismissed if they participate in four hours of community service, drug treatment, job counseling or other social services. The program is also open to those battling mental illness or substance addiction.

The citation clinic is the third and newest component of HALO, which stands for Homeless Alternatives to Living on the Streets, the legal diversion program created as part of the Safer Cities Initiative. Delgadillo is set tout the program's two-year

anniversary and the addition of the citation clinic at a press conference on Friday, June 12.

"The idea is they're taking ownership, empowering themselves and helping to make their situation better," said Songhai Miguda-Armstead, the assistant supervising city attorney who oversees HALO. "That's our ultimate goal."

The first HALO citation clinic was held at the Midnight Mission on May 28. Only a few dozen people were expected, but more than 200 showed up and 144 were connected with a service provider that day, Miguda-Armstead said. Another approximately 100 people who didn't have citations came to the clinic just to meet with service providers, she said.

Punishment or Opportunity

The citation clinic was created in response to a pervasive problem: Many of the Skid Row people ticketed never appear in court, which leads to the warrants being issued. In 2007, homeless advocacy group the Los Angeles Community Action Network and the city attorney's office found that people with such warrants were being denied basic services such as getting a driver's license.

Delgadillo's office later agreed to dismiss a batch of infractions, but only as a contingency measure until the HALO team could create a policy for dealing with such cases, Miguda-Armstead said. At the same time,

LACAN has worked with the law firm Fulbright and Jaworksi and the nonprofit Inner City Law Center to help Skid Row residents get infractions waived. That has led to the dismissal of several hundred citations, Miguda-Armstead said.

Becky Dennison, co-director of LACAN, believes most of the tickets are given unfairly and seeks to have the citations dismissed outright. The key difference between LACAN's effort and the HALO citation clinic, Dennison said, is that the city program essentially requires offenders to admit guilt in exchange for access to services.

Miguda-Armstead countered that participants in the HALO program are not asked to admit anything, and are encouraged to fight their citation if they prefer. The citation clinics are also open to people who don't have citations or warrants and simply want to connect with a service provider, she said.

Dennison does not entirely oppose HALO's diversion programs, but she says the fact that so many infractions are dismissed points to the absurdity of issuing the tickets in the first place.

"If you believe that these folks should be able to dismiss, or meet the requirements of these tickets through alternative means, then why don't you just oppose the ticketing?" she asked.

For Miguda-Armstead, the answer is simple: Homeless or homeowner, rich or poor, jaywalking constitutes a legitimate public safety concern.

“Even if we’re saying it’s not fair for them to pay the citation because they can’t help the behavior, I think it’s fair to stop the behavior if it’s going to cause them or someone else to get injured,” she said.

As for littering, Miguda-Armstead said her office has seen two littering citations in the past year.

Participants in the HALO clinic, which will set up in different communities every month — the next is in Hollywood on June 25 — are required to do four hours of service, treatment or counseling per infraction. The city attorney’s office follows up with the service provider, who confirms whether the offender completed the program. If so, the infraction is wiped from their record.

Some critics of the program charge that the process amounts to forcing individuals into treatment or other services.

“The whole idea that you have to coerce people into seeking treatment by holding a citation over their head is really rather distasteful,” said Betsy Handler, director of legal service at Inner City Law Center, who suggests that the city focus less on enforcement and more on adding permanent supportive housing.

Julius Land, director of technical assistance for the nonprofit Center for Court Innovation, which helps cities set up homeless courts and consulted with Los Angeles on the HALO

citation clinic, acknowledges the importance of housing. But he rejects the assertion that the voluntary citation program amounts to coercion.

“When the justice system issues warrants, I don’t think it’s an unreasonable proposition that in order to dismiss them that there be some quid pro quo, and I think it’s very progressive to make that trade-off,” Lang said. “Unless of course they’re faulty; anybody should be free to challenge a faulty warrant or a baseless charge.”

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Songhai Miguda-Armstead (center), Veronica Soto and Patrick Shibuya of the City Attorney’s office are leading the HALO, or Homeless Alternatives to Living on the Streets, program. Photo by Gary Leonard.