In San Francisco, more than one in three respondents (33%) reported having a severe mental health condition, and 26% reported mental health conditions as a barrier to employment and primary cause of their homelessness. In this study’s survey, 42% of respondents identified as having a mental disability. This is more than double the rate of self-identified mental health disability in the general population, which hovers around 18%.

The poverty of people with disabilities is largely a product of recent changes in State and Federal policy—through the vast reduction in affordable housing and public health since the 1980s at the Federal and State levels. More recently, between 2009 and 2013 alone, states have cut over $16 billion dollars from their mental health budgets. In California, this cut accounted for over 21% of all mental health funding. During this same period of health and housing cuts, San Francisco has dramatically increased its criminalization of homelessness in passing more anti-homeless laws than any other city in California—9 ordinances banning sitting, sleeping, standing, and begging in public places.

To understand the impact of San Francisco’s punitive approach to managing homelessness, the Coalition on Homelessness (publisher of the Street Sheet) surveyed 351 homeless people about their experiences with criminalization under the supervision of researchers at the UC Berkeley Law School’s Human Rights Center.

The report found that not only are those suffering mental health disabilities disproportionately homeless, they are also disproportionately punished, and face unique challenges that make the City’s punitive policy not only exceptionally cruel but also ineffective.

The study found that 83% of individuals who indicated that they had a mental disability reported having been approached by the police in the past year while in public space (51% higher than the already astronomical 74% reported by all respondents). Some might argue that these police interactions present opportunities for police to engage with and offer services to those they approach. Yet only 11% were offered services of any kind and no survey respondents were offered mental health specific services.

In the absence of services, a likely outcome is that the individual will simply be asked to “move along.” Indeed, 70% of survey respondents had been forced to move from a public space. Even more disturbing than the force of removal was the set of locations from which people were removed. Nearly 70% (69%) of those living with a mental disability reported being removed from the Tenderloin, SoMa, Mission, or Downtown neighborhoods of San Francisco.

Not only do these neighborhoods account for the vast majority of the city’s homeless services, these four neighborhoods account for over 90% of all housing and services for people with mental illness. The common act of forced removal is not only removing people from their homes, but from the very services that may be necessary for the maintenance of their health and well-being.

It was also found that those with mental illnesses received citations at a higher rate than the general homeless population for minor victimless offenses such as jaywalking, aggressive panhandling, camping, etc resulting in entanglements with the court system.

Of those individuals with mental disabilities who had been approached by the police, nearly 80% reported receiving a citation. While the majority indicated receiving only 1–5 citations in the past year, nearly a third reported being cited on a nearly monthly basis.

Not surprisingly, few were able to pay. For the majority of respondents, citations were ignored, resulting in the issuance of an arrest warrant, the suspension of their driver’s license, and a court fee three times higher than the initial fine. Frequently, the accumulation of citations resulted in incarceration. In San Francisco, those with serious mental health issues make up the majority of prisoners. This number has risen sharply over the past few years, from 56% in 2008 to 71% in 2013. On the bright side, jail times for misdemeanor bench warrants are relatively short, ranging from overnight up to about a week. Yet, for those who must grapple with the complexities of mental illness, even a short stint in jail can be devastating, resulting in loss of care, inability to access necessary medications, and immersion in a jail environment that both exacerbates and fails to account for mental health needs.

Although San Francisco County jail is fortunate enough to have a Jail Psychiatric Services department (JPS), short jail sentences lessen the likelihood of referral, while JPS wait times make it unlikely that a referral will result in assessment. Further, even if an individual is lucky enough (or incarcerated long enough) to be both referred to and seen by JPS, lack of access to a patient’s medical charts or history often means destabilizing changes in treatment and medication dosing. The result is often an increase in symptoms of trauma, anxiety, depression, and psychosis while in jail and continuing upon release.

Unfortunately, the destabilization and exacerbation caused by incarceration, at either the state or county level, is often met with a lack of resources upon
release, making consequences of incarceration even dire for those who have both a mental illness and are precariously housed. An immediate consequence of incarceration is the forfeiture of all public benefits including SSI, Medi-Cal, SNAP (“food stamps”), CalWORKS, TANF, and General Assistance funding. For those in shelters or residential hotels, time in jail might mean the loss of housing and/or personal possessions such as clothing, identification, and medications. Additionally, incarceration can often mean a loss of employment due to absence and increased difficulty securing new employment stemming from their newfound criminal record.

Ironically, the loss of stability, housing, resources, and possessions caused by incarceration create the very disorderly bodies that led to police contact in the first place. Dirty from lack of housing and clothes, possibly decompensated from lack of medication and care, hungry and desperate from lack of resources, this person embodies all the conditions necessary for both citizen complaint and police intervention. Thus, they are even more likely to be stopped, cited, and incarcerated and when they are released again, in even worse shape than before, the cycle begins anew.

A number of steps could be taken by City policy makers now to alleviate this crisis. AB 109: Realignment was an opportunity for San Francisco to invest in alternatives to incarceration and re-entry support (like mental and medical healthcare, housing, and employment readiness) to decrease recidivism. While there were some model reforms that came from the Department of Probation regarding re-entry support, the Sheriff’s Department has chosen instead to seek jail expansion dollars being offered by the State of California to respond to some counties’ over-reliance on jails in the face of Realignment. At the same time, Francisco continues to rely on Psychiatric Emergency Services for people in psychiatric crisis, a pathway that starts in handcuffs and ends in a locked facility, often a traumatizing and ineffective intervention. Policy makers should increase and expand capacity of outpatient, mental health treatment, and community-based psychiatric emergency services like those currently existing through the Dore Clinic, rather than relying on a larger jail.

At the same time, City leaders should work towards the abolition of laws criminalizing homelessness in the first place, as the US Department of Justice and Department of Housing and Urban Development have made clear in recent statements and filings in just the past month. In California, Senator Carol Liu has presented legislation, SB 608, known as the Right to Rest Act, that would prohibit the enforcement of laws banning activities that homeless people have no choice but to engage in in public. While Alameda County supported the bill, San Francisco County did not come out in public support. Supervisors could be pressured to support this bill in solidarity with our East Bay neighbors while pressing for local reforms in the meantime.