

SB 5867: Concerning compassionate and effective strategies to address the homelessness crisis

The Washington Association of Criminal Defense Lawyers and Washington Defender Association have concerns about SB 5867 as the bill contains language that is confusing. We would support the bill with amendments.

More must be done more to address homelessness especially during severe weather.

This bill is a good first step, but modifications are needed. As currently written, counties with populations over 50,000 are not required to provide shelter for the unhoused. It is confusing to have a codicil that mandates how a temporary shelter must function.

We urge that the following amendment be made:

NEW SECTION. Sec. 2. A new section is added to chapter 36.01 RCW to read as follows:

(1)(a) Every county and each city with a population over 50,000 ~~may~~ must establish and operate an emergency overnight shelter site in its respective jurisdiction. Counties and each eligible city within county's geographic boundary must coordinate to ensure that there are enough cumulative shelter beds to accommodate, at a minimum, the sheltered and unsheltered portions of the county's most recent point-in-time homeless count.

(b) Counties and each eligible city must make available employment, mental health, and drug counseling services at each shelter location pursuant to funding made available from the housing trust fund. Each shelter ~~may prohibit the possession and use of alcohol and unprescribed drugs on its premises, contingent upon evaluation for and compliance with treatment as recommended.~~ Each shelter must provide for security during the shelter's operating hours.

Based on section 1(b) mandating counties and eligible cities to make services available for employment, mental health and chemical dependency, then counties and eligible cities must also be mandated to provide emergency shelter. If counties/eligible cities are not required to have homeless shelters, then it is incongruous to require that a shelter provide certain services.

Perhaps the intent of "each shelter may prohibit the possession of and use of alcohol and unprescribed drugs on its premises" is to allow people to use drugs and alcohol in the shelter contingent upon the individual agreeing to an evaluation and following treatment recommendations, but that concept seems unlikely. As written, the sentence is very confusing and the second half of the sentence should be stricken.

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