



# Report

  
National  
Coalition  
for the Homeless

July, 2016

## No Safe Place:

## A Survey of Hate Crimes and Violence Committed Against Homeless People in 2014 & 2015

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A report by the National Coalition for the Homeless

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## Executive Summary

The National Coalition for the Homeless (NCH) has documented 1,650 acts of violence against homeless individuals by housed perpetrators over the past 17 years (1999-2015). These crimes are believed to have been motivated by the perpetrators' biases against people experiencing homelessness or by their ability to target homeless people with relative ease. The crimes include an array of atrocities such as murder, beatings, rapes, and even mutilations.

NCH has found startling data regarding the number and severity of attacks. However, the true calamity may be even worse than these reports imply. Because the homeless community is treated so poorly in our society, many attacks go unreported and unrepresented. Therefore, we cannot know the full scope of these abuses. Hate crimes against the homeless community are a vital issue in need of public attention.

Over the last 17 years, NCH has determined the following:

- **1,657** reported acts of violence have been committed against individuals experiencing homelessness
- **428** victims have lost their lives as a result of the attacks
- Reported violence has occurred in **48** states, Puerto Rico, and the District of Columbia
- Perpetrators of these attacks were generally males under age **30**; most commonly they were teenage boys.

Specifically, in 2014:

- There were **122** victims of attacks against people experiencing homelessness.
- **26** of the victims of these attacks lost their lives.
- **82%** of all perpetrators whose ages are reported were under the age of **30**
- **95%** of all perpetrators whose genders are reported were male
- **74%** of victims whose ages are reported were over the age of **40**
- **81%** of all victims whose genders are reported were male

Specifically, in 2015:

- There were **77** victims of attacks against people experiencing homelessness
- **27** of the victims of these attacks lost their lives.
- **73%** of perpetrators whose ages are reported were under the age of **30**
- **90%** of all perpetrators whose genders are reported were male
- **57%** of victims whose ages are reported were over the age of **40**
- **77%** of all victims whose genders are reported were male

**No Safe Place: A Survey of Hate Crimes and Violence Committed against Homeless People in 2014 & 2015** documents the known cases of violence against individuals experiencing homelessness by housed individuals in those two years. The report includes descriptions of the cases, current and pending legislation that would help protect homeless people, and recommendations for advocates to help prevent violence against homeless individuals.

### **Purpose**

The main objective of this report is to educate lawmakers, advocates, and the general public about hate crimes and violence against the homeless community, in order to bring about change and ensure the protection of civil rights for everyone, regardless of economic circumstances or housing status. As part of its mission, NCH is committed to creating the systemic and attitudinal changes necessary to end homelessness. A large component of these changes must include the societal guarantee of safety and protection, as well as a commitment by lawmakers to combat hate crimes and other violent acts against people who experience homelessness.

### **Methodology**

The data on violent acts committed against the homeless population were gathered from a variety of sources including published national and local news reports. Homeless advocates and local service providers across the country provided also information about incidents in their local communities. In addition, this report relied on the voices of homeless persons and formerly homeless people, who self-reported incidents they experienced firsthand.

Every reported incident was subject to a rigorous fact-checking process, designed to evaluate and verify the accuracy of the reported events. This process entailed multiple follow-up discussions with those closely involved with the incident. Cross-comparisons were also made with other news sources reporting the incident.

While the motive for each attack was not always evident from the information available, in many cases, there was confirmation that these violent acts were perpetrated because of a bias against the victim based on her or his housing status. Other acts were deemed opportunistic, and committed merely because the homeless person, due to the nature of homelessness, was in a vulnerable position that turned her or him into an easy target. Only attacks perpetrated by housed individuals against un-housed individuals were evaluated. Crimes committed by homeless people against other homeless persons were excluded from this report.

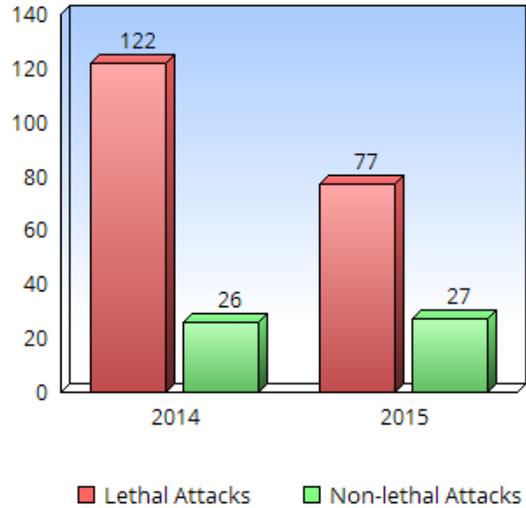
Although NCH has made every effort to verify the facts regarding each incident included in this report, new information about cases may become available after its publication. For this reason, the NCH constantly researches and reviews all facts related to the included data. As additional evidence emerges about prior, new, or previously unknown cases, it is the policy of NCH to adjust tabulations based on the new information.

**Now and Then: Hate Crimes Against the Homeless, 1999-2015**

*A hate crime is defined by the U.S. Department of Justice’s Federal Bureau of Investigation (FBI) as a “criminal offense committed against a person, property, or society that is motivated, in whole or part, by the offender’s bias.”*

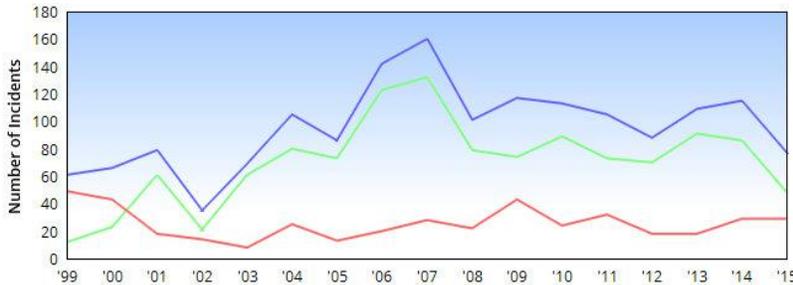
The FBI does not currently recognize protected status for people experiencing homelessness.<sup>1</sup> Over the past 17 years, NCH has recorded 1,650 incidents of crimes committed against this unprotected group. In 2014 and 2015, NCH became aware of 192 attacks, 58 of which resulted in death. While these statistics are alarming on their own, it is also important to note that people experiencing homelessness are often treated so poorly by society that attacks are forgotten or unreported. It is very possible that the number of attacks was much higher.

**Graph 1: Lethal vs. Total Incidents**



Without shelter, the homeless population is particularly vulnerable to both the elements of nature and the abuses of society. Once homeless, their suffering can be a vicious cycle of frustrating attempts to regain housing. Many communities do not have shelter space or adequate

**Graph 2 and Table 1: Total Documented Incidents**



Year	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15
<b>Lethal</b>	49	43	18	14	8	25	13	20	28	22	43	24	32	18	18	26	27
<b>Non-lethal</b>	12	23	61	21	61	80	73	123	132	79	74	89	73	70	91	96	50
<b>Total</b>	61	66	79	35	69	105	86	142	160	101	117	113	105	88	109	122	77

affordable housing to meet their needs. According to the U.S. Department of Housing and Urban Development, on a single night in 2014 there were 578,424 homeless people in the United States, including 362,163 who were homeless as individuals and 216,261 who were homeless in families.<sup>2</sup>

<sup>1</sup> U.S. Department of Justice Federal Bureau of Investigation. “Hate Crime” [http://www.fbi.gov/about-us/investigate/civilrights/hate\\_crimes/overview](http://www.fbi.gov/about-us/investigate/civilrights/hate_crimes/overview)

<sup>2</sup> Office of Planning and Development, U.S. Department of Housing and Urban Development. The 2013 Part 1 Point-in-Time Estimates of Homelessness. November 2013

Violence against the homeless by housed individuals is an alarming trend that has increased steadily from year to year since 1999, when NCH began recording incidents. In 2014 alone, there were 11 more fatal attacks (29) compared to 2013 (18), a 61% increase. There was also a 17% increase in nonlethal attacks over the same period. In 2015, 29 fatal attacks were recorded, the same as in the previous year. It is important to note, however, that the total number of attacks recorded was lower (115 attacks in 2014, 77 attacks in 2015).

## FBI vs. NCH Defined Hate Crime Homicides

The number of reported fatal attacks on homeless victims is particularly alarming when compared with the number of deaths that have occurred as a result of hate crimes among the currently protected classes. Table 2 shows that over the last 16 years, nearly three times as many homeless individuals have died as a result of bias-motivated attacks than all of the other currently protected classes combined.

**Table 2: Declared Hate Crime Deaths vs. Hate Crime Deaths of Homeless People**

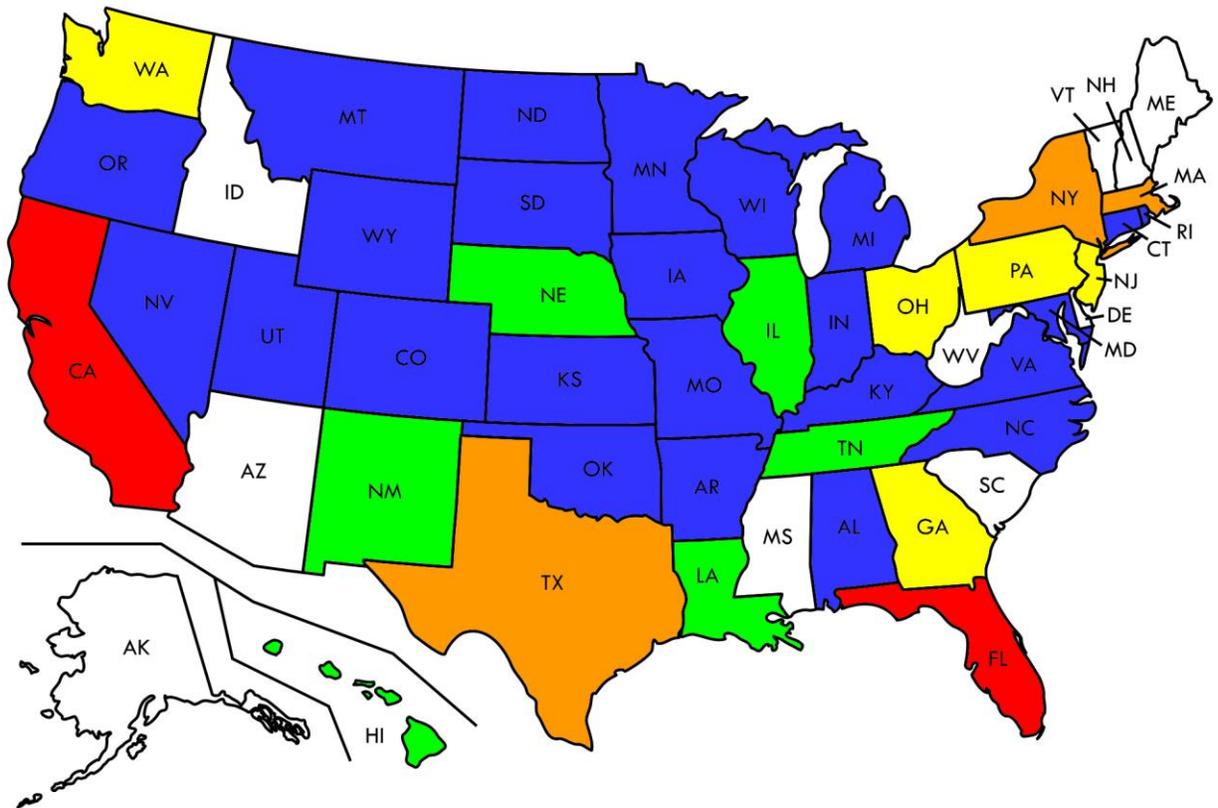
Year	Homicides Classified as Hate Crimes (FBI Data)	Fatal Attacks on Homeless Individuals (NCH Data)
1999	17 (9 racially, 2 religiously, 3 sexual orientation, 3 ethnically motivated)	49
2000	19 (10 racially, 1 religiously, 2 sexual orientation, 6 ethnically motivated)	43
2001	10 (4 racially, 1 sexual orientation, 5 ethnically motivated)	18
2002	13 (4 racially, 3 religious, 4 sexual orientation, 2 ethnically motivated)	14
2003	14 (5 racially, 6 sexual orientation, 2 ethnically, 1 anti-disability motivated)	8
2004	5 (3 racially, 1 religiously, 1 sexual orientation motivated)	25
2005	6 (3 racially, 3 ethnically motivated)	13
2006	3 (3 racially motivated)	20
2007	9 (5 sexual orientation, 2 racially, 2 ethnicity motivated)	28
2008	7 (5 sexual orientation, 1 racially, 1 ethnically motivated)	22
2009	8 (6 racially, 1 sexual orientation, 1 ethnically motivated)	43
2010	7 (1 racially, 3 religiously, 1 ethnically, 2 sexual orientation motivated)	24
2011	4 (1 racially, 3 sexual orientation)	32
2012	10 (1 racially, 8 religiously, 1 sexual orientation)	18
2013	5 (2 racially, 2 sexual orientation, 1 ethnically motivated)	18
2014	4 (4 racially motivated)	26
2015	Data Not Yet Available	27
<b>TOTAL</b>	<b>141</b>	<b>428</b>

*Chart compiled with data from the Center for the Study of Hate & Extremism (California State University, San Bernardino): Analysis of Data from the F.B.I. and the National Coalition for the Homeless.*

### Geographical Distribution of Hate Crimes against Homeless People

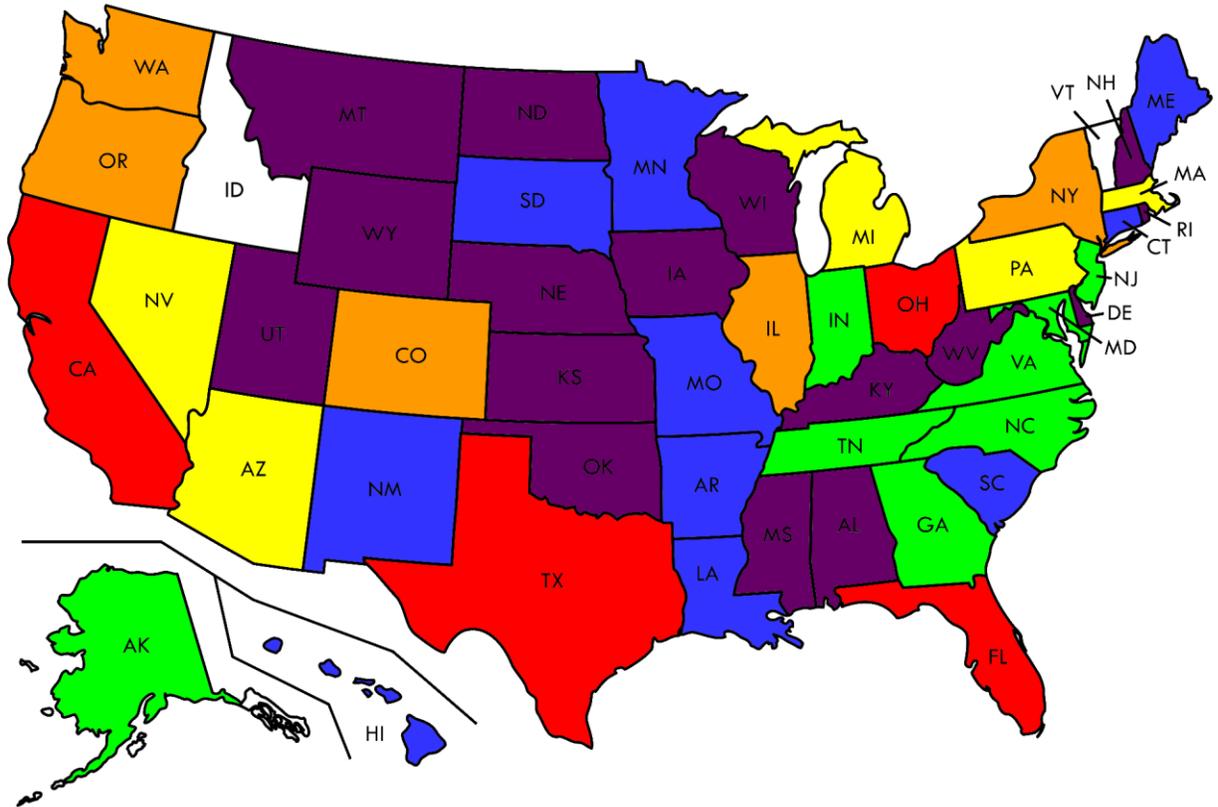
The attacks committed against individuals experiencing homelessness in 2014 & 2015 occurred across 40 states, plus the District of Columbia and the territory of Puerto Rico. An astonishing 25% percent of the attacks took place in California and another 12% percent of the incidents were in Florida. These two states have consistently seen high rates of violence and abuse towards their homeless populations. In the last sixteen years, NCH has recorded over 580 attacks collectively across these two states, where homeless people tend to be more visible.

**Map 1: Distribution of Documented incidents in 2014 & 2015**



California 43	Tennessee 3	Missouri 2	Iowa 1	<b>Legend</b> 10+ 7-9 5-6 3-4 1-2
Florida 18	Hawaii 3	Montana 2	Michigan 1	
Massachusetts 9	Illinois 3	Nevada 2	Minnesota 1	
New York 7	Louisiana 3	North Carolina 2	North Dakota 1	
Texas 7	Nebraska 3	Oklahoma 2	Puerto Rico 1	
New Jersey 6	DC 2	Oregon 2	South Dakota 1	
Washington 6	Colorado 2	Rhode Island 2	Utah 1	
Pennsylvania 5	Connecticut 2	Alabama 1	Virginia 1	
Georgia 5	Kansas 2	Arkansas 1	Wisconsin 1	
Ohio 5	Kentucky 2	Indiana 1	Wyoming 1	
New Mexico 3	Maryland 2			

**Map 2: Distribution of Documented Incidents between 1999 & 2015**



California 334	Arizona 31	Missouri 15	New Hampshire 9	<b>Legend</b>
Florida 248	North Carolina 28	South Carolina 14	Nebraska 8	
Texas 93	Tennessee 26	Hawaii 13	Rhode Island 8	
Ohio 85	Maryland 24	DC 12	Iowa 7	
Illinois 58	Georgia 23	Louisiana 12	Kentucky 6	
Oregon 55	Indiana 23	South Dakota 12	West Virginia 6	
Colorado 54	New Jersey 23	New Mexico 11	Wisconsin 6	
New York 52	Alaska 21	Connecticut 11	Montana 5	
Washington 48	Virginia 21	Alabama 9	Delaware 3	
Pennsylvania 39	Puerto Rico 20	Kansas 9	North Dakota 1	
Nevada 37	Arkansas 18	Oklahoma 9	Utah 1	
Michigan 34	Maine 15	Mississippi 9	Wyoming 1	
Massachusetts 33	Minnesota 15			

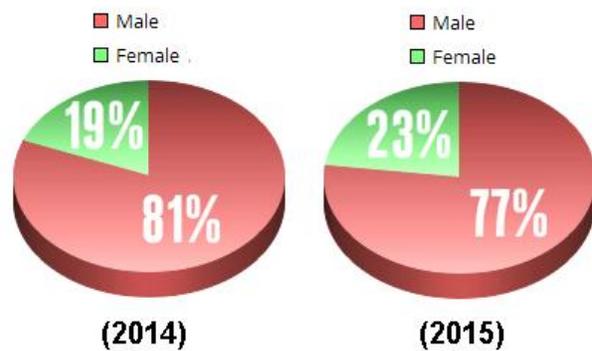
**Profile of Homeless Victims**

Victims of homeless hate crimes are most commonly middle-aged men. Between 1999 and 2014, on average, 72% of the victims were over the age of 40, and 34% were between the ages of 40 and 50. In 2014, 34% of victims were between the ages of 40 and 50, and 38% were over 50 years old. In 2015, 62% of victims were over 40. However, the ages of some victims documented in this report aren't reported. In 2014, 81% of victims were male, while in 2015, 77% were male.

**Graph 3: Victim Age Distribution**



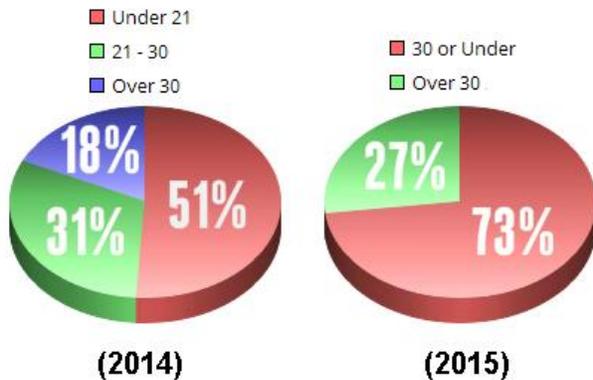
**Graph 4: Victim Gender Distribution**



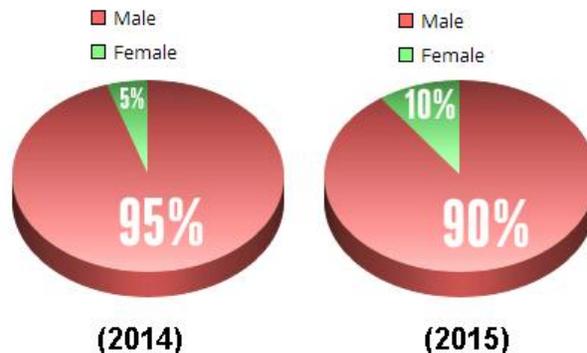
**Profile of Accused and Convicted Perpetrators**

In contrast victims, perpetrators of hate crimes against homeless individuals have been, overwhelmingly, young men. Over the course of the 16 years that NCH has been collecting data, 93% of recorded cases have had a male attacker, and 82% of the perpetrators were age 30 or younger. In 2014, 95% of attackers were male and 82% of the perpetrators were age 30 or younger. In 2015, 90% of attackers were male and 73% were age 30 or younger.

**Graph 5: Perpetrator Age Distribution**



**Graph 6: Perpetrator Gender Distribution**



## Individual Case Summaries

In 2014, NCH identified 115 people without homes who were targeted because of their housing status. 86 victims suffered non-fatal injuries, while 29 lost their lives. In 2015, NCH identified 77 people without homes who were targeted because of their housing status. 48 victims suffered non-fatal injuries, while 29 lost their lives. This section will provide summaries of the cases associated with incidences reported in 2014 and 2015. For more information about a specific crime, contact NCH.

### Cases in 2014

#### Lethal Case Descriptions - Total: 26

##### Reading, Pennsylvania

*“Homeless Man Savagely Beaten at Laundromat”* (CBS 21)<sup>3</sup>

January 11: Robert Mohler, 49, was granted permission from a laundromat owner to spend the night inside to escape the extreme cold. According to police, Mohler was beaten to death with a laundry cart and a cone for no clear reason. Floyd Patterson, 23; Irich Colon, 25; Ana Ferrer-Reyes, 21; and Keith Allison, 26, were arrested for the beating and are now charged with aggravated assault, robbery, and other charges. Ferrer-Reyes received 11 to 45 years in state prison, and ordered to pay \$2,572 in restitution for Mohler’s medical bills. The others are still pending trial.

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<sup>3</sup> Yeager, Don, Homeless man savagely beater at Laundromat, CBS 21, January 24, 2014, available at [http://www.local21news.com/template/cgi-bin/archived.pl?type=basic&file=/news/features/top-stories/stories/archive/2014/01/NjubvvgP.xml#.VL\\_I nNLF9Fc](http://www.local21news.com/template/cgi-bin/archived.pl?type=basic&file=/news/features/top-stories/stories/archive/2014/01/NjubvvgP.xml#.VL_I nNLF9Fc)

##### Panorama City, California

*“Man Is Shot Point-Blank in the Head in Argument Over \$50, LAPD Says”* (Los Angeles Times)<sup>4</sup>

February 2: Carlos Sanchez Cruz, 31, was in an argument with Robert Chapman, 21, over \$50. It was a fatal tragedy. “It is sad that a dispute over \$50 would lead a man’s death,” said Paul Vernon of the Los Angeles Police Department. While Cruz argued with Chapman, another individual, later discovered to be a 17-year-old gang member, shot Cruz at point-blank range. Cruz was placed on life support, and a few minutes later was declared brain dead. The shooter was not identified due to his age, 17; both the shooter and Chapman are known as gang members by the Los Angeles Police Department. The alleged gang members were booked for suspicion of attempting murder and charged with murder. The victim was not affiliated with gangs, according to police.

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<sup>4</sup> Sources: Bloomekatz, Ari, *Homeless man shot during fight over \$50is declared brain dead*, LA Times, February 4, 2014, available at <http://www.latimes.com/local/lanow/la-me-ln-homeless-man-shot-20140203-story.html>

### Hoboken, New Jersey

*“Three Teens Charged with Killing Hoboken Man in Violent Game of ‘Knockout’, Authorities Say”* (New York Daily News)<sup>5</sup>

February 9: Ralph Eric Santiago, 46, a homeless man, fell victim to the “knockout game,” a violent game in which the goal is to attack a random individual and knock her or him unconscious with one punch. Three young teens (two 13-year-olds and one 14-year-old) were involved in Santiago’s death. According to police, the teens crept up during the workday and punched him on the head. Santiago fell back onto an iron fence and his neck was wedged between two posts. Santiago was found later. According to his ex-wife Tracy Squillini, it was not the first time he had been assaulted; a previous attack left him mentally unstable. The young teens turned themselves in when police revealed pictures placing them at the scene of the crime. The two 13-year-olds pleaded guilty to obstruction of administration of the law and received one year of probation, which includes community service. The 14-year-old boy, who threw the fatal hit that killed Santiago, pleaded guilty to murder and received six years of juvenile prison.

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<sup>5</sup> Kemp, Joe, Three teens charged with killing Hoboken man in violent game of ‘knockout’, authorities say, daily news, September 21, 2013, available at <http://www.nydailynews.com/news/national/teens-charged-killing-hoboken-man-violent-game-knockout-authorities-article-1.1463380>

### Winter Haven, Florida

*“Police Arrest Suspect in Homeless Murder”* (WTSP)<sup>6</sup>

March 1: James Stewart, 71, was killed in Inman Park. His body was found under a tree, stabbed in the head and neck area. Police arrested Demarco Ginn, 43, and charged him with first-degree murder and robbery. DNA found on Ginn’s clothing put him at the scene, and he confessed to the murder. Ginn stabbed Stewart in the neck several times and “one strike hit his jugular vein”, according to the medical examiner. Later, Ginn was arrested while trying to sell Stewart’s bicycle.

### Clinton Hill, New York

*“Homeless Man Gilbert Kelly Shot and Killed in Clinton Hill”* (New York Daily News)<sup>7</sup>

March 15: Gilbert Kelly, 65, was a homeless military veteran who was shot and killed in Clinton Hill. He was known for loving his neighbors, cleaning the streets, helping people with their groceries, and retrieving cans after trash day. Police first assumed his killing may have been gang-related. According to Peter Fiorillo, commanding officer of the New York Police Department’s 88th Precinct, “Kelly was not

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<sup>6</sup> 10 News Staff, WTSP, *Police arrest suspect in homeless murder*, WTSP News, March 27, 2014, available at <http://www.wtsp.com/story/news/crime/2014/03/27/james-stewart-murder-arrest/6992243/>

<sup>7</sup> Stepansky, Joseph & Paddock, Barry, Homeless man Kelly Gilbert Shot, Killed in Clinton Hill, Daily News, March 15, 2014, available at <http://www.nydailynews.com/new-york/nyc-crime/man-shot-killed-clinton-hill-article-1.1722662>

connected with the gang and was likely in the wrong place and at the wrong time.” Kelly was outside 424 Grand Ave. when he spotted 18-year-old Victorious Kingberry and his group of friends. When Kelly asked them to stop throwing grapes at people and homes in the area, the confrontation escalated. Kelly took out a small sharp object, and immediately Kingberry took out a gun and shot Kelly in the chest. He died as he was being rushed to the hospital. Kingberry was charged with murder and criminal possession of a weapon.

#### Kihei, Hawaii

##### *“2nd Maui Teen Indicted in Beating Death of Homeless Man” (KITV)<sup>8</sup>*

March 15: Michael Phillip “Smiley” Gray, 44, was assaulted in Kalama Park and suffered many injuries that resulted in his death. He had four fractured ribs and suffered internal bleeding in the brain. He was found unconscious, close to a skating rink, right after the assault. Police arrested Kekaimalu Cacpal, 19, who indicted on murder charges. Eighteen-year-old Kaniela Dutro, who was 17 at the time of the attack, was charged with second-degree murder. A 15-year-old involved in the murder was also arrested and is under Family Court Jurisdiction.

According to an eyewitness, Dutro and Gray were arguing when Gray began packing his belongings and started heading toward the

beach. Dutro followed him and punched him repeatedly until Gray fell to the ground. All three individuals then proceeded to assault him separately. The prosecution is attempting to increase Dutro’s and Cacpal’s sentences to terms of life in prison without parole.

#### Albuquerque, New Mexico

##### *“Video Shows Albuquerque Police Killing Homeless Man” (CNN)<sup>9</sup>*

March 16: Albuquerque Police killed James Boyd, 38. Boyd, who was mentally ill, was trying to sleep in a campsite on some local foothills. Because it is illegal to camp there, the police showed up determined to move the man. After five-hour confrontation, Boyd agreed to walk away from the campsite with the officers. When he went to pick up his belongings, police noticed the man had two small camping knives. A stun grenade was thrown at Boyd’s feet. As he turned away from the blast, three shots were fired; one bullet hit him in the back. As he lay on the ground, he pleaded for them not to hurt him anymore. A police dog was set loose on Boyd and took hold of his leg. Beanbag rounds were fired at the fatally wounded Boyd, hitting him in the back. Boyd died the next day in the hospital. The coroner ruled the death a homicide and found that the cause of death was a single gunshot wound in the back. Police Chief Gordan Eden originally called the shooting justified but has since said that he spoke

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<sup>8</sup> 2<sup>ND</sup> Maui teen indicted in beating death of homeless man, kitv, September 19, 2014, available at <http://www.kitv.com/news/2nd-maui-teen-indicted-in-beating-death-of-homeless-man/28156232>

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<sup>9</sup> Fitzpatrick, David and Griffin, Drew, *Video shows Albuquerque police killing homeless man*, CNN.com, June 20, 2014, available at <http://www.cnn.com/2014/06/20/us/albuquerque-police-investigation/>

prematurely. The family of the victim is filing a wrongful death lawsuit against the Albuquerque Police Department, which is being investigated for excessive use of force and lack of training for the officers. Eden's death was added to the list of questionable killings the Albuquerque police has been involved with. First-degree murder charges have been filed against the two Albuquerque officers who shot Boyd.

#### Providence, Rhode Island

*"Candlelight Vigil to Be Held in Providence for Two Homeless Men Beaten to Death"* (Providence Journal)<sup>10</sup>

May 19: Thomas Rose, 22, and Jared Jackson, 20, are both being held without bond on murder charges after the fatal beating of Milton Lyles, 68. Lyles was found beaten on Broad Street on May 19 and succumbed to his injuries at Rhode Island Hospital on June 13. A third man, David Durrett, 31, is arraigned on charges he stole \$13 and a cellphone from Lyles.

#### Bloomington, Illinois

*"Three Arrested for Deadly Beating of Homeless Man"* (Central Illinois Proud)<sup>11</sup>

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<sup>10</sup> Pina, Tatiana, *Candlelight vigil to be held in Providence for two homeless men beaten to death*, July 17, 2014, available at <http://www.providencejournal.com/breaking-news/content/20140717-candlelight-vigil-to-be-held-in-providence-for-two-homeless-men-beaten-to-death.ece>

<sup>11</sup> Sources: *Three Arrested for the Deadly Beating of a Homeless Man*, CentralIllinoisProud.com, July 8, 2014, available at <http://www.centralillinoisproud.com/story/d/story/three-arrested-for-the-deadly-beating-of-a-homeles/30677/swwc4sZqTUKXjT5oFl9exQ>

June 2: Ronald Smith, 56, was a homeless man who was found beaten in Bloomington on the night of June 2. Police found Smith bleeding from his head near O'Neil Park, and ultimately determined it was there where he was viciously attacked. Smith was taken to Advocate BroMenn Medical Center. He died at the hospital on July 3 from a bacterial infection that he developed after being beaten in the stomach. Willie Chambers, 18, Anthony Davis-Dickson, 18, and Tory Washington, 19, have been arrested and face murder charges, along with robbery, aggravated battery, and mob action in crimes also committed on the same night.

#### Washington, D.C.

*"Homeless Man Killed in D.C., Sister Speaks Out"* (WJLA)<sup>12</sup>

June 3: At 10:30 p.m. on June 3, Rashard Raigns, 33, was approached and shot in the torso by three perpetrators. He died from his wounds. Police released the identities of two of the three men: Demitrich Jones, 16, and William Smallwood, 22. The name of the last individual, a juvenile, remains unavailable. Jones, Smallwood, and the juvenile fled the scene after shooting Raigns, but came back to his body later to steal his laptop. Jones told police it was his plan to hold up a man they had seen walking around the Ivy City neighborhood in Northeast D.C. and steal his computer. Jones has been charged as an adult, with one count of felony murder, one count of robbery, one

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<sup>12</sup> Sources: Donelan, Jennifer, *Homeless man killed in D.C., sister speaks out*, WJLA News, June 6, 2014, available at <http://www.wjla.com/articles/2014/06/homeless-man-killed-in-d-c-sister-speaks-out-103872.html>

count of attempted robbery, and two offenses. Smallwood is charged with murder and a third weapons-related offence. The 14-year-old is being charged as a juvenile. Raigins played defensive end for Colgate University, received a master's degree in Language Arts, and was a star student at Bethesda-Chevy Chase high school.

#### Albuquerque, New Mexico

*"Hit-and-Run in Downtown May Have Been 'Malicious'"* (Albuquerque Journal)<sup>13</sup>

June 9: A dark truck smashed through a campsite outside of a downtown shelter, killing one homeless person and injuring three others. According to police, the driver intentionally drove over the homeless people, who are known to sleep outside of this shelter. Police did not release the identities of those injured or killed. No arrests have been made, but police have stated that two men occupied the vehicle.

#### New York, New York

*"Suspects in Deadly Beating On Bronx Church Steps Arrested"* (ABC 7)<sup>14</sup>

June 16: Miguel Dircio, 41, a homeless man, was beaten to death while he slept on the stairs of a New York City church. Surveillance footage shows three young men approach the sleeping homeless man. At

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<sup>13</sup> Source: Boetel, Ryan, *Hit-and-run in Downtown may have been 'malicious'*, Albuquerque Journal, June 9, 2014, available at <http://www.abqjournal.com/412893/news/cops-1-dead-3-injured-in-albuquerque-hit-and-run.html>

<sup>14</sup> *Suspects in deadly beating on Bronx church steps arrested*, WABC-TV New York, July 2, 2014, available at <http://7online.com/news/suspects-in-deadly-beating-on-bronx-church-steps-arrested/151288/>

least two of the young men can be seen kicking the homeless man. The group left, but one of the assailant's turned back to kick the homeless man one last time. The victim was taken to St. Barnabas Hospital, where he eventually died from head trauma. Police arrested two brothers, Angel Monegro, 17, and Noel Martinez, 24. The brothers claim that Dircio got into an argument with their father as they were dining in a restaurant. Monegro and Martinez claim that the fight ended when Dircio slapped their father. The brothers both face charges of manslaughter.

#### Jacksonville, Florida

*"12-Year-Old Arrested in Homeless Man's Shooting Death"* (USA Today)<sup>15</sup>

June 28: Sharron Townsend, 12, has been charged with the second-degree murder of Thomas Trent, 54. Trent's body was found around 7 a.m. on June 28, suffering from a single gunshot wound to the head. Video surveillance shows two young boys walking in the same area Trent was found at 2:25 a.m. earlier that day. A second camera captured images of the boys running away from the area six minutes later. The second boy, Darryl Royal, 16, was already in jail on separate robbery charges when he pointed authorities to Townsend. Townsend admitted to the crime and was charged as an adult with second-degree murder.

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<sup>15</sup> WTLV-TV, *12-year-old arrested in homeless man's shooting death*, USA Today, July 31, 2014, available at <http://www.usatoday.com/story/news/nation/2014/07/31/12-year-old-held-in-homeless-mans-slaying/13441465/>

### Rapid City, South Dakota

*“Preliminary Autopsy Says Sunday Homicide Victim Was Beaten, Strangled” (Rapid City Journal)*<sup>16</sup>

July 6: Myron Rock, 47, a homeless man, was found in an alley. According to the preliminary autopsy, Rock’s cause of death involved beatings and/or strangulation. Michael Hand, 18, was arrested and charged with second-degree murder in Rock’s killing. His bond was set to \$500,000. Hand and his attorney have pleaded not guilty by reason of insanity, citing his use of Prozac, an antidepressant.

### Baton Rouge, Louisiana

*“Police: Homeless Man Dies at Hospital After Being Shot” (WABF)*<sup>17</sup>

July 14: Charles Vincent, 59, a homeless man, was shot by Marlon Carter, 41, over an altercation. The shooting happened on Florida Street between North 13th Street and North 14th Street, just after midnight. Vincent was taken to a local hospital but died from his injuries. Carter is accused of second-degree murder, illegal use of a weapon, and felon in possession of a firearm.

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<sup>16</sup> McLaughlin, John, Preliminary autopsy says Sunday homicide victims was beaten, salted, Rice city journey, July 9, 2014, available at [http://rapidcityjournal.com/news/local/preliminary-autopsy-says-sunday-homicide-victim-was-beaten-strangled/article\\_81adeb35-1de5-5ad6-b60f-f18c2da21c7f.html](http://rapidcityjournal.com/news/local/preliminary-autopsy-says-sunday-homicide-victim-was-beaten-strangled/article_81adeb35-1de5-5ad6-b60f-f18c2da21c7f.html)

<sup>17</sup> Police: Homeless man dies at hospital after getting shot, WABF, July 14, 2014, available at <http://www.wafb.com/story/26013190/police-homeless-man-dies-at-hospital-after-getting-shot>

### Albuquerque, New Mexico

*“Teens Charged with Murder of Two Homeless Men” (KRQE)*<sup>18</sup>

July 19: Three teens are accused of brutally murdering two homeless men, whose injuries rendered them beyond recognition. Alex Rios, 18; Nathaniel Carrillo, 16; and Gilbert Tafoya, 15, were prosecuted as adults and charged with two open counts of murder, tampering with evidence, three counts of aggravated battery with a deadly weapon, and robbery.

The two victims, Allison Gorman, 44, and Kee Thompson, 45, were with another man, Jerome Eskeets, when they were attacked. All three men were getting ready to sleep when Rios, Carrillo, and Tafoya began to attack them with cinderblocks and a metal pole. The injuries inflicted upon Gorman and Thompson caused their deaths, while Eskeets was able to escape, though not without his own injuries.

Albuquerque police found the three perpetrators’ motives to be Tafoya’s need to “beat someone up” after his relationship with a long-time girlfriend ended. All three perpetrators have confessed to attacking more than 50 homeless individuals in the past year, “mobbing” them (physical attacks and robbery), and accusing homeless people of “invading [their] property and always drinking.” The homeless community in the area has acknowledged that this is not the

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<sup>18</sup> McKee, Chris, & Mozzone, Katherine, teens charged with murder of two homeless men, KRQE News 13, July 22, 2014, available at <http://krqe.com/2014/07/20/3-suspects-arrested-in-homeless-murder-case/>

first time the three have attacked transients. Thompson and Gorman were both members of the Navajo Nation, who gathered together after their deaths to commemorate and hold a vigil for lives lost. The three teenagers' fate has not yet been decided, though they have pleaded not guilty to charges of first-degree murder.

#### Suitland, Maryland

*"Police Arrest 6 for Murder of Amos Jones in Suitland, Including Several MS-13 Gang Members"* (WJLA)<sup>19</sup>

July 22: Six young members of a gang known as Mara Salvatrucha, or MS-13, killed Amos Jones, 56. The gang is multi-national and is notorious for violence. The altercation began outside of a liquor store when Jones got into an argument with a 17-year-old girl who police believe is a member of MS-13. According to witnesses, the girl left and returned with several male individuals. The group began to attack Jones, hitting him and eventually stabbing him, which led to his death. All six were charged with first-degree murder.

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<sup>19</sup> Bell, Brand, Police arrest 6 for murder of Amos Jones in Suitland, including several MS-13 gang members, ABC 7, July 23, 2014, available at <http://www.wjla.com/articles/2014/07/police-arrest-6-for-murder-of-amos-jones-in-suitland-including-several-ms-13-gang-members-105358.html>

#### Cape Coral, Florida

*"Cape Teen Indicted as Adult in Homeless Man's Death"* (News-Press)<sup>20</sup>

August 2: Yoel Munoz, 13, was charged with one count of burglary while armed and first-degree murder for the killing of Thomas Bergstrom, 51, a homeless man. Bergstrom was found by his friend, Anthony Cashdollar, 18, dead in his camp. The bread knife used to stab Bergstrom and a bloody hockey mask found at the scene were connected to Munoz by authorities. Munoz was also admitted to the hospital for stab wounds to his thigh, hours before Bergstrom's body was found. During a search of Munoz's home, a pair of bloody sneakers in a plastic bag were found in the garage. Munoz was indicted for murder as an adult.

#### Houston, Texas

*"Juvenile Arrested in Fatal Stabbing of Homeless Man"* (KHOU)<sup>21</sup>

August 15: A juvenile, 16, was arrested for stabbing and killing Senen Dominguez, 29, a homeless man. Dominguez suffered multiple stab wounds and was found in a bayou near Plaza Verde. The teen already faces a charge of gang coercion and was found to be a MS-13 (Mara Salvatrucha) gang member.

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<sup>20</sup> Montoya, Melissa, *Cape teen indicted as adult in homeless man's death*, News-Press, August 21, 2014, available at <http://www.news-press.com/story/news/crime/2014/08/20/teen-indicted-adult-homeless-man-death/14349845/>

<sup>21</sup> KHOU Staff, *Juvenile arrested in fatal stabbing of homeless man*, October 20, 2014, available at <http://www.khou.com/story/news/crime/2014/10/20/juvenile-arrested-in-fatal-stabbing-of-homeless-man/17618965/>

Miami-Dade County, Florida

*“After Fatal Shooting of Panhandler in Wheelchair, Driver Leads Police on I-95 Chase” (Miami Herald)<sup>22</sup>*

August 26: Rodney Louis, 27, was driving along I-95 when he got out of his car at the southbound ramp from NW 95th Street to I-95 and shot and killed a popular panhandler from behind. The victim, Israel Perez, 58, was in a wheelchair and selling bottles of water. Louis got back into his car and led Miami-Dade Police on a chase on I-95 for 20 minutes before being forced to stop. He was taken into custody, and charged with first-degree murder and fleeing and eluding police. People familiar with Perez described him as well-known to the area, and said he would go about his business, not bothering anyone, holding out his cup, smiling, and asking for loose change. People at the scene described the crime as a “senseless killing.”

Chicago, Illinois

*“Homeless Man Beaten to Death in Logan Square” (Chicago Sun-Times)<sup>23</sup>*

August 30: Two unknown males beat Ernesto Garcia, 57, to death. The two men exited a Nissan sedan near North Ridgeway Avenue, entered an alley, and began

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<sup>22</sup> Rabin, Charles, *After fatal shooting of panhandler in wheelchair, driver leads police on I-95 chase*, Miami Herald, August 27, 2014, available at <http://www.miamiherald.com/news/local/community/miami-dade/article1982087.html>

<sup>23</sup> Owen, Jordan, *Homeless man beaten to death in Logan square*, Sun Times, September 2, 2014, available at <http://voices.suntimes.com/news/breaking-news/male-in-critical-condition-after-logan-square-assault/>

punching and kicking Garcia. The men left him in the alley, where he was found later. Garcia was pronounced dead at Mount Sinai Hospital; his autopsy found he died of blunt force trauma and his death was ruled a homicide.

Huntsville, Alabama

*“18-Year-Old Charged with Manslaughter in Homeless Man’s Beating Death” (WAFF)<sup>24</sup>*

September 4: Mark Pridmore, 40, asked two passersby for 50 cents in the Mini Mart 2 parking lot across from the University of Alabama. The two men became aggressive and Pridmore prepared to defend himself. The men left but returned shortly with several friends (an estimated total of eight to 10 men) who ganged up on Pridmore. They repeatedly punched and stomped on him, but more than 24 hours passed before he received medical attention. Pridmore slipped into a coma at Huntsville Hospital and later died. Huntsville Police charged Berhe Xavier Starling, 18, with manslaughter. The other suspects are yet to be found. Pridmore’s family is calling for justice, as they feel that the Huntsville Police Department in not taking the case seriously enough because Pridmore was homeless. Jackie Pridmore, Pridmore’s ex-wife, stated, “As far as Mark’s death, we want the truth to be told. There are aspects not being told. We want the awareness that homeless do

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<sup>24</sup> Waff.com, *18-year-old charged with manslaughter in homeless man’s beating death*, WAFF, September 10, 2014, available at <http://www.waff.com/story/26493873/18-year-old-charged-with-manslaughter-in-homeless-mans-beating-death>

exist. And they are just like us, they are not bad people and they don't deserve a hate crime." Christy Riggins, Pridmore's stepdaughter, also spoke out, saying, "With Mark's death, I hope that our community can be more acceptable about the homeless and understand that homeless are humans and they have a story... We must stop this stereotyping of the homeless and understand that this can happen to anyone at any age and at any time. It could happen to you."

### Columbus, Ohio

#### *"Teen Charged with Shooting 3 Homeless People, Killing One" (My FOX 28)*<sup>25</sup>

September 19: Carl Quiller, 19, is charged with murder after shooting three homeless people, killing one. He shot Carlos Aguilar, 48, in the arm, and Gertrude Hall, 51, in her face and back, before shooting and killing Thomas Henson, 63, who was sleeping in his truck. Quiller was arrested after making a call to 911, claiming he found Henson. During the call, he sounded like he was trying to save Henson's life, saying, "Stay awake man. ... There's a big hole in his pillow laying up against his head. So, I'd imagine he got shot in the head." The police, who found a gun and ammunition that matched those used in both crimes searched Quiller's home. Quiller was also found to have had a violent crime history: at 13, he was arrested for assault, rape at 14, robbery at 15, and another assault at 16.

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<sup>25</sup> Fox News, *Teen charged with shooting 3 homeless people, killing one*, Fox News, September 22, 2014, available at <http://www.myfox28columbus.com/news/features/to-p-stories/stories/teen-charged-shooting-3-homeless-people-killing-one-35351.shtml#.VMqkyNLF8qN>

### San Francisco, California

#### *"Suspects in Beating Death of Homeless Man Remain at Large" (Indy Bay)*<sup>26</sup>

November 23: Tai Lam, 67, was beaten to death by three suspects in the late hours of November 23. Tai Lam, a disabled senior citizen weighing merely 100 pounds, was asleep in his sleeping bag in an alley near an upscale mall. Three men in their late teens to early 20s or 30s approached him twice between 11 p.m. and midnight and brutally beat him. There was no clear motive for this crime. Lam was not robbed, as he was found with over \$1,000 in his pockets. He was found the next morning at 7 a.m., when someone trying to rouse him found him dead in his sleeping bag. San Francisco Police Lt. Toney Chaplin said he had never seen a killing as brutal as Lam's beating.

### Fargo, North Dakota

#### *"Man Arrested in Minnesota for Fatal Beating of North Dakota Homeless Man" (Minneapolis Star Tribune)*<sup>27</sup>

November 26: Police found Mario Perez, 54, a homeless man, badly beaten in a vacant apartment downtown. He was taken to Sanford Hospital, but his condition deteriorated over the next two weeks. According to sources, Perez had just arrived

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<sup>26</sup> Johnston, TJ, *Suspects in beating death of homeless man remain at large*, Street Sheet, January 19, 2015, available at <https://www.indybay.org/newsitems/2015/01/19/18767215.php>

<sup>27</sup> AP, *Man arrested in Minnesota for fatal beating of North Dakota homeless man*, StarTribune, January 1, 2015, available at <http://m.startribune.com/local/287286851.html?section=/>

in Fargo before being beaten. The perpetrator, Clayton Lockwood, Jr., was arrested in his home in Elbow Lake, Minnesota. He is charged with first-degree manslaughter.

#### Santee, California

*“Six Teens Arrested in Beating Death of California Homeless Man”* (Reuters)<sup>28</sup>

November 29: Cassidy Rowin, 18; Sarah Baillie, 18; Tyler Dare, 19; Brian Kish, 18; Danny Swan III, 19; and Cheyenne Maloof, 16; are all accused of beating to death one homeless man and seriously injuring another. The group of six got into an argument with two homeless men on a bike path underneath Route 52, near a homeless encampment in Santee. The six first began to fight with 49-year-old Edward Allen, but when it escalated, Stephen Lee Hissom, 55, came to Allen’s aid. All six were responsible for punching and kicking the victims. When deputies arrived, they found Hissom beaten to death, while Allen was taken to a nearby hospital. Both suffered from “blunt-force trauma.” After a two-day preliminary hearing by the El Cajon Superior Court, Judge Herbert Exarhos found there was enough evidence for five of the six to stand trial for the murder of Hissom. The charges against 16-year-old Maloof were dropped. The defendants each face 15 years to life in prison if convicted.

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<sup>28</sup> Reuters, *Six teens arrested in beating death of California homeless man*, Reuters, December 1, 2014, available at <http://www.reuters.com/article/2014/12/02/us-usa-beating-california-idUSKCN0JG01D20141202>

#### Los Angeles, California

*“2 Teens Charged with Beating Homeless Man to Death”* (Los Angeles Times)<sup>29</sup>

November 30: Eddie Ray Smith Jr., 43, was found dead in Rancho Cienega Sports Complex in the Baldwin Hills/Crenshaw neighborhood of Los Angeles. The Los Angeles Police Department reports that people in the area flagged authorities about an unresponsive man as well as a call of an assault in the area. Jordan English, 16, and Tyshaun Vasquez, 19, killed Smith with a metal trash can. English and Vasquez are each charged with one count of capital murder with the special circumstance of a murder committed during an attempted robbery, as well as one count of attempted robbery.

#### West Monroe, Louisiana

*“West Monroe Officer Indicted for December Shooting Death of Homeless Man”* (WDSU)<sup>30</sup>

December 4: On January 16, 2015, West Monroe police officer Jody LeDoux was indicted for firing the shot that killed Raymond Martinez on December 4. Martinez was shot outside a West Monroe convenience store and died from his injuries at a local hospital later that night. LeDoux is facing one count of negligent homicide.

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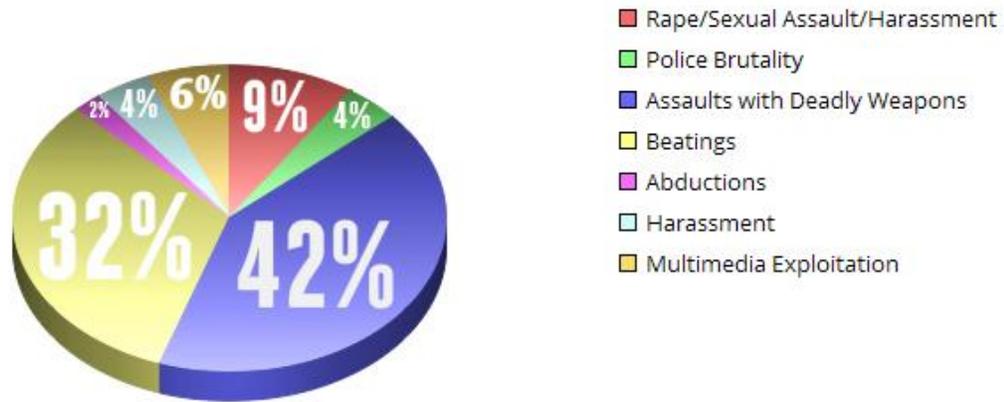
<sup>29</sup> Hamilton, Matt, *2 teens charged with beating homeless man to death*, L.A. Times, January 5, 2015, available at <http://www.latimes.com/local/lanow/la-me-ln-teens-charged-with-beating-homeless-man-to-death-20150105-story.html>

<sup>30</sup> Sanchez, Juan, *West Monroe officer indicted for December shooting death of homeless man*, WDSU, January 17, 2015, available at <http://www.wdsu.com/news/local-news/new-orleans/west-monroe-officer-indicted-for-december-shooting-death-of-homeless-man/30776000>

Prosecutors are limiting the amount of information released in order not to

prejudice potential jurors.

**Graph 7: Non-lethal Case Distribution by Type (2014)**



**Rape/Sexual Assault/Harassment-Total: 9**

**Sparks, Nevada**

*“Sparks Police Say Homeless Woman Kidnapped, Raped” (Reno Gazette Journal)<sup>31</sup>*

March 30: Randy Flores Jr., 43, was arrested on charges of sexual assault, kidnapping, battery causing substantial bodily harm, and strangulation. Flores went to a homeless shelter and offered a woman food, a shower, and a warm bed for the night. The woman accepted and went with Flores to his home. Flores beat the woman with his fists and a frying pan. He strangled her and taped her mouth shut before sexually assaulting her. He would not let the woman leave throughout the night. He finally let the

woman go when she convinced him that she needed to see a doctor. After the attack, the woman took a bus and proceeded to use the Code Blue telephone to call security, which took her to a hospital for treatment. Flores is in Washoe County Jail.

**Tacoma, Washington**

*“Suspect Arrested After Good Samaritans Stop 2 Sexual Assaults” (KOMO)<sup>32</sup>*

April 5: Vol Lam, 46, was charged with second-degree rape and sexually motivated assault of two women, one of whom was homeless. The unnamed homeless woman, 48, was sleeping on the street when Lam approached her and told her that he wanted

<sup>31</sup> Timko, Steve, *Sparks police say homeless woman kidnapped, raped*, Reno Gazette Journal, April 1, 2014, available at <http://www.rgj.com/story/news/crime/2014/04/01/sparks-police-say-homeless-woman-kidnapped-raped/7164601/>

<sup>32</sup> Harthorne, Michael, *Suspect arrested after Good Samaritans stop 2 sexual assaults*, KOMO News Network, April 6, 2014, available at <http://www.komonews.com/news/crime/Suspect-arrested-after-Good-Samaritans-stop-2-sexual-assaults-254381891.html>

to have sex with her. She refused and Lam punched her in the face. She screamed and a bystander called 911 and scared off Lam, who then found a 59-year-old victim. Lam raped the second woman and was dragging her to his home when a bystander punched Lam and escorted the woman to the hospital. Lam was arrested and positively identified by both of the victims.

#### Rochester, Minnesota

*“Rochester Man Charged in Assault of Homeless Woman”* (PostBulletin.com)<sup>33</sup>

April 8: A homeless woman claims that Reynaldo Morales, 45, sexually assaulted her as she was seeking to rent an apartment from him. The woman told police that a mutual friend referred her to Morales. According to Morales, he offered low rates because he likes to get homeless people off the street. The woman claims that she had already paid her security deposit and was over at the apartment moving things in to her room when the assault happened. Morales pushed the woman to the ground, then dragged her across the room to the bed and sexually assaulted her. Medical experts found bruises and scratches on the homeless woman’s body. Morales claimed the sex was consensual and is pleading not guilty to the charge of first-degree criminal sexual conduct. He was convicted and received a 20-year sentence for sexual assault.

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<sup>33</sup> Boese, Brett, *Rochester man charged in assault of homeless woman*, PostBulletin.com, April 25, 2014, available at [http://www.postbulletin.com/news/local/rochester-man-charged-in-assault-of-homeless-woman/article\\_e42c096b-d165-5b5e-a527-ff6d071b5f22.html](http://www.postbulletin.com/news/local/rochester-man-charged-in-assault-of-homeless-woman/article_e42c096b-d165-5b5e-a527-ff6d071b5f22.html)

#### Oklahoma City, Oklahoma

*“Homeless Woman Tells Oklahoma City Police She Was Sexually Assaulted by a Man Who Took Her In”* (NewsOK.com)<sup>34</sup>

April 9: Stephen Gathron, 53, was arrested on charges of kidnapping and rape. A homeless woman, unnamed in the report, claims she was abducted by Gathron. At first, he offered to give her a place to stay, food and a shower. The homeless woman went with Gathron to his apartment where she said they watched movies all day. Gathron then forced himself on the woman and sexually assaulted her. He forced the woman to stay in the apartment, but she locked herself in the bathroom and escaped through a window. The woman claimed that she met Gathron at a homeless shelter that she frequents, though the man is not homeless nor is he employed at the shelter. Gathron was arrested in his apartment and denies the assault.

#### State College, Pennsylvania

*“Homeless Man Says He Was Assaulted at State College Hotel”* (Centre Daily Times)<sup>35</sup>

April 18: A homeless man proceeded to the front desk at the State College hotel, naked, informing them that he had been assaulted. The 57-year-old man allegedly met a 32-

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<sup>34</sup> Staff Reports, *Homeless woman tells Oklahoma City police she was sexually assaulted by a man who took her in*, NewsOK.com, April 10, 2014, available at <http://newsok.com/homeless-woman-tells-oklahoma-city-police-she-was-sexually-assaulted-by-man-who-took-her-in/article/3953850>

<sup>35</sup> CDT Staff Reports, *homeless man says he was assaulted at State College hotel*, Center Daily Times, April 19, 2014, available at <http://www.centredaily.com/2014/04/19/4142810/assault-report-investigated-at.html>

year-old man from Ivy Town at a nearby McDonald's. The Ivy Town man invited the homeless man up to his room. When things got heated and they got in an argument, the homeless man left and reported the incident. Police have not filled any charges at this time.

#### Longmont, Colorado

##### *"Longmont Police Investigating Sexual Assault of Homeless Woman" (Times Call)*<sup>36</sup>

June 18: A 41-year-old homeless woman was sleeping around 2 a.m. on June 18, when two young men sexually assaulted her. The woman was sleeping on her stomach when one man held her down by pushing her head and neck into the ground. Another man sexually assaulted her as she was being held down. After the sexual assault, one of the attackers kicked the woman in the stomach three times. The homeless woman was unable to give descriptive information to the police as she was unable to see the attacker's faces. No arrests have been made.

#### Santa Barbara, California

##### *"Santa Barbara Cousins Arrested for Allegedly Raping Homeless Woman" (KEYT)*<sup>37</sup>

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<sup>36</sup> Longmont police investigating sexual assault of homeless woman, Longmont Times-Call, June 20, 2014, available at [http://www.timescall.com/longmont-local-news/ci\\_26001941/longmont-police-investigating-sexual-assault-homeless-woman](http://www.timescall.com/longmont-local-news/ci_26001941/longmont-police-investigating-sexual-assault-homeless-woman)

<sup>37</sup> Farnsworth, Beth, Santa Barbara cousins arrested for allegedly raping homeless woman, KEYT, August 6, 2014, available at <http://www.keyt.com/news/santa-barbara-cousins-arrested-for-allegedly-raping-homeless-woman/27007946>

July 16: Juan Herrera Romero, 30, and Gabino Andres Grande Romero, 26, raped a 62-year-old homeless woman. The Romeros found the woman with a 69-year-old homeless male. They physically subdued them both with a knife, and then took turns sexually assaulting the woman. After the assault, the woman made her way to the Doubletree Resort where employees called police. Officers determined that the suspects had been fishing and discussing sexually assaulting a woman. Juan Romero was arrested at a construction site in Montecito. Both were charged with rape by force or violence and oral copulation in concert with another.

#### New York, New York

##### *"Police: Surveillance Video Shows Violent Attack On Woman, 3 Children in Queens" (New York CBS Local)*<sup>38</sup>

August 24: A homeless woman, unnamed, and her three children (ages five, three, and one) were offered a cab ride to a homeless shelter in Elmhurst by a fake cab driver. Upon arriving, the driver attempted to sexually assault the woman. He first lifted one child out of the back seat, leaving her on the sidewalk. The woman attempted to leave the car with her second child, but got into a struggle with the man. The man then elbowed one of her children in the head and threw the last child from the car onto the sidewalk. All four escaped and the man drove away. The woman's screams for help

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<sup>38</sup> Montone, John, *Police: surveillance video shows violent attack on woman, 3 children in Queens*, CBS News, August 28, 2014, available at <http://newyork.cbslocal.com/2014/08/28/search-continues-for-suspect-claiming-to-be-livery-cab-driver-who-tried-to-sexually-assault-woman-with-3-kids-in-queens/>

alerted people in the neighborhood, who came to her assistance. Two of the three children were treated for minor injuries, and the perpetrator has yet to be found.

#### Camden, New Jersey

*“2 Men Arrested in Brutal Sexual Assault of Camden Homeless Woman”* (NJ.com)<sup>39</sup>

September 15: Miguel Nunez, 36, and Quameer Hence, 23, attacked homeless woman Sharleene Lightfoot, 54. Camden County Police Captain Greg Carlin described her condition as “look[ing] like she was dragged somewhere and beaten several times.” Lightfoot was able to walk to Virtua Hospital and check herself in, but she was listed as in critical condition upon entry. Her ears were nearly severed off after the attack. She also had several head lacerations, head trauma, and a collapsed lung. She was scheduled for surgery. Quameer Hence was arrested on September 18 and charged with aggravated sexual assault, robbery, and aggravated assault. Nunez was arrested shortly after and charged with aggravated sexual assault, robbery, aggravated assault, possession of a weapon, and unlawful possession of a weapon.

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<sup>39</sup> Daniels, Mark, *2 men arrested in brutal sexual assault of Camden homeless woman*, NJ.com, September 18, 2014, available at [http://www.nj.com/camden/index.ssf/2014/09/2\\_men\\_arrested\\_in\\_brutal\\_sexual\\_assault\\_of\\_camden\\_homeless\\_woman.html](http://www.nj.com/camden/index.ssf/2014/09/2_men_arrested_in_brutal_sexual_assault_of_camden_homeless_woman.html)

#### Police Brutality - Total: 4

#### Bellingham, Washington

*“Witnesses File Complaint After Bellingham Officer Shoots Homeless Man with Taser”* (Bellingham Herald)<sup>40</sup>

February 14: Complaints were filed as many felt police used excessive force against Robert Collins, 47. Collins is a homeless man who was enjoying a meal provided by a Christian outreach group, when officers came by and told the group they were not allowed to sit on the sidewalk during the day. Collins replied to the officers, “Are you really going to give these kids a hard time for feeding pancakes to the homeless?” Officer Todd Bennett then demanded Collins’s ID. Collins became angry and cursed at the officer, starting an argument that ended in Bennett firing his taser at Collins. Witnesses who were surprised at Bennett’s use of his taser filed complaints, saying that Bennett’s behavior was “blatantly unjust.” Collins had no serious injuries and was taken to jail for a week for obstructing a police officer, resisting arrest, sitting or lying on a public sidewalk, and failure to appear on a past charge. It is unclear as to what prompted Bennett to use his taser on Collins; however, eyewitnesses claim that the officer initiated physical contact.

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<sup>40</sup> Hutton, Caleb, *Witnesses file complaint after Bellingham officer shoots homeless man with Taser*, The Bellingham Herald, February 22, 2014, available at <http://www.bellinghamherald.com/2014/02/22/3491607/witnesses-file-complaint-after.html>

### Los Angeles, California

*“Woman Beaten by CHP Officer On Freeway is a Homeless Mother of Two” (Uncover California)*<sup>41</sup>

July 1: Marlene Pinnock, 51, a woman experiencing homelessness, was crossing a freeway in Los Angeles when she was stopped by a California Highway Police officer. He tried to restrain Pinnock because she was “endangering herself and others” by walking on Highway 10. Police claim that because she resisted arrest, the officer’s next act was to tackle the mother of two. He began to punch her, keeping her on the ground while he repeatedly attacked her. A video was captured of the incident, showing the officer throwing about 10 punches with his gloved fist. Pinnock was taken to a mental hospital after she was determined to be mentally ill. The video has outraged many activists, and the ACLU claims that they will file a lawsuit on behalf of Pinnock. The officer in the video is under investigation and has been given desk duty pending the end of the investigation.

### Venice Beach, California

*“Lawsuit Filed Against LAPD for Alleged Beating of Homeless Man” (Al Jazeera America)*<sup>42</sup>

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<sup>41</sup> Muller, Irene, *Woman beaten by CHP officer on freeway is a homeless mother of two*, *Uncover California*, July 9, 2014, available at <http://uncovercalifornia.com/content/2441-woman-beaten-chp-officer-freeway-homeless-mother-two>

<sup>42</sup> Lewis, Renee, *Lawsuit filed against LAPD for alleged beating of homeless man*. *Al Jazeera America*, May 19, 2015, available at <http://america.aljazeera.com/articles/2015/5/19/lawsuit-it-filed-over-lapd-arrest-of-homeless-man.html>

August 7: Sam Arrington, a 52-year-old man experiencing homelessness, was hog-tied and hit during his arrest on Venice Beach according to video. A federal civil rights lawsuit was filed against the city of Los Angeles and the 14 police officers that allegedly assaulted Arrington. Arrington is mentally ill, as he suffers from bipolar disorder, and has been targeted by the Los Angeles Police Department over the past four years. On this occasion, police officers attempted to ticket Arrington for having an oversized umbrella on the beach tied to city property. Arrington refused to sign the citation, and the police proceeded to remove him from his chair by holding his arms and legs, using a stun gun on him four times, striking him multiple times in the head, and hog-tying him in front of a crowd of onlookers.

### San Francisco, California

*“Homeless Man Files Claim Alleging Sheriff ‘S Deputies Beat Him in Unprovoked Attack At San Francisco General Hospital” (San Francisco CBS Local)*<sup>43</sup>

November 3: Fernando Guanill, 59, was waiting at the San Francisco General Hospital when a deputy assaulted him. Guanill had arrived early for an appointment at the hospital and had fallen asleep waiting when Deputy Michael Lewelling, 33,

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<sup>43</sup> Sovern, Doug, *Homeless man files claim alleging sheriff’s deputies beat him in unprovoked attack at San Francisco General Hospital*, *CBS San Francisco*, March 10, 2015, available at <http://sanfrancisco.cbslocal.com/2015/03/10/homeless-man-files-claim-alleging-sheriffs-deputies-beat-him-in-unprovoked-attack-at-san-francisco-general-hospital/>

attacked. In the surveillance video, it is clear that Lewelling initiated the confrontation and became aggressive. Lewelling then proceeded to arrest Guanill and placed him in county jail, stating in the report that Guanill initiated the physical altercation. Lewelling has been charged with perjury, filing a false police report, and assault under the color of authority. Two other deputies were involved with the assault.

### Assaults with Deadly Weapons - Total: 40

#### Cambridge, Massachusetts

##### *“Cambridge Police: Homeless Man Beaten with U-Lock” (Wicked Local)*<sup>44</sup>

January 11: A 39-year-old man experiencing homelessness was beaten with a U-lock in the early morning hours of January 11. The victim reportedly asked a couple for a light. The woman told her boyfriend, Robert Francis O’Regan, 23, that the homeless man had been “messing” with her a few months prior. O’Regan told the man to leave. As the man turned around, O’Regan allegedly struck the homeless man in the back of the head four times, using the U-lock. The man had a large gash on his head as he alerted police. He was still able to identify O’Regan and his girlfriend as his assailants. The police arrested O’Regan for assault and battery with a dangerous weapon.

#### Atlanta, Georgia

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<sup>44</sup> *Cambridge Police: Homeless man beaten with U-lock*, Wicked Local Cambridge News, January 14, 2014, available at <http://www.wickedlocal.com/article/20140114/News/301149807>

##### *“Clayton Firefighter Charged in Case of Homeless Man Shot” (Downtown 11 Alive)*<sup>45</sup>

January 13: Johnnie Wallace, 50, was shot in the early morning of January 13. The man experiencing homelessness was digging through garbage when he got into an argument with Norwanzo Farrie, 29. As Wallace walked away, Farrie shot him in the back. Farrie, along with two other suspects, Amber Crawford, 29, and Andre Batiste, 38, locked themselves in a nearby home but eventually surrendered to the SWAT team. Crawford is a Clayton County firefighter and EMT. Wallace was taken to Grady Memorial Hospital where he was treated for his gunshot wound. Farrie has been charged with aggravated assault.

#### Stockton, California

##### *“Three Teens Arrested After Shooting at Camp” (Record Net)*<sup>46</sup>

March 18: Three teens were arrested for attempted murder in a camp for people experiencing homelessness. According to the homeless community in the camp, the teens terrorized them regularly by randomly firing off guns. The victim in this case was a 42-year-old homeless man who prior to the incident had stood up to the three teens and told them to stop shooting. When they found him in the homeless camp, they fired a

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<sup>45</sup> Sawicki, Beth, *Clayton firefighter charged in case of homeless man shot*, Downtown 11 News Atlanta, January 13, 2014, available at

<http://downtown.11alive.com/news/news/556862-clayton-firefighter-charged-case-homeless-man-shot>

<sup>46</sup> Goldeen, Joe, *Three teens arrested after shooting at camp*, Record net, March 20, 2014, available at [http://www.recordnet.com/article/20140320/A\\_NEW\\_S/403200320?template=printart](http://www.recordnet.com/article/20140320/A_NEW_S/403200320?template=printart)

shotgun and missed. One of the assailants argued that they were defending themselves because they felt as if the man was threatening their life. He also claimed that they never fired the shotgun. However, evidence says that the gun was fired. Another suspect, 18-year-old Guillermo Bastida, told a different story, that they were hunting rabbits and they went near people. The teens face several felony counts including attempted willful murder, conspiracy, and terrorism.

#### Orlando, Florida

*“Orlando Man Accused of Using Homeless People for Insurance Schemes”* (WFTV)<sup>47</sup>

April 5: Clifton Johnson, 38, used Vincent Suhr, a 23-year-old man experiencing homelessness, to commit insurance fraud. Johnson convinced Suhr to allow him to hit him with his car and vice versa so they could both file insurance claims. They staged the accident on September 5, 2013. Suhr told investigators that he was careful when driving the car so any injuries that were inflicted upon Johnson were minor. Both Suhr and Johnson pretended to be injured and each received \$15,380. Several months later, Suhr and Johnson committed the same crime and were caught committing insurance fraud. Brent Trotter, head of the Coalition for the Homeless of Central Florida, stated “I think people who are in financial need live often times with a sense of desperation.”

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<sup>47</sup> Orlando man accused of using homeless people for insurance schemes, April 11, 2014, available at, <http://www.wftv.com/news/news/local/orlando-man-accused-using-homeless-people-insuranc/nfYCZ/>

#### Lancaster, California

*“Praying Homeless Woman Egged on Sidewalk; Three Teens Arrested”* (Los Angeles Times)<sup>48</sup>

April 14: A Los Angeles County sheriff’s deputy witnessed an assault of a woman experiencing homelessness around 1 p.m. on April 14. The woman, Kathleen Hurts, was praying on the sidewalk when a vehicle parked and a 17-year-old man got out and threw eggs at the woman. Two other 17-year-old males were in the vehicle. Police found a mask and an Airsoft pellet gun in the vehicle, which led police to believe that “other prior incidents had occurred.” Hurts, who was struck once in the chest, complained of minor pain but declined medical treatment. All three assailants were arrested. They are facing charges of felony assault and conspiracy.

#### San Francisco, California

*“Homeless Man Stabbed in Arm in SoMa”* (San Francisco Examiner)<sup>49</sup>

June 10: A 42-year-old man experiencing homelessness was attacked in his sleep early in the morning of June 10. The victim claims that he was sleeping on the sidewalk outside of a residential area, when a resident of a nearby home “came outside and saw the victim, kicked his belongings and stabbed him in the arm.” The victim was taken to the

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<sup>48</sup> Los Angeles Times staff writer, *Praying homeless woman egged on sidewalk; three teens arrested*, Los Angeles Times, April 15, 2014, available at <http://articles.latimes.com/2014/apr/15/local/la-me-ln-praying-homeless-woman-egged-20140415>

<sup>49</sup> Nagle, Rob, *Homeless man stabbed in arm in SoMa*, The San Francisco Examiner, June 10, 2014, available at <http://www.sfexaminer.com/sanfrancisco/homeless-man-stabbed-in-arm-in-soma/Content?oid=2818750>

hospital but his stab wound was not life threatening. A 45-year-old man was arrested for the seemingly unprovoked attack, but police have not released his name.

#### Torrington, Connecticut

*“PD: Man in Skirt Assaults Homeless Man at McDonald’s” (WTNH)<sup>50</sup>*

June 13: Reinaldo Baez, 49, must surrender any firearms and not abuse, stalk, harass, or follow Alan Plocke, a 47-year-old man experiencing homelessness, after he assaulted him outside a McDonald’s. Baez was also charged with second-degree assault with intent to inflict serious physical injury and a second-degree breach of the peace. Witnesses reported that Baez and Plocke were arguing just before Baez assaulted Plocke and bashed him over the head with a glass bottle. Plocke was taken to Waterbury Hospital, where four staples were required to close his wound. Doctors also found cuts above his nose, scratch marks on his head, and a red mark on his hip that he reported he received when Baez struck him with a hammer. Police found Baez shortly after the attack, wearing a skirt and blonde wig.

#### Riverdale Park, Maryland

*“Riverdale Park Council Member Raymond Rivas Convicted of Beating Homeless Man” (Washington Post)<sup>51</sup>*

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<sup>50</sup> *PD: Man in skirt assaults homeless man at McDonald’s*, WTNH, June 17, 2014, available at <http://wtnh.com/2014/06/17/pd-man-assaults-homeless-man-at-mcdonalds/>

<sup>51</sup> Zauzmer, Julie, Riverdale Park council member Raymond Rivas convicted of beating homeless man, The Washington Post, November 26, 2014, available at <http://www.washingtonpost.com/local/crime/riverdal>

June 17: Raymond Rivas, a former councilman for Riverdale Park, was found guilty of first and second-degree assault, use of a handgun in the commission of a crime of violence, and other charges. In June 2014, he attacked a man experiencing homelessness at the Park Tanglewood Apartment Complex, where Rivas is a property manager. On the morning of June 17, Rivas saw the man leaning on a fence in the complex parking lot. He yelled at the man and retrieved a bat, hitting him repeatedly until the man escaped. Rivas followed him in his car, and approached him with a gun, pointing it at the victim’s head. He fired a shot at the ground. The victim was able to escape and called police. Prince George County State’s Attorney Angela Alsobrooks commented, “It is shocking that a person in Mr. Rivas’s position as both a property manager and town councilman would act so irresponsibly. There is absolutely no excuse to intimidate any member of the community including the homeless.” Rivas resigned from his elected position and was sentenced to five years in prison.

#### Ocean Beach, California

*“Homeless Man Beaten, Stabbed in Ocean Beach” (FOX5 San Diego)<sup>52</sup>*

June 17: A man experiencing homelessness was sleeping in an alley in San Diego when two men woke him up at 3:30 a.m. and

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[e-park-council-member-raymond-rivas-convicted-of-beating-homeless-man/2014/11/26/b6d378c6-75ad-11e4-bd1b-03009bd3e984\\_story.html](http://fox5sandiego.com/2014/06/17/homeless-man-beaten-stabbed-in-ocean-beach/#axzz34vT00Mm6)

<sup>52</sup> Homeless man beaten, stabbed in Ocean Beach, FOX5 San Diego, June 17, 2014, available at <http://fox5sandiego.com/2014/06/17/homeless-man-beaten-stabbed-in-ocean-beach/#axzz34vT00Mm6>

began hitting him. The victim was beaten and stabbed in the back. When the assailants finally fled the scene, the victim was able to notify authorities of the attack. He claims that the assailants were two men in their 20s and the attack was unprovoked. The victim was taken to a local hospital to be treated for cuts and bruises as well as a non-life-threatening stab wound. No arrests have been made.

#### Springfield, Massachusetts

*“Anthony Rivera Admits Armed Robbery, Assault on Homeless Man in Springfield” (Masslive.com)*<sup>53</sup>

June 24: Anthony Rivera, 18, pleaded guilty to assaulting a 33-year-old man experiencing homelessness and robbing him at knife-point twice. The case of his co-defendant, Jonathan Cotto, is still pending. According to police, the two sneaked behind the homeless man as he was resting on a park bench. They punched the victim repeatedly. One of the assailants pulled a large knife and demanded the homeless man’s belongings. They took the man’s personal items and fled the park. The homeless man called police, but refused medical attention and did not wish to make a formal complaint. The police left and the homeless man began walking down the street. The same assailants assaulted him again. They threatened him with a knife and told him not to call the police again. The teens fled and the homeless man called the police, who were able to arrest the assailants

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<sup>53</sup> Buffy, *Anthony Rivera admits armed robbery, assault on homeless man in Springfield*, MASSLIVE.com, June 24, 2014, available at [http://www.masslive.com/news/index.ssf/2014/06/anthony\\_rivera\\_admits\\_armed\\_ro.html](http://www.masslive.com/news/index.ssf/2014/06/anthony_rivera_admits_armed_ro.html)

at a local gas station. Rivera was sentenced to 18 months in prison and two years’ probation.

#### Palmetto, Florida

*“Holmes Beach Man Pleads to Misdemeanor in Attack” (The Islander)*<sup>54</sup>

July 2: Zachary Vincent Facheris, 18, and two other 17-year-olds attacked an elderly blind man experiencing homelessness. They harassed the man with a metal pole and one of the suspects reportedly kicked him, causing him neck injuries. According to the three suspects, they used the pole to rob him. Facheris was originally charged with first-degree armed robbery, but the charge was reduced to second-degree attempted robbery with a weapon. He was originally booked to the Manatee County Jail and released because he was determined to be a low risk with community ties and with a court supervised-release program.

#### Liberty, Texas

*“Homeless Shooting Victim Unable to Identify Suspects” (The Vindicator)*<sup>55</sup>

July 23: Bradley Jones was walking when three individuals stopped him to have a conversation, and then shot his left shoulder with a small caliber gun. He was sent to a hospital in Livingston, where his wound was treated and found to be non-fatal. The

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<sup>54</sup> Prucnell, Kathy, *Holmes Beach man pleads to misdemeanor in attack*, The Islander, available at <http://www.islander.org/2014/11/holmes-beach-man-pleads-to-misdemeanor-in-attack/>

<sup>55</sup> Homeless shooting victim unable to describe suspects, The vindicator, July 24, 2014, available at [http://www.thevindicator.com/news/article\\_43698e84-1338-11e4-ad67-0019bb2963f4.html](http://www.thevindicator.com/news/article_43698e84-1338-11e4-ad67-0019bb2963f4.html)

perpetrators fled in a brown Toyota truck. Jones told Deputy Ranson Martel that he was unable to give a description of the three suspects in the vehicle and did not recall their topic of conversation.

#### Daytona Beach, Florida

*“Brutal Attack Sparks Debate About Crimes Against Homeless” (Orlando Sentinel)*<sup>56</sup>

July 27: Michal Meizys, a 41-year-old man experiencing homelessness, was attacked with a BB gun while sitting at the bus station on Dr. Mary McLeod Bethune Boulevard. Meizys believes that some young individuals attacked him.

#### New Orleans, Louisiana

*“5 Accused of Shooting Homeless with Pellet Gun in CBD” (New Orleans Times-Picayune)*<sup>57</sup>

July 30: Five individuals, allegedly part of a gang, have been arrested for shooting and injuring four people experiencing homelessness. The first victim was a 37-year-old man who was sleeping at the time of the attack. He was shot in his chin, chest, and each cheek with a pellet gun. He was taken to University Hospital, where they found three more victims of the same crime. All men were shot in close proximity, near Gravier and Claiborne Avenues. Another

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<sup>56</sup> Walden, Tiffany, Brutal attack sparks debate about crimes against homeless, Orlando Sentinel, September 28, 2014, available at <http://www.orlandosentinel.com/news/os-homeless-beatings-daytona-beach-20140928-story.html#page=1>

<sup>57</sup> : Bullington, Jonathan, 5 accused of shooting homeless with pellet gun in CBD, nola, July 30, 2014, available at [http://www.nola.com/crime/index.ssf/2014/07/five\\_arrested\\_for\\_shooting\\_cbd.html](http://www.nola.com/crime/index.ssf/2014/07/five_arrested_for_shooting_cbd.html)

victim, a 60-year-old man, was shot in the right cheek, left elbow, and the back of his head. The third victim, also 60 years old, was hit in the nose, right arm, and right hand. The fourth victim, 54, was shot twice in his lower back.

According to the police report, the victims claimed the suspects were driving a red Chevrolet Camaro. After the initial report was filed, state troopers stopped a car matching the description with five individuals inside. Troopers found two pellet pistols behind the passenger seat, along with a 40-caliber Glock 22 with a 22-round magazine. The perpetrators were named as Casey Smith, 25; John Schneider, 22; Willie Johnson, Jr., 21; Colisha Preston, 18; and Chavonda Nettles, 25. All five were booked on charges of simple robbery.

#### Syracuse, New York

*“Syracuse Police: Kids Tore Open a Tent Sheltering Homeless People, Threw Rocks at a Woman’s Face” (LocalSYR.com)*<sup>58</sup>

July 31: Two juveniles, aged 12 and 14, were found to have assaulted a woman experiencing homelessness. They tore open the tent that she resided in and began to throw rocks at her face. Officers report that this is not the first incident of hate crimes/violence that the two boys are involved in. The two boys were issued tickets to appear in Onondaga County Family Court and then allowed to go home.

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<sup>58</sup> Syracuse police: Kids tore open a tent sheltering homeless people, threw rocks in a woman’s face, Local syr, July 31, 2014, available at [http://www.localsyr.com/story/d/story/syracuse-police-kids-tore-open-a-tent-sheltering-h/33385/jq8HC\\_lwfUidl3kOja3tg](http://www.localsyr.com/story/d/story/syracuse-police-kids-tore-open-a-tent-sheltering-h/33385/jq8HC_lwfUidl3kOja3tg)

### Asheville, North Carolina

*“Homeless Man Assaulted in Asheville, Several Arrested”* (WSPA)<sup>59</sup>

August 11: Five men, Compton Daughterty, 21; Oshua Peak, 19; Timothy Hunter, 18; Devin Watkins, 19; and Cameron Thompson, 19, have been arrested and two warrants have been issued for Martiese Hines, 18; and Keith Green, 18, in connection to an assault on Daniel Amos Johnson, a 30-year-old man experiencing homelessness. Johnson was attacked around 1 a.m. outside French Bread Co-Op Grocery. He was sleeping when he awoke to the noise of glass breaking. The group of eight vandalized the co-op when Johnson attempted to stop them. The perpetrators then began to attack Johnson, some hitting him with a planter. Police outside Bouchon, a French bistro, picked them up. Johnson was left with severe lacerations to his face and stitches on his nose.

### Jersey City, New Jersey

*“New York Man Slashes Homeless Pair with Machete: Police”* (Jersey Journal)<sup>60</sup>

August 15: A man and woman experiencing homelessness, both unnamed, were slashed with a machete in the parking lot of Jersey City’s Hudson Mall. The pair told police

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<sup>59</sup> WSPA Staff, *Homeless man assaulted in Asheville, several arrested*, WSPA, September 9, 2014, available at <http://www.wspa.com/story/26263069/homeless-man-assaulted-in-asheville-several-arrested>

<sup>60</sup> McGovern, Patrick, *New York man slashes homeless pair with machete: police*, The Jersey Journal, August 16, 2014, available at [http://www.nj.com/hudson/index.ssf/2014/08/new\\_york\\_man\\_slashes\\_homeless\\_pair\\_with\\_machete\\_police.html](http://www.nj.com/hudson/index.ssf/2014/08/new_york_man_slashes_homeless_pair_with_machete_police.html)

that they were drinking with the perpetrator. According to the victims, the man was from South Ozone, New York, and they met him at his parked truck. The man became increasingly intoxicated and an argument broke out over money. The man took a machete from his truck and began to attack the pair. The male victim was cut on his right wrist and the woman on her left knee. They were found by police on the parking lot ground, bleeding profusely. Both were treated at Jersey City Medical Center Barnabas Health and needed stitches to close wounds. The man who slashed the victims was placed under arrest and charged with aggravated assault with a deadly weapon and possession of a weapon for unlawful purposes. The victims’ injuries are reported to be non-life-threatening.

### West Palm Beach, Florida

*“Man Shot Near Military Trail & 12th Street in West Palm Beach”* (WPTV)<sup>61</sup>

August 22: A man experiencing homelessness walking nearby a West Palm Beach apartment complex was shot multiple times as he resisted a robbery. Two men drove up to him, and when they were unsuccessful at their robbery attempt, opened fire. Police officers were in the area and found the man after he was shot. He was rushed to St. Mary’s Medical Center for treatment.

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<sup>61</sup> Stewart, Chris, *Man shot near Military Trail & 12th Street in West Palm Beach*, WPTV, August 22, 2014, available at <http://www.wptv.com/news/region-c-palm-beach-county/west-palm-beach/man-shot-near-military-trail-12th-street-in-west-palm-beach>

### Springfield, Massachusetts

*“I-Team: Alarming Rise in Crimes Against the Homeless”* (WWLP)<sup>62</sup>

September: The homeless community in Springfield is reporting that they are increasingly feeling targeted for being homeless. A homeless man who wishes not to be named reported being attacked by four to five teenagers near the Worthington Street homeless shelter. He said, “It was like multiple weapons, from a baseball bat to lead pipes, and I just tried to fight for my life.” Director Bill Miller said that these incidents are happening more frequently, with six similar attacks happening in the last few months.

### Los Angeles, California

*“Homeless Man Allegedly Shot by Men on BMX Bikes Near LA River”* (NBC News)<sup>63</sup>

September 16: A homeless man in his fifties was walking along the L.A. River bike path with another man around 2 a.m. when two BMX bikers confronted them. An argument broke out and the suspects opened fire, hitting one man on the foot twice. He was taken to the hospital and is expected to recover.

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<sup>62</sup> Hutchinson, Laura, *I-Team: Alarming rise in crimes against the homeless*, WWLP, September 16, 2014, available at <http://wwlp.com/2014/09/16/i-team-attacking-the-homeless/>

<sup>63</sup> Khan, Samia, *Homeless man allegedly shot by men on BMX bikes near LA River*, NBC News, September 16, 2014, available at <http://www.nbclosangeles.com/news/local/Homeless-Man-Allegedly-Shot-by-Men-on-BMX-Bikes-in-Atwater-Village-Near-LA-River--275266721.html>

### Salt Lake City, Utah

*“Police Looking for 2 Men in 3 Overnight Attacks”* (Deseret News)<sup>64</sup>

September 24: In 30 minutes, two men between 18 and 22 years old attacked three different people. One victim was punched in the stomach and was sent to the hospital with a deep cut to his nose. Ten minutes later, the two perpetrators jumped onto a motorist’s vehicle and shattered the windshield. The two men dragged the driver out of the car and demanded money, then cut his face and left ear. Fifteen minutes later, the two men attacked a 39-year-old man experiencing homelessness, knocking him down and cutting him. The homeless man was able to find a friend to call 911. He is believed to be the most seriously injured, with two deep cuts to his arm.

### Dayton, Ohio

*“Homeless Man Attacked by Dogs Asks for Public’s Help”* (Fox News)<sup>65</sup>

October 1: In a park on Dayton’s West Side, homeless man Earl Horn was on his way to a shelter when a pair of dogs viciously attacked him, and the owner took off and left him in the field. He was walking through the park when he noticed the two dogs, one brown and white, the other black,

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<sup>64</sup> Evans, Whitney, *Police looking for 2 men in 3 overnight attacks*, Deseret News, September 24, 2014, available at <http://www.deseretnews.com/article/865611630/Police-looking-for-2-men-in-3-overnight-attacks.html?pg=all>

<sup>65</sup> Fox News, *Homeless man attacked by dogs asks for public’s help*, Fox News, October 2, 2014, available at [http://www.fox45now.com/shared/news/top-stories/stories/wrgt\\_vid\\_22583.shtml](http://www.fox45now.com/shared/news/top-stories/stories/wrgt_vid_22583.shtml)

running through the field. He called to the owner and asked if his dogs were okay, but “before [he] knew it they charged [him].” Horn went on to describe the attack, saying, “I would reach over and fight one over here and this one would attack me, and he finally grabbed my leg and pulled me down. Once I fell I said I knew I got to get up. ‘Cuz I figured, you know, they would kill me.” Horn was able to call 911 and ask for help. He was released with teeth marks left on his body and four to five stitches on his leg. The owner and his dogs remain unidentified and drove off from the scene in a blue SUV.

#### Spokane, Washington

##### *“Police Investigate Attacks on Spokane’s Homeless” (Spokesman-Review)*<sup>66</sup>

October 10 & 15: William Faust, a man experiencing homelessness in Spokane, Washington, was attacked twice in two weeks by the same man. On October 10, he was approached by a man carrying a can of pepper spray who screamed at him, “You [expletive] scum don’t belong in my town!” before spraying the entire can at his face. He kicked Faust in the torso before leaving. On October 15, the same man returned, this time while Faust was sleeping. The man’s weapon this time was a rock, which he used to hit Faust in the skull over and over until Faust and his surroundings were soaked in blood. If not for the Community Health Associate of Spokane outreach team, Faust would be dead. “He was out to kill me,” he

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<sup>66</sup> Alexander, Rachel, *Police investigate attacks on Spokane’s homeless*, The Spokesman-Review, October 26, 2014, available at <http://www.spokesman.com/stories/2014/oct/26/polic-e-investigate-attacks-on-spokanes-homeless/>

said, and the wounds he received from the second attack needed 12 staples to close the back of his head. Spokane police have received four similar reports of a similar suspect attacking people with pepper spray. All but one of his victims were homeless. The suspect remains at large, though the Spokane police have been investigating for several weeks.

#### Brooklyn, New York

##### *“Brooklyn Trans Hate Crime Victim Going Home with Brain Injuries” (Advocate)*<sup>67</sup>

October 12: Kimball “Kimy” Hartman, 28, a transgender woman experiencing homelessness, was the survivor of a transphobic assault and hate crime. She and two friends were on their way to a Bushwick Avenue deli when four men approached them and began to yell anti-gay slurs at her and her friends. The assault escalated when the four men punched, kicked, and hit her in the head with a piece of plexiglas that “took [her] cranium out and decided to make [her] unconscious,” Hartman said. She was taken to Elmhurst Hospital in critical condition and transferred to the Bellevue Hospital Traumatic Brain Injury Rehabilitation unit for a month, until she was released on November 3. She currently takes up to 10 medications a day to ward off seizures, and her doctors want her to wear a helmet while she is out. However, Hartman claims that fear will not stop her from walking around

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<sup>67</sup> Kellaway, Mitch, *Brooklyn trans hate crime victim going home with brain injuries*, Advocate, November 3, 2014, available at <http://www.advocate.com/2014/11/03/brooklyn-trans-hate-crime-victim-headed-home-serious-condition>

her neighborhood. A surveillance video was found depicting two of her attackers.

#### Vacaville, California

*“3 Arrested in Vacaville for Stabbing, Robbing Homeless Man” (CBS13)*<sup>68</sup>

October 18: Daniel Ortiz, 20; Angel Alvarado, 19; and an unidentified 17-year-old were arrested in relation to an attempted robbery and harming of a man experiencing homelessness at 5 a.m. by the 76 Gas station near Nut Tree Road and Summerfield Drive. Ortiz, Alvarado, and the 17-year-old first threw a beer bottle at the homeless man. He moved towards the gas station, only to have three perpetrators follow and surround him. He tried to run away but was chased and cornered again. This is when the three attacked, stabbing the homeless man twice and robbing him. Police who were called to the scene found him. He was taken to a hospital and is expected to survive. The three perpetrators continued on their crime spree, attempting to rob a jogger in the same area who escaped unharmed. The jogger notified the police, who were then able to run the plates on their car and arrest them. The three are now being charged with robbery, assault with a deadly weapon, and conspiracy, among other charges.

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<sup>68</sup> CBS13, *3 arrested in Vacaville for stabbing, robbing homeless man*, CBS13, October 18, 2014, available at <http://sacramento.cbslocal.com/2014/10/18/3-arrested-in-vacaville-for-stabbing-robbing-homeless-man/>

#### Philadelphia, Pennsylvania

*“Mummer, Daughter Charged in Attack on Homeless Man” (Philadelphia Inquirer)*<sup>69</sup>

October 26: Well-known mummer Carmen D’Amato and his daughter Rita D’Amato, 36, were arrested for shooting and beating a man experiencing homelessness in Queen Village. The D’Amatos believed the victim may have been the person behind a series of break-ins into cars in the neighborhood. A video has surfaced of the attack, depicting a woman swinging a baseball bat at the victim’s chest, knocking him to the ground. She can also be heard screaming, “You know what you did, you son of a bitch.” When he got up and attempted to run away, another person fired two shots, hitting his leg. During investigations, police found two handguns in the D’Amatos’ home along with footage from the home’s security camera showing father and daughter leaving and re-entering the home with clothing similar to that shown in the video of the attack. Carmen D’Amato is already well known in Philadelphia for his prominence as a mummer as well as for being involved in a methamphetamine ring in the 80s -- he was acquitted of the drug charge, but sentenced to four years in prison for tax fraud. Now, both D’Amatos are being charged with aggravated assault, possessing an instrument of crime, reckless endangerment, and related counts.

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<sup>69</sup> *Mummer, daughter charged in attack on homeless man*, Philadelphia Inquirer, November 2, 2014, available at [http://articles.philly.com/2014-11-02/news/56391312\\_1\\_arrest-warrants-victim-philadelphia-daily-news](http://articles.philly.com/2014-11-02/news/56391312_1_arrest-warrants-victim-philadelphia-daily-news)

### Des Moines, Iowa

*“Homeless Man Shot with Paintball Gun”*  
(Des Moines Register)<sup>70</sup>

October 26: A man experiencing homelessness in Des Moines was shot several times with a paintball gun as he was walking down the 2900 block of 30th Avenue. The victim is 50 years old, and he was hit in the face and back. He was not able to get a description of the suspect or vehicle, as the event happened very quickly.

### Beatings - Total: 31

### Fresno, California

*“Homeless Fresno Man Beaten and His Dog Killed”* (ABC Local)<sup>71</sup>

January 6: Two suspected gang members, Alejandro Lopez, 18, and a 16-year-old male, were arrested for beating a 45-year-old homeless man and killing his small dog. The police state that there may have been five to six people attacking the man, including two teenage women. The group allegedly screamed their gang name as they surrounded the homeless man, kicking him and knocking him to the ground. The assailants then turned their attention to the man’s small dog, Snoopy. He was also kicked back and forth and died from the

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<sup>70</sup> Elmer, MacKenzie, *Homeless man shot with paintball gun*, The Des Moines Register, October 27, 2014, available at <http://www.desmoinesregister.com/story/news/crime-and-courts/2014/10/27/homeless-man-shot-with-paintball-gun-des-moines/17994337/>

<sup>71</sup> Homeless Fresno man beaten and his dog killed, abc local, January 7, 2014, available at <http://abclocal.com/story?section=news/local&id=9385212>

attack. One of the females in the group helped the homeless man up and told him to run. He eventually flagged down a police car. The victim was not seriously injured and refused treatment. Charges against the 16-year-old assailant have been dropped, while Lopez must serve four years in prison as part of a plea bargain.

### Allston, Massachusetts

*“Selfless Rescuer Describes Stopping Assault of Homeless Man”* (Boston Globe)<sup>72</sup>

January 26: Two men were beating Michael Hudson, 51, until a woman saved him by using her body as a shield. The two suspects are C.J. Parsons, 23, and Anthony Varrichione, 23. Both of these men are former college football players, and Parsons was a star for Boston College. Allegedly, Parsons and Varrichione told Hudson to stop panhandling on their sidewalk. When he refused, the two men punched him several times and knocked him unconscious. Parsons then “slammed Hudson’s head into the sidewalk three or four times.” The woman came in and laid on top of the homeless man to protect him from the assault. Hudson suffered a hemorrhage in his brain. He was taken to Beth Israel Deaconess Medical Center in critical condition. The victim has no memory of the assault. Parsons and Varrichione pleaded guilty to aggravated assault and battery and aggravated assault and battery with a deadly weapon.

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<sup>72</sup> Allen, Evan and Ellement, John R. *Selfless rescuer describes stopping assault of homeless man*, The Boston Globe, April 34, 2014, available at <http://www.bostonglobe.com/metro/2014/04/23/two-college-football-players-accused-beating-homeless-man-allston/6d3acCvC9JhQEsul355yal/story.html>

### Zanesville, Ohio

*“Zanesville Man Faces Life Sentence If Convicted of Attack on Homeless People”* (Zanesville Times Recorder)<sup>73</sup>

February 12: Heather Harris was one of two victims who were attacked, robbed, and held hostage on February 12. Michael Estep, 27, allegedly broke into the room where Harris and her 58-year-old friend were spending the night. The two homeless people were having pizza when Estep broke in and demanded money from the man. The man handed him four dollars and Estep attacked him, kicking and punching him repeatedly. Harris was punched in the face and suffered a broken nose. Estep took their cellphones and would not let them leave until the next morning. The male victim was flown to Grant Medical Center in Columbus in critical condition. Estep decided to take a plea bargain and he now faces 10 years in prison.

### Boston, Massachusetts

*“Police Looking for Suspects Involved in MBTA Assault”* (WHDH)<sup>74</sup>

March 9: Two young girls were injured while trying to protect a homeless man on a MBTA train. The homeless man was being assaulted by a group of six people, two

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<sup>73</sup> O’Neill, Patrick, Zanesville man faces life sentence if convicted of attack on homeless people, Zanesville Times Recorder, February 28, 2014, available at <http://www.zanesvilletimesrecorder.com/article/2014-02-28/NEWS01/302280011/Zanesville-man-faces-life-sentence-convicted-attack-homeless-people>

<sup>74</sup> Warren, Victoria, & Faineance, cheley, police looking for suspects involved in MBTA assault, whdh, Aril 23, 2014 <http://www.whdh.com/story/24946621/police-looking-for-suspects-involved-in-mbta-assault>

females and four males. It started off as an argument between the homeless man and the group of individuals, when things began to escalate, resulting in a physical altercation. The assault happened in the South Boston area. The homeless man did not speak English and was intoxicated. He was sent to the hospital. The young girls from Rhode Island decided to interfere, but were kicked and punched by the six other individuals. They have arrested three perpetrators involved in the attack: Michael Davis, 36, of South Boston; Patrick Joyce, 24, of Dorchester; and Kristine Muller, 20, of South Boston. Kevin McCarthy, 21, surrendered himself at the transit police headquarters for being involved. The police have an arrest warrant for another individual who was involved in the beating.

### Seattle, Washington

*“No Felony Charges for Firefighters in Homeless Assault”* (Seattle Times)<sup>75</sup>

March 15: Two off-duty firefighters and a female companion allegedly assaulted a homeless man because he fell asleep on a firefighter memorial. However, the group will not face felony charges, as the prosecutor does not believe there is enough evidence. Scott Bullene and Robert Howell were the two firefighters who allegedly took part of the assault, while their female companion was Mia Jarvinen, Bullene’s 38-year-old girlfriend. Jarvinen began yelling at the homeless man as he slept on the memorial. She then kicked him. Howell was

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<sup>75</sup> *No felony charges for firefighters in homeless assault*, The Seattle Times, April 16, 2014, available at <http://blogs.seattletimes.com/today/2014/04/no-felony-charges-for-seattle-firefighters-accused-of-assaulting-homeless-man/>

accused of kicking and stomping another man as Bullene beat a third man with a walking stick. The firefighters then began poking the homeless man with a stick. The homeless man woke up startled and stabbed Bullene. Jarvinen and Howell were arrested and later released. Bullene was hospitalized and recovered from the non-lethal stab wound. The victim did not wish to proceed with any prosecution. They were charged with fourth-degree assault and malicious harassment but were acquitted later by a Seattle Municipal Court jury.

#### Campbell, California

*“Alleged Gang Members Charged in Case Where Friend was Stabbed by Homeless Man”* (New York Daily News)<sup>76</sup>

March 16: Ivan Diaz Amezcua, 16, and five of his friends -- Anthony Fernandez, 20, Joshua Mauricio, 18, Alejandro Sandocal, 18, Julio Ibarra, 17, and Brallen Villegas, 17 -- attacked 24-year-old homeless man Todd Tharp under the bleachers at a local park. All six were former gang members of the Sureno Street Gang. Tharp, acting out of self-defense, stabbed Amezcua, leading to Amezcua’s death. Amezcua’s accomplices were charged with murder.

#### New London, Connecticut

*“New London Homeless Man Describes Attack”* (WTNH)<sup>77</sup>

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<sup>76</sup> Caufield, Phillip, *Alleged gang members charged in case where friend was stabbed by homeless man*, New York Daily News, April 7, 2014, available at <http://www.nydailynews.com/news/national/alleged-gang-members-charged-case-friend-stabbed-homeless-man-article-1.1748486>

<sup>77</sup> Detelj, Tina, *New London homeless man describes attack*, WTNH News, May 23, 2014, available at <http://wtnh.com/2014/05/23/new-london-homeless->

May 15: Anthony Little was walking down Tilley Street in New London, waiting for a friend, when he was attacked and beaten by a custodian. Little was kicked and punched repeatedly while he lay on the ground. The entire attack was captured on a cellphone. The custodian claims that Little began the altercation. Little was arrested for disturbing the peace and spent a night in prison -- the custodian was arrested with the same charge but did not have to spend a night behind bars. Police say that further charges will be placed on the custodian if the person who shot the video steps forward.

#### Sylvan Lake, Michigan

*“Homeless Woman Attacked in Sylvan Lake”* (ClickonDetroit.com)<sup>78</sup>

May 26: A 53-year-old woman was brutally attacked by two men when she was walking down a secluded street in Sylvan Lake. The woman claims that the two men approached her from behind when one man knocked her to the ground and assaulted her. The other man just watched. Police Sgt. Eric Zuehlk described the attack: “He pulled her to her feet with his left hand, beat her repeatedly with his right hand. After the assault, he just dropped her and they continued to walk back up onto Telegraph.” The victim attempted to walk to a hospital for treatment, but it took her two days to arrive at McLaren Oakland Hospital’s emergency room. As soon as she was admitted, staff called police. Police officers report that this incident bears

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[man-describes-attack/](#)

<sup>78</sup> Mann, Priya, *Homeless woman attacked in Sylvan Lake*, ClickonDetroit.com, May 30, 2014, available at <http://www.clickondetroit.com/news/homeless-woman-attacked-in-sylvan-lake/26233048>

some similarity to the “knockout game,” where individuals attempt to knock out people with a single punch.

#### San Francisco, California

*“Charges Dropped Against Homeless Man Accused of Memorial Day Stabbing” (San Francisco Examiner)*<sup>79</sup>

May 26: Two men assaulted Alton Ray Moore, 49, when they accused him of urinating too close to their Memorial Day barbecue. Moore was forced to stab the men out of self-defense. Though he was initially charged with attempted murder and assault, police dropped his charges when they realized he was acting out of self-defense. The two men were not fatally wounded, though they were taken to the hospital for treatment.

#### Portland, Oregon

*“Police Say Two Homeless People Assaulted by a Group of Teens” (KATU.com)*<sup>80</sup>

June 5: Two people experiencing homelessness were attacked by a group of teenagers on the evening of June 5. Police say that the teenagers had a brief conversation with the two victims, a man and a woman, and one other person

experiencing homelessness. The groups separated, and then the teens reemerged to attack the homeless group for no reason at all, according to police. One teenager shoved the woman, and knocked her to the ground. The homeless man came to her side and another teenager punched him in the face. The teenager who initiated the physical altercation was 13 years old. No arrests have been made. The two victims did not require any medical attention.

#### Missoula, Montana

*“Homeless Man Attacked, Wheelchair Stolen in Downtown Missoula” (KPAX News)*<sup>81</sup>

June 7: Dave Douglas, 63, a man experiencing homelessness, was reportedly assaulted by two young men around 2 a.m. Douglas was repeatedly punched in the face for 30 minutes. He said he was beaten until he was unconscious. The two assailants stole his wheelchair and left the scene laughing. Douglas remembers dragging himself to the curb and then passing out. He was taken to St. Patrick Hospital for treatment. Carol Fenoglio, a Missoula resident, donated a wheelchair to Douglas after she learned of the attack. Both assailants are believed to be in their 20s. No arrests have been made.

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<sup>79</sup> Nagle, Rob, *Charges dropped against homeless man accused of Memorial Day stabbing*, San Francisco Examiner, May 28, 2014, available at <http://www.sfexaminer.com/sanfrancisco/charges-dropped-against-homeless-man-accused-of-memorial-day-stabbing/Content?oid=2809551>

<sup>80</sup> KATU.com Staff, *Police say two homeless people assaulted by a group of teens*, KATU.com, June 5, 2014, available at <http://www.katu.com/news/local/Police-say-two-homeless-people-assaulted-by-a-group-of-teens-262073181.html>

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<sup>81</sup> Merkle, Brin, *Homeless man attacked, wheelchair stolen in downtown Missoula*, KPAX News, June 9, 2014, available at <http://www.kpax.com/news/homeless-man-attacked-wheelchair-stolen-in-downtown-missoula/>

### Murfreesboro, Tennessee

*“Homeless Man Assaulted”* (WGNS Radio)<sup>82</sup>

June 22: A man experiencing homelessness was panhandling on a roadway in Murfreesboro, Tennessee, when a man in a truck pulled over and assaulted him. The homeless man claims that a pickup truck pulled over and the driver, a man in his 20s, screamed “Get a job” in his face before physically assaulting him. According to police, the homeless man had injuries on the right side of his face and one of his fingers. The man refused medical treatment and told police that the assailant seemed intoxicated at the time of the attack. He also noted that a passenger got out of the truck and fled before the driver committed the assault. No arrests have been made.

### Cincinnati, Ohio

*“Assault Victim Wants Attacks on Homeless Classified as Hate Crimes”* (Fox 19)<sup>83</sup>

July 27: Three individuals assaulted John Hensley, 49, with one of the assailants later stating that he committed the attack because he was bored. Hensley was walking out of the Drop Inn Center at 3 a.m. when a man grabbed him from behind and began to hit him in the face. Two other men joined the assault, which lasted 15 minutes. A staff member at the Drop Inn Center saw the

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<sup>82</sup> *Homeless Man Assaulted*, Murfreesboro Police Report WGNS Radio, June 23, 2014, available at <http://wgnsradio.com/homeless-man-assaulted-cms-20730>

<sup>83</sup> Graham, Gordon, Assault victim wants attacks on homeless classified as hate crimes, FOX 19, August 1, 2014, available at <http://www.fox19.com/story/26176202/assault-victim-wants-attacks-on-homeless-classified-as-hate-crimes>

attack and alerted police. Officers were able to detain and catch the perpetrators, who were named as Brandon Ziegler, 21, Alexander Gains, 19, and an unnamed juvenile. Hensley was taken to the hospital, where his injuries were treated. He believes he was targeted because of his homeless status. All three perpetrators were charged with misdemeanor assault.

### Daytona Beach, Florida

*“Brutal Attack Sparks Debate About Crimes Against Homeless”* (Orlando Sentinel)<sup>84</sup>

July 27: David Dupons, 54, a man experiencing homelessness, was attacked while he slept in a vacant lot. He woke up with excruciating pain and blood gushing out his right eye. Dupons’s homeless friend believes that a group of “young punks” were responsible for the attack.

### Costa Mesa, California

*“Homeless Woman Attacked, Robbed in Costa Mesa”* (Daily Pilot)<sup>85</sup>

July 29: A 42-year-old homeless woman was assaulted and robbed by an unidentified individual. Authorities say she was walking along Baker Street around 3:30 a.m. when she noticed a man walking in close proximity to her. The man approached her

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<sup>84</sup> Walden, Tiffany, Brutal attack sparks debate about crimes against homeless, Orlando Sentinel, September 28, 2014, available at <http://www.orlandosentinel.com/news/os-homeless-beatings-daytona-beach-20140928-story.html#page=1>

<sup>85</sup> Dobruck, Jeremiah, homeless woman attacked, robbed in Costa Mesa, Daily Pilot, August 1, 2014, available at <http://www.dailypilot.com/news/tn-dpt-me-0802-homeless-robbery-20140801.0.232235.story>

quickly, and then slapped the side of her head. The woman began to cry and dropped her bags, at which point the man stole her wallet. The individual got into a grey two-door car, where a driver was waiting for him. The suspect and driver drove east on Baker Street, according to Costa Mesa Police Lt. Greg Scott. He got away with less than \$50 cash. The woman was not injured.

#### Gloucester, Massachusetts

*“Teen Charged with Third Assault on Homeless Person”* (Gloucester Times)<sup>86</sup>

August 17: A teenager in Gloucester was recently charged with his third assault on a homeless person. The 17-year-old, along with a group of his friends, beat a homeless woman at Stage Fort Park. The woman reported that the group harassed, threatened, and hit her. The 17-year-old was charged with assault and battery.

#### Daytona Beach, Florida

*“Homeless Man Beaten, Pants Stolen on Daytona Beach’s Beachside”* (Daytona Beach News Journal)<sup>87</sup>

August 28: Roy Hinsch, 49, was using a restroom at the Kangaroo convenience store on North Atlantic Avenue when two men on felony probation, Andre Dyte, 24, and

Devante Mims, 22, began to follow him. As they approached North Grandview Avenue, Dyte and Mims walked up to Hinsch and began to demand money from him. They began punching him and Mims grabbed Hinsch by the throat and choked him until he almost lost consciousness. Dyte rifled through Hinsch’s pants to find money, but was unsuccessful. It was at this point that Mims and Dyte took Hinsch’s pants off him and ran away. Several minutes later, a Daytona Beach Police Officer stopped the two men and found an ID belonging to Hirsch, along with his pants and \$17. Dyte and Mims were charged with robbery without firearm and battery causing bodily harm.

#### Hollywood, Florida

*“Homeless Woman Says She Was Attacked in Hollywood Park”* (Sun Sentinel)<sup>88</sup>

September 26: Linda Lambert, 63, who spends her nights at Cononie’s Homeless Voice Shelter in Hollywood Beach, was attacked by a man she described as “tall with shaggy, sandy blond hair, with a big nose.” He approached her while she was sitting at a picnic table in Hawksbill Pocket Park waiting for a bus. As she got up from the picnic table to board the bus, the man started to grab for her backpack. Lambert did not let go and “got a fist in the face,” which resulted in a black eye and cuts to her face. Lambert was able to keep her backpack.

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<sup>86</sup> Niedzinski, James, *Teen charged with third assault on homeless person*, Gloucester Times, August 21, 2014, available at [http://www.gloucestertimes.com/news/article\\_74e0dd0-28d9-11e4-b4c7-0019bb2963f4.html](http://www.gloucestertimes.com/news/article_74e0dd0-28d9-11e4-b4c7-0019bb2963f4.html)

<sup>87</sup> Longa, Lyda, *Homeless man beaten, pants stolen on Daytona Beach’s beachside*, Daytona Beach News Journal, August 28, 2014, available at <http://www.news-journalonline.com/article/20140828/NEWS/140829381>

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<sup>88</sup> Clary, Mike, *Homeless woman says she was attacked in Hollywood park*, Sun Sentinel, September 29, 2014, available at <http://www.sun-sentinel.com/local/broward/fl-homeless-woman-beaten-20140929-story.html>

St. Louis, Missouri

*“Homeless Man Victim of Knock Out Game Attack”* (Fox 2 Now)<sup>89</sup>

October 20: On Monday night, a 49-year-old homeless man was assaulted near the St. Louis Post-Dispatch building. The Post-Dispatch reports that two suspects were seen crossing the street toward the victim and attacked him. The attack left the victim with a serious head injury. Police suspected it was part of the “knockout game,” in which an individual tried to knock out a person, usually a stranger, with one punch. However, after investigation, the police have reason to believe that there was dialogue exchanged between the victim and the attackers before the assault. At this time no arrests have been made.

Butte, Montana

*“Police Seeking Suspects in Beating of Homeless Man”* (Montana Standard)<sup>90</sup>

October 24: Two unidentified individuals attacked a 34-year-old homeless man in Butte. The victim was attacked as he slept; he suffered a broken nose as well as head and rib injuries. The victim could not identify the individuals but the police believe that prior to the assault the suspects

left the Irish Time Bar. Police suspect it was a random crime. After this incident, officers were called to a parking lot where they found the homeless man injured and covered in blood. No arrests have been made at this time.

Sonora, California

*“Juveniles Arrested for Attacking Homeless Man”* (My-Motherlode.com)<sup>91</sup>

November 18: An unidentified homeless man, who had already been taken to Modesto Hospital for a skull fracture as a result of a hate crime, was attacked again by the same two perpetrators. The initial attack occurred in October. Police arrived at Save Mart on Stockton Road, located the two juveniles responsible for the crime, and took them into custody. One was a person of interest in five other assaults reported against the homeless population. Two additional victims have come forward and identified the juveniles as their attackers. The two juveniles have been charged with felony battery, resulting in great bodily injury. They are currently under the management of the Tuolumne County Probation Department.

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<sup>89</sup> Associated press, Homeless man victim of knock out game attack, Fox 2 now, October 21, 2014, available at <http://fox2now.com/2014/10/21/homeless-man-victim-of-knock-out-game-attack/>

<sup>90</sup> Brandt, Angela, Police seeking suspects in beating of homeless man, the Montana Standard, October 28, 2014, available at [http://mtstandard.com/news/local/police-seeking-suspects-in-beating-of-homeless-man/article\\_3d6d9955-0c0f-5edc-be05-eb28ff14eec8.html](http://mtstandard.com/news/local/police-seeking-suspects-in-beating-of-homeless-man/article_3d6d9955-0c0f-5edc-be05-eb28ff14eec8.html)

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<sup>91</sup> Hansen, BJ, *Juveniles arrested for attacking homeless man*, November 19, 2014, available at <http://www.mymotherlode.com/news/local/227508/juveniles-arrested-attacking-homeless-man.html>

## Abductions - Total: 2

### West Norriton, Pennsylvania

*“Cops: Homeless Assaulted in West Norriton”* (Times Herald)<sup>92</sup>

May 4: A homeless man was walking to a local stadium to find a place to sleep for the night when a car pulled up to him. The driver asked for directions, but as the victim began to reply, two male passengers exited the backseat and forced the victim into the car. The three men took the victim’s duffel bag, containing clean laundry, and his backpack, which contained paperwork and hygiene products. The victim was thrown out of the moving car and onto the street. He walked to Einstein Medical Center Montgomery for treatment, where he was found to have severe injuries to his head and face. The hospital notified the police, who are currently investigating the incident.

### Corning, California

*“Man Stabbed, Robbed, Dumped in Ditch”* (KRCR)<sup>93</sup>

August 9: Ignacio Flores Geron, 22, a man experiencing homelessness, was stabbed and left to die. According to Geron, he was in the Corning Area Park when three men in their mid-20s abducted him and threw him in a car. Geron was taken to an unknown location where the men stabbed him and

robbed him of \$400. When police found him, they noticed stab wounds on his back, abdomen, and buttocks. He was rushed to the St. Elizabeth Community Hospital. He is now in stable condition. No arrests have been made at this time.

## Harassment - Total: 4

### Redding, California

*“Teen Accuses Taco Bell of Locking Homeless Man in Dumpster”* (Opposing Views)<sup>94</sup>

February 10: Taco Bell manager Darren Hailey was accused of purposely asking an employee to lock the dumpster knowing that there was a homeless man sleeping inside. The accusations were made by Jacob Cook, 16. While Cook waited in line, he overheard Hailey giving orders to lock the dumpster. Hailey insisted that it is per city ordinance that dumpster lids be closed, but a closer look at the laws shows that it is not a requirement, but a recommendation. No one was arrested or apprehended for this incident. The company and manager both deny the incident, as well as repeatedly state that the company’s purpose is to put people and the community they serve first.

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<sup>92</sup> Gamble, Oscar, *Cops: Homeless assaulted in West Norriton*, The Times Herald, May 16, 2014, available at <http://www.timesherald.com/general-news/20140512/cops-homeless-man-assaulted-in-west-norriton>

<sup>93</sup> Montano, Stephanie, *Man stabbed, robbed, dumped in ditch*, KRCRTV, August 11, 2014, available at <http://www.krcrtv.com/news/local/man-stabbed-robbed-dumped-in-ditch/27418988>

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<sup>94</sup> Hagle, Will, *Teen accuses taco bell of locking homeless man in dumpster*, Opposing Views, February 11, 2014, available at <http://www.opposingviews.com/i/society/teen-accuses-taco-bell-manager-locking-homeless-man-dumpster>

### Plantation, Florida

*“From Homeless to Hometown: Back in Indiana, Former Plantation Man Off to Good Start”* (Sun Sentinel)<sup>95</sup>

June: John Boggs, 38, was panhandling outside a Walgreens in Plantation when an undercover detective of the Broward County Sheriff’s Office, Vince Peterson, stopped an attempt by two teenage boys to mug him. As the story gained more publicity, Boggs’s former classmates and his sister started a fund to try and get Boggs back home to Indiana. Boggs reports that he is happy to be back home, reconnecting with old friends and visiting his family. Boggs has repeatedly expressed his gratitude to Officer Peterson for his intervention.

### Washington, D.C.

*“Dupont ANC Commissioner Arrested, Charged in Homeless Assault”* (District Source)<sup>96</sup>

July 28: Leo Dwyer, an Advisory Neighborhood Commissioner (ANC), was arrested for spraying cleaning liquid on a man experiencing homelessness, verbally assaulting him with racial slurs, and scattering his possessions along the streets. The homeless man was a resident of Joseph’s House, a shelter for individuals suffering from AIDS-related symptoms.

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<sup>95</sup> Clary, Mike, *From homeless to hometown: back in Indiana, former Plantation man off to good start*, Sun Sentinel, August 6, 2014, available at [http://articles.sun-sentinel.com/2014-08-06/news/fl-plantation-homeless-man-indiana-20140805\\_1\\_good-start-walgreens-john-boggs](http://articles.sun-sentinel.com/2014-08-06/news/fl-plantation-homeless-man-indiana-20140805_1_good-start-walgreens-john-boggs)

<sup>96</sup> Courtney, Shaun, *DuPont ANC commissioner arrested, charged in homeless assault*, District source, August 1, 2014, available at <http://districtsource.com/2014/08/dupont-anc-commissioner-arrested-charged-homeless-assault/>

According to the victim, the attack was unprovoked. Dwyer told police that he sprayed the area because “it had a bad odor due to the homeless population.” The man was treated by D.C. Fire Department medics due to the skin irritation from the cleaning spray. Dwyer did not think he said any racially charged comments, but admitted to scattering the homeless man’s belongings. The homeless man, an African-American, told police that Dwyer approached him and said “I’m sick of you [expletive].” Dwyer accepted a plea deal which included 20 days in jail as well as an added hate crime charge.

### Knoxville, Tennessee

*“Former NFL Athlete Dumps Ice Water on Homeless Man in Front of His Burger Joint”* (Lovebscott.com)<sup>97</sup>

August 26: Former NFL player Albert Haynesworth was depicted in a video throwing a bucket of ice water onto a homeless man in front of his burger restaurant. “I gave him the ice bucket challenge!” Haynesworth stated. The homeless man, unnamed, took post by Haynesworth’s BurgerFi restaurant, and was reportedly harassing patrons. Haynesworth took matters into his own hands. He stated, “I don’t usually care [about homeless people on the property] as long as they don’t mess with people and sometimes we’ll make them food when they come up to the front and give out forks and napkins to the

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<sup>97</sup> *Former NFL athlete dumps ice water on homeless man in front of his burger joint*, August 26, 2014, available at <http://www.lovebscott.com/news/former-nfl-athlete-dumps-ice-water-on-homeless-man-in-front-of-his-burger-joint-i-gave-him-the-ice-bucket-challenge-video>

customers.” This statement is somewhat questionable, as in the video released, the homeless man appeared to be lying down and minding his own business.

### **Multimedia Exploitation - Total: 6**

#### Dayton, Ohio

*“Homeless Man Victim of Knockout Game, Teens Charged”* (Dayton Daily News)<sup>98</sup>

March 7: Ronald Baird, 51, was attacked by three teenage boys, 14, 15 and 17 years of age. Police were alerted to the attack when a teacher oversaw a video of the attack on one of the assailant’s cellphones. The teens followed Baird into an alley. Deonte Howard, the 17-year-old assailant, struck Baird in the back of the head. Baird fled and the teens followed him, striking him in the head again and pushing him into a fence. They demanded his wallet and fled the scene after stealing three dollars. Baird was treated at the hospital where his stay lasted three days. The same group of teenagers is believed to be responsible for another violent attack on a homeless man that occurred on April 8, but it was never recorded. Howard will be tried as an adult because he is believed to be the “leader” of the group. The other two teens have taken plea bargains in order to be tried as minors. Howard was sentenced with two felony robberies, convicted, and can face up to 16 years in prison. The 15-year-old who verbally encouraged Howard’s attacks and

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<sup>98</sup> Heffner, Jessica, *Homeless man victim of knockout game, teens charged*, Dayton Daily News, April 7, 2014, available at <http://www.daytondailynews.com/news/news/crime-law/homeless-man-victim-of-knockout-game-teens-charged/nfTdy/>

the unnamed 14-year-old also involved will both be charged with one count of robbery for assaulting the two men.

#### Los Angeles, California

*“BMX Bikers Caught Doing Tricks Using Homeless People as Props, Offer Weak Apology”* (Huffington Post)<sup>99</sup>

March 13: Professional BMX rider Brandon Begin, along with two of his friends, Jeff Cadger and David Grant, used people experiencing homelessness as props while performing jumps and tricks. The video was first posted on Facebook by Adam Grandmaison, owner of the OSS Bike Shop, who did not find any issue with posting the video online because “nobody got hurt.” He expanded on his statement, saying “a little flack for something that’s controversial in order for people to realize there is a big BMX scene out in L.A.” is something he can “deal with.” The Los Angeles Police Department cannot press any criminal charges against the riders because they did not break any laws, but they do not agree with their behavior and find the video “disgusting.” LAPD officer Deon Joseph said, “This is just a matter of not having value for another human being.” Many homeless individuals found the video offensive, especially because most of the homeless people in the video were unaware that the stunts were taking place. “Homeless people should be respected and they’re not

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<sup>99</sup> BMX Bikers caught doing tricks using homeless people as props, offer weak apology, HUFFINGTON POST, March 14, 2014, available at [http://www.huffingtonpost.com/2014/03/13/bmx-bikers-homeless-video\\_n\\_4960233.html](http://www.huffingtonpost.com/2014/03/13/bmx-bikers-homeless-video_n_4960233.html)

furniture,” said a downtown Los Angeles visitor.

#### Upper Darby, Pennsylvania

*“Upper Darby Police Looking for a ‘Bunch of Cowards’ Who Punched Man at Trolley Stop”* (Delaware County Daily Times)<sup>100</sup>

June 11: A 58-year-old man experiencing homelessness was a victim of an attack while waiting at a trolley stop. A group of four teenage boys filmed their attack and posted it to Facebook. The video shows the teens planning the attack, and then shows the boys walking towards the homeless man and punching him under his eye. The video shows that the attack was completely unprovoked. “For no reason they hit this guy. They could have killed him,” stated Police Superintendent Michael Chitwood. This attack is believed to be an incident of the “knockout game,” according to police. The homeless man refused medical treatment but did receive “a significant injury to his eye,” according to Chitwood. The victim also asked to remain unnamed. Trent Epps, the teen that was pictured punching the homeless man, turned himself in to the police. Upper Darby Police are charging the perpetrators with assault, terroristic threats, reckless endangerment and conspiracy. Epps received a sentence of two years of probation with 40 hours of

<sup>100</sup> Scharr, Cindy, *Upper Darby Police looking for a ‘bunch of cowards’ who punched man at trolley stop*, Delaware County Daily Times, June 16, 2014, available at <http://www.delcotimes.com/general-news/20140616/upper-darby-police-looking-for-a-bunch-of-cowards-who-punched-man-at-trolley-stop-with-video>

community service. The police also hope to arrest the three other assailants.

#### Atlanta, Georgia

*“Search Continues for Participants, Witnesses in Little 5 Points Trans Assault”* (GA Voices)<sup>101</sup>

July 3: A Vine video gained widespread attention because it depicted a homeless transgender woman who was slammed to the ground and stomped on the face. The crime was committed outside of a skate shop when two men got into a verbal argument with the woman. The victim has not been identified, but the two men were arrested for disorderly conduct. Many Twitter users expressed outrage to the crime and behavior. The founder of Transgender Individuals Living the Truth (TILTT), Cheryl Courtney-Evans, found the video disturbing and expressed anger at the bystanders who did nothing to help or prevent the situation.

#### Pasadena, California

*“Mickey Rourke ‘Beat’ a Homeless Man in a Boxing Match”* (Gawker)<sup>102</sup>

November 29: Mickey Rourke, 62, famed actor and boxer, is accused of fixing his “comeback” boxing match in Moscow. He hired Elliot Seymour, 29, a homeless boxer, to purposely lose to him in the second round

<sup>101</sup> Saunders, Patrick, *Search continues for participants, witnesses in little 5 points trans assault*, GA Voices, July 3, 2014, available at <http://thegavoice.com/18323/>

<sup>102</sup> Nolan, Hamilton, *Mickey Rourke “beat” a homeless man in a boxing match*, Gawker, December 1, 2014, available at <http://gawker.com/mickey-rourke-beat-a-homeless-man-in-a-boxing-match-1665105119>

of their match. Seymour is known in the Memorial Park, Pasadena, area and has been homeless there for about 18 months. He had previously trained at the same gym as Rourke. He claims to have been promised a large amount of money in exchange for intentionally losing the fight. Rourke is facing criticism for his exploitation of a vulnerable man experiencing homelessness.

### East Memphis, Tennessee

*“Violent Attacks a Reality for Those Living on the Streets”* (FOX Memphis)<sup>103</sup>

December 19: Joseph Johnson is wanted by the police for a video he posted to Facebook, in which he is seen beating a panhandler on the off-ramp at I-240 and Perkins. The video taker is heard cheering during the 40-second assault. When contacted by WREG Memphis, Johnson told reporters that the man was not homeless and in fact used to work for him and his family business. Johnson explained that the attack was retribution for stealing seven chainsaws and that it was “worth it.” Johnson previously served time for aggravated assault in 2007, stealing a trailer in 2004, and stealing electricity in 2005.

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<sup>103</sup> Smith, Les, *Violent attacks a reality for those living on the streets*, FOX Memphis, December 22, 2014, available at <http://www.myfoxmemphis.com/story/27691090/violent-attacks-a-reality-for-those-living-on-streets>

## Cases in 2015

### Lethal Case Descriptions – Total: 27

#### Seguin, Texas

*“Seguin Police Charge 14-year-old With Murder” (Daily Record)*<sup>104</sup>

January 19: A 14-year-old boy in Seguin County was arrested for the murder of a homeless woman. This was the first murder in Seguin since 2013. The attack happened in the woods by the 1700 block of West New Braunfels Street around 4:30 p.m. A man told the police his girlfriend “needed help.” When the police arrived, they saw the victim, 31-year-old Heather O’Neill, with multiple injuries. She died at the scene. During the investigation, the teenager walked out of the woods with blood on his clothing and attempted to flee. O’Neill and her boyfriend had been living in makeshift housing in the woods.

#### Hilo, Hawaii

*“Trial Set in Homeless Man’s Stabbing” (West Hawaii Today)*<sup>105</sup>

January 20: Garret A. Dahlin, 22, is being accused of stabbing to death 43-year-old homeless man Brian Whetten. Dahlin pleaded not guilty to second-degree murder; he is set to report to trial on July. Whetten

collapsed in the parking lot of the downtown Hilo Longs drugstore, where a bystander from the Army National Guard medical and a nursing student were able to stabilize him until he reached the Hilo Medical Center where he was pronounced dead. Dahlin was arrested with his roommates, who were later released but are still under investigation. Dahlin is currently in the Hawaii Community Correctional Center with a \$250,000 bail.

#### Bridgeton, New Jersey

*“Man Charged in Fatal Stabbing of Homeless Man” (NJ.com)*<sup>106</sup>

February 1: Pasqual Diego, 24, is accused of fatally stabbing Abdon Garcia Cruz, 39-year-old homeless man, in the head. Diego has been charged with aggravated manslaughter, weapon offenses, and tampering with evidence counts. He was indicted by a Cumberland County Grand Jury on September 30 on charges of aggravated manslaughter, tampering with physical evidence possession of a weapon for an unlawful purpose and unlawful possession of a weapon.

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<sup>104</sup> Miller, Anita, Seguin Police Charge 14-year-old With Murder, San Marcos Daily Record, 2015, January 21, available at <http://www.sanmarcosrecord.com/news/seguin-police-charge-14-year-old-murder>

<sup>105</sup> Trial set in homeless man’s stabbing, West Hawaii Today, March 26, 2015, available at <http://www.westhawaii.com/community-bulletin/trial-set-homeless-man-s-stabbing>

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<sup>106</sup> Associated press, Authorities: Man charges in fatal stabbing of homeless man, my9nj, March 21, 2015, available at <http://www.my9nj.com/story/28579193/authorities-man-charged-in-fatal-stabbing-of-homeless-man>

Anchorage, Alaska

*“Woman Found Dead in East Anchorage Homeless Camp”* (Alaska Dispatch News)<sup>107</sup>

February 9: Maria M. Fairbanks, 31, was found dead at a homeless camp in Anchorage’s University-Medical area. According to Donald Ferguson, an individual who has been staying in the camp for more than a week stated that he woke up and found Fairbanks dead and bloody. Police officers are still investigating her death; they are waiting to the toxicology results to know what happened to Fairbanks.

Pasco, Washington

*“Fatal Police Shooting of Man ‘Throwing Rocks’ Caught on Tape”* (New York Post)<sup>108</sup>

February 10: Antonio Zambrano-Montes, a 35-year-old homeless man, was shot and killed by police as he was fleeing from them. According to witness reports, Zambrano-Montes had been throwing rocks at cars near an intersection. Officers then arrived and attempted to subdue him with a stun gun. Mr. Zambrano-Montes then attempted to flee from the officers, running half a block before being shot multiple times by the officers. He was pronounced dead on the scene. Multiple witnesses have

complained to the Pasco City Hall about the police conduct in this incident and the ACLU of Washington has issued a statement calling the shooting “very disturbing.”

Gary, Indiana

*“Homeless Man Killed After Argument”* (Chicago Tribune)<sup>109</sup>

February 11: Anthony Harrison, a 20-year-old homeless man also known as “Tom-Tom,” frequently panhandled in front of local drugstores, fast food restaurants, and sometimes police stations. He was killed on Wednesday afternoon in front of a doctor’s office. He got into an argument with a man on the sidewalk. The suspect threw a brick and it hit Harrison’s head, causing him to lose his balance. Harrison then fell into the street and a truck ran him over. He died instantly. The suspect escaped in a green minivan with two women. This case is being investigated as a homicide. The individual who ran him over is cooperating with police. The man responsible for hitting him in the head has yet to be found.

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<sup>107</sup> Shedlock, Jerzy, Woman found dead in East Anchorage homeless camp, Alaska dispatch news, February 9,2015, available at <http://www.adn.com/article/20150209/woman-found-dead-east-anchorage-homeless-camp>

<sup>108</sup> Associated Press, Fatal police shooting of man ‘throwing rocks’ caught on tape, New York Post, 2015, February 12, available at <http://nypost.com/2015/02/12/homeless-man-throwing-rocks-shot-dead-by-police/>

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<sup>109</sup> Caldwell, Lori, Homeless man killed after argument, Chicago Tribune, February 11, 2015, available at <http://www.chicagotribune.com/suburbs/post-tribune/crime/ct-ptb-homeless-man-killed-st-0212-20150211-story.html>

### Brooklyn, New York

*“Man Arrested for Allegedly Beating Homeless Man to Death in Brooklyn Park”* (Gothamist)<sup>110</sup>

February 27: Abel Palma, was arrested for attacking a homeless man in Brooklyn Park. The 45-year-old victim, who was with his girlfriend, was attacked near Jamaica Avenue and Essex Street Friday around 5:30 p.m. while walking through Highland Park. The victim remained in the park for four hours, bleeding and suffering from his injuries, before being taken to Brookdale University Hospital and dying. Palma was charged with assault, though it may be increased to a murder charge.

### Los Angeles, California

*“Local Police Shoot, Kill Homeless Man in Confrontation Caught on Video”* (KTLA)<sup>111</sup>

March 1: Los Angeles police shot and killed a man experiencing homelessness after tasing him repeatedly. The officers were investigating a report of an altercation. They identified the victim as their suspect and attempted to arrest him. He resisted, and the officers used a stun gun on him several times. One officer drew his weapon and fired five shots into the victim. The victim had allegedly attempted to reach for the officer’s weapon. The victim was pronounced dead at the scene. A bystander

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<sup>110</sup> Yakas, Ben, Man Arrested for allegedly beating homeless man to death in Brooklyn Park, Gothamist, March 1, 2015, available at [http://gothamist.com/2015/03/01/man\\_arrested\\_for\\_a\\_llegedly\\_beating.php](http://gothamist.com/2015/03/01/man_arrested_for_a_llegedly_beating.php)

<sup>111</sup> Moreno, J. and Kuzj, S., Local Police Shoot, Kill Homeless Man in Confrontation caught on video, KTLA, 2015, March 1, available at <http://ktla.com/2015/03/01/los-angeles-police-shoot-kill-man-in-downtown-confrontation/>

recorded the incident and released it on Facebook.

### Philadelphia, Pennsylvania

*“Bail Set for Woman Accused in Homeless Man Attack”* (Daily News)<sup>112</sup>

April 7: Aleathea Gillard, 34, and her children are being held for assaulting a homeless man at the Sunoco gas station. Victim Robert Barnes, 51, suffered from catastrophic brain injuries and was placed in an induced coma at the Einstein Medical Center after the attack. Gillard’s attorney, Max Kramer, admitted to the judge that she was involved in the assault because her 10-year-old son had falsely accused Barnes of injuring him. Gillard hit Barnes in the head with a piece of wood, then proceeded to beat him. Her 12-year-old daughter, 13-year-old son, and 14-year-old son also participated by stomping on Barnes as he was down. Two other women also joined in the beating; Shareena Joachim, 24, brought mace to the attack, and Kaisha Duggins, 23, hit Barnes in the head, feet, and legs with a hammer. Gillard and her children are being charged with attempted murder and aggravated assault. Gillard’s bail was set at \$150,000.

Barnes died Wednesday, November 25, 2015, from his injuries. The three adults have been charged, but all rejected plea deals. Their trials started in January 2016. The three teens pleaded guilty to aggravated

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<sup>112</sup> Shaw, J. Bail ZSet for Woman Accused in Homeless Man Attack, Philadelphia Daily News, 2015, April 29, available at [http://articles.philly.com/2015-04-29/news/61620663\\_1\\_gas-station-robert-barnes-bail](http://articles.philly.com/2015-04-29/news/61620663_1_gas-station-robert-barnes-bail)

assault and conspiracy and were remanded to juvenile detention centers.

#### Houston, Texas

*“Stabbing Suspect Sought in Homeless Man’s Murder in West Houston”* (ABC 13)<sup>113</sup>

April 11: A homeless man was seen arguing with an individual outside of a gas station when he got stabbed. The suspect got away on a bicycle. According to police, the suspect stabbed the victim twice before running away, killing the homeless man. The police are hoping the surveillance video can give more detail how the attack took place.

#### Augusta, Georgia

*“Accused Teen Indicted on Murder for Stomping Homeless Man to Death”* (WRDW)<sup>114</sup>

April 21: Leonel Vasquez-Calvo, a 54-year-old homeless man, was left to die near the River Glen Apartment complex. The victim suffered stomps to his face, and according to autopsy he died due to the sustained injuries from the physical altercation. Joshua Derelle Mormant, 17, has been indicted on a charge of murder. Police also arrested Sharon Denise Pinkey, 40, with a misdemeanor

obstruction for intervening during the investigation. This is Mormant’s second run in with the police; he was previously arrested for possession of a pistol, marijuana, and giving false identification to a police officer.

#### Miami, Florida

*“Miami Teen Arrested After Allegedly Killing Homeless Man”* (WSVN)<sup>115</sup>

May 24: Sixteen-year-old Rhyheim Woodard was arrested and charged with second-degree murder of an unnamed homeless man. According to police, Woodard and a friend were fishing on the Miami River when they saw a sleeping homeless man. They woke him up and began harassing him. The victim then stood up and Woodard pushed him into the river. Woodard then stole his bag as he drowned. Woodard has been charged with the murder and will potentially be charged as an adult.

#### Miami, Florida

*“Witnesses: Police Officer Shoots Homeless Man Five Times in Miami”* (CBS Miami)<sup>116</sup>

June 11: Fritz Severe, a man experiencing homelessness in Gibson Park in Miami’s Overtown district, was shot by police in front of 40-60 witnesses, many of whom were children. Witnesses report that Severe

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<sup>113</sup> Stabbing Suspect Sought in Homeless Man’s Murder in West Houston, ABC 13, 2015, April 12, available at <http://abc13.com/news/stabbing-suspect-sought-in-homeless-mans-murder-in-west-houston/652813/>

<sup>114</sup> Staff, Lopez, Jorge, Accused teen indicted on murder for stomping man to death, WRDW12, 2015, May 1, available at <http://www.wrdw.com/home/headlines/After-murder-at-River-Glen-complex-hoping-to-shake-negative-image-300853441.html>

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<sup>115</sup> WSVN, Miami teen arrested after allegedly killing homeless man, WSVN News, July 17, 2015, available at <http://www.wsvn.com/story/29573224/miami-teen-arrested-after-allegedly-killing-homeless-man>

<sup>116</sup> CBSMiami, Witnesses: Police Officer shoots homeless man five times in Miami, CBS Miami, June 11, 2015, available at <http://miami.cbslocal.com/2015/06/11/witnesses-police-officer-shoots-homeless-man-five-times-in-miami/>

was holding a metal pipe and refused to leave the park when police instructed him to vacate. When Severe objected, police attempted to remove him, leading him to swing the pipe at one officer. He was then shot five times. The victim was brought to Jackson Memorial Hospital where he died from his injuries. The officer in question has been reassigned pending the outcome of the investigation, which is standard procedure.

#### Omaha, Nebraska

*“Alleged Killer Headed to Trial for Beating Homeless Man to Death”* (NBC News Omaha)<sup>117</sup>

June 20: Kak Thoan, 42, is being charged with murder and use of a deadly weapon to commit a felony for the death of Timothy Rasmussen, who was found near 24th and Howard Streets. This was not the first time Thoan attacked an individual experiencing homelessness. Thoan was booked in connection with a beating of another homeless man five days before Rasmussen was found dead, and was charged with first-degree assault and robbery.

#### San Antonio, Texas

*“Wheelchair-Bound Homeless Man Struck, Killed by Semi While Sleeping”* (KENS5)<sup>118</sup>

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<sup>117</sup> Alleged Killer Headed to Trial for Beating Homeless Man to Death, WOWT, 2015, December 23, available at <http://www.wowt.com/home/headlines/Alleged-Killer-Headed-to-Trial-for-Beating-Homeless-Man-to-Death-363371421.html>

<sup>118</sup> Furst, M., Wheelchair-bound Homeless Man Struck, Killed by Semi While Sleeping, KENS5, 2015, June 23, available at <http://www.kens5.com/news/local/wheelchair-bound-homeless-man-struck-killed-by-semi-while-sleeping/153797569>

June 23: An 18-wheeler struck and killed a wheelchair-bound man experiencing homelessness as he slept. Deputies found his body around 4 a.m. It appears that the semi hit him and dragged his body about 75 feet. It is unclear whether this incident was malicious or accidental.

#### Los Angeles, California

*“Homeless Man Found Dead with Stab Wounds in Long Beach”* (LA Times)<sup>119</sup>

July 4: Allen Dean Estes, 38, was found dead in the Cambodia Town area of Long Beach. The Long Beach Fire Department notified police that Estes had been found, non-responsive. He was pronounced dead at the scene by paramedics and appeared to have suffered a stab wound. Police have no suspects.

#### Gastonia, North Carolina

*“Homeless Man Dies Months After Vicious Attack”* (Gaston Gazette)<sup>120</sup>

July 6: Fletcher Campbell, 78, died on September 6 after sustaining injuries on July 6 from 19-year-old Donald Wallace Jr. Wallace asked Campbell for a dollar, which Campbell gave him. Witnesses say that a few minutes later, they saw Wallace beating Campbell with a brick outside of the QuikTrip gas station a block away from the West Franklin Boulevard. Wallace turned

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<sup>119</sup> Watanabe, T., Homeless Man found dead with stab wounds in Long Beach, LA Times, 2015, July 4, available at <http://www.latimes.com/local/lanow/la-me-ln-homeless-stabbing-20150704-story.html>

<sup>120</sup> Wildstein, E., Homeless Man Dies Months After Vicious Attack, Gaston Gazette, 2015, September 15, available at <http://www.gastongazette.com/article/20150913/news/150919547>

himself in when police released his photo. His mother claims that her son “is not really responsible for what he did” because he is in treatment for mental illness. Bond was set at \$500,000. After Campbell died, the charges against the attacker were increased to second-degree murder.

#### Long Beach, California

*“Homeless Woman Stabbed to Death in North Long Beach Identified” (Telegram)*<sup>121</sup>

July 7: Taylor Lyn Parks, 25, died after being stabbed in the upper torso. Officers arrived to the 5500 block of Long Beach Boulevard and began life-saving measures as she was transported to the hospital. Parks died at 12:16 a.m. A man was seen running from the area around the time of the assault. Her attacker has not been caught. Residents of the neighborhood said that Taylor lived in the Los Angeles Riverbed under the bridge with her pit bull.

#### Louisville, Kentucky

*“Arrest Made In Murder of Homeless Man” (Courier-Journal)*<sup>122</sup>

July 8: Frederick Baker, a 65-year-old homeless man, was attacked by 20-year-old Christopher Marion Winstead II, who offered him a ride and then stabbed him multiple times when they reached Blevin’s

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<sup>121</sup> Yee, G., Homeless woman stabbed to death in North Long Beach identified, Press-Telegram, 2015, July 9, available at <http://www.presstelegram.com/general-news/20150709/homeless-woman-stabbed-to-death-in-north-long-beach-identified>

<sup>122</sup> Arrest made in murder of homeless man, Courier-Journal, 2015, August 29, available at <http://www.courier-journal.com/story/news/local/2015/08/29/arrest-made-murder-homeless-man/71386906/>

Gap Road. Baker was found later that day and died from his injuries. Winstead was charged with murder and held on a \$500,000 bond.

#### Riverton, Wyoming

*“Police: Man Held in Wyoming Shooting Resented Homeless” (Elkhart Truth)*<sup>123</sup>

July 18: Roy Clyde, 32, has been a parks employee for the city of Riverton for the last 13 years. He shot two men as they were lying in their beds in a detox center, leaving one dead and one critically injured. Clyde claimed that his motive to act was because he was tired of cleaning up after homeless people. In addition to hatred towards the homeless, there is some debate as to whether the attacks were motivated by anti-Native American bias. Clyde referred to the people he attacked as “park rangers,” which are homeless alcoholics, most of whom in this area are American Indians belonging to both the Northern Arapaho and eastern Shoshone tribes. Clyde has been charged with one count of first-degree murder and one charge of attempted first-degree murder.

#### Columbus, Georgia

*“Police arrest two in homicide of homeless man” (WRBL)*<sup>124</sup>

July 26: Two men, Daquon Chisholm and Brian Harris, have been arrested for the

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<sup>123</sup> Police: man held in Wyoming shooting resented homeless, Elkhart Truth, 2015, July 21, available at <http://www.elkharttruth.com/news/national/2015/07/21/Police-Man-held-in-detox-center-shooting-resented-homeless.html>

<sup>124</sup> Police arrest two in homicide of homeless man, WRBL, 2015, August 3, available at <http://wrbl.com/2015/08/03/police-arrest-two-in-homicide-of-homeless-man/>

death of William Edwards. The two attackers were charged with murder and armed robbery; both men pleaded not guilty and claimed the other suspect had committed the murder. Edwards was found dead under the Second Avenue Bridge. Police have determined that Edwards died from blunt-force trauma injuries.

#### Hampton, Virginia

*“Two Teens Arrested in Death of Homeless Man in Hampton”* (Daily Press)<sup>125</sup>

August 4: Two teenagers, ages 15 and 17, beat homeless man Charles Howard Amos to death. Amos was found lying in between two sheds near the 200 block of Buckroe Avenue. The autopsy results show that Amos died from injuries suffered during the assault. The two teenagers stole Amos’s bicycle after attacking him. The suspects are being charged with murder, robbery, attempted robbery, and conspiracy to commit robbery, and will be transported to Juvenile detention once juvenile petitions are obtained.

#### Santa Monica, California

*“Venice Beach hotel owner pleads not guilty in homeless poet's shooting death”* (LA Times)<sup>126</sup>

August 30: Sris Sinnathamby, owner of Cadillac Hotel, was charged with one count

of murder for the death of 26-year-old Jascent Warren, who friends referred to as “Shakespeare.” Sinnathamby arrived to his hotel at 2 a.m. on the morning of the attack with a security guard from the hotel. The two roused one of the homeless men in the area who was sleeping on the ground. Shakespeare responded by protesting. There is some variation among witnesses as to the exact wording, but witnesses agree that Sinnathamby ordered his security guard to kill Shakespeare. The security guard shot Shakespeare and fled in an SUV. Sinnathamby was thrown to the ground and hit by a homeless man in a wheelchair with a metal object. Sinnathamby did escape, but was later caught and can be seen on security cameras around the crime scene. Sinnathamby was charged with one count of murder and bail at \$1 million, but has pled not guilty. The security guard, Francisco Guzman, was found six days after the attack and has been charged with murder, attempted murder, and firearms possession. Another man at the scene was shot in the leg.

#### Los Angeles, California

*“Homeless Man Begging For Food, Money Stabbed to Death in Van Nuys”* (ABC7)<sup>127</sup>

September 29: A homeless man in his mid-to-late-30s was stabbed to death while panhandling. The incident occurred around 1 a.m. near Woodley Avenue and Vanowen Street. Police were not able to identify a suspect or vehicle and a weapon was not

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<sup>125</sup> Two teens arrested in death of homeless man in Hampton, Daily Press, 2015, August 7, available at <http://www.dailypress.com/news/hampton/dp-hampton-man-dead-buckroe-beach-market-story.html>

<sup>126</sup> Panzar, J., Serna, J., and Hamilton, M., Venice Beach hotel owner pleads not guilty in homeless poet's shooting death, LA Times, 2015, September 1, <http://www.latimes.com/local/lanow/la-me-ln-venice-shooting-hotel-owner-arrest-20150901-story.html>

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<sup>127</sup> Philips, D., Homeless Man Begging For Food, Money Stabbed to Death in Van Nuys, 2015, September 29, available at <http://abc7.com/news/homeless-man-begging-for-food-money-stabbed-to-death-in-van-nuys/1007603/>

recovered at the scene. The homeless man was able to get help by making it to the sidewalk in front of a liquor store where people called 911 for him. He died in an area hospital. Investigators believe that the only thing the victim did was beg for money, he was not threatening or dangerous in any way. According to Captain Paul Vernon with the Los Angeles Police Department, “It is sad. I mean, there’s an inherent danger in doing that [begging] aside from being struck on by cars on the street. You don’t know who you’re approaching when you do, and that’s partly the risk of living out on the street as well.”

#### Sacramento, California

*“Man Accused In Sacramento County Homeless Killing Linked To Another Transient Shooting” (CBS Sacramento)*<sup>128</sup>

October 13: Christopher Franklin, 28, was connected with the attempted murder of a 35-year-old homeless man, and the murder of Anna Marie Bernaix, a 54-year-old homeless woman. Bernaix was found south of the Sacramento Railroad tracks with a gunshot wound to her head. The day after Bernaix’s death, Franklin assaulted a worker near where Bernaix was killed. The police matched the caliber of shell casings left at the murder with Franklin’s gun when arresting Franklin for the assault, they were the same brand. Police also tied Franklin to a previous attempted murder on July 10. A homeless man sleeping near Cottonwood

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<sup>128</sup> Man accused in Sacramento County Homeless Killing Linked to another transient shooting, CBS 13, 2015, November 2, available at <http://sacramento.cbslocal.com/2015/11/02/man-accused-in-sacramento-county-homeless-killing-linked-to-another-transient-shooting/>

Lane and Elsie Avenue was shot multiple times. Franklin is ineligible for bail.

#### San Antonio, Texas

*“Police seeking people responsible for fatal attack on homeless couple” (KSAT)*<sup>129</sup>

October 18: Police received a call after 7 a.m. to find a woman who was severely beaten. As they were preparing to take her to the hospital, first responders found a man who they later discovered was her boyfriend on the other side of the building, dead. According to Cyrus Orozco, who lives in the neighborhood the couple habituated, “they’re really good people. They work at this corner store right here, and they work at my house sometimes. I give them money and it’s not their fault they’re homeless.” The two were attacked by someone they knew, Ricky Trcka. Trcka has been charged with aggravated assault with a deadly weapon and murder. His bail was set at \$225,000.

#### Houston, Texas

*“Homeless man killed in N. Houston” (Houston Chronicle)*<sup>130</sup>

December 5: A homeless man was gunned down by four to five men in a parking lot in the 9500 block on Jensen Drive near Tidwell Road. The car has been identified by witnesses as a small, white, four-door car

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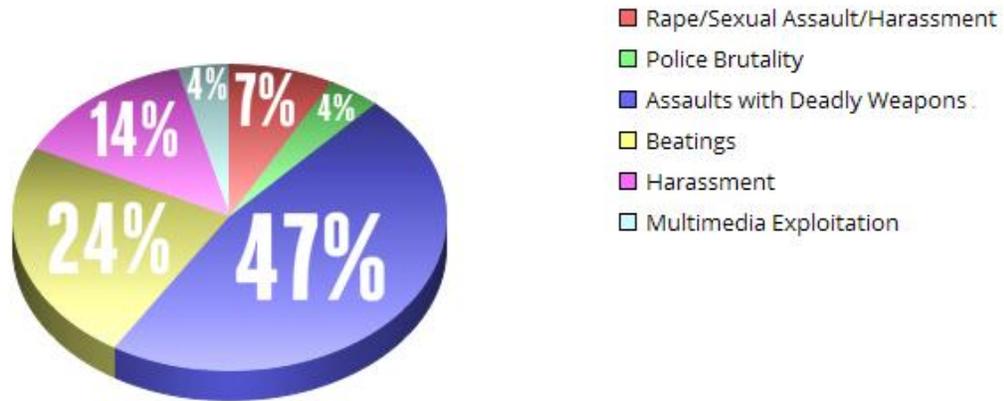
<sup>129</sup> Serna, S., Police seeking people responsible for fatal attack on homeless couple, KSAT, 2015, October 18, available at <http://www.ksat.com/news/police-seeking-people-responsible-for-fatal-attack-on-homeless-couple>

<sup>130</sup> Caruba, L., Homeless man killed in N. Houston, Chronicle, 2015, December 6, available at <http://www.chron.com/news/houston-texas/houston/article/Homeless-man-killed-in-N-Houston-6679548.php>

with a black hood, thought to be a Honda Civic. Witnesses began following the attackers by car as they fled the scene but were soon shot at and needed to stop. The

homeless man was taken to Ben Taub hospital where he passed away. The motive and attackers' identities are still unknown.

**Graph 7: Non-lethal Case Distribution by Type (2015)**



**Rape/Sexual Assault/Harassment-Total: 4**

Sparks, Nevada

*“Sparks Police: Man Sexually Assaulted Homeless Woman”* (8 News Now)<sup>131</sup>

March 20: A homeless woman was sexually assaulted Friday morning as she slept under the bike path bridge near Truckee River. The man awoke the woman and allegedly sexually assaulted her. Police say the victim was assaulted around 2 a.m. Secret Witness

<sup>131</sup> Corona, Marcella, sparks police: man sexually assaulted homeless woman, rgj, March 20, 2015, available at <http://www.rgj.com/story/news/crime/2015/03/20/sparks-police-man-sexually-assaults-homeless-woman/25078973/>

has announced a \$2,000 reward for information leading to the arrest and prosecution of the wanted suspect. They have no description of the suspect other than they believe he might have left in a black Honda passenger vehicle. This is still an ongoing investigation.

Oklahoma City, Oklahoma

*“Charges Filed in Homeless Assault”* (Pauls Valley Daily Democrat)<sup>132</sup>

March 21: Shawn Williams, 52, has been accused of sexually assaulting homeless

<sup>132</sup> Porterfield, Barry, Charges filed in homeless assault, Pauls Valley Daily Democrat, March 21, 2015, available at [http://www.paulsvalleydailydemocrat.com/news/charges-filed-in-homeless-assault/article\\_281be036-d503-11e4-a062-eb1a8ec261b1.html](http://www.paulsvalleydailydemocrat.com/news/charges-filed-in-homeless-assault/article_281be036-d503-11e4-a062-eb1a8ec261b1.html)

men by offering them food and work. He has been placed on \$100,000 bond; authorities believe he was luring men from an Oklahoma City shelter. He is accused of physically and sexually assaulting a 21-year-old homeless man against his will in Williams's home. The man, who escaped his home, told police that he was threatened with a gun and forced to smoke cocaine and take a white pill. When Williams was arrested, police officers found crack cocaine in his pickup truck. Williams later stated that the sexual interaction was consensual. Williams is being charged with first-degree rape by force or fear, with two counts of forcible possession of a dangerous substance without prescription. His court date is early May.

#### Bradenton, Florida

*"Manatee Deputies Investigate After Homeless Woman Raped in Bradenton"* (Bradenton Herald)<sup>133</sup>

March 24: A homeless married couple was approached by an unidentified man who offered to help them. They were sitting in front of Noreen's Deli when a man offered to help. When the husband walked down the road to get a pen and paper, the suspect took out a knife and put it on the wife's throat. The rape happened in a residence at 3600 block of Fifth Street East. After the incident, the perpetrator threw coins at the victim and directed her to go to the store. Her husband

found her walking down the street and called 911 for help. No arrests have been made yet.

#### Lakewood, Colorado

*"Colorado couple accused of pimping out homeless teen"* (CBS News)<sup>134</sup>

April: Cravaughn Lacrae Maloy and Alicia Sykes, both 20, are facing child prostitution charges including pimping of a child, pandering of a child, soliciting for child prostitution, and much more for forcing a homeless teen to have sex with men in their apartment. According to the investigation, the teen ran away from a group home and randomly met Maloy at a bus stop. He forced her to have sex with other men while Sykes took pictures of her in lingerie and posted them on a website. Maloy and Sykes have been arrested with four other men who participated in the exploitation of the child. The four men are Zachary Ryan Garrett, 25, Robert Bruce Gordon, 72, Ephraim Imperial, 51, and James Kyushik Min, 42. The police are still looking for Eugene Cloud, 38, who is also being charged with solicitation of child prostitution.

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<sup>133</sup> Herald staff report, Manatee deputies investigate after homeless woman raped in Bradenton, Bradenton Herald, March 24, 2015, available at <http://www.bradenton.com/2015/03/24/5710328/homeless-married-couple-report.html>

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<sup>134</sup> Colorado couple accused of pimping out homeless teen, CBS News, 2015, April 8, available at <http://www.cbsnews.com/news/colorado-couple-accused-of-pimping-out-homeless-teen/>

## Police Brutality - Total: 2

### San Francisco, California

*“Video Shows SF Officer Striking Homeless Man with Baton”* (SF Gate)<sup>135</sup>

February 11: Bernard Warren, a 36-year-old homeless person, was sleeping on a bus, and was awaked by Officer Raymond Chu when it reached the end of the line. Chu shoved Warren out of the bus, and when outside, he hit his legs with a baton. According to Chu, when they went out of frame from the camera, he preceded to hit Warren five times in the leg and then used pepper spray because Warren was trying to flee from the scene. According to Warren’s public defender Jeff Adachi, “[Mr. Warren] was incarcerated for over two weeks, at a cost to taxpayers of \$150 a day. ... It is a tremendous waste of resources because an officer lost his temper.”

### Fort Lauderdale, Florida

*“Cop Seen Slapping Homeless Man”* (Sun-Sentinel)<sup>136</sup>

February 22: Police officer Victor Ramirez, 34, slapped a homeless man across the face. According to Ramirez, he was afraid of the man grabbing him while he tried to escort him out of Broward County. He states that the individual was intoxicated and “pulled away from [me] in a violent manner” stated

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<sup>135</sup> Ho, Vivian, Video shows S.F. officer striking homeless man with baton, SF Gate, February 26, 2015, available at

<http://www.sfgate.com/crime/article/Video-shows-San-Francisco-officer-striking-6103644.php>

<sup>136</sup> Clary, Mike, Cop caught in video slap of homeless man says wanted to avoid being grabbed, Sun-Sentinel, March 3, 2015, available at <http://www.sun-sentinel.com/local/broward/fort-lauderdale/fl-fort-lauderdale-cop-slap-incident-20150302-story.html>

by Ramirez. Bruce Laclair, the 58-year-old homeless man, was asleep on a bench when Ramirez approached him. The incident was recorded and uploaded online. According to Police Chief Frank Adderley, Ramirez has been placed on administrative leave without pay while the police conduct a criminal investigation and an internal affairs investigation into the slapping incident. Ramirez has pleaded not guilty to two counts of battery for pushing and slapping the homeless man and one count of falsifying records for altering facts in the police report he submitted.

## Assaults with Deadly Weapons - Total: 20

### Honolulu, Hawaii

*“Homeless Man Nearly Beaten to Death with Steel Pipe”* (Hawaii News Now)<sup>137</sup>

January 1: A 59-year-old homeless man was nearly beaten to death with a steel pipe. He was found alongside a road where a large number of homeless individuals reside. A friend discovered the victim lying down covered in blood. The friend managed to put him in a wheelchair and brought him to the nearest gas station, where an ambulance met the victim. Family members were notified a few days later. The homeless man, whose identity has yet to be revealed, had an ID, but his face was so unrecognizable police could not make a positive match. According to family, he was struggling with alcoholism

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<sup>137</sup> Lincoln, Mileka, Homeless man nearly beaten to death with steel pipe in Haleiwa, Hawaii news now, January 8, 2015, available at <http://www.hawaiinewsnow.com/story/27798319/homeless-man-nearly-beaten-to-death-with-steel-pipe-in-haleiwa>

but was not violent and he usually kept to himself. Police officers are gathering evidence and have yet to make any arrests.

#### Ventura, California

##### *“Homeless Man Set on Fire in Ventura While Sleeping” (Ventura County Star)*<sup>138</sup>

January 17: John Frazier, a 58-year-old homeless man, was sleeping on a bench in Ventura when three suspects doused him with lighter fluid and set him on fire. The suspects were described as three men in their late teens and early 20s with shaved heads and wearing dark clothing. Frazier was brought to a local hospital but then moved to Los Angeles County-USC Medical Center. He suffered second and third degree burns to his face and upper torso, covering 40% of his body in total. A witness stated that the flames reached five to six feet high. Motive is still undetermined. Police have not yet found the ones responsible for this crime.

#### Ventura, California

##### *“Teens Stab, Beat, Homeless Man in Ventura” (NBC Los Angeles)*<sup>139</sup>

February 1: John Stephen Wood, a 46-year-old homeless man, was attacked by a group of five teenagers between the ages of 15 and 17. According to the Ventura Police Department, the teens were in the city parking garage beside the Crown Plaza Hotel when they asked Wood for a lighter. He was then beaten with a baseball bat in the head, and when he attempted to escape the teens stabbed him six times with a knife to the back. Police officers are still trying to find the teens responsible for the crime.

#### Oakland, California

##### *“Homeless Man Is in Stable Condition After Being Shot” (KRON)*<sup>140</sup>

February 2: An unidentified homeless man was sleeping on Willow Street when he heard gunshots. He awoke and noticed he had been shot. He did not see the suspect who shot him. He walked to Campbell Street where he found the police. The officers are attempting to gather evidence from some surveillance cameras in the area. The homeless man is in stable condition, and police officers have not made any arrests.

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<sup>138</sup> : Scheibe, John & Wilson, Kathleen, Homeless man set on fire in Ventura while sleeping, vcstar, January 18,2015, available at <http://www.vcstar.com/news/local-news/crime/man-set-on-fire-in-ventura>

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<sup>139</sup> Serna, Joseph, Teens stab, beat homeless man in Ventura, Police say, LA Times, February 2, 2015, available at <http://www.latimes.com/local/lanow/la-me-ln-homeless-beach-ventura-attack-20150202-story.html>

<sup>140</sup> Naranjo, Candice, Homeless man in stable condition after being shot, kron4, February 2, 2015, available at <http://kron4.com/2015/02/02/homeless-man-in-stable-condition-after-being-shot/>

### Portland, Oregon

*“Police Suspect ‘Street Kids’ in Stabbing of Homeless Man”* (Oregon Live)<sup>141</sup>

March 18: Police and medical personnel found a 52-year-old homeless man with stab wounds on the west end of the Hawthorne Bridge. The victim, who has not been identified, was transported to the Portland hospital for treatment. According to Sergeant Pete Simpson, witnesses described a group of five males approaching the victim; two of the men had skateboards, and one was walking a dog. Police officers are still trying to find the suspects; they were last seen running westbound off the bridge.

### San Francisco, California

*“Arrest Made In Unprovoked Attack Of Homeless Man In The Tenderloin”* (SFist)<sup>142</sup>

April 1: Arthur Lee Jones, 35, has been arrested for beating a well-known homeless man with a metal pipe. Jones was caught on surveillance footage assaulting the victim, attacking him on the left side of his head with the metal pole. The attack was unprovoked. The victim was sent to the hospital where he had to receive 50 stitches for the head injury. Jones has been charged with attempted murder and aggravated assault.

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<sup>141</sup> Mayes, Steve, police suspect ‘street kids’ in stabbing of homeless man near Hawthorne Bridge, Oregon live, March 18,2015, available at [http://www.oregonlive.com/portland/index.ssf/2015/03/police\\_suspect\\_street\\_kids\\_sta.html](http://www.oregonlive.com/portland/index.ssf/2015/03/police_suspect_street_kids_sta.html)

<sup>142</sup> Carman, T., Arrest Made In Unprovoked Attack Of Homeless Man In The Tenderloin, SFist, 2015, April 4, available at [http://sfist.com/2015/04/04/arrest\\_made\\_homeless\\_at\\_tack\\_tenderl.php](http://sfist.com/2015/04/04/arrest_made_homeless_at_tack_tenderl.php)



### Racine, Wisconsin

*“Police: Homeless Man Attacked with Water Balloons”* (Racine Journal Times)<sup>143</sup>

April 5: A homeless man was attacked by four males who threw water balloons. According to Racine Police Lt. Al Days, the man reported the incident on Easter and said he was okay, and informed the police that the subjects ran into a home in the 800 block of Hamilton Street.

### San Francisco, California

*“Suspect in Bat Attack Charged with Hate Crimes”* (SF Gate)<sup>144</sup>

April 20: An unnamed transient, 57, was attacked while he slept. The suspect beat him in the face and body with a metal baseball bat, yelling racial slurs. The victim

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<sup>143</sup> Journal Times staff, police: homeless man attacked with water balloons, Journal Times, April 6, 2015, available at [http://journaltimes.com/news/local/crime-and-courts/police-homeless-man-attacked-with-water-balloons/article\\_4365f509-f4d8-5ec1-bde5-7763bd89e427.html](http://journaltimes.com/news/local/crime-and-courts/police-homeless-man-attacked-with-water-balloons/article_4365f509-f4d8-5ec1-bde5-7763bd89e427.html)

<sup>144</sup> Williams, Kale, Suspect in S.F. bat attack charged with hate crimes, SF Gate, April 24, 2015, available at <http://www.sfgate.com/crime/article/Suspect-in-S-F-bat-attack-charged-with-hate-6220693.php>

gave police a description of the suspect, who was later that day placed into custody. Donald MacPherson, 67, was arrested with attempted murder, assault with a deadly weapon, and misdemeanor battery on police, with hate crime enhancements on all three charges. His bail was set at \$1 million.

#### Albuquerque, New Mexico

*“Police video: New Mexico boy witnessed dad set homeless man on fire with fireworks”* (KRQE)<sup>145</sup>

July 11: Surveillance footage shows Joshua Benavidez, 31, and Irene Enriquez, 31, in their purple SUV throwing fireworks out of the window. One landed on a homeless man asleep on the curb, lighting his pants on fire. Enriquez wanted to put the fire out with water, but Benavidez wouldn't let her out of the SUV. Neighbors reported the family after seeing the surveillance video on the news. The parents were arrested when one of the kids told his babysitter that he along with two of his siblings was in the car when the incident occurred, and the babysitter reported the information to the police. Benavidez and Enriquez are being charged with child abuse and aggravated battery.

#### Warner Robbins, Georgia

*“Man set on fire in Warner Robins in critical condition”* (The Telegraph)<sup>146</sup>

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<sup>145</sup> Rush, H. and Burkhart, G., Police video: New Mexico boy witnessed dad set homeless man on fire with fireworks, KRQE, 2015, August 20, available at <http://wkbn.com/2015/08/20/police-video-new-mexico-boy-witnessed-dad-set-homeless-man-on-fire-with-fireworks/>

<sup>146</sup> Purser, B., Man Set of Fire in Warner Robins in Critical Condition, Telegraph, 2015, August 7, available at

August 3: James Darrell Williams, 47, was found in the 100 block of Kingsbury Circle with burns on his head, face, and chest. Williams identified as homeless and was living with his attacker “on and off.” Barbara Anne Johnson, 53, was charged with aggravated battery for pouring rubbing alcohol on Williams and setting him on fire. Johnson was indicted with a charge of attempted murder and a charge of aggravated battery.

#### Santa Maria, California

*“3 arrested in Santa Maria after police say they were assaulting a homeless man”* (KSBY)<sup>147</sup>

September 12: Paul McCormick, 21; Joseph Hampton, 20; and a 16-year-old male whose name was not released were arrested for an attack on a 40-year-old homeless man, Rafael Cabrera. They were charged with suspicion of assault with a deadly weapon, robbery, and conspiracy. The attack happened in a vacant lot in the 1700 block of North Broadway near Williams Street. The victim was taken to Marian Regional Medical Center for treatment of moderate injuries.

#### Kansas City, Missouri

*“Police search for man accused of attacking another man with saw outside of reStart shelter”* (FOX4KC)<sup>148</sup>

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<http://www.macon.com/news/local/community/houst-on-peach/article30904902.html>

<sup>147</sup> 3 Arrested in Santa Maria after police say they were assaulting homeless man, KSBY, 2015, September 13, available at <http://www.ksby.com/story/30019718/3-arrested-in-santa-maria-after-police-say-they-were-assaulting-a-homeless-man>

October 5, 2015: Two clients of reStart, a homeless shelter, were approached before 8 a.m. while they were leaving restart. A man approached them asking for a cigarette; when they refused, the suspect asked them if they believed in God and then proceeded to pull out a saw used for cutting wood. One of the two men experiencing homelessness was attacked, suffering cuts and gashes to his face. The other man threw a brick at the attacker, who then ran through Kemp Park across the street. The attacker has been described as a “dark-skinned black man about 60 years old.” Neither the suspect nor the weapon has been found.

#### Lowell, Massachusetts

*“3 youths allegedly shot a BB gun and threw rocks at homeless people living under bridge” (Boston.com)<sup>149</sup>*

November 3: Three minors ages 12, 12, and 14 were arrested after assaulting homeless people living under the bridge near Fletcher Street and Dutton Street along the Northern Canal. Two of the attackers were throwing rocks and one was firing a BB gun that was an exact copy of the Smith and Wesson handgun carried by the Lowell Police Department. The three victims, all homeless,

suffered minor injuries from the attack. The 14-year-old attacker was charged with juvenile delinquency for unlawful possession of a BB gun by a minor and three counts of assault and battery by means of a dangerous weapon, as well as trespassing. The other attackers, both 12, were charged with juvenile delinquency of three counts of assault by means of dangerous weapon, as well as trespassing.

#### Fresno, California

*“Homeless Man Attacked With A Brick In Downtown Fresno” (ABC 30 Action News)<sup>150</sup>*

December 29: A homeless man was hit with a brick and other objects when three men approached him and asked for a cigarette. When the victim told the attackers he did not have one, they began to attack him. He managed to get himself to the Double Tree Hotel on Ventura where he was then taken to the hospital. The victim is expected to survive. The three attackers have not been caught.

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<sup>148</sup> Pepitone, J., Police search for man accused of attacking another man with a saw outside of restart shelter, FOX4KC, 2015, October 5, <http://fox4kc.com/2015/10/05/police-search-for-suspect-who-attacked-man-with-saw-after-asking-for-cigarette/>

<sup>149</sup> Godlewski, N., 3 youths allegedly shot a BB gun and threw rocks at homeless people living under bridge, Boston.com, 2015, November 3, available at <https://www.boston.com/news/local-news/2015/11/03/3-youths-allegedly-shot-a-bb-gun-and-threw-rocks-at-homeless-people-living-under-bridge>

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<sup>150</sup> Homeless Man Attacked With A Brick In Downtown Fresno, ABC30, 2015, December 29, available at <http://abc30.com/news/homeless-man-attacked-with-a-brick-in-downtown-fresno/1139259/>

## Beatings - Total: 12

### Newark, New Jersey

*“Homeless Man Attacked at Newark Airport”* (Associated Press)<sup>151</sup>

January 31: A suspect missed his flight twice at Newark Airport and became hysterical, attacking a 62-year-old homeless individual. He is being treated as an “emotionally disturbed person.” The victim was placed in an induced coma at University Hospital with numerous head injuries. Police say the attack was unprovoked. The suspect, who also threw a chair to a police officer, is being charged with aggravated assault, aggravated assault on a police officer, and weapons offence. He is being held on \$500,000 bail.

### West Palm Beach, Florida

*“Wheelchair-Bound Homeless Man Robbed”* (Palm Beach Post)<sup>152</sup>

February 11: John Kerrigan, a 61-year-old homeless man, has been repeatedly robbed and taken advantage of due to a disability which leaves him in a wheelchair. He was outside of Kwik Stop convenience store when Joshua Carl Voltz, 27, assaulted him. Voltz grabbed Kerrigan’s pocket money and then struck him in the head when he attempted to defend himself. Surveillance

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<sup>151</sup> Associated Press, Homeless man attacked at Newark police, nbc New York, February 2, 2015, available at <http://www.nbcnewyork.com/news/local/Homeless-Man-Attacked-at-Newark-Airport-Police-290443131.html>

<sup>152</sup> West palm beach police: Wheelchair bound, homeless man robbed, Palm Beach post, February 13, 2015, available at <http://www.palmbeachpost.com/news/news/crime-law/west-palm-beach-police-wheelchair-bound-homeless-m/nj9kB/>

video from the convenience store shows Voltz attempting to rob Kerrigan. Voltz is being charged with robbery by sudden snatching and battery. He is being held in the Palm Beach County Jail in lieu of \$50,000 bond.

### Omaha, Nebraska

*“Homeless Man Attacked, Robbed In North Omaha”* (WOWT)<sup>153</sup>

March 1: A homeless man was attacked near the railroad tracks east of North 16th Street and Locust. The victim approached two individuals, mistaking them for his friends. The two men attacked him and took his wallet and passport. Everything except for the money was returned before the attackers fled; the suspects are still at large.

### San Diego, California

*“Homeless Man Badly Beaten in Gaslamp Quarter”* (Fox 5)<sup>154</sup>

March 20: A homeless man in his 30s was taken to the trauma center at UCSD Medical Center after being found with serious head injuries. He was assaulted in the Gaslamp Quarter near a Ralph’s grocery store. A Silver Acura was reportedly spotted leaving the scene of the assault. Police detained the people in the car but let them go, believing they had nothing to do with the assault. Police are still investigating.

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<sup>153</sup> Smith, M., Homeless Man Attacked, Robbed in North Omaha, WOWT, 2015, March 1, <http://www.wowt.com/home/headlines/Homeless-Man-Attacked-Robbed-In-North-Omaha-294525491.html>

<sup>154</sup> Morris, Walter & Hart, Brodie, Homeless man badly beaten in Gaslamp Quarter, Fox 5, March 20, 2015, available at <http://fox5sandiego.com/2015/03/20/homeless-man-assaulted-in-gaslamp-quarter/>

### Santa Barbara, California

*“Homeless Man Beaten as He Slept On Church Property”* (KEYT)<sup>155</sup>

March 25: A 44-year-old homeless man was beat up as he slept. The attack happened between the hours of 4 a.m. and 5 a.m. on Trinity Episcopal Church property. Police officers arrived at the scene when another homeless man flagged them down to check on the victim. They found that the victim had multiple lacerations to his face and head. He was transported to Cottage Hospital where he was treated and released according to Sergeant Riley Harwood of the Santa Barbara Police Department.

### Wichita, Kansas

*“Police Say Homeless Man Attacked by Youths”* (KSN)<sup>156</sup>

May 2: A homeless man was assaulted, allegedly by five teenage males. The victim sustained minor injuries and was punched several times, knocking him to the floor. The suspects took an undisclosed amount of cash and left the scene of the crime according to Sgt. Bob Gulliver. According to the victim, the suspects did not assault him with a weapon; no motive has been given for the attack.

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<sup>155</sup> Sanchez, Victoria, Santa Barbara homeless man beaten as he slept on church property, keyt, March 25, 2015, available at <http://www.keyt.com/news/homeless-man-beaten-as-he-slept-on-church-property/32015244>

<sup>156</sup> Arnold, Chris, Police say homeless man attacked by teens, KSN, May 3, 2015, available at <http://ksn.com/2015/05/03/police-say-apparently-homeless-man-attacked-by-youths/>

### Louisville, Kentucky

*“Three Teenagers Brutally Attack Homeless Man as Part of a ‘Game’”* (WDRB)<sup>157</sup>

June 2: A homeless man in his sixties was brutally beaten by three attackers at around 5 a.m. Andrew Richards, 19, and two 15-year-old boys were arrested for beating a homeless man at 16th Street and Northwestern Parkway. When questioned about the motive for the attack, Richards responded that it was simply part of the “knockout game,” where the goal is to attack the victim until her or she is unconscious. The attackers only stopped stomping on the victim’s head, punching the victim, and throwing bottles at the victim when a car approached them, causing them to flee. The attack was captured on surveillance video. Police have also reported that this was not a robbery, as the man’s wallet and backpack were found on him. All three suspects are being charged with first-degree assault.

### Anaheim, California

*“Homeless California Mana Paralyzed in Alleged Stabbing by Vandals he Confronted”* (NY Daily News)<sup>158</sup>

July 26: James Blue, a 51-year-old homeless man who volunteers to help other homeless people in the neighborhood, was attacked

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<sup>157</sup> POLICE: Homeless man not expected to survive after brutal beating, WDRB, June 5, 2015, available at <http://www.wdrb.com/story/29251167/police-homeless-man-not-expected-to-survive-after-brutal-beating>

<sup>158</sup> Salinger, T., Homeless California Mana Paralyzed in Alleged Stabbing by Vandals he Confronted, NY Daily News, 2015, July 29, available at <http://www.nydailynews.com/news/crime/homeless-anaheim-man-paralyzed-stabbing-vandals-article-1.2307552>

behind an Anaheim bar near the 2600 block of West Lincoln Avenue. Blue was sorting scrap metals for his recycling business when four men approached and began tagging the adjacent building. When Blue intervened, the attackers pummeled him with their spray paint cans and stabbed him three times, leaving him paralyzed from the waist down. A witness saw the incident and took a handgun and shot rounds into the air, causing the attackers to flee. Three of the four attackers are in custody: Fernando Zarate, 26, Alfredo Gabriel Villegas, 25, and Andrew Steven Morales, 25. Jacob Antonio Weiss, 22, is suspected of vandalism and initiating the assault on Blue. He is still at large and the police are asking the public for assistance in finding him.

#### Dorchester, Massachusetts

*“A Trump-inspired Hate Crime in Boston”* (The Atlantic)<sup>159</sup>

August 19: Two brothers, Scott and Steve Leader, ambushed a 58-year-old Hispanic homeless man. The attack was vicious, unprovoked, and inspired by presidential candidate Donald Trump and his anti-immigrant policies. The Leader brothers found the sleeping victim and woke him up by urinating on him and then went on to rip away his blankets, go through his stuff, hit him in the head with a metal pole, and punch him. The attackers walked away laughing but the victim was left with a broken nose, bruises on his head, and a large bruise across his torso. The two brothers were arraigned in

Suffolk Superior Court on charges including civil rights violation while causing bodily injury, assault and battery for purposes of intimidation causing bodily injury, and assault and battery with a dangerous weapon. Scott Leader’s bail was set at \$75,000 and Steven Leader’s bail was set at \$50,000. The Leader brothers were also ordered to stay away from the victim and remain substance-free for the duration of the case.

Trump commented on the attack, saying that it was “a shame.” In a tweet, Trump wrote, “We need energy and passion, but we must treat each other with respect. I would never condone violence.”

#### Brookline, Massachusetts

*“Firefighter Attacked Homeless Man For Taking too Long to Order Food”* (Inside Edition)<sup>160</sup>

October 11: Joseph Ward, 37, was charged with assault and battery with a dangerous weapon for attacking a homeless man in front of a restaurant where they had both been ordering food. Ward pushed the victim, punched him in the face, threw a bottle at his back, and threw food at him. As the altercation continued, Ward straddled the victim and punched him between five to seven times, all while calling him “homeless [expletive]” among other charged names. The attack would not have stopped had it not been for a witness beginning to verbally

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<sup>159</sup> Berman, R., A Trump-inspired Hate Crime in Boston, The Atlantic, 2015, August 20, available at <http://www.theatlantic.com/politics/archive/2015/08/a-trump-inspired-hate-crime-in-boston/401906/>

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<sup>160</sup> Nolan, C., Firefighter Attacked Homeless Man For Taking too Long to Order Food, Inside Edition, 2015, October 15, available at <http://www.insideedition.com/headlines/12365-cops-firefighter-attacked-homeless-man-for-taking-too-long-to-order-food>

intervene, scaring off Ward. The victim was taken to the hospital to be treated for a laceration to his right eyebrow. Ward, in addition to being charged, has been put on administrative leave until further notice.

#### Atlantic City, New Jersey

*“Atlantic City man arrested after posting Facebook video of him punching woman”* (Press of Atlantic City)<sup>161</sup>

October 17: An attack on a 45-year-old homeless woman left her with severe head and brain trauma at the Atlantic City Hospital. The video shows an unidentified attacker circling, insulting, and then attacking the woman. With one hit, the woman was lying on the ground unconscious. In the background of the video, words of encouragement on behalf of the attacker can be heard, especially from the individual filming the attack, Ibn Hunter, 25. Hunter posted the video to Facebook and was later charged with aggravated assault due to connection with the video.

#### Peoria, Illinois

*“Homeless Woman Offered a Place to Stay: Turned into an Attack”* (Journal Star)

November 9: A 58-year-old homeless woman was offered a place to stay by a stranger after being unable to get into the Dream Center Church before it closed. The homeless woman went with the man on the bus to his home on the south side of town. The man left briefly to go to the store.

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<sup>161</sup> Cohen, L., Atlantic City man arrested after posting Facebook video of him punching woman, Press of Atlantic City, 2015, October 20, available at [http://www.pressofatlanticcity.com/news/breaking/atlantic-city-man-arrested-after-posting-facebook-video-of-him/article\\_06d47036-766c-11e5-964f-b3a4efc8d75e.html](http://www.pressofatlanticcity.com/news/breaking/atlantic-city-man-arrested-after-posting-facebook-video-of-him/article_06d47036-766c-11e5-964f-b3a4efc8d75e.html)

During this time, the woman had an acquaintance stop by. When the man found out she had a visitor, he grabbed her by the neck, choked her, and threw her on the bed. The homeless woman was trapped in the house until the next morning when she was able to escape after the man left the house. She took the bus to the emergency room of Saint Francis Medical Center where she was treated for scrapes and cuts to her shins and bruising on her neck and right forehead area.

#### Harassment - Total: 9

#### Spokane, Washington

*“Community Rallies in Wake of Attack on Transgender Woman”* (Inlander)<sup>162</sup>

January 31: Jacina Carla Scamahorn, 33, a transgender homeless woman, was attacked as she waited for a friend in front of Boot’s Bakery. As she waited, a woman sat next to her and began a conversation when a couple of men came out of Zola, the bar next door, and began to verbally assault Scamahorn. Scamahorn remembers the woman trying to defend her when the attack became physical. The two men, Adam R. Flippen, 45, and Marc A. Fessler, 42, both intoxicated, used her as a punching bag. “In their eyes, I was a thing, not a someone,” Scamahorn recalls. After the attack, more than 100 people went to the City Council to express their outrage at the attack, and criticized the police on the way it was handled. The men were charged with malicious harassment.

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<sup>162</sup> Thomas, Jake, Community rallies in wake of attack on transgender woman, Inlander, February 3, 2015, available at <http://www.inlander.com/Bloglander/archives/2015/02/03/community-rallies-in-wake-of-attack-on-transgender-woman>

Rio Piedras, Puerto Rico

*“Homeless Threatened with Acid” (Primera Hora)*<sup>163</sup>

March 25: The homeless people who live around the areas of Rio Piedras and Santurce have started warning others about to protect themselves from acid attacks that have occurred three to four times in the past month. Homeless people have told Pablo Torres, a trusted member of the community, of the story of the homeless woman who was burned by acid while she was sleeping in a windowsill. According to them, she awoke to about five people around her and they began to throw acid at her ankles. The assailants were young. According to Ivette Perez of the Medical Services Administration, no homeless person has been treated for acid burns.

New York, New York

*“New York Doctors Accused of Using Free Shoes Offer to Defraud Medicaid” (Reuters)*<sup>164</sup>

March 31: Twenty-three doctors and medical workers were arrested for an insurance scheme in which they performed expensive and unnecessary testing on homeless people and billed the procedures to Medicaid, raking in millions of dollars in the process. The “guinea pigs,” as the doctors called them, were each compensated with a pair of shoes for procedures that could take hours or days. They were also given

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<sup>163</sup> ?

<sup>164</sup> Kearney, Laila, New York doctors accused of using free shoes offer to defraud Medicaid, Reuters, March 31, 2015, available at <http://www.reuters.com/article/us-usa-new-york-fraud-idUSKBN0MR2J420150331>

unnecessary, restrictive medical equipment such as braces.

East Greenwich, Rhode Island

*“Former EG School Board Member Charged with DUI, Vandalism” (The Independent)*<sup>165</sup>

August 8: Former East Greenwich School Committee member John Sommer, 46, attacked a woman sleeping in her van at the Frenchtown park-and-ride. He approached her van and yelled, “This is not a homeless shelter,” along with some obscenities, before destroying her window with what police believe was a hammer or wrench. Sommer refused to take a sobriety test and was charged with driving under the influence. The DUI charge was dropped since Sommer agreed to plead guilty to a charge of refusing to submit to a chemical test. Sommer pleaded no contest to charges of vandalism/malicious damage to property and disorderly conduct. He must perform 70 hours of community service, anger management counseling, and pay the victim \$127.80 to cover damages. The incident was labeled as a case filing, not a conviction, so Sommer can clear his criminal record after one year if he does not get in legal trouble again.

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<sup>165</sup> Keegan, Chris, Former EG school board member charged with DUI, vandalism, The Independent, August 13, 2015, available at [http://www.independenri.com/front/article\\_e3f3f624-b597-5db4-a4f9-bfb7fd174db1.html](http://www.independenri.com/front/article_e3f3f624-b597-5db4-a4f9-bfb7fd174db1.html)

### Wichita, Kansas

*“Seven Out-of-Town Basketball Players Arrested After Assault Spree”* (The Wichita Eagle)<sup>166</sup>

August 2: Seven members of a basketball team, ages 12 to 18, assaulted multiple homeless persons while in town for a tournament. In addition to harassing the victims, some of the attackers allegedly filmed the incidents. The teammates attacked a 32-year-old homeless man and injured his abdomen, a 48-year-old obtained head injuries, and another homeless victim was knocked off his bike, beaten, and kicked. Lucas Jarvi, 18, was charged with battery, aggravated assault, and destruction of property. The other seven attackers were charged and then released to the custody of their parents, but due to their age, they were unable to be named.

### Yuba City, California

*“Teens Charged in Assault on Homeless Camp; All Face 26 Years”* (Appeal Democrat)<sup>167</sup>

November 27: Harley J. Goforth, 16, Nathan Salisbury, 17, Alfonso Hernandez, 18, and Raymond Carmanica, 17, have been charged with robbery, assault, and burglary after an attack on two homeless people in a homeless camp. There is a possibility for sentence enhancements if it is considered a gang

crime. If the attackers are convicted of all of the crimes with enhancements, they will each face 26 years in prison. They struck two occupied tents with baseball bats and demanded the occupants give them money. Goforth and Salisbury were put on probation after their original charge of robbery as adults was dropped. Hernandez and Carmanica have not been sentenced yet. The attack is thought to have been for the benefit of a criminal street gang. Hernandez, along with one of the other suspects, is associated with a gang. Due to Hernandez’s prior strike offense, his sentence could be doubled.

### Tampa, Florida

*“Teens Steal SUV That Was Home to a Homeless Woman in Tampa”* (Tampa Bay Times)<sup>168</sup>

December 27: Joyce Rowland, a 48-year-old homeless woman living in her 2003 Ford Explorer, was assaulted and carjacked. The incident happened early afternoon at North Ninth Street and East Hillsborough Avenue. The two suspects, one male and one female, both roughly 15-17 years old, have not been caught. The assailants attacked pulled Rowland out of her car, assaulted her, and escaped with her car.

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<sup>166</sup> Reynolds, Shelby, Seven out-of-town basketball players arrested after assault spree, The Wichita Eagle, August 3, 2015, available at <http://www.kansas.com/news/local/crime/article29865952.html>

<sup>167</sup> Vaughan, Monica, Teens charged in assault on homeless camp; All face 26 years, Appeal-Democrat, November 30, 2015, available at [http://www.appeal-democrat.com/news/teens-charged-in-assault-on-homeless-camp-all-face-years/article\\_ad1b5660-97ca-11e5-898d-dff47f846c9a.html](http://www.appeal-democrat.com/news/teens-charged-in-assault-on-homeless-camp-all-face-years/article_ad1b5660-97ca-11e5-898d-dff47f846c9a.html)

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<sup>168</sup> Times Staff Writer, Teens steal SUV that was home to a homeless woman in Tampa, Tampa Bay Times, December 27, 2015, available at <http://www.tampabay.com/news/publicsafety/crime/teens-steal-suv-that-was-home-to-homeless-woman-in-tampa/2259130>

### Multi-Media Exploitation - Total: 3

#### Berkeley, California

*“Homeless Man Beaten, Then Charged With Seven Misdemeanors”* (ThinkProgress)<sup>169</sup>

March 19: Jeffrey Bailey and Carmen Francois, community ambassadors with the Berkeley downtown merchants group, attacked two homeless men. In a video, the two can be seen attempting to move the homeless men and their belongings next to a large trash bin. In the span of a few seconds, Bailey begins to beat the homeless man without reason. Before the video surfaced, the men informed the Downtown Berkeley Association that Bailey was acting in self-defense. As a result, Nathan Swor, 23, and James Cocklereese, 29, the homeless victims, received an unprovoked beating and were charged with seven misdemeanors. A judge later dismissed the case and made a factual finding that the two homeless men were innocent. Bailey was fired and Francois was suspended.

#### Modesto, California

*“Vigilantes Attack Homeless Man After Fake Facebook Warning”* (KQED)<sup>170</sup>

June 30: A fake Facebook post with the description of an alleged attacker went viral in Modesto. The described man was accused

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<sup>169</sup> Covert, B., Homeless man beaten, then charged with seven misdemeanors, ThinkProgress, 2015, March 30, available at <http://thinkprogress.org/economy/2015/03/30/3640401/homeless-ambassador-assault/>

<sup>170</sup> Modesto Vigilantes Attack Homeless Man After False Facebook Warning Goes Viral, CBS Sacramento, 2015, June 29, available at <http://sacramento.cbslocal.com/2015/06/29/modesto-vigilantes-attack-homeless-man-after-false-facebook-warning-goes-viral/>

of assaulting women and breaking into homes. Modesto police say that the post wasn't true. A group of men who had seen the post jumped and assaulted a homeless man matching the description in the post. He suffered minor cuts in the attack but refused medical treatment or to press charges.

## **Multimedia Exploitation: An Explanation**

Multimedia exploitation of the homeless population is a severe and growing problem. People post videos online of themselves abusing people experiencing homelessness, which often leads others to mimic what they've seen. Many incidents thus subsequently occur against other innocent homeless victims.

Over a decade ago, NCH mounted a campaign against a group of videos that were released under the name, "Bum Fights." These videos included homeless men beating each other up and performing dangerous stunts like banging their heads through glass windows and going down stairs in shopping carts. Rufus Hannah, Jr., who has spoken with NCH, and others who participated in the production of these videos were compensated with a few dollars or a six pack of beer and often suffered severe injuries as a result of the videos. These videos continue to degrade and stigmatize homeless persons by perpetuating the stereotype that people living in a state of homelessness are "bums" and that they have no other worth than to provide entertainment to the rest of society by causing themselves or others bodily harm. "Bum Fights" has now been viewed more than 7.9 million times, garnering thousands of 'likes' by YouTube users.

National Coalition for the Homeless includes such videos in this report on hate crimes and violence against the homeless, as there have been documented cases that show the immediate correlation between watching such videos and committing 'copycat' crimes against the homeless population. These videos are foul, hateful, and unbecoming of a modern, progressive society.

## **Victims Vulnerable to Violence**

According to a 2010 survey designed and administered by the National Consumer Advisory Board (NCAB) of the National Health Care for the Homeless Council<sup>171</sup>, 516 individuals experiencing homelessness over the age of 18, located in Detroit, Fort Lauderdale, Houston, Nashville, and Worcester, experienced violence 25 times more frequently than the general U.S. population. While 49% of homeless individuals report being victims of violence, only two percent of the general population does the same<sup>172</sup>. Homeless individuals over the age of 43 and those who had been homeless for more than two years were more vulnerable to becoming victims of violence.

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<sup>171</sup> Meinbresse M, Brinkley-Rubinstein L, Grassette A, Benson J, Hall C, Hamilton R, Malott M, Jenkins D. (2014). Exploring the Experiences of Violence Among Individuals Who Are Homeless Using a Consumer-Led Approach. *Violence and Victims* 29(1):122-136.

<sup>172</sup> Truman, J.L. (2011). National Crime Victimization Survey: Criminal Victimization, 2010. Bureau of Justice Statistics Bulletin. Retrieved from the U.S. Department of Justice, Office of Justice Programs. <http://bjs.ojp.usdoj.gov/content/pub/pdf/cv10.pdf>

According to the survey, 49% of the homeless individuals who reported being victims of violence reported being robbed during the attack. Items commonly stolen were money (75%), personal identification documents (28%), clothing (21%), and medication (21%). Of those individuals who reported seeking assistance from the emergency room, police, family and friends, or a clinic, 82% said that they were able to receive the assistance they desired. Unfortunately, 68% of individuals who sought medical assistance after being attacked were unable to pay their medical bills.

### **Criminalizing the Homeless Community**

There is a documented relationship between the appearance of criminalization of homelessness laws, and the increase of hate crimes or violent acts against homeless people. In order to prove this, Florida and California will be used as case studies. Historically, many cities in these two states have enacted severe anti-camping, anti-panhandling, and anti-food sharing laws, as well as other regulations that criminalize activities related with homelessness. A high number of cities that were mentioned in NCH's periodic criminalization of homelessness reports also have some of the most elevated numbers of incidents of hate crimes against homeless people. Four of the ten meanest cities identified in 'Homes Not Handcuffs' were located in Florida and three were in California.<sup>173</sup> The legislative scenario constitutes one of the factors that explains why these two states hold the highest amounts of bias-motivated crimes against homeless individuals, far surpassing their closest competitors.

One possible explanation for this is the message that criminalizing homelessness sends to the general public: "Homeless people do not matter and are not worthy of living in our city." This message is blatant in the attitudes many cities have toward homeless people and can be used as an internal justification for attacking someone.

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<sup>173</sup> The National Law Center on Homelessness & Poverty and The National Coalition for the Homeless. Homes Not Handcuffs: The Criminalization of Homelessness in U.S. Cities. July 2009.

## **The Harms of Anti-Homeless Violence Warrant Its Inclusion in Hate Crime Statutes**

By Professor Brian Levin, Director, Center for the Study of Hate and Extremism, California State University, San Bernardino

While there is little debate about the fact that the homeless face targeted violence, there are vastly differing views about how to address the problem. The NCH and other homeless advocates promote the inclusion of the homeless as protected and enumerated category in hate crime laws and data collection initiatives, while others believe such efforts are misplaced. Prejudice and stereotypes against the homeless, and the apparent role these biases play in many violent attacks, are a strong foundational argument for their inclusion in hate crime laws, supporters contend.

Proponents of homeless protection in hate crime law and inclusion in data collection cite the following (Stoops, 2014):

1. A significant additional risk of violent victimization
2. Discriminatory selection
3. Oppression and prejudice against them as a socially identifiable class
4. Identical offenders such as bigoted skinheads, neighborhood defenders protecting their turf, as well as young male thrill offenders who share identifiable characteristics and motivations
5. Identical methods of attack that revolve around personal or imprecise weapons that cause substantial suffering
6. A frequently hostile or ineffective legal response to protect them

The characteristics of bias attacks against the homeless are very similar to that of hate crime in general. As with other hate crimes, offenders fit a pattern: typically, young male “thrill offenders” acting on stereotypes, seeking excitement and peer validation. They rely on feet and fists, as well as imprecise weapons of opportunity.

While the homeless may indeed, in part, be attacked because they are individually vulnerable, legal recognition of the group bias dynamic is critical to remedy the context and harms of anti-homeless attacks, as well as other hate crimes. For scholars like Abby Ferber, though, it is not solely individualized offender prejudice that is key to the scourge of hate crime but the wider context of violent group oppression:

U.S. society is characterized by pervasive inequality, based primarily upon gender, race/ethnicity, sexual orientation, class, and ability. Within this context, hate crime can be seen as falling on a continuum of inequality, power, and privilege. (Ferber, 2009, pp. 70-71)

Thus, to summarily dismiss the bias aspect found in hate crime attacks against the homeless also fails to address the crucial broad context in which they occur. Ferber's (2009) analysis looks to three contextual markers of hate crime:

1. Part of a larger culture of privilege and oppression
2. Tied to political and social context
3. Part of the construction of masculinity, privilege, and power (p. 73)

While a key objective of criminal statutes is to serve as a clear deterrent to offenders, laws serve as foundational normative symbols as well. In particular, hate crime laws protect the open participation of all groups from violent interference in social and civic life. Examples of these communal values include countering racially motivated "move-in" violence directed toward minority families or homophobic attacks on openly gay couples in public. As scholar James Weinstein (1992) observes, "The effect of Kristallnacht on German Jews was greater than the sum of the damage to buildings and assaults on individual victims" (p. 6).

Kevin Boyle (2014) similarly concluded in the New York Times Book Review that the Civil Rights of 1964, which inter alia, outlawed many forms of discrimination, were a "truly transformative" piece of legislation. These antidiscrimination laws, of which hate crime statutes are a subset, are critical symbolic expositions of the value that society places on both diversity and collective access and inclusion. As Boyle explains:

"The key sections [of the Civil Rights Act of 1964] outlawed the segregation of public spaces and prohibited employers and federal agencies from discriminating on the basis of race, sex or national origin. But the act's significance extended far beyond its particulars, its purpose defined as much by morality as policy."

A normative legal marker that protects the peaceful public presence of people, irrespective of inter alia, class, conformity, and economic status, is crucial to our society's protection of individual liberty. For designated outsiders, like African-Americans, women, immigrants, and the poor, however, meaningful legal protections took well over a century. Not only were property and assembly rights disfavored for outsiders; many groups like slaves, women, and children were considered property themselves (see *State v. Mann*, 2830; affirming right of master to brutalize slave "property"). Even after slavery's demise, it was not until the Civil Rights era that racial segregation in the public sphere was outlawed, paving the way for more open participation in civil society.

This kind of normative marker is needed both for the homeless and for those who brutalize them, as other laws send mixed messages, which may embolden attackers. As the Court found in *Wisconsin v. Mitchell* (1993) egregious motives are an important factor in weighing harms and punishment. Despite the technical coverage of traditional battery and homicide statutes, the de

facto legal landscape is frequently directly hostile to the homeless. Laws have expanded past a focus on disruptive behavior, to the broad criminalization of homeless use of public spaces itself.

The homeless face a distinct additional hazard of targeted violence that is separate from those related to risky behaviors, personal disputes, or pecuniary crime. To be sure, the homeless can be especially vulnerable because of their own behaviors, physical condition, and lack of protection from being unsheltered. However, many attacks occur because they are simply dehumanized in the bigoted minds of violent offenders. Despite the definitional gymnastics employed by those like O’Keefe who try to paint them otherwise, the homeless are a community. Targeted violence against the homeless further isolates and degrades them individually and communally while diminishing their collective sense of security. The Supreme Court recognized this kind of additional public harm and the propriety of the law’s role in addressing it (*Coker v. Georgia*, 1977). Because of these communal harms, prosecutors must have the authority to charge anti-homeless attacks under either hate crime or vulnerable victim laws when the facts warrant for either. Furthermore, as criminal justice data collection increasingly specializes, government authorities- not merely nongovernmental organizations- must collect information of the horrendous scope of these crimes so that better responses may be formulated. When communities and the violence perpetrated against them are rendered invisible by neglect, brutality prevails, and the rule of law is diminished as well.

Boyle, K. (2014, May 15). All the way: “An idea whose time has come” and “The bill of the century.” *New York Times*. Retrieved from <http://nytimes.com/2014/05/18/books/review/an-idea-whose-time-has-come-and-the-bill-of-the-century.html>

*Coker v. Georgia*, 433 U.S. 584 (1977).

Ferber, A. (2009). Gender, privilege, and the politics of hate. In Blazak(Ed.), *Hate crimes: Vol. Hate Crime offenders* (pp. 69-84). Westport, Ct: Praeger.

O’Keefe,K. (2010). Protecting the homeless under vulnerable victim sentencing guidelines: An alternative to inclusion in hate crime laws. *Willian and Mary Law Review*, 52(1), 301-326. Retrieved from <http://wmlawreview.org/sites/default/files/okeefe.pdf>

*State v. Mann*, 13 N.C. 263 (1830).

Stoops, M. (Ed.). (2014). *Vulnerable to hate: A survey of hate crimes and violence committed against the homes in 2013*. Washington, D.C: National Coalition for the Homeless. Retrieved from <http://nationalhomeless.org/wp-content/uploads/2014/06/Hate-Crimes-2013-Final.pdf>

Weinstein, J. (1992). First amendment challenges to hate crime legislation. *Criminal Justice Ethics*, 11, 6-18.

Wisconsin v. Mitchell, 508 U.S. 476 (1993).

#### Author Bio

Brian Levin is a professor of criminal justice at California State University, San Bernardino, where he is the director of the Center for the Study of Hate and Extremism. He has testified before both houses of Congress and various state legislatures on hate and extremism. He is also the principal author of various United States Supreme Court *amici* briefs on hate crimes. He received his JD from Stanford Law School where he was awarded the Block Civil Liberties Award and his BA *summa cum laude* from the University of Pennsylvania with honors in American History.

Excerpted from:

Levin, B. (2015) Reassessing laws on hate violence against the homeless. *American Behavioral Scientist* ©2015 Sage Publications, [www.abs.sagepub.com](http://www.abs.sagepub.com)

## Legislation

*“A Hate Crime is one of the most despicable and prejudicial acts done onto another human being by a human being and surprisingly these acts affect homeless people in great proportions. It is imperative that we give this issue the serious attention that it deserves by including homeless people in hate crime statistics.*

-Congresswoman Eddie Bernice Johnson, HR 1136 Sponsor

### Proposed Federal Law

The issue of homeless hate crimes is not without hope. In addition to fighting societal beliefs and bias against homeless individuals, federal and state legislation can both bring awareness to and decrease violence against homeless individuals. Federal legislation on hate crimes against the homeless has a long history and continues to be fought for today:

### Federal Legislation Proposed in ‘13/’14 - H.R. 1136

The purpose of this bill is to compel the Department of Justice to grant protected status to the homeless population in the original Hate Crimes Statistics Act. If done, the Department of Justice would be obligated to acquire data from law enforcement agencies across the country on crimes committed against people experiencing homelessness. An annual summary of the findings would then be published in order to disseminate the information to the public and discourage such attacks from occurring further. H.R. 1136 is a reintroduction of H.R. 3528 (2011), H.R. 3419 (2009) and H.R. 2216 (2007). The complete text and list of co-sponsors of the Violence against the Homeless Accountability Act of 2013 is included in this report under Appendix A. “A hate crime is one of the most despicable and prejudicial

acts done onto another human being by a human being and surprisingly these acts affect homeless people in great proportions. It is imperative that we give this issue the serious attention that it deserves by including homeless people in hate crime statistics.” -Congresswoman Eddie Bernice Johnson, H.R. 1136 Sponsor

### Current Federal Laws

**The 1968 Civil Rights Act** establishes a number of criminal penalties for the use of force or intimidation to prevent the free exercise of civil rights on the basis of race, color, religion or national origin. The Act provides penalties for whoever, “by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with” another (1) “because of” that person’s “race, color, religion or national origin,” and (2) “because [that person] is or has been” attending a public school, serving as a juror in state court, traveling in a facility of interstate commerce, making use of a public accommodation, seeking or taking employment, or making use of the benefits of any state program. Id. § 245(b) (2). The Act also establishes penalties for whoever, “by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with” another person for (1) “participating” in federal programs or civil duties “without

discrimination on account of race, color, religion or national origin,” or (2) “affording another person or class of persons opportunity or protection to so participate.” Id. §245(4) (A), (B).

State and local law enforcement agencies are expressly authorized to enforce the Act. Federal prosecutions are also permitted, although these require “the certification in writing of the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General specially designated by the Attorney General that in his judgment a prosecution by the United States is in the public interest and necessary to secure substantial justice....” 18 U.S.C. §245(1).

#### **The 1990 Hate Crime Statistics Act**<sup>174</sup>

requires the Attorney General to collect data on certain “crimes that manifest evidence of prejudice based on race, religion, disability, sexual orientation, or ethnicity, including where appropriate the crimes of murder, non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property.” The Act also directed the Attorney General to establish guidelines for the collection of such data. The Attorney General delegated this task to the F.B.I., which has defined a hate crime as a “bias crime”— that is, a crime “committed against a person or property which is motivated, in whole or in part, by the offender’s bias against a race, religion, disability, sexual orientation, or

ethnicity/national origin.”<sup>175</sup> Under these guidelines, crimes based on bias should be reported to the FBI by local law enforcement agencies if there is objective evidence that the crime was motivated wholly or partially by bias.<sup>176</sup>

**The Violent Crime Control and Law Enforcement Act of 1994**,<sup>177</sup> codified as a note to 28 U.S.C. § 994, directed the United States Sentencing Commission to “promulgate guidelines or amend existing guidelines to provide sentencing enhancements of not less than three offense levels for offenses that the finder of fact at trial determines beyond a reasonable doubt are hate crimes.” Under guidelines issued under this statute, a “hate crime” is defined as a “crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime because of the actual or perceived race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation of any person.”<sup>178</sup>

This is a far narrower definition than applies in the context of the data collection statute. In order for the enhancement to apply, the court or, in a jury trial, the jury, must find beyond a reasonable doubt that the

<sup>175</sup> U.S. Dept. of Justice, Fed. Bureau of Investigation, Hate Crime Data Collection Guidelines 2 (1999) [hereinafter Hate Crime Data Collection Guidelines]. Notably, the Act itself refers only to “ethnicity,” however the Department of Justice has interpreted ethnicity to include both ethnicity and national origin.

<sup>176</sup> Hate Crime Data Collection Guidelines, supra note 2, at 4.

<sup>177</sup> Pub. L. No. 103-322, 280003, Sept. 13, 1994, 108 Stat. 2096

<sup>178</sup> United States Sentencing Guidelines Manual 3A1.1(a) (2006). Note, however, that the Sentencing Guidelines only apply in federal court, where the defendant has committed a federal crime, a crime on federal land (including on Indian reservations), or is otherwise subject to penalties under federal law

<sup>174</sup> Pub. L. No. 101-275, Apr. 23, 1990, 104 Stat. 140, as amended Pub. L. No. 103-322, 320926, Sept. 13, 1994, 108 Stat. 2131 (inserting “disability”); Pub. L. No. 104-155, 7, July 3, 1996, 110 Stat. 1394 (reauthorizing the Act). The Act directs the Attorney General to use authority granted under 28 U.S.C. 534 to acquire hate crime data.

defendant intentionally selected his or her victim because of the race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation of the victim or another person. If the defendant pleads guilty or no contest, the Sentencing Guidelines recommend that the court finds such facts beyond a reasonable doubt before applying the enhancement.

As the Supreme Court has recently made clear, the Guidelines are only advisory and federal sentencing judges are required to take into account other factors when sentencing defendants.<sup>179</sup> The impact of the sentencing enhancement law going forward may therefore be reduced.

**The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act** was passed by Congress on October 22, 2009 and signed into law by President Obama on October 28, 2009. The name of the law is named after victims of hate crimes, Matthew Shepard and James Byrd. Matthew Shepard was a student who was tortured and murdered because he was gay. Since Wyoming did not recognize homosexuals as a protected population, neither perpetrator was charged with a hate crime. James Byrd, an African American, was tied to a truck and beheaded by two white supremacists. Texas did not recognize hate crimes at that time. The bill elaborates on the 1969 Federal Civil Rights “Hate Crime” Law to include crimes

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<sup>179</sup> 1 See *United States v. Booker*, 543 U.S. 220, 245-46 (2005) (declaring unconstitutional the statute creating mandatory Guidelines and holding Guidelines should only be applied in an advisory fashion as one of several factors to consider at sentencing); see also *Gall v. United States*, \_\_\_ S. Ct. \_\_\_, 2007 WL 4292116, at \*7 (Dec. 10, 2007) (holding the Guidelines’ sentencing range is a starting point for determining a defendant’s sentence, but the district court should not presume the range is reasonable). The factors the sentencing court must consider are enumerated in 18 U.S.C. 3553(a)(1)-(7).

motivated by a bias towards the victim’s gender, sexual orientation, gender identity, or disability. The 1969 law only protected individuals traveling or participating in federally protected activities such as going to school or voting. The Matthew Shepard Act removed this parameter, making the jurisdiction of the law far more expansive. Through a five million dollar allocation, federal agents are more adequately funded to assist and independently investigate hate crimes that are too complex for local authorities. Additionally, the bill mandates that the FBI track hate crimes committed against transgender individuals.

### Current State and City Laws

Numerous jurisdictions across the country have passed Homeless Hate Crimes legislation. This section includes an analysis of a select few from around the country to present differing approaches, as well as innovative ideas for other jurisdictions to replicate in the pursuit of hate crime prevention.

Courts in **Alaska**, from 2008 onwards, may take into account whether a defendant knew or reasonably should have known that the victim of an offense was particularly vulnerable or incapable of resistance, due to homelessness, during sentencing. Much like Maine (pg. 27), homelessness is not categorized under hate crime protection and therefore including homelessness as a motivating factor does not automatically result in harsher sentencing. Punishments vary depending on what degree the judge finds the victim’s homelessness contributes as a factor in the crime.

#### *Analysis*

This law is similar to that of the Maine law in that sentencing courts are granted

discretion to take a hate crime against a homeless person into account when determining punishments; homelessness is not categorized under hate crime protection, and therefore including homelessness, as a motivating factor does not automatically result in harsher sentencing. Furthermore, it does not required that the state collect data on the frequency of occurrence.

**California** Senate Bill 1234, which was introduced in February of 2004 by State Senator Kuehl, became public law in September of the same year and went into effect in July of 2005. It is now California Penal Code 13519.64.

California Penal Code 13519.64 :

*(a) The Legislature finds and declares that research, including “Special Report to the Legislature on Senate Resolution 18: Crimes Committed Against Homeless Persons” by the Department of Justice and “Hate, Violence, and Death: A Report on Hate Crimes Against People Experiencing Homelessness from 1999-2002” by the National Coalition for the Homeless demonstrate that California has had serious and unaddressed problems of crime against homeless persons, including homeless persons with disabilities.*

*(b) (1) By July 1, 2005, the Commission on Peace Officer Standards and Training, using available funding, shall develop a two-hour telecourse to be made available to all law enforcement agencies in California on crimes against homeless persons and on how to deal effectively and humanely with homeless persons, including homeless persons with disabilities. The telecourse shall include information on multimission criminal extremism, as defined in Section 13519.6. In developing the telecourse, the commission shall consult subject-matter*

*experts including, but not limited to, homeless and formerly homeless persons in California, service providers and advocates for homeless persons in California, experts on the disabilities that homeless persons commonly suffer, the California Council of Churches, the National Coalition for the Homeless, the Senate Office of Research, and the Criminal Justice Statistics Center of the Department of Justice.*

*(2) Every state law enforcement agency, and every local law enforcement agency, to the extent that this requirement does not create a state-mandated local program cost, shall provide the telecourse to its peace officers.*

The Los Angeles Board of County Supervisors unanimously passed a resolution in March 2009 requesting that the Human Relations Commission (1) incorporate awareness of homelessness into high school and youth programs to encourage respect and humanization of homeless people; (2) create trainings for law enforcement to investigate crimes against the homeless with an eye out for evidence of bias or discrimination against the victim due to disability; (3) track crimes of hate against the homeless in the Commissions database and monitor trends to educate the community; (4) encourage the Sheriff, District Attorney, and city/county prosecutors to track and report crimes against homeless people to help in developing actions to prevent and stop these violent acts; and (5) to work with all human relations commissions across the county to create better practices and data collection.

#### *Analysis*

This law is unique in requiring the Human Rights Commission to educate high school students on homelessness and coordinate local service providers. In addition, it

requires law enforcement training and data collection.<sup>180</sup>

**Cincinnati** became the U.S. third city to include homeless in its hate crime ordinance in January of 2015 when the city council approved a measure to add “homeless status” to the city's current intimidation law. Originally proposed by Councilman Chris Seelbach, the law gives police and prosecutors the ability to charge a person with a hate crime if the victim was targeted because he or she is homeless.

**“The feds still haven't passed anything but this will send a message hopefully to our state legislators, who have had bills in front of them and have not passed them in the past. And now to have two cities in the state say, Hey, we do care about this.’ Hopefully they take notice.”**

**-Homeless Coalition Executive Director Josh Spring said.**

In **Florida**, “homeless status” has been added to state hate crime legislation. On May 11, 2010 Governor Charlie Crist signed into law Florida House Bill 11, the Crimes against Homeless Persons Act, which reclassified offenses targeting homeless persons as hate crimes and permits perpetrators to receive stricter penalties.

#### *Analysis*

As with Maryland’s law (pg. 28), this law utilizes the older definition of homelessness, includes homelessness as a hate crime, and enacts criminal sanctions. It does not, however, require prevention plans, law

enforcement training, or high school awareness education.

**Maine** added protection for homeless residents, but did not formally add homelessness as a contributing factor, under state hate crime statutes. Instead, Maine statutes allow judges to enhance sentences for crimes against certain recognized populations based on race, religion, and homelessness (aggravating factors). A judge is permitted to consider these aggravating factors but is not required to increase punishments. In addition to making homelessness an aggravating factor in sentencing, Maine has required the Board of Trustees of the Maine Criminal Justice Academy to provide law enforcement training programs specifically targeted toward dealing with the unique challenges associated with homelessness. The above changes are to be monitored by the Commissioner of Public Safety and the Attorney General.

#### *Analysis*

Maine paved the way for states like Maryland and Florida to add the homeless status to hate crimes legislation. Maine, unlike other states, does not require punishment for the commission of a hate crime. It merely grants judges the discretion to impose stronger sentences for a hate crime. It fails to require data collection, prevention plans, law enforcement training, or high school awareness education.

<sup>180</sup> Yaroslavsky and Knabe. Motion By Yaroslavsky and Knabe. Homelessness and Human Relations Committee. AGN. NO. 11. March 24, 2009

**“Nobody is more vulnerable. If the sole reason you beat them was because they were homeless and sleeping on a bench then that deserves extra protection.”**

**- Florida State Representative Ari Porth, Chairman of the Broward Legislative Delegation**

**Maryland** law now recognizes homeless individuals as a protected class under enacted hate crime statutes. On May 07, 2009 Governor Martin O’Malley signed into law Maryland Senate Bill 151, the brainchild of Republican Senator Alex Mooney. The legislation protects homeless individuals from damage to their self or real property. If a crime is motivated by the race, color, religious beliefs, sexual orientation, national origin, or homeless status, the offense is punishable under the state hate crimes statute. If a perpetrator is convicted of a hate crime, a harsher punishment is imposed.

In **Ohio**, Cleveland passed a city ordinance in August 2008 dictating that repercussions would be elevated one degree higher than the offense for “intimidating” or harassing a homeless person due to his or her housing status.<sup>181</sup>

#### *Analysis*

Cleveland’s law highlights another type of criminal sanction. Unlike laws that explicitly state sanctions for criminal behavior, this law incrementally increases fines and prison sentences based on the degree of the crime committed.

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<sup>181</sup> FindLaw. City of Cleveland Codified Ordinance No. 830-08

**Puerto Rico** passed legislation in 2007 that was designed to give much-needed support to its homeless population. The law recognizes that on a daily basis homeless people are being exposed to insensible and abusive treatment.<sup>182</sup> A section of this law emphasizes the fact that people experiencing homelessness should not be discriminated against for any reason. Further, anti-discrimination will be addressed through the creation of the Multi-Sector Homeless Population Support Council, which will take action to support homeless individuals.<sup>183</sup> Additionally, in 2010 PS 1477 was signed into law. This bill amended Article 72 (q) of Law 149 (18 June 2004), the Penal Code of Puerto Rico, “so as to establish as an aggravating circumstance the commission of a crime motivated by prejudice towards and against the victim for being a homeless person.”

**Rhode Island** added homelessness, as a protected class under hate crime statutes, but only for reporting purposes. House Bill 7490, and companion Senate Bill 2323, were introduced on February 11, 2010 and became effective without the governor’s signature on June 25, 2010. The new law requires state police to report and monitor crimes against the homeless. It also adjusted the definition of hate crimes to include that these act may be “motivated by prejudice against a person who is homeless or perceived to be homeless.

#### *Analysis*

Most notably, Rhode Island recognizes hate crimes against the homeless, as well as those who are perceived to be homeless. This law also goes further than those in Maryland and Florida in requiring the compilation of data

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<sup>182</sup> Law 130. Concilio Multisectorial en Apoyo a la Poblacion sin Hogar. Approved September 27, 2007.

<sup>183</sup> 5 Ibid.

regarding hate crimes against the homeless, procedures for their distribution, and data analysis. It does not, however, specify a requirement for the submittal of recommendations on how to prevent hate crimes from occurring. It further fails to require law enforcement trainings or high school awareness education.

**Washington** law now recognizes homelessness as a protected status under recently enacted state hate crimes legislation. On April 15, 2011, Governor Christine Gregoire signed Senate Bill 5011 into law, which adds homelessness to a list of aggravating factors for hate crime analysis, permitting a judge to impose harsher sentences. Democrat Scott White sponsored this law in response to the brutal murder of a homeless man named David Ballenger in 2000.

#### *Analysis*

Washington's new law will allow judges to increase the perpetrator's sentence because the victim was experiencing homelessness. Police and prosecutors, who will hold the responsibility of responding to and investigating cases, will enforce the law. The state recognizes more needs to be done before hate crimes against homeless individuals are reduced. In Seattle, the City Council amended the city's malicious harassment statute in December 2007 to criminalize particular acts, including malicious and intentional injury or threat against a person, or destruction/damage of the person's property, because of the perception that the person is homeless.

#### *Analysis*

The ordinance focuses on including perceived homelessness in the criminalization of harassment. The law, however, does not include preventive

methods to protect homeless individuals against such attacks or measures to educate the public on safety for the homeless population.

In **Washington, D.C.** legislation, passed by the City Council in 2009, clearly defines homeless individuals as a protected class from "bias-related crime."<sup>184</sup> Homeless individuals are protected from criminal acts, as well as attempts or conspiracies to commit assault, injury to property, murder, rape, theft, and robbery. Homelessness is defined in the ordinance using similar language to that contained in the Maryland legislation. The statute further requires the Mayor to collect and compile data on the incidence of bias-related crimes, annually publish a summary of the data, transmit the summary, and make recommendations to the Council. The statute also states that the summaries may not contain information that reveals the victims' identities. Criminal sanctions in the form of fines and imprisonment are outlined in the law. Victims may also pursue relief through a civil action and may receive an injunction, reasonable, actual, or nominal damage for economic or non-economic loss, such as emotional distress, punitive damages, or attorney's fees.

#### *Analysis*

The Washington, D.C. legislation, like that of Rhode Island, includes crimes based on the actual or perceived homeless status of an individual. The law also covers "attempting...or conspiring to commit" a crime against a person or their property, and provides both criminal and civil remedies. This language broadens protections against the homeless. Furthermore, this ordinance requires the collection of data without

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<sup>184</sup> 6DC CODE 22-3703: Bias-Related Crime

revealing victim identities and making recommendations to the city council.

## **Proposed and/or Defeated State Laws**

### **A.) Current Legislation**

**Hawaii** S.B. 2395, a bill entitled, Relating to the Homeless, was introduced on January 17, 2014 by Senator Suzanne Chun Oakland in the Hawaiian State Legislature. If enacted, the bill would include enhanced penalties for felonies and serious injuries committed against homeless individuals. Imprisonment could vary depending on the severity of the crime ranging from one year and eight months for a class C felony to 15 years for second-degree murder. Currently, the bill has been referred to the Committee on Judiciary and Labor after it passed its second reading.

**New Mexico** State Senator William O’Neill proposed a bill to add homeless people to the state Hate Crimes Act, meaning that perpetrators would be subject to harsher punishment if convicted. His bill received near unanimous endorsement from the Courts, Corrections and Justice Committee in December of 2012. Senate Bill 124 was on the House Floor but was not called up for consideration. The bill has been reintroduced as Senate Bill 202 and is currently in committee.

**New York** S. S813 amends the New York Penal Law to add crimes intentionally committed based on a belief or perception regarding the homelessness of a person to the hate crimes statute. The Homeless Protection Act was first introduced in both the New York State Assembly and Senate beginning in 2009 and 2010, respectively. The bills have been committed to the Committee on Codes.

**South Carolina** H.B. 4344, introduced in December 2013, if passed, would create “the hate crime of assault and battery on a homeless person.” It is considered an uphill battle politically due to the fact that South Carolina does not currently have hate crime legislation for any other group. The penalty would be 30 days for a first offense and one year for a second or subsequent offense. Currently, the bill has been referred to the Committee on the Judiciary.

### **B.) Defeated legislation since 2005**

On August 5, 2011, **California** Governor Jerry Brown vetoed Assembly Bill 312, which was designed to provide homeless individuals with the right to invoke state hate crime protection when suing an assailant in civil court. In his veto message Governor Brown stated, “it is undeniable that homeless people are vulnerable to victimization but California already has very strong civil and criminal laws that provides sufficient protection.” Assemblywoman Bonnie Lowenthal had previously introduced a similar bill, Assembly Bill 2706 in 2010, which was passed by the California Legislature, but was vetoed by then Governor Arnold Schwarzenegger.

#### *Opposition to the Bill/Veto Messages*

As stated previously, both AB 312 and AB 2706 were defeated at the Governor’s desk. Governor Schwarzenegger stated in his veto message of AB 2706 in 2010 that the bill was unclear about whether the homeless are targeted due to their housing status or for other characteristics such as mental or physical disability. He further stated that poverty is not a suspect classification and such a law would increase court costs. Governor Brown stated in his veto message in 2011 that California has already provided

sufficient protection for homeless people through its existing criminal and civil laws.

### *Analysis*

There is a misconception about the need for the integration of homelessness into hate crimes legislation. While the legislators in California seem to understand the need for such legislation, California's last two Governors did not. Advocates must continue to educate and refute false information with concrete facts. The questions asked by those in opposition to the bill indicate that they possessed inaccurate information regarding the need for the bill and the positive impact it would have. For example, legislators who ultimately voted no incorrectly believed that laws are already in place to protect the homeless.

These misconceptions may be remedied by framing the issue with data to show the number of homeless crimes, as well as the insufficiency of data we currently have. Some legislators were unaware that the documentation of hate crimes against the homeless is not a current state requirement. Another misconception was that the bill did not cover homeless-on-homeless crime, as frequently asked by legislators and touted by prosecutors. Refuting this false statement will counter arguments posed by the DA and AG regarding dramatic increases in prosecution. Finally, legislators did not understand that the definition of homeless comes directly from federal regulations created by HUD. Educating legislators and refuting false information with concrete facts and testimony from homeless individuals may help with future efforts to incorporate homeless people into hate crimes legislation.

**Colorado** is interested in becoming one of the few states to add homelessness to a state

hate crimes statute. Senate Bill 4, sponsored by Senator Lucia Guzman (D-Denver) would have expanded the current definition of hate crimes to include homelessness. The bill passed the Colorado Senate, but was killed in the House Judiciary Committee on May 3, 2011.

### *Opposition to the Bill (All Hearings)*

Testimony in opposition came from the District Attorney (DA), Attorney General (AG), and Criminal Justice Reform Coalition. These organizations testified that current laws are strong enough and sufficient to deal with crimes against the homeless; homelessness is not an immutable characteristic and therefore does not qualify as a protected class under hate crimes legislation; the definition of "homeless" is too broad; the bill will cover homeless-on-homeless crimes and unduly burden already overworked prosecutors' officers; further increases in prosecutions will have an unwarranted fiscal impact; there is no evidence that there is a problem that warrants a solution; and hate crimes legislation will not serve as a deterrent.

Legislators who voted "no" on the bill asked the following questions:

1. Does the bill cover homeless on homeless crime?
2. Aren't sentencing guidelines strong enough already?
3. The definition of homeless is too broad. Where did it come from?
4. Is this really an extensive problem?

**Connecticut** HB6572, An Act Concerning Intimidation Based on Bigotry or Bias against a Homeless Person, was introduced in 2013. If passed, it would have added homelessness as a category for protection under Connecticut's hate crime laws. This

bill received much support as 12 people testified in support of the bill. Advocates ran out of time for passage in the 2013 Legislative Session.

**Illinois** wished to enact an amendment to the state's Criminal Code of 1961. This amendment would have changed the definition of a hate crime to include crimes against an individual or group of individuals because of their "actual or perceived homelessness," as well as status as a current or former United States armed services veteran. HB5114 was introduced by State Representative Thomas Holbrook (D-Bellville). It was referred to the Rules Committee's Judiciary Criminal Law Committee where it was left to eventually die on January 11, 2011.

**Missouri** introduced a Homeless Bill of Rights which has a hate crimes provision. Democratic Senator Scott Sifton drafted a bill, SB428 that demands the homeless have equal right to treatment, emergency health care, process of job seeking, and reasonable privacy. In addition, it asks that the homeless are not to be discriminated when seeking housing. The bill was last referred to the Senate Judiciary and Civil and Criminal Jurisprudence Committee. The Missouri Bill of Rights is nearly an exact copy of the Rhode Island Homeless Bill of Rights passed in June 2012, as it contains equal rights and other provisions that Rhode Island declared only a year ago. Briefly, these rights include the right to use and move freely in public spaces, the right to equal treatment by all state and municipal agencies, the right to seek or maintain gainful employment, the right to medical care, the right to vote, and register to vote etc. The legislation, similar to the Rhode Island Homeless Bill of Rights, also includes a provision explaining the ability of

a homeless plaintiff to receive benefits from the court if violations of these rights occur.

### *Analysis*

In its current form, the Missouri Homeless Bill of Rights is a strong piece of legislation that provides basic rights to all that are homeless. Under Section 557.035, housing status is added as a category of motivation for perpetrators to commit a hate crimes, along with sexual orientation, gender, race, etc. The provision explains that the crimes can be classified as either Class C or Class D Felonies, which for the first time gives protections to homeless individuals from hate crimes. This form of the bill has recently died in committee.

**Nevada** A.B. 83 was sponsored by Assemblymen James Ohrenschall in 2007 during the 74th Session of the Nevada State Legislature. This bill would have added enhanced penalties to perpetrators who committed crimes against homeless people, "Motivated by the victim's actual or perceived status as a homeless person."<sup>17</sup> Additionally, the homeless individual could file for punitive damages and if successful, the presiding court would mandate the perpetrator to pay the victim for their costs and legal fees.<sup>18</sup> This bill was referred to the Judiciary Committee, but was left to die during the legislative session.

**New Jersey** AB4563 was sponsored by Assemblyman Joseph Cryan and Gordon Johnson and introduced December 16, 2013. This bill would have classified an attack made during the "knockout game" as a second-degree aggravated assault, which can result in a prison sentence of five to ten years. SB3123 was sponsored by Senator Kevin O'Toole and introduced on January 6, 2014; partaking in the "knockout game" would have constituted a third-degree

assault and if convicted, one could have faced three to five years in prison. Lastly, SB3126, sponsored by Assemblyman Jon Bramnick and Ronald Dancer and also introduced on January 6, 2014, would have amended AB4563 to include individuals who encourage others to “cause bodily injury to a victim, by filming, photographing, or otherwise recording the injury-causing act for circulation, publication, or distribution.” The “knockout game” is often committed against homeless individuals and the perpetrators videotape punching the vulnerable victim as a form of entertainment. While all three bills have died, AB4563 may be reintroduced.

**“We do not hold out much hope due to the special interests of those holding power in the legislature. It failed because the County Prosecutor’s Trade Association was opposed to the law, and they have a great power down in Columbus. It is unlikely that the House will take this up unless there is some horrible high profile tragedy in Ohio.”**

**-Brian Davis, Northeast Ohio Coalition for the Homeless**

**Massachusetts** HB2509 was sponsored by Representative Barry R. Feingold. This bill would have expanded the definition of “Hate Crimes” to include homeless individuals as a protected class in the Massachusetts Hate Crimes Statute. However, the bill was left to die in the Judiciary Committee in 2007.

**Ohio** legislation was introduced in May 12, 2010 by Representatives Dennis Murray and Mike Foley. HB509 would have created the offense of intimidation of a homeless person. Any offender that commits a violation, with the intent to cause harm to a homeless person because of their homeless status, would be charged with intimidation of a homeless person as well as the original charge. However, with the end of the assembly period in December 2010, HB509 died and has not been reintroduced.

**Texas** SB228 was sponsored by State Representative Royce West in 2009. Entitled “Relating to an offense committed against a homeless person because of bias or prejudice,” if this bill had passed it would have added homelessness to a law that prosecutes individuals who committed offenses against certain groups because of a bias or prejudice.

**Virginia** HB844 was introduced on January 13, 2010 by Delegate Patrick A. Hope. The bill would have amended legislation to include status as a homeless person as a protected class. The bill (1) included harsher punishments for offenders who choose their targets based upon a person’s homeless status; (2) allowed homeless people to seek injunctive relief or file an action for damages for harassment; and (3) would have required the State Police to include violence against homeless people as hate crimes in their data collection. House Bill 844 has been referred to the Committee for Courts and Justice and as of February 16, 2010 the bill has been left there.

## Resource Guide

### Enacting Effective Hate Crime Legislation in Your Community

#### i. Goals to Achieve

Hate crime legislation serves many purposes. Primarily, it seeks to punish and deter individuals from committing bias-motivated crimes. In the naming a vulnerable group, hate crime legislation makes a statement to the community that this group has the full protection of the law and is deserving of such protection. Such legislation also ensures the recognition of fundamental human rights.

While there is a clear need to include and protect homeless individuals in hate crimes legislation, cities and states across the country differ in their approaches towards accomplishing this goal. NCH believes certain concepts are essential for comprehensive and effective hate crimes legislation. This guide will begin by outlining those concepts. It continues by explaining and analyzing enacted legislation in order to understand their strengths and weakness. It also evaluates unsuccessful attempts to amend hate crimes legislation and possible reasons for those failures. Finally, this guide will pose arguments raised in opposition to the inclusion of homeless status in hate crimes legislation, as well as possible counter-arguments. In understanding these models, other jurisdictions can create their own comprehensive hate crimes legislation to ensure maximum protection for individuals experiencing homelessness.

#### ii. Recommendations for Hate Crimes Legislation

NCH recognizes that different localities are governed by different laws and have varying needs. For this reason, it is important for state and local communities to determine what protections are already in place and what their goals are for proposing hate crimes legislation to protect the homeless. NCH also believes however, that the homeless population is due certain fundamental protections and has identified concepts that are key to comprehensive hate crimes legislation at any level. These concepts include:

1. Recognition of the homeless or a person of “homeless status” as a protected class, thus, targeting a person due to their homeless status or perceived homeless status would qualify as violation of the law.<sup>19</sup>
2. Use of a definition of homelessness in line with 42 USC § 11302 (2012) as revised by the HEARTH Act.
3. Inclusion of both committed hate crimes and attempts or conspiracies to commit a hate crime against a person or their property.
4. Criminal and civil sanctions (including injunctions, reasonable actual or nominal damages for economic or non-economic loss, punitive damages, or attorney’s fees) for violations of hate crime laws.
5. Development of procedures that facilitate the data collection by law enforcement and local organizations and the distribution of the data to governing bodies while maintaining the privacy of the victims. This data should be used to create strong, supported recommendations to present to lawmakers.

6. Requirement of law enforcement to complete trainings on how to interact effectively and respectfully with homeless populations.
7. Coordination between law enforcement and local service providers to ensure homeless individuals receive necessary services.
8. Awareness campaigns amongst high school students and other young people about homelessness.

### **iii. Main Arguments against Hate Crimes Legislation**

Hate crimes are motivated by a bias against a given group. The goal of hate crime legislation is to protect the individuals in such targeted groups. As a result, inclusion within hate crimes legislation sends a message to society that these groups are worth protecting. Unfortunately, society has developed several arguments, with and without merit, for why people experiencing homelessness may not fit within this type of legislation.

#### *Current laws are strong enough and sufficient to deal with crimes against the homeless.*

Hate crime or bias crime law is rooted in the understanding that a crime against a person because of their membership in a group is a different type of crime than others. Perpetrators of bias crimes are motivated by their beliefs that the targeted group is not worthy of similar protections enjoyed by others. Opponents of hate crimes legislation often suggest including homeless people in vulnerable persons statutes or something similar. This does not address the problems hate crimes seek to resolve. Groups protected under vulnerable persons statutes, such as the elderly and disabled, are attacked because the perpetrator believes they will be able to execute this crime without consequence. The motivation for attacking a homeless person is not one of opportunism, as is the case with vulnerable persons statutes, but rather, because homeless people are not perceived as worthy of equal protection under the law. Bias crimes are motivated by discrimination, not opportunism. In many of the recent cases, groups of young men went out with the specific intention of attacking a homeless person—this is discrimination in choosing whom to attack and should be considered a bias crime.

#### *Homelessness is a changeable characteristic and therefore does not qualify as a protected class under hate crimes legislation.*

Brian Levin of the Center for the Study of Hate and Extremism at California State University, San Bernardino states that the importance of immutability arose because civil rights laws had their beginning in the post-civil war period and focused on race, an immutable characteristic. Immutability, however, has never been a requirement for anti-discrimination and hate crimes laws.<sup>20</sup> Hate crime laws relate to how an attacker identifies the victim and not whether the characteristic is immutable or changeable. For example, hate crime categories often include religion, nationality, and disability, none of which are mutable. This fact does not make these groups any less worthy of protection than someone targeted based on their race, ethnicity, or sexual orientation. These identity characteristics, including homelessness, are often associated with negative stereotypes.

The elements for inclusion as a targeted group are 1) increased risk of victimization, and 2) discriminatory victim selection. Non-hate crimes are often motivated by financial gain or personal motive and allow for a better opportunity for prevention through compliance with enacted laws. When a victim is attacked because of an identity characteristic, the risk of attack is enhanced because victims are attacked for who they are and not what they do.

*The definition of “homeless” is too broad.*

Most enacted legislation has utilized the definition of homeless included in HUD regulations. NCH also advocates for the utilization of the current HUD definition, which was added in 2012 through the HEARTH Act.

*The bill will cover homeless-on-homeless crime and unduly burden already overworked prosecutors’ offices.*

Homeless-on-homeless crime is not a hate crime, but rather considered a “crime of opportunity.” These crimes are motivated by reasons other than bias or bigotry, which is what hate crime legislation targets.<sup>21</sup>

Demand will vary from state to state and across jurisdictions. For example, California is the state with the most documented homeless hate crimes with 291 over the past 15 years. This averages to about 19 incidents per year. Considering there are 58 counties in the state, distribution of processing these crimes can hardly be considered an undue burden.

*Legislation will result in increases in prosecutions, which will have an unwarranted fiscal impact.*

The sanctions for hate crimes include enhanced penalties for crimes that a perpetrator is already being charged for. This means that perpetrators will already be processed through the criminal justice system. For this reason, it is unlikely that this legislation will require any additional resources to be spent on prosecution of hate crimes.<sup>22</sup>

*There is no evidence that there is a problem that warrants a solution.*

Data collected by NCH indicates that the homeless face a rate of victimization that far exceeds that of traditionally protected groups. Furthermore, the statistics arising from homicide data and victimization studies indicate that the homeless are among the nation’s most criminally vulnerable population. In addition to prevention, adding homeless status into hate crime legislation demonstrates respect for this population and recognizes them as worthy of protection. This symbolic gesture indicates to homeless individuals that they deserve recognition and to others that this group has legal protections.

*Hate crimes legislation will not serve as a deterrent.*

Bias crimes send a message to the attacked group, as well as a message about society as a whole. In many instances, these sorts of attacks are indicators for, or warnings of, more widespread

attacks against the targeted group in the future. There is a correlation between the criminalization of homelessness and hate crimes against homeless individuals. Without protection under hate crimes legislation, homeless individuals are targeted as a class because of their status in society. We need to send a message that people who are homeless are still people and, as such, should not be attacked.

### **Community Policy and Education Recommendations**

The National Coalition for the Homeless advocates for the following:

1. “Homeless status” to be included in the federal hate crimes statistics statute. Doing so would require the Federal Bureau of Investigation to collect data on hate-motivated violence targeted against individuals who are homeless. In the 113th Session of Congress H.R. 1136 was introduced by U.S. Representative Eddie Bernice Johnson, seeking to add “homeless status” to the federal hate crimes statistics statute. H.R. 1136 is identical to three bills introduced in previous sessions of Congress.
2. States with hate crime statutes to include “homeless status” within their current hate crimes framework.
3. The U.S. Department of Justice to issue a public statement acknowledging that hate crimes and/or violence against people experiencing homelessness are a serious national problem.
4. The U.S. Department of Justice to issue guidelines for law enforcement agencies on how to investigate and prosecute bias-motivated crimes against people experiencing homelessness.
5. Law enforcement agencies to provide awareness training for trainees and officers about the causes and solutions to homelessness and how to deal effectively and respectfully with people experiencing homelessness in their communities.
6. Advocates and homeless service providers to provide opportunities for people who have experienced homelessness and survived bias-motivated violence to tell their stories. The Faces of Homelessness Speakers’ Bureaus (composed of homeless and formerly homeless people), which visit both public and private schools in communities for the purposes of information and education, would be one method of providing opportunities for survivors to share their stories.
7. Federal, state, and local governments to assure adequate affordable housing and services to bring an end to homelessness in our communities, and thus create safe alternatives to living in homeless situations.

### **Model Language for All Legislation and Resolutions**

The following is proposed language to be used in whole or in part by local advocates to propose their own forms of homeless hate crime legislation. Local advocates are encouraged to use the whole body or the pieces of the model they deem most necessary. The model language was prepared by the National Coalition for the Homeless (NCH) and the National Law Center on

Homelessness and Poverty (NLCHP). Advocates who have questions are encouraged to contact the National Coalition for the Homeless at [info@nationalhomeless.org](mailto:info@nationalhomeless.org).

Whereas, hate crimes and violence against homeless persons has become a nationwide trend, 1,437 reported cases of violence against homeless people over the past 15 years (1999-2013), resulting in 375 deaths;

Whereas, the scope of prohibitions against the commission of hate crimes against certain groups of persons should include homeless persons;

Whereas, understanding violent crimes committed against homeless persons and adequate punishment for such crimes play key roles in preventing and managing violence against homeless persons;

and Whereas, law enforcement needs proper training to handle and prevent violent crimes against homeless persons;

Be it enacted:

(1) For the purposes of this legislation, a “homeless person” means an individual or member of a family as defined in 42 U.S.C. § 11302 (2009) and any regulations promulgated thereafter.

(2) The state hate crimes statute shall be expanded to include homeless persons as a protected class.

(3) Prohibition on Hate Crimes against Homeless Persons – The following acts shall be deemed a hate crime and prohibited when carried out against a person on the basis that person’s status as a homeless person:

(A) Assault, aggravated assault, battery, or aggravated battery upon the person; or

(B) Acts that deface, damage, or destroy or attempt to deface, damage, or destroy the personal property of the person; or

(C) Acts that result in the death of the person; or

(D) Any other crime against the person.

(4) Punishments for Hate Crimes against Homeless Persons –

(A) A person convicted of aggravated assault or aggravated battery upon a homeless person based on the victim’s status as a homeless person shall be sentenced to a minimum term of 3 years and fined not more than \$10,000. The person shall be ordered by the sentencing judge to make any restitution to the victim of the offense and to perform 500 hours of community service work.

Restitution and community service work shall be in addition to any fine or sentence that may be imposed and shall not be in lieu thereof.

(B) Whenever a person is charged with committing an assault or aggravated assault or a battery or aggravated battery upon a homeless person based on the victim's status as a homeless person, the offense for which the person is charged shall be reclassified as follows:

(1) In the case of aggravated battery, from a felony of the second degree to a felony of the first degree.

(2) In the case of aggravated assault, from a felony of the third degree to a felony of the second degree.

(3) In the case of battery, from a misdemeanor of the first degree to a felony of the third degree.

(4) In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree.

(5) State Office of the Attorney General Study -

(A) The Office of the Attorney General shall assess the extent of the problem of crimes against homeless persons and develop a plan to prevent these crimes and apprehend and prosecute the perpetrators of these crimes.

(B) In developing the assessment and plan, the Office of the Attorney General shall consult homeless persons, service providers and advocates for homeless persons and law enforcement agencies with experience investigating crimes against homeless persons.

(6) Law Enforcement Training on Hate Crimes against Homeless Persons –

(A) The lead state law enforcement agency shall develop a telecourse that shall be made available to all law enforcement agencies in the state. Every state, local, and correctional law enforcement agency shall certify that each of its officers has taken the course. The telecourse shall address crimes against homeless persons and methods of dealing effectively and humanely with homeless persons. The course shall include instruction on each of the following topics:

(1) Information about homelessness, including causes of homelessness, its impact, and solutions to homelessness.

(2) Indicators of hate crimes.

(3) The impact of these crimes on the victim, the victim's family, and the community.

(4) The assistance and compensation available to victims.

(5) The laws dealing with hate crimes and the legal rights of, and the remedies available to, victims of hate crimes.

(6) Law enforcement procedures, reporting, and documentation of hate crimes.

(7) Techniques and methods to handle incidents of hate crimes.

(8) The special problems inherent in hate crimes against homeless persons and techniques on how to deal with these special problems

(B) The lead state law enforcement agency shall develop a protocol that law enforcement personnel are required to follow, including, but not limited, to the following:

(1) Preventing likely hate crimes by, among other things, establishing contact with persons and communities that are likely targets, and forming and cooperating with community hate crime prevention and response networks.

(2) Responding to reports of hate crimes, including reports of hate crimes committed under color of legal authority.

(3) Providing victim assistance and follow up, including community follow up.

(4) Reporting methods and procedures to track hate crimes against homeless persons.

(C) In developing the telecourse, the lead state law enforcement agency shall consult subject matter experts including, but not limited to, the following:

(1) Homeless and formerly homeless individuals;

(2) The National Coalition for the Homeless

(3) Other local homeless service providers and advocates for homeless people;

(4) Experts on the disabilities homeless persons commonly experience;  
and

- (5) Law enforcement agencies with experience in investigating hate crimes against homeless people.

## **Other Ways NCH Approaches the Issue**

### **Faces of Homelessness Speakers' Bureau**

The Faces of Homelessness Speakers' Bureau is one of the most effective public education and organizing tools of the National Coalition for the Homeless. Its mission is to bring people together to identify issues to be tackled in the movement to end homelessness. By discussing the stereotypes, myths, and misconceptions of homelessness, we can begin to move past our obstacles, get to the root causes of poverty, and humanize those experiencing homelessness.

We can help anyone set up a Speakers' Bureau anywhere in the nation. Staffed primarily by AmeriCorps\*VISTA Volunteers, NCH has Speakers' Bureaus in six states, including Delaware, Connecticut, Florida, Georgia, Maryland, Massachusetts, South Carolina, Virginia, and Washington, DC. We can provide assistance with everything from recruiting and training speakers and moderators to planning and holding events: <http://nationalhomeless.org/about-us/projects/faces/>

### **Homeless Bill of Rights**

Years of research and advocacy around the criminalization of homelessness and increasing violence committed against people experiencing homelessness has shown that added protections are needed to preserve the civil rights of people who are homeless. NCH staff work to educate public officials and local advocates about the importance of passing protections for those without housing in the United States.

We support the efforts of local advocates to pass Homeless Bill of Rights measures that include:

- Homeless hate crimes provisions as spelled out in the Model Language for All Legislation and Resolutions of this report
- Protections against segregation, laws targeting homeless people for their lack of housing and not their behavior, and restrictions on the use of public space.
- Privacy protections for those experiencing homelessness, and the ability to vote or feel safe in the community.
- Providing broad access to shelter, social services, legal counsel and a quality education for the children of homeless families.

## Conclusion

Over the past 16 years the National Coalition for the Homeless has documented 1,657 crimes committed against homeless people by housed individuals. These violent attacks have cost 428 homeless people their lives.

In this report, NCH has documented 199 violent attacks against homeless individuals. 53 of these individuals lost their lives. This represents a significant increase over the previous two years, when 36 homeless individuals lost their lives to hate crimes. That the number of non-lethal attacks was lower in 2015 than in 2014, but the number of attacks resulting in death was the virtually the same, indicates a probable drop in reporting rather than a genuinely significant decrease in the number of non-lethal attacks from one year to the next.

Perpetrators are continuing to commit these heinous crimes a young ages. In 2014 82% of perpetrators were under the age of 30, and in 2015 the number was 73%. Most commonly, teenage boys lead the attacks. Teenage boys are often caught due to the fact they document their attacks or do not take measures to eradicate evidence that would lead back to them. In most states, a teenager will be tried as an adult if the homeless person is in serious condition or murdered. That leads to many young lives in prison that could have been saved with effective education. Any curriculum that teaches young adults the rights and human qualities of a person experiencing homelessness could decrease the amount to which the homeless community is victimized by teenagers and young adults.

In light of these trends, it is important that the government focus on how to prevent such attacks, rather than enact policies that criminalize the homeless simply for existing.

**No Safe Place: A Survey of Hate Crimes and Violence Committed against Homeless People in 2014 & 2015** has the main objective of educating lawmakers, advocates, and the general public about the problem of hate crimes and violence against homeless people. The hope is to instigate change and ensure protection of civil rights for everyone, regardless of their economic circumstances or housing status. Although some communities are taking positive steps toward protecting homeless individuals, NCH believes that violence against the homeless is a trend that will continue to grow unless there is true accountability for crimes committed, established effective methods of prevention, and positive action taken by advocates, legislators, and community members.

**Appendix A: House Resolution 1136 and Senate Bill 1765**

**H.R. 1136**

**Violence against the Homeless Accountability Act of 2013**

**A BILL**

To amend the Hate Crime Statistics Act to include crimes against the homeless.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ‘Violence against the Homeless Accountability Act of 2013’

**SEC. 2. INCLUSION OF HOMELESS.**

Section 1(b) of the Hate Crime Statistics Act (28 U.S.C. 534 note) is amended--

(1) in paragraph (1), by inserting ‘homeless status,’ after ‘sexual orientation,’; and

(2) by adding at the end the following:

‘(6) As used in this subsection, the term ‘homeless status’ with respect to an individual, refers to an individual who--

‘(A) lacks a fixed, regular, and adequate nighttime residence; or

‘(B) has a primary nighttime residence that is--

‘(i) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, including cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;

‘(ii) a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including motels, hotels, congregate shelters, and transitional housing; or

‘(iii) housing of other persons whom the individual is temporarily staying with due to loss of housing, economic hardship, or a similar reason.’

S. 1765, Hate Crimes against the Homeless Statistics Act of 2009 was introduced by Senator Cardin (D-MD). The act is identical in nature to H.R. 1136. The act would have amended current federal Hate Crime tracking legislation to include crimes committed against homeless individual by adding “homeless status” as a protected class. The bill unfortunately died, but Senator Cardin is still making efforts to address this issue.

**H.R. 1136 Sponsor: Eddie Bernice Johnson (TX)**

**Co-Sponsors: John Conyers, Jr. (MI)**

<b>Alcee Hastings (FL)</b>	<b>Jim McDermott (WA)</b>	<b>Danny Davis (IL)</b>
<b>Rush Holt (NJ)</b>	<b>Jim McGovern (MA)</b>	<b>Joe Garcia (FL)</b>
<b>Henry Johnson (GA)</b>	<b>Gwen Moore (WI)</b>	<b>Frederica Wilson (FL)</b>
<b>Raul Grijalva (AZ)</b>	<b>Barbara Lee (CA)</b>	<b>Grace Napolitano (CA) Luis</b>
<b>Gutierrez (IL)</b>	<b>John Lewis (GA)</b>	<b>Eleanor Holmes Norton (DC)</b>
<b>Charles Rangel (NY)</b>	<b>Ileana Ros-Lehtinen (FL)</b>	<b>Loretta Sanchez (CA) Jackie</b>
<b>Speier (CA)</b>	<b>John Tierney (MA)</b>	<b>Marc Veasey (TX)</b>

**S. 1765 Sponsor: Ben Cardin (MD)**

**Co-Sponsors: Sherrod Brown (OH)**

<b>Roland Burris (IL)</b>	<b>Robert Casey, Jr. (PA)</b>	<b>Susan Collins (ME)</b>
<b>Diane Feinstein (CA)</b>	<b>Patrick Leahy (VT)</b>	<b>Jeff Merkley (OR)</b>
<b>Barbara Mikulski (MD)</b>	<b>Charles Schumer (NY)</b>	<b>Arlen Specter (PA)</b>
<b>Sheldon Whitehouse (RI)</b>		

## Appendix B: Further Reading - Examples of Police Violence in the Current Decade

By Kara Kennedy

**July 9th, 2010:** Denver, CO

The victim:

- Marvin Booker
- Homeless Pastor
- 56 years old.

Articles (in chronological order)

- [http://www.denverpost.com/ci\\_22637726/fbi-looking-into-bookers-death-at-denver-jail](http://www.denverpost.com/ci_22637726/fbi-looking-into-bookers-death-at-denver-jail)
- [http://www.denverpost.com/news/ci\\_26583921/opening-arguments-begin-trial-over-marvin-bookers-denver-jail](http://www.denverpost.com/news/ci_26583921/opening-arguments-begin-trial-over-marvin-bookers-denver-jail)
- [http://www.denverpost.com/news/ci\\_26724235/deliberations-marvin-booker-trial-resume-after-juror-asked](http://www.denverpost.com/news/ci_26724235/deliberations-marvin-booker-trial-resume-after-juror-asked)

**July 5th, 2011:** Fullerton, CA

The Victim:

- Kelly Thomas
- 37 years old
- Schizophrenic

Articles

- Video of the beating: <https://www.youtube.com/watch?v=KU0Imk2Bstg>
- <http://www.cnn.com/2012/05/08/us/california-police-beating/index.html>
- <http://www.cnn.com/2014/01/13/us/california-homeless-beating-verdict/>

**March 2014:** Albuquerque, New Mexico

The Victim:

- James Boyd
- Mentally disturbed
- 38 years old

Articles:

- Helmet cam Video of the shooting: <https://www.youtube.com/watch?v=DnqOL6LokN4>
- <http://www.cnn.com/2014/06/20/us/albuquerque-police-investigation/index.html>
- <http://www.cnn.com/2015/01/12/us/albuquerque-police-murder-charges/>

**May 24th 2014:** Los Angeles, California

The Victim:

- Carlos Ocana, 54 years old
- Cuban immigrant
- Local officers were aware of his mental health issues

Articles:

- <http://www.latimes.com/local/lanow/la-me-ln-skid-row-death-20140702-story.html>
- [http://laist.com/2014/07/03/homeless\\_man\\_falls\\_to\\_his\\_death.php](http://laist.com/2014/07/03/homeless_man_falls_to_his_death.php)

**July 1st, 2014:** Los Angeles, CA

The Victim:

- Marlene Pinnock
- 51 years old
- Had been homeless for three to five years
- Was staying Los Angeles Mission

Articles:

Link to a video of the incident: <https://www.youtube.com/watch?v=eciO9EftkRQ>  
<http://www.scp.org/news/2014/08/11/45905/chp-beating-video-la-woman-punched-by-patrolman-sp/>

**March 1st 2015:** Los Angeles, CA

The Victim:

- Charly "Africa" Leundeou Keunang
- From Cameroon.
- Convicted of armed bank robbery in 2000.
- Committed to a psychiatric prison hospital

Articles:

<http://www.latimes.com/local/lanow/la-me-ln-police-fatally-shoot-homeless-man-20150301-story.html#page=2>

<http://www.latimes.com/local/california/la-me-0308-lapd-protest-20150308-story.html>

Video: <https://www.youtube.com/watch?v=YKYHZ4U4g0g>

<http://www.usatoday.com/story/news/2015/03/04/lapd-skid-row-homeless-man-from-cameroon/24393163/>

**May 5th, 2015:** Venice Beach

The Victim:

- 29-year-old
- Name: Brendon Glenn
- Had a dog named "Doser."

Articles:

<http://abc7.com/news/homeless-man-killed-by-lapd-officer-in-venice-shot-twice/703897/>

<https://www.youtube.com/watch?v=2Ft0-Va3mrQ>

**June 11th, 2015:** Miami Incident

The Victim:

- Fritz Severe
- 46 years old
- Had a lengthy criminal past

Articles:

<http://www.nbcmiami.com/news/local/Police-Involved-Shooting-in-Overtown-306980351.html>

<http://www.miamiherald.com/news/local/community/miami-dade/article23753281.html>

<http://www.local10.com/news/police-respond-to-reports-of-shots-fired-at-miami-park/33524886>

**July 13th, 2015:** Venice, CA

The Victim:

- Jason Davis
- 41 Years old

Articles:

<https://www.youtube.com/watch?v=2JnuuEXued0>

<http://www.latimes.com/local/lanow/la-me-ln-lapd-shooting-venice-20150716-story.html>

<http://www.latimes.com/local/california/la-me-banks-transients-20150721-column.html>

## **Acknowledgements**

The National Coalition for the Homeless would like to extend its gratitude to all of our current and previous board members, staff, interns, volunteers, and partners who have made this report possible. NCH would particularly like recognize the work of the following individuals: Michael Stoops, Rebeca Feldmen, Peter Orvetti, Annie Leomporra, Haley Palmore, Amasa Smith, and Maria Kargbo.