

A black and white photograph of a person wearing a hoodie and a backpack, walking away from the camera on a city sidewalk. The person is in the center-left of the frame. In the background, there are buildings, trees, and other pedestrians, creating a sense of an urban environment.

**Report**



**December, 2018**

# **Vulnerable to Hate:**

## **A Survey of Bias-Motivated Violence against People Experiencing Homelessness in 2016-2017**



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# **VULNERABLE TO HATE: A Survey of Bias-Motivated Violence against People Experiencing Homelessness in 2016-2017**

**A report by the National Coalition for the Homeless**  
*Edited by Annie Leomporra and Megan Hustings*

National Coalition for the Homeless  
2201 P Street, NW  
Washington, D.C. 20037-1033  
[www.nationalhomeless.org](http://www.nationalhomeless.org)  
[info@nationalhomeless.org](mailto:info@nationalhomeless.org)  
202-462-4822

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## Executive Summary

The National Coalition for the Homeless (NCH) has documented 1,769 acts of violence against homeless individuals by housed perpetrators over the past 19 years (1999-2017). 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 compelling data regarding the number and severity of attacks. However, the true calamity may be even worse than these reports imply. The Bureau of Justice Statistics found that "less than half (44%) of violent victimizations were reported to police in" 2016<sup>1</sup>. Because the homeless community is treated so poorly in our society, many attacks go unreported, and people who are homeless are far more likely to be the victim of violent crime than the general population<sup>2</sup>. Therefore, we do not know the full scope of these abuses. The issue of anti-homeless violence highlights the structural and economic violence served to those who have housing insecurity. The severity of these crimes necessitates policy changes, enhanced services, and legislative reforms that include homelessness in both vulnerable victim and hate crime laws.

Over the last 18 years, NCH has determined the following:

- **1,769** reported acts of violence have been committed against homeless individuals
- **476** of the victims have lost their lives as a result of the attacks
- Reported violence has occurred in **48** states, Puerto Rico, and Washington, DC
- Perpetrators of these attacks were generally male and under the age **30**

Specifically, in 2016:

- There were **83** anti-homeless attacks
- **37** of the victims of these attacks lost their lives

In 2017:

- There were **29** anti-homeless attacks
- **11** of the victims of these attacks lost their lives



Photo by Bryan Dozier (2014)

<sup>1</sup> "Criminal Victimization, 2016: Revised." *Bureau of Justice Statistics (BJS)*, 24 Oct. 2018, [www.bjs.gov/index.cfm?ty=pbdetail&iid=6427](http://www.bjs.gov/index.cfm?ty=pbdetail&iid=6427).

<sup>2</sup> "Myths and Facts of Homelessness in Washington State." *Toolkit to Combat the Criminalization of Homelessness*, Washington Low Income Housing Alliance, [www.wliha.org/toolkit](http://www.wliha.org/toolkit).



## Purpose Statement

The main objective of this report is to educate lawmakers, advocates, and the general public about hate crimes and violence committed 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, the National Coalition for the Homeless is committed to creating the systemic and attitudinal changes necessary to end homelessness. In order to build healthy and compassionate communities, the civil and human rights of poor people and people experiencing homelessness must be protected and enforced. At this time, there must be commitment by our lawmakers to combat bias-motivated violent acts against people who experience homelessness.

## Methodology

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

Every reported incident was subjected to a rigorous fact-checking process, designed to evaluate and verify the accuracy of the reported events. This process entailed 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's housing status. Other acts were deemed opportunistic and committed merely because the victim, due to their lack of housing, was in a vulnerable position. Only attacks perpetrated by housed individuals against un-housed individuals were evaluated. Crimes committed by persons experiencing homelessness against another homeless person 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, 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.

# FBI vs. NCH Defined Hate Crime Homicides

**TABLE 1** DECLARED HATE CRIME DEATHS VS. UNDECLARED HATE CRIME DEATHS OF HOMELESS INDIVIDUALS

| Year         | Homicides Classified as Hate Crimes (FBI Data)                                      | Fatal Attacks on Homeless Individuals (NCH Data) |
|--------------|---|--|
| 1999         | 17<br>(9 racially, 2 religiously, 3 sexual orientation, 3 ethnically motivated)     | 49   |
| 2000         | 19<br>(10 racially, 1 religiously, 2 sexual orientation, 6 ethnically motivated)    | 43   |
| 2001         | 10<br>(4 racially, 1 sexual orientation, 5 ethnically motivated)                    | 18   |
| 2002         | 13<br>(4 racially, 3 religious, 4 sexual orientation, 2 ethnically motivated)       | 14   |
| 2003         | 14<br>(5 racially, 6 sexual orientation, 2 ethnically, 1 anti-disability motivated) | 8  |
| 2004         | 5<br>(3 racially, 1 religiously, 1 sexual orientation motivated)                    | 25   |
| 2005         | 6<br>(3 racially, 3 ethnically motivated)   | 13   |
| 2006         | 3<br>(3 racially motivated)   | 20   |
| 2007         | 9<br>(5 sexual orientation, 2 racially, 2 ethnicity motivated)                      | 28   |
| 2008         | 7<br>(5 sexual orientation, 1 racially, 1 ethnically motivated)                     | 22   |
| 2009         | 8<br>(6 racially, 1 sexual orientation, 1 ethnically motivated)                     | 43   |
| 2010         | 7<br>(1 racially, 3 religiously, 1 ethnically, 2 sexual orientation motivated)      | 24   |
| 2011         | 4<br>(1 racially, 3 sexual orientation)   | 32   |
| 2012         | 10<br>(1 racially, 8 religiously, 1 sexual orientation)                             | 18   |
| 2013         | 5<br>(2 racially, 2 sexual orientation, 1 ethnically motivated))                    | 19   |
| 2014         | 4<br>(4 racially motivated)   | 26   |
| 2015         | 18<br>(11 racially, 4 religiously, 1 sexual orientation, 2 other motivation)        | 27   |
| 2016         | 9<br>(7 racially, 1 sexual orientation, 1 other motivation)                         | 37   |
| 2017         | 15<br>(11 racially, 1 religiously, 2 sexual orientation, 1 anti-dissability)        | 11   |
| <b>TOTAL</b> | <b>183</b>  | <b>483</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.

# Homelessness as Structural Violence

**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 in part, by the offender's bias."<sup>1</sup>**

The Federal Bureau of Investigation (FBI) does not currently recognize a protected status for people experiencing homelessness. Over the past 18 years, NCH has recorded 1,769 incidents of crimes committed against this unprotected group. Across 2016-2017, NCH became aware of 112 attacks, 48 of which resulted in death. While this report provides alarming statistics, it is important to note that people experiencing homelessness are often treated so poorly by society that attacks are forgotten or unreported.

Hate crimes reported to police in America's ten largest cities rose 12.5 percent in 2017<sup>2</sup>. The increase was the fourth consecutive annual rise in a row and the highest total in over a decade according to an analysis by the Center for the Study of Hate & Extremism at California State University, San Bernardino. Coincidentally, the numbers of attacks reported against people experiencing homelessness have decreased during this time. It is likely that as political views have bifurcated, bias against federally-protected classes has become more

accepted or promoted in the mainstream culture. As a result, people who are homeless, who were formally one of the only groups that it was culturally acceptable to hate, are no longer the most dehumanized of communities. Still, the data collected by NCH demonstrates that bias-motivated violence against homeless persons continues to be highly prevalent in our communities.

**In the U.S., hate crimes are committed against a group of vulnerable people who are at constant risk because they live in public spaces. Many of our local communities do not have shelter space or adequate affordable housing to meet their needs.**

There is an ongoing myth that homelessness has always existed. But the current era of homelessness came to be after severe cuts to federal affordable housing programs in the 1970's and 1980's. Around the same time, the Reagan Administration deinstitutionalized residential mental health facilities, without providing for the housing and health care needs of those needing assistance to re-enter their communities. This kind of de-investment in social support systems is commonly referred to as Structural Violence.

<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> Levin, Brian, and John David Reitzel. *Report to the Nation: Hate Crimes Rise in U.S. Cities and Counties in Time of Division & Foreign Interference*. 2018. [csbs.csusb.edu/sites/csusb\\_csbs/files/2018 Hate Final Report 5-14.pdf](https://csbs.csusb.edu/sites/csusb_csbs/files/2018%20Hate%20Final%20Report%205-14.pdf).

According to D.D. Winter and D.C. Leighton, structural violence, “... occurs whenever people are disadvantaged by political, legal, economic or cultural traditions. Because they are longstanding, structural inequities usually seem ordinary, they way things are and always have been... structural violence is the result of societal systems, such a social stratification, that have been in place for years – systems that create situations where people don’t have access to the things required to fulfill their basic human needs.”<sup>1</sup>

Homelessness didn’t just happen, we as a society chose not to ensure that all residents had access to housing. People aren’t choosing to be homelessness - we are making it impossible for all people to earn a living wage and to be able to afford adequate health care. There are structures in place that have created an epidemic of income inequality and homelessness.

In its 2017 annual Point-In-Time Count, the U.S. Department of Housing and Urban Development (HUD) estimated that on any given night there were 553,742 men women and children who were homeless<sup>2</sup>. Another 500,000 or so formerly homeless individuals and families reside in supportive housing through HUD’s homeless programs.

According to HUD’s counts, almost 200,000 people are unsheltered on any given night. The National Law Center on Homelessness and Poverty has estimated 187 cities have laws that criminalize daily acts of survival for people who are forced to live outdoors<sup>3</sup>. These laws push a cycle of structural violence that leads to negative perceptions of people who are homeless, that further relays a general lack of compassion and action to invest in the housing and other systemic solutions to endemic poverty.

Furthermore, structural violence has not only created homelessness, but has allowed for our homeless brothers and sisters to die at an alarming rate. A growing number of cities have been releasing annual reports on the number of community members who have died while homeless. This report only documents a fraction of these deaths. The most common causes of death among people experiencing homelessness are trauma, medical conditions, and “natural causes” - most of which could be reduced with appropriate housing.

**A more  
accurate  
count?**



**553,742**

people experiencing  
homelessness via 2017  
Point-In-Time Count



**503,473**

recently homeless  
people staying in  
supportive housing



**1,057,215**

people being served (or  
who could be served)  
by homeless programs

<sup>1</sup> Engard, Brian. “Recognizing and Addressing Structural Violence | CU Online.” *Campbellsville University Online*, 30 June 2017, [online.campbellsville.edu/social-work/structural-violence/](https://online.campbellsville.edu/social-work/structural-violence/).

<sup>2</sup> Henry, Meghan, et al. “The 2017 Annual Homeless Assessment Report (AHAR) To Congress.” *Department of Housing and Urban Development*, Dec. 2017, <https://www.hudexchange.info/Resources/Documents/2017-AHAR-Part-1.Pdf>.

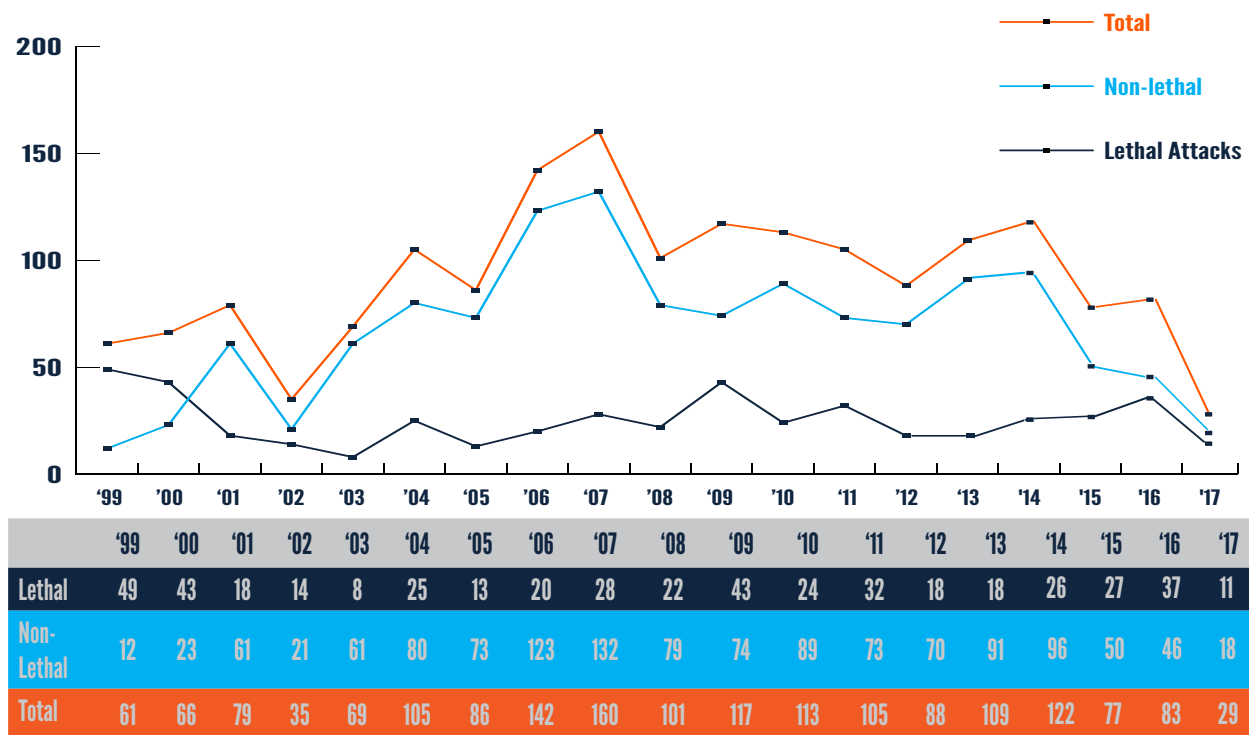
<sup>3</sup> “Housing Not Handcuffs: Ending the Criminalization of Homelessness in U.S. Cities, *National Law Center on Homelessness and Poverty*, <https://www.nlchp.org/documents/Housing-Not-Handcuffs>.



As the National Health Care for the Homeless Council points out, life expectancy for someone who is homeless can be 20-30 years younger than the general population<sup>1</sup>. The National Coalition for the Homeless has estimated that annually, there are 13,000 individuals who die on our streets from either direct violence, or the structural violence our society perpetrates by not ensuring they have a place to call home<sup>2</sup>. D.D. Winter and D.C. Leighton state that, “structural violence is problematic in and of itself... but is also dangerous because it frequently leads to direct violence...”

In this report, *Vulnerable to Hate: A Survey of Bias-Motivated Violence against People Experiencing Homelessness in 2016-2017*, we analyze the direct violence people experiencing homelessness face from the housed community. This report includes descriptions of reported occurrences of bias-motivated violence; all of which can be found in the Appendix, listed by location. This report will provide solutions for advocates and community members to help mitigate violence against our most vulnerable. Lastly, it will provide policy solutions for our lawmakers to prevent violence against homeless individuals.

**TABLE 2: NUMBER OF INCIDENTS RECORDED**



<sup>1</sup> "The Hard, Cold Facts About the Deaths of Homeless People," *National Health Care for the Homeless Council*, December 2016, <http://www.nhchc.org/wp-content/uploads/2011/09/HardColdFacts.pdf>.

<sup>2</sup> See Appendix 1.

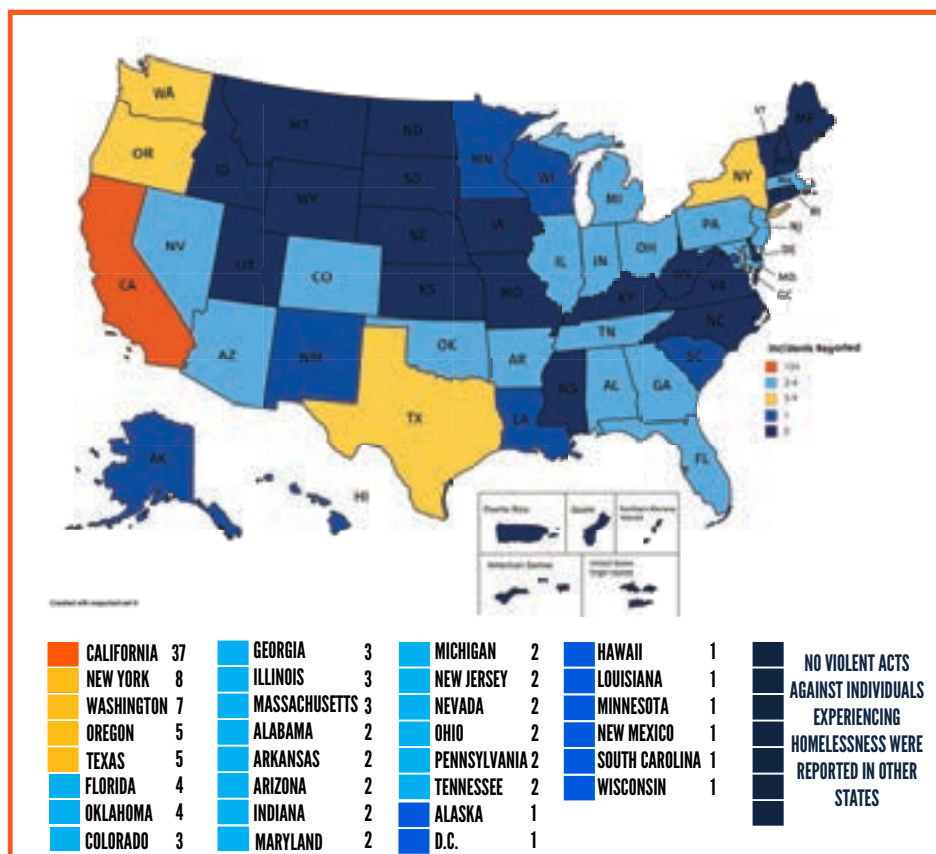
## Geographical Distribution of Hate Crimes

The 112 attacks committed against individuals experiencing homelessness in 2016 and 2017 occurred across 30 states and the District of Columbia. Over the last 18 years, anti-homeless attacks have been reported in 48 states, Puerto Rico and the District of Columbia.

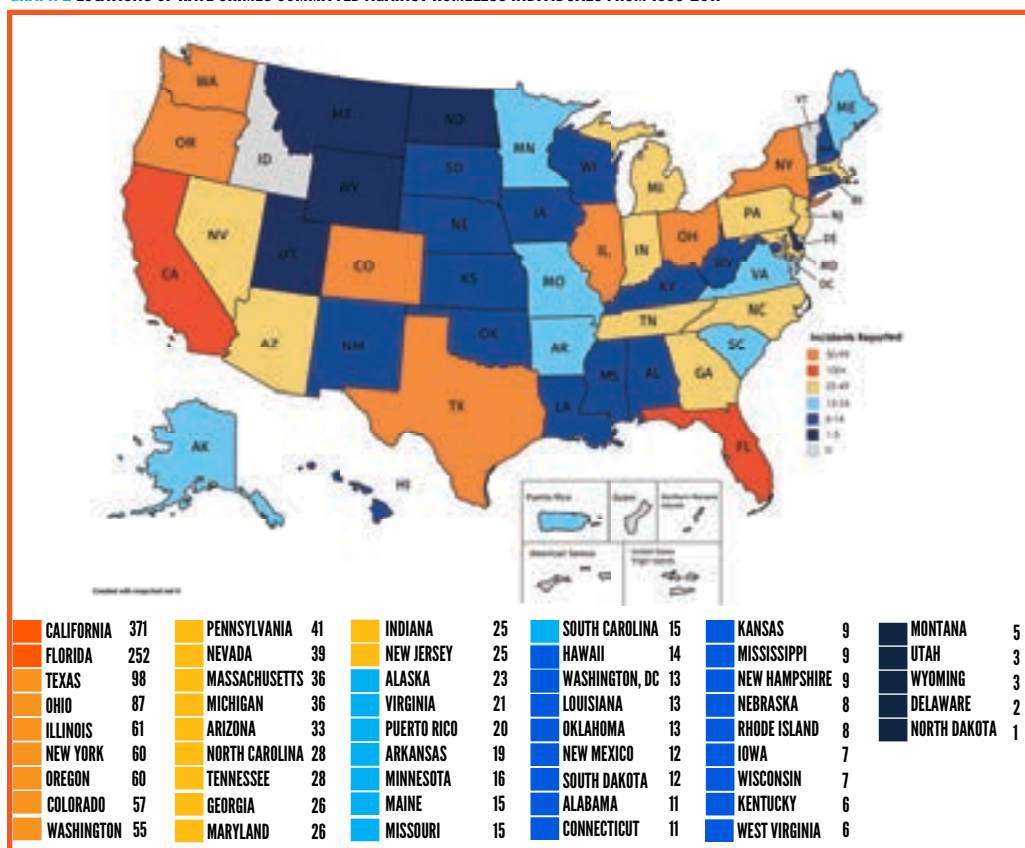
An astonishing 33% of attacks reported in 2016-2017 took place in California. For the first time in many years, Florida did not report one of the highest number of attacks. These two states have consistently seen high rates of violence and abuse towards their homeless populations. Over the last 18 years, NCH has recorded over 600 attacks collectively across these two states, where homeless folks tend to be more visible.

It is likely that much of the decreases in this report are due to an overall increase in the number of hate crimes against federally protected classes since the 2016 election.

**GRAPH 1** LOCATIONS OF HATE CRIMES COMMITTED AGAINST HOMELESS INDIVIDUALS IN 2016-2017



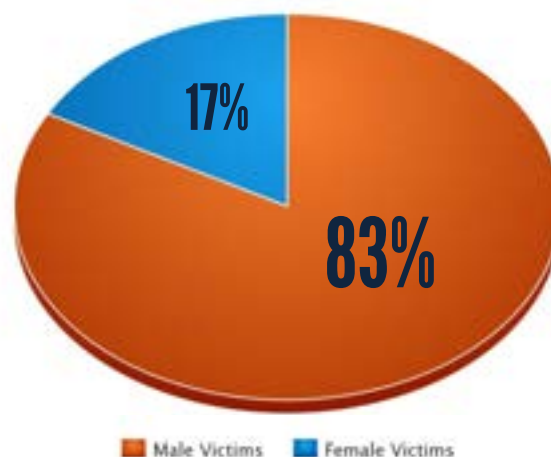
**GRAPH 2** LOCATIONS OF HATE CRIMES COMMITTED AGAINST HOMELESS INDIVIDUALS FROM 1999-2017



## Demographics of Victims and Perpetrators

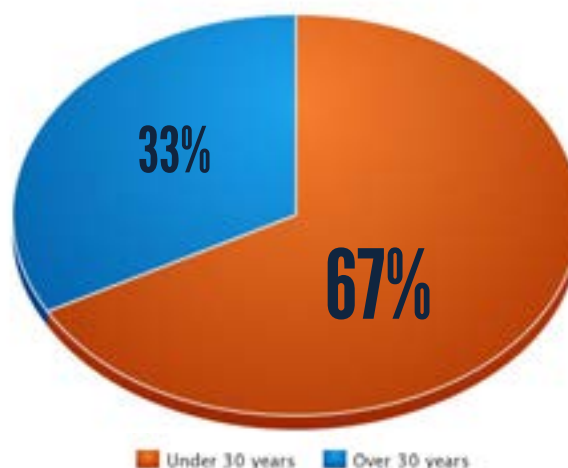
Victims of homeless hate crimes are most commonly middle-aged men. Between 1999 and 2017, on average, 69% of the victims were over the age of 40. Over these 18 years of tracking, 87% of victims of anti-homeless attacks were male. As we are seeing more individuals forced to live unsheltered in our communities, in 2016 and 2017, there were slightly higher numbers of female victims (17%) and victims under the age of 40 (35%).

GRAPH 3: VICTIM GENDER DISTRIBUTION 2016-2017



In contrast to the victims, perpetrators of hate crimes against homeless individuals have been overwhelmingly young men, with the attacker being male 96% of the time over the last 18 years. Additionally since 1999, 72% of the perpetrators have been under the age of thirty. In 2016 and 2017, with 67% of the perpetrators being under 30-years-old, it is clear that the perpetrators of anti-homeless attacks are continuing to act at young ages.

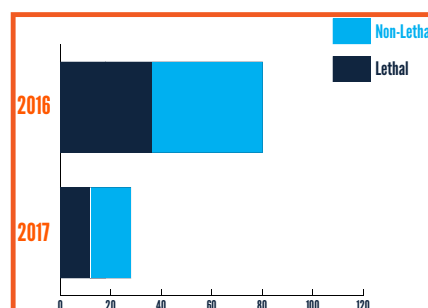
GRAPH 4: PERPETRATOR AGE DISTRIBUTION 2016-2017



## Summary of cases in 2016 and 2017: Lethal Attacks

In 2016 and 2017, out of 112 documented attacks, 48 victims lost their lives. These are the most egregious, and most difficult to understand acts of senseless violence, where perpetrators use weapons of all sorts to take the lives of people who were vulnerable due to their housing status. These are the most shocking of the incidents tracked over the last two years, a full summary of reported cases can be found in the Appendix.

GRAPH 4: LETHAL VS. NON-LETHAL INCIDENTS



**San Francisco, California <sup>1</sup>****2 More Suspects Arrested in Beating Death of Homeless Man**

May 22, 2016: The lifeless body of an elderly homeless man was found floating in a pond in Golden Gate Park, after having suffered a brutal, three-day-long beating before being left to die. Steven Billingsley, 19, Nikki Lee Williams, 36, Samantha Rundstrom, 19, and Michael Grasso, 26, have been charged in connection to the case.

**San Diego, California <sup>2</sup>****Man Attacked With Hammer in Latest Crimes Against Homeless**

July 3, 2016: Angelo De Nardo, 53 and homeless, was found dead and burned in an open area of Bay Park. Police believe De Nardo was killed prior to being set on fire. Investigators initially suspected Anthony Padgett, 36, seen on surveillance video buying gasoline at a convenience store. Padgett was arrested and later released due to lack of evidence. John D Guerrero was later arrested for a spree of violence against the homeless population in San Diego.

**Corona, California <sup>3</sup>****Corona Homeless Woman Killed in Brutal Attack with Knife, Bat**

September 22, 2016: A homeless woman was brutally attacked in broad daylight at a store parking lot. The victim was first stabbed and then beaten to death with a bat. Steven Loia, 54, has been arrested and charged with homicide. Witnesses say that the victim did nothing to provoke Loia, as she was just standing in front of the store where Loia began stabbing her. Loia then ran away, returned with a bat, and beat her over the head repeatedly.

<sup>1</sup> Associated Press, Two More Suspects arrested in Beating Death of Homeless Man, The Washington Times, August 24, 2016, <https://www.washingtontimes.com/news/2016/aug/24/2-more-suspects-arrested-in-beating-death-of-homel/>

<sup>2</sup> Arcega-Dunn, Maria, Man Attacked With Hammer In Latest Crime Against Homeless, Fox 5, July 13, 2016, <http://fox5sandiego.com/2016/07/13/homeless-man-attacked-with-hammer-in-east-village/>

<sup>3</sup> Juarez, Leticia, Corona Homeless Woman Killing in Brutal Attack with Knife, Bat, ABC 7, September 22, 2016, <http://abc7.com/news/corona-homeless-woman-killed-in-brutal-attack-with-knife-bat/1523337/>

<sup>4</sup> Kaplan, Elsie, Friend: Man Found Decapitated Outside ABQ Wal-Mart Was Homeless, Albuquerque Journal, December 21, 2016, <https://www.abqjournal.com/913907/friend-man-found-decapitated-outside-ne-abq-walmart-was-homeless.html>

<sup>5</sup> Associated Press. "Homeless Veteran Hit by Car to Receive Military Funeral." Military.com, CodyUnderwood, [www.military.com/daily-news/2017/03/01/homeless-man-hit-car-receive-military-funeral.html](http://www.military.com/daily-news/2017/03/01/homeless-man-hit-car-receive-military-funeral.html)

<sup>6</sup> Button, Hannah. "Homeless Man Killed Struggled with Mental Illness." KOIN, KOIN, 22 Feb. 2017, [www.koin.com/news/homeless-man-killed-struggled-with-mental-illness\\_20171130084823341/870070909](http://www.koin.com/news/homeless-man-killed-struggled-with-mental-illness_20171130084823341/870070909)

<sup>7</sup> Person. "Boys, 13 and 14, Accused of Killing Homeless Man in Adelphi." NBC4 Washington, NBC4 Washington, 11 Aug. 2017, [www.nbcwashington.com/news/local/Boys-13-and-14-Accused-of-Killing-Homeless-Man-in-Adelphi-439680223.html](http://www.nbcwashington.com/news/local/Boys-13-and-14-Accused-of-Killing-Homeless-Man-in-Adelphi-439680223.html)

**Albuquerque, New Mexico <sup>4</sup>****Man Found Decapitated Outside ABQ Wal-Mart Was Homeless**

December 21, 2016: Clifford Miller, 42, was found naked, decapitated, and missing his genitals behind a Wal-Mart by a security guard. Miller's head was not found. The police have no suspects.

**Riverside, California <sup>5</sup>****Homeless man hit by car to receive military funeral**

February 3, 2017: A homeless man whom police say was intentionally hit by a car was buried with military honors. Raymond John Cool, a 60 year-old Navy veteran, lived in a corner of a parking lot where he was struck and killed on Feb. 3rd, 2017. The driver, 55, Lawrence Aaseng has plead not guilty to murder and assault with a deadly weapon. Authorities say Aaseng intentionally hit Cool, who was standing near a tree, then backed up and intentionally hit another car as he tried to flee.

**Portland, Oregon <sup>6</sup>****Homeless man killed struggled with mental illness**

February 20, 2017: Jason Peterson, 32, was shot and killed when confronted by the owner of Golden Key Insurance Agency about property he had left in front of the business. Charlie Chan, the business owner who reportedly shot Jason, hasn't been charged.

**Adelphi, Maryland <sup>7</sup>****Boys, 13 and 14, Accused of Killing Homeless Man in Maryland**

July 27, 2017: Elias Portillo, 14, and a 13 year-old boy from Prince George's County have been charged in the July 27th death of Francisco Sagastizado. On the morning of July 27th, someone found Sagastizado unresponsive with multiple stab wounds. The officers pronounced him dead. He was 47 years old. According to preliminary investigation, the boys stabbed Sagastizado when he refused to give them money.



### Tulsa, Oklahoma <sup>1</sup>

#### Man Charged With Killing Homeless Tulsa Man

September 5, 2017: Jeremy Thacker ran over a group of homeless people behind the John 3:16 Mission. Shawn Birdo was killed, and in a court document a witness claims Thacker told him he saw a black man and white woman sleeping together and he “did what his brain told him to do, run them over.”

## Summary of cases in 2016 and 2017: Non-Lethal Attacks

In 2016 and 2017, out of 112 documented attacks, 64 victims fortunately did not lose their lives, many were scarred in deeper ways. Daily, people who are visibly unhoused experience harassment at the hands of housed people, city and law enforcement personnel, even by social service personnel. The non-lethal attacks reported here highlight the endemic discrimination and dehumanization of people experiencing homelessness. A full summary of reported non-lethal cases can be found in the Appendix.

## Sexual Assault

### Queens, New York <sup>2</sup>

#### Homeless man robbed, sexually abused while looking for scrap metals in Queens

February 8, 2017: Four thieves robbed a 58-year old homeless man looking for scrap metal in Queens, and then molested their victim with a soda bottle. The four thieves demanded the homeless man's property. The victim said that he was just looking for scrap metal and meant no harm, but the suspects grabbed him and took his wallet. Then – in an act of sadism- they pulled the man's pants and underwear down and abused him with a Coca-Cola bottle. The victim passed out from the pain, he told police. When he woke up, the thieves who stole his wallet and his money, which amounted to \$15, were gone.



### Cleveland, Ohio <sup>3</sup>

#### Homeless Woman Found in Cleveland Home Was a Victim of Forced Prostitution, Police Say

July 5, 2016: A missing woman, 18, was held captive for four days and forced into prostitution. The unnamed woman told police she was homeless when she met a man in mid-June at a hospital in Lorain, who she started dating. He offered to give her a room at an apartment building and she was initially concerned but eventually accepted. However, after she moved in, her boyfriend and Tangelica Ray (18 and another resident of the apartment) forced her into prostitution, trapping her in the apartment when she tried to leave. The group arranged for men to come in to have sex with the woman over the next five days. The first time it happened, the group locked the man into the room with her, where he proceeded to rape her after her refusal. On July 9th, she grabbed money from the apartment and tried to leave, but the group detained her, slamming her head into the wall, picking her up, throwing her down the stairs, and punching her repeatedly. The woman eventually escaped and ran to a mail carrier, who called 911. She was taken to the hospital for her injuries including a dislocated jaw. The group ran off before police arrived. Tangelica Ray has been charged with promoting prostitution, but no arrests have been made.

<sup>1</sup> NewsOn6.com. “Man Charged With Killing Homeless Tulsa Man, Wants A Charge Dismissed.” Oklahoma's Own News On 6, 26 Mar. 2018, [www.newson6.com/story/37806668/man-charged-with-killing-homeless-tulsa-man-wants-a-charge-dismissed](http://www.newson6.com/story/37806668/man-charged-with-killing-homeless-tulsa-man-wants-a-charge-dismissed)

<sup>2</sup> Parascandola, Rocco, and Thomas Tracy. “Homeless Man Robbed, Sexually Abused While Looking for Scrap Metal in Queens - NY Daily News.” Nydailynews.com, New York Daily News, 8 Feb. 2017, [www.nydailynews.com/new-york/nyc-crime/homeless-man-robbed-sexually-abused-queens-article-1.2967401](http://www.nydailynews.com/new-york/nyc-crime/homeless-man-robbed-sexually-abused-queens-article-1.2967401)

<sup>3</sup> Ferrise, Adam, Homeless Woman Found in Cleveland Apartment was Victim of Forced Prostitution, Police Say, Cleveland.com, September 2, 2016, [http://www.cleveland.com/metro/index.ssf/2016/09/homeless\\_woman\\_found\\_in\\_cleveland.html](http://www.cleveland.com/metro/index.ssf/2016/09/homeless_woman_found_in_cleveland.html)



## Police Brutality

### San Antonio, Texas <sup>1</sup>

#### Fired San Antonio Officer Admits To Giving Poop Sandwich to Homeless Person

December 6, 2016: Matthew Luckhurst, a former San Antonio police officer, found dog poop, bread, and a container on the ground, put it in together, and set it by a homeless man as a joke to entertain his colleagues. The officer came back and threw away the poop sandwich himself. He was later fired as a result of the incident.

### Denver, Colorado <sup>2</sup>

#### Activist say video shows DPD using excessive force on an unarmed homeless man

January 18, 2017: Activists are outraged over a Denver Police body camera video that shows an officer using a Taser on an unarmed homeless man. In the video, the officer fires his Taser less than ten seconds after his first command.

## Assaults with a Deadly Weapon

### Yuma, Arizona <sup>3</sup>

#### Homeless Man Set on Fire While Sleeping

July 12, 2016: An unidentified homeless man woke up to find both of his legs set on fire during the early morning hours. The victim says he saw three men watching him when he woke up. His injuries were non-life threatening. Police are investigating.

### Nashville, Tennessee <sup>4</sup>

#### Woman shoots homeless man who asked her to move Porsche

August 26, 2017: 26 year-old Katie Quackenbush was charged with shooting 54 year-old Gerald Melton near Music Row. Metro Nashville police say Melton was disturbed by exhaust fumes and loud music coming from Quackenbush's Porsche SUV while trying to sleep at 3:00am, and asked her to move the vehicle. Police say the two began yelling at each other, and that is when Quackenbush exited the vehicle and shot Melton twice before running up the street.

## Beatings

### Pahoa, Hawaii <sup>5</sup>

#### Alleged Assailant Pleads Not Guilty in Homeless Attack

June 7, 2016: Christopher Mohrlang, 35, attacked John Hartley, 57 and homeless, while he sat in his wheelchair. Mohrlang poured ice water on a sleeping Hartley, sprayed him with mace, and punched him in the face several times. The attack was caught on video, and following public uproar, Mohrlang turned himself in. Hartley plans to pursue litigation against his attacker, who is also facing charges for attacking Kevin Jenkins, 61 and homeless, on September 23rd, 2015.

### Melbourne, Florida <sup>6</sup>

#### Melbourne police investigate homeless street beating

March 8, 2017: a countywide alert was issued for two men who Melbourne police report struck a homeless man with their truck before beating him in broad daylight. Witnesses told police that at least two people were involved in the beating which left the man, who suffered head and leg injuries, badly bleeding in the street.

## Abduction

### Oklahoma City, Oklahoma <sup>7</sup>

#### Oklahoma City Police Looking to Identify Suspects Who Allegedly Robbed, Assaulted Homeless Man

October 12, 2016: An unnamed homeless man was walking when two men and two women pulled up in a green truck and offered him a ride. After he accepted, they took the man to a motel parking lot, where they proceeded to rob and assault him. The four suspects have not been identified.

<sup>1</sup> Farmer, Liz, Fired San Antonio Officer Admits Giving Poop Sandwich to Homeless Person, Dallas Morning News, December, 2016, <http://www.dallasnews.com/news/texas/2016/12/07/fired-san-antonio-officer-admits-giving-poop-sandwich-homeless-person>

<sup>2</sup> Kovalski, Jennifer. "Activist Say Video Shows DPD Using Excessive Force on an Unarmed Homeless Man." 7NEWS, 19 Jan. 2017, [www.thedenverchannel.com/news/front-range/denver/activist-say-video-shows-dpd-using-excessive-force-on-an-unarmed-homeless-man](http://www.thedenverchannel.com/news/front-range/denver/activist-say-video-shows-dpd-using-excessive-force-on-an-unarmed-homeless-man)

<sup>3</sup> Golightly, Chase, Homeless Man Set on Fire While Sleeping, July 13, 2016, KYMA, available at <https://kyma.dgt.me/homeless-man-set-on-fire-while-sleeping/>

<sup>4</sup> Robinson, Chelsea. "Police: Woman Shot Homeless Man Who Asked Her to Move Porsche." KOAT, KOAT, 9 Oct. 2017, [www.koat.com/article/police-woman-shot-homeless-man-who-asked-her-to-move-porsche/12226540](http://www.koat.com/article/police-woman-shot-homeless-man-who-asked-her-to-move-porsche/12226540)

<sup>5</sup> Johnson, Kristen, Alleged Assailant Pleads Not Guilty IN Homeless Attack, West Hawaii Today, July 22, 2016, <http://westhawaii.com/news/local-news/alleged-assailant-pleads-not-guilt-homeless-attack>

<sup>6</sup> Gallop, J.D. "Melbourne Police Investigate Homeless Street Beating." Florida Today, Florida Today, 8 Mar. 2017, [www.floridatoday.com/story/news/2017/03/08/melbourne-police-investigate-homeless-street-beating/98896212](http://www.floridatoday.com/story/news/2017/03/08/melbourne-police-investigate-homeless-street-beating/98896212)

<sup>7</sup> Franklin, Dallas, Oklahoma Police Looking to Identify Suspects Who Allegedly Robbed Assaulted Homeless man, Oklahoma News 4, October 12, 2016 <http://kfor.com/2016/10/12/police-looking-to-identify-suspects-who-allegedly-robbed-assaulted-homeless-man/>

## Harassment

### Deland, Florida <sup>1</sup>

#### Woman Accused of Allowing Sons to Shoot BBs at Homeless Man

August 7, 2016: Amina El-Zayat, 36, is facing charges for allowing her sons to shoot BBs at a homeless man. The victim claims the two boys cursed him before shooting at him as he picked through a garbage can at a gas station. The boys then returned later and shot at him again. Police found the airsoft rifles in El-Zayat's vehicle. She told police that she was having trouble with homeless people rummaging through her trash at the carwash her family owns. El-Zayat was arrested for aggravated battery, contributing to delinquency of minors, and child neglect charges.

### Pleasanton, California <sup>2</sup>

#### Sleeping homeless man attacked under Pleasanton overpass

August 13, 2017: A man sleeping under an overpass was injured after being shot more than once with a BB gun. The 51 year-old injured man is expected to survive, but suffered several injuries after being shot in the back and arm more than one. The assailants also hit him with a hockey stick. The police searched the area but were unable to find any suspects. They say three people were involved in the attack.

## Multimedia Exploitation

### Columbus, Ohio <sup>3</sup>

#### Man Punches Homeless Man, Posts Video on Instagram

July 22, 2016: Terrance E. Pyfrom, 19, posted a video on Instagram showing him punching a 65-year-old homeless man. After the attack, the victim was taunted by a group of men including Pyfrom. Pyfrom pleaded guilty on one count of felony assault and was sentenced to four years in prison. The assistant prosecutor argued the heftier sentence was appropriate due to the nature of the unprovoked attack on a vulnerable man.

### Location; uncertain <sup>4</sup>

#### Infuriating Video Shows Meek Mill Making Homeless Man Do Pushups For \$20

February 25, 2017: Meek Mills, Philadelphia rapper used Instagram's Stories feature to post a series of videos showing a homeless man asking for some change. Next it shows the 29 year-old rapper telling the homeless man to do pushups for \$20. The rapper stated, "We ain't going to give out no free money." The next video shows the man doing 20 pushups as Meek Mill counts.

## MULTI MEDIA EXPLOITATION: AN EXPLANATION

Multimedia exploitation of the homeless population is a severe growing problem, just as digital bullying is becoming more common among the entire population.

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 a shopping cart. The un-housed people who participated were compensated with a few dollars or a six pack of beer, and suffered severe injuries as a result of the videos. These videos 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 7.7 million times, garnering about 6,490 likes by YouTube users.

It is the decision of the National Coalition for the Homeless to include multimedia exploitation in a report on hate crimes and violence against the homeless, as there have been documented cases that show the immediate correlation between watching videos that display violence toward homeless individuals, and committing "copycat" crimes against that population. These videos are foul, hateful, and unbecoming of a modern progressive society.

<sup>1</sup> Associated Press, Woman Accused of Allowing Sons to Shoot BBs at Homeless Man, WSVN.com, August 9, 2016, <http://wsvn.com/news/local/woman-accused-of-allowing-sons-to-shoot-bbs-at-homeless-man/>

<sup>2</sup> Hurd, Rick. "Sleeping Homeless Man Attacked under Pleasanton Overpass." The Mercury News, The Mercury News, 14 Aug. 2017, [www.mercurynews.com/2017/08/13/homeless-man-attacked-while-sleeping-under-pleasanton-overpass/](http://www.mercurynews.com/2017/08/13/homeless-man-attacked-while-sleeping-under-pleasanton-overpass/)

<sup>3</sup> Fuddy, John, Man Punches Homeless Man, Posts Video on Instagram, Columbus Dispatch, July 22, 2016, <http://www.dispatch.com/content/stories/local/2016/07/21/man-sentenced-for-assault-on-homeless-man.html>

<sup>4</sup> Herreria, Carla. "Infuriating Video Shows Meek Mill Making Homeless Man Do Pushups For \$20." The Huffington Post, TheHuffingtonPost.com, 26 Feb. 2017, [www.huffingtonpost.com/entry/meek-mill-homeless-man-pus-ups\\_us\\_58b2164ae4b0780bac2a035f](http://www.huffingtonpost.com/entry/meek-mill-homeless-man-pus-ups_us_58b2164ae4b0780bac2a035f).

## Discussion

Structural violence, as described in the introduction, has created growing income inequality and homelessness in the United States. This ongoing structural violence can lead to direct violence when a community is thoroughly dehumanized.

There are many reasons why an individual or family becomes homeless. But whatever the circumstances, once someone begins their time on the street or in a shelter, they are or quickly become separated from the people they are most familiar with. This segregation continues as the homeless are assumed to be a “class apart”. This assumption becomes a reality as those experiencing homelessness begin to receive daily survival services, such as getting clothes and food, from the same place or places which leads the housed population to perceive that all homeless people begin to look like each other.

This isolation, segregation, and feeling of being a “class apart” leads to a fear of the homeless population because they are different. The lack of education and understanding of how people become homeless helps create a distinct “otherness”, which leads to an individual reaction of fear and disgust when housed individuals come across a person experiencing homelessness.

### How People Experiencing Homelessness are Dehumanized

1. Segregation
2. Fear
3. Illegal to be Poor
4. The Criminal Label
5. Attacked by Police
6. Refused a Place to Sleep
7. Property Stolen Legally
8. Denied Food, Bathrooms, Health Care
9. Existence Denied
10. Verbally abused
11. Attacked

This fear and disgust of people experiencing homelessness has led cities and states to criminalize people without a home. In their most recent report, “Housing Not Handcuffs: Ending the Criminalization of Homelessness in U.S. Cities”, The National Law Center on Homelessness & Poverty surveyed 187 cities and assessed the number of types of municipal codes that criminally or civilly criminalize life-sustaining behaviors of people experiencing homelessness.

<sup>1</sup> “How Are the Homeless Dehumanized?” Anawim Christian Community, [anawimcc.org/how-are-the-homeless-dehumanized/](http://anawimcc.org/how-are-the-homeless-dehumanized/)

## 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. In fact, four of the ten meanest cities identified in 'Homes Not Handcuffs' were located in Florida and three were in California.<sup>1</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.

<sup>1</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.

### Examples of municipal codes that criminalize life sustaining behavior include:

- Laws that prohibit sleeping in public city-wide
- Laws that prohibit sleeping in a particular public place
- Laws that prohibit camping in public city-wide
- Laws that prohibit camping in a particular public space
- Laws that prohibit sitting/lying in a particular public space
- Laws that prohibit lodging, living, or sleeping in vehicles (or parking a vehicle used as a lodging/living accommodation)
- Laws that prohibit loitering/loafing/vagrancy city-wide
- Laws that prohibit loitering/loafing in particular public places
- Laws that prohibit begging in public places
- Laws that prohibit food sharing city-wide or in particular public places (i.e. ban)

In the 187 cities surveyed by the National Law Center on Homelessness and Poverty, there are 735 of these ordinances on the books that criminalize the situation of being homeless.

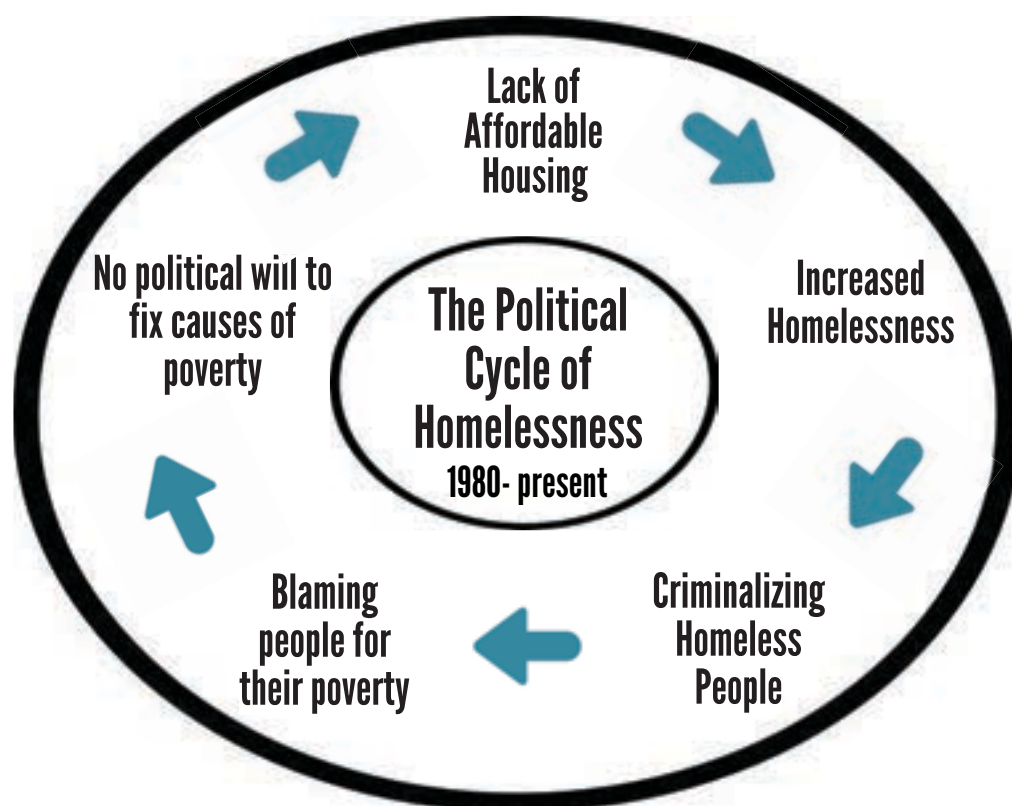
Now that it is illegal to be without a home, it has been made clear that law enforcement and the motto "protect and serve" is not granted to the homeless population because they are not "truly" part of the community. This leaves a homeless individual as an easy target for police brutality and inhumane treatment from the community.

In many communities across this country it is illegal to sleep on public or private land. So on a monthly, weekly, and sometimes even daily basis someone who is homeless is woken up and told to "move along, you can't sleep here". This might not seem like a big deal, but when you have to constantly pack up your life, it wears on you. You have a high risk of losing your license, social security card, or any form of legal documentation that proves your existence. You might lose personal items such pictures of loved ones and the things that kept you safe at night, such as a tent or a sleeping bag.

Moreover, in many communities it is illegal to share food with people experiencing homelessness, and bathrooms are hard to come by. As human beings, sleep, food and personal hygiene are all life sustaining activities that we need to do to survive as a species, but are not granted to the most vulnerable, our homeless population.

As a society, we have isolated and segregated people who are experiencing homelessness, which leads to a culture of fear and disgust when encountering a person who is homeless. Culturally, we have branded

the population of people who are un-housed as criminals, and in turn, denied them access to life-sustaining activities such as sleeping, access to food, and bathrooms. In other words, we have dehumanized our most vulnerable to no longer being people; but instead, easy targets, and in many cases, denying their very existence. The more we criminalize, the more we dehumanize, and the more the direct violence this vulnerable population faces on a daily basis is socially acceptable by third party community members and our municipal, county, state and federal governments.





## Conclusion

Over the past 18 years the National Coalition for the Homeless has documented over 1,700 bias-motivated violent crimes committed against homeless people by housed individuals. These attacks have cost 476 un-housed people their lives.

In this 2016-2017 report, NCH has documented 112 violent attacks against homeless individuals. 48 of these incidents resulted in death. 65% fewer attacks were reported in 2017, compared to 2016. Nationally, hate crimes against all protected and vulnerable populations have increased. It is likely that this increase has shifted news reporting away from attacks against people experiencing homelessness towards bias-motivated violence against other protected and marginalized groups.

Specific policy solutions are discussed at length in the Appendix. NCH advocates for both including people experiencing homelessness as a protected class under hate crimes statutes, or implementing vulnerable victims sentencing guidelines. Either type of initiatives would both find justice for victims and promote the humanity of all who experience homelessness.

NCH also advocates for federal, state, and city governments to conduct data collections to track violence against homeless individuals. Arrest reports could include a box indicating if a victim was homeless, or HUD could add a victimization survey to its annual Point In Time count and service intake surveys.

Although some communities are taking positive steps toward protecting homeless individuals, NCH believes that violence against people who are 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. Policy alone will not change the institutionalized fear and disgust for people experiencing homelessness that our communities have cultivated over the last 40 years. Legislative protections must be married with a cultural shift.

Cultural shift starts with daily interaction between housed and un-housed community members. We must begin to acknowledge our un-housed neighbors, and affirm our shared humanity. Try to smile and say hello as you pass someone you believe to be homeless. Ask the person their name and share your's. Recognizing a person who may have been invisible for an extended amount of time can have huge ramifications on their health and well-being.

It is critically important that we acknowledge the existence of our most marginalized community members. With compassionate and just policy change, we can end the direct violence our homeless community faces on a daily basis and begin to correct the structural violence that created endemic homelessness.



# APPENDICES

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**Appendix A: Hate Crimes vs. Vulnerable Victim Status**

**Appendix B: Protecting the Homeless under Vulnerable Victim Status**

**Appendix C: Legislation**

**Appendix D: All Attacks by State**

**Appendix E: How NCH Estimates the Total Number of Deaths**

## Appendix A: Hate Crimes vs. Vulnerable Victim Status

### Hate Crime Status vs. Vulnerable Victims Status

Brian Levin, J.D., Calif. State Univ., San Bernardino, Blevin8@aol.com

#### Introduction: Hate Crime

Beginning in the late 1970s major metropolitan areas and various states began to address hate violence not only through new criminal laws but also through the formation of data collection, specialized police units, and new policies starting with Massachusetts.

In recent years, a debate has intensified about whether the criminal law should include targeted violence against the homeless in state and federal hate crime statutes and data collection efforts. Currently, almost half a dozen states include homeless status in their hate crime laws, although attempts at the federal level and in other states have stalled (Stoops, 2014). Hate crimes are discriminatory criminal acts committed because of an individual's actual or perceived membership in a particular socially identifiable status group. Status characteristics are those material attributes, like race or sexual orientation, common to a socially identifiable class of people. While hate crime laws and other modern legal protections on the basis of status are relatively recent enactments, their roots extend to the post-civil war era constitutional amendments.

#### Federal Law

The federal government does not protect the homeless in hate crime law (18 U.S.C. 249) or enumerate anti-homeless bias incidents in its related annual hate crime data collection, it does have a definition of homelessness and a numerical estimate of people affected by it. In its 2014 Annual Homeless Assessment Report to Congress, the Department of Housing and Urban Development estimates that there are 578,424 homeless individuals nightly, with 31% of those or 177,373 being unsheltered, compared with 69% residing in shelters (Henry, Cortes, Shivji, & Buck, 2014). The U.S. population is 319 million (U.S. Census Bureau, 2015).

Federal law has defined homelessness in part as those without a "fixed, regular and adequate nighttime residence" that may include shelters and hotels as well as vehicles or public places not designed for housing,

such as campsites, parks, or transportation facilities (The McKinney-Vento Homeless Assistance Act, 2009).

The overall rate of criminal victimization for these homeless Americans is staggering, far exceeding that of other groups. A series of state and local studies and surveys cited in Senate testimony showed annual criminal victimization rates for the homeless between 34% and 81.9% (“Crimes Against America’s Homeless,” 2010). In contrast, in 2013 the National Crime Victimization Survey showed the overall housed population 12 years and older faced an annual rate of victimization of 1.2% for violent crime and 0.4% for serious violent crimes (Truman & Langton, 2014).

### **Vulnerable Victim and Hate Crime Approaches**

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 in the past promoted the inclusion of the homeless as a 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.

Oppression and prejudice against them as a socially identifiable class Identical offenders such as bigoted skinheads, neighborhood defenders protecting their turf, as well as young male thrill offenders who share identifiable characteristics and motivations Identical methods of attack that revolve around personal or imprecise weapons that cause substantial suffering frequently hostile or ineffective legal response to protect them. Steiner (2009), observes,

Thus assuming homelessness were included as a prohibited bias motivation, the prosecutor would be required to show that the victimization occurred not merely because the victim was homeless, but rather because of a pre-existing negative attitude toward homelessness, a high standard to be sure. (p. 38)

In contrast, federal vulnerable victim sentencing law’s broad range arguably could already cover homelessness:



“Vulnerable victim” means a person (A) who is a victim of the offense of conviction . . . and (B) who is unusually vulnerable due to age, physical or mental condition, or who is otherwise particularly susceptible to the criminal conduct. (U.S.S.G. § 3A1.1, comment, [n.2])

Still, the most legally unambiguous wording would be a specific statutory enumeration of homelessness as a protected status in vulnerable victim law. Such inclusion only requires a showing that the victim was homeless when targeted, without the necessity of delving into motive at all. Alaska is the only state to address the issue in this way:

5) the defendant knew or reasonably should have known that the victim of the offense was particularly vulnerable or incapable of resistance due to advanced age, disability, ill health, homelessness, or extreme youth or was for any other reason substantially incapable of exercising normal physical or mental powers of resistance . . . (Alaska Stat. § 12.55.155)

*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 amicus 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.*

## Appendix B: Protecting the Homeless Under Vulnerable Victim Sentencing Guidelines

### Protecting the Homeless Under Vulnerable Victim Sentencing Guidelines

Katherine B. O'Keefe (from William and Mary Law Review, Vol. 52, Issue 1)

Enhanced punishments are a useful tool in communicating society's condemnation of a particular type of crime. Hate crime statutes and vulnerable victim sentencing guidelines both offer enhanced punishments based on the criminal's choice of victim. Hate crimes protect self-identifying groups based on either an immutable characteristic or a characteristic that applies to everyone equally. By contrast, vulnerable victim sentencing guidelines protect those within society who are deemed more vulnerable based on a particular trait that is either set forth in the statute or delineated by the court.

The homeless deserve the extra protection of enhanced punishment. With the downturn in the economy, the flurry of housing foreclosures, and the wars in Iraq and Afghanistan, it seems likely that the homeless population is due to increase, at least in the near future. Along with this growth in population comes the increased threat of violence against the homeless. In addition to being attacked by individual members of society, the homeless are also subject to laws that criminalize their livelihood. Enhanced punishment laws reflect the notion that the homeless are not second-class citizens, and they condemn the unusually brutal crimes committed against the homeless. Although homeless advocates tend to champion the addition of the homeless to hate crime statutes, protection under vulnerable victim sentencing guidelines is a better alternative.

Protection of the homeless is better suited to a more flexible standard than that which hate crime legislation provides. Homelessness is a mutable trait that does not apply to everyone, and society is constantly trying to find ways to shrink the homeless population. In addition, the status of homelessness makes an individual physically more vulnerable to crimes than the general population. Because of these reasons, homelessness, at least on a theoretical level, is better suited to vulnerable victim sentencing guidelines.

Homelessness is better suited to protection under the vulnerable victim sentencing guideline on a practical level as well. Certain courts have already found that homelessness is a factor in rendering a victim vulnerable for purposes of the federal statute. Other factors also exist, such as whether the victim was asleep, and the victim's age, physical condition, and mental health. In addition to the homelessness of the victim, consideration of these factors would strengthen the case for applying the sentencing enhancement when the court is weighing whether to apply the standard. In jurisdictions where the catchall vulnerable victim's phrase is utilized, courts can currently begin applying the vulnerable victim sentencing guidelines. In all jurisdictions, especially those without the catchall phrase, legislatures must take steps to write new statutes that include the homeless as a protected category, or amend existing statutes. Either way, it is imperative that the legal system act to protect the most vulnerable and unfortunate in society from violent crimes. Covering the homeless under vulnerable victim sentencing guidelines is an excellent beginning to achieving that goal.

*Katherine B. O'Keefe's full article can be found at:* <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=3362&context=wmlr>

## Appendix C: Hate Crimes 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, H.R. 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).

### 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 whomever, “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>6</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>7</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>8</sup>

**The Violent Crime Control and Law Enforcement Act of 1994**<sup>9</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>10</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 defendant intentionally selected his or her victim because of the race, color, religion, national origin, ethnicity,

<sup>6</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.

<sup>7</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>8</sup> Hate Crime Data Collection Guidelines, *supra* note 2, at 4.

<sup>9</sup> Pub. L. No. 103-322, 280003, Sept. 13, 1994, 108 Stat. 2096.

<sup>10</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.



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>11</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 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.

### ALASKA

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 un-

<sup>11</sup> 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).

der 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 (pg. 27) 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.



Photo by Bryan Dozier (2014)

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>12</sup>

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 sanc-

tions. It does not, however, require prevention plans, law enforcement training, or high school awareness education.

**“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**

**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

<sup>12</sup> Yaroslavsky and Knabe. Motion By Yaroslavsky and Knabe. Homelessness and Human Relations Committee. AGN. NO. 11. March 24, 2009.

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.

**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>13</sup>

### *Analysis*

Cleveland's law highlights another type of criminal sanction. Unlike laws that explicitly state sanctions for criminal behavior, this law incrementally increas-

es fines and prison sentences based on the degree of the crime committed.

**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 insensitive and abusive treatment.<sup>14</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>15</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

<sup>13</sup> FindLaw. City of Cleveland Codified Ordinance No. 830-08

<sup>14</sup> Law 130. Concilio Multisectorial en Apoyo a la Poblacion sin Hogar. Approved September 27, 2007.

<sup>15</sup> *Ibid.*

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 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>16</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 recom-

<sup>16</sup> DC CODE 22-3703: Bias-Related Crime



*Analysis*

mendations 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, reason-able, actual, or nominal damages for economic or non-economic loss, such as emotional distress, puni-tive damages, or attorney's fees.

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 revealing victim identities and making recommendations to the city council.

## 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.

<sup>19</sup> Most homeless hate crimes legislation that has been enacted has utilized the 2009 HUD definition of homelessness found in 42 USC 11302. NCH advocates for the utilization of the 2012 HUD definition, which was declared in the HEARTH Act. The 2009 definition is much narrower and recognizes fewer people as homeless.

## 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 per-



sons. 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.

## Appendix D: All recorded hate crimes from 2016 and 2017 by state

### Total Lethal Attacks: 48

Lethal 2016: 37

Lethal 2017: 11

### Total Non-lethal: 64

Non-lethal attacks in 2016: 46

Assaults With Deadly Weapons: 18

Police Brutality: 5

Beatings: 8

Harassment: 8

Rapes/Sexual Assaults: 5

Media Exploitation: 1

Abductions: 1

Non-lethal attacks in 2017: 18

Assaults with a deadly weapon: 8

Police Brutality: 1

Beatings: 7

Harassment: 1

Rapes/Sexual Assaults 2017: 1

Media Exploitation: 1

### Alaska: 1 non-lethal

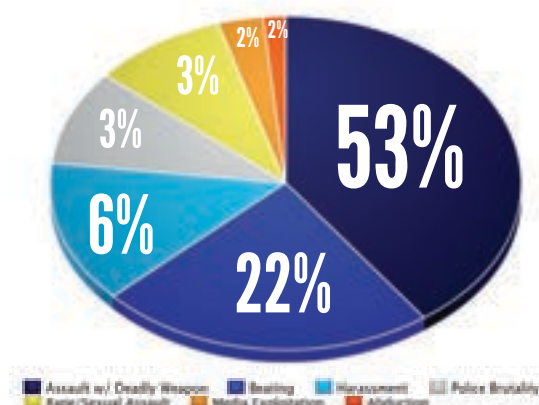
#### Assaults with a deadly weapon:

##### Anchorage, Alaska

Man Wanted in Machete Attack at Midtown Homeless Camp Still at Large

August 22nd, 2016: Jonathan Anaruk, 19, severely injured an unarmed homeless woman during an attempted robbery. Anaruk was attempting to steal \$900 worth of another man's possessions at a homeless encampment when the woman attempted to step in. Anaruk then struck her with a machete, punched her in the face, and strangled her. The victim was severely injured and Anaruk remains at large, the subject of a police search and investigation.

GRAPH 7: DISTRIBUTION OF TYPES OF NON-LETHAL ATTACKS



### Alabama: 1 lethal, 1 non-lethal

#### Lethal:

##### Birmingham, Alabama

Homicide Victim Found Dead in Birmingham Homeless Camp Now Identified

August 19th, 2016: James William Griffin, 58, was found by the local police lying in a field that makes up a homeless encampment. Griffin had been shot in the arm and was pronounced dead at the scene. No arrests have been made.

#### Assaults with a Deadly Weapon:

##### Birmingham, Alabama

Homeless Woman Stabbed in Birmingham Was Victim of Another Cruel Attack

October 7th, 2016: Ms. Alice, a homeless woman, was stabbed multiple times by a suspect that has since been taken into custody for attempted murder. Weeks earlier, someone used a mop to paint Ms. Alice's face, arms and back white while she slept. She is currently in stable condition following the knife attack. It is unclear if the incidents were linked.

**Arkansas: 2 non-lethal****Beatings:****Little Rock, Arkansas**

2 punch homeless veteran near Little Rock gas station, steal shoes off his feet

January 9th, 2017: A homeless veteran's shoes were stolen off his feet while he was near a gas station in downtown Little Rock. The 53 year old victim told investigators he was walking down the street shortly after 5:30pm when a person approached and hit him in the face. Surveillance footage show two men in dark hoodies coming at the 53 year old before one punches the veteran in the face and the other punches him in the back. While the victim was on the ground, the two men took his black Nike shoes off his feet.

**North Little Rock, Arkansas**

Homeless man robbed near North Little Rock Burger King by 3 assailants

January 18th, 2017: The 47 year-old homeless victim told police that robbers walked up to him as he was walking and they demanded his cellphone. When he didn't comply, the robbers punched him in the face and took his phone as well as a prepaid Visa card.

**Arizona: 1 lethal, 1 non-lethal****Lethal:****Phoenix, Arizona**

Homeless Man Set On Fire While Sleeping

July 12th, 2016: An unidentified homeless man woke up to find both of his legs set on fire during the early morning hours. The victim says he saw three men watching him when he woke up. His injuries were non-life threatening. Police are investigating.

**Assaults with a Deadly Weapon:****Yuma, Arizona \***

Homeless Man Set On Fire While Sleeping

July 12, 2016: An unidentified homeless man woke up to find both of his legs set on fire during the early morning hours. The victim says he saw three men watching him when he woke up. His injuries were non-life threatening. Police are investigating.

**California: 26 lethal, 11 non-lethal****Lethal:****San Jose, California**

79-Year-Old Arrested in Fatal San Jose Hit –And-Run Now Classified as Homicide

January 15, 2016: An unidentified homeless man, 62, was struck and killed by a pickup truck driven by Ernest Cervantes, 79. Cervantes it thought to have known the victim and has been arrested for homicide.

[San Francisco, California](#)[“The Life and Death of Luis Gongora: The Police Killing Nobody Noticed”](#)

April 7th, 2016: Luis Gongora, 45, known as “the homeless guy with the soccer ball,” was shot seven times and killed by police in the Mission District. Gongora held a kitchen knife and was told by Sergeant Nate Seger and Officer Mike Mellone to, “Get on the ground!” and “Put that down!” He died from a bullet entering through the top of his skull. After police reform advocates and family members spoke out, in July Sergeant Seger voluntarily agreed to leave his position at the committee on use-of-force recommendations.

[San Francisco, California\\*](#)[“2 More Suspects Arrested In Beating Death of Homeless Man”](#)

May 22nd, 2016: The lifeless body of an elder homeless man was found floating in a pond in Golden Gate Park, after having suffered a brutal three day long beating before being left to die. Steven Billingsley, 19 Nikki Lee Williams, 36 Samantha Rundstrom, 19, and Michael Grasso 26 have been charged in connection to the case.

[San Jose, California:](#)[“Man Found Dead in San Jose Trash Can Was Killed: Police”](#)

May 22nd, 2016: Randy Ruiz, 37 and homeless, was stabbed to death and found in a trashcan by police. Police are investigating.

[San Diego, California: \\*](#)[“Man Attacked With Hammer in Latest Crimes Against Homeless”](#)

July 3rd, 2016: Angelo De Nardo, 53 and homeless, was found dead and burned in an open area in Bay Park. Police believe De Nardo was killed prior to being set on fire. Investigators initially suspected Anthony Padgett, 36, seen on surveillance video buying gasoline at a convenience store. Padgett was arrested and later released due to lack of evidence. John D. Guerrero was later arrested for a spree of violence against the homeless population in San Diego.

[San Diego, California:](#)[“Man Arrested in San Diego in Killings of Homeless People”](#)

July 4th, 2016: Shawn Longley, 41, was brutally murdered by a suspect police believed had killed another homeless man the day prior. Investigators initially arrested Anthony Padgett, 36, but was later released due to lack of evidence. On July 15th, John D. Guerrero was taken into custody and charged with Longley’s murder, as well as for other related incidents.

[San Diego, California:](#)[“Man Attacked With Hammer in Latest Crime Against Homeless”](#)

July 6th, 2016: Dionicio Derek Vahidy, 23, died four days after being found in critical condition with extensive damage to his upper body and a towel covering his head that had been set on fire. Witnesses describe a man spraying an accelerant on Vahidy, igniting him, and then fleeing the scene. On July 15th John D. Guerrero was arrested in Vahidy’s death, as well as for incidents involving three other homeless men.

**San Jose, California:****"San Jose Police Investigating Man's Fatal Stabbing"**

July 17th, 2016: Gilberto Garcia, 49 and homeless, was stabbed to death and found by police on a report of a person deceased. This follows the killing of two other homeless people in San Jose. Police are investigating the incident.

**Santa Ana, California:****"Homeless Man Shot by Santa Ana Police Dies From Injuries"**

August 1st, 2016: Richard Gene Swihart, 32, was shot by police after they approached him while he was riding a bicycle with no shirt on, according to witnesses. Santa Ana police claimed that Swihart became hostile and entered into a physical altercation with one of the officers, later trying to grab their gun, which prompted the officer to fire multiple rounds. Swihart was struck in the upper torso and taken to a nearby hospital, where he remained in critical condition until he died of his wounds on August 14th. The Orange County District Attorney's office is investigating the incident.

**Los Angeles, California****"Deputy Shoots and Kills Unarmed Homeless Man, Prompting Investigation"**

August 2nd, 2016: William Bowers, 51, was fatally shot in the chest by an LA County sheriff's deputy after they attempted to stop him from questioning. Bowers was riding his bike down the street, but fled on foot when police stopped him. It is unknown why the officer used deadly force during the encounter, but the incident is under investigation.

**Fresno, California:****"Popular Homeless Man Killed in Hit and Run"**

August 9th, 2016: A well-known homeless man was found dead after being hit by a car around 11 pm. There was no word on whether the driver would face charges.

**San Jose, California:****"SJ Police Seeking Answers in Rash of Homeless Slayings"**

August 12th, 2016: Alejandro Sacarias, 41 and homeless, was found dead as result of blunt force trauma on a freeway connector ramp. This follows the killing of three other homeless people in San Jose. No arrests have been made.

**San Jose, California:****"San Jose Investigate 34th Homicide of 2016"**

August 25th, 2016: Victor Trejo, 44 and homeless, was found suffering from visible injuries by the police. He was pronounced dead at the scene. This follows the killing of four other homeless people in San Jose. No arrests have been made.



**San Jose, California:****"Police Investigating Fourth San Jose Homicide in One Week"**

August 27th, 2016: Ricardo Michel, 24 and homeless, was found suffering from a stab wound when police responded to a disturbance call. Michel was declared dead at the scene. This follows the killing of five other homeless people in San Jose. No suspects have been identified.

**Huntington Park, California:****"Homeless Man Shot Killed After Confrontation with Huntington Park Police: LASD"**

September 1st, 2016: An unidentified, 35-40 year-old man experiencing homelessness was shot and killed after a confrontation with Huntington Park Police. Police responded to a call about a homeless man refusing to leave the area while a work crew was attempting to clear railroad tracks. The officers initially tried to use a stun gun to subdue the man, but he picked up a five-foot lead pipe while an officer attempted to handcuff him. The second officer fired his weapon and shot the man, supposedly fearing for his partner's life. There will be a routine investigation.

**San Jose, California:****"Body Found on Driveway Near San Jose Golf Course as Homicide Rate Surged: PD"**

September 20th, 2016: Brandin Gaviola, 25 and homeless, was found by police in a driveway near a large homeless encampment, dead of at least one gunshot wound. This follows the killing of six other homeless people in San Jose. The Police have no suspects.

**Corona, California: \*****"Corona Homeless Woman Killed in Brutal Attack with Knife, Bat"**

September 22nd, 2016: A homeless woman was brutally attacked in broad daylight in a store parking lot. The victim was first stabbed and then beaten to death with a bat. Steven Loia, 54, has been arrested and charged with homicide. Witnesses say that the victim did nothing to provoke Loia, as she was just standing in front of the store when Loia began stabbing her. Loia then ran away, returned with a bat, and beat her over the head repeatedly.

**San Jose, California:****"Stabbing Victim is 8th Homeless Man Slain This Year in San Jose"**

September 27th, 2016: Valentine Cortesoguera, 61, was found stabbed to death in a field by police. This follows the killings of seven other homeless people in San Jose, but the police do not suspect the incidents are related. There have been no arrests made in any of these cases.

**Milpitas, California:****"Homeless Man Shot to Death in Milpitas"**

September 29th, 2016: Police discovered a homeless man, 47, suffering from a gunshot wound on the street after responding to reports of shots fired. He was taken to the hospital where he later died from his wounds. Authorities have not identified any suspects.

**San Jose, California:****"38th Homicide Reported in San Jose Near Homeless Encampment"**

October 10th, 2016: A homeless man was found dead in the parking lot of a Lowe's store about 200 yards from a large homeless encampment. Police searched for the assailant but no suspects were found. The murder was part of a series of attacks on the homeless population in San Jose, during which eight other people lost their lives in 2016.



**Anaheim, California:****"Homeless Man Found Stabbed to Death in Anaheim"**

October 27th, 2016: A homeless man was found fatally stabbed behind a restaurant in Anaheim during the early morning hours. When officers arrived to the scene, they performed CPR but the man was pronounced dead at the scene. An investigation is underway.

**Fresno, California:****"Known homeless man found dead in dumpster remembered"**

January 18th, 2017: A homeless man who was well known in the community, but no one knew his name, was found dead near a Fresno dumpster. The man was found with trauma to his upper body by a security guard.

**Anaheim, California:****"Homeless man found stabbed to death near Anaheim bus stop"**

January 25th, 2017: Anaheim police are investigating the stabbing death of a man whose body was found near a bus stop at a busy intersection. The man was stabbed at least once. Officers and paramedics performed CPR but the man was pronounced dead at the scene. The victim has been identified as a 49 year-old homeless man who frequented the area.

**Riverside, California: \*****"Homeless man hit by car to receive military funeral"**

February 3rd, 2017: A homeless man whom police say was intentionally hit by a car will be buried with military honors. Raymond John Cool, a 60 year-old Navy veteran, lived in a corner of a parking lot where he was struck and killed on Feb. 3rd, 2017. The driver, 55, Lawrence Aaseng has plead not guilty to murder and assault with a deadly weapon. Authorities say Aaseng intentionally hit Cool, who was standing near a tree, then backed up and intentionally hit another car as he tried to flee.

**Fresno, California:****"Fresno Police Believe The Death Of A Homeless Woman And Knife Attack On A Homeless Man May Be Related"**

February 17th, 2017: A middle aged homeless woman was found in the doorway of the Mission Life Church, bleeding from head wounds; she died before paramedics arrived.

**Fresno, California****"Downtown Fresno Homicide Highlights Disturbing Trend of Violence Against Homeless"**

February 27th, 2017: The death of a homeless man who was attacked in downtown Fresno appears to be middle-aged and to have been beaten to death. Police say the man appears to be Hispanic and in his mid 50's, and has died from trauma to his upper body.

<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> Levin, Brian, and John David Reitzel. *Report to the Nation: Hate Crimes Rise in U.S. Cities and Counties in Time of Division & Foreign Interference*. 2018. [csbs.csusb.edu/sites/csusb\\_csbs/files/2018 Hate Final Report 5-14.pdf](https://csbs.csusb.edu/sites/csusb_csbs/files/2018%20Hate%20Final%20Report%205-14.pdf).

## Police Brutality:

### Santa Ana, California:

#### "Police Shoot and Wound Homeless Man During Struggle Outside Santa Ana Civic Center"

August 1st, 2016: Police confronted Richard Gene Swihart, 32 and homeless, outside of the Santa Ana Civic Center near a homeless encampment. The encounter escalated into a physical fight, and the officers fired at least two bullets when Swihart made to grab one of the officer's guns. Swihart was struck in the upper torso and remains in critical condition following surgery. The officers were not injured. The incident follows many complaints by city officials about homeless individuals and encampments near the courthouse.

## Assault with a Deadly Weapon:

### San Francisco, California:

#### "BART Fighting to Fire Station Agent Accused of Beating Homeless Man with Stick"

March 2nd, 2016: Surveillance video has revealed BART station attendant, Paul Bailey, stepping out of his booth as a homeless man approached during the early morning hours. As the homeless man blocked the emergency exit, Bailey took a 2-foot rod from the agent booth and beat the homeless man repeatedly. Bailey then called officers and reported to them that he had first been hit with a stick by the homeless man. Bailey has since been charged with misdemeanor brandishing and battery.

### San Diego, California:

#### "Man Severely Wounded in Crime Against Homeless"

July 4th, 2016: Manuel Mason, 61 and homeless, was severely wounded during the early morning hours by a suspect though to have murdered three other local homeless men. This string of attacks was initially pinned on Anthony Padgett, 36, but was later attributed to John D. Guerrero.

### San Diego, California:

#### "Man Attacked With Hammer In Latest Crime Against Homeless"

July 13th, 2016: A homeless man was attacked while he walked down the sidewalk by an unidentified male with a hammer. He was struck in the head, but his injuries were non-life threatening. The attack came during a spree of violence towards the San Diego homeless population during early July, however, the San Diego police tweeted that the attack did not seem to be connected to the other attacks.

## Beatings:

### Berkeley, California:

#### "Video Shows Berkley Homeless Man Attacked by 'Hospitality Ambassador'"

March 27th, 2016: Two homeless men were harassed and beaten in an alley by two hospitality ambassadors for a downtown business association. The two homeless men were charged with misdemeanor battery charges. Video footage of the incident emerged days later, however, revealing that the ambassador was the true aggressor, repeatedly punching one of the homeless men while the other ambassador restrained the victim's friend. The ambassador has since been fired and the second ambassador has been suspended.

## San Diego, California:

## “Transient Believes Murder Spree Suspect Attacked Him in Hillcrest Canyon”

July 7th, 2016: A homeless man, Phillip Petrina, claims he awoke to a man smashing his hand with a rock. They had an altercation and exchanged blows before the attacker took off on a bike. Petrina suffered a crushed eye socket, fractured hand, and broken jaw. He believes this may have been an attack by serial killer John D. Guerrero. Although Petrina is convinced his attacker was Guerrero, others believe it may have been Petrina’s drug dealer.

July 15th, 2016: An unidentified homeless man, 55, was found badly beaten on July 15, the last in a string of violence against the homeless in San Diego. John D. Guerrero, the suspected perpetrator of most if not all of the concentrated attacks on the homeless in San Diego, was arrested later that morning.

## Harassment:

## Buena Park, California:

## “2 Homeless People Hurt in BB Gun Drive-By Shooting”

July 17th, 2016: Two homeless men were shot with BB guns during two separate drive by shootings. One man was shot in the face twice and taken to the hospital with non-life threatening injuries, while the other man was shot in the face while sitting at a bus stop. Authorities believe the incidents to be connected.

## San Jose, California:

## “San Jose: Homeless Say ‘Machete Jack’ Slashing Their Tents”

August 11th, 2016: A small homeless population located under an overpass in San Jose have been experiencing vandalism of their personal belongings. They say that they would leave for a small amount of time and come back to their tents slashed, belongings sprawled around, and even their bike tires slashed. The attacks have happened in at least three locations in recent weeks. The victims are calling the suspect “Machete Jack” but have not reported the incidents to the police due to a lack of trust in authority.

## Los Angeles, California:

## “L.A. Homeless Woman Posts Video Protecting Trump Walk of Fame Star”

October 27th, 2016: A video posted to YouTube shows an unidentified homeless woman being harassed and falling to the ground as she protected Donald Trump’s star on the Hollywood Walk of Fame. After seeing the video, many people complained that the police didn’t intervene. LAPD Officer Tony Im said the woman incited the crowd with racial slurs. LAPD had filed a battery report but has been unable to find the woman.

## Los Angeles, California:

## “Video: Homeless Man-Sucker-Punched at Hollywood Metro Station”

December 13th, 2016: A man recording live video captured a homeless man, potentially dealing with mental illness, being suddenly punched from behind by an unknown suspect at a Metro station. The man called the police, but both the suspect and the victim had fled the scene.

Pleasanton, California: \*

"Sleeping homeless man attacked under Pleasanton overpass"

August 13th, 2017: A man sleeping under an overpass was injured after being shot more than once with a BB gun. The 51 year-old injured man is expected to survive but suffered several injuries after being shot in the back and arm more than one. The assailants also hit him with a hockey stick. The police searched the area but were unable to find any suspects. They say three people were involved in the attack.

Colorado: 1 lethal, 2 non-lethal

Lethal:

Denver, Colorado:

"Denver Prosecutors Charge Suspect with Murder in Homeless Man's Slaying"

November 5th, 2016: Mikhail Anthony Purpura, 29, shot and killed Wayland Busby, 54 and homeless, during an attempted theft. Busby had been living in a tent and was discovered there by a park ranger during a routine check of the area. Purpura has been charged with first-degree murder and aggravated robbery.

Police Brutality:

Denver, Colorado: \*

"Activist say video shows DPD using excessive force on an unarmed homeless man"

January 18th, 2017: Activists are outraged over a Denver Police body camera video that shows an officer using a Taser on an unarmed homeless man. In the video, the officer fires his Taser less than ten seconds after his first command.

Beatings:

Colorado Springs, Colorado:

"Two youths severely beat homeless man in random Colorado Springs attack"

February 9th, 2017: Colorado Springs police have arrested an 18 year-old man and a juvenile boy after they allegedly randomly attacked a homeless man found sleeping next to a woman outside a business. Raphael Woodridge, 18 was arrested for investigation of second-degree assault and attempt to influence a public servant. The homeless man was taken to a hospital with serious, but not life-threatening injuries.

District of Columbia: 1 lethal

Lethal:

Washington, DC:

"Mourning a Brother, Family Asks for Help Solving D.C.'s First Homicide of the Year"

October 2nd, 2016: Richard Lewis, 57, was attacked early in the morning while sleeping outside of Union Station. The suspect kicked him repeatedly in the head until he passed out, and Lewis never regained consciousness, dying on January 6th, 2017. The police released a video of the person of interest, but the suspect was never found.

Florida: 4 non-lethal

### Police Brutality:

Gainesville, Florida:

“Deputy Fired After Dash Cam Records Abuse of Homeless Man”

September 29th, 2016: Francis Dreessen, 50 and homeless, was petting his dog along a highway when a resident called in to report a “suspicious” man on the road. A police officer, Dominic Bevilacqua, arrived on the scene. As Dreessen attempted to procure his ID for the officer, the officer slammed his head on the hood of the police car and shoved him to the ground. None of his information was known until authorities reviewed dash cam footage, which recorded the brutal abuse. The officer was later fired.

### Assaults with Deadly Weapons:

Fort Lauderdale, Florida:

“Woman Stabs Homeless Woman With Box Cutter After Smoking Flakka, BSO Says”

September 7th, 2016: Marsha Lee Boothe, 25, was arrested after she smoked flakka on a bus bench and then stabbed a homeless woman with a box cutter. She has been charged with aggravated battery with a deadly weapon. Sonja King was sitting on a bus bench when Boothe sat down and started smoking flakka, a synthetic drug. When King got up and left, Boothe followed her. King asked Boothe why she was following her, but Boothe did not respond and instead began cutting King with a box cutter. She left gashes on King’s arms, chest, and breast before fleeing the scene. King spent three days in the hospital where she underwent surgery for a wound on her right arm that had been cut to the bone and received two stitches across her chest. King later spotted Boothe in pubic and reported her to a deputy who arrested her.

### Harassment:

Deland, Florida: \*

“Woman Accused of Allowing Sons to Shoot BBs at Homeless Man”

August 7th, 2016: Amina El-Zayat, 36, is facing charges for allowing her sons to shoot BBs at a homeless man. The victim claims the two boys cursed him before shooting at him as he picked through a garbage can at a gas station. The boys then returned later and shot at him again. Police found the airsoft rifles in El-Zayat’s vehicle. She told police that she was having trouble with homeless people rummaging through her trash at the carwash her family owns. El-Zayat was arrested for aggravated battery, contributing to delinquency of minors, and child neglect charges.

### Beatings:

Melbourne, Florida: \*

“Melbourne police investigate homeless street beating”

March 8th, 2017: a countywide alert was issued for two men who Melbourne police report struck a homeless man with their truck before beating him in broad daylight. Witnesses told police that at least two people were involved in the beating, which left the man, who suffered head and leg injuries, badly bleeding in the street.

Georgia: 3 non-lethal

Rape/Sexual Assault:

Albany, Georgia

"Police Investigate Rape of Homeless Woman"

August 6th, 2016: An unnamed homeless woman sleeping outside of a motel awoke to an unknown man raping her during the early morning hours. When she attempted to resist him, he beat her with a baseball bat. Unfortunately, while this woman reported her rape to the police, another woman treated at the hospital for a similar incident would not report the attack. Police are investigating.

Smyrna, Georgia:

"Georgia Pastor Charged With Alleged Sexual Abuse of 10-Year-Old Girl Staying at Homeless Shelter"

September 18th, 2016: Pastor Danny Wells was arrested and charged for rape and aggravated child molestation. An unnamed homeless girl, 10, told police she had been abused in her bed at The Garden, a recovery center for the homeless in Smyrna, Georgia. Wells was held in prison without bond.

Assault with a Deadly Weapon:

Cobb County, Georgia:

"2 Teens accused of shooting Cobb homeless man"

January 1st, 2017: Two 18 year-olds, Blake Sergel and Cody Gaines, were arrested for the alleged robbery of Robert Rodriguez a homeless man. The two 18 year-olds allegedly robbed Roberto Rodriguez for cigarettes while he was sleeping under a bridge. Sergel allegedly used a .357 magnum to demand cash. Rodriguez was left paralyzed from the waist down after a bullet hit his spine.

Hawaii: 1 non-lethal

Beatings:

Pahoa, Hawaii: \*

"Alleged Assailant Pleads Not Guilty in Homeless Attack"

June 7th, 2016: Christopher Mohrlang, 35, attacked John Hartley, 57 and homeless, while he sat in his wheelchair. Mohrlang poured ice water on a sleeping Hartley, sprayed him with mace, and punched him in the face several times. The attack was caught on video, and following public uproar, Mohrlang turned himself in. Hartley plans to pursue litigation against his attacker, who is also facing charges for attacking Kevin Jenkins, 61 and homeless, on September 23rd, 2015.

Illinois: 1 lethal, 2 non-lethal

Lethal:

Rockford, Illinois:

"Homeless Man Found Beaten, Dead in Rockford 'Tent City'"

September 7th, 2016: A homeless man was found dead in a "tent city," appearing to have been severely beaten. Two people living at the camp called police and directed them to the tent of man in his late 40's who appeared unresponsive and was subsequently pronounced dead at the scene. A death investigation was launched.



## Assaults with Deadly Weapons:

### Naperville, Illinois:

#### "Fire at Naperville Homeless Man's Camp Might Be Arson"

July 18th, 2016: Scott Huber, 66 and homeless, lost both of his tents and all of his possessions in an act of arson, including food, clothes, and data related to his many political battles with the city. Huber believed the suspect was attempting to injure him. James R. Povolo, 72 and a retired Chicago police sergeant, was arrested two weeks later for lighting the tent on fire with a cigarette.

### Chicago, Illinois:

#### "3 Charged With Stabbing Homeless Man in South Loop"

November 23rd, 2016: Officers saw Jerry Teran, 22, Julio Chavez, 22, and Francisco Arroyo, 23, beating up a homeless man, 57, and broke up the fight. The victim had been stabbed 4 times and robbed. The three men were charged with robbery and battery, and one with resistance to police. The victim was taken to the hospital in serious condition.

Indiana: 1 lethal, 1 non-lethal

### Lethal:

### Indianapolis, Indiana:

#### "IMPD Makes Arrest in Homeless Woman's Death"

November 18th, 2016: Margaret A. Means, 65, was in the process of finding affordable housing with counselors at the John Boner Neighborhood center in Indianapolis when she was found dead, bloody and wrapped in a blanket at her usual campsite. Means had suffered from multiple stab wounds. Carolyn Young, 59, was arrested in connection with the death.

## Assaults with Deadly Weapons:

### Hammond, Indiana:

#### "Homeless Man Tells Police He Was Shot In Leg In Hammond"

July 27th, 2016: An unidentified homeless man, 60, thought he heard firecrackers, but realized he had been shot in the leg. A woman picked him up in her vehicle and dropped him off at a hospital around 4:30am. His injuries were non-life threatening. Police have no suspects.

Louisiana: 1 non-lethal

Assault with a Deadly Weapon:

New Orleans, Louisiana:

“Homeless man says he was shot by occupants of a gray car”

August 16th, 2017: A homeless man standing at a neighborhood bus stop said he was shot Wednesday night. The victim and witnesses said a gray car with two or three people inside pulled up and opened fire at the man, striking him in the shoulder, and drove away. The victim refused medical treatment.

Massachusetts: 3 non-lethal

Assaults with Deadly Weapons:

Bridgewater, Massachusetts:

“Homeless Man Stabbed at Bridgewater Apartment Complex”

July 11th, 2016: Christopher Hays, 30 and homeless, was stabbed by three unidentified white males in their late-teens or early-twenties on a basketball court at 8:30pm. Hays was stabbed near his chest and armpit. His girlfriend called the police and he was transported to the hospital. Hays survived the incident. The police investigated the crime, but the suspects were not found and the motive is unknown.

Salem, Massachusetts:

“3 teens rob, use stun gun on homeless man, police say”

February 21st, 2017: Three teenagers are facing robbery and assault charges after attacking a homeless man. The teens ranged from 16 to 17. One of the teens put a stun gun to the man’s face, and sparks could be seen while a second teen punched the man, who fell into a wall. The teens are charged with delinquency by armed robbery, larceny from a person and assault and battery on a person over 60. The 16-year-old is also charged with illegal possession of a stun gun.

Beatings:

Salem, Massachusetts:

“3 arrested in connection to beating of homeless man”

January 16th, 2017: The police were called to a bridge near 1400 block of Glade Street to find 59 year-old Arthur Bloxham Jr. Bloxham Jr. told police that he was sleeping under the bridge when three people started beating him. He was taken to the hospital and placed in intensive care. On January 25th, Tremayne Jaquan Butler, was arrested on complaint of felonious assault in inflicting serious bodily injury. The investigation is ongoing.

## Maryland: 2 lethal

## Lethal:

## Baltimore, Maryland:

"Baltimore City Police's 'Public Enemy NO. 1' Arrested Accused of Fatally Stabbing Homeless Man"

December 7th, 2016: A homeless man, 73, was walking along a highway when he was suddenly stabbed multiple times in the abdomen. The man immediately died from his wounds. Christopher Straham, 19, was arrested after the incident and faces charges for murder, assault, robbery and dangerous weapon with intent to injure. The two are thought to have a pre-existing connection.

## Adelphi, Maryland: \*

"Boys, 13 and 14, Accused of Killing Homeless Man in Maryland"

July 27th, 2017: Elias Portillo, 14, and a 13 year old boy from Prince George's County have been charged in the July 27th death of Francisco Sagastizado. On the morning of July 27th, someone found Sagastizado unresponsive with multiple stab wounds. The officers pronounced him dead. He was 47 years old. According to preliminary investigation, the boys stabbed Sagastizado when he refused to give them money.

## Michigan: 2 non-lethal

## Beatings:

## Traverse City, Michigan:

"Two Men Identified in Homeless Assaults Case"

July 6th, 2016: Maayingan Brauker, 19 and Timothy Boomer, 19, had been arrested and charged with aggravated assault and battery for two separate incidents levied against a group of homeless people. Brauker, Boomer, and two to three other young men threw fireworks and gravel at six sleeping homeless people during the early morning hours, injuring one, one man's eye. The following day during the early morning, Brauker and Boomer kicked, pushed and shoved a group of four homeless people aged 44-62 in the same location. One person was taken to the hospital.

## Harassment:

## Kalamazoo, Michigan:

"Juveniles Shoot Homeless Man in the Face With Pellet Gun After Attempted Robbery"

September 1st, 2016: An unarmed homeless man was sleeping when a group of juvenile suspects attempted to rob him. The suspects then shot him in the face multiple times with a pellet gun and ran off. The victim was treated and released from the hospital. No arrests have been made.

## Minnesota: 1 non-lethal

## Rape/Sexual Assault:

## Minneapolis, Minnesota:

"Man Charged With Raping, Robbing Woman Near Uptown Bus Shelter"

October 23rd, 2016: Elonge Akale, 21, has been arrested and charged in connection with the robbery and sexual assault of an unidentified homeless woman, 67. Akale approached the woman in the middle of the night, stole the two backpacks containing her belongings, and dragged her out of the bus shelter to a nearby wooded area. There, Akale forced the victim to perform oral sex on him for about an hour. She was later treated for injuries to her ribs and face. Akale has since been arrested and charged with first-degree criminal sexual conduct and first-degree robbery.

## New Jersey: 2 non-lethal

## Assaults with Deadly Weapons:

## Clifton, New Jersey:

"Teen Tried to Rob Homeless Woman, Slashed Man Who Came to Her Aid, Cops Say"

July 25th, 2016: A male in his late-teens tried to rob an unidentified homeless woman, 59, attempting to steal her cell phone and cigarettes. The woman's friend, a 49-year-old homeless man, came to help her. The teen, armed with a handgun and knife, slashed the man with the knife and ran away without any of the woman's items. The victims were both treated at the scene. Police are searching for the suspect.

## Beatings:

## Jersey City, New Jersey:

"Homeless Man, Girlfriend 'Jumped' in Jersey City: Police"

August 27th, 2016: An unnamed homeless man, 53, was found by police lying on the pavement with blood dripping from his face. The victim and his girlfriend, 40, report to have been stomped on and jumped by a group of assailants. They were taken to the hospital for treatment. No arrests were made.

## New Mexico: 1 lethal

## Lethal:

## Albuquerque, New Mexico: \*

"Friend: Man Found Decapitated Outside ABQ Wal-Mart Was Homeless"

December 21st, 2016: Clifford Miller, 42 and homeless, was found naked, decapitated, and missing his genitals behind a Wal-Mart by a security guard. Miller's head was not found. The police have no suspects.

## Nevada: 2 lethal

## Lethal:

## Las Vegas, Nevada:

"Mannequin sting catches suspect in Las Vegas homeless murders"

March 7th, 2017: It was 3am when a figure strode back and forth, his attention drawn to a motionless form under some blankets. The man identified by police was Shane Schindler, 30 years-old, who lifted a four-pound hammer with both hands to "generate maximum force" according to police, and brought it down on the recumbent shape "with the intent to kill". At the same location there have been two murders of homeless men since the beginning of 2017. Daniel Aldape, 46 was found dead on January 6th still wrapped in his blankets and was a victim of blunt force trauma. David Dunn, 60, was murdered on the opposite corner on February 3rd, who also suffered extreme head trauma. Shane Schindler plead guilty to one count of attempted murder. He faces up to 20 years in prison.

New York: 2 lethal 6 non-lethal

Lethal:

Harlem, New York:

"Lawyer For Store Clerk Accused of Fatally Stabbing Homeless Man, 18, in Harlem Claims Self-Defense"

October 20th, 2016: Ashton Niles, 18 and homeless, was stabbed to death with a box cutter by Cheikh Fall, 33, a local shop clerk. Fall is charged with murder, but claims his actions were out of self-defense. He is held without bail.

Manhattan, New York:

"Gunman Wandered Into Manhattan Deli After Bryant Park Slaying"

December 17th, 2016: Terrance Walker, 27 and homeless, was fatally shot during a dispute in Bryant Park. Walker was shot in the chest and back after exchanging punches with the gunman. The suspect lingered near the crime scene and was caught on a security camera, but remains at large.

Rape/Sexual Assault:

New York, New York:

"Creep Busted for Sexually Assaulting Homeless Woman As She Slept in Financial District"

August 28th, 2016: An unnamed homeless woman, 39, awoke while sleeping outside a subway station to find an unknown man's penis in her mouth. After screaming for help, cops arrived and arrested Floriberto Chavez-Garcia, 25. He has since been charged with sexual misconduct, public lewdness, and a criminal sexual act.

Assaults with Deadly Weapons:

Queens, New York:

"Police Shoot Knife-Wielding Maniac Who Killed Man, Slashed Woman, Set Homeless Person on Fire in Queens"

March 7th, 2016: A homeless man was set on fire by a deranged slasher who killed a liquor store owner, knifed a mother of four, and burned two cops with caustic liquid before he was shot, ending his rampage. James Dillon, 23, splashed the owner of the liquor store with a chemical and stabbed him before turning on Julio Bolanos, 61 and homeless. Bolanos, who helped out in the store, was doused with the liquid and set on fire. He was listed in critical condition, with a police source saying his burns were severe and had caused his skin to "peel off".

New York, New York:

"Homeless man stabbed in chest while playing chess in Union Square"

August 21st, 2017: A violent trio attacked and stabbed a homeless man who was playing chess in Union Square. The three men approached the 39-year-old victim who was taken to the hospital and was reported in stable condition.

### “Man Repeatedly Stabs Homeless Couple on Two Bridge Waterfront, Police Say”

August 21st, 2017: A man stabbed a homeless couple repeatedly on the Two Bridges waterfront. The attacker walked up to the male and female victims, both 32, and stabbed them multiple times in the torso before fleeing. The couple was taken to the hospital and in stable condition. The attacker was described as a man in his 20's, no arrests have been made.

#### Beatings:

Harlem, New York:

### “Homeless Man Slams Harlem Shelter After Two Workers Attacked Him for Complaining About Grungy Living Conditions”

August 26th, 2016: Alexis Fleming, 34, was attacked by two workers at The Dawn family shelter after complaining for months about the facility's moldy bathrooms and cockroach-infested rooms. Efrain Echevarria, 42, and Erick Jimenez, 40, were charged with misdemeanor assault and issued desk appearance tickets, police said. Officials said that the suspects are not city workers and a new provider had been chosen to run the shelter.

#### Rape/Sexual Assault:

Queens, New York:\*

### “Homeless man robbed, sexually abused while looking for scrap metals in Queens”

February 8th, 2017: Four thieves robbed a 58 year-old homeless man looking for scrap metal in queens-then molested their victim with a soda bottle. The four thieves demanded the homeless man's property. The victim said that he was just looking for scrap metal and meant no harm, but the suspects grabbed him and took his wallet. Then, in an act of sadism, they pulled the man's pants and underwear down and abused him with a Coca-Cola bottle. The victim passed out from the pain, he told police. When he woke up, the thieves, his wallet and his money, which amounted to about \$15, were gone.

Ohio: 2 non-lethal

#### Rape/Sexual Assault:

Cleveland, Ohio: \*

### “ Homeless Woman Found in Cleveland Home Was a Victim of Forced Prostitution, Policy Say”

July 5th, 2016: A missing woman, 18, was held captive for four days and forced into prostitution. The unnamed woman told police she was homeless when she met a man in mid-June at a hospital in Lorrain, who she started dating. He offered to give her a room at an apartment building and she was initially concerned but eventually accepted. However, after she moved in, her boyfriend and Tangelica Ray (18 and another resident of the apartment) forced her into prostitution, trapping her in the apartment when she tried to leave, the group arranged for men to come in to have sex with the woman over the next five days. The first time it happened, the group locked the ma into the room with her, where he proceeded to rape her after her refusal. On July 9th, she grabbed money from the apartment and tried to leave, but the group detained her, slamming her head into the wall, picking her up, throwing her down the stairs, and punching her repeatedly. The woman eventually escaped and ran to a mail carrier, who called 911. She was taken to the hospital for her injuries including a dislocated jaw. The group ran off before police arrived. Tangelica Ray has been charged with promoting prostitution, but no arrests have been made.



## Multimedia Exploitation:

### Columbus, Ohio: \*

"Man Punches Homeless Man, Posts Video on Instagram"

July 22nd, 2016: Terrance E. Pyfrom, 19, posted a video on Instagram showing him punching a 65-year-old homeless man. After the attack, the victim was taunted by a group of men including Pyfrom. Pyfrom pleaded guilty on one count of felony assault and was sentenced to four years in prison. The assistant prosecutor argued the heftier sentence was appropriate due to the nature of the unprovoked attack on a vulnerable man.

## Oklahoma: 2 lethal, 2 non-lethal

### Lethal:

#### Oklahoma City, Oklahoma: \*

"Homeless Woman Dies Days After Being Shot in the Head in S.E. Oklahoma City"

October 22nd, 2016: Two people jumped out of a car and demanded cash and valuables from two homeless individuals, Beth Ann Jordan, 45, and Alexander Irvin Paton, 57. When Jordan and Payton had nothing to give, the suspects shot them. On October 26th, Jordan passed away in the hospital from her injuries. Paton was wounded and the extent of his injuries are unknown. No suspects have been identified.

#### Tulsa, Oklahoma: \*

"Man Charged With Killing Homeless Tulsa Man, Wants A Charged Dismissed"

September 5th, 2017: Jeremy Thacker ran over a group of homeless people behind the John 3:16 Mission. Shawn Birdo was killed, and in a court documents a witness claims Thacker told him he saw a black man and white woman sleeping together and he "did what his brain told him to do, run them over."

### Abductions:

#### Oklahoma City, Oklahoma: \*

"Oklahoma City Police Looking to Identify Suspects Who Allegedly Robbed, Assaulted Homeless Man"

October 12th, 2016: An unnamed homeless man was walking when two men and two women pulled up in a green truck and offered him a ride. After he accepted, they took the man to a motel parking lot, where they proceeded to rob and assault him. The four suspects have not been identified.

### Harassment:

#### Tulsa, Oklahoma:

"Tulsa Police: Homeless Man Shot in Neck with BB Gun"

July 12th, 2016: An unidentified homeless man, 48, was walking down a street when a young man shot him in the neck with a BB gun several times. The victim was taken to the hospital to treat his injuries. It is possible the attack is connected to a series of BB gun shootings that occurred a month earlier, when a group of young men shot three homeless men in one week. One man was taken to the hospital.

**Oregon: 1 lethal, 4 non-lethal****Lethal:**

Portland, Oregon: \*

“Homeless man killed struggled with mental illness”

February 20th, 2017: Jason Peterson, 32 was shot and killed when confronted by the owner of Golden Key Insurance Agency about property he had left in front of the business. Charlie Chan, the business owner who reportedly shot Jason, hasn’t been charged.

**Police Brutality:**

Ashland, Oregon:

“Ashland Arrest Video: Proper Policing or Excessive Force?”

May 19th, 2016: A video posted to Facebook depicted five Ashland police officers piling on top of Charles Albert Colenaty, 31 and homeless, who is autistic. Colenaty allegedly attempted to explain to the police that their actions towards another homeless man—harassing and ticketing his friend for having an unvaccinated disability service dog in public – violated federal law. The bystander began recording video when the Ashland cop approached Colenaty and physically confronted him. A statement released by Ashland police say that the homeless man aggressively approached officers, but the video shows the police muscling Colenaty to the ground while he says he is autistic and that they were hurting him. Body camera video has been released within the police department, but has not been released to the public because it is part of a pending court case. The homeless man in question, Charles Albert Colenaty, pleaded not guilty to misdemeanor resisting arrest, interfering with a police officer, and second degree disorderly conduct charges.

**Harassment:**

Portland, Oregon:

“Harassed Homeless Woman: I Was Ridiculed, Yelled At”

August 24th, 2016: Korey and John Hoekstra, homeless and living in an RV, have been routinely harassed by Jeremy Kidwell, a man living nearby. Upon parking in an area with numerous other homeless residents, Kidwell threatened them, set off fireworks, and eventually left a homemade improvised pipe bomb near their RV. Kidwell was arrested and faces three felony charges. During his arrest, he admitted he was tired of the transient population.

**Assault with Deadly Weapons:**

Portland, Oregon:

“Man angry with homeless tosses homemade bomb under dilapidated RV, avoids jail time”

January 23rd, 2017: A 46-year-old man was upset with homeless people living in his Portland neighborhood and took action into his own hands. He made a homemade bomb under a homeless woman’s dilapidated RV. Jeremy Patrick Kidwell plead guilty to unlawful manufacture of a destruction device and was sentenced to 2 years of probation.

## Beatings:

### Portland, Oregon:

"A Homeless Portland Student is Suing Security at Safeway for Allegedly Interrupting His Panhandling With a Beating"

April 5th, 2017: In April, Westley Foster, 19 and homeless, was beaten by Safeway security while panhandling. He was there for about 15 minutes, when two security guards dressed in blue uniforms came out to confront him. Chris Templeton approached Foster and told him he couldn't stay in front of the store. Foster says he responded that he had a right to be on the public sidewalk. During their conversation a second security guard, 19 year old Ibrahim Seraphin walked up to Foster and pushed him off the curb and into a busy street. When Foster turned around to pick up his backpack which was used to carry his school books is when Seraphin started beating him with a baton. Seraphin and Templeton handcuffed Foster. Foster had bruises on his ribs and back from being shoved and beaten.

Pennsylvania: 1 Lethal 1 Non-Lethal

### Lethal:

#### Coatesville, Pennsylvania:

"Police: Homeless Man Shot and Killed in Coatesville"

August 26th, 2016: Police discovered a man with several gunshot wounds after responding to reports of shot fired in the area. The man was pronounced dead on the scene. The victim was identified as a man experiencing homelessness, "materially and mentally lost", from a nearby county who occasionally stayed in Coatesville shelters. The perpetrator has not been identified.

### Multimedia Exploitation:

#### Location; uncertain: \*

"Infuriating Video Shows Meek Mill Making Homeless Man Do Pushups For \$20"

February 25th, 2017: Meek Mills, Philadelphia rapper used Instagram's Stories feature to post a series of videos showing a homeless man asking for some change. Next it showed the 29 year-old rapper telling the homeless man to do pushups for \$20. The rapper stated, "We ain't going to give out no free money." The next video shows the man doing 20 pushups as Meek Mill counts.

South Carolina: 1 non-lethal

### Beating:

#### Anderson, South Carolina:

"Homeless 'Man on Main Street' Jessie Alexander beaten and robbed in Anderson County"

September 5th, 2017: Alexander, 74, has been homeless off and on for more than a decade. Alexander asked a resident at the Red Roof Inn (where he is also staying) to drive him to do a few errands. Alexander stated, "It started out fine, but then he sprayed mace in my eyes and hit me in the head with something and knocked me down. I tried to fight back, but I couldn't see with that mace in my eyes. I had a bag strapped on me and he cut them off. The he stole my car. He got \$233 and my ID and my pills and my heart and high blood pressure". The suspect is still at large.

## Tennessee: 2 non-lethal

## Assaults with Deadly Weapons:

## Nashville, Tennessee:

## “Robber Uses Rock to Steal from Homeless Man in Nashville”

October 31st, 2016: An unnamed homeless man was approached from behind by an unknown stranger and hit on the head with a rock. His possessions were then stolen. The victim’s injuries were minor. The police have not released any further information.

## Nashville, Tennessee:

## “Woman shoots homeless man who asked her to move Porsche: cops”

August 26th, 2017: Twenty Six year old Katie Quackenbush was charged with shooting 54 year-old Gerald Melton near Music Row. Metro Nashville police say Melton was disturbed by exhaust fumes and loud music coming from Quackenbush’s Porsche SUV while trying to sleep at 3:00am, and asked her to move the vehicle. Police say the two began yelling at each other, and that is when Quackenbush exited the vehicle and shot Melton twice before running up the street.

## Texas: 5 non-lethal

## Police Brutality:

## Houston, Texas:

## “Video Released of Houston Police Beating Homeless Man”

September 15th, 2016: Daniel Reynoso and Jarius Warren, two police officers, approached Darrell Giles, a homeless man, at a light rail station. Warren hit Giles with a baton multiple times. Reynoso stopped Warren, but later helped him pin Giles to the ground. Warren pulled Giles’ underpants down. Later, the two officers arrested Giles, charging him with criminal trespassing and resisting arrest. The charges were dismissed and Giles was released from jail. A surveillance video of the beating was released to the public. Following the release, Warren resigned from his position but Reynoso returned to service after additional training.

## San Antonio, Texas:

## “Fired San Antonio Officer Admits To Giving Poop Sandwich to Homeless Person”

December 6th, 2016: Matthew Luckhurst, a former San Antonio police officer, found dog poop, bread, and a container on the ground, put it in together, and set it by a homeless man as a joke to entertain his colleagues. The officer came back and threw away the poop sandwich himself. He was later fired as a result of the incident.

## Assaults with a Deadly Weapons:

### San Antonio, Texas:

#### "Homeless Man Stabbed; Police Searching for Attacker"

September 6th, 2016: An unnamed homeless man was stabbed at a car wash during the middle of the night. The victim sought out a friend and was taken to the hospital in critical condition, suffering from multiple stab wounds. Police said the attacker ran away from the scene toward the parking lot of a nearby Wal-Mart and has not yet been located.

### Amarillo, Texas:

#### "Homeless Woman Stabbed Stopping Personal Robbery"

September 17th, 2016: An unnamed homeless woman was sleeping in an alley when she felt her purse being taken away. Her boyfriend pushed the suspect away, but the suspect began swinging a knife before stabbing the woman's leg. The victim was taken to the hospital with non-life threatening injuries. Police are investigating.

### Houston, Texas:

#### "HPD: Property owner shoots homeless person in Museum District"

August 22nd, 2017: Police say tempers flared when a homeless person stepped onto the man's property. The homeowner then opened fire, shooting the homeless person. Suspect still at large.

Washington: 5 lethal, 2 non-lethal

Lethal:

### Seattle, Washington:

#### "Two dead in 'very target' shooting at camp for homeless people in Seattle"

January 26th, 2016: Two people were killed and three were injured during a shooting at "The Jungle" homeless encampment. Police believe the incident was "very targeted" and have identified two "persons of interest". One unidentified woman died on the scene, while a man died later at the hospital.

Auburn, Washington:

“Auburn Police Investigating Death of Homeless Man as a Homicide”

July 19th, 2016: An unidentified homeless man in his mid-twenties was found dead in Fenster Park. He was thought to have been living in a tent near Green River. The police believe the death was homicide and have opened an investigation.

Kent, Washington:

“Kent Police Search for Suspects After 2 Homicides at Homeless Encampment”

August 13th, 2016: Kent police discovered two homeless individuals shot to death at a local homeless encampment. The first, a woman, had been shot several times, and they found the body of a man at the same location a day later. While police did not release a possible motive, they suspect that the homicides were related, and are looking for a male suspect.

Seattle, Washington:

“Driver Accused of Killing Homeless Man in Tent Booked on Vehicular Homicide, Felony Hit-And-Run”

September 12, 2016: A homeless man was killed by a car traveling north on Interstate 5. Oscar Gutierrez-DeJesus ran over a tent where Walter L. Burton, 19 was asleep inside, then taking off on foot. Gutierrez-DeJesus, was later arrested and booked on vehicular homicide and felony hit-and-run charges.

Seattle, Washington:

“Man Fatally Shot by Officer Near Homeless Camp Identified”

October 12th, 2016: Police officers discovered two men in a knife fight during a homeless encampment sweep. When the officer tried to separate the two men, one of the police officers, Sgt. Heidi Tuttle, fired and wounded Michael L. Taylor, 41. He later died in the hospital from multiple gunshot wounds.

Assaults with Deadly Weapons:

Seattle, Washington:

“Two Dead in ‘very targeted’ shooting at camp for homeless people in Seattle”

January 26th, 2016: Two people were killed and three were injured during a shooting at “The Jungle” homeless encampment. Police believe the incident was “very targeted” and have identified two “persons of interest.” Two women and one man, ages ranging from 25-45, received surgery for injuries to the chest, abdomen, and back.

Seattle, Washington:

“Woman Charged with Shooting of Homeless Man in South Seattle”

June 23rd, 2016: Chrystina Atkeson approached a homeless man working at a car-detailing shop and shot the man in the stomach. Atkeson then fled the scene and the man was taken to the hospital with serious injuries. Court records state that the shooting occurred because the man owed Atkeson \$100. Atkeson was charged with first-degree assault.

Wisconsin: 1 non-lethal

Beatings:

Madison, Wisconsin:

“Madison Man Arrested After Attacking Homeless Man”

August 27th, 2016: Philip McDonald, 33, was arrested for attacking a homeless man. McDonald claimed that the man provoked him, and the homeless victim suffered a broken nose and cuts that required stitches.



## Appendix E: How NCH Estimates the Total Number of Deaths

Our researchers compared published homeless deaths reports and data collection from Homeless Persons' Memorial Day events to HUD Point-In-Time Count total and unsheltered numbers. On average in 2016, homeless deaths were 1.3% of the Point-In-Time Count numbers and 6.3% of the unsheltered population. In 2017, homeless deaths were 1.5% of the total Point-In-Time count numbers and 6.8% of the unsheltered population.

If we use the alternative count suggestion (found on page 8) of 1 million people experiencing homelessness, 1.3% would be 13,000 deaths in a year, meaning 36 die every day.

an average of  
**36** people who are  
experiencing  
homelessness  
die **EVERYDAY**

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Adam C. Sloane, Esq, MAYER BROWN LLP

**Thank you to the millions who have experienced housing instability. Your ongoing strength, determination, and kindness, in the face of hate for your situation, inspire us daily. If you have experienced violence because of your housing status, and your story is not printed, please know you are not forgotten. Your health and safety are our top concerns. Please consider reporting violence to local law enforcement.**

**This report is dedicated to Michael Stoops (1950 - 2017) and Rufus Hannah (1954 - 2017).**