

Statement of the
Downtown Spokane Partnership
Board of Directors –

Policy Platform on Addiction,
Mental Illness, Housing, and Crime
in Downtown Spokane

February 2, 2022

Statement of Purpose: Following increasing concern over the evident deterioration of public safety, the Board of Directors of the Downtown Spokane Partnership commissioned independent third-party research firm EMC Research to survey the members and ratepayers of the Downtown Spokane Partnership and Business Improvement District. The survey was conducted in November of 2021 and generated three-hundred ninety-one individual responses. The recommended policies which follow are drawn from the conclusions of the survey and are offered to our local and regional policymakers to help resolve the interconnected crises of addiction, mental illness, and crime among the unsheltered in the streets of downtown Spokane. The conditions so many of our unsheltered mentally ill and addicted live in are inhumane. Real compassion is not enabling life on the street but rather helping people off the street. This can be summed up as a wholistic approach for those who need the community's engagement to regain control of their lives.

1. Provide adequate emergency shelter: The growing unsheltered population has proceeded from one crisis to another due to foreseeable weather conditions given Spokane's climate. Additionally, the laws of the City appear to be going underenforced due in part to an insufficient amount of emergency shelter. **Recommendation:** Select a site and fund the needed improvements to provide emergency shelter in an adequate amount to provide for the unsheltered who are otherwise camping on sidewalks and in private and park lands. Proposals have been submitted to the City which meet a variety of criteria. For those criteria that are not met by the proposed shelter sites, ARPA and similar funds should be allocated to bring them up to the required standard. Additionally, finalize and implement a system which tracks real time shelter availability.

2. Distribute social services regionally: Downtown from the railroad viaduct to I90 serves as the hub for emergency services and shelter for eastern Washington. The super-concentration of services and subsidized housing creates a ready-made market for criminals to prey upon the vulnerable. **Recommendation:** No further services, emergency shelters, low-barrier housing, intake centers, safe injection sites, and purpose-built public restrooms should be built in downtown. Distribute services equitably across the region and provide services as close as possible to the communities the unsheltered originate from. Foster a regional approach to emergency shelter with social service partners and lawmakers in the County.

3. Focus on restoring mental and physical health: Those who suffer from addiction and mental illness are the fundamental factors of this crisis. There is a role for subsidized housing and emergency shelter but the ever-increasing provision of no and low-barrier housing alone does not directly address this problem because without structure and accountability, conditions only worsen. **Recommendation:** Lawmakers at all levels must work urgently to redirect funds intended for other purposes to the treatment of addiction and mental illness. Lawmakers should also consider expanding the Involuntary Treatment Actⁱ given the overpowering effects of readily available street drugs on users and the urgent need for individual intervention. Finally, local leaders should insist on receiving a fair portion of the \$60 million committed for addiction treatment.

4. Establish structured, regulated environments for the mentally ill: The mentally ill on the streets of downtown are a large subset population of the unsheltered. Due to the poor conditions of mental institutions in past decades, state policy makers have sought to shelter the mentally ill in the Least Restrictive Alternative to the state's legacy mental institutions. While it may have helped in many cases, it has also led many from structured institutional settings to group homes, to the criminal justice system and ultimately, to the streets.ⁱⁱ **Recommendation:** Funding at the state level is readily available to reverse this policy and provide structured, institutional environments that those who suffer from mental illness need. Local leaders must advocate for the funding of treatment programs in the context of facilities that keep the suffering off of the streets.

5. Meet the demand for housing: Demand for rental housing has outstripped supply leading to 1% vacancy rates and across-the-board rent increasesⁱⁱⁱ. Concurrently, lawmakers across the state have a long-standing preference for subsidized housing while also limiting low-cost market-built housing through land-use and zoning regulations. **Recommendation:** Permit the development industry to meet the demand of regional population growth by reversing the effects of an artificially constrained growth boundary, and also support necessary changes to foster in-fill development. As the private-sector development industry takes the lead in adding low-cost housing, reallocate resources for subsidized housing to mental illness and addiction treatment programs.

6. Correctly interpret and apply Martin v. City of Boise: It appears the City has taken an overly-broad view of how to construe the Martin v. City of Boise case, and has resultingly reduced the enforcement of a number of laws^{iv} vital to the well-being of downtown. Conversely, a growing number of cities in the western US have come to correctly understand that the decision permits cities to enforce no-camping ordinances, so long as campers are not jailed^v. The City's existing no-camping ordinances already possess the needed time, place and manner limitations to meet the requirements of Martin v. City of Boise. **Recommendation:** Renew the enforcement of the laws that have gone underenforced and make the no tolerance for camping in designated zones clear to the public, particularly in the already existing no camping zone in downtown that encompasses the viaducts, emergency shelters, and emergency food distribution in south downtown.

7. Reestablish the basis for proactive policing: Legislative changes and judicial orders in the state of Washington have brought proactive/neighborhood policing to a halt. This has undermined gains made for downtown by establishing the precinct in the core and expanding the number of its officers. Among recent legislative changes is the increased evidentiary standard for police to question suspects, from reasonable suspicion to probable cause^{vi} which according to the Executive Director of the Washington Association of Sheriffs and Police Chiefs "...effectively eliminated 'Terry' stops in our state and are the most restrictive laws on proactive policing in the nation."^{vii} **Recommendation:** Given notable statewide increases of property and violent crimes in 2021^{viii}, every opportunity should be taken to petition for necessary changes to laws that support peace and order in downtown, policies which include restoring reasonable suspicion, permit police to conduct pursuits, and engage in questioning of suspects.

8. Amend drug legalization: Fentanyl-involved deaths in King County spiked by 150% in the third and fourth quarter of 2021^{ix}, which correlates with the implementation of sweeping changes to drug policy in the wake of the State vs. Blake decision, and the CDC notes a 29% increase in overall drug-related fatalities in 2021. The legislature responded to State v. Blake by seeking to reestablish some amount of legal control over street drugs (including cocaine, heroin and methamphetamines) through making the third or subsequent citation a misdemeanor. However, to the average person it appears to be a full decriminalization, which is the case with 57% of respondents to the EMC Research survey. Eliminating the possibility of nearly all interactions between addicts and the criminal justice system contributes to speeding up the irreversible effects, ultimately death, from street drugs, when many people who overcome these addictions point to arrest and jail as the moment when they seized the determination to turn their lives around. **Recommendation:** Seek to overturn the legislation which effectively decriminalized drugs, and/or, build and staff treatment facilities which get addicts the treatment they need.

9. Get downtown back to work: After twenty-plus years of investment, downtown has a major entertainment, hospitality, retail and tourism sector, in addition to existing the commercial office market. These are precisely the sectors most directly impacted by the COVID pandemic, and it appears that the pandemic is on its way to becoming endemic^x. **Recommendation:** The private and public sectors must initiate planning for the return of employees and visitors as soon as possible, in order to recover as much pre-pandemic foot traffic and business activity as possible.

Endnotes

ⁱ Washington State Healthcare Authority, [Ricky's Law: Involuntary Treatment Act](#)

ⁱⁱ Comprehensive Psychology, [Deinstitutionalization of the Mentally Ill: Evidence for Transinstitutionalization from Psychiatric Hospitals to Penal Institutions](#), January 3, 2013

ⁱⁱⁱ Spokane Journal of Business, [Low vacancy rates drive up rents costs in Spokane area](#), June 3, 2021

^{iv} City of Spokane laws appearing to go underenforced due to overly broad construal of Martin v. Boise:

SMC Section	Description of Violation	Penalty
10.06.015	Urinate or defecate in public	Misdemeanor
10.08A	Chronic nuisance properties	Class 1 civil infraction
10.10.025	Interference with Traffic/aggressive solicitation	Misdemeanor
10.10.026	Sitting, Lying on Sidewalk in a Designated Zone	Misdemeanor
10.10.027	Regulation of Solicitation	Misdemeanor
12.02.0737	Obstruction, Encroachment of Public Ways	Class 1 civil infraction
12.02.1010	Unauthorized Camping on Public Property	Misdemeanor

^v California Real Property Journal, [Breaking the Legal Paralysis: Combatting California's Homelessness Crisis After Martin v. City of Boise](#), July 2021

^{vi} Crosscut.com, [What new WA police accountability laws do and don't do](#), July 28, 2021

^{vii} Washington Association of Sheriffs & Police Chiefs, [Executive Director's Newsletter](#), December 17, 2021: p.2, second bullet.

^{viii} *ibid* "...auto thefts are up 50% statewide since the new laws went into effect.", p.2, fourth bullet.

^{ix} King County Medical Examiner's Office [Fatal Overdose Dashboard](#)

^x Boston Globe, [COVID may become endemic - meaning the virus and its mutations may never disappear](#), January 8, 2022