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ABSTRACT
This paper examines racialized encounters with the police from the perspectives of people experiencing homelessness in San Diego, California in 2020. By some estimates, homelessness doubled in San Diego during the first year of the COVID-19 pandemic. We conducted a survey of \( n = 244 \) and interviews with \( n = 57 \) homeless San Diegans during initial shelter-in-place orders, oversampling for Black respondents, whose voices are often under-represented despite high rates of homelessness nationally. Our respondents reported high rates of police contact, frequent lack of respect; overt racism, sexism, and homophobia; and a failure to offer basic services during these encounters. Centering our Black respondents’ experiences of criminalization and racism in what Clair calls “criminalized subjectivity,” we develop a conceptual framework that brings together critical theoretical perspectives on the role of race in the governance of poverty and crime. When people experiencing extreme poverty face apathy, disrespect, and discrimination from police—as our data show—the result is a reluctance to seek services and to engage with outreach when offered. This reinforces stereotypes of unhoused people as not “wanting” help or “choosing” to be homeless. We reflect on these findings and our framework for envisioning a system of public safety that supports and cares for—rather than punishes—the most vulnerable members of our society.

KEYWORDS
Homelessness, policing, criminalization, critical race theory, poverty governance

Introduction
What are the ethical implications of asking our most vulnerable residents to seek services from individuals they often perceive as perpetrators of harm? This is the scene in many cities across the United States, where police officers offer services to people experiencing homelessness as well as engage in ticketing and encampment sweeps. This article presents a conceptual framework that integrates theorizing on racialized poverty governance (see e.g., Soss et al., 2011; Watkins-Hayes, 2009) with critical race theorizing on the U.S. criminal-legal system generally (e.g., Murakawa & Beckett, 2010; Van Cleve & Mayes, 2015) and on policing practices especially (e.g., Muhammad, 2010; Welsh et al., 2021). We do so by showing how the policing of homelessness—where racial dynamics are often obscured by framing police officers as “first responders” to homelessness—exacerbates racial inequality. Using empirical data, we illustrate that when people experiencing extreme poverty face apathy, discrimination, and disrespect from police, the result is a
reluctance to seek services proactively, as well as to engage with outreach when offered. This then
drives self-reinforcing stereotypes of unhoused people that they do not “want” help or are
“choosing” to be homeless. We root our analysis in what Clair (2021) calls “criminalized sub-
jectivity” by starting from people’s experiences of racism and criminalization to not only under-
stand how these forces co-produce marginalization, but also to center these perspectives in
envisioning change both within and beyond our current criminal-legal system.

Our framework is rooted in findings from a study conducted in San Diego, California in the
Summer and Fall of 2020 that sought to understand unhoused San Diegans’ experiences during the
initial shelter-in-place orders of the COVID-19 pandemic. Using remote survey technology, we con-
ducted a survey of \( n = 244 \) and follow-up interviews with \( n = 57 \) unhoused San Diegans. We
were able to oversample for Black respondents (more than 45 percent of our survey sample and
31.6% of our interview sample), whose voices are often under-represented despite high rates of
homelessness and housing insecurity nationally. Our respondents reported not only high rates of
police contact, but also frequent lack of respect; overt racism, sexism, and homophobia; and a fail-
ure to offer basic services during these encounters. Drawing on these narratives, we develop a con-
ceptual framework that brings together critical theoretical perspectives on the role of race in
poverty governance and in our criminal-legal system generally, and policing practices in particular.

**Literature review**

In highlighting the lived experiences of Black unhoused people, this research draws on several
bodies of literature important to public administration, public policy, criminology, and criminal
justice. One is the literature on poverty governance, street-level encounters in poverty governance,
and the racialized nature of these systems. Another is the racialized nature of policing in the
United States, and the pervasive criminalization of unhoused people in their street-level encoun-
ters with police. A third is literature on system distrust by unhoused people based on negative
system interactions.

**Poverty governance, racialized policing, and the criminalization of survival strategies in
the COVID-19 era**

Black unhoused people live at the nexus of multiple systems of injustice and oppression. Black
renters in San Diego, California are more rent burdened than anywhere else in the United States
(Kim, 2021), and housing insecurity in Black communities has been systematically cemented by
public policy (e.g., Taylor, 2019) that redlines communities and stymies homeownership. The
United States treats those in poverty as problems to be managed (e.g, Piven & Cloward, 1971),
whose aid is dependent on appropriate behavior (Katz, 1997), and whose behavior is constantly
monitored for signs of deviance (Gustafson, 2011). Due to structural racism, BIPOC communities
are considered particularly at risk of deviance and in need of monitoring (Schram et al., 2011;
Schram et al., 2009).

Decades of scholarship have documented sustained disparities in the treatment of people of
color within our criminal-legal system as compared to White people (e.g., Murakawa & Beckett,
2010). Indeed, it was these sustained disparities, particularly in police misuse of force incidents,
that led the American Public Health Association to declare in 2018 that policing in its current
form constitutes a threat to public health (APHA, 2018). Likewise, the basic survival strategies of
unsheltered people are criminalized through an ever-evolving set of anti-homeless laws (Selbin
et al., 2016), which cities frequently change so as to avoid lawsuits (Welsh & Abdel-Samad, 2018).

Public opinion often drives such legal maneuvers, as well as policing behavior (Herring, 2019),
as unhoused people must be removed from public view lest they have negative impacts on local
businesses or home values (Bonds & Martin, 2016). The enforcement of these laws creates a
context that Herring et al. (2019) term “pervasive penalty.” High rates of unwanted police encounters that often do not result in arrest, but that nevertheless can produce a wide range of harmful effects, including constant displacement, loss of personal belongings, and the receipt of citations that can turn into arrest warrants for non-payment.

Unsurprisingly, a central survival strategy of unsheltered people under the pervasive penalty regime is avoidance of police at all costs (Stuart, 2014; Welsh & Abdel-Samad, 2018; see also Brayne, 2014). Unsheltered people often seek out hidden or more remote locations for shelter, in part out of fear of policing, which leads to a host of risks to health and well-being, including increased risks of: infectious disease due to lack of access to basic sanitation (Leibler et al., 2017), injury or death due to vehicles (Schmitt, 2020; Hickox, 2014), death due to heat (Dialesandro et al., 2021; Schwarz et al., 2022) or cold exposure (Holland, 2019), as well as reduced likelihood of contact with social service outreach (Flanigan & Welsh, 2021).

Unsheltered Black people, therefore, confront a daily existence at the intersection of these risks, trying to survive while poor, Black, and unhoused—any of which would be difficult on its own. Together, these dynamics comprise a context in which discrimination, harsh punishment, and lack of care are common features of daily life.

The COVID-19 pandemic has laid bare longstanding structural inequities across our public systems, with poor people and people of color continuing to die of the virus at disproportionately high rates (Yong, 2020). Unsheltered people in particular have experienced record-setting premature deaths due not only to COVID-19 and the issues noted above, but also to drug and alcohol overdoses (Roy & Rosenstock, 2021). By some estimates, homelessness doubled in San Diego during the first year of the COVID-19 pandemic (San Diego Regional Task Force on the Homeless [RTFH], 2021). Major cities have continued encampment sweeps and the enforcement of anti-homeless laws amid shelter-in-place orders, contrary to guidance from the Centers for Disease Control and Prevention, which advises that homeless encampments should not be cleared during community spread of the virus unless and until individual housing units are available (CDC, 2021; Halverstadt, 2020, 2021; Warth, 2021). Lastly, people of color and poor people have experienced the brunt of new forms of criminalization that have arisen during the pandemic, including the enforcement of shelter-in-place and other public health orders (Emmer et al., 2020; Gibbons et al., 2021).

**Racialized poverty governance and street-level encounters**

The project of “poverty governance” has been sustained in our society regardless of varying political sympathies toward people experiencing poverty. The poor are treated as a problem that requires managing (Piven & Cloward, 1971), and whose management requires frequent and repeated interaction with the state. While all community residents have some interaction with the state (e.g., teachers, a TSA agent while headed off on vacation), poor and minority communities have disproportionately high levels of interaction with government, and the street-level government staff on the front lines of poverty governance have disproportionately high influence on the lives of the poor (Lipsky, 1980).

A major aspect of the state project of poverty governance is “improving” the poor (Katz, 1997) with paternalistic efforts to incentivize “good” behavior, penalizing “bad” behavior by heavily monitoring the poor, and making aid dependent on one’s conduct (Mead, 1997, 1998; Schram et al., 2011). The state engages in the monitoring of highly personal aspects of the private lives of the poor, including family life and raising of children, substance use (and abuse), even demanding information about one’s house guests or detailed accounts of one’s sex life (Abramovitz, 1988; Gordon, 1994). BIPOC communities are disproportionately impacted by these processes of monitoring, establishing compliance, and penalizing noncompliance (Schram et al., 2011; Schram et al., 2009).
Street-level bureaucracies and their staff also are in a position of constructing and allocating deservingness. Social policy requires substantial discretion on the frontlines (Nothdurfter & Hermans, 2018), but ways that deservingness is constructed impact how the poor are greeted by agencies (Djuve & Kavli, 2015). Street-level bureaucrats may bend rules for those they deem “deserving,” while using rules to withhold or reduce services for those they deem “undeserving” (Riccucci, 2005).

It is important to note that many frontline staff are committed to serving the public and many street-level workers themselves are concerned by rules and limits placed upon them by their agencies (Lipsky, 1980; Watkins-Hayes, 2009). Rules often are created not to better protect those seeking services, but to restrict the generosity of street-level workers providing services (Suvarierol, 2015). Street-level bureaucracies are not necessarily negative for individuals seeking assistance, and the public management and social policy literature discusses both the problems and the benefits of bureaucratic discretion for vulnerable individuals (Nothdurfter & Hermans, 2018). However, the frequent repeated interactions that many poor people experience can lead to negative impressions of street-level bureaucrats and the agencies within which they work (Lipsky, 1980).

**Racialized policing and street-level encounters**

One of the street-level bureaucracies most commonly encountered by unhoused people is police, as police often act as first responders to issues of homelessness (Goodison, 2020). Decades of research demonstrate that BIPOC people, and Black people in particular, have disproportionately negative encounters with police, often for very low-level offenses. Implicit and explicit bias in officer decision-making leads to stops, searches, arrests, and use of force often disproportionate to the level of the offense (Brunson, 2007; Epp et al., 2014; Fagan et al., 2014; Welsh et al., 2021; Chnin et al., 2018). Such “over-policing,” frequently perceived as harassment and even “bullshit” (Barrett & Welsh, 2018) by those subjected to it, often occurs simultaneously with “under-policing” in poor or otherwise marginalized communities, contributing to a sense that the police are “never there when you need them” (Brunson & Weitzer, 2009; Carr et al., 2007; Gau & Brunson, 2015). Generations of direct and vicarious unwanted police encounters have been shown to erode mental and physical health in ways we are only beginning to understand (Bandes et al., 2019; Brunson, 2007; Geller et al., 2014; Kerrison & Sewell, 2020). Unsurprisingly, the accumulation of these experiences contributes to what some scholars call “legal cynicism,” a perception that the law and the agents who enforce it are “illegitimate, unresponsive, and ill-equipped to ensure public safety” (Kirk & Matsuda, 2011, p. 444; see also Carr et al., 2007).

**System avoidance and distrust by people experiencing homelessness**

Individuals experiencing homelessness encounter numerous hurdles in gaining access to and then effectively using a variety of services. Bureaucratic processes and complicated and confusing procedures make interacting with agencies difficult for many vulnerable populations (Brodkin & Majmundar, 2010), including individuals experiencing homelessness (Alden, 2015). Many individuals experiencing homelessness lack identification documents, and that in combination with a lack of a physical address makes intake processes complex (Zlotnick et al., 2013). Basic tasks such as keeping appointments can be challenging due to the time-intensive process of accomplishing basic tasks of survival, and different perceptions of time (Levy & O’Connell, 2004; O’Connell et al., 2010; Zlotnick et al., 2013).

Agency-level factors also play a role. As discussed earlier, street-level workers determine eligibility for services, and oversee the services individuals receive (Lipsky, 1980; Maynard-Moody & Musheno, 2005; Watkins-Hayes, 2009). Often these interactions can be perceived as negative by
the potential service recipient, with frequent service denials that may not be well-understood by a person experiencing homelessness. The process of determining eligibility can be arduous and intrusive. Burdensome processes often are the result of broader organizational priorities, such as external pressure on an agency to decrease enrollment in benefits (Alden, 2015; Brodkin & Majmundar, 2010). Staff practices may be an effort to address vague policies, low resources, and workplace pressures (Alden, 2015; Hoybye-Mortensen, 2015). All of these factors trickle down to the experience of the individual who needs services.

These myriad factors mean that unhoused people often distrust service providers, and are interested in avoiding institutions (Levy & O’Connell, 2004; Zlotnick et al., 2013). Current service systems are not designed to meet the intensive needs of unhoused people, as well intended as providers may be (Levy & O’Connell, 2004). For example, apathy, discrimination, and disrespect toward unhoused people are documented in healthcare settings, and as a result, many unhoused people avoid service systems until problems become emergencies (Bourgois & Schonberg, 2009; Zlotnick et al., 2013).

Importantly for this article, research shows that individuals project their experiences with one set of street-level actors onto their expectations of government programs as a whole. As a subject in Soss’s (1999) seminal study illustrates,

I don’t know if people in the government would be responsive to me. If it’s anything like trying to deal with the AFDC system, I don’t see how. And to me, AFDC, the Department of Social Services, Department of Child Protection, Juvenile Court, those are all the same system. And I have not had luck with any of those systems … I would expect the same sorts of treatment in Congress or wherever … That’s why I say the government is all just one and the same program with different departments (Soss, 1999, p. 376).

In U.S. homelessness policy, the police are often the frontline responders to crises of homelessness. Many unhoused people who have had repeated negative interactions with police feel they have no logical reason to expect different treatment from other government service providers.

**Methodology**

Using remote survey technology (text-messaging using TextIt and web-based using Qualtrics), our research team partnered with local service providers and homeless advocates to conduct a survey of unsheltered San Diegans ($n=244$) in Summer 2020. We circulated a flier containing information about the study and how to enroll if interested among the research team’s network of community partners, which include homeless-serving and health care organizations as well as outreach workers and grassroots homeless advocates who posted information about the survey on their social media accounts. These are people and groups that members of the research team have pre-existing relationships with.

The survey took respondents on average 16.4 minutes to complete and asked wide-ranging questions about people’s survival strategies during the pandemic, including access to shelter, willingness to accept shelter if offered, access to information about COVID-19, COVID-19 exposure, risk, and risk mitigation behaviors, encounters with health care and social service systems, and encounters with police. We offered a $25 gift card as a survey incentive, delivered to the participant by text or email. At the end of the survey people had the option to sign up to do a follow-up phone interview with us. We then conducted follow-up phone and asynchronous email interviews (Pocock et al., 2021) with survey respondents and their social networks ($n=57$) in which we sought to dig deeper into the topics discussed in the survey. Interview participants received a $50 gift card incentive. All research activities described here were approved by the authors’ university Institutional Review Board, under protocol number HS-2020-107.

While we originally intended to conduct the follow-up interviews synchronously by phone, for most participants this proved to be impractical for numerous reasons (poor cell reception, poor cell battery life, lack of cell phone “credits” for pay-as-you go phones, lack of privacy, etc). We
conducted a total of five semi-structured phone interviews (averaging 45 minutes in length), and 52 were asynchronous email interviews in which participants responded to the interview guide, consisting of 18 substantive open-ended questions, several with multiple follow-up questions, in written narrative form. Switching to this method had sizeable downsides in terms of basic data quality—we were unable to uniformly probe more deeply into responses, for example; we relied on a certain level of literacy in our respondents so some self-selection likely occurred in terms of who agreed to participate; only participants with wifi access or cellular data could participate; and responses were undoubtedly shorter over email without the ability to develop rapport through verbal cues and body language.

However, the asynchronous email interview approach can hold several advantages, including: eliminating the need for phone credits for participants; flexibility to reflect and respond at the participants’ own pace, and on their own time, which we found to be critical for a number of participants who worked overnight jobs; and enhancing the anonymity of participants. For these reasons, virtual qualitative methods, including email interviews, have been identified as a critical strategy to qualitative data collection during the pandemic (Pocock et al., 2021).

Our research design allowed us to oversample for Black respondents (almost 46 percent of our survey sample (see Table 1) and 31.6% of our interview sample), whose voices are often underrepresented despite high rates of homelessness and housing insecurity nationally. Black San Diegans account for 4.7% of the general population, but in official counts, they comprise about a quarter of unhoused people overall (RTFH, 2022) or roughly 21% of people experiencing unsheltered homelessness and 30% of San Diegans staying in emergency shelters (RTFH, 2020).

We attribute the relatively high number of Black participants in our study to a couple of factors. First, we had significant community partner buy-in for this study given the urgency of the subject matter. This allowed us to put information about the study directly into the hands of service providers and advocates who have long-standing relationships with the unsheltered community that have been built on trust and respect. This is quite a different approach to data collection than the official “point-in-time counts” of unhoused people, which are conducted annually by cities across the U.S. in order to secure federal funds to address homelessness (U.S. Department of

Table 1. Survey sample ($n = 244$)

<table>
<thead>
<tr>
<th>Percentage of Respondents</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiracial</td>
<td>4.1%</td>
</tr>
<tr>
<td>Native American</td>
<td>3.8%</td>
</tr>
<tr>
<td>Asian</td>
<td>6.2%</td>
</tr>
<tr>
<td>White</td>
<td>17.5%</td>
</tr>
<tr>
<td>Black</td>
<td>45.9%</td>
</tr>
<tr>
<td>Latino/a/x</td>
<td>22.3%</td>
</tr>
</tbody>
</table>
Housing & Urban Development [HUD], 2021). In San Diego, significant effort historically has been invested in suppressing the count to demonstrate “success.” San Diego Police Department [SDPD] officers have increased arrests of unsheltered individuals the week before the annual count (Halverstadt, 2019). We believe this arrangement suppresses both who participates in the count and the quality of the data collected. Second, we believe that our snowball sampling approach to data collection, which invited participants to tell others in their social network about the study, bolstered Black participation.

Fourteen percent of our follow-up interview participants identified as White; 12.3% as Hispanic or Latinx; 1.8% Asian or Pacific Islander; 8.8% Multiracial; and 31.6% did not report their race/ethnicity. A third identified as female, 57.9% identified as male, and 8.8 percent declined to report; the median age of respondents was 40.8 percent. These demographics—particularly gender and age—are consistent both with prior studies we have conducted of similar populations in San Diego (Flanigan & Welsh, 2021; Welsh & Abdel-Samad, 2018) and official counts of people experiencing unsheltered homelessness in the region (RTFH, 2020). However, these demographics diverge substantially from official point-in-time counts in terms of racial/ethnic diversity, as discussed above, with recent official counts recording higher numbers of White people. For example the 2022 point-in-time-count numbers for San Diego County reports that 66 percent of our overall homeless population is White (RTFH, 2022).

**Empirical findings**

For purposes of illustration, we share some empirical findings from our research project that informed the development of our conceptual framework. Both Black and White respondents in our sample had high rates of interaction with police, as can be seen in Table 2. However, Table 2 shows Black respondents more often report more frequent encounters with police. Black respondents also often described a racialized component to these encounters.

“I Know I’m Black, but I’m not a criminal”: Awareness of race- and poverty-based profiling and treatment by police

Our conceptual framework is supported and informed by empirical findings from our research participants. A theme that arose from our interviewees is a clear awareness of race- and poverty-based profiling and treatment by police.

**Table 2.** Reported number of interactions with police between March 2020 Stay-at-Home order and July 2020, by Race.

*In this table, White includes any respondent reporting White but not reporting Hispanic/Latinx, or another racial or ethnic category.*
poverty-based profiling and treatment by police. Interview participants highlighted the intersectionality of their identity and their vulnerability, remarking, for example, “As long as the color of my skin is black and as long as I am poor, they will never respect me! or respect us!” Another interview participant remarked, “I am a lifeless Black unimportant soul to them.”

Numerous interview participants reported the use of racist and homophobic slurs by police officers during interaction with police. Research participants also remarked on the fact that there was an assumption of criminality in their interactions with police. As one individual explained, “I know I’m Black, but I’m not a criminal. They assume the worst for number one, we are Black and number two we are poor.” Another participant commented, “I know once I look at them and they see me looking at them, I’m already a criminal!”

White research participants showed an awareness of their privilege vis-a-vis their fellow unhoused people. As one individual explains,

I think I’m lucky because I’m part White. I’m not trying to sound racist but I pity those who are Black because I think they got it worse with this situation, especially when you don’t have a car or you’re roaming around the street. I’m pretty sure they have it tougher than me.

Another person describes,

I’ve seen a full spectrum of police. I was fortunate… I’m going to admit, like, I’m a petite little White girl… I witness a very different dynamic. If I’m observing police behavior toward men versus if a man is with me.

“*They don’t respect black people*”: Officer-participant interactions

Another theme raised by research participants in our study is the nature of office-participant interactions. Participants describe a lack of respect during interactions and racist policing. As one research participant put it, “They took our car away and made us pay even though we said we can’t afford it and let us go just once. They don’t respect Black people … I don’t feel respected by them.” Another participant explained,

Just a few weeks ago, I was in the streets and they shouted BLUE LIVES MATTER. I was with a couple of Black friends in the park. When we responded BLACK LIVES MATTER they stopped and checked our IDs. We have no records.

When asked if police offer resources to unhoused people, only a few respondents said yes—in those instances, officers offered food, told participants where food was being given out, or provided referrals to emergency shelters. More often, however, participants told us that officers do not offer help, commenting, “No they don’t [offer resources]. I feel they understand what resources will be helpful but don’t do a thing about it. Another individual replied, “If you consider tickets a resource, then they have done that.”

These narratives comport with quantitative findings from our survey: of the 80% of our survey respondents (n = 194) who reported police contact, only 13% (n = 26) reported being offered services during those contacts (see Table 3). Respondents more often reported being told to move, having their vehicle (in which they lived) towed, or being arrested or ticketed.

These reports are in direct contradiction to official SDPD Neighborhood Policing Division policy, which purports to use a “progressive enforcement” model that is “compassionate yet firm”:

Officers are trained to always offer services to individuals with whom they come in contact prior to taking enforcement action and continue to provide offers for shelter and services at each interaction (SDPD, 2020).

Other research participants describe police as overly punitive in their interactions, especially when it comes to sleeping in one’s car as a last source of shelter. As one person explained,
Some police don’t have any humanity in them. They would see you sleeping in a car and they would cite you a ticket as they say it’s illegal. Do they want me to go and stay and get myself sick in the streets? They just seem illogical.

As another interviewee put it,

They have given me a ticket when we had to sleep in the car! I got my car towed—begged that I lost my house and they still had it towed many months ago. They never help me.

“Best interaction is no interaction”: Behavioral responses to negative police interactions

Research participants described behavioral responses to negative police interactions, which primarily took the form of conscious police avoidance and service avoidance and reluctance. As one individual explains,

We try to avoid them as we are Black and we are always afraid for our lives as Black people. Our living situation definitely makes it more likely we are interacting with them, and we are always on the losing side as we have no power or money to fight them.

Another participant describes, “I do try to avoid them at all cost. If I see them I just shut up and walk away. If they tell me to stop, I stop. If they tell me to jump, I’ll jump. That’s how it is being Black vs blue.” Yet another individual explains, “They know they can overpower us so they really don’t care or respect us… Best interaction is no interaction.”

Research participants described scenarios where this reluctance to interact with police officers translated into a reluctance to interact with other street-level bureaucrats and other service systems. For example, one individual explains his reluctance to accept a referral to a shelter from a police officer: “They did ask me that there are shelters everywhere that the city provides, but I was at a point that I may be tricked or whatever (I just got my ticket then).” Another individual commented, “No, I will not be comfortable [accepting services from a police officer] but depends on what services.” As we see, the comments from the interview participants echo a number of themes in the extant literature and drove our conceptual framework.

Conceptual framework

Figure 1 shows our conceptual framework, which integrates the literature from racialized poverty governance with critical race theorizing on our criminal-legal system. In addition, our
The conceptual framework was heavily influenced by the lived experiences of our research participants, some of which were reported in the prior section for illustrative purposes.

**Structural racism and poverty governance**

As seen in Figure 1, our cycle begins with structural racism and poverty governance, which generates a labeling process. As we describe in the literature, paternalist reform movements emphasize the state’s role in directing “appropriate” behavior of low-income BIPOC communities and making aid dependent upon “good” conduct and personal responsibility (Katz, 1997; Mead, 1997, 1998; Schram et al., 2011). This in turn makes visible patterns of criminalized and racialized subjectivity, which as Clair (2021) explains, “helps us to examine how racism and criminalization interrelate in the making of criminalized people’s perspectives and their visions for transforming the legal system.”

Our participants express an awareness of their racialized and criminalized identities, stating, “I am a Black lifeless unimportant soul to them,” describing that once the police look at them, “… I’m already a criminal!,” or countering, “I know I’m Black, but I’m not a criminal. They assume the worst for number one, we are Black and number two we are poor.” Participants in the research study had a clear awareness of the intersectionality of race and poverty in their day-to-day lives and how that impacted their interaction with police, with even White unhoused people acknowledging, “I’m pretty sure they (Black unhoused people) have it tougher than me.”

**Street-level encounters: Racialized social welfare and policing**

In the second stage of our model, as part of the project of poverty governance, BIPOC communities have a disproportionately high number of street-level encounters with officials of the state due to both racialized social welfare systems and policing. BIPOC communities have
disproportionately high levels of interaction with government, and frontline staff in government agencies have disproportionate influence on lives in these communities, especially when there are intersections with poverty (Lipsky, 1980; Schram et al., 2011; Schram et al., 2009). For encounters with police in particular, racial bias—implicit and explicit—in officer decision-making results in people of color, particularly Black people, being disproportionately stopped, searched, arrested, and having force used against them, often for very low-level offenses (Epp et al., 2014; Fagan et al., 2014; Welsh et al., 2021; Chanin et al., 2018).

Our participants often discuss negative aspects of their street-level interactions with police. More than twenty-six percent of Black survey respondents had been arrested or ticketed in the past three months for a reason related to their homelessness (“quality of life” crimes such as sleeping in a park or on a sidewalk, public urination, etc.). Forty-eight percent of these tickets were for illegal lodging and eighteen percent were for parking violations. Participants frequently mentioned being ticketed for sleeping in their car or having their car towed and impounded, something that was especially tragic when their car was their final source of shelter before having to sleep on the street. As one participant described earlier, “I got my car towed—begged that I lost my house and they still had it towed …”

**Pervasive penalty produces system avoidance and distrust**

In the third stage of the cycle, due to an excessive number of negative encounters with bureaucracies, pervasive penalty produces system avoidance and distrust. Enforcement of anti-homeless laws creates a context in which homeless individuals have frequent police interactions that cause material and emotional harm. When individuals face apathy, discrimination, and disrespect, the result is a reluctance to seek services until problems become emergencies. Individuals are often interested in avoiding institutions, despite good intentions of some providers. This in turn drives stereotypes that people do not “want” help, when in fact, if people had a history of positive encounters with systems, they might eagerly embrace assistance.

Our data present numerous examples of this dynamic at play. Homelessness policy in the U.S. places police officers at the front lines of homelessness intervention in many cities, with, for example, homelessness outreach teams (“HOT” teams), but often a relationship of distrust has been built that prevents these relationships from being effective (Welsh & Abdel-Samad, 2018). We end this section with our participants’ descriptions of police avoidance:

Best interaction is no interaction

I do try to avoid them at all cost. If I see them I just shut up and walk away.

They did ask me that there are shelters everywhere that the city provides, but I was at a point that I may be tricked …” [Participant expressed fear that services offered might be a trick]

No, I will not be comfortable [accepting services from a police officer] …

In this cycle, we find that structural racism and systems of poverty governance create a labeling process where vulnerable BIPOC individuals are well aware of where they stand and how they are viewed by broader social and service systems. These labels and patterns of treatment are continually reinforced during repeated interactions with street-level bureaucracies that are often racialized in their behavior- in this case, racialized policing. The lesson learned by people experiencing homelessness is that service systems are to be avoided and distrusted for one’s own good, creating a false impression that the onus is on vulnerable populations for being “difficult to serve” or “service avoidant.” While this system avoidance can further fuel structural racism and poverty governance as part of an ongoing cycle, as Figure 1 shows criminalized and racialized subjectivity can instead inform alternative visions for public safety that can disrupt this cycle. We discuss a number of these alternative visions in our implications for practice.
Conclusion

This paper proposes a critical conceptual framework for understanding how policing drives system avoidance among people experiencing homelessness, and among Black unhoused people in particular. Our framework centers people’s experiences of racism and criminalization to not only understand how these forces co-produce marginalization, but also to amplify these narratives to drive change both within and beyond our current criminal-legal system. Our framework does not show only a vicious cycle, but a cycle with an exit ramp, where criminalized people’s perspectives can be used to transform systems of justice (Clair, 2021) and where subjects of poverty governance can have a voice in transforming social services.

The world looks quite different today, more than two years into the COVID-19 pandemic, than it did when we collected the data discussed here. Future research should seek to overcome some of the limitations of the current study by exploring these themes in greater depth, ideally through in-person interviews or focus groups with unsheltered people when public health conditions allow. Future research must also incorporate important intersectional identities beyond race/ethnicity to understanding experiences of marginalization. These identities include membership in LGBTQIA+ communities; immigration status; age; gender identity; and physical (dis)ability status, as we know that these identities shape police contact in significant ways (e.g., Ritchie, 2017).

Although our paper is conceptual in nature, it has numerous implications for practice. First, we advocate a harm reduction approach in which anti-homeless policing that harms homeless individuals, drives adverse behavioral changes—and in turn harms public health and collective well-being—is eliminated. Second, we support the decriminalization of survival strategies of unhoused people; “quality-of-life” municipal codes that punish the life-sustaining behaviors of unhoused individuals must be repealed. Third, in many cities, homeless outreach activities continue to rest primarily in the hands of the police. We support recission of these responsibilities from the purview of police departments and their officers. Finally, homelessness-focused responsibilities and funds must be reallocated to departments staffed with trained professionals better equipped to address issues of homelessness.

Across the U.S., the standard response to homelessness positions police officers as first (and often only) responders—despite admissions that “law enforcement is not equipped to address the underlying causes of homelessness” (Goodison, 2020, p. 2). We argue that police should not be involved in addressing homelessness at all, given the pervasive lack of trust in the homeless community and the long and still unaddressed history of violence, especially of police agencies toward Black people (see, e.g., Muhammad, 2010).

Indeed, many police would be the first to admit that they are ill-equipped and poorly trained to deal with issues of homelessness, and believe it is a task better allocated to trained professionals such as social workers (e.g., Wood, 2020). Partnerships incorporating police departments and homelessness services will inevitably be plagued by the same punitive policing mindset, and will replicate not only more injustice (e.g., James-Townes, 2020), but also the widespread perception that service avoidant unsheltered people don’t want help, have chosen to be homeless, and/or are beyond help altogether (Adams et al., n.d.).

As public administration scholars and practitioners, we must actively work to dismantle these misperceptions and advocate for radical changes to systems of poverty governance and policing, or for their elimination and re-envisioning altogether. The work that needs to be done is vast, and half measures will not suffice. Even after significant protest, uprising, and awakening in the wake of George Floyd’s murder by then-police officer Derek Chauvin, cities across the U.S. have been unsuccessful in implementing meaningful police reform (e.g., Garrick, 2020). As our study participants’ narratives and our resultant conceptual framework demonstrate, reformed or re-envisioned systems that offer care rooted in values of dignity, respect, and collective well-being, rather than criminalizing survival, are a vital first step.
Notes

1. Some reasonably might wonder if the nature of regulations around COVID compliance might heighten respondent sentiment about police and/or service interactions, and thus the time of the study might have influenced responses. Based on our ample past research with this community, which has included questions regarding policing (Flanigan & Welsh, 2021; Welsh & Abdel-Samad, 2018; Welsh, 2018), we feel confident that this is not the case. However, as our findings will show, individuals’ responses do indicate an influence of the Black Lives Matter movement.

2. There are documented vulnerabilities in other demographic groups of people experiencing homelessness (e.g. Ecker et al. 2019), and our data pointed to reported use of slurs related to gender and membership in the LGBTQIA+ community. Our sample did not allow us to speak to these populations or important intersectionalities with race and often compounded vulnerabilities related to these intersectionalities in this paper. However, this is an important topic deserving of further investigation. See Ritchie (2017) for an important example of this work.

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