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March 17, 2016 4:56AM

Officials say camping bylaw aims to keep public safe

Over a string of warm days last August, a man with a backpack rested in the grass at McClellan Park in Arlington. Day after day, he appeared in the park, not harassing anyone, but not leaving, either.

After observing him for a number of days, Arlington resident M.J. Keeler was concerned the man was disoriented or ill. The man didn't respond to inquiries about his health, and Keeler decided to make a call to the police.

"I was more concerned about his safety, if he was sick or something was wrong with him, because I'm not in a position to address that," she said. "I wasn't really concerned about him bothering anyone."

The Arlington Police arrived shortly thereafter to speak with the man. According to what the police told Keeler, the man was homeless. The police offered him assistance, which he declined, and instructed him that the park was closed.

The man moved on, and Keeler hasn't seen him since.

With Arlington's annual Town Meeting set to consider a bylaw that would ban camping on public property without a permit, occurrences like this have the potential to be more commonplace. Homelessness advocates have said the measure could effectively criminalize homelessness.

After two homeless men were accused in a shooting near the Alewife MBTA station in May 2015, Arlington Chief of Police Fred Ryan said the public's awareness of Arlington's homeless population has come into focus.

"Clearly the shooting that occurred down there made it more prevalent," Ryan said.

While Keeler's interaction occurred elsewhere, most of the calls and complaints to the Arlington Police Department about homelessness are located near Alewife, Ryan said.

Much of Arlington's homeless population is located in encampments near the Alewife area, according to Ryan. The exact population ebbs and flows, but Ryan is aware of the people experiencing homelessness as a whole.

"We are sensitive to the fact that those folks choose to locate themselves down there," he said.

The Minuteman Bikeway from Alewife back to Arlington sees heavy foot traffic during the workweek, and Ryan said there is growing fear among local commuters.

"It is a quality-of-life issue that results in law-abiding citizens placed in fear as they navigate that area," he said.

In light of the shooting and other crimes, Ryan said public reaction has driven the creation of the proposed bylaw.

"Often times, the fear of crime is worse than the crime itself," he said. "We've had a handful of high-profile crimes in that area in East Arlington. The consequence is that people are in fear for their safety."

If the public camping bylaw passes, Ryan and his department will have a procedure to use when removing people from public land.

Under the proposed town bylaw, anyone camping without permission would receive an initial written warning to leave by a specific date. If they have not vacated by that date, a written citation is issued with a final date to move. If they do not leave after that, then their personal items would be taken and held by the Police Department for eventual pickup.

Ryan said his department would fall back on this process if needed, but that interactions with the homeless population likely won't change.

"I don't think we've ever arrested a homeless person for trespassing," Ryan said. "We use this as a last resort if someone refused to move along. It gives the officers the authority to act."

One advocate for the homeless in Massachusetts said events like the shooting at Alewife cast a dark shadow over the group as a whole.

"There are a lot of myths and gross generalizations about behaviors of people who are experiencing homelessness, and, of course, most people who commit crimes do have stable housing," Kelly Turley of Massachusetts Coalition for the Homeless said.

Turley said she thought the bylaw had the potential to target Arlington's homeless population, a population she already thinks is marginalized.

"It is unfair that the policy would target people because they are sleeping outside -- which, as you can imagine, is a sleeping arrangement of last resort," she said. "I am concerned that a camping ban would lead to profiling people who are sleeping outside as being criminals."

It isn't uncommon for homeless people to endure negative experiences with shelters and other dwelling spaces that lead to public camping, Turley said. Her



A police detective investigates a car which struck a pedestrian on Lake Street at the intersection of Massachusetts Avenue, after a double shooting at Thorndike Field in Arlington June 5, 2015. Two homeless men were later arrested and charged in the incident. Wicked Local Staff Photo/John Walker

hope is that Arlington, and other communities considering similar bylaws, offer additional resources in the future to the local homeless community.

"Criminalizing basic survival tactics, such as camping, won't bring people experiencing homelessness closer to permanent housing and stability," she said. "We hope that the conversation in the Town of Arlington shifts so that it can lead to increased awareness of the struggles facing people experiencing homelessness and a commitment to promoting greater housing stability and dignity."

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