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**Subject:** FW: Response to Safe Streets Bylaw Amendment  
**Attachments:** Letter to Mayor and Council - Sax 2021.06.docx

**From:** Marieka Sax Redacted  
**Date:** June 21, 2021 at 1:24:08 PM PDT  
**To:** Mayor <[MAYOR@princegeorge.ca](mailto:MAYOR@princegeorge.ca)>  
**Subject:** Response to Safe Streets Bylaw Amendment

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Dear Mayor Lyn Hall,

My name is Dr. Marieka Sax, and I have been a resident of Prince George for the past four years. I am writing to you regarding the Safe Streets bylaw amendment.

I urge you to oppose this bylaw when it is put forward for approval on June 28.

The Safe Streets bylaw does nothing to address the safety of people experiencing homelessness who are living without bodily security or protection from attack. It does nothing to address the urgent and immediate need homeless people have for water, food, warmth, and rest.

The bylaw would criminalize people experiencing homelessness, which is ineffective and short-sighted. Further details, including supporting documentation, are outlined in the attached letter.

Thank you,

Marieka Sax, PhD

City of Prince George Mayor and Council  
1100 Patricia Boulevard  
Prince George, BC V2L 3V9

June 21, 2021

RE: Safe Streets Bylaw Amendment

Dear Mayor Lyn Hall and Councilors Frank Everett, Garth Frizzell, Murry Krause, Terri McConnachie, Cori Ramsay, Kyle Sampson, Susan Scott, and Brian Skakun,

My name is Dr. Marieka Sax, and I have been a resident of Prince George for the past four years. I am proud to call Prince George my home, and I am deeply committed to this community through my professional and volunteer work.

I am writing to you regarding the “City of Prince George Safe Streets Bylaw No. 9209, 2021” (the Safe Streets bylaw), which passed three readings at the City Council meeting on June 14. **I urge you to oppose this bylaw when it is put forward for approval on June 28.**

The June 2 Staff Report to Council on the Safe Streets Bylaw and Parks and Open Space Bylaw Amendment states that while the amendments are not solutions, they are “tools” to address the “ongoing conflict of use of space and related social issues in the larger downtown area”. **But what function is this tool carrying out?**

Fining people may provide evidence to prosecute repeat offenders, and it may also establish the authority to prohibit certain behaviors. But **neither the legal authority nor the enforcement mechanism will stop people who are living in survival mode on the street.** When one is in survival mode, it is exceedingly difficult to make choices that have to do with anything other than meeting one’s essential needs—even if one is meeting those needs in unlawful, unhealthy, or socially offensive ways.

The Safe Streets bylaw responds to the concerns of business owners and residents who may feel like their own safety or rights are threatened by people who are openly doing drugs, littering, and sleeping on the streets of downtown Prince George. **The Safe Streets bylaw does nothing to address the safety of people experiencing homelessness** who are living without bodily security or protection from attack. It does nothing to address the urgent and immediate need homeless people have for water, food, warmth, and rest. **Everyone has a right to having these basic physical and psychological needs met,** regardless of socioeconomic status, personal characteristics, or even behaviour.

In effect, **this bylaw punishes people who have been discriminated against** to a point where their basic human needs are not accessible to them (e.g., “poor” and “needy” people). It **punishes people who have been structurally excluded** from being able to fully participate in

society (e.g., “vulnerable” populations). And it **punishes people who have been deeply traumatized** (often resulting in drug and alcohol addiction).<sup>1</sup>

**The bylaw would criminalize people experiencing homelessness, which is ineffective<sup>2</sup> and short-sighted.**<sup>3</sup> Enforcement-based responses further marginalize and isolate people experiencing homelessness, breaks trust and relationships with enforcement agencies, and puts additional strain on enforcement and justice systems. One encampment may be broken up, but another encampment will form in a new location. Some people have nowhere else to go, particularly if they are living in addiction and excluded from shelters. Poor people can’t pay fines, which may result in prosecution through the justice system. Public funds are diverted away from programs and services that would help people get off and stay off the streets.

Further to the civil injunction the City announced it will be seeking June 10, **the forcible eviction of homeless encampments contravenes both international law<sup>4</sup> and Canada’s National Housing Strategy,**<sup>5</sup> regardless of the examples set by other Canadian cities (e.g., Vancouver, Victoria, Toronto). A rights-based approach to homeless encampments is provided by the UN’s National Protocol for Homeless Encampments in Canada (developed by the UN Special Rapporteur on the Right to Housing).<sup>6</sup> The Protocol consists of eight principles, including exploring all viable alternatives to eviction (Principle 4) and ensuring encampments meet basic needs of residents consistent with human rights (Principle 6).

The UN Protocol says: “Canadian governments must ensure, at a minimum, that rudimentary adequacy standards are ensured in homeless encampments on an urgent and priority basis, while adequate housing options are negotiated and secured” (Principle 6). **This means that rather than criminalizing homeless encampments, governments should provide encampment residents with access to basic health and safety resources and services,** including drinking water, hygiene facilities, fire safety, waste management, personal safety, and other resources and services as defined in Principle 6 and elaborated in Schedule B of the Protocol.

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<sup>1</sup> Here’s a 10-minute video in which renowned Canadian physician and addictions specialist Dr. Gabor Maté clearly connects trauma with addiction, based on his extensive work in Vancouver’s Downtown Eastside:

[https://youtu.be/ys6TCO\\_oIOc](https://youtu.be/ys6TCO_oIOc)

<sup>2</sup> For a comprehensive evaluation of the effectiveness of homeless encampment abolishment and comparison to alternatives, see this 2015 report: [https://gspp.berkeley.edu/assets/uploads/page/15-13160\\_-\\_Goldman\\_Student\\_Report\\_-\\_Final\\_Draft\\_-\\_May\\_11\\_2015\\_reduced\\_size.pdf.pdf](https://gspp.berkeley.edu/assets/uploads/page/15-13160_-_Goldman_Student_Report_-_Final_Draft_-_May_11_2015_reduced_size.pdf.pdf).

<sup>3</sup> For a research synthesis providing evidence for the externalized costs and unintended negative consequences of enforcement-based responses to homelessness in Canada, the US, and Europe, see this 2013 report: <https://www.homelesshub.ca/resource/public-eye-addressing-negative-impact-laws-regulating-public-space-people-experiencing>.

<sup>4</sup> Housing as a human right is recognized by the Universal Declaration of Human Rights (Article 25; <https://www.un.org/en/about-us/universal-declaration-of-human-rights>) and the International Covenant on Economic, Social and Cultural Rights (Article 11; <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>).

<sup>5</sup> Housing as a human right is upheld by Canada’s National Housing Strategy: <https://www.placetocallhome.ca/what-is-the-strategy>.

<sup>6</sup> The Protocol is available at <https://www.make-the-shift.org/homeless-encampments/>.

### **People experiencing homelessness in Prince George urgently need:**

- Access to basic services and resources as laid out in Schedule B of the UN National Protocol for Homeless Encampments in Canada
- Barrier-free shelters that do not exclude people who are living in addiction
- Street outreach and harm reduction services to connect people alienated from not only mainstream services and supports, but also services targeting homeless persons
- Rapid-deployment funding to reduce barriers to accessing adequate housing while being connected with health and social services, particularly in the present time before construction is completed on the various supportive and affordable housing complexes currently under development by the City and other organizations in Prince George

### **The City of Prince George can and should develop better bylaws and policies to respond to homelessness.<sup>7</sup> These bylaws and policies should:**

- *Recognize that enforcement is a high-risk option for dealing with people experiencing homelessness* (it risks the wellbeing and safety of people experiencing homelessness, because enforcement may exclude them from safe spaces, dislocate them from existing relationships with services, or push them into more damaging activities)
- *Avoid enforcement-based approaches that react to community discomfort* (because laws and policies should respond to evidence about crime and its causes, not to annoyance or uneasiness with people experiencing homelessness)
- *Distinguish between health and criminal problems* (since the circumstances leading to sleeping on the street and associated activities are health issues, not criminal ones)
- *Recognize housing as a human right* (as outlined in international law and upheld by Canada's National Housing Strategy)

Based on the webcast of the Council meeting June 14, everyone appears to agree that the long-term solution to homelessness in Prince George is for people to have safe, affordable, long-term housing along with the necessary health and social supports. Only then will other things be possible for an individual (e.g., having better options, making healthier choices, and changing behaviours). This is what the Housing First model gets at.<sup>8</sup> Such an approach may require a greater per capita investment among people experiencing homelessness, but that's what it takes to pursue equity.<sup>9</sup>

I appreciate that providing access to housing and health services is not the jurisdiction of municipalities. But the City still bears responsibility for the well-being of people experiencing

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<sup>7</sup> Evidence-based research and best practices for addressing homelessness in Canada is at

<https://www.homelesshub.ca/>.

<sup>8</sup> For a brief introduction to Housing First in Canada, see <https://theconversation.com/a-proven-way-to-end-homelessness-in-canada-122452>. For a more in-depth discussion of operating principles and evidence of effectiveness of Housing First, see <https://www.homelesshub.ca/solutions/housing-accommodation-and-supports/housing-first>, along with the associated report, "Housing First in Canada: Supporting Communities to End Homelessness".

<sup>9</sup> For a widely-distributed image that quickly differentiates equality and equity, see <https://interactioninstitute.org/illustrating-equality-vs-equity/>.

homelessness in Prince George. It is a strategic move to take advantage of any levers and collaborations available to the City, including the UBCM Intergovernmental Resolutions Committee.

**The choice facing Council is not between punitive actions and doing nothing.** The responsibility is to find solutions that ensure the safety and rights of people experiencing homelessness while also taking into consideration the safety and rights of concerned business owners and residents.

For the record, I have never felt threatened by people living on the street in Prince George. I see people experiencing homelessness as carrying an immense burden of suffering, and I feel an obligation and desire to something to change the structural inequities that lead to that suffering. I know that many other residents of Prince George share my sentiments.

**I urge you to show vision and leadership for the homeless residents of Prince George (and their allies) by opposing the approval of the Safe Streets bylaw amendment on June 28.**

Sincerely,

Redacted

Dr. Marieka Sax  
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