



April 11, 2025

Mayor

Joe Stapleton

Mayor Pro Tem

Lauren Kleiman

Council Members

Michelle Barto

Noah Blom

Robyn Grant

Sara J. Weber

Erik Kenneth Weigand

The Honorable Sasha Renée Pérez
California State Senate
1021 O Street, Suite 6720
Sacramento, CA 95814

**RE: SB 634 (Pérez) Homelessness: civil and criminal penalties
Notice of Opposition – City of Newport Beach**

Dear Senator Pérez,

I am writing today on behalf of the City of Newport Beach in opposition to SB 634 (Pérez) which would prohibit local and state governments from enforcing civil or criminal penalties for certain actions, including sleeping or erecting tents in public.

While the City of Newport Beach agrees with the goal of protecting individuals from homelessness, SB 634 would significantly restrict the ability of Cities and Counties to maintain safe, clean and accessible public spaces for all residents. It is critical that local governments have flexible and balanced tools to address public health, safety and environmental concerns that can arise from unsanctioned encampments. California's housing crisis is rooted in a shortage of affordable housing and behavioral health services and SB 634 removes a vital enforcement mechanism that municipalities use when voluntary outreach and services are declined.

The U.S. Supreme Court's decision in *Grants Pass v. Johnson* was clear in stating that this enforcement mechanism is within the scope of the Constitution. The Court provided much-needed legal clarity on this complex issue and recognized that Cities must have reasonable tools to manage the use of public spaces. SB 634 would directly counter this decision by attempting to eliminate the narrow, Court-approved enforcement mechanisms that local governments rely on, overriding local ordinances and undermining efforts to maintain public health.

We agree that homelessness should not be criminalized, but local governments must retain the ability to act in situations where individuals decline services, pose a danger to themselves or others, or create unsafe or unsanitary conditions. Prohibiting enforcement across the board—regardless of context or public impact—makes it

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difficult for outreach workers, sanitation teams and law enforcement to do their jobs and connect people to services and shelter.

For these reasons, the City of Newport Beach respectfully opposes SB 634 (Pérez).

Sincerely,



Joe Stapleton
Mayor
City of Newport Beach

cc: Newport Beach City Council