Offer a Bed First, Then Enforce the Camping Rules

Updated October 28, 2026. Every phone number was checked against an official page.

Every street contact should start with a real bed, offered the same day. If a person is too sick to choose, the team uses the hold, the petition or the court. If a person can choose and turns the bed down, the rules already on the books apply. And every month the City publishes how many beds were offered, how many were taken and what happened next.

> "When a bed is offered the same day and turned down, the rules already on the books should apply, every time, and the numbers should be public every month. No bed, no enforcement. A bed first, then the law."
> A founding member of Empower Santa Monica

What does Santa Monica's camping law ban?

Santa Monica Municipal Code section 4.08.095 bans camping, meaning setting up a tent or other living space, on public property including parks, beaches, the Pier, streets, alleys and other City property. The Santa Monica Daily Press reported in May 2025 that the ordinance also explicitly covers Santa Monica College and school district property. Related rules cover sitting or lying in certain doorways at night (4.08.097), obstructing the public right-of-way (3.12.360) and parks closed at night (4.55.120).

Sleeping in public is not itself illegal in Santa Monica. Only police enforce these rules. Outreach workers are not police and cannot require anyone to move.

Does the City have to offer a bed first?

No. Santa Monica's ordinance does not require a shelter offer before enforcement. The City says SMPD gives warnings and shelter referrals before citations as a matter of practice, and the Daily Press described the approach as "guided by policy rather than explicit legal text."

The state's model encampment ordinance, published by the Governor's Office in May 2025, goes further on paper: it requires 48 hours' written notice and every reasonable effort to offer shelter and services before enforcement. It is a template. Cities are not required to adopt it.

Our ask is to make the offer required and counted: one written standard for every street contact, so a bed is offered first and the result is on the record.

What did the Grants Pass ruling change?

It allowed cities to enforce camping bans even when shelter is short. In City of Grants Pass v. Johnson, decided June 28, 2024, the U.S. Supreme Court held that enforcing generally applicable laws regulating camping on public property is not cruel and unusual punishment under the Eighth Amendment. That ended the Ninth Circuit rule that had barred enforcement whenever homeless people outnumbered available shelter beds.

So the question in Santa Monica is no longer whether the City may enforce. It is how: with a real bed offered first, and with the results public.

How many beds can City teams offer?

A small number, which is why the offer has to be tracked. These are the placements on record as of the Council's July 28, 2026 decisions:

Place	Where	Status
SaMoShel (60 beds)	505 Olympic Blvd	Open. Council voted not to close it until replacement non-congregate interim housing is found
Palm Motel (34 rooms)	2020 14th St	City-run interim housing, approved Jul. 28, 2026
Salvation Army Bell Shelter (35 beds)	Bell, outside the city	City-funded placement for street encounters, approved Jul. 28, 2026
SaMo Bridge	Main St and Pico Blvd	24/7 diversion hub, police referral only

The plan's companion initiative asks the City to publish a bed map of everything its teams can reach each night, and to buy guaranteed bed-nights where the map has gaps. See Treatment, not tents.

What would "offer first, then enforce" look like on the street?

1. **Offer.** Every contact starts with a same-day offer of a bed and treatment.
2. **Too sick to choose?** The team uses the lawful tools: a 72-hour hold (which since Jan. 1, 2026 can include severe addiction under SB 43), a CARE Court petition or a referral.
3. **Able to choose and says no?** A warning first, then SMPD enforces the camping, sidewalk and doorway rules already in the Municipal Code.
4. **Publish.** Monthly totals of street contacts, beds offered, offers accepted, beds open at the time, warnings, citations, CARE petitions and SB 43 referrals.

How would we know it is working?

Three numbers, every month: the share of street contacts with a bed offered, the share accepted, and the share of reported spots that are clear a week later. Today a resident who reports someone sees a check-in, but there is no public record of whether a bed was open, whether it was offered or what happened next.

Where does this initiative stand?

It is a resident draft. Nothing has been submitted to the City Council. We propose a Councilmember Discussion Item directing the City Manager and City Attorney to return within 60 days with a written offer-first protocol under existing code, options for a person who turns down an open bed and stays in the same public spot, and the monthly public report. Members plan to ask for a sponsor after the Nov. 3, 2026 election.

Sources

1. City of Santa Monica: Questions and answers on the anti-camping ordinance (Sept 13, 2024)
2. Santa Monica Daily Press: Gov. Newsom pushes for more camping bans but local rules already surpass state proposals (May 14, 2025)
3. U.S. Supreme Court: City of Grants Pass v. Johnson, No. 23-175 (June 28, 2024)
4. Office of the Governor: model ordinance, Addressing Encampments with Urgency and Dignity (May 2025)
5. Santa Monica Next: Council takes ownership of homelessness response (Aug 2026)
6. City of Santa Monica: Housing Focused System of Care
7. LA County DMH: SB 43 implementation (Dec 17, 2025)

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