

ACLU criticism downplays a dire Rio Grande crisis

Deseret News

<https://www.deseret.com/utah/2019/11/6/20950383/aclu-criticism-downplays-a-dire-operation-rio-grande-crisis-salt-lake-city>

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Nov 6, 2019, 9:00am MST

SALT LAKE CITY — When the house is on fire, you can't afford to be delicate. Unfortunately, things will get broken. Saving lives and the structure are what count, in that order.

And while it may be difficult to remember more than two years later, the area on and around Rio Grande Street in Salt Lake City was, metaphorically, on fire during the summer of 2017. Crime was rampant and criminals were audacious. They controlled the street, to a large extent, and many truly needy people were scared away. The month before politicians decided to begin Operation Rio Grande, one person died when a woman drove her car into a group of pedestrians, and another died in a series of assaults near a freeway overpass.

So it's easy to understand why those politicians and state officials would be upset at the ACLU's newest report, "Endgame for Operation Rio Grande," which calls the entire operation a "flawed model" and accuses it of creating long-term problems for many homeless people.

Today, the Rio Grande area is fairly quiet. New shelters are in place elsewhere in the valley and the Road Home shelter on Rio Grande is scheduled to close soon.

The raging fire, it would seem, is out, and that should be acknowledged as good news.

But, of course, homelessness, with its many complicated facets, is not solved. It never will be completely, so long as people suffer debilitating problems. And no public program run by politicians should be beyond scrutiny.

Given the realities of two years ago, the ACLU report, much like the one it released a year ago, reads a lot like Monday morning quarterbacking. However, Utah's leaders would do their constituents a disservice by dismissing it out of hand.

Despite politicians' tough talk about putting criminals behind bars, the report found that arrests at the start of the operation tended to be for low-level crimes that made the lives of homeless people more complicated.

During the first 35 days, 64.1% of the 1,215 arrests were for misdemeanors or infractions. The state provided extra funding to district courts to handle the extra cases, but no one provided extra money to the city justice court that was suddenly overwhelmed with lower-level misdemeanor cases.

People arrested on camping and minor drug possession charges were "caught in a revolving door of the criminal justice system without the off-ramps to treatment options provided to people charged with more serious crimes," the report said.

The criticisms are not without merit, although they don't provide a complete picture. We don't know the specifics of the people arrested at the start of the operation. Some may have been arrested multiple times. Some may have been criminals preying on the homeless and some may have been homeless people who, for whatever reason, were a danger to themselves and others. Sometimes a misdemeanor citation can remove the immediate threat of something worse.

And yes, sometimes it's good to look back and see the inherent weaknesses involved when law enforcement leads out in solving a humanitarian crisis. The public isn't well-served when it gets only one side of a story, or when all people hear are the accolades politicians and bureaucrats heap on each other.

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The report notes that a program begun in 2016, "Operation Diversion," was, in the ACLU's opinion, conducted properly, connecting people with services they needed.

I remember 2016. That was the year I toured the neighborhood and talked with business owners and their employees. Restaurant workers spoke euphemistically about encountering "biohazards" every day — a gentle term for human waste in doorways and on sidewalks.

They spoke of seeing drug deals and sex acts through their windows and trying to reassure anxious customers. They talked of the need to help the homeless and how what they saw each day were mostly unruly outsiders coming into the neighborhood to party.

Operation Diversion didn't stop the fire.

Operation Rio Grande isn't perfect. I have a lot of criticisms about the three-shelter plan and its obvious limitations. But the persistent police presence has tamed the area, and many people are today receiving treatment and help.

We need to value those who shine lights on the ongoing efforts and point to flaws. How else will self-congratulatory public servants ever correct themselves or improve?

Just don't forget the heat of that fire before being too critical of those who finally showed up to put it out.