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County Board expected to authorize \$250k for land acquisition in Yucca Valley

[Mike Lipsitz](#)

April 22, 2024

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≡ County Board expected to authorize \$250k for land acquisition in Yucca Valley our Morongo Basin.

Supervisors are expected to authorize approximately \$250,000 to acquire four-fifths of an acre of undeveloped land in the heart of Yucca Valley. The parcel, located on Joshua Lane just north of Yucca Trail and south of the new county library, is being investigated as the possible new home for Yucca Valley's Fire Station #41.

The current station #41 was constructed in 1959 and has become inadequate for the size of growing Yucca Valley. While not a done deal, tomorrow's likely approval is the next logical step in placing a new station at this site.

More details on this item and information on how you can participate in tomorrow's meeting can be found on the board of supervisors' agenda which may be accessed from this link: [https://sanbernardino.legistar.com/View.ashx?](https://sanbernardino.legistar.com/View.ashx?M=A&ID=1191211&GUID=6AA0B180-57D3-4078-87AD-71AFAAA1226B)

[M=A&ID=1191211&GUID=6AA0B180-57D3-4078-87AD-71AFAAA1226B](https://sanbernardino.legistar.com/View.ashx?M=A&ID=1191211&GUID=6AA0B180-57D3-4078-87AD-71AFAAA1226B)



Mike Lipsitz



Judge delays decision on whether arrest of San Bernardino County sheriff's deputy was warranted

'This arrest was without probable cause and without legal justification,' argued a defense attorney for Deputy Christopher Bingham



San Bernardino County sheriff's deputy and suspected Mongols gang member Christopher Bingham, speaks with his attorney Jeff G. Moore, at his preliminary hearing on Thursday, April 18, 2024, at San Bernardino Justice Center. (Photo by Anjali Sharif-Paul, The Sun/SCNG)



By **JOE NELSON** | jnelson@scng.com | San Bernardino Sun

PUBLISHED: April 22, 2024 at 5:17 p.m. | UPDATED: April 23, 2024 at 7:54 a.m.

A Superior Court judge will decide Wednesday, April 24, whether San Bernardino County sheriff's Deputy Christopher Bingham will stand trial for allegedly possessing firearms and explosive devices for the benefit of the Mongols motorcycle gang.

On Monday, as Bingham's preliminary hearing concluded, his attorney, Jeff G. Moore, challenged the merits of the deputy's March 23 arrest in Riverside County and the subsequent search of his home in Twentynine Palms.

During the search, investigators seized approximately 160 firearms, including a fully automatic assault rifle with an attached grenade launcher, as well as three explosive projective devices, four silencers and Mongols memorabilia, including a fully patched leather vest, T-shirts, stickers and a black helmet with Mongols stickers on it.

Sheriff's investigators arrested Bingham, 45, on April 4, after an investigation that began in January. He pleaded not guilty during his April 9 arraignment. And during an interview at the West Valley Detention Center in Rancho Cucamonga, where he is being held on \$240,000 bail, Bingham denied being a member of the Mongols, and said things "were not what they seemed."

Motion to quash

In a motion filed with the court to quash the search warrant and suppress the evidence, Moore challenged what investigators cited as the basis for Bingham's arrest — that he was carrying a loaded firearm while participating in a criminal street gang.

Moore said the law allows sworn peace officers to carry firearms, either on or off duty. “This arrest was without probable cause and without legal justification,” he said.

Related: [San Bernardino County sheriff’s deputy used alias in double life as alleged outlaw biker](#)

When Judge Alexander R. Martinez asked Moore if that law would apply had Bingham been suspected of “actively associating with a criminal gang,” Moore said, “That’s correct.”

Moore also argued that the suspected Mongols belt buckle and other clothing items Bingham was wearing at the time of his first arrest were not noticed until after he was pulled over and his Glock was seized. He said investigators lacked any facts proving Bingham was a Mongols gang member or a participant in any crime.

Moore also argued that the search warrant was overly broad and failed to specifically state Bingham was a San Bernardino County sheriff’s deputy when it was presented to a judge to sign.

Red herring

Deputy District Attorney Alberto Juan called Moore’s argument a red herring.

“We shouldn’t overthink this,” Juan said. “There is no reason to suppress this evidence.”

Juan said probable cause for Bingham’s arrest stemmed from the belief he was associating with Mongols gang members and carrying firearms. At the time of his arrest on the westbound 10 Freeway, west of Oak Valley Parkway in Beaumont, Bingham was riding with two Mongols gang members wearing fully patched vests and he possessed a 9mm Glock.

When the [CHP sergeant who pulled Bingham over](#) ran the Glock serial number through the state Department of Justice database, it came back as unregistered, but that was because he entered the number incorrectly. When sheriff’s investigators later checked it themselves, they learned that the gun was, in fact, registered to Bingham, according to court testimony.

When Judge Martinez asked Juan why his office did not criminally charge Bingham with being an active participant in a criminal street gang in possession of a firearm, Juan said it was because Bingham was arrested in Riverside County and his office did not have jurisdiction.

Martinez said he needed time to consider legal arguments from the prosecution and defense.

‘Hangaround’

The final witness for the prosecution, Sgt. Josh Guerry of the sheriff’s gang and narcotics division, testified that Bingham was suspected of being a Mongols “hangaround” — someone who is not an official member but hangs out with and rides with members, attends rallies and other events, and has earned the gang’s trust.

At the time of Bingham’s first arrest, he was believed to be riding with two Mongols members to a rally in Azusa, Guerry testified. He said the projectile explosive devices, machine gun and silencers found in Bingham’s home were believed to be for the benefit of the Mongols.

Before he was transferred to the Central Detention Center in San Bernardino to work as a correctional deputy, Bingham served as an armorer at the sheriff’s Morongo Basin station in Joshua Tree, Guerry said.

During the search of Bingham’s home, investigators found a less-than-lethal shotgun stolen from the sheriff’s Morongo Basin station in a gun safe in his garage, according to court testimony.

Guerry also testified that text messages obtained from one of Bingham’s seized phones revealed a discussion he had with a suspected Mongols member about having Bingham convert a Glock training pistol into a fully functioning firearm by replacing the slides.

He acknowledged, however, that there was no evidence showing Bingham supplied Mongols members with weapons or ammunition.

Before joining the Sheriff’s Department in 2005, Bingham served in the U.S. Marine Corps from September 1998 to September 2002. He served as a rifleman, rose to the rank of corporal and received several commendations. In 2015 he opened O’Three Tactical gun shop on Twentynine Palms Highway, but shuttered the business in 2021.

In late 2019 or early 2020, Bingham came under suspicion by his department for improperly using the California Law Enforcement Telecommunications System, or CLETS, to conduct criminal background checks. The Sheriff’s Department referred the case to the District Attorney’s Office to consider criminal charges, but county prosecutors rejected the case in January 2020 due to insufficient evidence.

NEWS

Drugs, guns and handcuffs: 'Operation Consequences' raids continue in San Bernardino County



Brian Day

Victorville Daily Press

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Ongoing law enforcement raids under San Bernardino County's "Operation Consequences" crime suppression campaign last week continued amassing guns, drugs and arrests, authorities said.

The most recent efforts included nine search warrants carried out between April 13 and April 19, according to the San Bernardino County Sheriff's Department.

Deputies seized contraband and made arrests at locations including the 13800 block of Rosemary Street in Hesperia; the 1400 block of Crescent Street in San Bernardino; the 500 block of West Holly Street in Rialto; and the 200 block of South Lamarr Street in Rialto, the agency said in a written statement.

"As a result, over one pound of illegal narcotics was recovered and 10 firearms were seized, which included one ghost gun," according to the statement. "A total of five felony arrests were made."

Ammunition, a tactical vest emblazoned with a San Bernardino County Sheriff's Department patch and a law enforcement-style duty belt were also among seized items that could be seen in photos released by the sheriff's department.

"Operation Consequences" investigations and actions focus on known gang members and other people who are prohibited under the law from owning guns throughout the High Desert and beyond, officials said.

Los Angeles / Crime & Emergencies

SAN BERNARDINO COUNTY "OPERATION CONSEQUENCES" NETS MULTIPLE ARRESTS, ILLEGAL FIREARMS IN GANG CRACKDOWN

By Sarah Kim

Published on April 22, 2024



In a sweeping crackdown on gang-related violence and illegal firearms, the San Bernardino County Sheriff's Department swooped on suspects across Hesperia, San Bernardino, and Rialto. Between April 13 and April 19, the operation dubbed "Operation Consequences" led to the apprehension of several gang members and individuals barred from owning guns, the [department reported](#).

The week-long intervention resulted in the seizure of over one pound of illegal narcotics and 10 firearms, including one untraceable ghost gun, [detailed](#) the Sheriff's Department. Investigators from the Gangs/Narcotics Division, together with patrol

deputies, conducted nine search warrants and made five felony arrests during the targeted crime suppression initiative.

Funded by the County Board of Supervisors, the operation is part of a larger effort to enhance the quality of life in San Bernardino County communities. The funding is intended to bolster the Sheriff's Department's capabilities in curbing violent crimes, disrupting criminal activities, and arresting those in unauthorized possession of firearms.

Operation Consequences is set to extend over the upcoming months, showcasing a united front of local and state law enforcement agencies. The coordinated effort will feature participation from various divisions within the Sheriff's Department, California Highway Patrol, County Probation, California Department of Corrections and Rehabilitation, and the Department of Homeland Security Investigations.

Sheriff-Coroner Shannon D. Dicus of the San Bernardino County Sheriff-Coroner Department emphasized that the operation's focus will be on violent crime, criminal gangs, and illegal firearms trafficking. [A statement from Dicus noted](#), "Operation Consequences will take place over the next several months to curb violent crime, disrupt and dismantle targeted criminal street gangs, and locate and arrest criminals who are illegally possessing, manufacturing, and trafficking firearms."

Los Angeles - Crime & Emergencies ▾

https://www.fontanaheraldnews.com/news/inland_empire_news/authorities-serve-search-warrants-in-rialto-san-bernardino-and-hesperia-and-confiscate-drugs-and-guns/article_981f8f3e-00f7-11ef-8f9e-8bda6a0fb1b9.html

Authorities serve search warrants in Rialto, San Bernardino, and Hesperia and confiscate drugs and guns

Apr 22, 2024



These weapons were seized during Operation Consequences. (Contributed photo by San Bernardino County Sheriff's Department)

Authorities served search warrants at locations in Rialto, San Bernardino, and Hesperia and confiscated illegal drugs and guns during the week of April 13-19, according to the San Bernardino County Sheriff's Department.

During the seven-day period, investigators from the Sheriff's Department – Gangs/Narcotics Division, along with deputies from patrol stations, served nine search warrants as part of the ongoing targeted crime suppression program known as Operation Consequences.

Authorities contacted gang members and persons prohibited from possessing firearms at locations in the 200 block of S. Lamarr Street in Rialto, the 500 block of W. Holly Street in Rialto, the 1400 block of Crescent Street in San Bernardino, and the 13800 block of Rosemary Street in Hesperia.

Investigators contacted gang members and persons prohibited from possessing firearms. As a result, more than one pound of illegal narcotics was recovered and 10 firearms were seized, which included one ghost gun.

A total of five felony arrests were made.

https://www.fontanaheraldnews.com/news/authorities-arrest-13-suspects-during-crackdown-on-retail-thefts-at-victoria-gardens/article_f092f874-00dc-11ef-9e9d-ff5ef33dae06.html

Authorities arrest 13 suspects during crackdown on retail thefts at Victoria Gardens

Apr 22, 2024

1 of 2



These items were recovered during Operation Smash and Grab at Victoria Gardens. (Contributed photo by San Bernar

Authorities arrested 13 suspects for allegedly stealing items from stores at the Victoria Gardens Shopping Center in Rancho Cucamonga, according to the San Bernardino County Sheriff's Department.

On April 19, investigators from the San Bernardino County Sheriff's Department – Gangs/Narcotics Division, Rancho Cucamonga Station, San Bernardino County Probation Department, Homeland Security Investigations, California Highway Patrol, and the San Bernardino Police Department conducted Operation Smash and Grab at 12505 North Main Street.

During the operation, investigators made six felony arrests and seven misdemeanor arrests and recovered \$10,926.60 in property.

In November of last year, the Sheriff's Department became concerned with the rise in thefts at retail stores, which often involved organized crews that conspire to commit robberies, burglaries, shelf sweeps, and vandalisms, the Sheriff's Department said in a news release.

“These violent criminals terrorize the citizens of San Bernardino County by utilizing intimidation tactics and a mob mentality that creates an unsafe and uncomfortable shopping environment for our residents,” the news release said.

Operation Smash and Grab focuses its efforts on the Rancho Cucamonga, Apple Valley, Hesperia, Victorville, and Chino Hills shopping districts to disrupt and dismantle these retail store theft crews.

“Investigators utilize conventional and non-conventional investigative methods to accomplish this task and lessen the blight created by these bad actors,” the news release said.

NEWS > CRIME AND PUBLIC SAFETY • News

13 arrested in Rancho Cucamonga theft crackdown at Victoria Gardens

A woman walks past shops and restaurants at Victoria Gardens in Rancho Cucamonga in a 2020 file photo. Law enforcement officers arrested 13 people in an anti-theft operation at the shopping center on April 19, 2024. (File photo by Watchara Phomicinda, The Press-Enterprise/SCNG)



A multi-agency task force made 13 arrests, including six for felonies, at the upscale Victoria Gardens shopping center in Rancho Cucamonga on Friday, April 19, during the latest Operation Smash & Grab effort.

The value of the thefts of clothing, lotions and jewelry, among other items, totaled almost \$10,000, the San Bernardino County Sheriff's Department said. Two of the thefts involved multiple people, sheriff's spokeswoman Mara Rodriguez said Monday.

The county Probation Department, Homeland Security Investigations, California Highway Patrol and the San Bernardino Police Department took part in Friday's operation.

Sheriff Shannon Dicus, in a written statement when the task force was launched before Christmas in December, said: "Deputy sheriff's will be undercover in retail stores throughout the county with the purpose of arresting actors engaged in retail theft."

Operation Smash & Grab focuses its efforts on the Rancho Cucamonga, Apple Valley, Hesperia, Victorville and Chino Hills shopping districts.

Tactics include using license plate readers to identify stolen cars and those linked to thieves.

The sheriff said the department is working the District Attorney's Office to coordinate the prosecution of suspects.

First nail driven for train to Vegas

Construction starts on high-speed route from Rancho Cucamonga



Confetti flies as U.S. Department of Transportation Secretary Pete Buttigieg and others participate in the groundbreaking ceremony of Brightline West in Las Vegas on Monday.

BY JORDAN B. DARLING

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Construction is underway on a \$12 billion high-speed train between Las Vegas and Rancho Cucamonga, an interstate project local officials say will be a boon to the Southern California economy as service rolls out in time for the 2028 Olympics in Los Angeles.

Under a white tent just south of the Las Vegas Strip, officials from California and Nevada gathered Monday to drive the first nail for the fully electric rail system that will be operated by Brightline West, whose sister company already operates a fast train between Miami and Orlando in Florida.

Joined by some 600 officials at the ceremony Monday, U.S. Transportation Secretary Pete Buttigieg said Brightline's arrival in the West signals a U.S. investment in infrastructure that has been missing for too long.

"A few weeks ago, a journalist asked me why can't we have high-speed rail," Buttigieg told the crowd. "We can if we choose to, and now America has decided to."

In a news release, Buttigieg predicted the Biden administration-backed project will bring "thousands of union jobs, new connections to better economic opportunity, less congestion on the roads, and less pollution in the air."

The Brightline system, which will stretch 218 miles along the 15 Freeway between Las Vegas and Rancho Cucamonga, is expected to take 3 million cars off the freeway and reduce carbon dioxide emissions by 400,000 tons annually, developers say.

In San Bernardino County, where three of Brightline's four train stations will be located, the project "is transformational .. and continues to show our progressive nature," said county Supervisor Curt Hagman, who traveled to Nevada for Monday's ceremony. "It is where opportunities are happening."

In addition to the Vegas station, Brightline will have stops in Victor Valley, Hesperia and Rancho Cucamonga, where it will connect to the existing Metrolink platforms and Omnitrans bus loop.

During construction in California, officials say, the project is expected to support more than 11,000 jobs a year and bring \$5 billion in spending to San Bernardino County and \$300 million to Rancho Cucamonga.

For Rancho Cucamonga City Manager John Gillison, Monday's celebration was a "surreal" moment.

"It is hard to think about working on something for so many years and seeing it come together," he added.

"It will truly be a one-stop transit facility unlike any other in the nation," Gillison said. "It is a great example of public-private partnerships."

Las Vegas is a popular driving destination for Southern Californians. Officials hope the train line will relieve congestion on the 15 Freeway, where drivers often sit in miles of crawling traffic while returning home from a Las Vegas weekend.

The project outline says electric-powered trains will cut the four-hour trip across the Mojave Desert to a little more than two hours. The trains will offer rest rooms, Wi-Fi, food and beverage sales and the option to check luggage.

“We are pretty excited to have a direct connection to Las Vegas,” said Ryan Hutchison, a Rancho Cucamonga City Council member.

The hope is to connect the high-speed rail to the city’s planned downtown area, connecting more people to Rancho Cucamonga than ever before, Hutchison said. Rancho Cucamonga officials expect the station in their city to see more than 11 million passengers a year.

The Rancho Cucamonga station is connected to Omnitrans, L.A. Metro and a shuttle service to Ontario International Airport.

“Omnitrans is thrilled to be the connecting bus service to the Brightline West service at Cucamonga Station,” said Erin Rogers, CEO of Omnitrans. “We are that first and last mile connection.”

Brightline CEO Mike Reininger has said the goal is to have trains operating in time for the Summer Olympics in Los Angeles in 2028.

Local and regional transportation officials on Monday hailed the project as a vital passenger rail link between Sin City and the City of Angels.

“The Brightline Las Vegas to L.A. project is what we should expect from rail travel in the U.S. — union-built, high-speed, convenient, and with great customer service,” said Eli Lipmen, executive director of MoveLA, a nonprofit promoting mass transit in Southern California. “Today is an important day for changing how we travel in this country.”

In a statement, Metro CEO Stephanie Wiggins said the agency is “excited and enthusiastic” about the expansion of transportation options.

“This high-speed rail service will help reduce greenhouse gas emissions, reduce congestion on major freeways, and bolster the economic vitality of Southern California,” Wiggins said. “Metro looks forward to working with Metrolink and San Bernardino County to develop a seamless integration of Brightline West into our robust regional transit system.”

Brightline received \$6.5 billion in backing from the Biden administration, including a \$3 billion grant from federal infrastructure funds and approval to sell another \$2.5 billion in tax-exempt bonds. The company won federal authorization in 2020 to sell \$1 billion in similar bonds.

Brightline Holdings founder and Chairperson Wes Edens dubbed Monday’s events “the foundation for a new industry.”

“This is a historic project and a proud moment,” Edens said in a statement. “Today is long overdue.”

Staff writer Steve Scauzillo and The Associated Press contributed to this report.



CALIFORNIA

High-speed rail to Las Vegas is coming as soon as 2028. Here are more details

By Karen Garcia and Rachel Uranga

April 23, 2024 3 AM PT

Southern Californians can expect to board a high-speed train as soon as 2028 for a two-hour ride to Las Vegas, officials on the \$12-billion project said when construction ceremonially broke ground Monday in Sin City.

“We’ll move millions of people between two of the most exciting and important regions of the country, Southern California and here in southern Nevada,” said Wes Edens, Brightline’s founder and chairman and a private equity billionaire. “We are the only industrialized country in the world that doesn’t have a high-speed rail in America, and four years from now, we won’t be saying that anymore.”

At the soon-to-be site of Brightline’s train depot in Las Vegas, U.S. Transportation Secretary Pete Buttigieg joined Nevada Gov. Joe Lombardo and Brightline executives to tout the 218-mile federally subsidized electric rail system. Backers of the line say it will help reduce pollution along often congested Interstate 15, which runs between the two regions.

“I really view this as the beginning of the high-speed rail era in the United States of America,” Buttigieg said.

The project, whose construction launched on Earth Day, is expected to cut 800 million pounds of carbon pollution a year once completed, Buttigieg said.

Brightline, a private company that operates an intercity rail line connecting Miami and Orlando, Fla., hopes to be the first to run a private high-speed service in the U.S.

Its new proposed railway has rapidly gone from blueprints to construction, [unlike California’s](#) high-speed line between Los Angeles and the Bay Area, whose progress has been slowed to a crawl by political disputes, cost overruns and permitting delays.

To get the L.A.-to-Vegas idea off the ground, the federal government awarded Brightline West \$3 billion from the 2021 [Infrastructure Investment and Jobs Act](#) , which authorized [up to \\$102 billion](#) for rail improvements. The rest of the project will be privately funded, although taxpayers are contributing there as well; the Biden administration has enabled the project to borrow [\\$3.5 billion through tax-exempt bonds](#).

The rail line will run within the highway median and support speeds of up to 200 mph. Upon completion, it will include 322 miles of overhead electrical lines to power the trains.

Even though ticket sales are four years away, here's what we already know about possible ticket prices and stops along the route.

How much will tickets cost?

Brightline hasn't announced ticket prices yet or even given a range of possible charges. With the project headed into four years of construction, Edens said, the company is "hardly ready to set prices right now."

But Edens noted that ticket charges on other high-speed rail lines average 50 cents to \$1 per mile, while Amtrak's express service from New York to Washington costs about \$1.25 a mile.

Edens [previously told The Times](#) that he's looking at those amounts as possible charges on his line, which would put the cost at more than \$400 for a round trip from Vegas to Rancho Cucamonga.

But he noted on Monday that to stay competitive with airfare and driving, the price would probably go up and down, depending on demand, seasons and other factors.

Where will the stations be?

Southern Californians can catch a ride on the high-speed train at stations in Rancho Cucamonga, Hesperia, Victor Valley and Las Vegas.

About four miles north of Ontario International Airport, the Rancho Cucamonga station will sit on a five-acre property at the northwest corner of Milliken Avenue and Azusa Court in San Bernardino County. This station will be co-located with California Metrolink trains to and from downtown Los Angeles and other locations in Los Angeles, Orange, San Bernardino and Riverside counties.

The Hesperia station will be located at the 15 Freeway and Joshua Street interchange. This station will also host local rail service for residents in the high desert on select weekday trains.

In Apple Valley, the Victor Valley station will be on a 300-acre parcel southeast of Dale Evans Parkway and the 15 Freeway interchange. This station is intended to offer a future connection to the multimodal [High Desert Corridor](#) and the California High Speed Rail line.

Las Vegas' station will be situated on the Las Vegas Strip, north of Blue Diamond Road between the 15 Freeway and Las Vegas Boulevard. This station will give riders access to the Harry Reid International Airport, the Las Vegas Convention Center and the NFL Raiders' Allegiant Stadium through local transit services.

All four stations are slated to have parking. Rancho Cucamonga and Las Vegas will have approximately 80,000 square feet of parking, and Victor Valley is expected to have 20,000 square feet. No details were available Monday about the parking planned for the Hesperia station.

Anaheim receives \$3M state grant to address encampment near 91 Freeway

BY MICHAEL SLATEN

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Anaheim has received a \$3 million state grant that the city plans to use to help shelter people living in encampments near the 91 Freeway and North Lemon Street.

The California Interagency Council on Homelessness announced recently that it had awarded the city the grant to help move people into housing. Anaheim's share was a part of \$192 million the agency awarded to communities throughout the state.

"This new funding will get people out of tents and into housing across California," said Gov. Gavin Newsom in a news release. "As the state provides unprecedented resources like this, we also expect accountability. Local governments must ensure this funding — and all homeless funding — is getting people out of encampments."

Anaheim was the only city in OC to receive funding. The focus of the grants was to resolve encampments along state right-of-ways.

The \$3,182,054 grant will help house 75 people and "resolve two closely connected encampment areas along a state right-of-way," according to the news release.

Natalie Aguirre, a spokesperson for the city, said the money will be used to help get people into interim housing, with the goal of getting them in permanent housing.

Aguirre said it appears that people have been going back and forth between La Palma Park and the 91 Freeway as encampments have been cleared before.

"It's no secret that freeways are one of the biggest challenges," Aguirre said. "Our residents see it when driving to school. We definitely want to make sure we are assisting those individuals living under the freeways and getting them into safe, permanent housing."

WASHINGTON

Justices debate key homeless camp case

Supreme Court trying to decide if cities can ban sleeping outdoors

BY LINDSAY WHITEHURST AND CLAIRE RUSH

THE ASSOCIATED PRESS

WASHINGTON >> The Supreme Court wrestled with major questions about the growing issue of homelessness on Monday as it considered whether cities can punish people for sleeping outside when shelter space is lacking.

The case is the most significant to come before the high court in decades on the issue and comes as record numbers of people are without a permanent place to live in the United States.

It started in the rural Oregon town of Grants Pass, which began fining people \$295 for sleeping outside as the cost of housing escalated and tents sprung up in the city's public parks. The town appealed to the high court after the San Francisco-based U.S. 9th Circuit Court of Appeals found that banning camping in places without enough shelter amounts to cruel and unusual punishment.

The justices appeared to be leaning toward a narrow ruling in the case after hearing arguments that showed the stark terms of the debate over homelessness in Western states such as California, which is home to one-third of the country's homeless population.

Sleeping is a biological necessity, and people may be forced to do it outside if they can't afford housing or there's no space in shelters, Justice Sonia Sotomayor said.

"Where do we put them if every city, every village, every town lacks compassion and passes a law identical to this? Where are they supposed to sleep? Are they supposed to kill themselves, not sleeping?" she said.

Solving homelessness is a complicated policy question, said Justice Brett Kavanaugh, who raised questions about both the role of federal courts and camping bans.

"How does it help if there are not enough beds for the number of homeless people in the jurisdiction?" he said.

Other conservative justices questioned how far Eighth Amendment legal protections should extend as cities struggle with managing homeless encampments that can be dangerous and unsanitary.

“How about if there are no public bathroom facilities? Do people have an Eighth Amendment right to defecate and urinate outdoors?” Justice Neil Gorsuch said.

Other public health laws cover that situation, Justice Department attorney Edwin Kneedler said. He said people shouldn’t be punished just for sleeping outside, but argued the 9th Circuit ruling should be tossed out because the court didn’t do enough to determine if people are “involuntarily homeless.”

Gorsuch and other justices also raised the possibility that other aspects of state or federal law could help sort through the issue, potentially without setting sweeping new legal precedent.

The question is an urgent one in the West, where a cross-section of Democratic and Republican officials contend that makes it difficult for them to manage encampments.

Hundreds of advocacy groups, on the other hand, argue that allowing cities to punish people who need a place to sleep will criminalize homelessness and ultimately make the crisis worse as the cost of housing increases.

Dozens of demonstrators gathered outside the court Monday morning to advocate for more affordable housing, holding silver thermal blankets and signs like “housing not handcuffs.”

Homelessness in the United States grew a dramatic 12% last year to its highest reported level, as soaring rents and a decline in coronavirus pandemic assistance combined with a lack of access to mental health and addiction treatment to put housing out of reach for more people.

More than 650,000 people are estimated to be homeless, the most since the country began using the yearly point-in-time survey in 2007. People of color, LGBTQ+ people and seniors are disproportionately affected, advocates said.

The court is expected to decide the case by the end of June.

Rush reported from Portland, Oregon.

Moore to step down as fire chief later this year



Riverside Fire Department Chief Michael Moore, standing next to a table of illegal fireworks during a news conference in June 2021, announced his plans to retire in September after nearly a decade leading the department. WATCHARA PHOMICINDA — STAFF PHOTOGRAPHER

BY SARAH HOFMANN

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Riverside's fire chief of nearly a decade has announced plans to retire in September.

"I've been blessed to work with thousands of exemplary individuals who made it their life's work to protect the public," Michael Moore said in a Friday news release. He called his career "a dream come true."

Moore spent the majority of his 42 years in fire service with the Orange County Fire Authority, according to the release, including work as a division chief and the fire chief for Yorba Linda, Tustin, Placentia, Villa Park and Irvine.

Since joining the Riverside Fire Department in 2014, Moore directed the Firefighter Peer Support Program, helped lead the city's COVID-19 response, hired nearly 100 of the department's 225 fire fighters and was involved in creating Measure Z, a tax supporting public safety.

He also led the Fire Department to become "one of only five fire agencies in California to be both accredited and an ISO Class 1 department as recognized by the Insurance Service Office," the release states.

Moore also acted as Riverside's interim city manager for several months before Mike Futrell took over the position in 2023.

"Michael Moore has served this city with honor and dedication, and we are better and safer for his efforts," Futrell said in the release.

Moore plans to remain in the Inland Empire with his wife, Robyne. He said will stay active in his church and with his hobbies, which range from camping to restoring 1960s and 1970s muscle cars.

Bills plan animal shelter guidelines

Two proposals by state senator address best practices in treatment and care of stray cats and dogs

BY DESTINY TORRES

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State Sen. Janet Nguyen introduced two state bills on Monday that she says are needed to address the management and transparency of animal shelters and the welfare of their animals.

One of the bills would require public animal shelters operating in counties with populations greater than 400,000 to report monthly on their website the number of intakes and outtakes, those euthanized and natural deaths, to improve transparency with the public.

The bill would also make an exception to state law that says it's a crime to abandon an animal so that shelters can have Trap, Neuter and Release programs for population control of feral cats.

The second bill introduced by Nguyen would set guidelines for veterinarian notations on animal medical charts for instances such as pain control, trauma mitigation and treatment instructions.

"Shelters have a tough job, and I realize that. But they need to use best practices and be open and accessible to the public to use all the tools available so we can adopt as many pets as possible," Nguyen said during a press conference Monday. "Animals have no voices, so we are their voice."

Though she did not mention OC Animal Care, Nguyen has been publicly critical of the county's shelter, calling it in an op-ed in The Orange County Register a "disaster" in need of immediate reform. She has also taken this issue on in her recent campaign efforts.

Nguyen is facing off against Cypress Councilmember Francis Marquez in November for the First District seat on the OC Board of Supervisors. In her campaign, she's said remedying the issues she sees at the OC Animal Care facility are high on her list of priorities.

Animal advocates in recent years have challenged several of the animal shelter's policies, including its restrictions on visitors walking among the kennels without an appointment

(which have recently been relaxed) and its strategies for addressing street cats and animals with behavior problems.

OCAC Director Monica Schmidt has previously said legal clarification on Trap, Neuter and Release programs at the state level would help. The county is one of several shelters that ceased previous TNR programs that took in stray cats to be spayed or neutered and vaccinated, before returning them to the outdoors, because of concerns it could be argued as abandonment and put the agency at risk of lawsuits.

“I think we all can agree that TNR is absolutely something that is a benefit in the animal welfare community. We just have to make sure that we’re following guidance legally as well,” Schmidt said in an interview earlier this month. “Once there’s a resolve, I look forward to us being able to come to the table and have conversations about that.”

Critics say the bills aren’t perfect. Sharon Logan, an animal advocate who has long been critical of OCAC’s practices, said in an email that the TNR aspect is too broad, and could lead to shelters trapping, neutering and releasing all cats, not just feral ones.

“This bill is a license to dump animals. The proposed bill will change the law and release the shelters from all responsibility for abandoned animals,” Logan said. “The over-inclusive ‘community cats’ definition will result in many thousands additional cats being abandoned outdoors.”

Logan would like shelters to be required to sterilize cats, evaluate whether they are currently healthy and strong enough to survive outdoors and only release the animals after a legally required period. The cats should then only be released into a managed colony or where food, water and shelter are known to be available, she said.

Jill Tucker, CEO of the California Animal Welfare Association, said she fully supports creating legal clarity for shelters to use TNR programs.

Also, she said while requiring quarterly data reporting from shelters will be an improvement, some of the data points listed in the bill are “not data points that even apply necessarily to every shelter. They can change by the minute. So it’s not actionable data,” Tucker said.

The two bills were co-authored by Senator Josh Newman (D-Fullerton) and Assemblymembers Diane Dixon (R-Newport Beach), Laurie Davies (R-Laguna Niguel), Heath Flora (R-Ripon), Kate Sanchez (R-Rancho Santa Margarita) and Sharon Quirk-Silva (D-Fullerton).

The bills passed out of the Senate Business, Professions and Economic Development Committee on Monday; they will have to progress through other committee hearings before going to legislature.

“California needs to be at the forefront of animal welfare and treat dogs, cats and other creatures in our shelters with care and dignity,” Nguyen said in a statement. “I don’t want to hear any more anecdotes on animal abuse in shelters funded by taxpayers.”

SACRAMENTO

California rejects bill to crackdown on how utilities spend customers' money

BY ADAM BEAM

THE ASSOCIATED PRESS

SACRAMENTO >> California lawmakers on Monday rejected a proposal aimed at cracking down on how some of the nation's largest utilities spend customers' money.

California's investor-owned utilities can't use money from customers to pay for things like advertising their brand or lobbying for legislation. Instead, they're supposed to use money from private investors to pay for those things.

Consumer groups say utilities are finding ways around those rules. They accuse them of using money from customers to fund trade groups that lobby legislators and for TV ads disguised as public service announcements, including some recent ads by Pacific Gas & Electric.

A bill in the state Legislature would have expanded the definitions of prohibited advertising and political influence to include things like regulators' decisions on rate-setting and franchises for electrical and gas corporations. It would also allow regulators to fine utilities that break the rules.

Monday, the bill failed to pass a legislative committee for the second time in the face of intense opposition from utilities, including Pacific Gas & Electric.

"We've seen too many examples of the blatant misuse of ratepayer funds across the state," said Democratic state Sen. Dave Min, who authored the bill that failed to pass on Monday. "I know that consumers are outraged by this."

PG&E opposed the bill because it said it would take away the power of state regulators to examine utility companies' costs and decide whether it is "just or reasonable" for customers to pay for them.

Plus, PG&E lobbyist Brandon Ebeck said it's appropriate for customers to pay for the company's membership fees that go to various industry associations because they benefit customers. He noted those groups coordinate emergency response and wildfire training. When the war in Ukraine started, the Edison Electric Institute — a national association representing investor-owned utilities — sought to find surplus equipment that could be sent to Ukraine.

"There's a lot of benefits to customers," Ebeck said.

The bill was part of a larger backlash against the rising cost of electricity in California. Power is expensive in California in part because of the work required to maintain and upgrade electrical equipment to reduce the risk of wildfires in a state with long, dry summers.

As rates have continued to climb, utilities like Pacific Gas & Electric, Southern California Edison and San Diego Gas & Electric have faced increasing scrutiny from consumer groups over how they spend the money they collect from customers.

Matt Vespa, senior attorney at the environmental advocacy group Earthjustice, said Monday's vote was "incredibly disappointing." He said the current rules for utilities

“incentivizes them to see what they can get away with.”

As an example, Min and consumer groups noted PG&E spent up to \$6 million in TV ads to tout its plan to bury power lines to reduce wildfire risk, a plan that some consumer groups opposed because it increased customers' bills.

The ads first aired in 2022 and feature CEO Patti Poppe in a company-branded hard hat while saying the company is “transforming your hometown utility from the ground up.”

The utility recorded the expenses for those ads to come from a customer-funded account that is dedicated to reducing wildfire risk, as first reported by the Sacramento Bee. PG&E spokesperson Lynsey Paulo said the company has not yet asked regulators to review that expense. The California Public Utilities Commission will decide whether customer funds can pay for the ads.

Paulo noted state regulators allow utilities to use money from customers to pay for safety communications on television.

“Our customers have told us they want to know how we are investing to improve safety and reliability,” Paulo said. “We also use digital and email communications, but some customers do not have internet or email access, so we use methods including television spots to communicate with all of our customers.”

Some consumer groups say the ads have crossed the line.

“Only at PG&E would (Poppe's) attempts at brand rehabilitation be considered a ‘safety message,’” said Mark Toney, executive director of the Utility Reform Network. “This blatant misuse of ratepayer funds is exactly why we need SB 938 and its clear rules and required disclosures for advertising costs.”

Can Bass pull off her ambitious housing program?

The mayor's plan to use donations to buy real estate is met with hope and skepticism.



MAYOR Karen Bass' LA4LA initiative, which will rely on private donations and loans to buy apartments for the homeless, is modeled after a program in Atlanta. (Robert Gauthier Los Angeles Times)

BY DAKOTA SMITH

Los Angeles has always been a city of extremes, but the homelessness crisis is exposing the divide between rich and poor in startling ways.

A-listers in designer gowns and [million-dollar](#) jewels parade down the red carpet blocks from tents where people live in unsanitary conditions. Private jets take off at Van Nuys Airport, soaring over streets lined with RVs and crowded apartment complexes.

Rising housing prices are turbocharging the finances of homeowners while leaving others unable to afford a roof over their heads.

Now, Mayor Karen Bass is calling on the city's wealthy residents to narrow that economic chasm with an initiative that will rely on private donations and loans to buy apartments for the city's unhoused people, who [numbered more than 46,000](#) at the last count.

Philanthropic and real estate leaders reacted with hope and skepticism to the initiative, LA4LA, which Bass unveiled April 15 during her State of the City address.

LA4LA will solicit funds from corporations and foundations, as well as individuals.

While Bass' allies applaud her work on homelessness, others privately question how far donations raised by LA4LA would go, arguing that billions are needed to fix the problem.

Bass' campaign comes as wealthy Democratic donors in Los Angeles — some of the same people the mayor is counting on to open their wallets — are hyperfocused on raising money for President Biden's reelection.

Meanwhile, city taxpayers of all income levels have already funded billions of dollars in spending to reduce homelessness, even as the population on the streets and in temporary housing has continued to grow.

Donna Bojarsky, co-founder of a nonprofit dedicated to building civic culture in L.A., predicts that Bass' deep commitment to alleviating homelessness will spur people to give to LA4LA.

"People are a little less cynical, because she has shown that things can be done," said Bojarsky, pointing to the mayor's executive order speeding up affordable housing construction and other programs led by her office.

LA4LA leaders said the initiative will target a specific need amid the much larger homelessness crisis.

Bass' signature homelessness program, Inside Safe, has cleared encampments and moved some unhoused Angelenos into hotel and motel rooms.

But many people remain in those rooms, with nowhere else to go.

Bass has said she initially expected Inside Safe participants to spend three to six months in temporary residences, only to realize that, for many, those stays would last one to two years because of a dearth of affordable housing.

LA4LA will target financially distressed multifamily properties that are approved but not yet constructed, properties that are close to opening or properties struggling with high vacancies, with the goal of converting them to affordable housing.

Because LA4LA is a philanthropic venture — overseen by the California Community Foundation, a charitable group — it will be able to offer financing at lower interest rates than a bank, leaders said. In certain scenarios, according to lead strategist Sarah Dusseault, investors will be offered a small return.

The creation of more apartments will also allow the city to take advantage of federal housing vouchers that are going unused because of the lack of residential space. The city has had to return some voucher money to the federal government, to the frustration of local officials.

Hollywood mogul Jeffrey Katzenberg, one of LA4LA's leaders, has donated \$300,000 to the initiative. He told The Times in a statement that it uses "the flexibility of philanthropy to activate housing units fast, for those who need it now."

So far, LA4LA has raised more than \$10 million, Dusseault said.

LA4LA is modeled after a program in Atlanta that has raised \$150 million from philanthropic groups, corporations and individuals. The program provides loans and grants to developers of mixed-income housing that includes affordable units.

Sarah Kirsch, managing director of affordable housing funds at the Community Foundation for Greater Atlanta, said one of the funds offers investors a 3% return. While they could get a higher return elsewhere, corporations and others want to help create a city where their employees can afford to live, she said.

"We measure return on investment beyond just the financial return," said Kirsch.

LA4LA is partnering with the Housing Authority of the City of Los Angeles, a state-chartered agency that administers the city's public housing developments, to provide loans to buy buildings.

HACLA Chief Executive Douglas Guthrie said the authority is close to purchasing buildings using LA4LA financing and anticipates closing on new apartment units by early fall.

Outside donors want to help with the crisis, and they "just need to know how," said Guthrie. "We're trying to give them avenues to do that."

Other philanthropic groups are already tapping wealthy donors to address the housing issue, including the Mayor's Fund, a nonprofit affiliated with Bass that focuses on preventing people from falling into homelessness.

Stephanie Klasky-Gamer, president and chief executive of LA Family Housing, a homeless services provider and affordable housing developer, also courts donors.

LA4LA will likely have access to individuals and corporations that her group can't reach, Klasky-Gamer said. She called Bass "aggressive and committed" but talked about the reality of homelessness.

“We are raising more money privately and publicly, we’re assisting more people, yet there are more people falling into homelessness, and that becomes deflating,” Klasky-Gamer said.

Housing remains prohibitively expensive in Los Angeles, hampering city efforts to acquire units.

Bass, at a recent town hall hosted by KNX News, revealed that she had launched a failed “crusade” to purchase a partially completed downtown skyscraper, which became a national spectacle after it was tagged with graffiti on just about every floor, and use it for affordable housing. An estimate for the unfinished building came in at \$850 million, she said. It will probably have to be torn down.

Jay Lybik, national director of multifamily analytics at CoStar, a commercial real estate data provider, said LA4LA’s model makes “complete sense” in light of concerns about the housing market.

“If there ends up being distress for multifamily [buildings], it’s a way to keep as much housing as they can,” he said.

Vacancy rates are rising in the luxury apartment market in Los Angeles County, and it’s taking longer to lease those units, according to CoStar data. Building owners also may be struggling with rising interest rates, real estate experts said.

Gregory Harris, executive managing director at Institutional Properties Advisors, was circumspect about LA4LA. He called it a “noble” idea but said financially distressed projects are “few and far between.” There are usually multiple bidders when projects come up for sale, Harris said.

Stuart Waldman, president of the Valley Industry and Commerce Assn., said he expects the business community to give to LA4LA. Bass’ push for private donations makes more sense than going back to the ballot box, he added.

Over the last decade, voters have approved Proposition HHH to build housing for the homeless, Measure H to deliver homeless services and Measure ULA to keep people from slipping into homelessness.

Civic leaders are now looking to double the amount raised from Measure H, moving it from a quarter-cent to a half-cent sales tax.

Waldman pointed to the narrow passage in the March election of Gov. Gavin Newsom’s \$6.4-billion bond measure to overhaul California’s mental health system as an example of voters’ wariness about funding more homeless services.

“People are tired and done with it,” said Waldman. “The only way they are going to get any more money is through private donations.”

Times staff writer David Zahniser contributed to this report.

NEWS: HOUSING & HOMELESSNESS

Two More OC Cities Create Housing Trusts; Are They Effective?



BY HOSAM ELATTAR AND NOAH BIESIADA

3 hours ago



Why you can trust Voice of OC

Officials in Anaheim and Laguna Beach plan to establish their own housing trust funds – money that could be used to help create affordable homes or fund rental and homebuyer programs amid state pressure to address California’s home affordability crisis.

But there are a lot of questions over how much these housing funds can really generate, with the countywide program completing just 1,340 affordable units, with another 895 units under construction or closing on a construction loan, since 2018 – after investing over \$823 million.

It comes amid state mandates on city officials in Orange County to zone for [over 180,000 new homes](#) – and 75,000 of them have to be designated for very low and low income families by 2029.

The County's median income is close to \$128,000, [according to the state's Department of Housing and Community Development](#). A four-person household making less than roughly \$115,000 a year is considered low income and less than nearly \$72,000 is considered very low income.

A 2022 report from the Orange County Housing Finance Trust put the average cost per unit for affordable housing at just over \$500,000.

Two Cities Are Starting Housing Trusts; Will They Work?

On April 9, Laguna Beach city leaders unanimously voted to move forward with creating their own housing trust fund, aiming to support more lower-income households by bringing in grant funding from the state.

They also said the priority is to set up housing for seniors, local workers and artists, which city leaders have said they were looking for more ways to support for years.

[**Read: [Laguna Beach to Take a New Look at Affordable Housing for Artists](#)**]

While it remains unclear exactly what programs will be rolled out by the housing fund, a city staff report noted it could go toward rent subsidies, accessory dwelling unit development loans, new affordable units and other programs, with the goal of investing \$2.5 million in the fund.

Laguna Beach officials are not the only ones tinkering with a housing trust.

Earlier this month, Anaheim officials directed staff to come back with plans to **establish their own housing trust**, eyeing tens of millions of dollars from Disney to kick start the trust as part of a 40-year agreement to expand their iconic theme park.

[**Read: [Anaheim Approves \\$2 Billion Disneyland Forward Expansion](#)**]

City council members unanimously approved the expansion dubbed Disneyland Forward on April 16 – an agreement in which the entertainment juggernaut committed \$30 million towards building affordable housing in a city.

Half of it would go to the city the first year of the Disneyland Forward development and the other half would be paid over five years, according to city staff.

Both city staff and Disney representatives tout the investment as the largest private investment into housing in the city in a nonresidential project and say the money can be used to leverage even more funds through state and federal grants.

“Successful models across the country show every dollar of private investment can yield \$7 of additional investment so our \$30 million commitment could generate \$210 million,” said Suzi Brown, vice president of communications for the Disneyland Resort, in an email to the Voice of OC this month.

The money from Disney is expected to create about 500 affordable homes, according to city spokesman Mike Lyster.

A host of residents, however, question if the investment is enough and argue that the city should implement a gate tax on venues like Disneyland, Angel Stadium, the Honda Center and the City’s convention center to bring in revenue for the fund.

Marisol Ramirez, deputy director of Orange County Communities Organized for Responsible Development, said in an interview that there should be a continuous revenue source going into the housing fund through a gate tax.

“We’re really behind on what we should be in terms of housing in the city,” she said. “You would add \$1 to every ticket sale that would go into a fund that could create more housing, that could create better opportunities for the city.”

Lyster told the Voice of OC that city council members are not currently considering such a tax.

Anaheim & Laguna Beach Struggle With Getting Affordable Homes Built

According to recent reports, both cities are struggling to build affordable homes for low and very low income families.

In Anaheim, about 80% of homes approved to be built last year were for above moderate income families and about 11% were for low income and very low income families, according to a [recent city report](#).

Under state housing mandates, the city has to zone for or 17,453 homes – of which 6,164 have to be for very low and low income families – by 2029

About half the people who live in Anaheim are on a public health plan.

[*Read: [The Happiest Place on Earth is Surrounded by Some of Orange County's Poorest](#)*]

In Laguna Beach, city leaders have exclusively approved above-moderate housing, with the city's housing report noting they've built 221 above-moderate cost homes and approved permits for 127 more, with no permits for moderate, low or very-low income homes since 2021.

They didn't make any [progress in zoning for affordable homes](#) in 2022 either.

Under state housing mandates, officials there have to zone for 394 new homes – of which 198 have to be for very and low income families – by 2029.

According to the [census](#), the median value of an owner occupied home in the coastal city is upwards of \$2 million.

They are not the only ones struggling to get affordable homes built in OC.

[*Read: [How Are Orange County's Cities Doing At Building Affordable Housing?](#)*]

Other cities across the county including Laguna Beach have adopted laws requiring developers to build affordable homes or pay a fee.

Anaheim has [resisted](#) implementing such a law.

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