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UC Berkeley Study Finds that California’s Business Improvement Districts Exclude Homeless People from Public Space with Taxpayer Dollars

BERKELEY, CA—the [Policy Advocacy Clinic](#) at UC Berkeley School of Law released a first-of-its-kind [study](#) today documenting how the activities of local Business Improvement Districts (BIDs) in California often harm homeless people.

The clinic conducted the study—“Homeless Exclusion Districts: How California Business Improvement Districts Use Policy Advocacy and Policing Practices to Exclude Homeless People from Public Space”—on behalf of the Western Regional Advocacy Project in San Francisco.

The study found that the privately run districts, mostly funded by property assessments, use their power and resources to advocate for anti-homeless policies and to support policing practices that exclude or drive out homeless people.

BIDs fund their activities partly with assessments on publicly-owned buildings—in effect, using taxpayer money to achieve their goals. In San Francisco, for example, assessments on government properties make up more than half of the revenue for the Civic Center BID.

Berkeley law and public policy students surveyed 189 BIDs in dozens of cities where the activities of businesses and homeless people often intersect. Students conducted an extensive analysis of 11 BIDs in San Francisco, Los Angeles, Berkeley, Oakland, Sacramento, San Diego, and Chico, and they interviewed scores of homeless people and numerous BID officials.

The clinic found that BIDs have proliferated across California in response to declining government investment in urban spaces. To incentivize their creation, the State Legislature reduced public oversight and expanded BID authority to raise and spend property assessment revenue in 1994.

Former clinic student Shelby Nacino, who worked on the study for two years, said the number of BIDs has grown significantly since state lawmakers gave them greater authority and



autonomy. The growth, she said, “correlates strongly” with a striking increase in anti-homeless laws. “Our research shows that BIDs have been successful in pressing state and local lawmakers to criminalize homelessness” said Nacino, a 2018 graduate of the law school.

California BIDs now collect and spend hundreds of millions of dollars annually in compulsory property assessment revenue, but researchers and policymakers have paid little attention to their rise and growing influence on municipal and state affairs, the study notes.

The students found that BIDs regularly lobby local and state lawmakers to enact, preserve, and strengthen laws that punish homeless people for life-sustaining activities that they have no choice but to undertake in public, such as sitting, resting, sleeping, and food sharing.

They also found that BIDs use their own private security and coordinate closely with local police departments to enforce anti-homeless laws and otherwise exclude or remove homeless people from their districts.

The study uncovered several ways in which current BID policy advocacy and policing practices violate California law and infringe on the legal rights of homeless people.

“After decades of government disinvestment from affordable housing and other public services, homelessness has reached crisis proportions in California,” said clinic Director Jeffrey Selbin. “Like other urban renewal efforts, BIDs were supposed to help fill the resource and service void. But our findings suggest that BIDs have used their growing power—through policy advocacy and policing practices—to exclude homeless people from public places.”

WRAP Executive Director Paul Boden said “this ground-breaking study is a much needed resource since the state does not even bother to track BIDs, how much money they spend, from what sources, and for what purposes.”

Added Boden, “BIDs are part of a concerted and growing effort to erase from cities any sign of vast inequality while at the same time perpetuating it. The interests of BIDs and the public interest fundamentally conflict. BIDs work to manufacture the appearance of prosperity in the city square but that farce comes at the expense of basic human rights for the unhoused poor.”

The study concludes with several detailed recommendations, calling for:

- (1) State lawmakers to rein in BID assessment and spending authority, including prohibiting anti-homeless advocacy and policing and ending taxpayer funding of BIDs;
- (2) City governments to oversee and regulate local BID activities, including disestablishing BIDs whose activities unlawfully harm homeless people; and
- (3) BIDs to assume greater accountability to all district residents, including homeless people, by ending anti-homeless activities and collaborating with service providers.

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