

## **EDITORIAL: Denver threatens Colorado with right to squat**

By: The Gazette editorial board

Feb 27, 2019 Updated 5 hrs ago



All Coloradans who care about the state should urge their Denver friends, relatives and colleagues to defeat ballot measure 300, deceptively called the “Right to Survive” initiative.

If successful, the measure will harm the homeless and make public spaces dangerous and unattractive to residents, visitors and prospective businesses.

To trusting, unsuspecting and compassionate voters it may seem barbaric to vote against a “right to survive.” Denver, after all, is not the U.S. Senate.

Be assured the bill does not grant anything resembling a “right to survive.” It does not protect anyone’s life and, in fact, endangers lives.

Issue 300 creates a squatters’ rights law and nothing more. From the text of measure, the law would protect: “the right to rest and shelter oneself ... in outdoor public spaces ...”; “to occupy one’s own legally parked motor vehicle, or occupy a legally parked vehicle belonging to another” (with an owner’s permission); and “to have a right and expectation of privacy and safety of or in one’s person and property.”

What this means, but does not spell out: anyone will have a government protected right to live in any of Denver's open spaces or public parks. Pitch a tent in Denver's Civic Center Park and call it home. The new law will effectively make nearly any park space the property of any individual, family or group that claims it. Occupants will have no less expectation of privacy than anyone who rents or owns an apartment or home — despite living free of expense, contract, or any other form of obligation on space intended for all to use for routine activities.

Forget picnics, tag football or Frisbee in the park. If a cluster of tents takes up much of the open grass, the tents will have right-of-way — forever. If drug dealers reside in a public space, cops will need a warrant to search the tent, box, or other form of dwelling.

The law would protect individuals, groups, or families to live in vehicles on streets in front of nearly any Denver businesses and/or homes. If the vehicle is legally parked, a car can serve as a legal residence in perpetuity.

The law will not protect only those residents who establish themselves in parks or on lawns of government buildings. Most residential neighborhoods have strips of land between sidewalks and streets that belong to the public. Those areas and others — think wide grassy medians in the center of traffic parkways — will become protected space for whomever sets down a tent, tar paper shanty, box, or sleeping bag.

The law protects those who set up house and home on a sidewalk, assuming they do so in a “non-obstructive manner.”

The “one's own person and property” clause of the proposal grants sweeping protections to all-of-the-above residential possibilities, and more.

With this law, Denver may become among two or three of the country's top destinations for the homeless to permanently settle.

Denver, like most Colorado communities, cares passionately about its homeless residents. It provides public and private shelters and all assortment of social services that help with substance abuse, mental illness, physical ailments, unemployment, hunger, chronic and temporary poverty, and more.

Issue 300 works against the homeless, enabling permanent avoidance of the assistance offered by law enforcement, shelters and other social service agencies. Living in a park or parkway is not safe, normal or healthy. Today, authorities offer a hand up to those who accept it. In a post 300 city, they would break the law to intervene with even the kindest of intentions.

In addition to harming the homeless, this law would devastate businesses that count on pedestrians traversing commercial areas. As seen in San Francisco and several other West Coast cities, anything-goes homeless protections result in the unintended consequence of human waste on sidewalks and lawns. San Francisco began a small army of poop patrollers last year, with each feces scooper earning \$184,000 a year in salary and benefits for the unpleasant and hazardous work.

Because a high percentage of homeless suffer from substance abuse, the measure would cause more needles and syringes in public spaces.

Denver serves as Colorado's cultural and economic hub. It is where politicians create state laws. It is home to our region's big league sporting teams, off-Broadway theater productions, marquee restaurants, and more.

To hurt Denver with this ill-conceived law is to hurt the whole state. Let's hope Denver voters reject this anarchical proposal. Keep Colorado great.

Defeat the right to squat.