

## **Arguments “For” Proposition 312**

Sadly, Arizona has seen a massive surge in criminal activities associated with homelessness. These crimes include assault, vandalism, and the selling of illicit drugs, particularly fentanyl. Unfortunately, the response from cities such as Phoenix and Tucson has been a refusal to enforce the law. In fact, Phoenix’ inaction resulted in the largest homeless encampment in the country, the Zone in downtown Phoenix, in which crime and health issues were so rampant the city had to be sued to clean it up.

The result of this refusal to enforce the law is that homeowners and business owners have not only been forced to pay for mitigation efforts themselves, they’ve also seen their property values plummet. Prop 312 remedies this situation by giving property owners back their tax dollars when cities fail to use those funds for their intended purpose: to protect residents from crime. Not only will this greatly help those most impacted by the homeless epidemic, it will also encourage municipalities to use our tax dollars appropriately.

Please vote “YES” on Prop 312.

### **Victor Riches, President & CEO, Goldwater Institute, Phoenix**

I am writing this comment in support of Prop 312 as a private citizen, not in my official capacity as Gilbert Town Councilman. Prop 312 is a common sense, practical solution that helps businesses and property owners at a time when they desperately need it. Due to local government failure, many property and business owners have been left to take matters into their own hands to keep their employees safe, keep their doors open, or simply to keep their homes and businesses clean.

The homeless crisis in Arizona has created inhumane conditions for individuals who are forced to live on the streets. I work hard to make sure that Gilbert does not have a “Zone” situations like Phoenix but as homelessness continues to be an issue in the Valley, encampments are sure to spread to other metro cities.

Prop 312 will have no effect on municipalities who do their job in addressing the homelessness issue. In fact, Prop 312 encourages municipalities to continue finding solutions to these complex and difficult issues. That why I support Prop 312.

### **Jim Torgeson, Town Councilman, Gilbert Arizona (in his personal capacity), Mesa**

My husband, Joe, and I have owned and operated Old Station Sub Shop off Jefferson for almost four decades. For over thirty years we were able to successfully run our business and provide for our customers without fearing for our customers, employees, or our own safety as well as the livelihood of our business. That all changed the day the first tent came up in ‘The Zone.’ Due to the city of Phoenix creating and maintaining the nuisance that was ‘The Zone’, we had no clue what to expect when we would drive into work every morning. Many days we would arrive to our shop having been broken into and vandalized, people passed out or overdosed on our patio, urine and feces scattered across our parking lot and entryway, and a fear that we would never be

able to get out of this nightmare situation. This financial loss is nothing in comparison to the mental and emotional toll this has taken on me and my husband. This is why we are asking you to please Vote YES for PROP 312. Even after the court ordered the City of Phoenix to clean up the 'Zone' there was nothing that could compensate us for the loss in property value nor the mitigation expenses our small business endured. All the while we paid taxes for public health and safety services we did not receive. We now live in continual fear that the City of Phoenix will let another 'Zone' happen again. Prop 312 gives us hope that not only will the City of Phoenix not allow another 'Zone' to happen, but if so, there would be some compensation for small businesses like ours.

Join us in voting YES for Prop 132.

**Debbie & Joe Faillace, Former Owners, Old Station Sub Shop, Phoenix**  
*Sponsored by Goldwater Institute*

The Flagstaff Chamber of Commerce urges you to vote YES on Prop 312 to protect property rights. It is no secret that the homeless issue has been spreading in our state. No longer is it just Tucson and Phoenix struggling with this problem. However, many cities are turning a blind eye towards it and failing to enforce laws and ordinances designed to protect both homeowners and the homeless. When the cities stop providing public health and safety services, everybody loses. This measure simply allows property owners to get a refund for expenses they have incurred due to a city's purposeful failure to do its job. Please vote YES on Prop 312.

**Joe Galli, Senior Advisor Public Policy, Greater Flagstaff Chamber of Commerce, Flagstaff**  
*Sponsored by Greater Flagstaff Chamber of Commerce*

Our America urges you to vote YES on proposition 312 to keep our neighborhoods safe! Our vision is to ensure that all Arizonans take pride in their communities, where people have safer streets, and brighter futures so Americans can pursue the American dream.

Unfortunately, city policies which hamstringing vital agencies such as public health and safety, only hurt its community members. Arizona saw the horrors that transpired in Phoenix's 'the zone'. An area in which the city not only turned a blind eye to, but instituted policies which encouraged homeless encampments, drug use, and violent crime. The courts finally intervened and made the city clean up the zone, but nothing helped compensate the property owners who faced damages from it nor gave justice to any of the individuals who were victims of crimes within the zone.

Prop 312 gives property owners the ability to hold their city officials accountable to not only provide protections to ensure safe neighborhoods but to also allow police and fire to do their jobs, without politics getting in the way.

Vote YES for safer Arizona communities, vote YES on Proposition 312!

**Paul Parisi Sr., Our America Arizona Grassroots Director, Our America, Oro Valley**  
*Sponsored by Our America*

As a Tucson small business owner, I can attest firsthand how the failure of local governments to enforce laws and provide public health and safety services can be catastrophic for our communities. Increases in crime means that stores get less foot traffic and often results in both businesses and homeowners having to take on additional security expenses. All while still paying taxes to a city who is failing to protect us or provide the services it promised us. That's just wrong. People should feel safe knowing that the investment they make in Arizona is protected, regardless of if that is a business or home. Cities need to stop prioritizing the rights of criminals over the rights of law-abiding property owners. That's why I am voting yes for PROP 312.  
-Grant Krueger, Union Hospitality Group

**Grant Krueger, Owner, Union Hospitality Group, Tucson**

Cities, towns, and counties across the state are failing or refusing to enforce their own ordinances to protect our communities from the health and safety threats posed by homeless encampments and other public nuisances. For example, the City of Phoenix neglected cleaning up a homeless encampment called "The Zone" rife with violence and drugs, until they were sued, and a judge compelled them to.

Allowing these dangerous encampments to persist harms and endangers surrounding property owners in these cities and towns. Graffiti on walls, broken windows and property, and public defacements that make the area unsafe. To stay in business, or maintain the security of their own homes, property owners are the ones who incur expenses to protect their businesses and homes.

Property owners pay taxes for the services the city is obligated but failing to provide – ensuring public safety. Currently there is no recourse for these property owners. Prop 312 provides a mechanism for property owners to be reimbursed for the expenses and damages they incurred due to the city's negligence. This will not only justly make property owners whole but will incentivize cities to do their job – protecting the safety and welfare of its residents and businesses.

Vote YES on Prop 312!

**Scot Mussi, President, Arizona Free Enterprise Club, Gilbert**  
*Sponsored by Arizona Free Enterprise Club*

The Tucson Crime Free Coalition supports Prop 312, and we urge you to vote YES. We are a non-partisan coalition of over 7,000 business owners and individuals in Tucson and Pima County. We are tired of being victimized as we have watched our beautiful city become overrun with lawless behavior such as theft, rampant open drug use, vandalism, break ins and prevalent "urban camping" by individuals that are choosing a lifestyle of living on the streets. Citizens fear

for the safety of their family, business owners fear for the safety of their employees and customers. Some businesses have even been forced to close.

As a result, citizens, property owners and business owners have been saddled with the enormous financial burden of paying for repairs to property, replacement costs of stolen goods and higher costs of goods and services. These expenses also include costs to upgrade surveillance systems, fencing and even hiring private security. We call these expenses the CRIME TAX.

This has all happened while the elected officials in this area have shown a lack of leadership, a complete dereliction of duty, and an unwillingness to address these issues. All of this is despite years of community members trying to work with our elected officials to help find real solutions to no avail.

Prop 312 will give Arizonans the ability to finally hold their elected officials accountable. It will also give much needed relief to the business and property owners who have had to struggle through this crisis alone for far too long.

Vote YES on Prop 312 to put an end to the lawlessness.

**Kevin Daily, Steering Leader, Tucson Crime Free Coalition, Tucson; Monica Carlson, Steering Leader, Tucson Crime Free Coalition, Tucson; and Josh Jacobsen, Steering Leader, Tucson Crime Free Coalition, Tucson**  
*Sponsored by Tucson Crime Free Coalition*

Tucson's Mayor and Council has allowed lawlessness to become the norm in Tucson. They have allowed Tucson's police force to dwindle to dangerously low levels, which has resulted in the inability of the police to respond to most property crimes and trespassing complaints.

As a property owner, my tenants and I are bearing the brunt of this out of control lawlessness. At one commercial property I have spent over One Hundred Thousand dollars to install rod iron fencing to keep the homeless from occupying my property. When a homeless campsite is abandoned, my maintenance personnel must clean up a huge mess, which usually includes hazardous drug paraphernalia and human waste.

I have had to remove electrical boxes and hose bibs to prevent the theft of these services. At another property, because a water faucet was locked, a homeless person took a large rock and broke the entire faucet from the building, which resulted in the cost to repair, but also the loss of hundreds of gallons of water.

Another property had an air conditioner compressor situated on the ground. The homeless, in an attempt to steal copper, cut the freon line and pried the top open to remove the copper wire. The unit was ruined and the cost to replace was over \$13,800.00. Broken storefront/door glass is at epidemic levels.

In at least two instances, tenants and a contractor have been threatened by a homeless person with a knife.

The lack of law enforcement is creating a “CRIME TAX”, that is being paid by the citizens of Tucson, in addition to taxes that we pay for police enforcement of existing laws. Proposition 312 is a fair solution and will incentivize elected officials to enforce our laws. We must again enforce our laws!

**Richard Rodgers, Tucson**

When cities neglect to enforce ordinances against homeless encampments and public nuisances, it's the property owners who suffer the consequences. They face the burden of protecting their homes and businesses, often at great expense. This measure proposes a fair solution: allowing affected property owners to recoup some of those costs through a refund of their property taxes.

Property taxes are intended to fund essential services, including law enforcement, which plays a crucial role in safeguarding communities from crime and degradation. When cities fail to fulfill their duty to uphold ordinances and maintain public order, they essentially breach their contract with taxpayers. As a result, property owners are left to fend for themselves against the adverse effects of neglected encampments and nuisances.

By offering property tax refunds to affected property owners, this measure not only provides relief to those who bear the brunt of city negligence but also serves as a mechanism to hold municipalities accountable. It sends a clear message that cities must fulfill their obligations to maintain public safety and order. Furthermore, it incentivizes local governments to proactively address issues like homelessness and public nuisances rather than turning a blind eye to them.

Ultimately, this measure promotes fairness and accountability in the relationship between cities and their taxpayers. It ensures that property owners are not unfairly burdened by the consequences of municipal inaction and encourages cities to fulfill their responsibilities in protecting their communities. Please vote YES on HCR2023.

**Andrew Adams, Gilbert Citizen, Gilbert**  
*Sponsored by LD14GOP*

As a member of a city council, I know how an increase in the homeless population impacts residents and businesses. This crisis has affected countless lives and livelihoods, and cost tens of millions of dollars- including tax dollars and the costs to property and business owners who are trying to provide for their families and help grow our economy.

Prop 312 can provide needed relief and helps compensate property and business owners who have been forced to bear this burden. Prop 312 incentivizes cities to enforce existing laws regarding illegal camping, loitering, pollution, and other nuisances. In cities that fail to enforce these laws and ordinances, Prop 312 can help compensate the property owners that have experienced financial loss through no fault of their own.

Please support Prop 312.

Jim Waring (member of the Phoenix City Council writing as a concerned citizen)

**James Waring, Scottsdale**

The Arizona Restaurant Association urges you to support Proposition 312. Our restaurant industry is crucial to Arizona's economy, providing jobs, contributing to local commerce, and supporting our communities. However, we face significant challenges due to rampant vagrancy, vandalism, and theft. When individuals loiter, take drugs, or camp illegally near our establishments, it creates an unsafe environment for both customers and employees. This leads to a decline in business, higher employee turnover, and increased operational costs.

These issues stem from local governments failing to enforce laws designed to keep our communities safe. As a result, restaurants have had to spend their own money on security measures, cleaning hazardous waste, and repairing damage—costs that should be covered by the taxes we already pay.

Proposition 312 offers a solution. It allows property owners to claim a refund on their property taxes for expenses incurred due to the government's inaction on enforcing these laws. Additionally, it holds municipalities accountable by deducting these refunds from their state-shared revenue. This proposition also permits property owners to roll over any unused refund for up to ten years, providing long-term relief.

Supporting Proposition 312 means supporting a safer, more secure environment for our restaurant industry. It ensures that local governments fulfill their responsibilities, protecting businesses, employees, and patrons alike. By voting for Proposition 312, you help us build a thriving, prosperous Arizona where businesses can flourish without bearing the undue burden of city negligence.

Please stand with your favorite local restaurant and vote YES on Proposition 312. Let's hold our local governments accountable and create a safer, more vibrant community for everyone.

**Steve Chucri, President & CEO, Arizona Restaurant Association, Paradise Valley**  
*Sponsored by Arizona Restaurant Association*

Without public safety, we cannot have prosperity.

Safe neighborhoods and law and order are vital to our quality of life and our economy in Arizona. Proposition 312 helps keep things that way and aims to stem the tide of increased homelessness.

Under Prop. 312, a property owner can apply for a tax refund if the government fails to enforce basic laws regarding illegal camping, obstructing public thoroughfares, loitering, panhandling, public urination, and possessions of illegal substances. The fact is, if these laws are not enforced, property owners pay the price in the form of increased security and upkeep costs and, ultimately, lower property values.

Over the last several years, we've seen a dramatic spike in homelessness. This is both a humanitarian and a public safety crisis. A recent study by the non-partisan Common Sense Institute found that over the last three years, Arizona's homeless population has increased nearly 30%. In total, we are spending more than \$1 billion a year as a state addressing it, according to the study.

Prop. 312 adds accountability. Unfortunately, too often basic laws are not being enforced. In other cities, this has led to increased homelessness and crime spiraling out of control.

We can't let that happen in Arizona.

Prop. 312 helps ensure we don't face some of the problems major cities like Portland, San Francisco and Los Angeles have experienced, and I encourage you to join us in voting "Yes."

**Danny Seiden, President & CEO, Arizona Chamber of Commerce and Industry, Phoenix**

Arizonans deserve safe neighborhoods and a strong economy. Those start with enforcing the law.

Sadly, we've seen the opposite approach in some big cities, especially in California. There, lawlessness has taken hold because the law isn't being enforced.

Proposition 312 is about accountability. Hardworking Arizonans expect a return on what they pay in taxes, like safe streets. They also deserve a refund when the government doesn't meet its obligations.

We can no longer turn a blind eye to the homeless encampments that flourish in part of our state. Too often, property owners have been left to fend for themselves, installing fences, hiring security, and cleaning up garbage and even human waste. Something must be done.

Local small business owners are the driving force behind this initiative. Some have been hit hard because customers do not want to go near areas close to homeless camps. It's just not fair to them or their customers.

I hope you will join me in voting "Yes" on Proposition 312, so we can hold government accountable and work to stop the homelessness crisis.

Rachel Mitchell, Maricopa County Attorney

**Rachel Mitchell, Maricopa County Attorney, Phoenix**