Unauthorized Camping

City Council Work Session
September 17, 2019
Camping Complaints

- **Public health nuisances**
  - Human waste
  - Wastewater and garbage
  - Harborage of rodents and other disease-carrying pests
  - Littering
  - Depositing Filth on Public and Private Property
  - Discharge of Liquid Waste
  - Storage of Discarded, Used and Broken Items

- **Diminution of property values**

- **Fire hazards to nearby structures and properties**

- **Concealment of criminal activity**
The Problem

• Individuals trespassing to camp on private property
  • Notice is required to remove individuals
• Police are unable to locate private property owners to determine whether the camping is authorized; or
• The owner is absent or unwilling to give notice that camping is unauthorized
The HOPE Unit
Homeless Outreach Programs & Enforcement

• August 2019 – Fort Worth PD launches the HOPE Unit
  • Lieutenant, Sergeant, Corporal, NPO, Homeless Liaison
  • Two patrol officers to respond to all patrol calls for service during hours of operation
  • Connected to Continuum of Care through Lt. Amy Ladd

• September 2019 – Fort Worth Fire Department adds a Fireman/Paramedic to ride along with HOPE officers
The HOPE Unit

The HOPE unit was created to:

• Be a more compassionate solution to dealing with the homeless; and

• Decrease violent crime in the Near East
The HOPE Unit Mission Statement

Primary mission is to build a rapport within the homeless community, maintain a positive police impact by way of service connections and instill a sense of self-worth in those considered chronically homeless.
The HOPE Unit

Responds to unhoused individuals living in alternative situations such as encampments, streets or vacant structures.
The HOPE Unit

When a Complaint is Received

Visit campsite to:

• Determine how large the camp is and what needs may require an outreach group to respond; and

• Provide a warning to the campers that they can no longer stay on the property and give the date and time that PD will return with Code Compliance for clean up, if required. This allows for notice to vacate and provides outreach groups time to respond.*

*Unless the property owner is present and requests that the campers vacate immediately.
The HOPE Unit

- Citations are rarely issued by the HOPE Unit because of the relationship-based policing style.
- Connecting to services is the preferred method of resolution.
- Officer Kuzenka rarely receives push back from campers when asked to leave an area.
- Enforcement is utilized as a last resort when necessary for safety of the community.
Access to Emergency Shelter

Goal: Reduction of unsheltered homelessness

Intervention: Increase Access to Emergency Shelter Beds

• Lowering Barriers
• Funding overflow beds and case management

Unsheltered Homelessness

17% Decrease
Access to Housing

Goal: Reduction of homelessness

Intervention: Increase Access to Housing

- New Rapid Exit Program
- Increased Investment in Diversion
- New Families Program which includes Rapid Exit and Diversion

![Graph showing Diversions and Family and Individual Rapid Exits from May to August.]

- Successful
- Unsuccessful

- Rapid Exits by Month:
  - May: 5
  - June: 10
  - July: 25
  - August: 40

- Total Diversions: 40
Learning

Additional emergency shelter beds are utilized

Presbyterian Night Shelter 4/1/19 to 9/15/19
How Many People Can One Bed Serve?

<table>
<thead>
<tr>
<th>Average Length of Stay</th>
<th>People Served in a Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 months</td>
<td>10</td>
</tr>
<tr>
<td>6 months</td>
<td>20</td>
</tr>
<tr>
<td>3 months</td>
<td>40</td>
</tr>
<tr>
<td>1 month</td>
<td>120</td>
</tr>
</tbody>
</table>
Community Court

- Homeless, with at least three citations, referred by case manager
- Class C misdemeanors under Fort Worth Municipal Court’s jurisdiction
- Applicants to Community Court can do community service and connect with services in order to dismiss the citations
Current Enforcement Tools

• Citations
• Criminal Trespass
• Nuisance Abatement
• Civil Remedies
Development of the Ordinance

• January 29, 2019: Executive session presentation regarding legal options
• June 4, 2019: Informal Report on Criminal Trespass presented to Council
• August 27, 2019: Tara Perez begins outreach to support organizations and neighborhood associations
• September 10, 2019: M&C and Ordinance on Council agenda for consideration
Shift of Burden

**Current Law:**
Police must locate property owner to determine whether camping is authorized or permitted.

**September 10, 2019 Ordinance:**
For non-residential properties and residential properties, camper must produce **written proof** that camping is **authorized** by the property owner.

**Proposed Alternate Version:**
Camping is **prohibited** on:
- All non-residential properties **unless properly zoned**
- Residential properties that **lack a permanent dwelling** or potable **water** source and **toilet** facilities.
- On developed residential properties, camper must produce proof that camping is authorized by the property owner.
<table>
<thead>
<tr>
<th><strong>Prohibits camping without authorization</strong></th>
<th><strong>Prohibits camping on non-residential private property unless zoned for camping (owner can not authorize)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>on non-residential private property</td>
<td>on residential private property that lacks either a permanent dwelling or potable water source and toilet facilities (owner can not authorize)</td>
</tr>
<tr>
<td><strong>Prohibits camping without authorization</strong></td>
<td><strong>Prohibits camping without authorization</strong></td>
</tr>
<tr>
<td>on residential private property (both developed and vacant)</td>
<td>on developed residential private property</td>
</tr>
<tr>
<td><strong>No action against property owner</strong></td>
<td>Can cite property owner if knowingly allows or permits someone to camp where not allowed</td>
</tr>
<tr>
<td><strong>Class C misdemeanor with fine of up to $500</strong></td>
<td>Class C misdemeanor with graduated fines of up to $2,000</td>
</tr>
</tbody>
</table>
Options

• Adopt Revised 9/10/19 Ordinance (permission of property owner)
• Adopt Alternate Ordinance (not allowed without proper zoning)
• Withdraw and remain with status quo