

City of Lawrence, Kansas
COMMUNITY COMMISSION ON HOMELESSNESS
December 9, 2008 Minutes (Lawrence City Commission Room)

Members present: Hubbard Collinsworth, Wes Dahlberg, Katherine Dinsdale, Loring Henderson, Charlotte Knoche, Shirley Martin-Smith, Mike Monroe, Jeanette Collier,

Members absent: Shannon Murphy, Jane Faubion, Phil Hemphill, Robert Mosely

Staff present: Danelle Dresslar, Margene Swarts

Public present: Hilda Enoch, Sara Taliaferro, Saunny Scott

ITEM NO. 1 INTRODUCTIONS

Dinsdale called the meeting to order at 8:32. There were no introductions.

ITEM NO. 2 MINUTES

ACTION TAKEN

Motioned by Martin-Smith seconded by Dahlberg to approve the November 11, 2008 minutes.

Motion carried unanimously 8-0

ITEM NO. 3 CCC UPDATE – SARA TALIAFERRO

Katherine introduced Sara. Sara said that she is going to come back in January to give the CCC annual report, so she did not have much in the way of official business for this meeting. She wants the groups to be able to work together and for the CCC to assist with facilitation for issues such as the Camping ordinance. She said the CCC is putting together a facilitation guidebook. She wants to get together with the City Commission in a Study Session to show roles and to show how everyone can work together in the most effective way.

She said her input on the Camping and the CCC role was this: She indicated that Katherine came to her and said that the CCH might need to focus more on the Housing Vision and its role in the camping issue. She said that the housing issues are important and both the issue itself and the people involved deserve attention and deserve to be part of the process. Positive contact with those living along the river helps law enforcement keep the peace and can help the situation come to a compromise or solution.

She indicated that what the CCC does is involve all stakeholders in the issue. They believe to come to an effective resolution to an issue you have to bring in everyone involved, from the Outreach workers to the City to homeless individuals themselves. She said that where the CCC can help in the issue is to facilitate those interviews with the stakeholders. She indicated that she had not read through the City

Commission report yet, however she wanted to clarify that the City was reviewing options. This was confirmed.

She indicated that she had spoken to a representative of the campsite that was torn down. She indicated that he made some points that they had all worked hard and collaborated together to form the campsite. He told her that there were rules there and the two men who died in the area did not have contact with their camp. He explained that self governance was in effect, and that there was a sense of goodwill and stewardship with what they were doing. She pointed out that this is not necessarily her recommendation, but that she just wants to make sure that all the facts are gathered and this is an example of involving all the stakeholders.

She reiterated that the CCC can contact and facilitate interviews with stakeholders.

Katherine asked if Sara could outline how the CCC can provide these services.

Sara said yes.

ITEM NO. 4 CCH DISCUSSION REGARDING CAMPING

Dinsdale introduced the topic. She asked the group for clarification that everyone had the notes that were sent out.

Dinsdale indicated in talking to David Tucker, that she has really had her eyes opened to this issue. She indicated that she thought originally that there was a side that she favored, however after working with this and seeing that as long as there is not an opportunity to offer them housing then there may need to be a campsite. She brought up three factors behind her thought process.

1. There is no mental health facility. There is nowhere for some homeless to stay because of mental health issues.
2. The shelters are full. Loring had indicated to her that LCS is turning away 15 people per night. The City just does not have spaces to offer people.
3. The importance of human contact and case workers to keep tabs on people. It is good to have an idea of where people are and how they are. With the campsites the Outreach workers knew where to find people and were building rapport and relationships with them.

The current ordinance states now that 24 hours notice is required before eliminating a campsite and camping is illegal in city limits. She stated that the Housing Vision that was created has no place for camping, nor was it ever discussed to include it. She said that in all the years of the CCH there has not been a serious conversation on camping. She feels that it cannot be that easily dismissed.

Dinsdale asked Mike Monroe for the Police Department perspective.

Monroe said that he did some research as requested for citations for illegal camping since April. While the initial number is not broken down in to actual "camping" calls

because they are all categorized under nuisance calls, he was able to find 55 citations for illegal camping. He indicated that the vast majority were in the Downtown area. He said that they were mostly for sleeping on the sidewalks Downtown. He indicated that it was a little misleading if you look at the total because it is an enforcement issue.

Monroe said that the roll of the Police with regard to the campsites by the river was that they assisted Parks and Recreation with posting notices to campsites and giving them an opportunity to gather their belongings prior to the end of the 24 hour window that they are given to vacate. He said that they were not there to cite anyone, just to facilitate the removal. He clarified that posting a campsite meant that they are issuing a warning to the campers that they have 24 hours to vacate the property before the site will be removed. He reiterated that they were not there to necessarily cite anyone and that for the most part they have had no issues with people camping. He noted that usually they are gone by the next morning, and mostly they are isolated tents in isolated areas. He said occasionally you will come across ones with bedding, magazines, food, clothing and other items, but most are not as nice.

Dinsdale inquired about data on crimes or calls related to campsites.

Monroe said not too many, the most calls are those incidents that are downtown or assaults under the bridge. Occasionally it is a transient.

Dinsdale asked for clarification that they are not necessarily calls related to the campsites.

Monroe said not normally.

Dinsdale inquired about any known hygiene issues that are predominant in the campsites.

Monroe said that he is sure that there is to some level, but they do not normally get specific complaints from the campsites regarding that issue.

Martin-Smith asked if the event that brought this campsite issue to the forefront was the particular situation with the two men that died by the river?

Henderson said that it definitely brought it to the forefront.

Martin-Smith asked for an answer as to how this particular campsite had been able to grow to the size it was. She said that every city with bridges and rivers have these camping issues, but she wants to know how the residents of the campsite were able to bring about as sophisticated of a layout as they did.

Monroe said it was possibly "out of sight, out of mind".

Martin-Smith clarified that it was not actually causing any problems on its own.

Monroe said not really, that the main problems that they deal with are under the bridge and downtown.

Martin-Smith said that there basically was not anything new that has not been happening since the original Task Force.

Monroe explained that the process has been accelerated since then, but the sites had still been cleared in the past. He said generally the ones close to downtown were the ones that have been really pursued.

Dahlberg asked what exactly the ordinance said.

Henderson said that there was a downtown ordinance and a camping ordinance. He said that when the ordinance for downtown was passed he remembers the City Commission talking about the other ordinance. He indicated that they said that they were going to try to leave it as it was and manage it accordingly.

Dinsdale read portions of the December 2005 memo regarding the camping ordinance.

Monroe stated that this defined what we would control. A few citations from the above number are possibly multiple but not many.

Dinsdale asked if the CCH could say that the Police do not think that this is a problem.

Martin-Smith said that she did not think the CCH should necessarily say that. She said that this arose because of an unfortunate set of circumstances. She said that she does not believe it belongs in the Housing Vision. She noted that we agreed as a community not to go with a Housing First Model, however we are very close to a Housing First model with the Housing Vision. She said that the CCH needs to move this Housing Vision forward. She said that this happens by working with City Commission as well as the shelters, LDCHA and others to make the Vision work. She said that we have a bunch of families with kids and people who need housing. That should be our focus.

Dahlberg asked what the thought process of the people around the CCH was. Was this a reaction to the deaths? If they had not been found dead would this even be taking place?

Dinsdale agreed and the point of the conversation is that they are doing something illegal but they have no choice in the matter

Dahlberg said that at the Tuesday meeting some campers indicated they would camp no matter what and that effectively does make it a choice for them.

Dinsdale said that the Outreach workers would tell you that some cannot make rational decisions because of mental illness, but they are making a decision that this is how they choose to live. She said that some simply will not come to shelters.

Dinsdale also said that it is important to review the argument that the Outreach workers are providing the okay for camping. She said the City is paying Outreach workers to

help campers as they camp. She said that they cannot tell the campers there are other options because there are none.

Dahlberg reiterated that there are options; some just do not take the options provided. He indicated that there are several he knows that are completely happy to camp as opposed to coming to the shelters.

Collier indicated that she is currently assisting a person sleeping in a park. She said that he refuses to go to shelter. She said there are always going to be those who refuse no matter what options are provided. She said that she agrees on shelter and staying true to the Housing Vision.

Dinsdale said that her hope is that the statement from to CCH to the City Commission includes the fact that the shelters are turning people away and that there is not room for everyone. She said that if we are going to tell them that there is not an allowable camping alternative then we need to offer them something.

Monroe added that there are people who purposely get arrested as opposed to going to shelter.

Dinsdale said that the fact that there is not an alternative to camping should be the CCH stance. She said if we cannot offer them a bed then maybe it is wrong to tell them they cannot camp.

Martin-Smith said that regardless of what the final recommendation is that it must include the Housing Vision.

Dinsdale said that she was completely happy illegalizing camping when we have alternatives to offer.

Monroe said there will still be those who camp.

Collinsworth said that regardless of visions and services camping isn't going to stop. His objection to clearing camps was to determine who dropped the ball that they were able to build the structures that they had there. How did it get that sophisticated? He said that it had to be built over time. He agreed that the CCH needs to push forward the Housing Vision. He said that everyone agreed on it, and he want to know where the CCH stands on it.

Henderson added that this was a confusing issue even for him. He is starting at the end point. He said that camping is always going to go on. He mentioned that Kansas City has Uplift where people who are camping are taken food from local services. He said that he does not like the word "choice", and that in most cases they are not making a rational choice. He pointed to the comments provided from Outreach workers. He said that camping has been an issue for years, and that the CCH has been asked by the City Commission to make a recommendation. He said that the Housing Vision is appropriate, but the CCH needs to come up with something of a resolution because we were asked to. He suggested the "don't ask, don't tell" approach, all while urging to get along with

the Housing Vision. He said that although camping is not going to stop there are still those who do come in when it gets really, really cold. He suggested letting it go on under the current camping regulations for outside the business district and move forward with Housing Vision.

Dahlberg said as long as campers are camped and the Outreach workers know where to find them they can at least work with them and provide service to them, which is more than they would be getting on their own. He said that when we knock everything down they scatter and Outreach work is lost.

Henderson said that can be part of response to the City Commission. He said that a lot of the campers were working with the Outreach workers on a case management plan to get them into housing. He said that not everyone there was resisting the Outreach worker's help. He said they weren't enabling them; they were working to get them out of the camp.

Martin-Smith asked again how the structured campsite got on so long? She said ordinances were in place, and the Outreach workers were trying to bringing in those people who wanted help. She said she understand the dilemma of the deaths, and the dilemma about losing contact with the campers, but we should not allow those types of camps to start and grow in the first place.

Dahlberg asked Martin-Smith for her rationale.

Martin-Smith said that it is illegal to camp and that the intent is warning the campers and giving them 24 hours, then returning at that time to follow through.

Monroe said that they do not patrol that area. He said their camping focus is under the bridge and in city parks. He said if they discover them we will take the initiative to post the site and remove the site after 24 hours. He said that they just do not have the resources to get down there.

Martin-Smith said that the Outreach workers had the resources to get down there. She said that while she was not questioning the Police force at all, if she was a City Commissioner, she would want to know how the Outreach workers got there and why the police did not know that.

Dahlberg asked Martin-Smith if she is suggesting that the Outreach workers police.

Martin-Smith answered no, that it not what she is suggesting. She is still just trying to figure out how it got to this point.

Henderson said the tone was set earlier when this was before the City Commission about the Downtown ordinance instead of the camping ordinance. He said that perhaps that there has been a realization by the City that this is a dilemma but since it has not been a real problem, they would not aggressively monitor it. However, if there is a reason to then they will. He said that there is no solution here, and if there is no problem you let it go for awhile, if there is you work with it.

He said that for the recommendation to the City Commission, we have unique option of Outreach workers. He asked why the CCH cannot say that instead of posting and evicting that the Police can just patrol it. As a community, we do not want the camps because of issues around violence and hygiene, among other things. He asked if we worried that it will lead to crime or unhealthy situation.

Dahlberg said that we need to as a community to make sure that people are aware of the dangers in camping.

Dinsdale asked about a proposed recommendation. She said that the CCH could recommend that it actively continue the ordinance in the Downtown business district, and beyond that the CCH would like the City to continue to work with the Outreach workers and work with the police department to answer to criminal activity.

Monroe cautioned that we do not want a policy that we cannot patrol an area. We cannot limit patrolling.

Martin-Smith asked if the CCH can draft what to say to the commission. She said that another message that the CCH needs to give the City Commission should be the importance of the Housing Vision. She said that this is based on the fact that there is "No room in the inn". She stressed the Importance of linking the two together.

Dinsdale said she would work on a draft.

Public Comment:

Enoch said that they were criminalizing homelessness and mental illness. She said that this was the CCH and that their stance should be to help these people. She said that the two men that died were not homeless. She said that she did not understand why the City couldn't approve legalized camping like the Portland Oregon Model of Dignity Village. She said the representative from the campsite by the River stated that they basically had their own village. She said that the City is paying for the Outreach workers to help the homeless. She asked why the City will not help them. She said that all the City has done is break down the trust that was gained that the City tax money paid for. She said that she was very disappointed in the CCH if that is their stance. She asked what is so bad about a campground? They have access to outreach and they feel safe.

Scott added that these people were trying to develop a community. She asked how did Lawrence start? She said that camping is part of America and that the CCH needs to do something. She said the City needs to provide amenities such as trash cans or dumpsters, restrooms and benches. She said that eventually someone will die there and that is part of this community. She recalled that years ago some people got beaten and that they did not call police because the police would destroy their community. She said that we need a situation where people can call the police.

Enoch added that this plan does not cost anything. She said what the CCH needed to do is go before the City Commission and tell them that they need the amenities and a legalized campground.

Henderson asked to speak to the fact that the CCH was not criminalizing homelessness. He said that he did not think that anyone means to make it criminal. He said that these people want to be left alone, either because there is no room or they are there by choice. He said that is their decision to be left alone, and that "don't ask, don't tell" is not criminalizing them. He said that the CCH is suggesting that the campers should be allowed to continue with police and Outreach workers, not criminalizing.

Enoch clarified that the ordinance is criminal, not the CCH.

Dahlberg asked if this is what the CCH is suggesting.

Dinsdale asked Monroe if the Police have razed camps in the area along the river.

Monroe said yes. He said the Downtown camps are not usually campsites, they are individuals. He said that they are mostly being warned, not cited. He said that they do not initiate the warnings by the river, those are called into them. He added that it is not necessarily a matter of room at the shelter for some, some will always camp. It is what we do with the others that is the issue.

Collier asked do we know how many campers have had contact with Outreach workers.

Henderson said that not all camps are broken up. He said that Outreach people can work with sometimes 15 at a time.

Dahlberg asked about the language that the CCH is suggesting, and is there any place where we are suggesting that the City Commission makes camping legal. He asked how much of a step would it be to change the language to make it legal. He asked if the CCH is really just suggesting that we make it legal outside the business district and not bother the others unless they are doing something that is criminal.

Monroe asked for clarification on exactly what the City Commission wanted the CCH to do. He asked if the City Commission wanted the CCH to determine if it is legal to camp or not, because if that is the case there is not much middle ground.

Dinsdale clarified that the City Commission asked for a recommendation regarding legal homeless campsites.

Dahlberg agreed that there cannot be a gray area. He said it is either legal or it is not.

Dinsdale asked if the CCH can propose an ordinance in area C-3 detailing that camping is illegal and enforced, but beyond that it isn't illegal.

Collier asked if the CCH does say it is legal, what will be suggested to the City about their responsibility.

Henderson said that City would not be responsible for anything more than for any other citizen. He said that the City would be responsible for crimes and violations.

Monroe inquired about if the City allows someone to build a structure on a legal campsite and it falls and no one from the City had inspected it and it is on city property then who is liable.

Martin-Smith asked what the research on other communities in Kansas showed.

Dresslar said that no research had been done on Kansas communities.

Martin-Smith said that that was something she would be interested in looking at to see where other communities in Kansas stood on this issue as a reference point.

Enoch said the CCH can suggest to the City to designate and name a legal campground. She said that the City has wonderful Outreach workers and if they can retain their trust they can have their own policing. She said if there is community contact this will build the kind of trust that is needed. She said that it should not make a difference what Topeka or Wichita does.

Martin-Smith responded that she understood, but it is her wish to see the information.

Dinsdale commented that the CCH has gone from working with a gray area to a question of the camps being legal or illegal. She asked if there was support from the CCH to remove current ordinance language, or to strengthen some parts and loosen other parts.

Monroe said that can be used as a starting point for a compromise. He said that there can be no camping in City parks, and he wanted to be clear that he was not suggesting that, however this information can be used for research and discussion. He said he was not comfortable making a recommendation without further discussion with City staff.

Dinsdale said that City staff is looking into the legal aspects.

Dinsdale asked Monroe if the land in question was all City land, or if there is some County land in there as well.

Monroe said that there is some City land, and some County land.

Dinsdale said that sounds like a good compromise. She said the CCH would be supporting law in this area, and changing the ordinance outside of area.

Monroe said that although he was personally not opposed, in his line of work there are other factors to consider.

Enoch asked what was done with other campgrounds, such as Clinton Lake.

Monroe answered that they do not patrol Clinton Lake, but that he knows that they have limitations on camping there.

Collier said that all campsites have rules. She said that you have to pay; you have to pay utilities if you are connected to them, and if you are there you have time limits you can be there. She said that she was not comfortable with legalizing camping.

Knoche added that she was also not comfortable suggesting changing the ordinance without more study.

Dinsdale said that she knew that the conversation needed to continue but that the CCH needed to make sure that they are moving forward toward a recommendation.

Monroe said that the CCH needed to check on other jurisdictions are doing and that a conversation needed to happen with legal staff.

Dinsdale said that she can write a note to the City Commission to let them know that the CCH is having discussions on the issue and are working towards a recommendation.

ITEM NO. 5 FAMILY PROMISE UPDATE - KATHERINE DINSDALE

Dinsdale reported that they are open for business. She said that they had one family initially participate, however they have dropped out. She said they are open and actively seeking families.

Enoch asked where all the families are.

Dinsdale said she was not sure. She mentioned that there are strict rules to follow and that may be deterring some, but other than that she did not know.

ITEM NO. 6 2009 PIT HOMELESS COUNT –MARGENE SWARTS

Swarts said that they are underway with the planning for the Douglas County PIT count for 2009. She said they are in the early planning stages and that right now the focus is figuring the logistics of the project. She said that the count is scheduled for January 28, 2009 from 8am to 8pm. She said that if anyone wanted to volunteer or if they knew of anyone that wanted to volunteer she will send out the information because all volunteers need to be registered with Survey Monkey and she will provide the link to the CCH via email. She said there is an estimate that we will need 60 volunteers for the County this year. There is a meeting scheduled for later this month for further planning, and even more information will be coming out in early January. She reiterated that this year is a county-wide count, however she expects it to be a very good information resource because the Survey itself is a good document, and the Lawrence information will be extrapolated from the County information so we will have a good representation of our numbers. She said that the coordination this year is with the United Way of Douglas County, so the United Way headquarters in Lawrence will be the County headquarters for the day of the count. She said that currently the big project is dividing out the county, and Erika Dvorske from the United Way is working with Douglas County officials to aid in that task. Erika is also working on a list of 'hot spots' within the County

to assist in conducting the survey. She said that this year the theme for the count is "Everybody Counts!", and we really need to get as accurate of view as we can. She mentioned that there will be outreach to the community so they are aware of the count and the Outreach workers will be doing what they can to let the homeless know that the count will take place. She note4d this is not a negative thing, it is a positive thing to help locate resources and develop resources to help the homeless.

Henderson said that he noticed on one of the emails that there are two trainings out of town that are being offered. He asked if volunteers needed to attend one of these trainings.

Swarts said that we are going to offer training locally and there is a possibility that there will be several from which to choose.

ITEM NO. 7 OTHER BUSINESS

Dinsdale asked Henderson about the situation of housing and the crisis shelter.

Henderson said he was working with LINK to be able to use their facility on the nights where it falls below 32 degrees. He said that if that fails to work out then they will find somewhere else.

Dinsdale asked if Dahlberg could present at the January meeting. Dahlberg said yes.

Henderson wanted to ask Knoche if the Housing Connector was for families only.

Knoche said that they were working on that for clarification.

Dinsdale said that too, could be added as an agenda item for January.

Henderson mentioned that he would be at the City Commission meeting this evening to speak against the changes to the panhandling ordinance. He said that he was concerned about some of the legal language in the proposed changes because it could affect things such as the "Change of Heart" newsletter. He said that changing the ordinance is just dealing with fear and that is not the real issue. He added that enforcing the aggressive behavior as stated in the current ordinance should be sufficient.

ITEM NO. 8 MISCELLANEOUS/CALENDAR

There were no additions.

ADJOURN

Motioned by Dahlberg seconded by Henderson to adjourn the meeting at 10:30am.

Motion carried unanimously 8-0