

Homelessness Assistance Audit Series: City Policies Related to Homelessness



What We Found, Continued

Ordinances are not an effective or efficient method for connecting people to services.

- The Downtown Austin Community Court (DACC) does not have the resources to provide case management services to everyone who may need it.
- Around 25% of frequently cited individuals in 2014 refused case management services.
- People who do not address their citations at DACC may not have the same opportunity to connect to case management services, since the Municipal Court does not offer these services. The Municipal Court handled about 6,300 citations related to these ordinances between fiscal years 2014 and 2016.

Ordinances increase the City's legal risk.

- Other U.S. cities have faced lawsuits related to their camping ordinances. The basic premise of the lawsuits are that when homeless shelters are full, people experiencing homelessness have no way to comply with the ordinance and it violates their constitutional rights.
- A 2015 Supreme Court ruling has been used to successfully challenge elements of panhandling ordinances in other cities. Austin's panhandling ordinance includes these elements.

What We Recommend

- The City Attorney should reassess the City's ordinances to determine the legal risk they pose to the City and report the results of this review to City Council.
- The City Manager should work with City Council to determine if the City's ordinances are still aligned with the City Council's vision for addressing the issue of homelessness, or whether they should be revised or repealed.
- If not repealed, the City Manager should implement changes to make the enforcement of the ordinances more effective and efficient.