



City of Austin

P.O. Box 1088, Austin, TX 78767-1088

Re: City of Austin Written Testimony in Opposition to SB 2018

Chairman Bettencourt and Members of the Committee on Local Government:

Thank you for the opportunity to submit written testimony and express opposition to S.B. 2018 on behalf of the City of Austin.

The Austin Police Department takes a deliberate approach to responding to homeless encampments, enforcing the state prohibition on camping on public property, and organizing encampment closures and clean-up efforts across the City. For example, over the past few weeks, APD has worked diligently with multiple other city departments in clearing encampments along Ladybird Lake, while also completing outreach and operational planning to address significant camps along West Bouldin Creek Greenbelt, Gaines Creek Greenbelt, and the parkland that includes the surrounding areas of Zilker Park.

Enforcement of the state and local camping bans takes place at multiple levels. For individuals or small numbers of people, enforcement can often be achieved via voluntary compliance and the involvement of one or two officers. For larger encampments, however, the process of planning and coordinating encampment closure and subsequent clean-up can take several days or weeks. For the encampment closure to be effective and safe, we need to coordinate our efforts with multiple departments such as solid waste, public works, transportation, and street outreach, as well as the land-holding department. Without this coordinated cross-departmental operations plan, the enforcement effort is significantly less effective, and can present safety concerns, as well. In particular, if we can't align timing on enforcement and clean-up, the encampment is much more likely to re-establish in the same location.

In accordance with state law, before citations are issued, APD provides information to connect individuals experiencing homelessness to services and to direct those living in the encampments to shelter, social services, or places where they may lawfully camp prior to issuing citations or displacing them, as mandated by state law.

However, Austin, like most other Texas cities, has more people experiencing homelessness than we have shelter beds, so there is often no shelter to refer people to. While we offer shelter as often as possible (and have moved over 475 people from encampments to shelter), we know that enforcing at one location when we don't have anywhere people can go will lead to the establishment of one or more encampments elsewhere. Our planning has to take that into account. This may include identifying, monitoring and hardening potential future locations.

Our primary concern with the bill as written is that the 90-day time limit to “take action” on all complaints would force APD and its partners to rush encampment responses and ultimately have our work be far less effective. We’re working with our partner departments to make sure we prioritize the use of human and financial resources. Priority is first given to closing those sites that pose the greatest public safety and public health issues, and to do it in such a way that ensures the site remains unoccupied.

While we are working steadily to address this issue, the number of people experiencing unsheltered homelessness in our community makes it infeasible that APD could carry out enforcement on all encampments within 90 days, such that we would likely be deemed a "violating local entity," and be at risk of losing financial resources as per the bill. Even if enforcement were to occur at all sites, we would likely simply see re-establishment in other locations, starting the process all over again with the same individuals in other places.

We believe the passage of this bill will ultimately lead to APD being less successful in reducing camping in public spaces. For these reasons, I respectfully ask that you oppose SB 2018.

Respectfully,

William S Beck #4628

Sergeant William Beck
City of Austin Police Department