



July 14, 2016

The Honorable Mike Rawlings  
Members of the Dallas City Council

Via Email

**Re: Delay Clearance of Coombs Encampment**

Dear Mayor Rawlings and Members of the City Council:

We write concerning the City of Dallas's plans to evict its homeless residents from the encampments located at I-45 and Coombs ("Coombs") on July 19, 2016. As the City is well aware, July 19 will be the second major encampment clearance of the summer. It will also be another clearance in an inevitable cycle of repeated evictions and relocations, which will only stop when the City invests in meaningful solutions, including sufficient shelter beds, affordable housing, and permanent supportive housing. Instead, the City has chosen to leverage the criminal justice system for political points, perpetuating a cycle of criminalization that pushes the unsheltered deeper into chronic homelessness.

**This Clearance Is Short-Sighted, Inhumane Policy**

Following the May 2016 clearance of Tent City beneath I-45, Mayor Rawlings appointed the Dallas Commission on Homelessness, which was charged with developing short-term and long-term solutions to homelessness in Dallas. The Commission intends that its recommendations be informed by a Housing First strategy, which is a nationally proven approach to reduce homelessness. We applaud this goal, and we hope that the City Council will move forward with the Commission's recommendations as it grapples with the challenge of solving the homelessness crisis in Dallas.

Given the Commission's charge and goals, we are surprised and disheartened by the City's recent decision to force homeless residents to leave the Coombs encampment under threat of criminal prosecution. This is a major departure from Mayor Rawlings's strategic approach to addressing homelessness in Dallas, and is problematic from the perspectives of providers, taxpayers, and homeless residents.

First, the clearance controverts the recommendations of Dallas's experts on homelessness, who are seeking sustainable residential solutions for encampment residents prior to encampment closures. Shortly before the City's June 22 announcement regarding the closure of Coombs, the Dallas Commission on Homelessness's Unsheltered Homeless Subcommittee was finalizing a protocol for clearing homeless encampments. The protocol would have outlined procedures to identify encampments with a high need for closure, realistic timelines for relocation, and city and

provider resources necessary to facilitate successful relocation. Specifically, experts recommended to refrain from clearing an encampment unless the City gave outreach workers time and resources to shelter at least half of the encampment's residents. Instead, the City has moved forward with a plan to force residents out of Coombs with insufficient resources on a rapid timeline. Outreach workers estimate that more than 70 people will be forced from their camp before workers can provide any meaningful help finding shelter.

Second, the clearance undermines the interests of Dallas taxpayers, who continue to bear the costs of repeated clearances executed before outreach workers can locate housing solutions for residents.

Third, and most importantly, the clearance cycle retraumatizes people who live in encampments. Dallas's clearance plan deprives residents of the modicum of stability they were able to achieve in a camp, without providing a superior alternative. Many of the Coombs residents will simply move from encampment to encampment because Dallas does not have enough accessible emergency shelter beds. According to the most recent survey, Dallas has 3,810 *counted* residents without permanent housing. Accessing emergency shelter beds is impossible for many of these residents. Beds can be geographically inaccessible to homeless residents who have no vehicle or transportation funds and are limited to shelters in walking distance. They can also be inaccessible because of eligibility, religious, and costs restrictions. For example, some shelters require government-issued identification and/or Social Security cards, which are costly and difficult to obtain; restrict admission to particular populations, such as women who have suffered domestic violence; prohibit admission from particular populations, such as individuals with violent criminal histories; require participation in religious services for entry; or charge money for housing after a number of days. For over 70 Coombs residents, shelter beds will be unavailable because of shelter capacities and restrictions. The problem is exacerbated by the clearance timeline, which has rendered providers unable to obtain government-issued identification for Coombs residents before July 19.

For all of these reasons, the decision appears to be intended as a quick political win, rather than a strategic approach to move Dallas's unsheltered homeless residents into housing.

### **Criminalization of Homelessness Is Unconstitutional**

Advocates and the City are in agreement that encampments are not sustainable solutions to homelessness in Dallas. Large encampments pose real public safety and public health consequences for homeless residents, especially in the extreme weather conditions. However, the answer to those dangers is not to execute repeated closures. The answer is locating sustainable solutions for homeless residents. Unfortunately, given the short timeline for closure and a lack of resources, advocates will be unable to connect the vast majority of Coombs residents with emergency or permanent housing in anticipation of the July 19 closure.

Instead, Dallas will resort to criminalizing homeless behavior to clear Coombs. Residents who refuse to leave will be arrested and charged with criminal trespass. For those residents unable to access housing or emergency shelter—nearly all of the people who will be forced out of

Coombs— a patchwork of local ordinances will make it impossible for them to remain in Dallas without violating the law. Dallas has made it illegal to ask for food or water in many areas of the city. Dallas has made it illegal to sleep in a public place. And, as discussed above, Dallas does not have enough available emergency shelter beds to permit homeless residents to comply with the law.

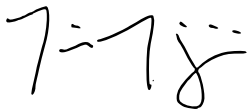
Under these circumstances, the policy choice to criminalize homelessness is not merely an ineffective means of solving the crisis of homelessness. Dallas's ordinances violate the constitutional rights of homeless people in Dallas, such as the right to free speech, the right to travel, and the right to be free from cruel and unusual punishment.

### **The City Should Delay the Clearance of Coombs**

We urge the Dallas City Council to reevaluate its clearance plan for Coombs. Criminalization of homelessness is unconstitutional, and it perpetuates homelessness in Dallas. Criminal laws and repeated encampment closures will not fix or conceal the consequences of this failure in housing policy. Closure of Coombs should be delayed until the City invests in strategic solutions to homelessness in Dallas or, at the very least, until providers have sufficient time to coordinate sustainable housing solutions for the residents being forced out.

In the meantime, we remind the City of the common constitutional violations that occur during encampment closures and which we emphasized to the Dallas Police Department in our [April 2016 letter](#). Homeless residents have the right to be free from unreasonable searches and seizures, rights to property, and the right to disengage from police encounters. As we did in April, we will be distributing know your rights pamphlets to Coombs residents in advance of the closure, both to ensure that residents understand their rights during police encounters and to help prevent escalation of police interactions. We regret that the Dallas Police Department must again take on the responsibility of addressing homelessness in Dallas, but we hope the Department continues its commitment to minimizing arrests and safeguarding the personal rights and dignity of Dallas's homeless residents.

Sincerely,



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Mayor Rawlings & Dallas City Council

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