Downtown Austin Community Court Social Service Investments

Downtown Austin Community Court Advisory Board

January 19, 2017

Robert Kingham Contract Management Specialist

DACC Social Service Investments

Purpose: Work collaboratively with DACC to assist Community Court clients with short-term, intermediate, long-term, and permanent stability

Services Include:

- Detox
- Residential Treatment
- Aftercare
- Transitional Housing
- Psychotherapy/counseling Services

- Peer to Peer Support
- On-Call Crisis Assistance
- Life Skills Training
- Emergency Shelter
- Basic Needs
- Housing Assistance

FY17 Investment Overview - \$1,871,839

Partner	Program	Budget
A New Entry	Temporary Housing, Peer to Peer Support and Life Skills Training	\$94,058
Front Steps, Inc.	Homelessness Prevention and Intervention Services	\$210,000
Integral Care	Road to Recovery	\$543,427
Integral Care	Homeless Outreach Street Team	\$242,354
Integral Care	Managed Services Organization	\$392,000
Planned Living Assistance Network of Central Texas	Whole Health and Wellness Peer Assistance	\$90,000
Austin Community Foundation for the Capital Area	Re-entry Roundtable Co-sponsorship	\$50,000
Minorities for Equality in Employment, Education, Liberty & Justice	MEEELI Justice Center	\$250,000

A New Entry, Inc.

Temporary Housing, Peer to Peer Support and Life Skills Training

 DACC provides funding to ANE to deliver residential substance use treatment and transitional housing to frequent users of the DACC judicial system. The goal of the program is to provide community reentry and personal integrity support for individuals rebuilding from losses associated with homelessness, incarceration and addiction.

					Budget	Actual
Contr	act Amoun	it <i>ongoing fu</i>	nding	,	\$94,058	\$93,063
Total	Clients Ser	ved :			14.	27
% of 0	Clients Suc	cessfully (Completed	Program	60%	50%

Front Steps, Inc.

Homelessness Prevention and Intervention Services

 DACC provides funding to Front Steps to provide an innovative shelter solution along with other supports for DACC clients. The goal of the program is to prepare frequent users of DACC to be able to obtain and maintain housing through temporary housing, onsite after-hours case assistance, peer-to-peer support and life skills training.

	Budget Actual
Contract Amount ongoing funding	\$210,000 \$200,821
Total Clients Served	40 24

Integral Care

Homeless Outreach Street Team

• DACC provides funding to Integral Care to participate in a partnership with APD, A/TCEMS, DACC and DAA to proactively reaching out to individuals living on the streets to help them connect to the services such as medical and behavioral health care, case management and housing.

	DAMAR SAR	: ARGARIT
Contract Amount ongoing funding	\$242,354	\$115,670
Total Number of Contacts	600	1369
% of Contacts Diverted from Psychiatric Emrgncy.	5%	2.19%
% of Contacts Connected to Mental Health Srvcs.	15%	10.74%
% of Contacts Connected to Substance Use Trmnt.	5%	4.02%

Integral Care

Managed Services Organization

 DACC provides funding to Integral Care to coordinate and standardize substance abuse treatment services for the community, to designate the target populations to be served, eligibility criteria, services to be covered, and expected outcomes. This program also minimizes duplication of administrative services and promotes a continuum of care of clients

	Budget	Actual
Contract Amount ongoing funding	\$392,000	\$376,447
Total Clients Served	37	76
% of Clients Successfully Completed Program	70%	52.38%

Integral Care Road to Recovery

 DACC provides funding to Integral Care provide integrated mental health and substance use disorder treatment utilizing evidence-based assessment and evidence-based cognitive treatment methodologies. Integral Care also provides case management, employment training, and basic needs supports.

	Budget	Actual
Contract Amount ongoing funding	\$543,427	\$543,427
Total Clients Served	28	33
% of Clients Successfully Completed Program	65%	42%

PLANCTX (Planned Living Assistance Network of Central Texas) Whole Health and Wellness Peer Assistance

 DACC provides funding to PLANCTX to assists individuals referred by DACC with the recovery support services needed to access and maintain long-term housing and other basic necessities such as food, clothing and physical and behavioral health care.

	Budget	Actual
Contract Amount ongoing funding	\$90,000	\$82,848
Total Clients Served	· 25	43

Austin Community Foundation

Austin/Travis County Re-entry Roundtable

- DACC provides funding to the ATCRRT for the following deliverables:
 - Engage the community to better understand the impacts of incarceration and successful reentry on Travis County
 - Eliminate unnecessary collateral consequences and social stigma that impede reintegration and increase the likelihood of recidivism
 - Strengthen organizational capacity to support the Roundtable's strategic goals

MEELJ (Minorities for Equality in Employment, Education, Liberty & Justice) MEELJ Justice Center

 DACC provides funding to MEEELJ to advance their mission of providing an opportunity for formerly incarcerated persons to redirect, restore and reconnect as responsible and employable members of society. The goal of the program is to lower prison recidivism rates of its participants by improving the quality of their lives and their families' lives.

	Budget	Actual*
Contract Amount one-time funding	\$250,000	\$212,923
Total Clients Served	100	52
% of Clients Who Enter Employment or Education	60%	23.08%

* Year to Date; Contract Expires 12/31/17

Successes

- Majority of partners exceeded performance expectations
- Consistent positive feedback from partners re: collaboration with DACC case managers
- Leveraged contractual savings from prior fiscal year to serve clients engaged through HOST
- Electronic MSO provider application process
- Conducted onsite monitoring at all direct service providers

Opportunities

- Inclusion of contracts with annual increase of other City social service contracts
- Increase resources for HOST program directly and/or indirectly
- Partner agencies have indicated capacity to serve more clients with current funding but DACC Case Managers are at capacity
- Create annual report of DACC Social Service Investments to build public awareness and support

Questions/Comments/ Recommendations

Emergency Solutions Grant Rapid Re-housing Update

As of 1/19/2018:	
Individuals currently engaged in DACC ESG services*	10
Individuals currently engaged in DACC ESG services who	0
are on the DACC frequent offenders list	
are on the DACC frequent offenders list Individuals who have entered housing since January 2013	92

^{*}Currently engaged in DACC ESG services denote clients who are actively receiving housing stability case management, housing location services, financial assistance, and/or DACC ongoing resources.

Grant Funding for Housing DACC Clients 12/2017

						Cost of	Cost of							
	Circini.	Source of			Cost of	,	housing 24		Substance		Sex	Recent		,
		Income	Housed	Housing Info	Funding	months \$12,004:20	months	Health	Abuse Yes	Medical	Offender		0 Computation	
40008 87471	\$1,260.00		No 🦟 🔆 🧎 Yes	moving into CFV.1/11/18 & Solaris Apts	\$1,000.35 \$0.00				No	Yes	No.	Yes 🦂 🦠		Average Utilities for 915 sq
25575			No	Solaria Apta	\$1,000.35				Yes	Yes	No S	No.		Waciage oringes in 313 ad
82535	\$750.00		Yes	CFV	\$0.00	\$0.00	\$0.00		Yes	Yes	No	No	0	
				Spring Terrace voucher.		Art Trees		(r) (1.1.)	199		(22.50)	727.1000.00		
				through Travis County					710					2018 HUD Fair Market Rent
142921	\$1,080.00	Self Pay	Yes	Housing Authority	\$0.00	\$0.00	\$0.00	Yes	Yes .	No	No	No		Efficiency
				Quail Creek voucher										
104481	\$750.00	SSI	Yes	through housing authority	\$0.00	\$0.00	\$0.00	Yes	Yes	Yes	No	Yes	0	
150180	\$2,240.00	Colepan	Yes	Patton at Windsor Park Apts	\$0.00	\$0.00	\$0.00		Yes	No×	Yes	Yes		2018 HUD Fair Market Rent One Bedroom
127352		Self Pay	Yes	CFV	\$0.00	N /24 / A 2 600 MAY AND 10 - MAI	\$0.00	Yes	Yes	No	No	Yes	0	One beardon
5000000	15.7.7.4.2.7		STATE TO			1347-145	F.F.LALLE					14.74.74		
				Rodono Flats Shelter+ care							1. Sept. 1.			
162075	··· \$750.00	SSDI	Yes	through Housing Authority	\$0.00			Yes	Yes	Yes 🦠 🖖	No-	Yes	0 ::	Clients with Mental Health
96010	\$750:00	SSI	Yes	CFV	\$0.00	\$0.00	\$0.00	Yes	Yes	No	No	No	0	Clients with Substance Use
				First Oaks Shelter+ Care							H. A.			
164074	C7EN NN	SSI	Vec	through Housing Authority	\$0.00	\$0.00	รัก กัก	Vac	Yes	Voc	No	Yes	n de la companya de	Clients with Medical Issues
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		Applied for												
		SSI, no												
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	y and the													
		Applied for SSI no		Red Oaks Apt voucher								100		
89584	\$0.00	response yet	Yes	through housing authority	\$0.00	\$0.00	\$0.00	Yes	No	Yes	No	No	0. [Clients with Recent Felonie:
138616			Yes		\$0.00	\$0.00	\$0.00	Yes	Yes	Yes	No	Yes	0	·
	14.0			Deen Ave Caritas Housing										
25905	\$735.00	SSDI		Choice voucher through thousing authority	\$0.00	\$0.00	co no	Yes	Vac	No	No .	No	n en	Clients not Housed
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	47.75			App at Spring Terrace and					2000 V					
	\$\$900.00		No.	CFV	\$1,000.35	\$12,004.20	\$24,008.40	Yes 4745.	Yes	No :	No	No 👙 📜	i	Yearly Cost
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Grant Funding for Housing DACC Clients 12/2017

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				Harris branch Senior Living										
				with housing authority		4			'					Other considerations not
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				voucher through housing										
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165401	\$840.00		Yes	CFV	\$0.00	\$0.00	\$0.00	Yes	Yes	No	No	No		
		Survivors		CFV	\$0.00	\$0.00					200			
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Grant Funding for Housing DACC Clients 12/2017

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Section Sect	168191	\$0	works at CFV			\$0.00	\$0.00				No	No	No	
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Audit Report

Homelessness Assistance Audit Series: City Policies Related to Homelessness

November 2017



City ordinances that limit or ban camping, sitting or lying down in public spaces, and panhandling may create barriers for people as they attempt to exit homelessness because they can lead to a criminal record or arrest warrants. Even if a citation does not result in a criminal record, it does not appear to be an effective means of connecting that individual to the services they need, nor is it an efficient use of City resources.

Lastly, other U.S. cities have faced lawsuits challenging the enforcement of similar ordinances. In some of those cases, rulings against the cities have been based on conditions that also appear to exist in Austin.

Contents

Objective and Background	
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Recommendations and Management Response	{
Scope and Methodology	10
Cover: 7th Street, Office of the City Auditor.	

Objective

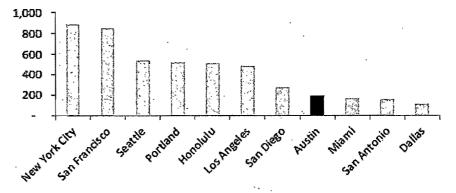
The objective of this audit was to determine if City ordinances align with City efforts to achieve desired outcomes for people experiencing homelessness.

Due to the complex nature of the topic, we plan to evaluate the City's homelessness assistance efforts in a series of audits. Future reports are planned to analyze coordination of the City's homelessness assistance efforts, how the City allocates resources to address homelessness, and the outcomes of these efforts. This report is the first in that series.

Background

More than 7,000 people used homelessness assistance services in 2016, a 14% increase since 2013. One day each year, Austin's Ending Community Homelessness Organization (ECHO) coordinates a count of the City's homeless population. This annual "Point in Time Count" is required for communities that receive funding from the United States Department of Housing and Urban Development. The 2017 count identified a total of just over 2,100 people experiencing homelessness in Austin, which is similar to the results of previous counts. However, ECHO noted in its 2017 "Needs and Gaps" report that more than 7,000 people used homelessness services in 2016, a 14% increase since 2013. When compared to the counts done by other cities in 2016 (as shown in Exhibit 1), Austin had more people experiencing homelessness per capita than other large Texas cities. However, Austin's count was significantly lower than several other cities that received Federal funding in 2016.

Exhibit 1: 2016 Rate of Homeless Per 100,000 People in Select U.S. Cities



SOURCE: OCA analysis of Point in Time counts conducted by various Continuum of Care organizations, September 2017

The count identified 832 people sleeping in shelters, 834 unsheltered people, and 370 people in transitional housing.

The National Law Center on Homelessness and Poverty reviewed municipal codes in 187 cities to identify ordinances that relate to the criminalization of homelessness. According to this analysis, Austin has three such ordinances, which are shown in Exhibit 2. Violations of each ordinance are classified as a Class C misdemeanor and can result in a fine of up to \$500.

Exhibit 2: Austin City Ordinances Associated with Homelessness



Panhandling (§9.4.13)

- Bans certain actions such as making physical contact and using obscene or abusive language and gestures while soliciting
- Bans solicitation within 25 feet of an ATM/bank or at sidewalk cafes
- Bans solicitation in the downtown area from 7pm to 7am



Camping (§9.4.11)

- Bans camping in public areas of the City
- Defines camping as storing personal belongings, using a tent/car as a living accommodation, and cooking
- Does not apply to permitted camping or cooking in a park



Sit/Lie (§9.4.14)

- · Bans sitting or lying in parts of downtown
- Does not apply in situations such as a medical emergency, viewing a parade, waiting for public transit, or using a bench provided by a public agency or property owner

SOURCE: OCA analysis of The National Law Center on Homelessness and Poverty's "No Safe Place" report and Austin City Code, September 2017

What We Found

Summary

City ordinances that limit or ban camping, sitting or lying down in public spaces, and panhandling may create barriers for people as they attempt to exit homelessness because they can lead to a criminal record or arrest warrants. Even if a citation does not result in a criminal record, it does not appear to be an effective means of connecting that individual to the services they need, nor is it an efficient use of City resources.

Lastly, other U.S. cities have faced lawsuits challenging the enforcement of similar ordinances. In some of those cases, rulings against the cities have been based on conditions that also appear to exist in Austin.

Finding

Select City ordinances may create barriers for people attempting to exit homelessness, do not appear to effectively or efficiently connect people experiencing homelessness to services, and may increase the risk the City will be sued.

Most citations for violating the City's camping, sit/lie, or panhandling ordinances resulted in an arrest warrant because the cited person failed to appear in court.

Ordinances may create barriers to exiting homelessness.

According to data from the Downtown Austin Community Court (DACC) there were about 18,000 citations issued to people for violating the City's camping, sit/lie, or panhandling ordinances between fiscal year 2014 and fiscal year 2016. The data indicated that for about 90% of the citations, the person failed to appear in court. A warrant was issued in 72% of the cases when the cited person failed to appear in court.²

Many landlords and employers require applicants pass a criminal background check, and an active arrest warrant may disqualify a person from consideration for an apartment or job. Affordable housing property managers stated that a conviction for violating one of these ordinances would not automatically eliminate an applicant and that they consider criminal records on a case-by-case basis. One location's written policy stated that applications could be denied for any non-felony conviction within the past 10 years.

In addition to possibly impacting a person's ability to secure housing or employment, an arrest warrant may create additional obstacles even after someone has been housed. For example, if arrest warrants are not appropriately addressed, the cited individual may be jailed which may then increase the risk of that person losing employment. Also, the additional fines associated with a warrant may limit the person's ability to continue paying for housing and other household expenses.³

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

During interviews, some stakeholders asserted that in addition to maintaining public order, the City's sit/lie ordinance is an effective way to connect people experiencing homelessness to services. This is because DACC offers case management and rehabilitative services in an effort to

² According to court staff, warrants were not issued in every case because a defendant dealt with their case before the warrant become active.

³ State law regarding warrants for fine-only offenses was recently changed. It is unclear at this time how, or if, these changes will impact this issue.

help people exit homelessness. These stakeholders appear to genuinely care about helping people experiencing homelessness, however there is limited evidence that the sit/lie ordinance is an effective or efficient way to connect people to services.

The Downtown Austin Community Court maintains a waitlist for its case management services. First, DACC management asserted that limited resources prevent them from giving case management services to everyone who may need it. DACC maintains a waitlist for its case management services, and prioritizes people based on the number of citations the person has received in the past year. As a result, only people with multiple citations are typically eligible for DACC's case management services.

Second, the Austin Police Department (APD) has greatly reduced the number of sit/lie citations they issue. According to DACC data, APD wrote 63% fewer sit/lie citations in fiscal year 2016 than they did in fiscal year 2014. APD's unofficial policy is to give people 30 minutes to move before issuing a citation. Enforcement of this policy may be one of the factors contributing to the decrease in the number of citations issued by APD. If citations are a method to connect people to services, reducing the number of citations is not an effective way to accomplish this goal.

Nearly 25% of cited individuals refused case management services.

Additionally, not everyone who is eligible for case management services at DACC takes advantage of the program. According to DACC data, 65 people received more than 20 citations in fiscal year 2014.⁴ DACC reported that nearly 25% of those individuals refused case management services. DACC was able to successfully provide services to some of them though. DACC reported that five of the 65 individuals are currently housed, including the most frequent offender of the sit/lie and camping ordinances.⁵ We could not determine outcomes for the majority of those 65 people because we were not allowed access to data in the Homelessness Management Information System at the time of this audit.⁶

Persons cited outside of the Downtown Austin Community Court's jurisdiction do not have the same opportunity to connect to case management services. Another issue is that persons who do not address their citations at DACC may not have an opportunity to connect to case management services. Specifically, the City's Municipal Court handles citations but does not offer case management services. The Municipal Court reported handling about 6,300 citations for violations of the three ordinances between fiscal year 2014 and fiscal year 2016.

Beyond considering the efficacy of enforcing these ordinances as a method for connecting people to services, this process is not efficient and may not be the best use of City resources. As shown in Exhibit 3, enforcing these ordinances includes APD issuing citations and holding hearings through DACC or the Municipal Court. This may involve a trial, monitoring of community service activities, and processing fines.

⁴ These 65 individuals received a total of 2,592 citations for camping or sitting/lying in fiscal year 2014, an average of 40 per person.

⁵ This person received more than 120 citations in fiscal year 2014 alone.

⁶ The Homelessness Management Information System is managed by ECHO.

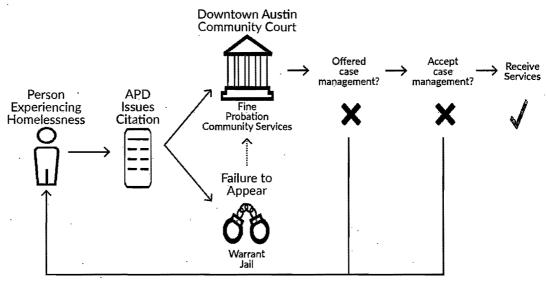
⁷ The Municipal Court may refer people to DACC.

As noted earlier, this process results in only a small percentage of people actually receiving case management services.

The City pays Travis County around \$6 million per year for jail services, a portion of which is due to holding people cited for violating City ordinances.

Finally, enforcing these ordinances increases what the City pays to Travis County to hold people experiencing homelessness in jail. Under an interlocal agreement, the City reimburses Travis County around \$6 million per year for jail services. DACC frequently uses jail time served as credit towards the fine associated with the citation. Between fiscal year 2014 and fiscal year 2016, DACC credited defendants nearly \$600,000 for jail time served.⁸

Exhibit 3: Citing People Experiencing Homelessness is Not an Effective Way to Connect Them to Services



SOURCE: OCA analysis of the City's process for handling violations of the panhandling, sit/lie, and camping ordinances, September 2017

Ordinances increase the City's legal risk.

Cities around the country have faced recent lawsuits related to their camping ordinances. The basic premise of these suits is that when homeless shelters are full, people experiencing homelessness have no way to comply with the ordinance because there is nowhere else for them to go.

In August 2017, a U.S. District Judge ordered that the City of Houston temporarily halt enforcement of its camping ordinance because Houston's emergency shelters were full. In his decision, the Judge wrote that enforcing the ordinance would cause people experiencing homelessness "irreparable harm by violating their Eighth Amendment right to be free from cruel and unusual punishment due to their status of 'homelessness."

In a ruling against Houston, a U.S. district Judge wrote that enforcing the city's camping ordinance would cause "irreparable harm by violating their Eighth Amendment right to be free from cruel and unusual punishment due to their status of 'homelessness.'"

⁸ This amount is not solely attributed to cases involving people experiencing homelessness or citations for violating one of the ordinances identified in this report.

⁹ Jones v. City of Los Angeles, 444 F. 3d 1118, (9th Cir. 2006); United States Department of Justice Statement of Interest filed in Bell V. City of Boise, 709 F. 3d 890, 893 (9th Cir. 2013); Temporary Restraining Order filed in Kohr et all v. City of Houston, Case Number 2:2017cv01473, filed in United States Federal Court - Texas Southern District.

Austin's camping ordinance is similar to Houston's and emergency shelters in Austin are effectively full most nights of the year. Although some shelters may report empty beds on some nights, shelter practices and policies often result in beds not being available to every person who may need one. For example, a shelter may not accept clients after a certain time, or may only serve a certain demographic.¹⁰

Additionally, a 2015 Supreme Court ruling has recently been used to challenge elements of panhandling ordinances in other cities. Specifically, courts have ruled against cities whose ordinances limit when panhandling can occur, or ordinances that require panhandlers to be certain distances from a particular location. Austin's panhandling ordinance includes both of these restrictions.

Since similar conditions exist in Austin, there is an increased risk that the City will be sued for enforcing these ordinances. Although this would not necessarily result in a decision against the City, defending the ordinances would result in a financial cost and possible reputation damage to the City.

Additional Observation

A major hurdle to addressing the issue of homelessness is adequate shelter capacity. This directly relates to the legal risks associated with the ordinances. Lack of capacity also impacts the ability of DACC case managers to secure successful outcomes for the people they interact with.

The City is making some efforts to address this, such as identifying City buildings that could be used as temporary emergency shelters. However, a full analysis of the City's capacity needs, and efforts to address any deficiencies that may exist, was not within the scope of this audit. The Office of the City Auditor plans to address this topic as part of future audits in the Homelessness Assistance Audit series.

¹⁰ Specific curfew times vary from shelter to shelter, but ranged from 6:15 pm to 9 pm for the shelters interviewed. Some shelters only serve women or families with children.

Recommendations and Management Response

1

The City Attorney should reassess the City's camping, sit/lie, and panhandling ordinances to determine what legal risk they pose to the City. Further, the City Attorney should report the results of this review to City Council.

Management Response: Agree

Proposed Implementation Plan: A memorandum to Mayor and Council Members will be sent regarding the three ordinances.

Proposed Implementation Date: April 6, 2018

2

The City Manager should work with City Council to determine if the City's camping, sit/lie, and panhandling ordinances are still aligned with the City Council's vision for addressing the issue of homelessness, or whether the ordinances should be revised or repealed.

Management Response: Agree

Proposed Implementation Plan: The City Manager designated Interim Assistant City Manager Sara Hensley to lead the overall Homelessness effort. This includes working with the City Attorney's Office to review the current camping, sit/lie and panhandling ordinances. A cross departmental team has been formed to look at all the Council Resolutions regarding Homelessness. The current camping, sit/lie and panhandling ordinances have been added to the work plan for review in the overall context. Once the information from the City Attorney's Office is received, the information will be included in the discussion as it relates to any recommended revisions or repeals. The team will produce an overall "holistic" recommendation for Council to consider as a part of their vision for addressing homelessness.

Proposed Implementation Date: April 6, 2018

If the ordinances are not repealed, the City Manager should identify and implement changes to make the enforcement of the City's camping, sit/lie, and panhandling ordinances more effective and efficient. Changes may include, but are not limited to:

• Expanding DACC case management resources and ensuring that all citations involving people experiencing homelessness are handled by DACC;

- Implementing strategies to encourage more people experiencing homelessness to accept case management services;
- Implementing strategies to reduce arrest warrants issued in response to people experiencing homelessness who fail to appear in court following citation; and
- Implementing strategies to reduce the number of people experiencing homelessness in jail for violating these ordinances.

Management Response: Agree with caveats

Proposed Implementation Plan: A City Team has been formed that is reviewing all things related to homelessness: grants, general fund dollars allocated, staffing, efforts with non-profits, education institutions and the faith community, contracts, agreements, pilot programs and Council Resolutions. The overall goal is to discover what is currently working, who is not at the table, how we can better

3

spend and allocate the dollars and resources, who are the most effective providers of services, what are the services most needed, recommendations related to the ARCH and how we ultimately form a "global" mission to serve our individuals and families experiencing homelessness. This is a monumental task that will hopefully align the resources to the most effective efforts in addressing homelessness.

- The Expansion of the DACC case management resources would take time, budget dollars and City Council approval. If found to be the most effective effort, additional resources will be requested.
- Implementing strategies to encourage more people experiencing homelessness to accept case management services is a tedious and long term effort. First, trust must be built and there has to be a continuum of care that follows the individuals. Every effort will be made to encourage more individuals to accept case management; however, more resources may be needed.
- Implementing strategies to reduce arrest warrants is already underway as the HOST team works to assist homeless individuals. The more successful we are aligning homeless individuals with services, the more likely we will be able to reduce the number of arrest warrants issued.
- Implementing strategies to reduce the number of people experiencing homelessness that end up in
 jail for violating these ordinances is also difficult. Many times, they do not understand or may not
 have the capacity to understand the ordinance. However, if we are successful in providing more or
 better aligned resources to address individuals experiencing homelessness, then the number in jail
 should be reduced.

Proposed Implementation Date: April 6, 2018

Scope

The audit scope included the City's current efforts related to enforcement of the sit/lie and camping ordinances, as well as the results of enforcing those ordinances since fiscal year 2014.

Methodology

To complete this audit, we performed the following steps:

- Interviewed staff with Austin Police Department, Law Department,
 Downtown Austin Community Court, and Municipal Court;
- Interviewed local service providers and stakeholders including shelters, affordable housing providers, employers, Ending Community Homeless Commission, and the Downtown Austin Alliance;
- Reviewed court decisions from cases related to sit/lie, solicitation, and camping ordinances.
- Observed court operations at the Downtown Austin Community Court;
- Reviewed court records related to citations for violations of sit/lie, solicitation, and/or camping ordinances;
- Reviewed outcomes for a sample of 65 frequent offenders using information from Travis County jail records, internal Downtown Austin Community Court records, and the Homeless Management Information System; and
- Evaluated internal controls related to City ordinances that may criminalize homelessness.

Audit Standards

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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The Office of the City Auditor was created by the Austin City Charter as an independent office reporting to City Council to help establish accountability and improve City services. We conduct performance audits to review aspects of a City service or program and provide recommendations for improvement.

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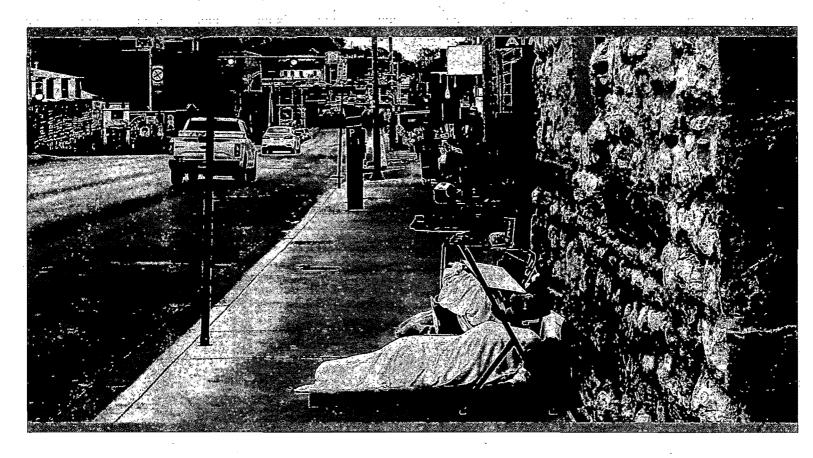
Copies of our audit reports are available at http://www.austintexas.gov/page/audit-reports

Alternate formats available upon request

Audit Report

Homelessness Assistance Audit Series: Coordination of the City's Homelessness Assistance Efforts

December 2017



Addressing the issue of homelessness requires a coordinated, multi-department response from the City. However, the City only recently started to coordinate its homelessness assistance efforts and does not have a dedicated position or group assigned to this task. Several U.S. cities have created a position or agency within the City to coordinate homelessness assistance efforts. Without a coordinated effort, the City may not effectively provide homelessness assistance services, efficiently allocate resources, and may miss opportunities to aid people experiencing homelessness.

Contents

Objective and Background	2
What We Found	4
Recommendations and Management Response	6
Appendix A: List of Department Efforts Related to Homelessness	
Assistance	7
Scope and Methodology	8
Cover: 7th Street, Office of the City Auditor.	

Objective

The objective of this audit was to determine if the City coordinates homelessness assistance efforts to achieve desired outcomes for people experiencing homelessness.

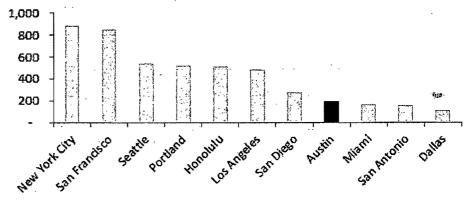
Due to the complex nature of the topic, we are evaluating the City's homelessness assistance efforts in a series of audits. This report is the second in the series. The first report, presented in November 2017, analyzed how City ordinances align with the City's homelessness assistance efforts. Future reports are planned to analyze how the City allocates resources to address homelessness, and the outcomes of these efforts.

Background

More than 7,000 people used homelessness assistance services in 2016, a 14% increase since 2013.

One day each year, Austin's Ending Community Homelessness Organization (ECHO) coordinates a count of the City's homeless population. This annual "Point in Time Count" is required for communities that receive funding from the United States Department of Housing and Urban Development. The 2016 count identified a total of just over 2,100 people experiencing homelessness in Austin, which is similar to the results of previous counts. However, ECHO noted in its 2017 "Needs and Gaps" report that more than 7,000 people used homelessness services in 2016, a 14% increase since 2013. When compared to the counts done by other cities in 2016 (as shown in Exhibit 1), Austin had more people experiencing homelessness per capita than other large Texas cities. However, Austin's count was significantly lower than several other cities that received Federal funding in 2016.

Exhibit 1: 2016 Rate of Homeless Per 100,000 People in Select U.S. Cities



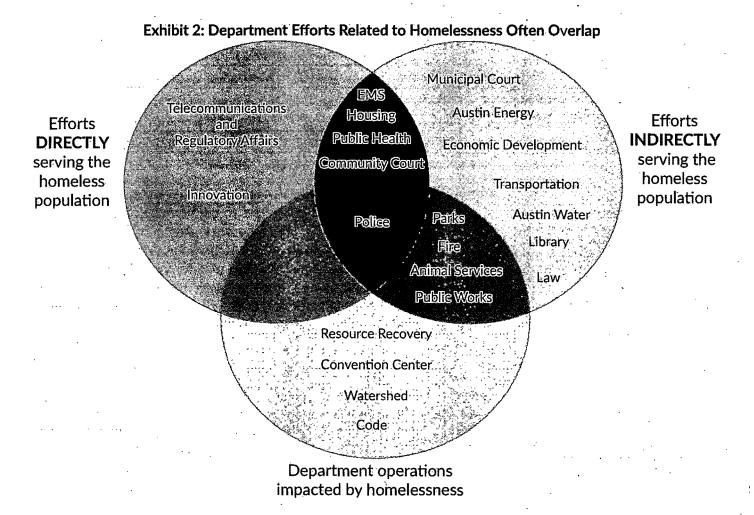
SOURCE: OCA analysis of Point in Time counts conducted by various Continuum of Care organizations, September 2017.

¹ The count identified 816 people sleeping in shelters, 890 unsheltered people, and 432 people in transitional housing.

At least 20 City departments have programs, activities, or services that are affected by homelessness. Generally, department efforts can be classified in three ways:

- Efforts directly associated with homelessness assistance, such as programs to connect people experiencing homelessness to services.
 An example is Austin Public Health, which manages contracts for homeless shelters.
- Efforts indirectly associated with homelessness assistance, such as
 programs for all residents that may be used by people experiencing
 homelessness. An example is the Economic Development Department,
 which provides workforce development training that is offered
 to all residents, but which may be used by someone experiencing
 homelessness.
- Efforts associated with the impacts of homelessness. An example is the Watershed Protection Department, which deals with the impact of homeless camps on creeks.

In many cases, a department's efforts will fall into more than category, as shown in Exhibit 2 below.



SOURCE: OCA interviews with sample of City departments and analysis of the City's homelessness assistance efforts, October 2017.

What We Found

Summary

Addressing the issue of homelessness requires a coordinated, multidepartment response from the City. However, the City only recently started to coordinate its homelessness assistance efforts and does not have a dedicated position or group assigned to this task. Several U.S. cities have created a position or group within the city to coordinate homelessness assistance efforts. Without a coordinated effort, the City may not effectively provide homelessness assistance services, efficiently allocate resources, and may miss opportunities to aid people experiencing homelessness.

Finding

The City does not have a position or agency to coordinate its homelessness assistance efforts, resulting in reduced effectiveness and efficiency and potential missed opportunities to aid people experiencing homelessness. However, limited coordination efforts are underway.

Addressing the issue of homelessness requires a coordinated, multidepartment response from the City. In recent years, several other cities have created an internal position or group to coordinate homelessness assistance efforts. As shown in Exhibit 3 below, this ranges from a single position to an entire department.

Exhibit 3: Examples of How Other Cities Coordinate Homelessness Assistance Efforts

City	Method of Coordination	
San Diego	n Diego Mayor's Senior Advisor on Homeless Coordination	
Dallas	Homeless Commission	
San Francisco	Department of Homelessness and Supportive Housing	

SOURCE: OCA analysis of practices in peer cities, October 2017.

Although the Imagine Austin plan calls for the City to "coordinate between all the organizations providing services to the homeless community to maximize the efficacy of limited resources," Austin does not have a dedicated position or group to coordinate homelessness assistance. The City also lacks a comprehensive strategic plan to guide City efforts. The City created a strategic plan for homelessness in 2004, which has since been updated by ECHO.² However, ECHO does not have the authority to direct City activities.

The City does coordinate some activities, but these are limited in scope. One example is the Homelessness Outreach Street Team (HOST). This was a pilot program that started in June 2016 to address the needs of people experiencing homelessness. It is a partnership between some City departments and third parties involved with homelessness. However, it is mainly focused on public safety issues in the downtown area. Additionally, the City Manager recently created a team to develop a Homelessness Action Plan. This group has identified several tasks to accomplish, including identifying current City services, gathering data related to

² In 2010 ECHO published its "Plan to End Community Homelessness", which states that is an update on the City's 2004 plan. ECHO also published a draft report in September 2017 which outlines actions to end homelessness.

homelessness, and evaluating homelessness contracts. However, this team does not have dedicated resources. City staff's participation on this team is in addition to their regular job duties and the person tasked with leading the team is currently serving in an interim role.

Coordination is necessary because many City departments (as shown in Exhibit 2) are involved with, or impacted by the issue of homelessness. This includes departments with efforts that directly assist people experiencing homelessness, efforts that indirectly assist them, or have efforts related to the community impacts of homelessness.³ Few departments reported that they had training or guidance for staff about how to interact with people experiencing homelessness. Additionally, departments often reported that they were not collecting data related to the impact of homelessness on their department operations.

At least 20 City departments are involved with or impacted by the issue of homelessness.

The lack of a coordinated effort to deal with the issue of homelessness results in many issues for the City. It creates inefficiencies, such as multiple departments that manage contracts for homelessness assistance. It can also lead to ineffective operations. As an example, Austin Resource Recovery has cleaned downtown alleys for a number of years. This results in water containing human waste being washed into downtown creeks. This impact was only recently identified and the department indicated that they are now working with the Watershed Protection Department to mitigate the impact of these cleaning efforts.

A lack of coordination can also lead to missed opportunities to aid people experiencing homelessness. For example, locating social workers from Austin Public Health in libraries could result in the ability to connect more people experiencing homelessness to services. City programs to assist low-income residents may also be used to identify people at risk of losing their housing. This may allow the City to help them avoid becoming homeless. Lastly, external entities working on homelessness may have difficulty connecting with the appropriate resources within the City.

³ Appendix A includes a list of department identified by the audit team as having homelessness assistance efforts. It is not meant to be comprehensive.

Recommendations and Management Response

The City Manager should designate a position within the City whose primary responsibility is coordinating the homelessness assistance efforts in Austin. This position should:

- Develop a strategic plan to address homelessness, and
- Coordinate City department's efforts related to homelessness.

Management Response: Agree

Proposed Implementation Plan: Sara Hensley, Interim Assistant City Manager is currently coordinating the City effort, leading a multi-department team. Sara has recently borrowed a staff member to assist with the work related to the Homelessness efforts. However, this person is also working with Sara on the Graffiti Initiatives as well. The overall strategy will be to request a full time position through the 2018-19, Budget Process, that will have a primary a responsibility of coordinating homeless efforts.

The City's Homelessness Team is mapping current efforts, both within City departments and among external stakeholders. We are identifying funding sources, needs, and critical gaps in services as well as leveraging the findings from the City Auditor's Homelessness Assistance Audit Series. Once we fully understand the current state, we can begin to develop a three (3) to five (5) year strategy. The overall goal is to assess the City's role and align resources to ensure that the most significant impact supports the City's Strategic Planning efforts.

The City Team will work with stakeholders to develop and implement comprehensive and coordinated approaches to reduce the number of persons experiencing homelessness in Austin. Approaches will include the prevention of homelessness, support for recovery from homelessness, and delivery of services in coordination with external agencies, including a near-term solution to alleviate health & safety issues in the downtown area. The City will leverage and improve on the use of data, technology, and human-centered design while encouraging improvement and innovation across sectors. In addition, we will highlight recommended objectives that tie to the Strategic Plan.

Tasks:

The following is a draft list of near-term tasks the City Team will undertake as part of the strategy implementation. This is in addition to the ten (10) homelessness related resolutions that are under review and action plans being developed.

- Task 1: Define and map current services across the City of Austin, (COA) including those provided by city and county agencies, non-profit stakeholders, and the faith community;
- Task 2: Leverage mapping and engagement per Task 1 to define COA role in prevention, recovery, and delivery of services;
- Task 3: Define scope and performance criteria for contracts supported by the City to address homelessness. Performance criteria will align with the indicators and metrics developed as part of the Strategic Planning effort;
- Task 4: Assess costs and benefits associated with concentrated service delivery (downtown core) compared to a dispersed service delivery model through community providers;
- Task 5: Work with stakeholders to develop and expand on common database/data set, and technologies for accessing information, (including option for mobile technology).

Proposed Implementation Date: October 1, 2018

Appendix A: List of Department Efforts Related to Homelessness Assistance

Department	Effort
Animal Services	 Treating and housing pets of people experiencing homelessness Assisting other departments who interact with homeless populations
Austin Code	Responding to complaints about abandoned properties and debris
Austin Convention Center	Ensuring the safety and satisfaction of convention attendees
Austin Energy	Providing utility payment assistance
Austin Fire Department	 Responding to medical emergency calls Responding to structure fires where the structure may be being used by people experiencing homelessness Responding to fires at homeless camps
Austin Police Department	 Enforcement of laws and ordinances Participating in HOST Assisting other departments who interact with homeless populations
Austin Public Health	 Managing contracts related to homelessness assistance Providing health services to low-income residents
Austin Public Library	Operating library facilities
Austin Resource Recovery	Keeping public spaces clean and hygienicCleaning streets and alleys
Austin Transportation Department	Reducing pedestrian death and injury on roadways
Austin/Travis County Emergency Medical Services	 Responding to calls related to medical emergencies Participating in HOST
Austin Water	Providing utility payment assistance
Downtown Austin Community Court	 Providing case management services to people experiencing homelessness Providing judicial services to residents
Economic Development	Managing contracts for workforce development training
Innovation Office	Administering the Bloomberg Innovation Grant
Law Department	 Prosecuting cases in Downtown Austin Community Court and Municipal Court
Municipal Court	Providing judicial services to residents
Neighborhood Housing and Community Development	 Managing contracts related to homelessness assistance Managing affordability programs
Parks and Recreation Department	Cleaning City parksOperating recreation centers
Public Works	 Cleaning streets and alleys Installing temporary toilet facilities
Telecommunications and Regulatory Affairs	Managing contract to provide technology training at the ARCH
Watershed Protection	Keeping the creeks and watersheds clear of debris and clean

Scope

The audit scope included the City's current efforts to coordinate homelessness assistance.

Methodology

To complete this audit, we performed the following steps:

- Interviewed staff with multiple City departments;
- Researched practices in peer cities;
- Attended meetings for HOST and the City's homelessness task force;
- Reviewed documentation related to department programs and activities;
- Evaluated City programs for people experiencing homelessness; and
- Evaluated internal controls related to the City's coordination efforts.

Audit Standards

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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The Office of the City Auditor was created by the Austin City Charter as an independent office reporting to City Council to help establish accountability and improve City services. We conduct performance audits to review aspects of a City service or program and provide recommendations for improvement.

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Alternate formats available upon request

Downtown Austin Community Court Stakeholder Update (September 2017)

Top ten offenses (Homeless)

721	Sitting or Lying Down on a Public Sidewalk or Sleeping Outdoors
654	Possession of Drug Paraphernalia
318	AGGRÉSSIVE SOLICITATION
224	CAMPING IN A PUBLIC PLACE
187	CONSUMING ALCOHOL IN A PUBLIC STREET
140	PEDESTRIAN IN ROADWAY/CITY ORDINANCE
100	PUBLIC INTOXICATION
98	PEDESTRIAN WALKING AGAINST LIGHT
75	HUMAN WASTE
50	PEDESTRIAN CROSSING MIDBLOCK

Top ten offenses (Non-homeless)

717	PUBLIC INTOXICATION
493	Sitting or Lying Down on a Public Sidewalk or Sleeping Outdoors
404	Possession of Drug Paraphernalia
160	CAMPING IN A PUBLIC PLACE
146	DISORDERLY CONDUCT - FIGHTING
134	CONSUMING ALCOHOL IN A PUBLIC STREET
115	AGGRESSIVE SOLICITATION
96	HUMAN WASTE
87	PEDESTRIAN WALKING AGAINST LIGHT
83	MISREPRESENTATION OF AGE BY MINOR

Current Frequent Offender Count: 373

- Case Count for previous Month Aug 2017 = 619
- Case Count for Month Sep 2017 = 424
- Case Count Fiscal YTD (Oct 01 2016 to Sept 30, 2017) = 6036
- Case Count Previous Fiscal YTD (Oct 01 2016 to Oct 16, 2015) = **6545**
- Frequent Offender Case Count for previous Month August 2017 = 140
- Frequent Offender Case Count for Month Sep 2017 = 116
- Frequent Offender Case Count Fiscal YTD (Oct 01 2016 to Sept 30, 2017) = 2048
- Frequent Offender Case Count Previous Fiscal YTD (Oct 01 2016 to Sept 30, 2016) = 1956
- Homeless Case Count for previous Month Aug 2017 = 202
- Homeless Case Count for Month Sep 2017 = 178
- Homeless Case Count Fiscal YTD (Oct 01 2016 to Sept 30, 2017) = 2910
- Homeless Case Count Previous Fiscal YTD (Oct 01 2016 to Sept 30, 2016) = 2690

HOUSING UPDATES:

Intensive Case Management

DACC has six Case Managers, five of whom are master level Social Workers. As of September 30, DACC currently had 68 active clients and a waitlist of 94 clients. During September, 2017, DACC Intensive Case Managers assisted in attaining housing for two client's, one of whom was #257 on our frequent offender list, and made 17 referrals to our rehabilitative services which include residential treatment, transitional housing and counseling. Since January 2013, DACC has housed a total of 229 formerly homeless and chronically homeless individuals. We are collaborating with ECHO on referrals for clients ready to enter Permanent Supportive Housing and Rapid Rehousing.

We have a dedicated DACC Intensive Case Manager on the Homeless Outreach Street Team (HOST) and provide the HOST team with office space, access to the DACC van, and access to DACC funded program resources. On September 11 HOST team piloted a "pop up" event in front of the ARCH to provide an array of services to clients as well as to collect information. The below data includes data from the "pop up "event as well as data from the remainder of the month.

September 2017 HOST numbers:

- 88 individuals had contact with Host
- 197 contacts with HOST clients
- 253 needs were met during this time period

Needs Met	September 2017	
Coordinated Assessment	12	
Shelter/linkage to housing services	11	
Mental Health Evaluation and Treatment	30	
Substance Use Treatment	13	
Medical Care	86	
Map Cards	31	
Basic Needs	5	
Transportation	· 4	
Identification documents	45	
Warrant Assistance	10	
Connection with VA	3	
Misc.	3	

- 1 diversion from hospital emergency rooms
- 4 diversions from jail
- 1 diversion from psychiatric hospital

DACC is continuously working on enhancing intensive Case Management programing by implementing best practices, adding services and working collaboratively with community agencies. Various staff members have been trained in completing the Coordinated Assessment, Medical Assistance Plan applications and SOAR. Community First and DACC are collaborating on housing opportunities and

rehabilitative services for our clients. A weekly basketball group began in January as a way to address client struggles with isolation and healthy activities. These enhancements are available to all DACC clients that are currently housed or who are working with a case manager to acquire permanent stability.

Since the inception of the Emergency Solutions Grant (ESG) Rapid Rehousing Program (RRH) in March of 2013, 99 clients have been assessed and entered the program. Of the 99 clients assessed and enrolled 78 have been successfully housed, 74 received housing location services and four clients were provided financial assistance only. The remaining clients were either able to self-resolve, lost contact with case managers, or left the area. During the life of the grant, ESG case managers are aware of two individuals who lost housing due to criminal conviction, two individuals were evicted and one client moved in with family. This current fiscal year, ESG RRH program has successfully rehoused five individuals who lost housing after their initial lease term as a result of increased housing costs. These clients successfully obtained a Housing Choice Voucher (via City of Austin Housing Authority or Travis County) that helped bridge clients into stabile housing. To date ESG RRH housing location case manager(s) have cultivated relationships/partnerships with over 90 potential apartments to house clients that meet the prescribed housing criteria. Additionally, ESG RRH housing location case manager is assisting the COA Center for Disease Unit (CDU) and ECHO housing team with location services for all identified homeless clients within the ATX/Travis County area.

Community Service Restitution (CSR) Statistics - Fiscal YTD (October 1st, 2016 to September 30th, 2017)

- Number of CSR hours scheduled in DACCP = 11,443
- Number of Community Service Restitution hours completed by defendants scheduled @ DACC = 24.311*
- Number of Community Service Restitution hours Supervised by DACC and completed by Travis
 County Probationers = 10,003*
- Monetary value of total CSR hours (34,314*) completed = \$428,925 (\$12.50 per hour)
- Number of CSR hours completed by frequent offenders = 8,000
- Total number of square footage completed for graffiti abatement, ARR, Code Enforcement, PARD, other COA departments and citizen/stakeholder requests 17,828,186
- Total number of sites serviced by DACC work crews for graffiti abatement, ARR, Code Enforcement, PARD, other COA departments and citizen/stakeholder requests = 2,042