



Recommendation for Action

File #: 23-3470, **Agenda Item #:** 6.

12/14/2023

Posting Language

Approve an ordinance amending City Code Chapter 2-10-32 relating to offenses and violations that may be adjudicated by the Downtown Austin Community Court to expand the jurisdiction of that Court to certain Class C misdemeanors occurring within the City limits or on property owned by the City and located in the City's extraterritorial jurisdiction.

Lead Department

Community Court

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

June 8, 2023 - Council approved Resolution No. 20230608-044 directing initiation of City Code amendments to expand DACC's geographical service area for certain Class C misdemeanors.

For More Information:

Robert Kingham, Court Administrator, Downtown Austin Community Court (512) 974-1394.

Additional Backup Information:

Downtown Austin Community Court (DACC) is a rehabilitative court established in 1999, with a mission to administer justice equitably and compassionately to foster trust and accountability, and to utilize a person-centered and housing-focused intensive case management model to help individuals experiencing homelessness achieve long-term stability. Individuals that engage in DACC court services benefit from DACC's emphasis on alternative resolutions and immediate connection to onsite case managers, basic needs, social service resources, and community resource navigation services.

City Council Resolution 20230608-044 directed initiation of amendments to City Code Chapter 2-10-32 to expand DACC's jurisdiction to allow DACC to adjudicate certain Class C misdemeanors occurring within the City limits and on City-owned property in the City's extraterritorial jurisdiction without the geographical limitations in current City Code.

With this amendment, the Class C misdemeanors DACC would be allowed to adjudicate citywide would include Texas Penal Code Section 48.05 (Prohibited Camping) and DACC's top 10 case types, which include Public Intoxication, Disorderly Conduct, Possession of Drug Paraphernalia, Sit/Lie violations, Consuming Alcohol in a Public Place, Pedestrian in the Roadway, Human Waste, Littering, Simple Assault by Contact, and Misdemeanor Theft C - Less than \$100. This ordinance does not change the existing jurisdiction of the Austin Municipal Court, and does not change the existing jurisdiction of the DACC within the geographical boundaries defined in City Code Section 2-10-32(A).