

Notes on Metropolitan Homelessness Commission Action to Final Police Report, 2010

On March 4, 2011, the Committee on Police/Homeless Issues presented a summary report (dated February 10, 2011, and signed by Charles Strobel) to the Metropolitan Homelessness Commission. The Commission took up discussion of the report and made some changes, which are noted in this addendum.

Commissioner John Lozier made a motion to adopt the recommendations, which was seconded by Commissioner Phil Duke and approved by all. The motion that was adopted to amend the report submitted and presented by Commissioner Charles Strobel by replacing points 1. and 2. Under "Final Considerations" on page 6 of the document. The newly adopted Final Considerations read as follows:

1. That the Homelessness Commission endorse the spirit of the American Bar Association's Commission on Homelessness and Poverty Recommendation (contained in Appendix B), which proposes the repeal of laws and policies that "punish persons experiencing homelessness for carrying out otherwise non-criminal life sustaining practices or acts in public spaces, such as eating, sitting, sleeping, or camping, when no alternative spaces [reasonable for the persons' circumstances] are available." This also includes laws and policies that are enforced against homeless persons to a greater extent than non-homeless persons, and laws and policies which punish persons who provide food, shelter, and other necessary assistance to homeless persons. In Nashville these laws include, but are not necessarily limited to: Obstructing a passageway; Public indecency and/or Indecent exposure (while urinating or defecating when no public bathrooms are readily available); and Criminal trespass (on public property for the purpose of sleeping and/or resting).

The Chair of the Metro Homelessness Commission will charge an appropriate committee with reviewing the current laws and policies of Metro government related to the ABA recommendations and propose specific recommendations for Commission action, as the committee deems appropriate.

2. That the Homelessness Commission officially endorse and advocate the practice by police officers who encounter homeless individuals subject to arrest for public intoxication to take such individuals to Room In The Inn's Guest House, rather than jail, as long as the Guest House has space available and Guest House staff feels capable of caring for the individual.