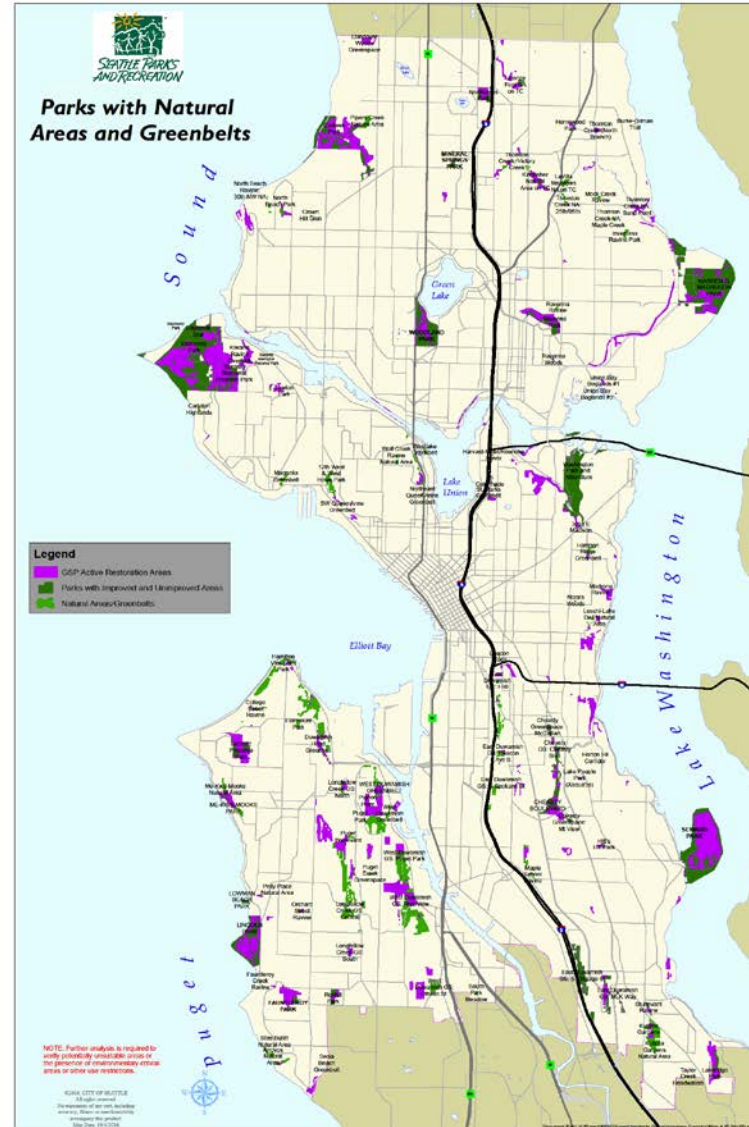


Parks/Natural Areas/Greenbelts and Encampments



Current Situation

4,000 to 5,000 persons homeless in Seattle sleeping on our sidewalks, our Parks, Green spaces and Urban Forests.

Causes

- Lack of housing
- Unemployment
- Mental Health
- Addictions, alcoholism and drugs

History of Encampments

In the early 2000s; after an on-going rise in Homelessness in Seattle, the Mayoral and Council appointed residents and Business leaders and advocates a Taskforce was brought together 15 years ago to develop a protocol on how to approach the handling of Homeless Campers on Park Property; or Public land.

- After the Task Force completed its work it ended up with a protocol called the Multi Department Administrative Rules on Encampments. Its acronym, MDAR.

Major Encampment Issues in the Urban Forest areas and Hot Spots

East Duwamish GreenBelt – Jungle – late 1990's thru 2012

East Duwamish Greenbelt – Bayview – 2013- led to major clean up and Restoration

Cheasty Greenbelt – Mole Man destruction, and Major dumping

West Duwamish Greenbelt – Major cleanups through 2015

Mineral Springs

East and West Queen Anne Greenbelts

Louisa Boren

Magnuson Park

Arboretum

Thornton Creek

Multi Department Administrative Rules

- The MDAR establish a sequential set of rules or protocol on the handling of Encampments on City of Seattle owned Public Lands, including Park Lands.
- The Protocol called for the following:
- It establishes a data base known as the SERIS, which tracks the posting; Outreach and Removal of Encampments.
- An Encampment is defined as three or more Tents or structures. And, although camps under three don't meet the definition of an Encampment. They are still reported in SERIS. This is in order to keep up with the growth of the camping.
- The Protocol for Management of Encampment begins with
 1. A Posting that gives the encamped 72 hours to leave the area is conducted by the Parks Resources Staff person in the accompaniment of the Seattle Police Department
 2. Outreach with a Social Services Provider is required within that 72-hour period. during that 72 Hour Period. It is a must that the camper be referred to housing, or some services that will enable them medical, or addiction services, and most of all Shelter
 3. Following the provision of outreach services and the 72-hour period, the Staff will return with the Police to remove the tents, Structures and debris and Garbage; and many times the person is still there and needs to be moved on by the Police.

Multi-Disciplinary Operations Team (MDOT)

- In late 2014 The Mayor's office along with City Department sought a coordinating agency to provide Facilitation and Outreach to Departments reporting Encampments. And, They Selected FHA to be that agency. The roles were to work with the City Departments to set up Outreach Services to the Encamped. And, in some cases contracting with Vendors, and utilizing FHA staff, and in some cases to clean the encamped. The MDOT followed the MDAR; the difference with this system added more Social Service Non-Profits for Outreach. And, there was more of direct Link to The Police Department for better Coordination and timing with the Various Departments like Parks.

Back to the Current Situation

- There has been a tremendous increase in Homelessness and Encampments which has caused more interest by our City Leaders and Homeless Advocates which has led to the following:
 - A concern that the current Protocol promotes continuing movement of the Campers', and promotes more instability in their life's
 - A need to change the MDAR process to stop the uprooting of the
 - A greater interest in sheltering the homeless
 - An interest in housing first

Recommended Solutions

Currently there are four Things at Work to approach solutions;

- The Mayor has developed a Pathway to housing initiative
- The Council has established a Task Force to revamp the MDAR Protocol
- The Mayor established a Temporary amendment to the MDAR
- The ACLU has Introduced Legislation to allow Encampment in Public Places, and Parks

Efforts seeking solutions

- **Pathways to Housing Program**
- The Mayor established a Temporary amendment to the MDAR to slow down the process of moving, and to ensure 24-hour Shelter.
- **The Council has established a Task Force to revamp the MDAR Protocol**
- Mayor Ed Murray and Councilmember Sally Bagshaw are jointly convening the Task Force on Unsanctioned Encampment Cleanup Protocols to review current policies and practices by the City of Seattle related to the removal of unsanctioned encampments. Following review of these policies and practices the Task Force will identify options for how the City can improve its response and identify broad areas of agreement for future policies and practices.

The Mayor's temporary Establishing a Temporary Modification of the MDAR

- Today, Mayor Murray will be speaking with Secretary Millar at WSDOT, to discuss improvement coordination on state cleanups in Seattle. WSDOT has also been invited to join the task force.
- While the task force completes its work, the Office of Civil Rights will provide on-site monitors to ensure that all outreach has been completed and that residents are treated fairly, including receiving safe storage of their belongings.
- No cleanup will occur without each participant, which includes outreach teams, clean-up crews and the monitors described above having completed work and being present at the beginning of the cleanup. Seattle's more holistic approach means extensive outreach is completed before the cleanup, including in the preceding 72 hours. Outreach workers will continue to be on site at the beginning of the cleanup, along with the work crews.

The ACLU has Introduced Legislation to allow Encampment in Public Places, and Parks

- The bill sets extremely onerous burdens on the city before removing an encampment from public property or impounding a vehicle where someone may be living.
- **Prohibition:** The bill would prohibit the City from removing encampments from all “outdoor living spaces,” including parks, sidewalks, and city-owned property except under two exceptions:
 - **In Normal Circumstances:**
 - City must provide “adequate and accessible housing”, defined as 24/7 and without barriers (drug, mental health, criminal history), for each person who is impacted by removal
 - City must engage each affected person with outreach for at least 30 days before removal
 - City must post notice for at least 30 days prior to removal
 - City must set up new and more accessible storage facilities with evening hours
 - City must show that each affected individual received actual notice before removal

Hazardous, Unsafe, or Unsuitable conditions

- The City may undertake removal of encampments with hazardous, unsafe, or unsuitable conditions only in the following circumstances:
 - **Definitions:**
 - **Hazardous:** “condition that creates an *imminent and likely public health or safety harm*” by a particular condition, not a generalized condition.
 - **Unsafe:** “location that poses *imminent danger of harm* to the individuals residing in that location or to the general public”
 - **Unsuitable:** “a location that has a specific public use that is substantially impeded... and *where the public lacks alternative means to accomplish the specific public use.*”
 - City must provide at least 72 hours access to garbage and sanitation services on site
 - City must identify the specific problems at each site and provide residents an opportunity to “cure” the conditions
 - City must provide at least 2-day notice to all individuals at location
 - City must identify and make available an alternative encampment location
 - City must conduct specific individualized outreach to every individual at site

Ordinance amendments

- **Public space** - means any area which is owned, leased, maintained, controlled, or managed by a government or the City, **and does not include Public Development Authorities, privately owned land, public entity schools and colleges, the University of Washington, or the Port of Seattle.**
- **Unsafe location** - means a location public space that poses imminent danger of harm to individuals residing in that location or to the general public. The danger of harm must be created by the presence existence of the specific outdoor living space or vehicle used as a residence at the that particular location and not generalized danger of harm common to all who are unsheltered.
- Added to this category should be: **Unsafe Locations can be categorized as Critical sensitive areas and Steep slopes as Dangerous**

Unsuitable locations

Means a location public space that has a specific public use that is substantially impeded as a result of an outdoor living space or vehicle used as a residence in that location, and where the public lacks alternative means to accomplish the specific public use. The City shall establish by rulemaking criteria for and a process by which the Department of Neighborhoods may designate specific sites as unsuitable based on a showing of need.

Designations of unsuitability must leave ample nearby, public spaces that are not unsafe or unsuitable in that location. Improved areas of City parks, including restored natural areas or natural areas actively undergoing restoration, and public sidewalks in front of houses and dwelling units are per se unsuitable. Sidewalks in commercial areas are prohibited to sitting and lying during certain hours under SMC 15.48.040. Examples of public space which may not be unsuitable for purposes of removal, depending on the circumstances, may include portions of greenbelts, portions of unimproved City lands, safe spaces under certain overpasses, bridges and structures, portions of surplus City property not currently subject to active use and those locations formally identified by the City of Seattle for use as temporary encampments.