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## **National Survey of Municipal Police Departments on Urban Quality of Life Initiatives**

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## INTRODUCTION

A growing body of research indicates that fear of crime is related not only to beliefs about the actual prevalence of criminal activity, but also to the presence of incivilities in neighborhoods. Graffiti, abandoned buildings, trash-strewn lots, public inebriants, groups of idle youths and young men hanging out on corners at all hours of the day and night create an atmosphere that is menacing. When physical deterioration and social disorder in residential areas spill over into commercial districts and are not adequately addressed, the economic vitality of the community is threatened. Although the causes of these problems in residential and commercial districts are numerous, complex and frequently economic, such conditions are often attributed to the increased visibility of “homeless” people in public places in the past fifteen years (Skogan 1990; McElroy et. al. 1993).

This report presents findings from a survey conducted in the spring of 1996 by the Police Executive Research Forum (PERF) in conjunction with the American Alliance for Rights and Responsibilities. In surveying the largest municipal police departments in the United States, researchers attempted to determine how and to what extent these law enforcement agencies use local ordinances to address a variety of street conditions and order-maintenance problems.

In the 1990s, police agencies have increasingly employed civil, administrative and criminal remedies as problem-solving tools to address community problems. Nuisance and drug-abatement laws, fire codes, health and safety regulations, and zoning ordinances are being used very effectively to address a wide variety of conditions ranging from abandoned buildings and vacant lots to youth gangs and drug dealing. Nevertheless, local ordinances are still a powerful, but often underused mechanism for dealing with a broad array of problems. The survey results provide considerable insight into how police perceive the nature and causes of certain street

conditions and the critical role that ordinance enforcement may play in combating these problems.

The project builds on PERF's 1993 research that was reported in *The Police Response to the Homeless: A Status Report*, which presented the findings from a national survey of law enforcement agencies regarding their perceptions, policies, and practices pertaining to "street people" or homeless people.<sup>1</sup> The current study focuses primarily on police enforcement of local ordinances addressing specific behaviors (e.g., panhandling, public intoxication, sleeping on the sidewalk), rather than the population that is often associated with this type of behavior.

## RESEARCH METHODS

This research was designed to answer three questions: Do the large municipalities have local ordinances pertaining to certain anti-social behaviors? If so, how and to what extent are these ordinances enforced? And what are the factors that affect enforcement? The targeted behaviors are listed below:

- Panhandling (including aggressive panhandling and bans in specifically-designated areas);
- Public intoxication;
- Disorderly conduct;
- Sitting and/or lying down on sidewalks;
- Sleeping on sidewalks, boardwalks or other public places;
- Improper soliciting for day labor opportunities;
- Unlicensed vendors and peddlers;
- Dumpster diving;
- Unauthorized camping in public places;
- Juveniles roaming the streets or loitering in public places at night.

In the spring of 1996, PERF sent a questionnaire to 512 police departments in municipalities with a population of 50,000 or more.<sup>2</sup> The response rate was very high—388 of 512 (75.8%) agencies completed the questionnaire. PERF also received copies of several hundred ordinances that were returned with the surveys.

### *Qualitative and Quantitative Data*

Although each survey was sent to the Chief Executive Officer, the task of filling out the questionnaire was invariably delegated to someone else—usually a police officer or civilian assigned to planning, research, crime analysis, or the management information services unit of the individual department. As a result, the questions that call for the respondent's subjective estimate of the seriousness of a particular problem may not reflect the views of the police chief or

others in the department, or the results of more objective measures (e.g., calls for service).

Therefore, the data pertaining to subjective estimates are presented in the aggregate and *not* associated with specific law enforcement agencies.

Survey respondents were asked to write comments providing additional information about the conditions in their municipality and factors affecting their enforcement practices, several of which are presented in the text of this report. The comments and subjective responses provide a wealth of information about conditions in various jurisdictions, the complexity of the issues involved in addressing order-maintenance problems, and the police response.

One of the 1993 PERF study's major findings was that quantitative data on the victimization of homeless or street people, crimes committed by them, and calls for service related to this population were rarely available. As the authors of that report stated:

In determining how survey respondents formed their perceptions of the scope and nature of the homeless population, it became apparent that they were largely based on experience and personal beliefs, rather than record-keeping. Police perceptions of street persons are often formed in the absence of data on calls for service or other departmental record-keeping. This is not to say that those perceptions are not accurate, only that they are rarely confirmed by statistical information (Plotkin and Narr 1993, p. 13).

In light of this finding, the current survey did not ask any questions about the volume of calls for service pertaining to the targeted behaviors listed above or other activities commonly attributed to the homeless or street person population.

Additionally, enforcement of local ordinances is very difficult to measure because the police have considerable discretion in dealing with situations that come to their attention. Many, perhaps most, situations are handled informally. As a result, there is often no official record of an incident unless officers take formal action and write a report. Although police summons and

arrest activity are very imperfect gauges of ordinance-enforcement practices, they do provide a measure of *aggressive* law enforcement. Therefore, PERF asked the survey respondents to provide data on the number of citations or summonses issued and arrests made for certain offenses, *if the data were readily available*. The enforcement data are presented in the aggregate, and no individual agency is identified.<sup>3</sup> These statistics must be interpreted with great caution because of the high percentage of missing data. There are three reasons for this: First, certain behaviors such as public intoxication are prohibited by local ordinance and state statute in some jurisdictions, *and* the law is enforced using the state statute. However, in light of the vagaries of police department recording and record-maintenance systems, it is often difficult for an agency to determine whether an arrest was made or a summons issued using the local ordinance or the state statute. Second, agencies may have the requested data but cannot easily retrieve them from their computer system. Third, summons and arrest data for violations and misdemeanors may not be recorded in a way that captures the underlying criminal behavior. For example, agencies may simply not have the data on these incidents because maintaining statistics on ordinance violations may not be of interest or a high priority to the police department.

While this research was *not* intended to measure the *effectiveness* of local ordinances in addressing the targeted behaviors that create crime and quality-of-life problems, the comments provide some insight into respondents' perceptions of the usefulness of enforcing these ordinances.<sup>4</sup>

### ***Presentation of the Findings***

The sequence in which issues are considered corresponds closely to the ordering of the questions

in the survey. In most instances the data are presented in terms of the number and percentage of respondents that answered individual questions in the affirmative.

The original survey and cover letter are located in Appendix A. Parts I and II of Appendix B provide a listing of the 388 agencies that responded to the survey and reported having ordinances pertaining to panhandling, public intoxication, disorderly conduct and open container laws, dumpster diving, day labor, unlicensed vending, sitting and/or lying down on sidewalks, sleeping on sidewalks, boardwalks or other public places, unauthorized camping in public places, and juveniles loitering in public places at night. Appendix C contains all of the written comments without attribution to specific agencies. Appendix D contains the original survey codebook.

## PANHANDLING

Even the casual observer knows that panhandling takes many forms. Some panhandlers are passive, sitting or standing silently on a sidewalk, sometimes wearing a sign or holding a cup. Others are more aggressive and physically confront passersby. As the research findings indicate, many people consider their presence disturbing and their behavior threatening. Merchants and other members of the business community are particularly troubled because panhandlers block sidewalks, impeding the flow of pedestrians and intimidating potential customers. If the commercial district is considered unsafe by the public and business community, there can be dire economic consequences.

### *Prevalence and Perceived Seriousness of the Panhandling Problem*

The first question asked the respondents to indicate the extent to which panhandling is a problem in their city, using a five-point scale ranging from no problem to a serious problem. For presentation purposes, the data have been collapsed into three categories: 1) no/minor problem, 2) problem and 3) major/serious problem. Specifically, 281 (72.4%) of the respondents indicated that panhandling was not a problem or a minor problem. Although an additional 86 (22.2%) rated it as a problem, only 20 (5.2%) classified panhandling as a “major” or “serious” problem.

Municipalities of all sizes over 50,000 reported having problems with panhandling—it is not confined to the major urban areas. Nevertheless, the data suggest that the perceived seriousness of the panhandling problem is associated with the size of the population: as population increases, so does the likelihood that panhandling will be perceived as a problem. About 25% of the respondents in the jurisdictions under 500,000 reported that a problem existed

or that it was a major/serious problem, compared to 68% in the 500,000 and over category.

### ***Panhandling Ordinances***

Slightly over one-third (142) of the responding agencies reported that they had a local ordinance against panhandling in public places (See Appendix B). Eighty-seven of these agencies (61.3%) indicated the year in which they were enacted. These dates ranged from 1914 to 1996, as follows: 35 indicated that the ordinance was passed between 1914 and 1979; 15 in the 1980s, and 37 between 1990 and 1996. Although this data is limited by the high percentage of missing cases, there appears to be a trend toward the enactment of new ordinances or the revision of existing panhandling ordinances.

### ***Aggressive Panhandling***

In order to accurately address the perceived seriousness of the panhandling problem, it is important to distinguish between passive and aggressive panhandling. Passive panhandling refers to the solicitation of money or some other commodity in a non-threatening manner. Aggressive panhandling involves using confrontational techniques to intimidate a victim. This may include blocking pedestrians' passage on a sidewalk, following or touching pedestrians, using abusive language, obstructing traffic or otherwise behaving in an offensive or menacing manner. Seventy-seven (19.8%) agencies reported having a local ordinance specifically prohibiting aggressive panhandling.

### ***Panhandling in Specifically Designated Areas***

In response to the question “Does your city have an ordinance that prohibits panhandling in *specifically designated areas?*,” 56 (14.4%) of all responding agencies answered affirmatively.<sup>5</sup>

These respondents were then asked to complete a checklist consisting of six items: 1) near banks or ATMs, 2) on beaches or boardwalks, 3) in public parks, 4) near entrances to buildings, 5) to people in cars and 6) other (see Appendix B).

**Banks: Automatic Teller Machines.** Automatic teller machines (ATMs) provide a convenient way for customers to deposit or withdraw money from a bank. However, ATMs are often on the sidewalk or in the vestibules of banks, and customers using these machines are vulnerable targets for robbers and thieves. Banking patrons may feel threatened by the presence of panhandlers loitering or begging nearby. Twenty-two departments indicated that panhandling is banned in these areas.

**Parks and Beaches.** It is useful to draw a distinction between ordinances specifically designed to address panhandling, and those for which a panhandling provision is part of a broader range of prohibited or regulated behavior. Three agencies reported that their ordinances specifically prohibit panhandling on beaches or boardwalks. Thirty-one agencies reported that they have provisions regarding panhandling in public parks.<sup>6</sup>

**Buildings.** Entrances to stores or office buildings are attractive locations for panhandlers because they provide shelter from inclement weather as well as access to a monied clientele. Twenty-one agencies indicated that they have ordinances prohibiting panhandling at these locations.

**Cars.** Pedestrians are not the only targets of panhandlers. People in automobiles stopped at intersections or approaching entrance and exit ramps to highways may also be accosted. Panhandlers obstructing traffic pose a safety hazard not only to themselves but also to motorists and pedestrians. Thirty-four agencies reported prohibiting this behavior.<sup>7</sup>

**Other.** Thirty-six agencies indicated that their ordinances prohibited panhandling in areas not specified in the check list. Although an exact count is not available (because several agencies checked this box without identifying the “other” area), respondents reported that panhandling was often banned in or around public transportation stations (e.g., train stations, bus stops) and/or on public transportation.

### ***Summonses and Arrests for Panhandling***

As stated above, slightly over one-third of the responding agencies indicated that they had local ordinances prohibiting panhandling. This section explores the extent to which these ordinances were enforced through the issue of a summons or citations or through an arrest.

Of the 171 agencies that reported having any type of local ordinance against panhandling, only a small percentage provided data on summons and arrest activity for 1994 and 1995; therefore, this data must be interpreted with great caution.

For 1994, 21 agencies reported issuing at least one summons, but fewer than 100; two reported issuing 100 or more summonses.

For 1995, 19 agencies reported issuing at least one summons, but fewer than 100; five reported issuing 100 or more.

For 1994, 20 agencies reported making at least one arrest, but fewer than 100; one reported making over 100 arrests.

For 1995, 16 agencies reported making at least one arrest, but fewer than 100; two reported making over 100 arrests.

These data, although very limited, suggest that summonses are seldom issued for panhandling incidents and that arrests are very rare. However, this does *not* mean that illegal panhandling is ignored by law enforcement or that behavior covered by ordinances is not addressed. Rather, police use several methods to handle these problems, which may or may not involve the traditional law enforcement tactics of summons or arrest.

Seventy-six respondents provided written comments describing the seriousness of the panhandling problem in their jurisdiction, as well as the policies and procedures they may have for addressing it. Several of these are presented below to illustrate the complexity of the issues.

### *Law Enforcement Response*

In some jurisdictions, a considerable amount of law enforcement resources are devoted to dealing with panhandlers and disorderly persons. Unfortunately, the number of calls for service pertaining to these conditions is extremely difficult to estimate (Plotkin and Narr 1993).

When respondents were asked to indicate how violations of their panhandling ordinances are brought to the attention of the police, almost all mentioned complaints from citizens, calls from the business community or observation by officers. In many municipalities, the police are reactive and will only respond if a call for service is requested. As two respondents stated,

The majority of the problem is created by street people. The problem is addressed following citizen complaint or officer observation.

It has increased, but it's not a problem we get many calls about. Our citizens are used to it and accept it for the most part. Business owners in our downtown area are more likely to contact us when they see it because they feel it scares business away.

Panhandling ranks low on law enforcement's scale of offense seriousness, so police officers use considerable discretion in dealing with these situations. Several respondents indicated that officers usually handle these incidents informally, which probably explains the infrequent use of summonses and/or arrests in these cases. One New England respondent wrote, "It is a moderate problem. Officers are dispatched and send panhandlers on their way." Similarly, a respondent from the Midwest reported, "Indigents in our downtown area are usually the cause of complaints. Warning and field interrogations are usually the manner in which we handle these violations. Arrests are few."

### *Specific Law Enforcement Tactics*

Not all jurisdictions rely on informal sanctions; rather, several indicated that they employ standard law enforcement tactics, including the use of specialized units. One respondent stated, “We have three levels [of enforcement] for aggressive panhandling. 1) Warn and move; 2) Citation; 3) Book when warrant issues for failure to appear for the citation.” The following are a few of the written remarks from across the country.

The problem is not as bad as it used to be because we have a special unit that [addresses] quality-of-life problems.

Growth of downtown business district has attracted more people, but we also increased police presence (bike, foot patrols, special enforcement task forces).

Panhandling has been kept in check by citations written by uniformed and plainclothes officers.

In some municipalities, panhandling is a persistent problem that most would agree is not easily fixed by issuing warnings and asking them to move along. A few respondents reported that they engaged in what may be classified as problem-solving strategies by addressing specific conditions that attract panhandlers and enlisting the support of the business community.

Panhandling is generally focused in one or two areas: around liquor stores and in downtown, which houses two riverboat gaming facilities. All of these areas, particularly downtown, have had neighborhood-oriented policing officers for at least three years. These officers have been extremely effective at controlling panhandlers even though there is a homeless shelter, transient hotel and soup kitchen within two blocks of riverboat gaming.

Used to be a problem—after working with and organizing business owners, aggressive enforcement and follow-up has significantly curbed [the] problem.

### *Use of Ordinances*

As noted above, several jurisdictions have adopted anti-panhandling ordinances in the past few years. One respondent provided the following assessment of the effectiveness of the ordinance in his municipality:

The panhandling problem was serious prior to 1994. The panhandlers were everywhere and they were walking up to cars. Since the passage of the ordinance, several arrests have been made and there seems to be some sort of communication network with the panhandlers because we just don't see many any more.

Thus, in this city, the message has been sent that panhandling will not be tolerated by the police.

Similarly, another respondent commented:

Historically, panhandling and transients were a major problem. With the passing of a panhandling ordinance and park closure ordinance, the problem has decreased greatly. Passing ordinances [was] brought on by aggressive policing by [the] police department, change of city [manager] and [a] more conservative [city] council.

### *Alternatives to Panhandling Ordinances*

As the following series of comments indicate, police do not necessarily need a local ordinance against panhandling to address this type of behavior. Most jurisdictions have an assortment of local ordinances or state statutes on which to draw to deal with people who are behaving in a disruptive and/or threatening manner. How a complaint is handled may depend on local custom and department policy. Consider the following comments:

Our city does not have a severe problem with panhandling. It is present; however, it does not present a major problem. Although we have a city ordinance against begging, these problems have historically been handled with our general nuisance ordinance or with a general trespassing charge.

[Panhandling is a] moderate problem in geographically limited area. Action [is] taken when aggressive behavior is observed on complaints received. [It is] routinely resolved

by downtown officers. When appropriate, [a] charge may be made for disorderly conduct or trespassing.

Panhandling is generally considered a “street condition”; however, people asking for spare change or food may also confront people in fast food restaurants, stores, or train or bus stations. In these cases, the panhandler may be charged with trespassing. As one respondent stated, “Offenders are asked to leave the premises. If [the] problem persists, property/business owners may place [them] under citizen’s arrest for trespassing rather than enforce city ordinance for panhandling.”

The following comment was written by a respondent who reported that his municipality did not have a panhandling ordinance.

Panhandling is not a serious problem in our city. This is why we do not have a specific law covering it. We do have panhandling, but are able to handle the problem with current laws. We do not allow any solicitation from a public roadway. This is a safety issue. No one can request money or hand out material to motorists. Public parks are covered by a separate law. This limits the places where a person can go. If they panhandle on private property (malls), then they are trespassing and can be removed from the area.

### ***Legal Context of Panhandling Ordinances***

There is a growing body of case law pertaining to the constitutionality of panhandling laws, a review of which is beyond the scope of the PERF report. Respondents were asked to indicate whether any of their panhandling ordinances had been challenged in court since 1990; nine answered affirmatively.<sup>8</sup> Although much of the litigation has arisen in California, there have been repercussions not only in that state but in other jurisdictions. As the following comments indicate, some jurisdictions are in the process of revising their ordinances, some have one or more cases pending and others are addressing the situation by enforcing other ordinances.

Approximately two years ago officers were directed to *not arrest* [emphasis added] for panhandling because of freedom of speech. As a result, panhandlers were being arrested for disorderly conduct but they *had* (emphasis in the original) to be disruptive in their behavior. [A] new city ordinance regarding aggressive panhandling will allow officers to act sooner or quicker than before.

The business community is continually striving to rid the downtown business district of panhandlers. Unfortunately, even though there is a city ordinance prohibiting panhandling, federal courts have ruled that panhandling is protected under the First Amendment of Free Speech. The police do enforce state penal code sections as applicable toward disorderly conduct, i.e., blocking pedestrian/vehicular traffic, drunk in public, drinking in public, etc.

[Our agency] tried to pass an aggressive panhandling ordinance; however, [the] city attorney said it was unconstitutional.

We continue to have a serious panhandling problem and a local ordinance regulating it is in Federal Court. We have, however, made MAJOR (emphasis in the original) progress against panhandling by employing a “zero tolerance” policy on public drinking and drunkenness. This has been very successful for us!

Panhandling is a serious concern for the business community. Street people use panhandling to support their substance abuse with scavenging returnable bottles. Because our ordinance is being revised, our response is limited to verbal warning and asking offenders to move along.

### ***Prosecution***

The survey asked three questions pertaining to the criminal (municipal) court processing of panhandling cases. The data suggest that summonses or arrests are seldom used to address panhandling; therefore, the number of cases that actually enter the court system in most municipalities are few. Additionally, in many of these jurisdictions, such offenses are classified as “infractions” or “violations,” rather than “crimes.” Thus, the range of penalties available for a conviction is limited to a small fine and/or a short jail term. The prosecution data may be summarized as follows:

Thirty-six respondents indicated that police officers in their jurisdiction are required, on a routine basis, to present testimony at the arraignment of arrestees charged with panhandling;

One hundred respondents indicated that police officers in their jurisdiction are required, on a regular basis, to present testimony when defendants charged with panhandling are brought to trial;

Twenty-four respondents indicated that the District Attorney's Offices in their jurisdictions have policies regarding whether they will drop the panhandling charges before or at arraignment rather than proceed with the prosecution.<sup>9</sup>

Although this survey did not ask respondents to describe the prosecutorial policies in their jurisdiction, a few provided written comments about case processing. These comments highlight the fact that prosecutors have considerable discretion in determining whether to formally charge an arrestee or decline prosecution.

While the District Attorney's Office does not have a "policy" precluding prosecution for panhandling, it is their preference to prosecute only chronic, aggressive offenders.

Anecdotal evidence indicates that prosecutors are often reluctant to file charges in these cases because they see little point in clogging the court calendar with minor cases and filling the jails with petty offenders. Furthermore, as the following comment illustrates, complainants (victims) are often uncooperative and do not wish to press charges.

Panhandling by "Street People" creates a perception of crime in our downtown area and hurts retail stores. Citizens do not wish to go to court on this issue even after intervention by an officer. Frequently, the "Street Person" is not mentally competent and magistrates will refuse warrants. The problem is serious with numerous business community complaints and extra patrols being allocated.

## **PUBLIC INCIVILITIES AND STREET DISORDERS**

The second set of questions pertained to other public incivilities, including public intoxication, disorderly conduct, and sitting or sleeping on sidewalks. This section also included questions regarding ordinances regulating the activities of vendors and peddlers and day-labor pools.

Additionally, a question was asked about prohibitions against what is colloquially referred to as “dumpster diving”—people rummaging through garbage bags, trash cans, dumpsters, and recycling bins looking for food, clothing, bottles that can be traded in for cash, and other items that may have some value to the searcher.

### ***Public Intoxication***

The stereotypical image of a public inebriant is a “wino,” “derelict,” “skid row bum,” or “town drunk” weaving down the street, waving an empty wine bottle. In the past, the offender would be arrested by the police, placed in the “drunk tank” over night and allowed to “sleep it off” before being released. However, since the 1970s, public intoxication for practical purposes has been decriminalized in many jurisdictions. Numerous cities have opened detoxification centers or “sobering-up stations” where the police may take inebriated persons to receive medical attention and other services. Unfortunately, as Skogan (1990) explains, this change in policy and procedure has done little to alleviate the problem:

Not enough detoxification facilities were constructed, and removing public intoxication from the purview of the criminal law eliminated most incentives for police officers to pick up any but the most pitiful cases and carry them away to safety. Detoxification centers frequently refuse to admit chronic inebriants, as well as those who are combative or might be dangerous (p. 183).

Thirty-nine percent (152) of the responding agencies reported that their jurisdiction has an ordinance prohibiting public intoxication. Only forty agencies indicated that they issued any summonses. Yet, in contrast to panhandling, some agencies issue summonses frequently to address this problem. Again, because of the relatively small number of agencies that provided data, these findings must be interpreted cautiously. The results may be summarized as follows:

For 1994, 15 agencies reported issuing at least one but fewer than 100 summonses, while 19 reported issuing between 100 and 1000. Six agencies reported issuing over 1000 summonses, including one agency with 3170 summonses.

Similarly, for 1995, 15 agencies reported issuing at least one but fewer than 100 summonses, 17 reported issuing between 100 and 1000, and 6 reported issuing over 1000. One agency indicated that they issued 3759 summonses.

Sixty-six agencies reported making one or more arrests for public intoxication in 1994, compared to 63 in 1995.

For 1994, nine agencies reported making at least one but fewer than 100 arrests, while 39 reported making between 100 and 1000. Eighteen indicated that they made over 1000 arrests, and the numbers for these agencies ranged from 1034 to 5206.

Similarly, for 1995, seven agencies reported making at least one but fewer than 100 arrests, while 38 reported making between 100 and 1000. Again, 18 indicated that over 1000 arrests were made. The number of arrests for this group ranged from 1005 to 4432.

Although some agencies appear to be quite aggressive in issuing summonses or making arrests, these agencies are relatively few. One reason for this is that many agencies have adopted policies requiring police to take public inebriants to detoxification centers, hospital emergency rooms, or other facilities rather than making an arrest. One respondent from New England commented, "Our department normally takes a person into 'Protective Custody' rather than making an arrest."<sup>10</sup>

### ***Disorderly Conduct and Open Container Laws***

Sixty-six percent (254) of the responding agencies indicated that their municipality has an ordinance prohibiting disorderly conduct. Again, the statistics on summons activity are limited; about 70 of these agencies reported issuing any summonses. The results may be summarized as follows:

For 1994, 16 agencies reported issuing at least one, but fewer than 100 summonses, while 44 reported issuing between 100 and 1000, and 11 reported issuing over 1000.

Similarly, for 1995, 19 agencies reported issuing at least one, but fewer than 100 summonses, while 45 reported issuing between 100 and 1000, and ten reported issuing over 1000.

One hundred and fifteen agencies reported making any arrests for disorderly conduct.

For 1994, 27 agencies reported making at least one, but fewer than 100 arrests, while 74 reported making between 100 and 1000. Fourteen indicated that they made over 1000 arrests, and the numbers for these agencies ranged from 1058 to 43,049.

Similarly, for 1995, 24 agencies reported making at least one, but fewer than 100 arrests, while 73 reported making between 100 and 1000. Eighteen indicated that they made over 1000 arrests, and the numbers for these agencies ranged from 1028 to 45,021.

Open container ordinances were designed to deter people from drinking intoxicating beverages in public places. The overwhelming majority (77.8%) of the reporting agencies indicated that they had a local ordinance prohibiting this behavior. Additionally, 19 agencies without this type of ordinance indicated that one would be useful.

### ***Dumpsters***

When respondents were asked whether their municipality has an ordinance that “specifically

prohibits emptying or interfering with the contents of trash receptacles” or “dumpster diving,” 101 (26.0%) answered affirmatively and 53 provided a copy of their ordinance. A review of these ordinances reveals that many of these laws were enacted 50 or more years ago and pertain to the proper disposal of refuse. For example, some state that trash cans must be covered to prevent health hazards.

In the past 15 years, many jurisdictions have passed state laws and/or ordinances providing for the recycling of beer and soft drink cans. In most of these jurisdictions, the purchaser pays an extra two to five cents on the bottle or can, but can redeem the deposit once the empty container is returned. This survey did not ask any questions about the extent or seriousness of this problem, and only one respondent provided a comment that directly addressed this issue. Nevertheless, his remarks provide an interesting perspective on the problems associated with dumpster diving and a problem-solving approach to dealing with this problem.

Problem areas focus around freeway offramps and shopping centers where recycling bins are located. California law requires that recycling bins must be located within a half mile of all grocery stores. That, coupled with nonsecure residential recycling containers, results in persons stealing cans and forming lines in shopping centers where the bins are located for deposit and cash. We routinely initiate community oriented policing projects that involve officers, code enforcement, public health, business owners, etc. The problem dies down and starts again. Quite a few, if not most [of the offenders] are chemically dependent or mentally challenged.

### ***Day Labor***

The term “day-labor pools” refers to groups of people, primarily men, seeking day jobs as gardeners or construction workers. These pools often form in parking lots in front of lumber yards or stores specializing in tools and materials needed for home improvement projects.

Prospective employers are aware of these locations and will drive by and hire workers. Day-labor

pools provide an opportunity for willing workers to connect with prospective employers.

Sometimes, however, large numbers, sometimes hundreds, of men congregate and wait for hours for a work opportunity that never materializes. In the course of the day, such parking lots may be strewn with empty fast-food containers, laborers may urinate in public, use alcohol and drugs, and fight.

Anecdotal evidence from law enforcement officers suggests that many of these workers are transients or migrant workers who have become stranded in a city and are seeking a few days of temporary work so that they can afford a bus ticket to their destination. These laborers are desperate for money and the degree of their desperation is reflected in a phenomenon known as “swarming.” When a potential employer appears in a truck or a van, the stronger or more aggressive laborers will push the weaker laborers out of the way (or trample them) as they swarm around and climb on the truck. Workers and employers have been injured in this process. Moreover, if the day-labor process is not regulated, laborers may be exploited by unscrupulous employers who refuse to pay the agreed-upon wage or to pay them at all.

The PERF survey did not collect any data about the prevalence of day-labor pools or any associated problems. The survey did, however, ask respondents whether their municipality had an ordinance *regulating* the use of parking lots or other public spaces for those seeking day-labor opportunities. Twenty-five (6.4%) agencies answered affirmatively and 15 provided copies of ordinances.<sup>11</sup> Some of these ban all “street” solicitation of work throughout the city, while others create “non-solicitation zones” in designated locations.

### *Vendors*

Street vendors or peddlers are considered by many (especially tourists) to be part of the attraction of urban life. They sell an assortment of goods at very cheap prices (souvenirs, umbrellas, watches, jewelry, scarves, leather goods), but they compete with established merchants for their customers. Historically, the activities of street vendors have been regulated primarily through licensing. This serves a number of purposes. Licensing is a source of revenue for a municipality, and high licensing fees narrow the field of potential vendors. Additionally, in many jurisdictions, vendors bid for or are assigned specific sites. This is necessary to prevent vendors from congregating in key locations and impeding the flow of pedestrian traffic. Almost all of the respondents (374) indicated that vendors and peddlers are required to have licenses, and 167 (43.0%) reported that their municipality has areas where street vending or peddling is banned entirely, such as commercial districts.

No questions were asked in the survey about the perceived seriousness of this problem or the extent to which these ordinances are enforced. The data, however, suggest that the proliferation of unlicensed vendors in certain areas of some cities is not due to deficiencies in the licensing laws, but to inadequate law enforcement. In practice, vigorous enforcement of street vendor ordinances is a time-consuming, labor-intensive, and unpleasant task because officers must inventory and voucher every article confiscated from the peddler. This may take several hours and requires a substantial amount of paperwork. Moreover, police departments realize that the unlicensed vendor will only receive a relatively small fine in court—a fine that does not compensate the police department or municipality for officer time in processing the arrest or associated court costs. Thus, police departments have little incentive to enforce these ordinances.

### ***Sitting on Sidewalks; Sleeping in Public Places***

Since the early 1980s, some urban areas have witnessed an increase in the number of people sitting or sleeping on the sidewalk or laying on a bench in a park, train, or bus station. Slightly over one-fourth (101) of all respondents reported that they have an ordinance prohibiting sitting and/or lying down on sidewalks or boardwalks, and 74 submitted copies of these ordinances. Eighty-eight (22.7%) of all respondents indicated that they have an ordinance prohibiting sleeping on sidewalks or boardwalks, and 66 attached copies. Moreover, 132 (34%) reported that they have a city ordinance prohibiting sleeping in public places (e.g., parks, beaches, boardwalks, public transportation facilities). See Part I of Appendix B for a listing of these jurisdictions.

### ***Enforcement of Ordinances Pertaining to Sleeping in Public***

The target of these ordinances is not the commuter, who is resting with his or her eyes closed while waiting to catch the next train to the suburbs. Rather, these ordinances are designed to address conditions caused by people spending long periods of time sleeping on park benches, buses and trains, or in transportation stations.

Only 15 agencies that indicated that they have an ordinance pertaining to sleeping in public places reported that they issued any summonses in 1994 or 1995. Eleven agencies issued between 1 and 50 summonses, while four agencies in both years issued between 62 and 412.

These results are not surprising. As in the case of panhandlers, these ordinances provide authorization for officers to intervene and accord them a great deal of discretion in deciding how to deal with the situation. Police will often ignore this behavior unless there is a complaint, in which case they usually will move the offender along after giving him or her a warning.

## UNAUTHORIZED CAMPING IN PUBLIC PLACES

The preceding sections described the distribution of responses for a series of questions pertaining to panhandling, public intoxication, and other street disorders and order-maintenance conditions. Although these questions made no reference to the characteristics of the individuals who may be causing these situations, the written comments reveal that respondents often attributed certain problems to the homeless, mentally ill, substance abusers, or transients.

The term “street people” was not used in this questionnaire until the third section, where it was defined as follows:

...individuals who spend the majority of their time in public for non-job-related reasons regardless of whether they have a regular and adequate nighttime residence. These individuals may have some type of disability, be it physical, medical, or mental. For this study, “*street people*” includes the homeless. (Emphasis in the original.) (Plotkin and Narr 1993, p. 9.)

Respondents were asked to indicate the extent to which the presence of street people is a problem in their city. In response, 228 (58.8%) of the 388 respondents reported that street people are not a problem or a minor problem. An additional 130 (33.5%) indicated that there is a problem, while 29 (7.5%) reported that it is a major or serious problem. As in the case of panhandling, the perceived seriousness of the panhandling problem is associated with the population size of the municipality. Specifically, slightly over one-third (36.9%) of the respondents in cities with fewer than 250,000 people indicated that a problem existed or that it was major or serious, compared to 51.3% in jurisdictions with a population between 250,000 to 499,999, and 71% in jurisdictions with populations of 500,000 or higher.

The subsequent questions in this section pertained exclusively to unauthorized camping in public places by individuals or groups. At the end of this section, respondents were asked to provide written comments about the topics addressed. Many respondents took advantage of this opportunity to describe the problems and law enforcement responses in their jurisdictions. Some of these comments were general statements about the problems created by street people, while others specifically addressed enforcement of camping laws or other legal remedies.

### ***Camping***

For purposes of this survey, camping was defined as “sleeping with blankets, a sleeping bag or other covering, as opposed to someone “dozing off” or “napping” on a park bench.” When respondents were asked to estimate the seriousness of the problem posed by *individual* street people camping in public places, 307 (79.1%) indicated that it is not a problem or a minor problem in their city, 62 agencies (16.0%) reported that it is a problem, and 17 (4.4%) rated it as a major or serious problem.

When the respondents were asked to estimate the extent to which groups of homeless and/or street people forming *encampments* in public places is a problem, the overwhelming majority (330 or 85.1%) reported that there is no problem or a minor problem. Forty-four agencies (11.3%) indicated that it is a problem, while 12 (3.1%) rated the problem as major or serious.

Slightly over a third (141 or 36.3%) of the responding agencies indicated that they have local ordinances placing restrictions on camping in public places. Seventy-seven or slightly over half of these agencies recorded the date that the ordinance was passed; these dates ranged from

1903 to 1996. It is noteworthy, however, that 41 of the ordinances for which dates were provided were adopted between 1980 and 1996, including 21 between 1990 and 1996.<sup>12</sup>

### ***Summons and Arrest Data: Unauthorized Camping***

Only six agencies reported issuing summonses for camping in a public place in 1994; three issued fewer than 10 summonses. Three were more aggressive: one issued 86 summonses, another 247, and another 251. The summons data for 1995 are very similar: five issued fewer than 15 summonses, while four issued between 68 and 269. Arrests were very seldom made for these violations. Only four agencies reported making any arrests in 1994 and the totals were as follows: 2, 34, 65, and 251. Similarly, only six agencies reported making any arrests in 1995. Four reported fewer than 50 arrests, while one reported 59 and another 244. The written comments suggest that police officers who do encounter these problems deal with these conditions using an array of ordinances and statutes, which may or may not include enforcement of camping ordinances.

As the following comments indicate, campers may be arrested for trespassing, particularly if they are on private property.

Any encampments we have had are of a temporary nature, usually on private property. We serve them with *trespass notices* (emphasis added) and then have the area cleared by the owner.

Street people tend to occupy (break into) vacant buildings rather than stay in the open. They would then be arrested for *trespassing* (emphasis added) if found under these circumstances.

The following comments are interesting because they provide examples of aggressive law

enforcement tactics including “sweeps.” It must be noted that each of these agencies reported having a local ordinance pertaining to unauthorized camping. In the first case, it is clear that the officers invoked the trespass law, rather than the camping ordinance. The second statement is more ambiguous, but suggests that a trespass law was used.

We have two dry river beds that border our city. We have been forced to mount sweeps to clear these areas of transients living in them. In 1994, we arrested 30 transients for *trespass* (emphasis added). In 1995, we arrested 18 transients for the same violation.

In April 1996 we started an intensive effort along the river on camping. We’ve issued 20 tickets to date, 2 arrests. We sweep it every 2 weeks. It seems to be paying off with a decrease in other violations as the transients move on.

It is important to note that sweeps may be teamed with actions that link displaced street people with social services (Plotkin and Narr 1993). This is discussed more fully in a later section of this report.

When respondents were asked whether “police routinely remove encampments”, 48 (34.0%) answered affirmatively. The following comments were provided by respondents that have a wide variety of local ordinances (including a camping ordinance) aimed at street conditions. Again, it is not possible to determine which ordinances were used.

Being a beach city, we have seasonal problems as do all cities of our type. We have had encampment problems, but due to our aggressive Code Enforcement Department, they have coordinated with city crews to remove them when discovered.

Homeless encampments create problems because of the zoning and sanitary concerns. We work with other city agencies to offer assistance to the homeless and give them opportunities to obtain services and shelter. If these remedies do not solve the problems, we take enforcement steps to remove the encampments and their occupants.

### ***Effectiveness of Camping Ordinances***

This survey was not designed to evaluate the effectiveness of camping ordinances in combating unauthorized encampments. Nevertheless, the written comment of one respondent presents a glimpse into why some cities adopt and enforce these ordinances.

Prior to the passage of the attached ordinance, encampments would occur and gradually expand, presenting major health and safety problems for citizens and transient campers alike. The ordinance was supported by the police department as a means of defining transient camping, regulating its occurrence, exempting bona fide recreational camping activities, and specifying suitable enforcement penalties.

### ***Law Enforcement Cooperation with Social Service Agencies***

These survey results suggest that in many jurisdictions arrest is used as a last resort, when other methods have proven unsuccessful. We received several comments describing efforts to deal with individuals, who the respondents describe variously as street people, homeless, mentally ill, and/or drug addicted. Several respondents indicated that it is police department practice to direct campers to social service agencies, including shelters for the homeless.

The City uses “Homeless Outreach” and mental health teams to gain compliance. They sign the “camper” up for services and point them to the shelters. Police are used at a later part of the process. We have made a few arrests for *trespassing* (emphasis added) long after all else fails.<sup>13</sup>

Our situation regarding street people is getting better. Organizations affiliated with these people are requiring more from them, making them more responsible for themselves. We also have instituted policies where individuals are referred to agencies that can help them. By cooperating with other organizations, our work load has decreased with regard to dealing with street people.

Our street/homeless people are by and large either drug users or alcoholics. For several years the City, in conjunction with several non-profit groups, has provided temporary housing, meals, and counseling services to “street people”. These programs have tended to center the “street people” population into a central area, away from the downtown business area. Consequently, very few people actually loiter in the business district.

## JUVENILE CURFEWS

The last decade has witnessed a precipitous rise in acts of violence committed by and against juveniles. Juveniles are also involved in a high percentage of crimes against property, including auto theft (for joy riding or for commercial gain (auto stripping)), burglaries, vandalism, and property destruction. Although the causes of juvenile crime are complex, many social scientists, social service providers, and politicians point to the high incidence of youths roaming the streets at all hours of the night, “hanging out” on corners or playgrounds, congregating in parks, or otherwise inviting trouble. As the survey data indicate, one approach that appears to be gaining in popularity is the enactment and enforcement of juvenile curfew laws prohibiting youths under a certain age from being on the streets, in restaurants, or in entertainment or recreational facilities after specified hours, unless accompanied by a parent or guardian.

While many municipalities have enacted juvenile curfew ordinances, there is substantial variation nationwide not only in the specific provisions of these laws, but also in the availability of police personnel and resources to enforce these ordinances. Moreover, these ordinances and state statutes have generated a great deal of controversy in the legal community and among civil libertarian groups, because many opponents view these laws as imposing unconstitutional restrictions on the rights of teenagers and parents.

### *Seriousness of the Problem*

In response to the question “To what extent is the presence of juveniles hanging out in public places late at night a problem in your municipality,” 133 (34.3%) respondents indicated that it is not a problem or a minor problem, 190 (49.0%) rated it as a problem, while 55 (14.2%) classified

it as a major or serious problem. Ten agencies (2.6%) did not answer this question. Overall, almost two-thirds (63.1%) of the responding agencies reported that this is an area of concern.

When asked whether their city has a juvenile curfew ordinance, 245 (63.1%) respondents indicated “yes,” 142 (36.6%) checked “no,” and one (0.3%) did not respond. The majority (138) of the agencies with ordinances indicated that the curfew ordinance applies to youths 17 years of age and under, while an additional 72 agencies reported having ordinances that specify the maximum age as 16 years of age.

Information was provided by 192 agencies regarding the year in which the juvenile curfew ordinance was passed: 47 were enacted between 1920 and 1979, 51 between 1980 and 1992, and 94 between 1993 and 1996. These data reflect a strong, recent trend toward the enactment of curfews; however, 21.6% of the respondents did not provide date information.

### ***Enforcement of Juvenile Curfew Ordinances***

Juveniles apprehended for violating curfew laws are usually “picked up” or “detained,” rather than arrested. In some jurisdictions, the officer will drive the violator home, while in others the violator will be taken to the police station or a designated detention center until the youth’s parent or guardian or another authorized person arrives to escort him or her home.

Respondents were asked to report the number of juveniles that had been picked up for violation of the curfew ordinances in 1993, 1994, and 1995. The results for each of these years were similar and may be summarized as follows:

For 1993, 28 agencies reported making at least 1, but fewer than 100 pick-ups, while 36 reported making between 100 and 1000, and 9 reported making over a thousand. This includes two agencies that reported picking up more than five thousand juveniles for

curfew violations.

For 1994, 39 agencies reported making at least 1 but fewer 100 pick-ups, while 45 reported making between 100 and 1000, and 17 reported making over a thousand (including one agency with 9728 pick-ups).

For 1995, 33 reported making at least 1 but fewer than 100 pick-ups, while 71 reported making between 100 and 1000 pickups, and 14 reported making over 1000 (including one agency with 10,462 pickups).

### *Effectiveness*

Those respondents who reported having a juvenile curfew law were asked to evaluate the effectiveness of the curfew ordinance in “addressing the problems posed by juveniles hanging out in public places late at night.” Most (234 of 244), answered this question. Roughly one out of four (22.4%) rated the curfew as “not effective” or “slightly effective,” while 42 percent rated it as “somewhat effective,” and 31 percent rated it as “very effective” or “highly effective.” Eighty-one agencies provided written comments regarding juvenile curfew ordinances.

### *Impediments to Enforcement*

The following comments from jurisdictions across the country indicate that officers may believe that they are too busy responding to calls for service to deal with curfew violators. Additionally, the comments suggest that the departmental procedures for handling these cases may be cumbersome and inefficient.

Officers rarely use the ordinance because it is so time consuming. We must contact parents and have kids picked up or taken home. Many parents are unavailable.

The number of juveniles detained has decreased due to an increase in calls for service to the police department. The current ordinance is burdensome to enforce and is not greatly supported by officers. The City is currently exploring alternative juvenile curfew

detention facilities with the emphasis away from arrest. Added emphasis will be placed on removing a potential victim from the street.

The efficacy of the curfew laws has been constrained by sporadic enforcement, the chronically overcrowded state of our juvenile detention facility, and the reluctance of officers to transport juveniles to other sites.

[The laws are] only used as a last resort and generally the parents respond directly to the location and pick-up the minor. This law could be used more in the future as we develop a strategy for dealing with the growing gang problem.

### *Effectiveness of Enforcement*

Most of the written comments came from agencies that rated their juvenile curfew ordinance positively. Many respondents were very enthusiastic and attributed aggressive enforcement of the curfew to marked reductions in disorderly conduct and criminal activity.

**Eastern Seaboard.** Through the use of our revised edition of the Juvenile Curfew ordinance, and the use of a Juvenile Curfew Reception Center that we recently implemented, we have seen the rate of juvenile crime reduced in [our city].

**Eastern Seaboard.** It provides us with an effective tool for addressing the problem of disorderly juveniles loitering in the downtown area and intimidating citizens who pass by. During 1995 over 10,000 such individuals were given trespass warnings and sent on their way.

**South.** The enforcement of the curfew law has reduced the number of entering autos, burglaries, and assaults after hours.

**Midwest.** Initial analysis of curfew sweeps showed a reduction in burglary and theft from autos in the 30–40% range.

**Midwest.** In 1994 a new reporting plan and ordinance was set up. It provided more flexibility and power for enforcement. In 1995, of the 2,444 juveniles picked up for curfew, over 900 were repeat violators.

Additionally, several respondents indicated that the curfew law had been used effectively to address gang problems.

## CONCLUSION

Local ordinances are very powerful tools that can provide police officers with the legal authority to address anti-social behavior that is not covered adequately by state statutes or alternative responses. As the survey data indicate, most municipalities have a variety of ordinances pertaining to all sorts of behavior, or they the police may invoke a state statute.

Although collecting data on enforcement practices was a secondary goal of this research, the comments of the respondents provide considerable insight into the numerous issues involved in the enforcement of ordinances pertaining to order-maintenance and quality-of-life conditions.

### *Enforcement of Ordinances*

The data suggest that there are four interrelated factors that affect the enforcement of ordinances:

**Officer Discretion: Informal Sanctions.** Measuring enforcement of local ordinances is very difficult, because police officers have considerable discretion in dealing with order-maintenance situations. The qualitative data suggest that many local ordinances are in fact invoked frequently, but on an informal basis. The offender is warned and asked to move along and the situation is resolved, at least temporarily. However, because the officer is not required to file a report, there is no record of this interaction.

**Use of State Statutes: Local Options.** Most states have statutes prohibiting, for example, disorderly conduct or public intoxication. The qualitative data indicate that some municipalities have a policy that offenders are to be charged using the state statute rather than the local ordinance. As a result, the survey findings pertaining to summonses or citations and arrest activity underestimate the extent to which traditional law enforcement techniques are used to address these types of problems. Nevertheless, the data suggest that some municipalities enforce disorderly conduct and public intoxication ordinances aggressively.

**Social Service Options.** A certain percentage of the people who are causing street disturbances are in need of psychiatric or medical attention. In many jurisdictions, the officer has the option of taking the offender to the emergency room of the local hospital,

to a detoxification center, or some other social services agency. When and the extent to which this is used will depend on police department policy, local custom, the availability of treatment facilities and to some degree, the wishes of the offender.

**Police Resources.** There is very little to be gained by enacting an ordinance if the police lack the resources to enforce the ordinance aggressively, consistently and fairly. Juvenile curfews are a case in point. The survey data suggest that when a police department is committed to the enforcement of these laws, has adequate staffing and private/public support services are available, these ordinances can be an effective tool in addressing emerging or full-blown gang problems, the associated criminal activities (i.e. burglary and auto theft) and order-maintenance problems.

### *Adopting a Problem-Solving Approach*

Ordinance enforcement is a tool, not a long-term solution to problems. For chronic, complex problems, officers need to adopt problem-solving techniques to address the causes of disorderly behavior in a systematic fashion. This begins with defining the specific problems that exist within their community and analyzing what might or might not be working already and what responses might be appropriate. It is important that agencies maintain records to document quality-of-life and order-maintenance problems. This will enable them to better understand the dynamics of the conditions within their municipalities and to evaluate the effectiveness of their responses.

## ENDNOTES

1. The authors of *The Police Response to the Homeless: A Status Report* stated: “The term “street people” and “homeless” are used interchangeably throughout the report because police involved in the study rarely distinguished between the truly homeless and individuals who spend the majority of their time on the street.” (p. 1).
2. Sheriffs, park police, state police and other law enforcement agencies were excluded from this survey.
3. The summons and arrest data for individual agencies are not reported because PERF was not able to verify the accuracy of this information by referring to an official source. As a result, PERF chose to report this data in aggregate form only.
4. As part of this survey, respondents were asked whether they had written policies and procedures pertaining to indigent persons, the mentally ill or intoxicated and cold weather emergencies. They were also asked to send in copies of these statements if they were readily available. Obtaining and analyzing these statements was beyond the scope and purpose of this research, and time and budgetary restraints did not allow us to pursue these topics. Nevertheless, Part II of Appendix B provides a list of agencies that reported having written policies pertaining to these matters.
5. Question 5 was designed to identify those municipalities that possessed ordinances with panhandling prohibitions targeting specific locations. It is clear from the responses we received that some respondents had difficulty answering this question. A content analysis of all of the ordinances submitted was far beyond the scope of this study. Nevertheless, a cursory review indicated that several of the ordinances (particularly those enacted before 1970) provide for a general prohibition against “begging.” These ordinances apply to all locations in the city or as at least one respondent recorded, “everywhere.” As a result, some respondents checked all applicable categories. This is not the response that PERF was seeking.

PERF staff were only able to review the responses from agencies that submitted copies of the relevant ordinances and make corrections to the data where appropriate. Initially, 81 agencies reported having ordinances against panhandling in specific designations. An analysis of the responses reduced this number to 56. If an agency reported having an ordinance, but did not provide a copy, their initial responses was recorded. Therefore, the data must be considered with great caution.
6. A few agencies indicated that they had neither a panhandling ordinance nor an aggressive panhandling ordinance. Yet, they checked “parks” in Question 5. A review of the ordinances submitted revealed that these municipalities had anti-panhandling provisions in their regulations governing parks or recreational facilities.

7. The data pertaining to approaching motorists must be considered cautiously. In a few instances, these prohibitions were incorporated into regulations pertaining to laws governing Traffic and Public Safety.
8. This data must be interpreted cautiously. While 109 (63.7%) of the respondents indicated that there had been no challenges to the constitutionality of their panhandling ordinances, 39 (22.8%) reported that they did not know whether a suit had been filed. The following nine agencies reported that there had been legal challenges to their panhandling ordinances since 1990: New York, New York; Gainesville, Florida; St. Petersburg, Florida; Cincinnati, Ohio; Kansas City, Missouri; Oklahoma City, Oklahoma; Berkeley, California; Seattle, Washington; and Baltimore, Maryland. An additional 115 agencies indicated that there had been no legal challenges, while 40 reported that they did not know.
9. Sixty-three (36.8%) agencies reported that they did not know whether the District Attorney has such a policy.
10. As part of this survey, respondents were asked whether they had *written* police department policies pertaining to the handling of public inebriants who may be in need of detoxification. One hundred and ninety-six agencies (50.5%) answered in the affirmative and 133 (67.9%) attached copies of their policies. Unfortunately, it was beyond the scope of this research to conduct a content analysis of these policies and procedures statements.
11. A review of the 15 ordinances we received indicated that some of the respondents misunderstood the question, which read: “Does your city have an ordinance *regulating* the use of parking lots or other public spaces for those seeking day labor opportunities?” As a result, we received ordinances regulating the operations of parking lots. The intent of these ordinances was to prohibit persons from interfering with the operations of these enterprises by obstructing traffic or tampering with the vehicles. Thus, these ordinances were not specifically designed to regulate the activities of day labor pools.
12. Eighty-three agencies provided copies of their ordinances pertaining to camping in public places.
13. This is a municipality that has a camping ordinance; nevertheless, chronic violators are arrested for trespassing.

**REFERENCES**

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**POLICE EXECUTIVE RESEARCH FORUM**  
**With the American Alliance on Rights and Responsibilities**

**National Survey of Municipal Police Departments on Urban Quality  
of Life Initiatives**

**Appendix A**

April 15, 1996

The Police Executive Research Forum (PERF) in conjunction with the American Alliance on Rights and Responsibilities (AARR) recently received a grant from the National Institute of Justice to conduct a national survey of law enforcement agencies. This project is designed to gather information about street disorder and quality-of-life problems confronting municipal police departments throughout the county. We would greatly appreciate the assistance of your Department in this important research effort.

PERF is a national membership organization of progressive police executives committed to improving policing and advancing professionalism through research and involvement in the public policy debate. AARR is an advocacy organization dedicated to restoring the link between rights and responsibilities in public policy debates, court decisions, and the daily life of individual Americans. Their many activities include assisting municipalities in drafting order-maintenance legislation designed to promote the community interest in safe and civil public spaces, while maintaining a compassionate approach to the less fortunate.

We are asking each agency to complete the enclosed questionnaire and return it to PERF in the self-addressed envelope contained in this packet by **May 10, 1996**. If you have any questions about this survey, please telephone Colleen Cosgrove at the PERF office at 202-833-3305.

Again, we greatly appreciate your assistance in this project.

Sincerely,

Colleen A. Cosgrove, Ph.D.  
Senior Research Associate

**POLICE EXECUTIVE RESEARCH FORUM**  
**With the American Alliance on Rights and Responsibilities**

National Survey of Municipal Police Departments on Urban Quality of Life Initiatives

Appendix A (continued)

Police Department: \_\_\_\_\_ State: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Chief Of Police: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
FAX Number: \_\_\_\_\_

Number of Sworn Personnel: \_\_\_\_\_ Number of Civilian Personnel: \_\_\_\_\_

Population of Jurisdiction: \_\_\_\_\_

**INSTRUCTIONS:**

This survey is designed to collect information about local ordinances and law enforcement practices pertaining to quality-of-life problems. This survey can be completed in a few minutes. There are certain questions that ask the respondent to attach a copy of an ordinance or to provide data about arrests or summonses, *if they are readily available*. While this information would be helpful to us, we do not want to cause the participating agencies any inconvenience. It is much more important that the questionnaire is returned quickly. **Please respond by July 1, 1996.** We greatly appreciate your assistance in this matter.

PLEASE USE THE ENCLOSED MAILING ENVELOPE TO SEND THE SURVEY AND COPIES OF ANY RELATED ORDINANCES AND POLICIES TO:

Dr. Colleen Cosgrove  
Police Executive Research Forum  
1120 Connecticut Avenue, Suite 930  
Washington, D.C. 20036

If you have any questions about this study, please call Dr. Colleen Cosgrove or Ms. Amy Hollis at 202-833-3305.

**Panhandling**

Panhandling refers to loitering in or wandering around a public place for the purpose of begging. We are interested in the solicitation of funds for one’s own use. We are *not* interested in the activities of charitable organizations that solicit money.

1. To what extent is panhandling a problem in your city? Circle one of the following:

1                      2                      3                      4                      5  
 No Problem    Minor Problem    Problem    Major Problem    Serious Problem

2. Has this problem gotten better, gotten worse, or stayed the same in the past *two years*?  
 Please check one of the following: \_\_\_ better \_\_\_ worse \_\_\_ same \_\_\_ don’t know

3. Does your city have an ordinance that bans panhandling in public places?

YES \_\_\_ NO\_\_\_ If YES, when was it passed? \_\_\_\_\_ *Please attach a copy of the ordinance, if it is readily available.*

4. Does your city have an ordinance that specifically prohibits *aggressive* panhandling?

YES \_\_\_\_\_ NO \_\_\_\_\_

5. Does your city have an ordinance that prohibits panhandling in *specifically designated areas*?

YES \_\_\_\_\_ NO \_\_\_\_\_ If YES, please check **all** that apply:

Near banks/ATMS _____	Near entrances to buildings _____
On beaches or boardwalks _____	To people in cars _____
In public parks _____	Other (specify): _____

**If your municipality does not have any ordinances pertaining to panhandling, please skip to Question 13.**

6. If your city has an anti-panhandling ordinance, how are violations of these ordinances brought to the attention of the police? Check **all** that apply.

Calls/complaints from citizens (including visitors or tourists) \_\_\_\_\_  
 Calls from the business community \_\_\_\_\_  
 Officer observations \_\_\_\_\_  
 Activities of Special Units \_\_\_\_\_

*Continue to page 3.*

7. How many *citations/summons* were issued for panhandling offenses in  
1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

8. How many *arrests* were made for panhandling offenses in  
1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

9. Have any of your city's panhandling ordinances been challenged in court *since 1990*?  
YES \_\_\_ NO \_\_\_ Don't Know \_\_\_\_\_

If YES, please explain when the challenge took place, by whom was it was brought, and the result \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. When arrestees charged with panhandling are arraigned, are police officers in your jurisdiction required to present testimony on a *routine basis*? YES \_\_\_ NO \_\_\_  
Don't Know \_\_\_\_\_

11. When defendants charged with panhandling are brought to trial are police officers in your municipality required to present testimony on a *routine basis*?  
YES \_\_\_ NO \_\_\_ Don't Know \_\_\_\_\_

12. Does the District Attorney's Office for your municipality have policies regarding whether it they will drop the panhandling charges before or at arraignment rather than proceed with the prosecution? YES \_\_\_ NO \_\_\_ Don't Know \_\_\_\_\_

COMMENT: Please use the following space to provide us with additional information about the seriousness of the panhandling problem in your municipality and police department policies and procedures for addressing panhandling. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Other Street Disorders**

- 13. Does your city have an ordinance that prohibits public intoxication?  
YES \_\_\_ NO \_\_\_ **If NO, skip to Question 16.**
  
- 14. If YES, how many *citations/summonses* were issued for public intoxication  
in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_
  
- 15. If YES, how many *arrests* were made for public intoxication  
in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_
  
- 16. Does your jurisdiction have an "open container" ordinance that prohibits possessing, holding, or drinking from a open container containing alcohol beverages in public places? YES \_\_\_ NO \_\_\_ If NO, would this ordinance be useful?  
YES \_\_\_ NO \_\_\_ Not Applicable (have ordinance) \_\_\_\_\_
  
- 17. Does your city have an ordinance that prohibits disorderly conduct?  
YES \_\_\_ NO \_\_\_ **If NO, skip to Question 20.**
  
- 18. If YES, how many *citations/summonses* were issued for disorderly conduct  
in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_
  
- 19. If YES, how many *arrests* were made for disorderly conduct  
in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_
  
- 20. Does your city have an ordinance that prohibits sitting and/or lying down on sidewalks or boardwalks? YES \_\_\_ NO \_\_\_ *If YES, please attach a copy of the ordinance.*
  
- 21. Does your city have an ordinance that prohibits sleeping on sidewalks or boardwalks?  
YES \_\_\_ NO \_\_\_ *If YES, please attach a copy of the ordinance.*
  
- 22. Does your city have an ordinance that prohibits sleeping in public places (eg. parks, beaches, boardwalks, public transportation facilities)?  
YES \_\_\_ NO \_\_\_ **If NO, skip to Question 25.**

23. If YES, how many *citations/summons* were issued for sleeping in public places  
 in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
 in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_
24. If YES, how many *arrests* were made for sleeping in public places  
 in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
 in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_
25. Does your city have an ordinance *regulating* the use of parking lots or other public spaces  
 for those seeking day labor opportunities?  
 YES \_\_\_ NO \_\_\_ *If YES, please attach a copy of the ordinance.*
26. Does your city require street vendors/peddlers to be licensed?  
 YES \_\_\_ NO \_\_\_
27. Does your city have areas where street vending/peddling is banned entirely?  
 YES \_\_\_ NO \_\_\_
28. Does your city have an ordinance that specifically prohibits emptying or interfering with  
 the contents of trash receptacles? These ordinances are designed to deal with "dumpster  
 diving." YES \_\_\_ NO \_\_\_ *If YES, please attach a copy of the ordinance.*

### Street People

**Instruction:** For the purpose of this survey, "street people" are defined as individuals who spend the majority of their time in public for non-job-related reasons regardless of whether they have a regular and adequate nighttime residence. These individuals may have some type of disability, be it physical, medical, or mental. For this study, "*street people*" includes *the homeless*.

29. To what extent is the presence of street people a problem in your city?  
 Please circle one of the following:

1	2	3	4	5
No Problem	Minor Problem	Problem	Major Problem	Serious Problem

*Continue to page 6.*

30. To what extent is the presence of *individual* street people **camping** in public places a problem in your city? "Camping" means sleeping with blankets, a sleeping bag or other covering, as opposed to someone "dozing off" or "napping" on a park bench.  
Please circle one of the following:

1                      2                      3                      4                      5  
No Problem    Minor Problem    Problem    Major Problem    Serious Problem

31. To what extent are *groups* of homeless and/or street people **forming encampments** in public places a problem in your city? "Forming encampments" refers to people camping in groups, which may include erecting shelters.  
Please circle one of the following:

1                      2                      3                      4                      5  
No Problem    Minor Problem    Problem    Major Problem    Serious Problem

32. Has this problem better, gotten worse, or stayed the same in the past *two years*?  
Please check one of the following: \_\_\_ Better \_\_\_ Worse \_\_\_ Same \_\_\_ Don't Know

33. Does your city have an ordinance that places some restrictions on camping in public places?        YES \_\_\_    NO \_\_\_    **If NO, skip to Question 38.**

34. If YES, when was it passed? \_\_\_\_\_ *If possible, please attach a copy of the ordinance.*

35. If YES, how many *citations/summonses* were issued for camping in a public place  
in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

36. If YES, how many *arrests* were made for camping in a public place  
in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

37. Do police *routinely* remove encampments?    YES \_\_\_        NO \_\_\_

COMMENT: Please use the following space to provide us with additional information about the seriousness of the problems posed by street people in your municipality. We would also appreciate any information that you can provide regarding police department policies and procedures for addressing the problems posed by individuals or groups camping or forming encampments in your municipality. \_\_\_\_\_

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### Juvenile Curfew Ordinances

In the past few years, many jurisdictions have passed ordinances that impose curfews on juveniles who are on the streets and/or in other public places after a specific time. These ordinances vary according to targeted age group (eg. 16 or under), curfew time hours and/or days of the weeks.

38. To what extent is the presence of juveniles hanging out in public places late at night a problem in your municipality? Please, circle one of the following:

1	2	3	4	5
No Problem	Minor Problem	Problem	Major Problem	Serious Problem

39. Does your city have a juvenile curfew ordinance? YES \_\_\_ NO \_\_\_ **If NO, skip to Question 46.**

40. Please specify the age of youths addressed by the law (eg. 16 and under): \_\_\_\_\_

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41. When was the juvenile curfew ordinance passed? \_\_\_\_\_ *If possible, please attach a copy of the ordinance.*

42. If YES, how many juveniles were picked up for curfew violation by your police department

in 1993?	_____	Don't Know/Not Available	_____
in 1994?	_____	Don't Know/Not Available	_____
in 1995?	_____	Don't Know/Not Available	_____

*Continue to page 8.*

43. If YES, how effective has the curfew ordinance been in addressing the problems posed by juveniles hanging out in public places late at night?

1                      2                      3                      4                      5  
 Not Effective   Slightly Effective   Somewhat Effective   Very Effective   Highly Effective

COMMENT: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

44. Has the juvenile curfew ordinance been challenged in court? YES \_\_\_ NO \_\_\_

45. If YES, please explain when the challenge took place, by whom was it brought, and the result. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### **Policies and Procedures**

46. Does your police department have **written** policies or procedures for handling a person who appears to be mentally ill *and* a threat to himself/herself or others?  
 YES \_\_\_ NO \_\_\_ *If YES, please attach a copy of the policy.*

47. Does your police department have **written** policies or procedures for handling a public inebriant who may be in need of detoxification?  
 YES \_\_\_ NO \_\_\_ *If YES, please attach a copy of the policy.*

48. Does your police department have **written** policies or procedures for handling a person who is indigent and/or in need of emergency shelter?  
 YES \_\_\_ NO \_\_\_ *If YES, please attach a copy of the policy.*

49. Does your police department have **written** policies or procedures for handling a street person or homeless person during a Cold Weather Emergency?  
 YES \_\_\_ NO \_\_\_ *If YES, please attach a copy of the policy.*

**THANK YOU FOR YOUR PARTICIPATION IN THIS SURVEY.**

**POLICE EXECUTIVE RESEARCH FORUM**  
 With the American Alliance on Rights and Responsibilities

**National Survey of Municipal Police Departments on Urban Quality of Life Initiatives**

**Appendix B**  
**Part I**  
**Agencies with Written Ordinances on Quality of Life Issues**

Police Department	Issue Addressed By Ordinance												
	Panhandling in Public Places	Aggressive Panhandling Near Banks	Panhandling on Beaches/ Boardwalks	Panhandling in Public Parks	Panhandling Near Building Entrances	Panhandling to People in Cars	Panhandling in Other Areas	Public Intoxication	Open Container	Disorderly Conduct	Sitting/Lying on Sidewalks/ Boardwalks	Sleeping on Sidewalks/ Boardwalks	Sleeping in Public Places
Springfield, MA	✓	✓							✓				
Framingham, MA													
Lowell, MA													
Peabody, MA													
Cambridge, MA	✓	✓		✓			✓		✓			✓	✓
Brookline, MA	✓								✓				
Waltham, MA									✓				
West Newton, MA									✓				
Brockton, MA									✓				
Worcester, MA									✓				
Boston, MA									✓				
Somerville, MA									✓				✓
Malden, MA									✓				
Medford, MA									✓				
New Bedford, MA	✓								✓				
Warwick, RI									✓				
Nashua, NH									✓				
Pawtucket, RI									✓				
Woonsocket, RI									✓				✓
Cranston, RI									✓				
Manchester, NH									✓				
New Britain, CT									✓				✓
East Hartford, CT									✓				✓
Millford, CT									✓				✓
West Haven, CT									✓				✓
New Haven, CT									✓				
Greenwich, CT									✓				
Stamford, CT									✓				
Manchester, CT									✓				
Hartford, CT	✓	✓					✓		✓				
Stratford, CT									✓				
Hamden, CT									✓				✓
Bridgeport, CT	✓	✓		✓			✓		✓				✓
Danbury, CT									✓				
Norwalk, CT									✓				

Police Department	Issue Addressed By Ordinance													
	Panhandling in Public Places	Aggressive Panhandling	Panhandling Near Banks	Panhandling on Beaches/ Boardwalks	Panhandling in Public Parks	Panhandling Near Building Entrances	Panhandling to People in Cars	Panhandling in Other Areas	Public Intoxication	Open Container	Disorderly Conduct	Sitting/Lying on Sidewalks/ Boardwalks	Sleeping on Sidewalks/ Boardwalks	Sleeping in Public Places
Bayonne, NJ	✓								✓	✓				
Bloomfield, NJ	✓								✓	✓				
Hoboken, NJ	✓								✓	✓				
Linden, NJ									✓	✓				
North Bergen, NJ									✓	✓				
Parsippany, NJ									✓	✓				
Plainfield, NJ									✓	✓				
Union City, NJ	✓								✓	✓				
Woodbridge, NJ									✓	✓				✓
Irvington, NJ	✓								✓	✓				
Union, NJ	✓								✓	✓				✓
West New York, NJ									✓	✓				
Newark, NJ									✓	✓				
Elizabeth, NJ									✓	✓				✓
Jersey City, NJ									✓	✓				✓
Wayne, NJ									✓	✓				
Paterson, NJ									✓	✓				
Cherry Hill, NJ									✓	✓				
Trenton, NJ	✓								✓	✓				✓
New York City, NY									✓	✓				✓
White Plains, NY				✓					✓	✓				✓
Yonkers, NY									✓	✓				
New Rochelle, NY									✓	✓				
Clarkstown, NY									✓	✓				
Hempstead, NY	✓								✓	✓				✓
Troy, NY									✓	✓				✓
Schenectady, NY									✓	✓				✓
Buffalo, NY									✓	✓				✓
Cheektowaga, NY									✓	✓				
Niagara Falls, NY									✓	✓				
Ramapo, NY									✓	✓				
Orangeburg, NY									✓	✓				
Colonie, NY	✓								✓	✓				
Albany, NY									✓	✓				
Syracuse, NY	✓								✓	✓				
Binghamton, NY									✓	✓				
Tonawanda, NY	✓								✓	✓				
Amherst, NY									✓	✓				
Rochester, NY									✓	✓				
Allentown, PA									✓	✓				✓
Reading, PA					✓				✓	✓				✓







Police Department	Issue Addressed By Ordinance												
	Panhandling in Public Places	Aggressive Panhandling	Panhandling Near Banks	Panhandling on Beaches/ Boardwalks	Panhandling in Public Parks	Panhandling Near Building Entrances	Panhandling to People in Cars	Panhandling in Other Areas	Public Intoxication	Open Container	Disorderly Conduct	Sitting/Lying on Sidewalks/ Boardwalks	Sleeping on Sidewalks/ Boardwalks
Pontiac, MI										✓			
Saginaw, MI									✓	✓			
Waterloo, IA								✓		✓			
Cedar Rapids, IA								✓		✓			
Kenosha, WI								✓		✓			
West Allis, WI								✓		✓			
Farmington Hills, MI								✓		✓			
Flint, MI								✓		✓			✓
Lansing, MI								✓		✓			✓
Sioux City, IA								✓		✓			
Davenport, IA								✓		✓			
Milwaukee, WI								✓		✓			
Racine, WI		✓						✓		✓			
Green Bay, WI								✓		✓			
Saint Paul, MN								✓		✓			
Bloomington, MN								✓		✓			
Sioux Falls, SD								✓		✓			
Arlington Heights, IL								✓		✓			✓
Waukegan, IL								✓		✓			✓
Schaumburg, IL								✓		✓			✓
Oak Park, IL								✓		✓			✓
Oak Lawn, IL								✓		✓			✓
Naperville, IL								✓		✓			✓
Minneapolis, MN								✓		✓			
Duluth, MN								✓		✓			
Skokie, IL								✓		✓			
Elgin, IL								✓		✓			
Evanston, IL								✓		✓			
Joliet, IL								✓		✓			
Aurora, IL								✓		✓			
Chicago, IL								✓		✓			
Rockford, IL								✓		✓			✓
Peoria, IL								✓		✓			
Decatur, IL								✓		✓			
Saint Louis, MO		✓						✓		✓			
Independence, MO		✓						✓		✓			
Saint Joseph, MO								✓		✓			
Springfield, MO								✓		✓			✓
Overland Park, KS								✓		✓			
Omaha, NE								✓		✓			
Champaign, IL		✓						✓		✓			

Police Department	Issue Addressed By Ordinance												
	Panhandling in Public Places	Aggressive Panhandling Near Banks	Panhandling on Beaches/ Boardwalks	Panhandling in Public Parks	Panhandling Near Building Entrances	Panhandling to People in Cars	Panhandling in Other Areas	Public Intoxication	Open Container	Disorderly Conduct	Sitting/Lying on Sidewalks/ Boardwalks	Sleeping on Sidewalks/ Boardwalks	Sleeping in Public Places
Springfield, IL													
Clayton, MO													
Kansas City, MO	✓	✓				✓		✓	✓	✓	✓	✓	✓
Columbia, MO	✓	✓						✓	✓	✓			
Lawrence, KS	✓							✓	✓				
Kansas City, KS	✓			✓				✓	✓				
Wichita, KS	✓							✓	✓				
Lincoln, NE	✓							✓	✓				
Alexandria, LA	✓							✓	✓				
North Little Rock, AR													
Fort Smith, AR	✓			✓		✓		✓	✓			✓	✓
Oklahoma City, OK	✓							✓	✓				
Tulsa, OK	✓							✓	✓				
Irving, TX	✓							✓	✓				
Shreveport, LA	✓							✓	✓				
Little Rock, AR	✓							✓	✓				
Norman, OK	✓							✓	✓				
Lawton, OK	✓							✓	✓				
Carrollton, TX								✓	✓				
Grand Prairie, TX								✓	✓				
Plano, TX								✓	✓				
Longview, TX								✓	✓				
Arlington, TX						✓		✓	✓			✓	✓
Denton, TX								✓	✓				
Temple, TX								✓	✓				
Waco, TX								✓	✓				
Baytown, TX								✓	✓				
Richardson, TX	✓							✓	✓				
Corseana, TX								✓	✓				
Dallas, TX								✓	✓				
Tyler, TX								✓	✓				
Fort Worth, TX	✓							✓	✓				
Wichita Falls, TX								✓	✓				
Killeen, TX				✓				✓	✓				
San Angelo, TX								✓	✓				
Pasadena, TX								✓	✓				
Galveston, TX								✓	✓				
Bryan, TX								✓	✓				
Laredo, TX								✓	✓				
Corpus Christi, TX	✓							✓	✓				
Austin, TX	✓							✓	✓				





Police Department	Issue Addressed By Ordinance													
	Panhandling in Public Places	Aggressive Panhandling	Panhandling Near Banks	Panhandling on Beaches/ Boardwalks	Panhandling in Public Parks	Panhandling Near Building Entrances	Panhandling to People in Cars	Panhandling in Other Areas	Public Intoxication	Open Container	Disorderly Conduct	Sitting/Lying on Sidewalks/ Boardwalks	Sleeping on Sidewalks/ Boardwalks	Sleeping in Public Places
Hayward, CA	✓						✓		✓	✓	✓	✓	✓	✓
Oakland, CA										✓				
Richmond, CA									✓	✓				✓
San Jose, CA								✓	✓	✓				✓
Santa Rosa, CA								✓	✓	✓				✓
Hawaii County, HI										✓				
Honolulu, HI	✓									✓			✓	
Portland, OR														
Eugene, OR										✓				
Kent, WA		✓								✓				
Everett, WA		✓								✓				
Vancouver, WA										✓				
Maui, HI	✓									✓				✓
Beaverton, OR										✓			✓	
Bellevue, WA		✓								✓			✓	
Seattle, WA		✓				✓				✓			✓	
Tacoma, WA	✓	✓								✓			✓	
Yakima, WA										✓			✓	
Anchorage, AK										✓				
Fairfax County, VA										✓				
Arlington County, VA								✓	✓	✓				
New Brunswick, NJ														
Des Moines, IA	✓	✓			✓			✓	✓	✓				
Metro-Washington, DC		✓						✓	✓	✓				✓
Baltimore, MD		✓						✓	✓	✓				✓



**POLICE EXECUTIVE RESEARCH FORUM**  
 With the American Alliance on Rights and Responsibilities

**National Survey of Municipal Police Departments on Urban Quality of Life Initiatives**

**Appendix B**  
**Part II**

**Agencies with Written Ordinances on Quality of Life Issues**

Police Department	Issue Addressed By Ordinance										
	Dumpster Diving	Camping in Public Places	Day Labor	Licensing of Vendors/Peddlers	Juvenile Curfew	Mentally Ill Person	Public Inebriant	Indigent Person	Cold Weather Emergency		
Springfield, MA		✓		✓	✓	✓	✓	✓		✓	
Framingham, MA				✓							
Lowell, MA				✓	✓	✓	✓	✓			
Peabody, MA				✓	✓	✓	✓	✓		✓	
Cambridge, MA				✓	✓	✓	✓	✓		✓	
Brookline, MA				✓	✓	✓	✓	✓		✓	
Waltham, MA	✓			✓	✓	✓	✓	✓		✓	
West Newton, MA	✓			✓	✓	✓	✓	✓		✓	
Brockton, MA				✓	✓	✓	✓	✓			
Worcester, MA				✓	✓	✓	✓	✓			
Boston, MA				✓	✓	✓	✓	✓			
Somerville, MA				✓	✓	✓	✓	✓			
Malden, MA				✓	✓	✓	✓	✓			
Medford, MA				✓	✓	✓	✓	✓			
New Bedford, MA		✓		✓	✓	✓	✓	✓			
Warwick, RI				✓	✓	✓	✓	✓			
Nashua, NH				✓	✓	✓	✓	✓			
Pawtucket, RI				✓	✓	✓	✓	✓			
Woonsocket, RI				✓	✓	✓	✓	✓			
Cranston, RI				✓	✓	✓	✓	✓			
Manchester, NH		✓		✓	✓	✓	✓	✓			
New Britain, CT				✓	✓	✓	✓	✓			
East Hartford, CT				✓	✓	✓	✓	✓			
Milford, CT				✓	✓	✓	✓	✓		✓	
West Haven, CT				✓	✓	✓	✓	✓		✓	
New Haven, CT				✓	✓	✓	✓	✓			
Greenwich, CT			✓	✓	✓	✓	✓	✓			
Stamford, CT			✓	✓	✓	✓	✓	✓			
Manchester, CT				✓	✓	✓	✓	✓		✓	
Hartford, CT				✓	✓	✓	✓	✓			
Stratford, CT		✓		✓	✓	✓	✓	✓			
Hamden, CT				✓	✓	✓	✓	✓			
Bridgeport, CT		✓		✓	✓	✓	✓	✓		✓	
Danbury, CT				✓	✓	✓	✓	✓			
Norwalk, CT		✓		✓	✓	✓	✓	✓			

Police Department	Issue Addressed By Ordinance									
	Dumpster Diving	Camping in Public Places	Day Labor	Licensing of Vendors/ Peddlers	Juvenile Curfew	Mentally Ill Person	Public Inebriant	Indigent Person	Cold Weather Emergency	
Bayonne, NJ	✓			✓		✓		✓		
Bloomfield, NJ		✓		✓						
Hoboken, NJ				✓				✓		
Linden, NJ				✓						
North Bergen, NJ				✓						
Parsippany, NJ				✓		✓	✓			
Plainfield, NJ				✓		✓	✓			
Union City, NJ		✓		✓		✓	✓		✓	
Woodbridge, NJ				✓	✓					
Irvington, NJ	✓	✓		✓	✓	✓				
Union, NJ	✓	✓		✓	✓	✓				
West New York, NJ				✓	✓					
Newark, NJ				✓	✓				✓	
Elizabeth, NJ				✓	✓					
Jersey City, NJ				✓						
Wayne, NJ				✓						
Paterson, NJ				✓						
Cherry Hill, NJ			✓	✓						
Trenton, NJ	✓	✓	✓	✓	✓	✓		✓	✓	
New York City, NY		✓		✓		✓		✓	✓	
White Plains, NY	✓	✓		✓		✓				
Yonkers, NY				✓						
New Rochelle, NY				✓		✓		✓		
Clarkstown, NY				✓		✓		✓		
Hempstead, NY				✓		✓				
Troy, NY				✓						
Schenectady, NY	✓			✓		✓				
Buffalo, NY	✓			✓		✓				
Cheektowaga, NY	✓	✓		✓		✓				
Niagara Falls, NY				✓		✓				
Ramapo, NY				✓		✓				
Orangeburg, NY		✓		✓		✓				
Colonie, NY				✓		✓				
Albany, NY		✓	✓	✓		✓		✓	✓	
Syracuse, NY	✓			✓		✓				
Binghamton, NY				✓		✓		✓		
Tonawanda, NY	✓	✓		✓		✓				
Amherst, NY				✓		✓				
Rochester, NY	✓			✓		✓				
Allentown, PA		✓		✓		✓		✓		
Reading, PA				✓		✓		✓	✓	

Police Department	Issue Addressed By Ordinance									
	Dumpster Diving	Camping in Public Places	Day Labor	Licensing of Vendors/ Peddlers	Juvenile Curfew	Mentally Ill Person	Public Inebriant	Indigent Person	Cold Weather Emergency	
Prince George's County, MD				✓	✓	✓	✓	✓		
Howard County, MD				✓						
Annapolis, MD				✓						
Pittsburgh, PA		✓		✓						
Bethlehem, PA	✓	✓		✓					✓	
Scranton, PA	✓	✓		✓					✓	
Philadelphia, PA	✓	✓	✓	✓	✓	✓	✓		✓	
Wilmington, DE				✓	✓	✓	✓			
Montgomery County, MD		✓		✓					✓	
Anne Arundel County, MD				✓						
Prince William County, MD				✓	✓					
Richmond, VA	✓			✓	✓	✓	✓			
Chesapeake, VA	✓	✓		✓	✓	✓	✓			
Suffolk, VA				✓	✓	✓				
Virginia Beach, VA		✓		✓	✓	✓				
Portsmouth, VA				✓	✓	✓				
Alexandria, VA	✓	✓		✓	✓	✓	✓		✓	
Charlottesville, VA				✓	✓					
Norfolk, VA		✓		✓	✓	✓			✓	
Newport News, VA	✓			✓	✓	✓	✓			
Hampton, VA	✓	✓		✓	✓					
Lynchburg, VA				✓	✓	✓				
Winston-Salem, NC				✓	✓	✓	✓		✓	
Greensboro, NC				✓	✓	✓	✓		✓	
Durham, NC				✓	✓	✓	✓			
Charlotte/Meck., NC			✓	✓	✓	✓	✓		✓	
Wilmington, NC	✓	✓		✓						
Asheville, NC		✓		✓						
Spartanburg, SC	✓			✓						
High Point, NC				✓						
Raleigh, NC		✓	✓	✓			✓		✓	
Gastonia, NC				✓						
Fayetteville, NC				✓			✓		✓	
Hickory, NC				✓			✓			
Columbia, SC				✓	✓					
Charleston, SC		✓		✓			✓			
Myrtle Beach, SC				✓						
Cobb County, GA		✓		✓						
Gwinnett County, GA				✓	✓		✓			
Macon, GA				✓	✓		✓			
Albany, GA	✓	✓		✓	✓		✓			

Police Department	Issue Addressed By Ordinance									
	Dumpster Diving	Camping in Public Places	Day Labor	Licensing of Vendors/Peddlers	Juvenile Curfew	Mentally Ill Person	Public Inebriant	Indigent Person	Cold Weather Emergency	
Fort Benning, GA		✓		✓	✓	✓	✓	✓		
Jacksonville, FL	✓			✓	✓				✓	
Horry County, SC										
Greenville, SC										
Marietta, GA	✓	✓	✓	✓	✓	✓	✓			
Columbus, GA	✓		✓	✓	✓	✓	✓		✓	
Daytona Beach, FL	✓			✓	✓	✓	✓			
Orlando, FL	✓	✓		✓	✓	✓	✓			
Melbourne, FL		✓		✓	✓	✓	✓			
Hollywood, FL		✓		✓	✓	✓	✓			
Miramar, FL				✓						
Margate, FL	✓			✓			✓			
Miami, FL	✓	✓		✓	✓	✓	✓			
Miami Beach, FL	✓	✓		✓	✓	✓	✓			
North Miami Beach, FL		✓		✓	✓	✓	✓			
Gainesville, FL		✓		✓	✓	✓	✓			
Palm Beach, FL		✓		✓	✓	✓	✓			
Hiialeah, FL	✓	✓		✓			✓			
Pembroke Pines, FL				✓	✓					
Coral Springs, FL				✓	✓					
Coral Gables, FL				✓	✓	✓	✓			
Metro-Dade, FL	✓	✓	✓	✓	✓	✓	✓			
West Palm Beach, FL		✓	✓	✓	✓	✓	✓		✓	
Boynton Beach, FL		✓		✓						
Tampa, FL				✓	✓	✓	✓			
Lakeland, FL		✓		✓	✓	✓	✓		✓	
Cape Coral, FL				✓	✓	✓	✓			
Largo, FL				✓	✓	✓	✓			
Clearwater, FL		✓	✓	✓	✓	✓	✓		✓	
Birmingham, AL				✓	✓	✓	✓			
Fort Lauderdale, FL				✓	✓	✓	✓			
Boca Raton, FL				✓	✓	✓	✓			
Delray Beach, FL				✓	✓	✓	✓			
Saint Petersburg, FL		✓		✓	✓	✓	✓		✓	
Sarasota, FL	✓	✓		✓	✓	✓	✓			
Ocala, FL	✓			✓	✓	✓	✓			
Hoover, AL				✓	✓	✓	✓			
Tuscaloosa, AL			✓	✓	✓	✓	✓		✓	
Huntsville, AL				✓	✓	✓	✓			
Montgomery, AL		✓		✓	✓	✓	✓			
Mobile, AL		✓		✓	✓	✓	✓			

Police Department	Issue Addressed By Ordinance										
	Dumpster Diving	Camping in Public Places	Day Labor	Licensing of Vendors/Peddlers	Juvenile Curfew	Mentally Ill Person	Public Inebriant	Indigent Person	Cold Weather Emergency		
Murfreesboro, TN					✓						
Chattanooga, TN				✓	✓						
Knoxville, TN				✓	✓						
Jackson, TN	✓		✓	✓	✓		✓			✓	
Jackson, MS											
Gulfport, MS				✓	✓						
Decatur, AL	✓			✓			✓				
Gadsden, AL				✓	✓						
Dothan, AL				✓	✓						
Clarksville, TN				✓	✓						
Nashville, TN				✓	✓						
Memphis, TN	✓			✓	✓		✓				
Greenville, MS				✓	✓						
Hattiesburg, MS				✓	✓		✓				
Louisville, KY				✓	✓						
Lexington, KY	✓			✓	✓						
Covington, KY				✓	✓						
Columbus, OH	✓	✓		✓	✓		✓			✓	
Toledo, OH				✓	✓		✓				
Canton, OH		✓	✓	✓	✓						
Cincinnati, OH				✓	✓						
Owensboro, KY				✓	✓						
Cleveland, OH				✓	✓		✓				
Dayton, OH				✓	✓		✓				
Anderson, IN				✓	✓						
Indianapolis, IN				✓	✓					✓	
Elkhart, IN		✓		✓	✓						
Fort Wayne, IN				✓	✓						
Terre Haute, IN				✓	✓						
Troy, MI	✓	✓	✓	✓	✓		✓			✓	
Ann Arbor, MI		✓		✓	✓		✓				
Westland, MI			✓	✓	✓		✓				
East Chicago, IN				✓	✓						
South Bend, IN				✓	✓						
Kokomo, IN		✓		✓	✓					✓	
Evansville, IN		✓		✓	✓		✓			✓	
Warren, MI		✓		✓	✓		✓			✓	
Dearborn, MI	✓			✓	✓						
Taylor, MI			✓	✓	✓		✓			✓	
Detroit, MI				✓	✓		✓			✓	
Sterling Heights, MI	✓			✓	✓		✓			✓	

Police Department	Issue Addressed By Ordinance									
	Dumpster Diving	Camping in Public Places	Day Labor	Licensing of Vendors/Peddlers	Juvenile Curfew	Mentally Ill Person	Public Inebriant	Indigent Person	Cold Weather Emergency	
Pontiac, MI				✓	✓	✓	✓			
Saginaw, MI				✓	✓	✓	✓			
Waterloo, IA				✓	✓					
Cedar Rapids, IA				✓	✓					
Kenosha, WI	✓	✓		✓	✓					
West Allis, WI		✓		✓	✓					
Farmington Hills, MI				✓	✓	✓	✓		✓	
Flint, MI	✓			✓	✓	✓	✓			
Lansing, MI				✓	✓	✓	✓			
Sioux City, IA		✓		✓	✓					
Davenport, IA				✓	✓					
Milwaukee, WI	✓			✓	✓					
Racine, WI	✓			✓	✓					
Green Bay, WI	✓	✓		✓	✓				✓	
Saint Paul, MN				✓	✓				✓	
Bloomington, MN	✓			✓	✓					
Sioux Falls, SD				✓	✓					
Arlington Heights, IL				✓	✓				✓	
Waukegan, IL	✓			✓	✓					
Schaumburg, IL	✓			✓	✓				✓	
Oak Park, IL				✓	✓				✓	
Oak Lawn, IL				✓	✓				✓	
Naperville, IL	✓			✓	✓				✓	
Minneapolis, MN				✓	✓				✓	
Duluth, MN		✓		✓	✓					
Skokie, IL	✓			✓	✓				✓	
Elgin, IL				✓	✓					
Evanston, IL				✓	✓				✓	
Joliet, IL				✓	✓				✓	
Aurora, IL	✓			✓	✓				✓	
Chicago, IL				✓	✓				✓	
Rockford, IL		✓		✓	✓				✓	
Peoria, IL				✓	✓				✓	
Decatur, IL	✓			✓	✓					
Saint Louis, MO	✓			✓	✓					
Independence, MO				✓	✓					
Saint Joseph, MO				✓	✓					
Springfield, MO		✓		✓	✓					
Overland Park, KS		✓		✓	✓					
Omaha, NE		✓		✓	✓				✓	
Champaign, IL				✓	✓				✓	

Police Department	Issue Addressed By Ordinance										
	Dumpster Diving	Camping in Public Places	Day Labor	Licensing of Vendors/Peddlers	Juvenile Curfew	Mentally Ill Person	Public Inebriant	Indigent Person	Cold Weather Emergency		
Springfield, IL				✓	✓		✓				
Clayton, MO		✓		✓	✓		✓				
Kansas City, MO		✓		✓	✓		✓				
Columbia, MO				✓							
Lawrence, KS				✓							
Kansas City, KS		✓		✓			✓			✓	
Wichita, KS				✓			✓				
Lincoln, NE		✓		✓			✓				
Alexandria, LA				✓							
North Little Rock, AR				✓							
Fort Smith, AR		✓		✓			✓			✓	
Oklahoma City, OK		✓		✓			✓				
Tulsa, OK				✓							
Irving, TX				✓			✓				
Shreveport, LA				✓							
Little Rock, AR		✓		✓			✓				
Norman, OK				✓							
Lawton, OK				✓			✓				
Carrollton, TX				✓			✓				
Grand Prairie, TX				✓							
Plano, TX		✓		✓							
Longview, TX		✓	✓	✓							
Arlington, TX		✓		✓							
Denton, TX				✓			✓				
Temple, TX				✓							
Waco, TX				✓			✓				
Baytown, TX				✓							
Richardson, TX		✓		✓			✓				
Corsicana, TX				✓							
Dallas, TX		✓		✓			✓				
Tyler, TX				✓							
Fort Worth, TX				✓			✓				
Wichita Falls, TX		✓		✓			✓			✓	
Killeen, TX		✓		✓			✓				
San Angelo, TX				✓							
Pasadena, TX		✓		✓							
Galveston, TX		✓		✓							
Bryan, TX		✓		✓			✓			✓	
Laredo, TX		✓		✓							
Corpus Christi, TX		✓		✓							
Austin, TX		✓		✓							

Police Department	Issue Addressed By Ordinance									
	Dumpster Diving	Camping in Public Places	Day Labor	Licensing of Vendors/ Peddlers	Juvenile Curfew	Mentally Ill Person	Public Inebriant	Indigent Person	Cold Weather Emergency	
Lubbock, TX				✓	✓	✓				
Midland, TX				✓	✓	✓				
El Paso, TX	✓			✓	✓	✓				
Aurora, CO				✓	✓	✓	✓			
Beaumont, TX				✓	✓	✓				
Victoria, TX				✓	✓	✓				
San Antonio, TX	✓		✓	✓	✓	✓				
Harlingen, TX	✓			✓	✓	✓				
Amarillo, TX				✓	✓	✓	✓			
Abilene, TX				✓	✓	✓	✓			
Odessa, TX	✓			✓	✓	✓	✓			
Arvada, CO		✓		✓	✓	✓	✓			
Westminster, CO				✓	✓	✓	✓			
Denver, CO				✓	✓	✓	✓			
Boulder, CO		✓		✓	✓	✓	✓			
Colorado Springs, CO				✓	✓	✓	✓			
Boise, ID		✓		✓	✓	✓				
West Valley City, UT				✓	✓	✓				
Phoenix, AZ		✓		✓	✓	✓	✓			
Chandler, AZ				✓	✓	✓				
Tempe, AZ				✓	✓	✓				
Yuma, AZ	✓	✓		✓	✓	✓	✓			
Lakewood, CO				✓	✓	✓	✓			
Fort Collins, CO		✓		✓	✓	✓				
Salt Lake City, UT		✓		✓	✓	✓	✓			
Ogden, UT	✓	✓		✓	✓	✓				
Mesa, AZ				✓	✓	✓	✓			
Scottsdale, AZ				✓	✓	✓	✓			
Glendale, AZ	✓	✓		✓	✓	✓				
Tucson, AZ		✓		✓	✓	✓				
Albuquerque, NM				✓	✓	✓	✓	✓	✓	
Rio Rancho, NM				✓	✓	✓	✓	✓	✓	
Las Cruces, NM				✓	✓	✓	✓			
North Las Vegas, NV				✓	✓	✓	✓			
Reno, NV		✓		✓	✓	✓	✓			
Beverly Hills, CA				✓	✓	✓	✓			
Culver City, CA				✓	✓	✓	✓			
Gardena, CA	✓	✓		✓	✓	✓	✓		✓	
Las Vegas Metro, NV	✓			✓	✓	✓	✓			
Los Angeles, CA	✓			✓	✓	✓	✓			
Downey, CA				✓	✓	✓	✓			



Police Department	Issue Addressed By Ordinance									
	Dumpster Diving	Camping in Public Places	Day Labor	Licensing of Vendors/Peddlers	Juvenile Curfew	Mentally Ill Person	Public Inebriant	Indigent Person	Cold Weather Emergency	
Hayward, CA		✓		✓	✓					
Oakland, CA				✓	✓					
Richmond, CA		✓		✓	✓				✓	
San Jose, CA		✓		✓	✓					
Santa Rosa, CA	✓	✓		✓	✓					
Hawaii County, HI	✓	✓		✓	✓					
Honolulu, HI		✓		✓	✓					
Portland, OR		✓		✓	✓				✓	
Eugene, OR		✓		✓	✓					
Kent, WA				✓	✓				✓	
Everett, WA				✓	✓					
Vancouver, WA				✓	✓					
Maui, HI		✓		✓	✓					
Beaverton, OR				✓	✓					
Bellevue, WA				✓	✓				✓	
Seattle, WA		✓		✓	✓				✓	
Tacoma, WA		✓		✓	✓					
Yakima, WA				✓	✓					
Anchorage, AK		✓		✓	✓				✓	
Fairfax County, VA				✓	✓					
Arlington County, VA				✓	✓					
New Brunswick, NJ	✓			✓	✓					
Des Moines, IA				✓	✓					
Metro-Washington, DC		✓		✓	✓					
Baltimore, MD				✓	✓				✓	

**POLICE EXECUTIVE RESEARCH FORUM**  
**With the American Alliance on Rights and Responsibilities**

**National Survey of Municipal Police Departments on Urban Quality  
of Life Initiatives**

**Appendix C**

***COMMENTS ON PANHANDLING, ENCAMPMENTS AND JUVENILE CURFEWS***

**I. Question 12. (PANCOMM):**

**Please use the following space to provide us with additional information about the seriousness of the panhandling problem in your municipality and police department policies and procedures for addressing panhandling.**

Most panhandling offenses are not handled through the court. Summons and/or arrests are only used to deal with persistent offenders. Most are warned, advised and sent on their way.

It is possible that this police department has charged persons under the disorderly conduct statute or for a city ordinance that the person refused to move based on a lawful order to do so.

It is a moderate problem. Officers are dispatched and send panhandlers on their way.

It is most prevalent in the business district downtown, and on some commercial strips.

Not a real problem--generally involves non-profit groups (i.e. storefronts, churches, veterans, etc.) who have not received approval or who interfere with traffic.

Panhandling is a violation covered under New York State Penal Law.

The problem is not as bad as it used to be because we have a special unit that enforces quality of life type problems.

The "panhandling" statute was declared unconstitutional in New York State.

Panhandling has been kept in check by citations written by uniformed and plainclothes officers.

Our police department does not have a problem with panhandling. Peddlers / solicitors need city permits.

Since our county ordinance was passed, the panhandling problem has subsided.

Panhandling is not a serious problem. Our officers address the problem when it is observed or when complaints are received. It seems to increase during the summer season when more homeless people are in the city.

Our city does not have a severe problem with panhandling. It is present, however it does not present a major problem. Although we do have a City ordinance against begging, these problems have historically been handled with our general nuisance ordinance, or with a general trespassing charge.

Very minor problem, usually disbursed with a warning.

Not a significant problem.

Panhandling by "Street People" creates a perception of crime in our downtown area and hurts retail stores. Citizens do not wish to go to court on this issue even after intervention by an officer. Frequently, the "Street Person" is not mentally competent and Magistrates will refuse warrants. The problem is serious with numerous business community complaints and extra patrols being allocated.

Used to be a problem--after working with and organizing business owners, aggressive enforcement and follow-up has significantly curbed problem.

Our problems are for soliciting motorists on public streets or PVA with the "will work for food" type signs.

Charleston has a large tourist population, due to this influx we do not allow the problem to exist.

Growth of downtown business district has attracted more people, but we also increased police presence (bike, foot patrols, special enforcement task forces).

As a popular tourist location, Daytona Beach has a problem with transients. However, this problem is not that significant in nature. It would be classified as a minor problem, city-wide.

It is serious enough for the City Council to have passed an ordinance recently concerning aggressive panhandling.

The problem is particularly bothersome to the business community and tourists.

There are a few vagrants that constantly panhandle and this causes citizen complaints.

Panhandlers are charged with FS 316.2045, impede, hinder or obstruct the safe movement of traffic. If the panhandling is on private property, the trespass statute would have to be used.

Not a big problem in this municipality.

The State Attorney's Office states that in most cases, the defendant pleas out. Some officers use 78-4 which requires a permit for solicitors but this would only apply to the ones standing with a sign "WILL WORK FOR FOOD" because by our definition, they must solicit by selling a product or service. The regular "beggars" don't apply to this ordinance.

The majority of the problem is created by street people. The problem is addressed following citizen complaint or officer observation.

Municipal misdemeanor cases are handled by municipal court not the district attorney's office. These type misdemeanors can be handled during pretrial.

Moderate problem in geographically limited areas. Action taken when aggressive behavior is observed on complaints received. Routinely resolved by downtown officers. When appropriate, charge may be made for disorderly conduct or trespassing.

The panhandling problem was serious prior to 1994. The panhandlers were everywhere and they were walking up to cars. Since the passage of this ordinance several arrests have been made and there seems to be some sort of communication network with the panhandlers because we just don't see many any more.

Panhandling is not a serious problem in our city. This is why we do not have a specific law covering it. We do have panhandling but we are able to handle the problem with current laws. We do not allow any solicitation from public roadway. This is a safety issue. No one can request money or hand out material to motorists. Public parks are covered by a panhandling law. This limits the places where a person can go. If they panhandle on private property (malls) then they are trespassing and can be removed from the area.

Most officers are reluctant to enforce this ordinance.

Since 1993, the City of Memphis has had an ordinance regulating panhandling. We have a special unit in the areas most frequented by people panhandling. There is a local ACLU office and as yet, no legal challenge has been issued.

"Panhandling" specifically is not addressed in the city ordinance codes--the attachment in regards to peddlers may not coincide with your questions, and it is my opinion that the City of Hattiesburg has no "panhandling" problem at present.

Improved since the homeless shelter moved from the downtown area.

The problem has been addressed by the enactment of a panhandling ordinance, and aggressive foot patrol by the Community Policing Unit.

Almost non existent.

Panhandling is a serious concern for the business community. Street people use panhandling to support their substance abuse along with scavenging returnable bottles. Because our ordinance is being revised our response is limited to verbal warning and asking offenders to move along.

Doesn't appear to be a major problem. Section 22-4 Begging.

Very minor problem. All solicitors or vendors must be registered with city clerk. Warning by officer usually solves problem.

Not a serious problem.

Indigents in our downtown area are usually the cause of complaints. Warnings and field interrogations are usually the manner in which we handle these violations. Arrests are few.

In 1993 we arrested one subject for panhandling. It is not a major problem for Lansing.

This is a very minor problem in Milwaukee. Begging is handled as a municipal violation and is prosecuted by our city attorney's office.

Probably will not drop case. There are many complaints in the downtown area, most are prosecuted.

Panhandling is simply not a problem in Naperville.

Panhandling is generally focused in one or two areas: around liquor stores and in downtown which houses two riverboat gaming facilities. All of these areas, particularly downtown, have had neighborhood-oriented policing officers for at least 3 years. These officers have been extremely effective at controlling panhandlers even though there is a homeless shelter, transient hotel and soup kitchen within two blocks of riverboat gaming.

Panhandling is a recognized problem in our campus area (University of Illinois) because of the nature of students and location of shelters. The aggressive panhandling ordinance and the institution of foot / bike patrol has limited the problem in past year. This aggressive panhandling ordinance replaced a "panhandling" one after the Supreme Court ruling.

The city does not have a separate ordinance. State statute 5-71-213 is used.

Panhandling offenses are committed by persons that are normally intoxicated, resulting in the charge of public intoxication being placed against them. As indicated on page 2 of this survey, panhandling is not a problem in this particular community.

None.

Officers are required to be present at all arraignments and trials unless placed on-call or excused by the prosecutor. The frequency with which these types of violations reach arraignment or trial are far from a "routine basis". The District Attorney's Office does not handle these types of cases (our City Prosecutor does). In response to question #12, it would be safe to say that the City Prosecutor has the discretion of dropping any charge at any point along the way.

We have on occasion subjects standing on a corner requesting money / food. They are usually transient.

Prosecutors will dismiss cases for lack of evidence; defendants may plead guilty and receive deferred adjudication; no policy to 'drop' charges because of any other reasons.

Most of our calls for soliciting without a permit or for persons standing on a street corner asking for money.

Panhandling is not a problem in this City. There is only one known arrest for this activity (1990). The specific ordinance is directed at all forms of solicitation and is not restricted to just panhandling. Such cases would not be handled any differently.

People with "will work for food" signs becoming a bigger problem all the time. We, according to our city attorney, do not have any city or state codes to prohibit this.

Panhandling is an increasing problem in the City of Phoenix. The city is currently developing policies regarding panhandling. In addition, a state code is used for enforcement action.

We have panhandlers, but don't have a sense that it's a serious problem. Calling it a problem implies that other laws are being broken. From a public disorder view, it might be a "broken window", but unless people complain about trespassing, we don't get proactive.

Approx. 2 years ago officers were directed to not arrest for panhandling because of freedom of speech. As a result, panhandlers were being arrested for disorderly conduct but they had to be disruptive in their behavior. New City ord. ref. aggressive panhandling will allow officers to act sooner and quicker than before.

Our panhandling occurs most on the roadway near freeway exit ramps.

We are a community that was 10,000 in 1981 when it was incorporated, today at 50,000 and growing we have not experienced any panhandling. Rio Rancho is a suburb of Albuquerque and is off the beaten path of through highways.

We have a three step level for aggressive panhandling. 1) Warn and move; 2) Citation; 3) Book when warrant issued for failure to appear for the citation. NOTE: Our casinos have a private program where their employees give a handout to visitors asking that funds be given to a charity rather than to a panhandler.

We have had a homeless liaison unit for several years. The two officers assigned to the Homeless Evaluation Liaison Program (HELP) unit specialize in the handling of these problems. They focus on jobs and proper referrals for the homeless.

No. The City Attorney prosecutes the case and the violator is cited directly to either a municipal or, if arrested, brought or cited to an arraignment court for the offense.

Historically, panhandling and transients were a major problem. With the passing of a panhandling ordinance and park closure ordinance the problem has decreased greatly. Passing ordinances brought on by aggressive policing by police dept., change of city attorney and more conservative council.

Primarily handled by advisal and in rare cases 647 © P.C. addresses a person who accosts another in a public place for the purposes of solicitation.

We enacted an ordinance dealing with panhandling. It was challenged then ruled unconstitutional. RMC 9.04.010 (copy enclosed).

It got so bad, a specific municipal code was passed to combat it (FMC 7.106.010). Before enforcing the ordinance, a warning with documentation is preferred (i.e. field interrogation card). Next time a cite and release in lieu of physical arrest is preferred.

Problem areas focus around freeway off ramps and shopping centers where recycling bins are located. California law requires recycling bins must be located within ½ mile of all grocery stores. That coupled with nonsecure residential recycling containers results in persons stealing cans and forming lines in shopping centers where the bins are located for deposit and cash. We routinely initiate community oriented policing projects that involve officers, code enforcement, public health, business owners, etc. The problem dies down and starts again, quite a few, if not most, are chemically dependant or mentally challenged.

Tried to pass an aggressive panhandling ordinance, however city attorney said it was unconstitutional. City attorney is responsible for the prosecution of all municipal code violations, not the district attorney's office.

Offenders are asked to leave the premises. If problem persists, property / business owners may place under citizen's arrest for trespassing rather than enforce City Ordinance for panhandling.

It has increased but it's not a problem we get many calls about. Our citizens are used to it and accept it for the most part. Business owners in our downtown area are more likely to contact us when they see it because they feel it scares business away.

The problem was a constant complaint of merchants and citizens prior to the federal appellate judge rescinding his decision. Since rescinding the decision, the problem has significantly diminished.

Per District Attorney's Office we use State penal code section to cover aggressive panhandling.

The business community is continually striving to rid the downtown business district of panhandlers. Unfortunately, even though there is a City Ordinance prohibiting panhandling, Federal Courts have ruled that panhandling is protected under the First Amendment of Free Speech. The police do enforce State Penal Code Sections as applicable towards disorderly conduct, i.e. blocking pedestrian / vehicular traffic, drunk in public, drinking in public, etc.

Occurs primarily downtown, occasionally at a grocery store. A citation for the city infraction has served to control the problem. Offenders move on after being cited. Generally there is not a lot of recidivism if subject is cited.

We continue to have a serious panhandling problem and a local ordinance regulating it is in Federal Court. We have, however, made MAJOR progress against panhandling by employing a "zero tolerance" policy on public drinking and drunkenness. This has been very successful for us!

The attached ordinance will take effect on 5/9/96.

While the District Attorney's Office does not have a "policy" precluding prosecution for panhandling, it is their preference to prosecute only chronic, aggressive offenders.

Although panhandling occurs regularly, we rarely receive complaints from the public.

Panhandling is fortunately not a major issue here.

Within our jurisdiction, panhandling has not been a problem. Our agency does not have any policies and procedures which specifically address this subject.

**II. Question 37. (CAMPCOMM)**

**Please use the following space to provide us with additional information about the seriousness of the problems posed by street people in your municipality. We would also appreciate any information that you can provide regarding police department policies and procedures for addressing the problems posed by individuals or groups camping or forming encampments in your municipality.**

Assessments of presently unused public lands that are abutting or will be part of a new sports arena and minor league baseball stadium have revealed usage by encampments of street people. CPTED study revealed the magnitude of this problem.

We have several areas that are heavily wooded. These areas are considered "parks" with walkways throughout. When we become aware of an encampment we move to dismantle it. We also attempt to locate housing for these people.

Our situation regarding street people is getting better. Organizations affiliated with these people are requiring more from them, making them more responsible for themselves. We also have instituted policies where individuals are referred to agencies that can help use them. By cooperating with other organizations, our work load has decreased with regards to dealing with street people.

Any encampments we have had are of a temporary nature, usually on private property. We serve them with trespass notices and then have area cleared by owner.

Public intoxication our department normally take a person into "Protective Custody" rather than arrest.

We have a day only soup kitchen. No shelter until this spring. Most of our homeless population has moved on to communities that provide these services.

Public intoxication and the costs associated with transporting them to a detox center pursuant to a state statute.

We do not have a camping problem. Occasionally, a few homeless people will pick a vacant building, enter, and squat on the premises for a few days. This generally happens on privately owned property. Several times a year, the Highway Dept. of the State will find bed clothing from under bridge abutments. The city's parking authority sometimes experiences squatters in it's sub-basement parking facilities. They leave reluctantly.

We have 3 operational shelters in the winter time. Two of them are operational in the summer. We work in conjunction with them especially in the cold weather months to encourage homeless to utilize them.

Teams from mental health agencies which comprise "ACCESS" regularly meet with groups of homeless people at central gathering points and provide counseling and clothing. Referrals are made after a long period of contact once trust is established. Police work with "ACCESS" to give them the support they need. We inform them of potential clients, especially the mentally ill. We also encourage street people to take advantage of help programs, detox, and treatment with follow-up in twelve step recovery. We probably reach 1-2% where we see successful recovery.

We are considering an ordinance prohibiting panhandling; especially aggressive panhandling.

A number of street people make use of the town homeless shelter. Campers are usually found to frequent out of the way wooded areas not used by the general public. Any camp sites are quickly dismantled.

Encampments have not been a problem.

The Town of Stratford has a minor "street people" problem. However, the problem is compounded during the cold winter months due to the potential increased health risk associated with sleeping/staying out all day and night.

Squatters burned a large abandoned building two years ago.

No unusual problems have been reported to the police regarding street people in the community and no individuals or groups have formed encampments.

Overnight camping in city parks is prohibited by Division of Parks and Recreation regulation, not city ordinance. It is enforceable in Municipal Court as a summons offense, not generally an arrestable offense. We have had little problem in this area.

Street people tend to occupy (break into) vacant buildings rather than stay in the open. They would then be arrested for trespassing if found under these circumstances.

Some of the more pervasive problems that appear to be emerging are "squeegee/window washers" operating at intersections. Because of the density of Newark and the vehicular traffic this condition poses a serious problem for commuters and the orderly flow of traffic. Both criminal and motor vehicle statutes prohibit such conduct and are frequently enforced through formal arrests.

We have noticed an increase in panhandlers and selling at major intersections over the past few years.

1) Public intoxication was removed from the Penal Law in 1976 and is now covered under the Public Health Law. 2) Disorderly conduct is covered under the New York State Penal Law. 3) Sleeping, lying down, etc. on public sidewalks or blocking same are all covered under New York State Penal Law.

There is no specific ordinance. Our ordinance deals with the closure of public parks after 9:00 p.m.

Street people / groups camping is a minor problem in our city. Homeless placement centers have helped.

If they are causing a problem, they are charged under the "trespassing ordinance". To date, we are not experiencing a problem in this area.

Homeless encampments create problems because of the zoning and sanitary concerns. We work with other city agencies to offer assistance to the homeless and give them opportunities to obtain services and shelter. If these remedies do not solve the problems we take enforcement steps to remove the encampments and their occupants.

Our City experiences only minor problems as a result of "street people", and those offenses most often associated with them (i.e. panhandling, public intoxication, disorderly conduct, camping in public, etc.). However, our efforts in the following areas have been most effective to deal with the problems that do exist: our public intoxication ordinance, disorderly conduct, trespassing, or our general nuisance ordinance.

All the encampments of homeless people that we have experienced here have occurred on private property. All property owners have cooperated and posted their property or obtained trespassing charges.

The problem is seasonal--up and down. Camping in public is a small problem. They usually go into the woods.

Inclement weather creates an over crowding of shelters. Many homeless persons have been banned from all shelters.

The extent of the problem is when the street people congregate around the shelters to compete for limited beds and a meal. Since the shelters only operate from 1800-0600 hours it is difficult to keep them from establishing positions on benches, curbs, etc..

A homeless shelter is provided in Charleston. Police transport homeless to this shelter when found in parks, etc.

Sleeping under bushes, bridges, overpasses continues to be a minor problem.

Outskirts of this city has two shelters. Overflow and a maximum 2 week stay has contributed to numerous encampments. We do not have a policy concerning homeless people. You might contact the Cobb County GA Police Department for further on this.

Again, being a tourist community, we do get some activity with street people / transients. However, we can only classify this as a minor problem.

Most incidents are on private, undeveloped property or along a steep riverbank in non-residential areas. We respond to trespassing complaints from private property owners.

The Miami Police Department is currently under a federal injunction relative to the homeless and which restricts enforcement action.

In the winter, it grows.

When transient type camps are found, we encourage them to move on. If that approach fails, we attempt to contact the property owner and proceed from there.

The street people have an understanding of where they are allowed to stay, so they don't cause many problems. There are several "shelters" in the homeless area that provide areas for the homeless to sleep. One has a large fenced in area that allows for cots to be set up. Others set up in wooded areas out of the public eye.

We are just beginning to form problem / solution teams to address this specific issue. In the last 30 days one "street person" was ID'd/arrested for a vicious rape, another walked in front of a car and was seriously injured. Complaints are just starting to be received on street people.

When homeless encampments are found, they are removed by the police, and the street and sanitation department.

Our problem is largely seasonal--we see more of this problem in the winter months when Florida is obviously warmer than other areas.

Again, this problem is limited to certain downtown areas primarily. Persons congregate, leaving bottles and trash behind, including blankets, etc. Some groups come to the area to provide food, causing more persons to come to the area. There are unhealthy conditions caused by persons who urinate and defecate in the area.

Our community has a small population of "Street People". Many have family in area, but do not stay with them. We are also a community that has one university, a private 4-year college and a 2-year Jr. College, a VA hospital, two state hospitals, etc. This gives us a variety of special needs. Encampments in the city and people sleeping in public areas is a very minor problem at this time.

The City of Montgomery does not have a problem with street people or campers.

The problems posed by street person due to mental in balance. The Memphis Police Department has the means to handle a situation of this nature on a short term basis. However, this is a long term problem, which must be addressed by other state officials.

Camps have been set up by several people along the riverbank. The City of Covington provides many social agencies to feed and clothe these people. This seems to attract even more people who live this way.

This is not currently a problem in our city.

We really don't have a problem with street people. Incidents are few and far apart.

They have been no problem in our community. We have several shelters that the Police Department works with that provide food and shelter for these individuals and government agencies that address who are permanent residents of the community.

Up to now, this has not been a major problem in our community, and we have not developed a policy dealing with it. We will continue to monitor the situation, and if it becomes necessary, we will attempt to address the problem.

Very minor problem.

Not a significant problem.

At this time, our city has not experienced any problem of this type.

Once again, our downtown area is troubled by indigents or "mentally ill" people--mostly during the day when businesses are open. Mostly a loitering problem and not "camping" or sleeping. A rescue mission is close by. P.D. policy only relates to people who are a disturbance or harmful to others or self.

Approximately 3 years ago several people (some homeless and making a point) set up camp on the front yard of the State Capital they remained there for approx 2 weeks. This was handled by the State Police and we did not get involved. Every summer we have homeless people who set up camp near the river in wooded areas and in the woods near the railroad tracks. They are usually on private property. We use our trespassing ordinance to move them along.

We have some problems--but none that you've identified.

Street people intimidate normal citizens with their unkempt appearance and actions. We have a shelter that is open between October and May for homeless persons and a mission providing daytime activities. Encampments have been a minor problem the past 2-3 years, with individuals setting up tents and shelters periodically that are disassembled when they come to the attention of the city.

Not a regular problem in our community.

Several Community Oriented Policing grants have been used to provide bicycle patrol officers for the downtown area to keep the homeless out of sight

This community has a very small population of street people. There are ample shelter facilities to provide their basic needs, which in turn reduces the potential for problems.

None.

We are very fortunate in that we have a very limited problem with "street people". Our problem deals with large groups of primarily Hispanic day laborers gathering on business property.

A shelter was established several years ago to deal with problem. It has expanded to include limited medical facilities. Though it has eased the problems of "encampments", it has been a draw to additional individuals.

We do not have a serious problem. We react to citizen complaints that are brought to our attention. We have the "vet" will work for food type like in Austin, TX.

Ordinance addresses occupying of Parks at night. See attached ordinance. Unwritten policy is to disperse violators rather than cite.

Strict enforcement of ordinance as well as providing information on where it is legal to camp. Community also provides a homeless shelter.

Homeless encampments are currently assessed on an individual basis in response to citizens' concerns.

Letters of prosecution are kept on file from individuals / businesses that indicate they will aid in prosecution for trespassing.

The problem is seasonal due to weather. The general procedure is to have as many field contacts with these people as possible. Enforcement action is taken when possible, too.

We have "street" people who wander into our city--usually we come in contact with them during inclement weather or when they have eaten a meal at a restaurant and failed to pay or they are drunk / intoxicated in public.

In April 1996 we started an intensive effort along the river on camping. We've issued 20 tickets to date, 2 arrests. We sweep it every 2 weeks. It seems to be paying off with a decrease in other violations as the transients move on.

Serious problem however most are taken to homeless shelters.

Street people are present, but rating this as a problem has too many variables.

Attached City Ordinance 11-12 ref. squatting on city property.

Our public parks have limited hours. This allows officers to enforce trespassing ordinances.

There must be a resource better suited than the police to deal with these issues. When will we learn that human services also require an around-the-clock presence?

The problem is getting worse. Contributing factors include: lack of shelters, warm weather, free food and beverage (including alcohol) as promotional offers by hotel / casino industry, limited enforcement activity by police due to other priorities.

Only when they constitute a public safety hazard, usually a health violation.

Through Community Based Policing, residents can call their Patrol Officer(s) and / or their C.B.O. to report a "camping" problem. The officer, in turn, will contact the proper agency to have the encampment removed.

We formed a "HLP" team (Homeless Liasion Program) to address the homeless problems. Task specific to just the transient problems--enforcement and intervention. 100+ bed homeless shelter built by city, ran by Salvation Army.

We have several private organizations that render assistance (food / housing) to homeless. Also "cold weather" shelter facilities available.

We have two dry river beds that border our city. We have been forced to mount sweeps to clear these areas of transients living in them. In 1994 we arrested 30 transients for trespass (602 L PC0. In 1995 we arrested 18 transients for the same violation...(see attached SDPD guide).

Many of the homeless are mental or drug users that have burned-out. Many have had apartments but are anti-social or unable to live with others. Many don't want help and refuse our suggestions for shelter / assistance.

The San Diego Police Department has no specific policies and procedures addressing the problems posed by individuals camping or forming encampments. Attached is a department policy regarding the collection of shopping carts, often found in homeless individual's possession.

Being a beach city, we have seasonal problems as do all cities of our type. We have had encampment problems, but due to our aggressive Code Enforcement Department they have coordinated with city crews to remove them when discovered.

Anaheim only has a minor problem with transients. Most responses are due to complaints from citizens or the California Transportation Authority along the freeway underpasses where transients may seek shelter. The transient is asked to move on rather than being cited or arrested. There is no written policy on this procedure.

The difficulty most often presented now are those homeless / street people who suffer from mental illness. The lack of resources or the will of the county mental health and state mental health departments to help seems to be the problem.

Increased petty theft activity in areas around encampments.

Irvine is a master planned city with no services or facilities to accommodate the homeless. As such, occasionally we get a subject or two passing through but that is the extent of our contacts.

Our street / homeless people are by and large either drug users or alcoholics. For several years the City, in conjunction with several non-profit groups, has provided temporary housing, meals, and counseling services to "street people". These programs have tended to center the "street people" population into a central area; away from the downtown business area. Consequently, very few people actually loiter in the business district.

San Mateo has had to deal with more homeless problems than surrounding cities because the armory is in San Mateo (used by the state to shelter the homeless). Also, several social institutions maintain services in San Mateo but not in surrounding cities. We do not have an encampment problem as yet.

Sensing an increase in the homeless population in Concord, we have a liaison with Contra Costa County Health Services and the local homeless advocacy coalition to try to address the issue.

The City uses "Homeless Outreach" and mental health teams to gain compliance. They sign the "camper" up for services and point them to the shelters. Police are used as a later part of the process. We have made a few arrests for trespassing long after all else fails.

The encampments are generally confined to the creek areas. We periodically 'sweep' the creeks to move the encampments.

Almost zero problems with "street people" in Alameda. Ordinance re: camping in parks passed as a preventative measure.

Due to the problems created by street people, our community organized a homeless service center to provide numerous services i.e. showers, laundry, message center, job counseling, housing services, etc. We also have a dining facility for free lunch, daily, and other shelters are available. We do have a problem with people just hanging out, it does intimidate citizens and cause problems for our downtown businesses.

See enclosed copy of General Order 835.20.

Bums have run the public out of some places. We use bicycle patrols to "reclaim" them. Most camps are occurring on undeveloped private property. We work closely with property owners to "trespass" them and clean-up the mess left behind. Usually cars, vans, camper shells, etc.

Prior to the passage of the attached ordinance, encampments would occur and gradually expand presenting major health and safety problems for citizens and transient campers alike. The ordinance was supported by the police department as a means of defining transient camping, regulating its occurrence, exempting bona-fide recreational camping activities and specifying suitable enforcement penalties.

We are in the process of passing a public camping ordinance.

The problem of street people has worsened in recent years. Our agency has taken a position which incorporates the utilization of traditional enforcement measures in dealing with criminal incidents while also calling upon the Community Policing concept to solve the overall problem. Please refer to the enclosed article from a recent issue of a local newspaper.

Overall camping in public places is not a problem within our municipality. There is only one concentrated location at the "Gateway" to our City which "street people" congregate and form encampments.

Most encampments are found in hidden, wooded areas. Police do not actively attempt to locate encampments, but respond when a complaint is received.

Park curfews and the use of criminal trespass laws are tools we use to address most of these areas.

**III. Question 43. (JUVCOM)**

**How effective has the curfew ordinance been in addressing the problems posed by juveniles hanging out in public places late at night?**

Not enforced.

Not highly enforced and when it is it may not result in a criminal charge. The juvenile may be referred to the City of Pawtucket police hearing board. First time waywards and truants are also referred to the hearing board.

Our problems arise from citizen complaints, mostly of suspicious people (the homeless). We have a shelter for the homeless located at a state facility within the City, and the calls are usually a result of the homeless people walking through neighborhoods on the way to the shelter.

Only used during or after major "problems".

The ordinance has not been utilized.

We have a minor problem with fast-food hangouts. State statutes on disorderly conduct are sufficient for our purposes.

It is a tool occasionally used by the officers to deal with an uncooperative juvenile or groups of juveniles. There never was a major problem that the crafted solution of a curfew ordinance ever fitted.

We have been reluctant to back a juvenile curfew law for constitutional reasons.

It's a tool used widely in law enforcement.

Manpower problems and high number of calls for service limits the amount of juveniles charged under the ordinance.

The curfew ordinance is not rigorously enforced. Juvenile arrests are often effected for other crimes (e.g., drug sales, stolen auto). The curfew ordinance may compound these other charges but they do not represent a significant portion of the total amount of juvenile arrests.

The curfew is only in effect on October 31 (Halloween).

We have some homeless who resist all attempts at rendering assistance. They enjoy their freedom and refuse to yield to our requests to seek assistance in homeless shelters.

Rarely used. Enforced when a problem unrelated to curfew exists.

Have increased enforcement in 1996.

Ordinance allows parents to be cited also. Parents are always cited when minor is cited.

The County will begin enforcement July 1, 1996 after a public education campaign has been completed.

They usually camp around overpasses. We clean up the area periodically.

The curfew ordinance has not been used in many years. We choose to utilize the loitering ordinance as it is more readily accepted by the courts of our county.

We are in the process of drafting a revised curfew ordinance

Through the use of our revised edition of the Juvenile Curfew ordinance, and the use of a Juvenile Curfew Reception Center that we recently implemented, we have seen the rate of juvenile crime reduced in the City of Newport News.

What little problems we have experienced occurred at one of our popular malls. A recent improvement in Private Security of this mall has all but eliminated the problem.

High level of voluntary compliance. Parents seem glad to have kids returned to their homes. Ordinances have generally been well received.

Rarely enforced.

The program is called "Operation Midnight". This program is designed to have the police take underage juveniles home when found on the streets after midnight.

The enforcement of the curfew law has reduced the number of entering autos, burglaries, and assaults after hours.

It provides us with an effective tool for addressing the problem of disorderly juveniles loitering in the downtown area and intimidating citizens who pass by. During 1995 over 10,000 such individuals were given trespass warnings and sent on their way.

Selectively enforced.

The City of Montgomery does not have a juvenile curfew law at this time. However, efforts are currently being made to pass one.

There is a bill presently in the Alabama Senate which would allow for the implementation of a curfew.

No problem. Any arrest made is charge with trespassing.

The ordinance is not enforceable.

All juveniles that are charged with curfew violations must appear in court with one or both parents. The importance of the parents knowing where their children are at and at what time is stressed during court.

New law.

By active enforcement of our state statute on curfew we have seen a reduction in juveniles out late at night.

No consistent enforcement.

Initial analysis of curfew sweeps showed a reduction in burglary and theft from autos in the 30% - 40% range.

We utilize the state statute regarding curfew.

Refer to Indiana Code Sec. 31-6-4-2 provides that a city may by ordinance advance the curfew time within its jurisdiction by not more than 1 hour.

The juvenile office receives several calls from parents wanting to know the curfew and the costs for violations.

We have used part time interns to "babysit" those picked up for curfew violations. We concentrate on serious problem areas. The word gets out, but individual neighborhoods are still plagued with this.

It has always been a problem but in 1995 we took a strong stand and developed a curfew program. This resulted in an increase in arrest and a decrease in juvenile problems after a few weeks.

Besides issuing citations to the violating juveniles, citations are also issued to the juveniles parents. This has aided our department in curbing curfew violations.

We require that the juveniles participate in a diversion program if they are 1st time offenders. If they have other past curfew violations or felony arrests (prior) they are booted.

Also resulted in significant drop in vandalism and thefts.

Our department has a "zero tolerance" philosophy regarding curfew violators. Officers have been very active in enforcing the ordinance.

The efficacy of the curfew laws has been constrained by sporadic enforcement, the chronically overcrowded state of our juvenile detention facility, and the reluctance of officers to transport juveniles to other sites.

Too early to tell.

We have had a juvenile curfew for many years. All city ordinances were rewritten in 1994.

Effective for the younger crowd after midnight. Not much impact before or with older crowds.

In 1994 a new reporting plan and ordinance was set up. It provided more flexibility and power for enforcement. In 1995 of the 2444 juveniles picked up for curfew over 900 were repeat violators.

We had a serious problem in 1990-91. The curfew ordinance used along with other techniques reduced the problem.

None.

Our concern was initiated by passage of the Damas, TX ord. We followed suit to prevent our community from becoming a mecca for youths trying to avoid that and other ord's.

With only 1 year of data, we feel the ordinance is effective but continued evaluation of the statistics will provide a completely accurate picture.

Receive very favorable comments all the time from grocery stores etc. that vandalism has stopped. Graffiti is much reduced.

Major tool in gang control.

It's a useful tool to assist officers and parents. It has worked well for us.

A majority of the late night "hanging out" is done by those not affected by the curfew.

Officers rarely use the ordinance because it is so time consuming. We must contact parents and have kids picked up or taken home. Many parents are unavailable.

We have a large cruise on Friday and Saturday nights. We have a "no tolerance" rule for picking up minors after midnight, especially in the downtown cruise area.

Difficult to consistently enforce ordinance due to the number of calls for service.

Couldn't answer this--we usually allow juveniles to attend movies, concerts, sporting events, etc. without being sanctioned--"hanging out" implies "up to no good"--that's when an officer would use curfew laws.

Curfew ordinance is being challenged by civil suit.

New updated ordinance now being tracked. Effectiveness won't be known or data available until December 1996.

From time to time the police department conducts a directed patrol activity targeting "strip" curfew violators. We usually cite 50-100 juveniles. Routine enforcement by our bicycle patrol officers takes place daily.

Numbers sharply decreased from 1994 to 1995, and we expect to see the trend continue.

Aggressively enforced.

We use curfew selectively. Only when persons are causing problems. We used it recently to reduce the "tagging" (graffiti).

It is personnel intensive. When we have the field personnel to task with the enforcement it produces good results.

New legislation has allowed us to bill the parents for the time their children are in our custody.

Primarily used by the gang unit.

Procedure is to cite the offender for violation of the curfew law.

Slightly effective because the law is low priority. Usually an officer will encourage youth to go home after contact, or will transport youth home--few arrests.

Only used as a last resort and generally the parents respond directly to the location and pick-up the minor. This law could be used more in the future as we develop a strategy for dealing with a growing gang problem.

The number of juveniles detained has decreased due to an increase in calls for service to the police department. The current ordinance is burdensome to enforce and is not greatly supported by officers. The City is currently exploring alternative juvenile curfew detention facilities with the emphasis away from arrest. Added emphasis will be placed on removing a potential victim from the street.

Too new to evaluate.

Despite the curfew ordinance having been in place since 1954, it has not been enforced in recent memory.

This law is typically not enforced.

It would be effective if it was more strictly enforced. Our police services are often required for other more pressing problems. We utilize this ordinance for our "cruise nights" to help get kids off the streets after hours.

Effectiveness would be based on resources available to enforce the ordinance.

Our ordinance requires a juvenile to "remain" after warned, most comply. Usually the parent/guardian is cited.

The curfew law has been very helpful in addressing the problems resulting from late night congregating by juveniles. However what happens is that the groups of young people then avoid regularly patrolled areas--usually meeting at remote secluded beach locations which generates a new set of problems.

Contacts include number of juveniles arrested plus number of juveniles released at the scene.

A no cruising ordinance was passed at the same time. It was highly effective in eliminating juveniles hanging out downtown.

Not enough time since passage to make determination.

**IV. Question 45. (JUVCHAL)**

**Please explain when the challenge took place, by whom was it brought, and the result.**

Declared unconstitutional.

City Council attempted to pass a curfew ordinance but was overturned.

An earlier law was challenged to the Connecticut Supreme Court in 1974-75.

Years ago, when the police were making charges under the curfew ordinance, it was consistently challenged by defense attorneys. The courts discouraged its use, and the police resorted to charging under the loitering ordinance.

In August 1995 the ordinance was challenged by a parent of a juvenile in our Juvenile and Domestic Relations Court. This resulted in the establishment of a revised edition of the ordinance.

A proposed ordinance was submitted before the City Council but was not approved.

An injunction was immediately sought by the ACLU. Request for temporary injunction denied by Circuit Court 7/94, and 5th D.C.A. 4/95. Request for permanent injunction still pending.

Unconstitutional--ACLU. Upheld by appellate court. Under appeal.

1994--ACLU and lawyers; reinstated in 1996.

The challenge took place in January 1994, and was brought by the American Civil Liberties Union. The juvenile curfew ordinance was upheld.

Especially in high crime areas, prevents victimization and less criminal activity by juveniles.

Only at local level in the course of routine hearings.

None.

Our ordinance was a copy of the Dallas ordinance which has withstood court challenge.

ACLU brought the challenge. Filed in U.S. Court of Appeals 5th Circuit Court on November 19, 1993. Plaintiff Elizabeth Quth--Court upheld ruling. Stated that it is a legal law.

Threats of suit but none followed-up on.

Unknown--another jurisdiction in Colorado successfully defended a curfew law prior to Denver passing theirs.

By Gary Peter Klahz on August 17, 1994. The Court upheld that curfew ordinances burdens on minor's fundamental rights was justified by significant state interests. Also, the ordinance was not unconstitutional overbroad or vague.

This ordinance is a model ordinance put forth by Maricopa Association of Governments and has been challenged and upheld.

Not adjudicated.

I believe that a local youth challenged the legality of the curfew on the Las Vegas strip and, as I recall, the curfew was upheld. We continue to enforce it.

Ordinance challenged by citizen's group in approximately December 1995. It went to Federal Court and the ordinance was upheld.

PC for weapons arrest, upheld by Court.

Civil.

**POLICE EXECUTIVE RESEARCH FORUM**  
**With the American Alliance on Rights and Responsibilities**

National Survey of Municipal Police Departments on Urban Quality of Life Initiatives

**Appendix D**

Police Department: \_\_\_\_\_ State: \_\_\_\_\_  
*ID: (4) f. 1-4 State: (2) f. 5-6*

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**STATE CODES:**

Alabama=01	Louisiana=18	Ohio=35
Alaska=02	Maine=19	Oklahoma=36
Arizona=03	Maryland=20	Oregon=37
Arkansas=04	Massachusetts=21	Pennsylvania=38
California=05	Michigan=22	Rhode Island=39
Colorado=06	Minnesota=23	South Carolina=40
Connecticut=07	Mississippi=24	South Dakota=41
Delaware=08	Missouri=25	Tennessee=42
Florida=09	Montana=26	Texas=43
Georgia=10	Nebraska=27	Utah=44
Hawaii=11	Nevada=28	Vermont=45
Idaho=12	New Hampshire=29	Virginia=46
Illinois=13	New Jersey=30	Washington=47
Indiana=14	New Mexico=31	West Virginia=48
Iowa=15	New York=32	Wisconsin=49
Kansas=16	North Carolina=33	Wyoming=50
Kentucky=17	North Dakota=34	Washington, DC=51

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Telephone Number: \_\_\_\_\_ *Tel (10); Missing=9999999999*

FAX Number: \_\_\_\_\_ *Fax (10); Missing=9999999999*

Number of Sworn Personnel: \_\_\_\_\_ Number of Civilian Personnel: \_\_\_\_\_  
*Sworn (5); Missing=99999 Civilian (5); Missing=99999*

Population of Jurisdiction: \_\_\_\_\_  
*Pop (7); Missing=9999999999*

## Panhandling

1. To what extent is panhandling a problem in your city?

*Variable=*PANHAND(1): No Problem=1; Minor= 2; Problem=3; Major=4; Serious=5  
*Missing= 9 (Question 1 is blank.)*

2. Has this problem gotten better, gotten worse, or stayed the same in the past *two years*?

*Variable=* PANCON (1): Better=1; Worse=2; Same=3; Don't Know=4  
*Missing=9 (Question 2 is blank.)*

3. Ordinance bans panhandling in public places. YES \_\_\_ NO \_\_\_

*Variable=* PANPUB (1): YES=1; NO= 2. *Missing=9 (Question 3 is blank.)*

**If YES, when was it passed? \_\_\_\_\_**

*Variable=*PANPASS (4): Record four digits of year;  
 7777=Use if PANPUB equals 1, but PANPASS is blank.  
 Not applicable (PANPUB equals 2, no ordinance)=8888;  
 Missing(Question 3 is blank)= 9999.

**Please attach a copy of the ordinance, if it is readily available.**

*Variable=*PANORD(1): YES=1, NO=2 (PANPUB equals 1, but no ordinance attached.).  
 Not applicable (PANPUB equals 2)=8; *Missing(Question 3 is blank)=9.*

4. Ordinance specifically prohibits aggressive panhandling. YES \_\_\_ NO \_\_\_

*Variable=*PANAGG(1): YES=1, NO=2, *Missing=9 (Question 4 is blank.)*

5. Ordinance prohibits panhandling in *specifically designated areas*. YES \_\_\_ NO \_\_\_

*Variable=*PANSPEC(1): YES=1, NO=2, *Missing=9 (Question 5 is blank.)*

**If YES, please check all that apply:**

Near banks/ATMS _____	Near entrances to buildings _____
On beaches or boardwalks _____	To people in cars _____
In public parks _____	Other (specify): _____

*Variables=*PANBANK (1); PANBEACH (1); PANPARK (1), PANBUILD (1); PANCARS (1);

*PANOTHER (1)*

*YES=1, NO=2, (Use if the answer to PANSPEC is Yes and at least one item in the check list is checked.)*

*Skipped Check List=7 (Use if the answer to PANSPEC is Yes, but NONE of the items in the check list was checked.)*

*Not Applicable=8 (Answer to PANSPEC is NO.)*

*Missing=9 (skipped all of Question 5.)*

**If your municipality does not have any ordinances pertaining to panhandling, please skip to Question 13.**

6. If your city has an anti-panhandling ordinance, how are violations of these ordinances brought to the attention of the police? Check **all** that apply.

Calls/complaints from citizens (including visitors or tourists) \_\_\_\_\_

Calls from the business community \_\_\_\_\_

Officer observations \_\_\_\_\_

Activities of Special Units \_\_\_\_\_

*Variables: CHECKCIT (1); CHECKBUS (1); CHECKOB (1); CHECKUNI (1)*

*YES=1, NO=2, (Use if an answer to Questions 3-5 is Yes and at least one item in the check list is checked.)*

*Skipped Check List=7 (Use if an answer to Questions 3-5 is Yes, but NONE of the items in the check list was checked.)*

*Not Applicable=8 (Use if the ALL of the answers to Questions 3-5 are NO.)*

*Missing(whole section)=9.*

7. How many *citations/summons* were issued for panhandling offenses in  
 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

*Variable=PANSUM94 (6), PANSUM95 (6) Record Number. Right Justify.*

*Don't Know=666666, Use if an answer to Questions 3-5 is YES, and Question 7 is blank=777777; Missing(whole section)=999999.*

*Not applicable=888888 (Use if ALL answers to Questions 3-5 are NO.)*

8. How many *arrests* were made for panhandling offenses in  
 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

*Variables=PANARR94 (6), PANARR95 (6): Record Number. Right Justify.*

*Don't Know=666666; Use if an answer to Questions 3-5 is YES, and Question 8 is*

*blank=777777; Not applicable=888888 (Use if ALL answers to Questions 3-5 are NO.); Missing(whole section)=999999.*

9. Panhandling ordinances challenged in court since 1990. YES\_\_ NO \_\_ Don't Know \_\_

*Variable= PANCHAL (1), YES=1; NO=2; Don't Know= 3;  
Not applicable=8 (Use if ALL answers to Questions 3-5 are NO.); Missing(whole section)=9; Use if an answer to Questions 3-5 is YES, and Question 9 is blank=7.*

**If YES, explain.**

*Variable=PANCOM (1), YES=1; NO (PANCHAL equals 1 and no explanation provided.)=2; Use if an answer to Questions 3-5 is YES, and 9 is blank=7; Not applicable(Answer to question 9 is NO, or if ALL answers to Questions 3-5 are NO.)=8; Missing(whole section)=9.*

10. When arrestees charged with panhandling are arraigned, are police officers in your jurisdiction required to present testimony on a routine basis? YES\_\_ NO \_\_  
Don't Know \_\_\_\_\_

*Variable=PANARRGN (1), YES=1, NO=2; Don't Know= 3; Missing=9  
Not applicable=8 (Use if ALL answers to Questions 3-5 are NO.)  
Use if an answer to Questions 3-5 is YES, and Question 10 is blank=7.*

11. When defendants charged with panhandling are brought to trial are police officers in your municipality required to present testimony on a routine basis?  
YES\_\_ NO \_\_ Don't Know \_\_\_\_\_

*Variable=PANTRIAL(1); YES=1, NO=2, Don't Know=3. Missing=9 (whole section)  
Not applicable=8 (Use if ALL answers to Questions 3-5 are NO.)  
Use if an answer to Questions 3-5 is YES, and Question 11 is blank=7*

12. Does the District Attorney's Office for your municipality have policies regarding whether they will drop the panhandling charges before or at arraignment rather than proceed with the prosecution? YES\_\_ NO \_\_ Don't Know \_\_\_\_\_

*Variable=PANDA(1), YES=1, NO=2, Don't Know=3, Missing=9 (whole section)  
Not applicable=8 (Use if ALL answers to Questions 3-5 are NO.)  
Use if an answer to Questions 3-5 is YES, and Question 12 is blank=7*

**COMMENT: Seriousness of the panhandling problem in your municipality.**

*Variable=PANCOMM (1), YES=1; NO=2; Missing(whole section)=9.  
Not applicable(Use if ALL answers to Questions 3-5 are NO)=8*

### Other Street Disorders

13. Does your city have an ordinance that prohibits public intoxication?  
 YES \_\_\_ NO \_\_\_ **If NO, skip to Question 16.**

*Variable=TOX (1); YES=1, NO=2, Missing=9 (Question 13 is blank.)*

14. If YES, how many *citations/summons* were issued for public intoxication  
 in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
 in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

*Variables=TOXSUM94 (6), TOXSUMS95 (6): Record Number. Right Justify.  
 Don't Know=666666; Missing(whole section)=999999;  
 777777=Use if the answer to Question 13 is YES, but Question 14 is blank.  
 Not applicable=888888 (Use if answer to Question 13 is NO.)*

15. If YES, how many *arrests* were made for public intoxication  
 in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
 in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

*Variables=TOXARR94 (6), TOXARR95 (6): Record Number. Right Justify.  
 Don't Know=666666; Missing(whole section)=999999;  
 777777=Use if the answer to Question 13 is YES, but Question 15 is blank.  
 Not applicable=888888 (Use if answer to Question 13 is NO.)*

16. Does your jurisdiction have an "open container" ordinance. YES \_\_\_ NO \_\_\_

*Variable=OPENCAN (1); YES=1; NO=2, Missing=9 (Question 16 is blank.)*

**If NO, would ordinance be useful? YES \_\_\_ NO \_\_\_ Not Applicable (have ordinance).**

*Variable=OPENLAW (1); YES=; NO=2; Not Applicable(OPENCAN equals 1)=8;  
 7= OPENCAN equals 2, but OPENLAW is blank; Missing=9.*

17. Does your city have an ordinance that prohibits disorderly conduct?  
 YES \_\_\_ NO \_\_\_ **If NO, skip to Question 20.**

*Variable=DISCON (1); YES=1; NO=2; Missing=9 (Question 17 is blank.)*

18. If YES, how many *citations/summons* were issued for disorderly conduct  
 in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
 in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

*Variables=DISSUM94 (6); DISSUM95 (6): Record Number. Right Justify.*  
*Don't Know=666666; Missing(whole section)=999999;*  
*777777=Use if the answer to Question 17 is YES, but Question 18 is blank.*  
*Not applicable=888888 (Use if answer to Question 17 is NO.)*

19. If YES, how many *arrests* were made for disorderly conduct  
 in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
 in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

*Variables=DISARR94 (6), DISARR95 (6): Record Number. Right Justify.*  
*Don't Know=666666; Missing(whole section)=999999;*  
*777777=Use if the answer to Question 17 is YES, but Question 19 is blank.*  
*Not applicable=888888 (Use if answer to Question 17 is NO.)*

20. Does your city have an ordinance that prohibits sitting and/or lying down on sidewalks  
 or boardwalks? YES \_\_\_ NO \_\_\_

*Variable=SIT (1), YES=1, NO=2. Missing=9 (Question 20 is blank.)*

***If YES, please attach a copy of the ordinance.***

*Variable=SITOR (1), YES=1, NO=2 (SIT equals 1, but no ordinance attached).*  
*Not Applicable (SIT equals 2, no ordinance)=8; Missing(Question 20 is blank.)=9.*

21. Ordinance prohibits sleeping on sidewalks or boardwalks. YES \_\_\_ NO \_\_\_

*Variable SLEEPSID(1), YES=1, NO=2. Missing=9 (Question 21 is blank.)*

***If YES, please attach a copy of the ordinance.***

*Variable=SLEEPORD (1), YES=1, NO=2 (SLEEPSID equals 1, but ordinance not  
 attached.) Not applicable=8 (SLEEPSID equals 2, no ordinance). Missing=9.*

22. Ordinance prohibits sleeping in public places. YES \_ NO \_ **If NO, skip to Question 25.**

*Variable=SLEPPUB(1); YES=1, NO=2. Missing=9 (Question 22 is blank.)*

23. If YES, how many *citations/summons* were issued for sleeping in public places  
 in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
 in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

*Variable=SLPSUM94 (5), SLPSUM95 (5): Record Number. Right Justify.*  
*Don't Know=6666; Missing(whole section)=9999;*  
*7777=Use if the answer to Question 22 is YES, but Question 23 is blank.*  
*Not applicable=8888, Use if answer to Question 22 is NO.*

24. If YES, how many *arrests* were made for sleeping in public places  
in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

*Variable=SLPARR94 (4), SLPARR95 (4): Record Number.*

*Don't Know=6666; Missing(whole section)=9999.*

*7777=Use if the answer to Question 22 is YES, but Question 24 is blank.*

*Not applicable=8888, Use if answer to Question 22 is NO.*

25. Ordinance *regulating* day labor opportunities. YES \_\_\_ NO \_\_\_

*Variable=DAYLABOR(1); YES=1, NO=2. Missing=9 (Question 25 is blank.)*

***If YES, please attach a copy of the ordinance.***

*Variable=DAYORD(1); YES=1, NO=2 (DAYLABOR equals 1, but no ordinance attached). Not Applicable (DAYLABOR equals 2, no ordinance)=8.*

*Missing(Question 25 is blank)=9.*

26. Does your city require street vendors/peddlers to be licensed? YES \_\_\_ NO \_\_\_

*Variable=VENDORS (1); YES=1, NO=2. Missing=9 (Question 26 is blank.)*

27. Areas where street vending/peddling is banned entirely. YES \_\_\_ NO \_\_\_

*Variable=VENDBAN (1); YES=1; NO=2. Missing=9 (Question 27 is blank.)*

28. Dumpster diving. YES \_\_\_ NO \_\_\_

*Variable=DUMPSTER(1); YES=1, NO=2. Missing=9 (Question 28 is blank.)*

***If YES, please attach a copy of the ordinance.***

*Variable=DUMPORD(1); YES=1, NO=2 (DUMPSTER equals 1, but ordinance is not attached.) Not Applicable=8 (DUMPSTER equals 2). Missing(Question 28 is blank)=9.*

### **Street People**

29. Extent is the presence of street people a problem.

*Variable= STREET(1); Missing=9 (Question 29 is blank).*

*No Problem=1 Minor=2 Problem=3 Major= 4 Serious=5*

30. Individual street people **camping** in public places.

*Variable=CAMP(1); Missing=9 (Question 30 is blank.)  
No Problem=1 Minor=2 Problem=3 Major= 4 Serious=5*

31. Extent *groups* of street people **forming encampments** in public places is a problem.

*Variable=ENCAMP(1); Missing=9 (Question 31 is blank.)  
No Problem=1 Minor=2 Problem=3 Major= 4 Serious=5*

32. Has this problem better, gotten worse, or stayed the same in the past *two years*?

*Variable=CAMPCON(1); Better=1, Worse=2, Same=3, Don't Know= 4,  
Not Applicable=8. Missing(Question 32 is blank)=9.*

33. Does your city have an ordinance that places some restrictions on camping in public places? YES \_\_\_ NO \_\_\_ **If NO, skip to Question 38.**

*Variable=CAMPLAW (1), YES=1, NO=2. Missing=9 (Question 33 is blank.)*

34. If YES, when was it passed? \_\_\_\_\_

*Variable=CAMPPASS (4); Record Year.  
Not Applicable (CAMPLAW equals 2)=8888.  
7777=CAMPLAW equals 1, but CAMPPASS is blank. 9999=Missing(whole section).*

***If possible, please attach a copy of the ordinance.***

*Variable=CAMPORD (1); YES=1 (ordinance attached).  
NO= 2 (CAMPLAW equals 1, but no ordinance attached.)  
Not Applicable (CAMPLAW equals 2)=8 Missing(whole section)=9.*

35. If YES, how many *citations/summons* were issued for camping in a public place  
in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

*Variables=CAMSUM94 (4); CAMSUM95 (4): Record Number. Right Justify.  
Don't Know=6666;  
7777=Use if CAMPLAW equals 1, but Question 35 is blank.  
Not applicable=8888 (Use CAMPLAW equals 2.); Missing(whole section)=9999.*

36. If YES, how many *arrests* were made for camping in a public place  
in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

*Variables=CAMARR94 (4); CAMARR95 (4): Record Number.*

*Don't Know=6666,*

*7777=Use if the answer to Question 33 is YES, but Question 36 is blank.*

*Not applicable=8888 (Use if CAMPLAW equals 2.) Missing(whole section)=9999.*

37. Do police *routinely* remove encampments? YES \_\_\_ NO \_\_\_

*Variable=CAMPMOVE (1): YES=1, NO=2, Not Applicable=8 (CAMPLAW equals 2.)*

*Missing(whole section)=9; Use if the answer to Question 33 is YES and Question 37 is blank.*

**COMMENT: Seriousness of the problems posed by street people in your municipality.**

*Variable=CAMPCOMM(1): YES=1; NO(answer to question 33 is YES)=2; Not Applicable (answer to question 33 is NO)=8; Missing (did not answer question 33)=9.*

### **Juvenile Curfews**

38. Extent juveniles hanging out in public places is a problem.

*Variable=JUV (1). No Problem=1, Minor=2, Problem=3, Major=4, Serious=5  
Missing=9 (Question 38 is blank.)*

39. Does your city have a juvenile curfew law? YES \_\_\_ NO \_\_\_ **If NO, skip to Question 46.**

*Variable=JUVLAW(1); YES=1, NO=2. Missing=9 (Question 37 is blank.)*

40. Please specify the age of youths addressed by the law (eg. 16 and under):

*Variable=JUVAGMIN (2), JUVAGMAX (2) 88= Not Applicable (no ordinance).  
99= Missing. 77=(JUVLAW=1 and Question 40 is blank).*

*Some statutes provide an age range for youths eligible to be picked up by the police--eg. 13-16. JUVAGMIN refers to the minimum age specified by the ordinance. JUVAGMAX refers to the maximum age. If, for example, the ordinance refers to youths under the age of 17 and no minimum is specified, code JUVAGMIN as 66 and JUVAGMAX as 16.*

41. When was the juvenile curfew law passed? \_\_\_\_\_

*Variable=JUVPASS (4). Record Year.*

*Not Applicable=8888. Missing(whole section)=9999.*

*JUVLAW=1 and Question 41 is blank=7777.*

***If possible, please attach a copy of the ordinance.***

*Variable=JUVORD (1): YES=1 (ordinance attached).*

*NO= 2 (JUVLAW equals 1, but no ordinance attached.)*

*Not Applicable (JUVLAW equals NO)=8 Missing(whole section)=9.*

42. If YES, how many juveniles were picked up for curfew violation by your police department  
 in 1993? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
 in 1994? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_  
 in 1995? \_\_\_\_\_ Don't Know/Not Available \_\_\_\_\_

*Variable=JUVARR93(4), JUVARR94 (4), JUVARR95 (4). Record Number.*

*Don't Know=6666,*

*77777=Use if JUVLAW equals 1, but Question 42 is blank.*

*Not applicable=88888 (Use JUVLAW equals 2.)*

*Missing(whole section)=99999.*

43. If YES, how effective has the curfew law been in addressing the problems posed by  
 juveniles hanging out in public places late at night?

*Variable=JUVEFF (1): Not Effective=1; Slightly Effective=2; Somewhat Effective=3*

*Very Effective=4; Highly Effective=5*

*Not Applicable (JUVLAW equals 2)=8;*

*JUVLAW equals 1, but question 43 is blank=7; Missing(whole section)=9.*

COMMENT: \_\_\_\_\_

*Variable=JUVCOM(1): YES=1; NO(answered question 43)=2;*

*JUVLAW equals 1, but question 43 is blank=7; Not applicable (JUVLAW equals 2)=8;*  
*Missing(whole section)=9*

44. Has the juvenile curfew ordinance been challenged in court? YES \_\_\_ NO \_\_\_

*Variable=JUVCHAL (1). YES=1; NO=2; Not Applicable (JUVLAW equals 2)=8*

*JUVLAW equals 1, but question 44 is blank=7; Missing(whole section)=9.*

45. If YES, please explain when the challenge took place, by whom was it brought, and the  
 result. \_\_\_\_\_

*Variable=JUV COURT(1). YES=1. NO(answer to question 44 is YES)=2.*

*(JUVLAW equals 1, but question 44 is blank)=7; Not Applicable (JUVLAW equals 2 or answer  
 to Question 44 is NO)=8; Missing(whole section)=9.*

## Policies and Procedures

46. **Written** policies for handling a person who appears to be mentally ill. YES \_\_\_ NO \_\_\_

*Variable=MENTAL (1): YES=1; NO=2. Missing=9 (Question 46 is blank.)*

**If YES, please attach a copy of the policy.**

*Variable=MENTALAT (1): YES=1 (policy attached).*

*NO= 2 (MENTAL equals 1, but no policy attached.)*

*Not Applicable (MENTAL equals 2)=8*

*Missing(Question 46 is blank.)=9.*

47. **Written** policies for handling a public inebriant. YES \_\_\_ NO \_\_\_

*Variable=PUBTOX (1): YES=1, NO=2. Missing=9 (Question 47 is blank.)*

**If YES, please attach a copy of the policy.**

*Variable=PUBTOX AT(1): YES=1 (policy attached).*

*NO= 2 (PUBTOX equals 1, but no policy attached.)*

*Not Applicable (PUBTOX equals 2)=8*

*Missing(Question 47 is blank.)=9.*

48. **Written** policies or procedures for handling an indigent person. YES \_\_\_ NO \_\_\_

*Variable=INDPER (1): YES=1, NO=2. Missing=9 (Question 48 is blank.)*

**If YES, please attach a copy of the policy.**

*Variable=INDPERAT(1): YES=1 (policy attached).*

*NO= 2 (INDPER equals 1, but no policy attached.)*

*Not Applicable (INDPER equals 2)=8*

*Missing(Question 48 is blank.)=9.*

49. **Written** policies for a Cold Weather Emergency. YES \_\_\_ NO \_\_\_

*Variable=COLD (1): YES=1, NO=2. Missing=9 (Question 49 is blank.)*

**If YES, please attach a copy of the policy.**

*Variable=COLDAT(1): YES=1 (policy attached).*

*NO= 2 (COLD equals 1, but no policy attached.)*

*Not Applicable (COLD equals 2)=8*

*Missing (Question 49 is blank.)=9.*