

Whereas the City is concerned about the welfare of all our residents, regardless of their housing status. We are committed to the ideal that everyone should have a safe place to stay and be afforded equal protections under the law.

Whereas years of research and advocacy around criminalization of homelessness and increasing violence committed against people experiencing homelessness has shown that added protections are needed to preserve the civil rights of people experiencing homelessness. Moreover, the over-representation of people of color and members of LGBTQIA+ community among those experiencing homelessness requires further dedication to principles of equity and equal access to public resources.

Whereas the City supports and partners with multiple social service agencies offering assistance to residents confronting homelessness through its Jack Hopkins Social Service Grants program, which has distributed \$500,000 in 2020, through CDBG funds, and through dedicated funds administered by the BPD (to be administered by the City's Community and Family Resources Department in 2021).

Whereas the City together with nonprofit partners in the social services, continues to allocate significant resources and personnel to support people who are experiencing homelessness.

Whereas the City will continue to meet with these partners and providers, as well as the local philanthropic leaders convened as the Social Services Task Force at the outset of the pandemic, to develop additional options to address homelessness and community safety.

Whereas the City recognizes the substantial contributions of our nonprofits and community agencies, such as, Centerstone, Beacon, Middleway House, and others; and additionally, efforts of community based funders such as United Way, Community Foundation and Bloomington Hospital Foundation investments to help alleviate the unsafe and unhealthy conditions that can come from being without shelter.

Whereas homelessness is an issue that directly or indirectly affects the entire community and requires a whole-community response.

The Bloomington Common Council establishes an "Unhoused Bill of Rights" that would outlaw discrimination against those who lack a permanent address. Modeled after similar ordinances in Indianapolis, Rhode Island, and Illinois, that would immediately enact the following protections:

No person's rights, privileges, or access to public services may be denied or abridged solely because they are experiencing homelessness. Such a person shall be granted the same rights and privileges as any other resident of this city. A person experiencing homelessness:

(1) Has the right to use and move freely in public spaces, including, but not limited to, public sidewalks, public parks, public transportation and public buildings, in the same manner as any other person, and without discrimination on the basis of his or her housing status;

(2) Has the right to equal treatment by all state and municipal agencies, without discrimination on the basis of housing status;

(3) Has the right not to face discrimination while seeking or maintaining employment due to their lack of permanent mailing address, or their mailing address being that of a shelter or social service provider;

(4) Has the right to emergency medical care free from discrimination based on their housing status;

(5) Has the right to vote, register to vote, and receive documentation necessary to prove identity for voting without discrimination due to his or her housing status;

(6) Has the right to protection from disclosure of their records and information provided to homeless shelters and service providers to state, municipal and private entities without appropriate legal authority; and the right to confidentiality of personal records and information in accordance with all limitations on disclosure established by the Federal Homeless Management Information Systems, the Federal Health Insurance Portability and Accountability Act, and the Federal Violence Against Women Act; and

(7) Has the right to a reasonable expectation of privacy in their personal property to the same extent as personal property in a permanent residence.

Protections in the event of displacement:

(a) If a homeless person is to be displaced from a camp, the city, through the department of public works, must maintain and catalogue their personal items, including but not limited to, clothing, blankets, identification documents, birth certificates, and other personal documents and effects, in a safe and secure place free from the elements for a minimum of sixty (60) days. After sixty (60) days, if the city has made reasonable efforts to notify the displaced person, the city may securely dispose of any unclaimed personal items.

(b) Before the city may displace a homeless person from a camp, the city must give at least fifteen (15) days' public notice to the homeless persons living in the camp, Beacon, Wheeler mission, Middleway House or similar organizations designated by the city and provide a standard notice to media; provided, however, that if the city makes a written determination that an emergency exists, the city may give whatever notice is reasonable under the circumstances.

(c) Upon receiving the notice described in subsection (b), Beacon, and similar organizations designated by the city will coordinate the efforts of all participating service providers, faith-based organizations, and volunteers to ensure that the homeless persons to be displaced are provided available transitional housing or permanent housing, and comprehensive wrap-around services for which they are eligible, unless the homeless person refuses the assistance. The transitional or permanent housing must be safe, reasonably clean and maintained, and approved by the city.

(d) If there is insufficient available housing and services as described in subsection (c) to meet the needs of all displaced homeless persons in a camp scheduled to be closed by the city, the city must wait until there is sufficient available housing and services before it can close the camp, and in the interim the city will provide services and facilities such as providing access to existing public facilities when seasonally appropriate, adequate waste receptacles, portable sanitation facilities, and sharps containers, and give priority to long-term residents of the camp; provided, however, that if the city makes a written determination that an emergency exists, the city does not need to wait until there is sufficient available housing and services before it can close the camp.

Definitions.

For purposes of this article:

(a) The term "emergency" means situations when a failure to act immediately could lead to serious harm to public health or safety. (b) The term "homeless" means a person who lacks a fixed, regular, and adequate nighttime residence, and if they sleep in a shelter designated for temporary living accommodations or in places not designated for human habitation. (c) The term "camp" means a place on public property with temporary accommodations of tents or other structures in which homeless persons have been living.