



Memorandum

TO: Kevin J. Jackson, Village Manager

FROM: Jonathan Burch, Assistant Village Manager/Neighborhood Services Director

FOR: Village President and Board of Trustees

DATE: August 26, 2024

SUBJECT: Village Response to Unhoused Individuals and Encampments

Purpose

The purpose of this memo is to provide an update on the Village's response to unhoused individuals in Oak Park. Village staff continue to collaborate closely with local non-profits to ensure that individuals in our community experiencing homelessness have access to the necessary resources.

Background

When staff receives notice or observes an unhoused individual in our community, the Village undertakes the following actions:

- Patrol Beat Officers reach out to the individual several times a week to check on the situation, connect with the individual, and build a relationship.
- Patrol Beat Officers connect with Housing Forward's street outreach which also connects with the individual several times a week to offer services and shelter while building a relationship.
- Public Works regularly inspects public property in the area to understand the situation and address unsanitary conditions that may arise.

These actions take place within a larger comprehensive approach to the unhoused in Oak Park. This approach is designed to prioritize a "service and support first" model that adds to the resources available while simultaneously addressing impacts that can stem from camping. The Village has taken a number of steps to implement this approach over the last year:

- The Village participated in the 100 Day Challenge, successfully housing 117 individuals and helping 310 individuals access shelter between February and May 21, 2024.

- On June 11, 2024, the Village Board approved Phase 1 of Alternative Response for Calls for Service. This allows for staff to hire a program manager, care coordinators, and unarmed community service officers to help support emergency responders. Community care navigators will provide a rapid response to calls made directly to the Village or Village-initiated calls for service related to unhoused community members and traumatic community events and generally serve as subject matter experts housed within the Village.
- In February, the Village Board supported renovations at the Write Inn to increase the supply of interim housing with \$1 million in funding from ARPA and CDBG.
- In June and July 2024, the Village Board supported applications for CDBG-CV funding for renovations at the Write Inn and the St. Catherine-St. Lucy shelter.
- On July 30, 2024, the Village Board approved the 1106 Madison project by Interfaith Housing, adding 36 units of affordable and supportive housing for individuals experiencing homelessness and chronic conditions.

There are several additional actions underway that support a balanced service and support first model:

- On August 27, 2024, Village staff will present to the Board the Plan Commission's recommendations in support of a zoning ordinance text amendment and a special use permit for the St. Catherine/St. Lucy Rectory. These approvals will allow a permanent emergency overnight shelter program for up to 45 unhoused individuals, as well as social service support opportunities not only for the residents, but also for the students of St. Catherine/St. Lucy school, affiliated schools within the Austin neighborhood, and their families.
- The Village is working with the Oak Park Homelessness Coalition on a panhandling campaign, encouraging community members to give to larger efforts that support services and housing for the unhoused rather than giving directly to those panhandling.
- The Oak Park Homelessness Coalition is working with the Village to explore a new initiative called "Yes to the Address," which focuses on building relationships with landlords and increasing housing capacity.

As part of this balanced approach, staff are exploring restrictions on camping. Since its enactment in 2013, the Village has acted in accordance with the Bill of Rights for the Homeless Act ("the Act") by allowing the unhoused to use and move freely in public spaces. The Village has recently received updated guidance from the U.S. Supreme court regarding a municipality's ability to prohibit sleeping and camping on public property when there are no other viable housing alternatives.

On June 28, 2024, in *City of Grants Pass, Oregon v. Johnson*, 144 S. Ct. 2202 (2024), the US Supreme Court held that the Eighth Amendment's Cruel and Unusual Punishment Clause does not prohibit the enforcement of generally applicable laws regulating camping on public property. The Court found that "limited fines for first-time offenders,

an order temporarily barring an individual from camping in a public park for repeat offenders, and a maximum sentence of 30 days in jail for those that later violate an order" does not qualify as cruel and unusual. As such, should the Village adopt an Ordinance to prohibit encampments, the United States Supreme Court has ruled that fines, encampment bans and periods of detention are all acceptable policies.

Staff are working to develop an ordinance that would incorporate the Illinois Bill of Rights for the Homeless Act and a step-wise approach to camping that emphasizes support and shelter options. The ordinance can be tailored to protect public health, safety, and welfare in the Village while equally respecting the rights of an unhoused person' to move freely in public spaces and ensuring they are treated with dignity, compassion, and care. Warnings, education, and referrals will continue to be the cornerstone of the enforcement policy.

For questions, contact Jonathan Burch, Assistant Village Manager/Neighborhood Services Director, via email at jburch@oak-park.us or by phone at 708-358-5411.

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