



House the Homeless founded in 1989, is the oldest, all volunteer, action organization in Texas fighting to *combat, end* and *prevent* homelessness all across North America.

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## Introduction-

**Amicus (Friend of the Court) Brief-** This started when the police shot Mr. Michael Brown in Ferguson MO. Under the Obama administration, the DOJ investigated and found that Municipalities such as that in Ferguson were attempting to balance their budgets by giving out highly questionable Class C Misdemeanor tickets (criminal) to poor folks.

When Richard Troxell was first approached by other advocacy groups to see how the homeless community was affected, he told them it was highly unlikely people experiencing homelessness were being ticketed for that reason as they have no money. He explained that it was much more likely *that these tickets were being used against homeless people as a tool to "curb their behavior" or simply drive them from the city.*

In response to the DOJ findings, several progressive cities started a process to figure out how Judges could make provisos for various forms of Community Service (e.g. lesser amounts, and staggered hours etc.)

*When Richard learned that House the Homeless, Inc.'s name had been added to the City of Austin's list of Stakeholders, yet he had never gotten any materials or notices of meetings, he took a seat at the table anyway. When reviewing the documents, he realized that there had been NO acknowledgement that anyone was disabled. Richard contended that being both Indigent and Disabled, folks experiencing homelessness should be found exempt even before they get to a Judge.*

Richard offered language for inclusion, and it was swept aside. City Council staff sent amended Ordinance language without *House the Homeless's suggested changes in the form of a PDF* so that further changes could not be made.

At that point, on behalf of the citizens of Austin/Travis County who are experiencing homelessness, Richard wrote the following Amicus Brief.

## Amicus Brief

House the Homeless, Inc. expresses gratitude to council member Delia Garza for her initiative to address fines and possible imprisonment of indigent and near indigent for individuals who have been found guilty of fine only offenses for non-payment of fine or inability to pay the fine (City Council Resolution number 201608-11037).

In response, the city council as directed the city manager and the presiding judge of the municipal court two draft guidelines as a reference point for determining how many hours of community service would impose an undue hardship on descendants, while working within the framework of guidelines established in state law. The Charge directed that, “The guidelines should take into account factors such as the person's age, responsibility for dependents, weekly work volume, and physical impairment.” (Emphasis added). **Exhibit 1.**

This Friend of the Council (and Court) brief, is intended to address concerns around this final point, physical impairment expanded to include **mental health impairments and barriers** that hinder societal reentry for persons experiencing homelessness.

It is clear that it is without ill will or intent that the Charge fails to include **mental impairments** in addition to physical impairments. This is the perfect opportunity to make this comprehensive reform. Both physical and mental impairments or disabilities need to be addressed here.

The Americans with Disabilities Act states that “a **Disability** means having a physical or mental impairment, which substantially limits one or more major life activities.

b. Physical or Mental Impairment means any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genitourinary; hemic and lymphatic; skin; and endocrine; **or any** (emphasis added) mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

c. **Major Life Activities** means functions such as caring for one’s self-performing manual tasks, walking, seeing, hearing, speaking, learning, breathing, and working.”

This exact language from the Americans with Disabilities Act has been copied and inserted into COA City Code Section 9-4-14 (Sitting or Lying Down on Public Sidewalks or Sleeping Outdoors in the Downtown **Austin Community Court** Area Prohibited is amended to add a definition of “disability” reference ordinance No. 20110303-029. See attached **Exhibit 2.**

The purpose of having this specific language added to the No Sit/ No Lie Ordinance and now this ordinance would be and is for the purpose of clarity and uniformity across both the Municipal Court and the Community Court and among judges of both courts both now and with future judges.

As found in the Annual House the Homeless, Inc. Survey of 2010, 501 people experiencing homelessness in the Austin area 48% (almost half) self-reported that they were so disabled that they were unable to work. Note, in a previous survey (see <http://www.housethehomeless.org/surveys/>) that the vast majority wants to work. However, significant findings show self-declaration of mental illness (175) with 83 reporting to have cancer, and 204 reported significant high blood pressure. A numbing number of other individuals reported debilitating chronic back pain, debilitating chronic knee pain, COPD, asthma, Parkinson’s Disease, PTSD, anxiety, paranoid schizophrenia, delusions, anti-social behavior, shortness of breath with 472 of

the 501 stating they experienced severe shortness of breath with all 472 of those surveyed stating that when they needed to sit down, they were unable to locate a bench. See **Exhibit 3**.

A White Paper found at <https://goo.gl/Pd1o4i> “Homeless Veterans in Action Traumatic Brain Injury, TBI- A Protocol to Help Disabled Homeless Veterans within a Secure, Nurturing Community, is based in part on the 2016 Traumatic Brain Injury Survey conducted in Austin, Texas by House the Homeless, Inc. A total of 248 people took the survey, of that, 69% had been in a car accident, 47% had been hit from the rear, 11% had been in explosions, 77% had fallen off a roof or out of a tree, 74% had been mugged, 75% reported being hit very hard in the head. An astonishingly high 48% reported being knocked out! 80% had “seen stars” or gotten their “bell rung.” This is common nomenclature for having had a concussion. The resultative symptoms reported include Parkinson's Disease, chronic headaches, ongoing dizziness, memory problems, balance problems, ringing in ears, irritability, sleep problems, chronic pain, hearing loss, poor blood flow to brain, seeing and hearing problems, anxiety disorder, agitation, schizophrenia, depression, bell's palsy, etc. Note- Chronic Traumatic Encephalopathy, CTE, leads to brain damage that causes symptoms including anger, frustration, confusion, etc. cannot be determined while a victim is living and cannot be stopped once started. Only a post-mortem brain autopsy can definitively indicate the presence of this extreme condition. However, the symptoms are dramatically observed. Note. In the opinion of this author, the condition of TBI and CTE seems to be exceptionally high within the population of people experiencing homelessness. In fact, this may be one of the leading causes of health-related homelessness in America in as much as we are an extremely physically active culture with no definitive identification (except post mortem) or treatment yet known. It is very possible as the symptoms intensify; people lose their mental capacities and fall into homelessness. Exhibit 4.

## **A Course of Action**

Clearly, identifying often *invisible* physical and mental health conditions is often extremely difficult. It is obviously **best to rely on** experts from the mental and medical fields whenever possible.

**When examining this evaluation issue, regarding the last change to the No Sit/ No Lie Ordinance in an effort to remain in compliance with the Americans with Disabilities Act, the COA City Council primarily relied on existing documentation from the professional health care community so that if an individual is able to produce a statement of “Disability” or impairment that is doctor sourced, it satisfies the need. A police officer using sound judgement coupled with the documentation can decide to not issue a ticket for an apparent violation of the ordinance. Similarly, if the Community or Municipal Court Administrator were to be presented such a documented defense, a dismissal could occur at that point.**

**Knowing that the conviction could create a *barrier* in the future to escaping homelessness when a phone call or two could substantiate a medical condition significant to warrant a Community Service *exception* is important to the court and crucial to the individual. Note. This scenario is also encouraged as it is favorable to the tax payer generally.**

**If after this basic fact-finding, any doubt remains as to the validity of the documentation then the issue and defendant are passed to the judge for a final adjudication. This of course would streamline the entire process. Furthermore, it would protect the precious time of the judge and the civil rights of the client who is not otherwise entitled to a court appointed attorney. Finally, it can act to protect the taxpayers from lawsuits where a homeless defendant is clearly indigent and disabled is over-zealously encouraged to “just work a couple of hours” when he or she has a document signed by a doctor (see list below) that clearly indicates that the defendant is unable to perform any community service due to their physical or mental condition. A question would arise as to whether this action would be in violation to the Americans with disabilities Act/Law.**

As a result of passage of the change to the No Sit No Lie Ordinance No. 20110303-029, **Exhibit 2**, the following list of evidence of accepted disabilities or accepted exemptions shall include but not be limited to:

- A Mobility Impaired Bus Pass
- Documentation of Food Stamp Work exemption letter
- An Award letter from the Social Security Administration for Disability
- A Disability Award letter from the Veterans Administration
- A statement of Disability from the Disability Determination Services
- Documentation of Recuperative-Care within the previous two weeks
- A doctor's note of disability
- Using a wheelchair, cane, crutches, walker, or orthopedic leg braces
- Taking psychiatric medications or receiving psychiatric treatment
- A letter of participation-
  - at the David Powell Clinic
  - ordered substance abuse treatment
  - at Austin Recovery Center
  - in physical or occupational therapy

Note- Three references 1) in line for goods or services, 2) when area heat advisory has been issued, and 3) on ozone action days, have been excluded here. All others are based on verifiable doctor's' certifications. For example, even the food stamp work exemption and the mobility impaired bus pass require a doctor's examination, certificate and a stated framework for time application. **It is recommended that this list of verifiable, doctor initiated be incorporated in the process of identifying exemptions.**

By having such a specific list of acceptable exemptions the court process is sped up and the defendant is found to be exempt excluding in court questioning that he may or may not be capable of appropriately engaging in on his own behalf. Note. The doctor's actions/certifications serve as his/her spokesman/advocate as these offenses do not entitle the defendant to court appointed representation.

## **Barriers**

In 2010, House the Homeless, Inc. under an Open Records Act, requested the No Sit/ No Lie Ordinance tickets from January 1, 2009 through December 31, 2009. The total number of tickets issued during the period was 2,729. The tickets went to the Downtown Community Court. Based on the addresses reported by the individuals ticketed, e.g. ARCH, 500 East 7th Street or P.O. Box 2509, Austin, 78768, Salvation Army, or 501 East 8th Street or P.O. Box 1000, Austin, 78768, Trinity Center, 304 East 7th Street, Austin, 78701, First Baptist Church at 901 Trinity and Caritas, Austin, 78701, 611 Neches, Austin, 78701, showed that definitively, 96% of all tickets were issued to people receiving services at these addresses and experiencing homelessness.

An article by Andrew Weber appearing at KUT.org on October 15, 2015, showed No Sit/ No Lie citations issued from 2011 to present (October 15, 2015) resulted in 15,000 tickets issued. At the same time, only 21 people or only 0.14% appeared in Community Court to follow up on the citations. Failure to appear in court results in a **warrant** being issued for the person's arrest. Note. These are criminal charges placed against a defendant's permanent police record. Look at this scenario; imagine you are an employer in the mainstream work arena. Standing before you are two people applying for the same job. Both seem equally qualified. However, one has 7 criminal charges against them ( 4 No Camping, 2 No sitting and 1 No solicitation tickets.) The other individual has no such charges. As an employer, who would you higher? I would hire the person with the clean slate...every time. (There could be liability issues that could jeopardize my business and shut it down.) In a similar vein, as a landlord facing the same two individuals, I would rent to the person with no criminal marks on their record. This scenario serves as the definition of the **criminalization of Homelessness** and these tickets serve as **BARRIERS** to escaping homelessness.

After years of working on these *barrier* issues with the U.S. Department of Justice, DOJ, House the Homeless, Inc., the National Coalition for the Homeless, (where this author has functioned since 1997 as a board member), and the National Law Center on Homelessness and Poverty were rewarded when the DOJ in their Office of Public Affairs, filed a brief (Tuesday August 6, 2015) to address the Criminalization of Homelessness. The DOJ stated “that making it a crime for people, who are homeless to sleep in public places, when there is insufficient shelter space in a city, unconstitutionally punishes them for being homeless. The DOJ stated that such action violates the 8th Amendment to the U.S. Constitution. They went on to say, “If a person literally has nowhere else to go, then enforcement of the anti-camping ordinance against that person criminalizes her for being homeless.” This is the same language used by House the Homeless, Inc. when it sued the City of Austin under the no Camping Ordinance as it was ruled unconstitutional by Judge Jim Coronado after 12 (deleterious) pretrial hearings and 5 years in court under Judge Solomon on May 16, 2000 in the No Camping case, City of Austin vs. Christopher Standage.

For many of our citizens, class C Misdemeanor tickets come in the form of what is often referred to as “Quality of Life” tickets. These are comprised of tickets that include but are not limited to the No Sit/ No Lie, No Camping and the No Solicitation Ordinances.

The DOJ went on to declare that, “moreover, enforcing these ordinances is poor public policy. Needlessly pushing homeless individuals into the criminal justice system does nothing to break the cycle of poverty or prevent homelessness in the future. Instead, it poses further burdens on scarce judicial and correctional resources, and it can have long-lasting and devastating effects on people’s lives.” ( **Exhibit 6**).

Subsequent to this Brief/Declaration by the Department of Justice, the U.S. Department of Housing and Urban Development, HUD, in echoing this sentiment added a question on the Continuum of Care applications. Note. The federal government under the McKinney Act,(first passed in 1988), declared homelessness to be a national crisis and began a process that set up an application methodology for HUD to create a competitive bidding process to our municipalities for the purpose of supplying dollars to end homelessness. First each municipality must assert that it is working to remove these barriers, and then asks what is the municipality doing to remove these barriers. While the questions on this competitive process are only worth 2 points, the competition for these dollars is fierce and involves millions of dollars that come into our city to end and prevent homelessness.

This week, this author was contacted by the Office of the City Auditor who said it is conducting an audit related to the City’s effort related to homelessness. The assistant auditor further indicated she/he was looking at some of the City ordinances that impact people experiencing homelessness, specifically the no Sit/ No Lie, No Camping and No Solicitation ordinances. She/he then referred specifically to one of House the Homeless’s letters to City Council Et al. on the subject in 2017. This author believes that this is a tremendous opportunity to protect the civil rights of the least among us, *the disabled homeless*.

As a stakeholder to this process regarding indigent defendants, House the Homeless was supplied a memorandum dated August 25, 2017 from Sherry Statman, Presiding Judge, Municipal Court and Rey Arellano, Assistant City Manager.

Page six of the document referred to forms available to Municipal Court judges. The comment declares that, “Below are the intake statements a defendant is asked to choose from:

1. I am able to pay in full and/or meet the standard monthly payment requirement but need an extension to pay.
2. A payment plan: I am able to pay \$\_\_\_\_\_ per month starting on \_\_\_\_\_ (date).
3. Community Service: I am indigent and can perform \_\_\_\_\_ hours of community service per month. I am available to complete my first hours on (date) \_\_\_\_\_.
4. I need to discuss my ability to pay or perform community service with a judge.

Note. Points 5 and 6 are unrelated to the mental and physical health status of the defendant and therefore excluded here.

The concern of House the Homeless is that there is not an additional box that states, ...and I am disabled \_\_\_\_.

### **Suggested Changes to Forms**

To this end, **House the Homeless submits language that:**

Section 4) found on page 6, a new number 3 bumps down the existing number 3 to become the following:

I am indigent, unable to pay any related fines, and I am physically/mentally unable to perform community service. I seek to be exempted from work in the spirit of the “reasonable accommodation” clause of the Americans with Disabilities Act.

Additionally, Section 6 found on page 7: refers to guidelines as a reference point for determining how many hours of community service would potentially impose an undue hardship on defendants. The document states that “developing a meaningful matrix of factors when determining their inability to work is too onerous.”

Therefore, “self-reporting is adequate.” However, House the Homeless finds that relying solely on “self-reporting” is too subjective and *too burdensome* on the court system and *on the disabled individual*.

House the Homeless suggests that in addition to self-reporting inability to work, that medical statements and medical letters and award letters as identified in the Police Procedures Manual relating to the no Sit/ No Lie Ordinance (**Exhibit 5**), can be used to assist the court in readily identifying *doctor sourced documents* that serve to confirm the indigent’s inability to perform community service. For example, an award letter from the federal government with a finding of “Disabled” for SSI purposes or the Veterans Administration disability award letter or a SNAP award letter, etc. exempting an individual from their work required are all **doctor sourced documents** the court to make quick and “reasonable accommodations” (in this case exemptions) from performing community service.

Finally, House the Homeless recommends that the proposed ordinance changes include the Americans with Disabilities Act/Law language regarding disabilities be incorporated into the Ordinance as previously stated and as evidenced in **Exhibit 7** below.

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ORDINANCE NO.

**Exhibit 7**

Version 2

HTH revisions in blue

### **AN ORDINANCE AMENDING CITY CODE TITLE 2-10 RELATING TO 2 THE MUNICIPAL COURT AND ESTABLISHING STANDARDS FOR 3 CERTAIN FINES, ALTERNATIVE SENTENCES, AND COMMITMENTS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** City Code Section 2-10-21 (Fines, Alternative Sentencing, and Imprisonment) is repealed and replaced to read as follows:

#### **§ 2-10-21 FINES, ALTERNATIVE SENTENCING, AND COMMITMENT.**

(A) If a defendant is convicted of an offense, a judge may direct the defendant to pay a fine immediately, at a later date, or in designated installments, or may order alternative sentencing in lieu of payment of a fine.

(B) A judge may waive payment of all or part of a fine or costs the judge could impose on a defendant if the judge determines:

- (1) the defendant is indigent or does not have sufficient resources or income to pay all or part of the fine or costs; and
- (2) each alternative method of discharging the fine or cost would impose an undue hardship on the defendant.

(C) A judge may determine that a defendant is indigent based on any of the following factors:

- (1) the defendant's household income is less than 200% of the poverty guidelines established by the U.S. Department of Health and Human Services in effect at the time of the determination, and the difference between the defendant's monthly net income and reasonable necessary expenditures is less than \$500;
- (2) the defendant or the defendant's dependents are eligible to receive food stamps, Medicaid, Temporary Assistance for Needy Families, Supplemental Security Income, public housing, or benefits under a similar state, federal, or local program based on financial status;
- (3) the defendant is serving a sentence in a correctional institution, is residing in a public mental health facility, or is the subject of a proceeding in which admission or commitment to such a mental health facility is sought;
- (4) the defendant is currently enrolled in and attending middle school or high school, or is under the age of 17; or
- (5) living homeless or in a shelter due to being homeless,
- (6) any other factors the judge may consider under state law.

(D) A judge may determine that an alternative sentence would impose an undue hardship if any of the following factors substantially affect a defendant's ability to perform an alternative sentence:

- (1) a significant health limitation or disability, either physical or mental;
  - a. **Disability-** means having a physical or mental impairment, which substantially limits one or more major life activities.
  - b. **Physical or Mental Impairment-** means any psychological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genitourinary; hemic and lymphatic; skin; and endocrine; or any (emphasis added) mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
  - c. **Major Life Activities-** means functions such as caring for one's self, performing manual tasks such as walking, seeing, hearing, speaking, learning, breathing, and working.
- (2) pregnancy and childbirth;
- (3) substantial family commitments and responsibilities, including child and/or dependent care;
- (4) work responsibilities and work hours;
- (5) transportation limitations; or
- (6) any other factors the judge may consider under state law.

(E) If a defendant defaults in the discharge of a judgment, a judge may order the defendant committed in jail under the requirements of the Texas Code of Criminal Procedure.

(F) A judge shall make a written record of a determination made under this section concerning alternative sentencing, indigency, undue hardship, or waiver of fines or costs.

**PART 2.** City Code Chapter 2-10 (Municipal Court) is amended to add a new Section 2-10-25 to read as follows:

§ 2-10-25 INFORMATION ABOUT ALTERNATIVE SENTENCING. The court shall make information about the availability of alternative sentencing available through the court’s public website, through information posted at the court, and in written documentation provided to each defendant.

PART 3. This ordinance takes effect on \_\_\_\_\_ 2017.

PASSED AND APPROVED

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Note- Just as Version 2 of the proposed listed acceptable documents that rely on governmental experts to show that a condition of Indigency exists, similarly, House the Homeless has included “doctor sourced documents” to indicate a condition of Impairments and Disabilities exist.



### Addendum

A person’s health status is often the source/cause of their indigency or a major factor in its continuation. Please see House the Homeless, Inc. Health Survey <http://www.housethehomeless.org/wp-content/uploads/2016/04/HTH-Health-Survey-2010.pdf?x58946>

and the House the Homeless, Inc. Traumatic Brain Injury Survey and Report <http://www.housethehomeless.org/wp-content/uploads/2016/04/TBI-Survey-Report-2016.pdf?x58946>

These two statistical surveys and reports conducted in Austin Texas inform us that 48% of the people experiencing Homelessness in Austin are too disabled to work. Their Disabilities, both mental and physical are extensive in nature. The disabilities have often led to their state of Homelessness/Indigency and are a major factor in their continued poverty.

It is therefore, wholly appropriate to include in this evaluation process, all aspects of indigency related to health concerns. Many of these disabilities are verified/ substantiated by **doctor-sourced documents**.

Verification of indigency health related condition that has rendered an individual either totally disabled or unable to work in the opinion of a medical professional is consistent with paragraph 6 of Resolution No. 20160811-037 Charging Council with this process:

“Whereas applicable ordinances and criminal laws do not define ‘indigency,’ which may result in inconsistent application of the concept to legal matters before the Municipal Court, and increases the likelihood of erroneously incarcerating a person who is indigent but whom the Court failed to identify as indigent; ...” “Therefore,... “It is the policy of the Council that the City make every effort to avoid committing to jail persons who cannot afford to pay fines...”

A Charge of Resolution NO. 20160811-037 is to seek clarity and consistency whenever and wherever possible. Whenever possible, the process is well served to rely on all doctor-sourced,

medically and professionally-based documentation (**already in existence**) thus utilizing **objective** documents as opposed to any subjective, on the spot, potentially inconsistent evaluation from one Judge to another, when determining the ability of a defendant to work. It would seem to be imperative to utilize any doctor-sourced statements (such as those listed below) in order to provide the individual and the courts with as much clarity and consistency as possible:

- A Mobility Impaired Bus Pass
- Documentation of Food Stamp Work Exemption letter
- An Award letter from the Social Security Administration for Disability
- A Disability Award letter from the Veterans Administration declaring 100% disability.
- A statement of Disability from the Disability Determination Services
- A doctor's note of disability
- Taking psychiatric medications or receiving psychiatric treatment

or

A letter of participation-

- At the David Powell Clinic (AIDS)
- Ordered substance abuse treatment at the Austin Recovery Center
- In physical or occupational therapy

And Resolution NO. 20160811-037 points out in paragraph 13 that the "Texas Code of criminal Procedure article 45.203 authorizes the governing body to adopt rules and regulations governing the procedures in its municipal court and for the collection of fines imposed by the municipal court, so long as they are not inconsistent with state law..."

The Resolution NO.20160811-037 goes on to point out that it is the policy of Council **that the City make every effort to avoid committing to jail persons who cannot afford to pay fines** (paying fines now being defined as extending to Community Service, CS) which by extension being *exempt* based on inability to perform CS due to disability).

These documents are consistent other such indicators like those found in Resolution # 20160811-037 that identifies other government programs with economic guidelines in paragraphs 7,8 and 9.

Resolution No. 20160811-037 points out in paragraph 19 that "The City Manager and the Presiding Judge (Judge Sherry Statman) are directed to prepare forms to facilitate both the evaluation of a defendant's indigency or non-indigency..."

To that end, House the Homeless Inc. submits Judge Statman's statement that in response to the arguments presented in an October Stakeholder's meeting and the HTH Amicus Brief, that as of now, she intends to add to her intake form a Number 7 check off box as follows:

7. "I am indigent and have a physical or mental health disability that prevents me from performing community service. I seek to be exempted from work in the spirit of the "reasonable accommodation" clause of the Americans with Disabilities Act."

House the Homeless Inc. wholeheartedly applauds Judge Statman's recognition that in determining the term indigency and the financial compliance requirements of the court, that a person's physical and mental ability to perform any degree of Community Service, is of the utmost importance.

Furthermore, in an effort to create **clarity** and **consistency** across and throughout the court system, that doctor-sourced documents (already in existence) can play a vital role to speed-up the court process while still *relying on medical professionals* who have previously evaluated the individual.

Note. The psychological pressure exerted on the mentally ill individual to come to court and stand before yet another official person is enough to deter many individuals from even presenting themselves to the court at all as they already know they are the poorest of the poor and they know this trip to court will only encourage the voices in their heads to increase in volume and possibly intensify the individuals sense of helplessness. So often enough, their decision is not to present themselves at all. Then, the issued ticket "goes to warrant" the person is arrested, taken to jail and it becomes a criminal mark on their record that serves as one more **Barrier** to them escaping Homelessness. Being able to lower the anxiety level of all persons going to court to a reasonable level, will result in a greatly increased level of participation.

Knowing in advance that they can be seen at an Administrative level and that they hold the keys to access without incarceration (1) they are indigent and (2) they have a letter of Disability, will also open up their receptiveness to court offerings of resources.

The changes to the Ordinance suggested by House the Homeless Inc. include the insertion of the definition of "Disability" as found in the American with Disabilities Act/Law, in the No/No Sit No Lie Ordinance, and referenced in part by Judge Statman in her soon to be added Indigency Form question #7. The inclusion of the Definition into the Ordinance will add clarity and continuity between the Municipal Court and the Municipal Court.

Finally, by adding a brief sampling of doctor-sourced entities in the Ordinance, as suggested by House the Homeless Inc., a modicum of **objective** documentation is added to the procedure which will speed up the court process, and informs the members of the court and all individuals before it, what will satisfy the court and what is expected of the individuals before it.

Therefore, House the Homeless Inc., again submits the proposed Ordinance (Exhibit 7) and calls for the inclusion of acceptable doctor-sourced Letters of Disability.

Respectfully Submitted,  
**Richard R. Troxell**