



Panhandling

Public Safety Committee Meeting

September 17, 2019

Speakers

- Elizabeth Teare, County Attorney
- John Burton, Assistant County Attorney
- Colonel Edwin C. Roessler Jr., Chief of Police
- Second Lieutenant Jonathan Stern, Fairfax County Police Department
- Dean Klein, Director, Fairfax County Office to Prevent and End Homelessness
- Tony Castrilli, Fairfax County Office of Public Affairs

Policy Considerations

- The County's preeminent goal is safety
- Encourage the public to not support panhandlers by giving money. Giving money does not address the issue, but only reinforces panhandling
- The County has social services resources to assist people in need
- Effective prevention, intervention, and enforcement
- Public awareness and education

Curb-to-Curb Safety Ordinance: Legal Considerations

- Solicitation of money is protected speech under the First Amendment
- Multiple court decisions striking down ordinances targeted explicitly at panhandling, including ordinances in Charlottesville and Henrico
- Ordinances that survive are content-neutral, limited in scope and focus on conduct

Curb-to-Curb Safety Ordinance: Legal Considerations

- Ordinance must be precisely tailored to address specific traffic safety problems
- A traffic study would be needed to identify those intersections, medians or roadways where solicitation creates traffic safety problems
- County should also prospectively collect and analyze traffic safety data

Current Police Response

- Complaints from county residents are increasing
- Officers respond to calls for service and conduct proactive enforcement
- Charges are placed with varying success
- Panhandlers often ignore legal consequences


Proposed Enhanced Enforcement Strategy to Address Panhandling – Police Department

- Train members of Department on best practices and enforcement strategies, which the courts find to be acceptable
- Target enforcement at intersections with a high number of complaints from community members or activity observed by police officers
- Officers must observe behavior of the suspected panhandler and be able to articulate how that panhandler's behavior violated the law
- Professional panhandlers are well versed in the legalities of their activities and are prepared to argue a defense in court
- Collaborate with the Department of Public Safety Communications to develop more accurate complaint and data tracking for calls for service and proactive enforcement

Signage to Address Panhandling

Examples:

**Do Not
Encourage
Panhandling
by Giving
Money from
Vehicle**



**If assistance is needed,
call 1-866-750-4431.**



**ROANOKE
CARES**

**PLEASE DO NOT STAND OR SIT
IN THE MEDIAN**

**THOSE WHO NEED ASSISTANCE
DIAL 211**

OR 1-800-230-6977 FOR TDD AVAILABILITY

CITY CODE 20-69 PROHIBITS STEPPING ONTO A MEDIAN
THAT IS NOT PART OF A DESIGNATED PEDESTRIAN CROSSWALK

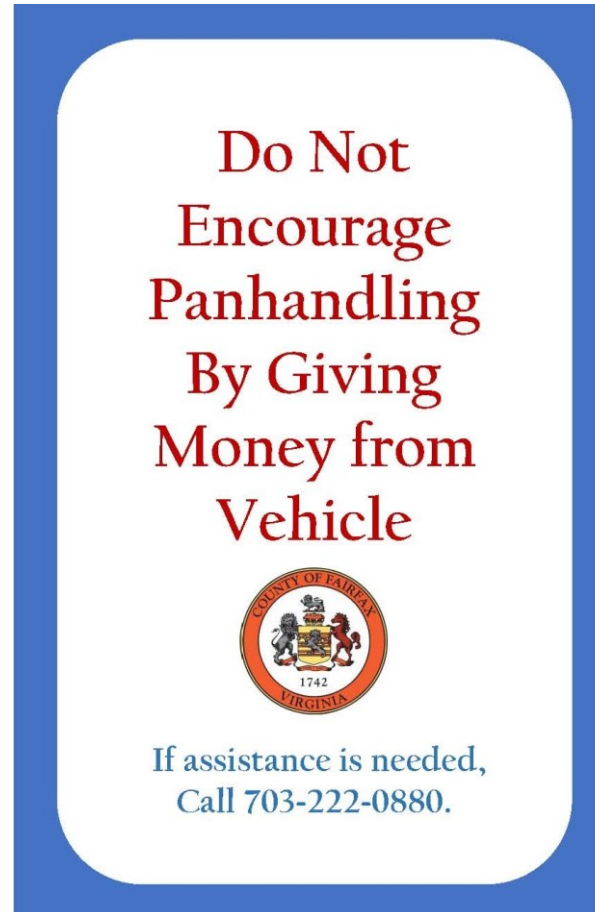
For safety purposes
**PLEASE DO NOT
GIVE MONEY**
to those who
**SOLICIT IN
THE MEDIAN**



THOSE WHO NEED ASSISTANCE

Please call 804-501-7818
Henrico County can help

Fairfax County Sign Design Sample



Prevention Strategies

- Conduct a survey of panhandlers
 - Provide a better understanding of the background, motivation, needs, services, for those panhandling
 - Collaborate with partner agencies to identify intersections
 - Information could ultimately inform future prevention, intervention, public education, and enforcement actions
- Explore new outreach efforts
- Encouraging panhandlers to access services is a key element
 - Encouraging individuals in need to call 703-222-0880 or to access any of the available shelters and or programs

Communications Strategy

- The Office of Public Affairs has developed a draft communication strategy that:
 - Discourages the public from giving to panhandlers
 - Attempts to help panhandlers who are truly in need
- Common public message:
SAY NO TO PANHANDLERS AND YES TO HELPING THOSE IN NEED
- Community engagement campaign would utilize county communication resources: social media, media relations, website, video and Newscenter

Questions and Discussion