



# County of Fairfax, Virginia

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**Supervisor Pat Herrity  
Board Matter  
May 10<sup>th</sup>, 2022  
Reaffirming Commitments to Addressing Panhandling**

**Background:** On April 8<sup>th</sup> the County Executive circulated a memorandum to the Board on panhandling. For the last two years, there has been little movement on the actions the Board directed in 2019 to address panhandling, in part due to the pandemic. Prior to the pandemic, the Board had significant discussions on panhandling solutions and directed staff to put those solutions in motion. As a refresher to the entire Board, the public, and as a supplement to the County Executive's memorandum, I want to share some of the history on where the County's action on this issue left off.

In 2017, I proposed a program (Attachment A) to provide jobs for people experiencing homelessness called "There's a Better Way," which has been successful in other jurisdictions nationally and was originally implemented in Albuquerque, New Mexico. Shortly thereafter the City of Fairfax started a similar program teaming up with the Lamb Center. The Fairfax County Department of Public Works piloted a similar program and later established that program, Operation Stream Shield, which has had over 2,200 clients serve in the program including many that "graduated" into full time jobs. Also in 2017, the Office of Public Affairs executed a community outreach campaign to educate residents on what resources the County provides and to discourage them from giving to panhandlers.

On July 16<sup>th</sup>, 2019, I presented a Board matter (Attachment B) jointly with former Supervisor Cook which asked the Board to consider an ordinance to promote safety curb-to-curb by prohibiting anyone from engaging with motorists. In addition, it asked for continued community outreach to share with residents how they can better support people who are in need rather than giving one-time funds to panhandlers and what resources the County provides. This motion was unanimously approved.

On September 17<sup>th</sup>, 2019 at the Board's Public Safety Committee Meeting, the County Attorney shared that a curb-to-curb safety ordinance could be considered and more likely to hold up in court if the ordinance is content neutral, limited in scope, and focused on conduct. The County Attorney further explained that the ordinance would need to be tailored to address specific traffic safety problems and recommended the County preemptively collect traffic data. Other recommendations from the meeting included enhanced enforcement strategy for law enforcement, a survey by Office to Prevent and End Homelessness to better understand panhandling individuals, a new community outreach campaign, and signage to discourage panhandling at specific intersections. The consensus at that meeting was that staff would conduct

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a limited, in-house transportation study to determine intersections where people in the median pose a particular public safety issue and staff would also conduct a survey to better understand if County services are connecting with the people who are panhandling. Using that data, the Board consensus was to move forward with signage discouraging panhandling at identified intersections and potentially consider an ordinance.

There was some reluctance by the Board at the time to enact an ordinance that would impact the Fill the Boot campaign, charity car washes, and other community benefit sign waving. I support the efforts of the Fill the Boot campaign and was glad to see that it successfully used other fundraising mechanisms during the pandemic when in-person methods were not possible. While I would not want to impact any worthy fundraising effort like Fill the Boot, the safety issue of people interacting with motorists in intersections with heavy traffic persists year-round and needs to be addressed.

In early March of 2020, my office received updates from staff that the Fairfax County Department of Transportation and Fairfax County Police Department completed the traffic study and identified 40+ panhandling hotspots. In addition, the Office to Prevent and End Homelessness developed a survey based on other communities' panhandling surveys. Staff planned to conduct the survey on April 20<sup>th</sup>, 2020 and release the survey data in May 2020. Further, my office was told that staff had a sign design prepared and ready to present to the Board but were waiting on other logistical issues. The pandemic hitting in mid-March 2020 delayed those efforts.

Since then, complaints about panhandling and road safety have increased significantly and I have followed up on this issue numerous times asking for an update. There also has been an uptick in panhandling at shopping centers, resulting in calls to our office and police who have had to remind the center owners that shopping centers are private property. We live in an increasingly urban suburb and traffic is returning to pre-pandemic levels. Distraction is already a major issue for motorists. Accidents and near-misses throughout the County compel us to do something and prevent further tragedy. To protect both panhandlers and motorists, we need to move forward with action on this issue.

**Motion:** Therefore, Mr. Chairman, I ask that the Board direct staff to share with the Board updated traffic data related to panhandling hotspots, suggested language and design for signage, and identified locations for sign installation for the Board to discuss at the next Public Safety Committee meeting. I further move that the Board direct the County Attorney to draft an ordinance promoting curb-to-curb safety that is content neutral, limited in scope, and focused on prohibiting anyone from engaging with motorists within medians or intersections as a critical public safety issue for discussion at the Public Safety Committee meeting. I also move that the Office of Public Affairs develop a communication plan to discuss at the Public Safety meeting to educate residents on what resources the County provides and to discourage them from giving to panhandlers. As a part of that education campaign, I ask that it include a component to educate businesses on available services the County offers as well as their right to address panhandling on their property as they see fit.

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## Attachment A

**Supervisor Herrity  
November 21, 2017  
There's A Better Way**

**Background:** In our 2017 Point-In-Time Survey of our homeless population, 76% of the single adult homeless were unemployed. That's 376 people. And, for the adults in homeless families, it's slightly less at 43%, another 80 people who are unemployed.

We've also seen an increase in the number of panhandlers on our streets — in West Springfield, Fair Lakes, Tysons, Reston and throughout many neighborhoods in the County. On June 20, in response to a citizen's concern about panhandling, we directed staff to prepare a message similar to what the Arlington County Police have done - which is to urge motorists to stop giving to panhandlers. While we recognize that panhandling is not necessarily synonymous with homelessness, we must also recognize that there is a small percentage of our homeless population who may resort to begging for their next meal or month's rent.

In Albuquerque, NM, a program called "There's a Better Way" has become a national model for a *jobs-first approach* by offering the homeless dignity through work and connecting them to needed services. It also provided an option to panhandling and was successful at getting people the services they needed. I've included an attachment to this Board Matter to provide you with more information on this program.

I was reminded of this program when, at our last Revitalization Committee meeting, staff noted that they are seeking laborers to help maintain and improve our streetscapes in our commercial revitalization districts. In addition, there is more work for the Sherriff's Community Labor Workforce than we currently have inmates to perform it. There are also opportunities in Parks, other county agencies, and even the private sector for unskilled or low skilled labor.

I see the potential for this program to address a number of County issues:

- A way to proactively address the panhandling issue as it did in Albuquerque
- A way to provide panhandlers and homeless with the dignity of work, a work history and job references
- A way to connect these individuals with services by proactively engaging them as was the case in Albuquerque
- A way to utilize our funding of revitalization districts, community projects, parks, etc. to help our most vulnerable residents improve their lives through work.

I recently met with county staff and several non-profits and they believe the model is worth investigating in Fairfax County. I also recently learned from our Acting County Executive of a similar but more comprehensive program in Boulder, Colorado – Ready to Work – that also focuses on the dignity of work as well as the consolidation of needed services – which is

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currently not the case for our homeless in Fairfax County. It is clear that any solution would require the participation of the non-profit community and the business community. A pilot program or phased approach could also be used to test the concept.

**Motion:** Therefore Madam Chairman, I ask the Board to direct the County Executive to have the Office to Prevent and End Homelessness work with our nonprofits, business community and those County agencies that employ unskilled labor to identify if and how a program like “There’s a Better Way” or “Ready to Work” could be implemented in Fairfax County and report back to the Board at an upcoming Health and Human Services Committee meeting.

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**Attachment B**

**Supervisor Pat Herrity jointly with Supervisor John Cook  
Board Matter  
July 16<sup>th</sup>, 2019  
Curb-to-Curb Safety Ordinance Proposal**

**Background:** In the past two years, there has been a noticeable increase in panhandling on medians and intersections throughout the County. While there are some who panhandle because they need to, many more take advantage of the generosity of our residents through panhandling rings. Investigation into these rings has proven that many panhandlers in our County are coming from outside the County and even outside of the state, attracted by the wealth and generosity of our residents.

The Board has sought to help those panhandlers in need by committing a significant portion of the County budget to providing services for those residents who are down on their luck. The Board has encouraged residents to direct panhandlers to these County resources including shelters, food banks, health and job matching services, instead of giving small amounts of money. It is vitally important that we connect those in need with the right services and disincentivize panhandling.

Although homelessness in the County is shrinking, panhandling by roadways is becoming more and more prevalent. In 2017 alone, the Fairfax County Police department received over 2,100 calls related to panhandling and many more have been received by district offices. These calls detailed traffic issues, concerns about panhandler safety, and fears about a suspicious person at an intersection. As a County we devote significant resources to helping our residents in need and to keeping all our residents safe. Since our last discussion on Panhandling, several other Virginia jurisdictions, including the City of Winchester, Clarke County, and Frederick County have responded to this public safety issue through local ordinances that prohibit any direct engagement with cars “curb to curb” while on medians and intersections. Both those in the restricted area and motorists can be charged under these ordinances. This proposed ordinance would regulate curb to curb. It would not restrict sidewalks in any way. Our youth advertising car washes etc. would not be affected. People would still have the opportunity to exercise their First Amendment rights on sidewalks.

**Motion:** Therefore, Madam Chairman, I move staff prepare a proposed ordinance for curb-to-curb safety, prohibiting any engagement of pedestrians with cars while on medians or intersections to be discussed by the Board at the next Public Safety Committee meeting on September 17<sup>th</sup>. In addition, I would like ask OPA to once again reaffirm the Board’s commitment to helping our neediest residents through resources that help them and their families for the long term, not just for the day as panhandling might and encourage all County residents who are looking for ways to help those in need to pass along our County hotline number and contribute their donations to not for profits that can help those truly in need.

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