

Statesman

Abbott threatens to overturn Austin council's easing of homelessness rules

By Elizabeth Findell

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Texas Gov. Greg Abbott on Sunday night threatened to overturn new Austin policies to allow camping in public areas, excluding parks, so long as the person isn't causing a hazard. Austin last week softened an ordinance that previously prohibited public camping, as part of an overhaul of city homelessness policies.

“If Austin — or any other Texas city — permits camping on city streets it will be yet another local ordinance the State of Texas will override,” the governor posted on Twitter. “At some point cities must start putting public safety & common sense first. There are far better solutions for the homeless & citizens.”

Abbott subtweeted a local KXAN news story about the city's ordinance changes, featuring interviews with people concerned about how the move will affect streets and sidewalks downtown.

Mayor Steve Adler said in a text message Monday morning that Austin remains “laser focused on public safety and health,” and said the city will still act on public safety threats, but said arresting homeless people is generally not an answer to city problems.

“But what do we do with folks experiencing homelessness that are presenting neither such risks or hazards?” he said. “The person sitting up against the building, dealing with swirling demons the rest of us can’t see, needs our help. The answer is not to arrest them. We need to be able to tell people not only where they can’t be, but also where they can be.”

Austin passed several changes to its homelessness policies in the wee hours of Friday morning, after about four hours of public testimony. In addition to relaxing the camping ban, City Council members rescinded bans on panhandling and sitting or sleeping on public sidewalks.

Advocates for the changes said such bans wrongly criminalize homelessness and serve little purpose. They said citing people for simply being present in an area only makes it more difficult for those living on the street to find jobs and housing, and forces them into more dangerous areas.

Proponents of the previous laws argued that the ordinances were needed to help law enforcement combat aggressive behavior. They said rescinding them would only make homelessness a greater public hazard. Now, police will have to establish whether someone is acting aggressively or posing a danger before asking them to move along.

It is unclear what Abbott is proposing to do to override Austin’s camping policies. The Texas Legislature, during its biennial sessions, has tended to overturn local ordinances it considers too liberal or overly restrictive. In this case, however, Abbott’s concern seems to be with Austin lacking an ordinance and not being restrictive enough.

A spokeswoman for Abbott’s office did not return messages via phone or email to say whether the governor is proposing legislation to ban public camping in Texas — which would require local enforcement — or something else.

A sweeping resolution on homelessness, which the City Council approved alongside the ordinance changes on Friday, asks city staff members to evaluate potential geographic restrictions on public camping. The council, now on a six-week summer break, is expected to further evaluate the matter in August.

Adler said last week that moving ahead with changes was the only way to keep pressure on the council to continue revising city laws as needed. He said on Monday that Austin has about 1,150 unsheltered homeless people in its streets, saying “we should be able to do something about” that number.

The mayor said allowing people safe places to camp is a first step toward getting them into shelters and back on their feet. He vowed that the city will have made great strides by the time the Texas Legislature meets again — despite newly imposed caps on property tax increases limiting its funding.

“We have a year and a half before the Legislature meets again,” Adler said. “In that time, we will continue to innovate and I hope and trust that Austin will develop policies and programs that will make the state proud and something the Legislature will want to scale up to cities across the state.

“We’re going to figure it out and get the job done even though the state is working against us.”

Council Member Greg Casar, who sponsored the ordinance changes, also blasted Abbott in an emailed statement. He cited three Austin votes last week: the ordinance repeals, bringing Lake Austin homes onto the tax rolls and funding a new homeless shelter as evidence of steps the city is taking to address the problem. Meanwhile, he said, Texas underfunds mental health care.

“We did more last week to address homelessness — from funding services to buying a new shelter to fixing laws — than Gov. Abbott did in his entire six months of the last legislative session,” Casar wrote. “Austinites are coming up with solutions to these issues, but Gov. Abbott insists on being part of the problem.”