



August 27, 2020

The Honorable William May, Mayor of Frankfort, via email
City of Frankfort Commission, via email
Mr. Tommy Russell, Interim City Manager, via email
Chief Charles Adams, Frankfort Police Department
City of Frankfort Mayor and Commission candidates, via email

Dear City of Frankfort Leaders:

I recently became aware of an issue where the Frankfort Police Department evidently swept and removed an encampment of people experiencing homelessness.¹ This report has been corroborated by my neighbors, friends, and colleagues in South Frankfort. I understand from a colleague's correspondence with Chief James that FPD was under the impression when they cleared the camp that it had been abandoned; however, it is our understanding that people were living on the river bank.

As the executive director of the statewide housing advocacy coalition located in downtown Frankfort, as well as a supportive housing provider for people who were formerly homeless, and as a resident of Frankfort, I would like to share my thoughts with you.

We applaud the City for wanting to address the problem of unsheltered homelessness. I was glad to see our local media raise the issue during the primary election, and I commend the City and its Emergency Management personnel for creating the emergency overflow shelter to mitigate COVID-19 spread this spring. I also believe we are on the right track to create a low-barrier emergency shelter for people in all types of households. I believe all current shelter providers agree that this has been sorely needed for quite some time. We also have had the privilege of ongoing conversations with some commissioners and candidates regarding how the City of Frankfort can address homelessness and improve housing affordability locally. We welcome that conversation with all stakeholders in the months prior to and after the election in November. It is something the incoming commission will need to face head on.

We also value FPD's partnership. Along with Frankfort Emergency Management, they have graciously helped us coordinate the annual point in time count of homeless persons for the past several years, and I know they remain concerned about the lack of options and capacity for people who need shelter.

¹ https://www.state-journal.com/opinion/letter-writer-wonders-what-became-of-homeless-camp-under-capital-avenue-bridge/article_3f767c56-dd8a-11ea-96f2-23c980477013.html

With all that said, we are concerned about the latest encampment sweep. I am not sure what ordinance the City or FPD is using as its authority, since no notice was posted. Moreover, the Supreme Court of the United States has effectively stated that it is not a crime to sleep outside when shelters are full.² Since our shelters are always full, this action is of dubious legality.

Further, with the onset of the novel coronavirus SARS-CoV-2, the Centers for Disease Control have offered guidance to local officials specific to encampments:

- **If individual housing options are not available, allow people who are living unsheltered or in encampments to remain where they are.**
 - **Clearing encampments can cause people to disperse throughout the community and break connections with service providers. This increases the potential for infectious disease spread.**
- Encourage those staying in encampments to set up their tents/sleeping quarters with at least 12 feet x 12 feet of space per individual.
 - If an encampment is not able to provide sufficient space for each person, allow people to remain where they are but help decompress the encampment by linking those at [increased risk for severe illness](#) to individual rooms or safe shelter.
- Work together with community coalition members to improve sanitation in encampments.
- Ensure nearby restroom facilities have functional water taps, are stocked with hand hygiene materials (soap, drying materials) and bath tissue, and remain open to people experiencing homelessness 24 hours per day.
- If toilets or handwashing facilities are not available nearby, assist with providing access to portable latrines with handwashing facilities for encampments of more than 10 people. These facilities should be equipped with hand sanitizer (containing at least 60% alcohol)³

You also may be aware that significant federal aid to address the needs of people experiencing homelessness was appropriated through the CARES Act in March. While the U.S. Department of Housing and Urban Development just executed the grant agreement two weeks ago with Kentucky Housing Corporation, at least \$500,000 will eventually be deployed in Franklin County, and providers should be able to receive this money and be able to re-house and shelter more people than they currently have the financial capacity to undertake. **The City should give these providers time to receive and deploy this funding where it will be most effective – by rehousing people who are unsheltered.**

Finally, as we are in a period of transition among our elected officials and City staff, **I would urge you to consider making this the focus of a task force or ad hoc committee** with participation from the community and experts, with the ultimate deliverable being a low-barrier crisis response system that balances the various competing demands for public safety, access to services, and decent shelter, while not penalizing those experiencing homelessness or the organizations trying to serve them.

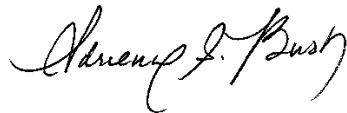
² <https://www.npr.org/2019/12/16/788435163/supreme-court-wont-hear-case-to-ticket-homeless-for-sleeping-in-public-spaces>

³ <https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-homelessness.html>

I also want to make you aware that the cost of unsheltered homelessness far exceeds the cost of providing supportive and/or affordable housing as quantified by law enforcement, corrections, and local hospitalizations, as documented by many researchers such as Dr. Dennis Culhane⁴ and nearer to home, the University of Louisville Kent School of Social Work in 2005, which found that for every person appropriately housed, Louisville Metro Government saved approximately \$26,000 per year.⁵ With 48% of Kentucky renters at risk of eviction by the end of the year,⁶ the onset of COVID-19 has exacerbated the weakness in our housing markets and has demonstrated that housing is indeed healthcare.

If you desire further information, please feel free to contact me.

Sincerely,



Adrienne S. Bush, MPA
Executive Director

Cc: Lexington Fair Housing Council
Kentucky Balance-of-State Continuum of Care staff
Franklin County homeless service providers

⁴ <https://www.sp2.upenn.edu/people/view/dennis-culhane/>

⁵ <https://louhomeless.org/what-we-do/education/the-cost-of-housing-the-homeless/>

⁶ <https://www.cnbc.com/2020/07/27/how-the-eviction-crisis-will-impact-each-state.html>