

RESOLUTIONS

BY COUNCIL PRESIDENT PRO-TEM MARY SHEFFIELD:

**RESOLUTION OF THE DETROIT CITY COUNCIL ENUNCIATING THE HOMELESS
BILL OF RIGHTS FOR CITIZENS OF THE CITY OF DETROIT**

WHEREAS, Many persons have been rendered homeless as a result of mortgage or tax foreclosure brought on by economic hardship, a severe shortage of habitable, affordable housing, a shrinking social safety net, mental deficiencies amongst a myriad of causes absent of choice; and

WHEREAS, The United States Constitution, the State of Michigan Constitution acknowledge that no person shall be deprived of life, liberty or property without due process of law, nor denied the equal protection of the laws; and

WHEREAS, This Honorable Body is in agreement with those fundamental beliefs finds that no person should suffer unnecessarily or be subject to unfair discrimination based upon their homeless status; and **BE IT THEREFORE**

RESOLVED, That the Detroit City Council hereby enunciate that the citizens of the City of Detroit who find their status to be that of homelessness, are stated to have the herein listed Homeless Bill of Rights:

HOMELESS BILL OF RIGHTS

No person's rights, privileges, or access to public services may be denied or abridged solely because he or she is homeless. Each person identified as homeless shall be granted the same rights and privileges as any other resident of the City of Detroit. A person experiencing homelessness:

- (1) Has the right to use and move freely in public spaces, including, but not limited to, public sidewalks, public parks, public transportation and public buildings in the same manner as any other individual without harassment or discrimination on the basis of his or her housing status;
- (2) Has the right to equal treatment by all City of Detroit Departments and agencies, without discrimination on the basis of his or her housing status;
- (3) Has the right to be free from discrimination while seeking or maintaining employment due to his or her lack of permanent mailing address, or his or her mailing address is that of a shelter or social service provider;

- (4) Has the right to emergency medical care free from discrimination based upon his or her housing status;
- (5) Has a right to register to vote and to vote;
- (6) Has the right to protection from disclosure of personal information to public and private entities without proper legal authority of his or her records or information provided to homeless shelters and service providers; and the right to confidentiality of personal records and information in accordance with all limitations on disclosure established by requirements under the Federal Homeless Management Information System, the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), or the Federal Violence Against Women Act of 1994;
- (7) Has a right to a reasonable expectation of privacy in his or her personal property to the same extent as personal property in a permanent residence; and
- (8) Has the right to be acknowledged and counted as a person during the annual census.

As referenced in this Homeless Bill of Rights "Housing status" means the status of having or not having a fixed or regular residence, including the status of living on the streets, in a shelter, or in a temporary residence.



City of Detroit

CITY COUNCIL

CITY CLERK 2018 JUL 16 PM 12:10

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MARY SHEFFIELD
COUNCIL PRESIDENT PRO TEMPORE
DISTRICT 5

MEMORANDUM

TO: David Whitaker, Director, Legislative Policy Division

FROM: Council President Pro Tempore Mary Sheffield, Chair, Neighborhoods and Community Services Committee *MS*

THRU: James Tate, Chair, Planning and Economic Development Committee

DATE: July 10, 2018

RE: Homeless Bill of Rights Ordinance

Please draft an ordinance creating a "Homeless Bill of Rights" that codifies certain rights for homeless individuals staying in publicly funded temporary shelters. Please use the attached document as a minimum guideline for what should be included in the ordinance. Please consult the Traverse City, Michigan and Baltimore, Maryland Homeless Bill of Rights legislations as a guideline.

Thank you for your prompt response.

ENTERED JUL 25 2018 Refer to LPP BB Sep 6 Gil (216)

ENTERED SEP 06 2018 -BB 2 weeks -GL (210)

ENTERED SEP 20 2018 -BB 1 wk SB (310)

ENTERED SEP 27 2018 - MTF (pending res) to Clerk's office (ob 30)



Homeless Bill of Rights

What is it?

A homeless bill of rights is a set of guiding principles and policies aimed at ensuring that ALL Detroiters have access to life sustaining resources. It provides local citizens with a "right to rest" and fights against the criminalization of those who are without shelter.

Criminalization of the homeless is nothing new and is part of the national status quo. It's based on the broken-windows theory that addressing anti-social behavior will drive down more serious crimes. But the policing tactic unfairly singles out some groups — especially black and Hispanic people and the poor — and results in the removing of panhandlers and the mentally disabled from public spaces.

We believe that in order to create a Detroit that works for all, we must work to provide resources for those who are considered the least to the.

We believe that basic rights for homeless and temporarily displaced individuals include:

1. *Access basic requirement necessary for sustaining life, including shelter, sanitation, medical care, clothing, and food;*
2. *Move freely in public places in the same manner as other persons without harassment or intimidation;*
 - a. *Policing dropping people off on other side of 8 Mile & Dearborn*
3. *Have equal opportunities for employment;*
 - a. *People using shelter address, not being hiring*
4. *Receive emergency medical care;*
5. *Exercise equal civic privileges, including the right to register to vote and the right to vote;*
6. *Have personal information protected;*
7. *Have a reasonable expectation of privacy in his or her personal property;*

RESOLUTION TO CALL CLOSED SESSION

RESOLVED, that a closed session of the Detroit City Council is called in accordance with Section 8(e) of the Open Meetings Act, 1976 PA 267, MCL 15.268(e) to consult with Law Department litigation attorneys and T. Joseph Seward of Seward Henderson PLLC regarding trial or settlement strategy in the following lawsuit: *Davontae Sanford v. City of Detroit*, U.S. District Court for the Eastern District of Michigan Case No. 17-cv-13062 as an open meeting would have detrimental financial effect on the litigating or settlement position of the public body. Attorneys from the Legislative Policy Division may also be present. The closed session will be held on **Wednesday, October 24, 2018 at 2:30 pm.**

Note: A 2/3 Roll Call vote of members elected and serving (6 votes) is required pursuant to MCL 15.267(1).

RESOLUTION TO CALL CLOSED SESSION

RESOLVED, that a closed session of the Detroit City Council is called in accordance with Section 8(a) of the Open Meetings Act, 1976 PA 267, MCL 15.268(a) to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent. Both the Law Department and Detroit Police Department have recommended approval of the request for representation and indemnification of Lt. Michael Russell in the matter of *Davontae Sanford v. City of Detroit*, U.S. District Court for the Eastern District of Michigan Case No. 17-cv-13062. The request for representation and indemnification will be discussed with Law Department attorneys, T. Joseph Seward of Seward Henderson PLLC, representatives from the Detroit Police Department, Lt. Russell and his counsel, representatives of the Detroit Police Lieutenants and Sergeants Association, as well as attorneys from the Legislative Policy Division. The closed session will be held on **Wednesday, October 24, 2018 at 3:00 pm.**

Notes: A 2/3 Roll Call vote of members elected and serving (6 votes) is required pursuant to MCL 15.267(1).

RESOLUTION TO CALL CLOSED SESSION

RESOLVED, that a closed session of the Detroit City Council is called in accordance with Section 8(a) of the Open Meetings Act, 1976 PA 267, MCL 15.268(a) to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent. Both the Law Department and Detroit Police Department have recommended approval of the request for representation and indemnification of retired DC James Tolbert in the matter of *Davontae Sanford v. City of Detroit*, U.S. District Court for the Eastern District of Michigan Case No. 17-cv-13062. The request for representation and indemnification will be discussed with Law Department attorneys, T. Joseph Seward of Seward Henderson PLLC, representatives from the Detroit Police Department, Ret. DC James Tolbert and his counsel, representatives of the Detroit Police Lieutenants and Sergeants Association, as well as attorneys from the Legislative Policy Division. The closed session will be held on **Wednesday, October 24, 2018 at 3:30 pm.**

Notes: A 2/3 Roll Call vote of members elected and serving (6 votes) is required pursuant to MCL 15.267(1).

CITY CLERK 2018 OCT 8 AM 9:30

Law Dept. Dated: October 6, 2018

RESOLUTION TO CALL CLOSED SESSION

RESOLVED, that a closed session of the Detroit City Council is called in accordance with Section 8(a) of the Open Meetings Act, 1976 PA 267, MCL 15.268(a) at the request of Det. Jennifer Lee Adams to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent. The Law Department’s recommendation to deny indemnification of Det. Jennifer Lee Adams in the matter of *Keri-Yakei Morris v. City of Detroit*, Civil Action Number 17-013266-NO will be discussed with Law Department attorneys, representatives from the Detroit Police Department, Det. Jennifer Lee Adams and counsel, representatives from the Detroit Police Lieutenants and Sergeants Association, as well as attorneys from the Legislative Policy Division. The closed session will be held on **Wednesday, November 7, 2018 at 2:00 pm.**

Notes: A 2/3 Roll Call vote of members elected and serving (6 votes) is required pursuant to MCL 15.267(1).

A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions pursuant to MCL 15.268(a).

CITY CLERK 2018 OCT 8 AM 9:30

RESOLUTION TO CALL CLOSED SESSION

RESOLVED, that a closed session of the Detroit City Council is called in accordance with Section 8(h) of the Open Meetings Act, 1976 PA 267, MCL 15.268(h), for the purposes of discussing a privileged and confidential memorandum titled *Wrongful Incarceration Litigation*, October 1, 2018. This memorandum is an attorney-client communication prepared by the Law Department and therefore is exempt from disclosure under Section 13(g) of the Freedom of Information Act, MCL 15.243(1)(g). Law Department attorneys, representatives from the Finance Department, as well as attorneys from the Legislative Policy Division may be present. The closed session will be held on:

Thursday, November 8, 2018 at 2:00 pm.

Note: A 2/3 Roll Call vote of members elected and serving (6 votes) is required pursuant to MCL 15.267(1).

RESOLUTION TO CALL CLOSED SESSION

RESOLVED, that a closed session of the Detroit City Council is called in accordance with Section 8(a) of the Open Meetings Act, 1976 PA 267, MCL 15.268(a) at the request of P.O. Hakeem Patterson to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent. The representation and indemnification of P.O. Hakeem Patterson in the matter of *Michaelangelo Jackson et al. v City of Detroit et al.*, Wayne County Circuit Court Case No: 18-001339 NI, will be discussed with Law Department attorneys, representatives from the Detroit Police Department, P.O. Hakeem Patterson and James M. Moore, Esq. of the Law Office of Gregory, Moore, Jeakle & Brooks, P.C., on behalf of P.O. Patterson, the Detroit Police Officers Association as well as attorneys from the Legislative Policy Division. The closed session will be held on:

Friday, November 9, 2018 at 12:00 p.m.

Notes: A 2/3 Roll Call vote of members elected and serving (6 votes) is required pursuant to MCL 15.267(1).

A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions pursuant to MCL 15.268(a).

This closed session (commonly referred to as a Loudermill hearing is a due process requirement pursuant to the U.S. Supreme Court's holding in Cleveland Board of Education v. Loudermill, 470 US 532 (1985). Arbitration awards issued by the Voluntary Labor Arbitration Tribunal recognize the past practice of City Council holding hearings for police officers who have been denied representation (see Grievance Nos. 79-237, 82-055, 90-047, and 92-200/92-202). The request for the hearing was not triggered in this case as both the Law Department and DPD recommended approval of representation and indemnification. P.O. Patterson is entitled to receive and the City of Detroit is required to hold this hearing.

RESOLUTION TO CALL CLOSED SESSION

RESOLVED, that a closed session of the Detroit City Council is called in accordance with Section 8(a) of the Open Meetings Act, 1976 PA 267, MCL 15.268(a) at the request of P.O. Steven Fultz to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent. The representation and indemnification of P.O. Steven Fultz in the matter of *Michaelangelo Jackson et al. v City of Detroit et al.*, Wayne County Circuit Court Case No: 18-001339 NI, will be discussed with Law Department attorneys, representatives from the Detroit Police Department, P.O. Steven Fultz and James M. Moore, Esq. of the Law Office of Gregory, Moore, Jeakle & Brooks, P.C., on behalf of P.O. Fultz, the Detroit Police Officers Association as well as attorneys from the Legislative Policy Division. The closed session will be held on:

Friday, November 9, 2018 at 12:30 p.m.

Notes: A 2/3 Roll Call vote of members elected and serving (6 votes) is required pursuant to MCL 15.267(1).

A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions pursuant to MCL 15.268(a).

This closed session (commonly referred to as a Loudermill hearing is a due process requirement pursuant to the U.S. Supreme Court's holding in Cleveland Board of Education v. Loudermill, 470 US 532 (1985). Arbitration awards issued by the Voluntary Labor Arbitration Tribunal recognize the past practice of City Council holding hearings for police officers who have been denied representation (see Grievance Nos. 79-237, 82-055, 90-047, and 92-200/92-202). The request for the hearing was not triggered in this case as both the Law Department and DPD recommended approval of representation and indemnification. P.O. Fultz is entitled to receive and the City of Detroit is required to hold this hearing.

CITY CLERK 2018 OCT 8 4:45:30

RESOLUTION TO CALL CLOSED SESSION

RESOLVED, that a closed session of the Detroit City Council is called in accordance with Section 8(a) of the Open Meetings Act, 1976 PA 267, MCL 15.268(a) at the request of P.O. Richard Billingslea to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent. The representation and indemnification of P.O. Richard Billingslea in the matter of *Michaelangelo Jackson et al. v City of Detroit et al.*, Wayne County Circuit Court Case No: 18-001339 NI, will be discussed with Law Department attorneys, representatives from the Detroit Police Department, P.O. Richard Billingslea and James M. Moore, Esq. of the Law Office of Gregory, Moore, Jeakle & Brooks, P.C., on behalf of P.O. Richard Billingslea, the Detroit Police Officers Association as well as attorneys from the Legislative Policy Division. The closed session will be held on:

Friday, November 9, 2018 at 1:00 p.m.

Notes: A 2/3 Roll Call vote of members elected and serving (6 votes) is required pursuant to MCL 15.267(1).

A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions pursuant to MCL 15.268(a).

This closed session (commonly referred to as a Loudermill hearing is a due process requirement pursuant to the U.S. Supreme Court's holding in Cleveland Board of Education v. Loudermill, 470 US 532 (1985). Arbitration awards issued by the Voluntary Labor Arbitration Tribunal recognize the past practice of City Council holding hearings for police officers who have been denied representation (see Grievance Nos. 79-237, 82-055, 90-047, and 92-200/92-202). The request for the hearing was not triggered in this case as both the Law Department and DPD recommended approval of representation and indemnification. P.O. Billingslea is entitled to receive and the City of Detroit is required to hold this hearing.