

Memorandum



DATE January 4, 2018

TO Honorable Members of the Public Safety and Criminal Justice Committee

SUBJECT **Solicitation and Panhandling Enforcement**

On Monday, January 8, 2018, you will be briefed on Solicitation and Panhandling Enforcement by Police Chief U. Renee Hall, Dallas Police Department (DPD). DPD has been working with the City Attorney's Office on strategic enforcement of the current Solicitation/Panhandling Ordinance. The department has developed an updated training on enforcement for violations. This briefing outlines the aforementioned changes that are the best for prosecution of violators that are aggressively panhandling or are a threat to public safety.

DPD will continue to enforce panhandling and target aggressive panhandling complaints through the enforcement of Dallas City Code, Section 28-63 3 and the Texas Transportation Code, § 552.007, which prohibits solicitation by pedestrians on public roadways.

The briefing materials are attached for your review.

Please contact me if you have any questions or need additional information.



Jon Fortune
Assistant City Manager

[Attachment]

cc: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Billierae Johnson, City Secretary (Interim)
Daniel F. Solis, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager

Jo M. (Jody) Puckett, Assistant City Manager (Interim)
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Nadia Chandler Hardy, Chief of Community Services
Raquel Favela, Chief of Economic Development & Neighborhood Services
Theresa O'Donnell, Chief of Resilience
Directors and Assistant Directors

Solicitation and Panhandling Enforcement

Public Safety and Criminal Justice

January 8, 2018

**U. René Hall, Police Chief
Dallas Police Department**



Information on Solicitation/Panhandling

- This briefing will serve as a follow-up and update to the briefing from September 20, 2017.
- The Dallas Police Department has been working with City Attorney's Office regarding enforcement of the current Solicitation/Panhandling ordinance.
- As a result, a new Roll Call Training bulletin was distributed throughout the department.

Solicitation and Panhandling Violations

- This updated training bulletin for enforcement of solicitation violations was distributed to all members of the department on Sunday, December 31, 2017.
- The training bulletin states that the following charges are best for prosecution of violators that are aggressively panhandling or are a threat to public safety.
 - Dallas City Code, Section 28-63 3 Solicitation Ordinance
 - Texas Transportation Code, § 552.007, which prohibits solicitation by pedestrians on public roadways.

Enforcement and Accountability for Solicitation and Panhandling Violations

- Officers respond to solicitation-related complaints through 911 calls and proactive patrols in areas in which panhandling is known to occur.
- Once a violation is personally observed by the officer, enforcement action may be issued to the violator.
- Most violations are a class C offense resulting in a citation being issued.

Most Common Enforcement of Solicitation and Panhandling Violations

DALLAS CITY CODE SEC. 28-63.3. SOLICITATIONS TO OCCUPANTS OF VEHICLES ON PUBLIC ROADWAYS PROHIBITED

- A person commits an offense if, while occupying any public property adjacent to any public roadway in the city, he knowingly conducts a solicitation directed to, or intended to attract the attention of, the occupant of any vehicle stopped or traveling on the roadway. An offense occurs when the solicitation is made, whether or not an actual employment relationship is created, a transaction is completed, or an exchange of money, goods, or services takes place. (Ord. 25213)

Most Common Enforcement of Solicitation and Panhandling Violations

TEXAS TRANSPORTATION CODE § 552.007. SOLICITATION BY PEDESTRIANS

- A person may not stand in a roadway to solicit a ride, contribution, employment, or business from an occupant of a vehicle
 - Except that a person may stand in a roadway to solicit a charitable contribution if authorized to do so by the local authority having jurisdiction over the roadway.

Enforcement and Accountability

- Additionally, officers enforce a variety of other laws when aggressive solicitors engage in conduct that poses a threat to public health or public safety.
- Violations of these laws can result in taking the violator into custody and include:
 - Texas Penal Code Laws:
 - Terroristic Threat
 - Assault
 - Disorderly Conduct

Next Steps

- The department will continue to address and enforce solicitation and aggressive panhandling in all areas of the city.
- The department will work with Community Services and the Public Information Office on a public awareness and education campaign.
- The department will continue to work with other city departments on viable long term solutions to panhandling.

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