

Understanding
Pottinger
Homeless
In the City of Miami



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What is Pottinger?

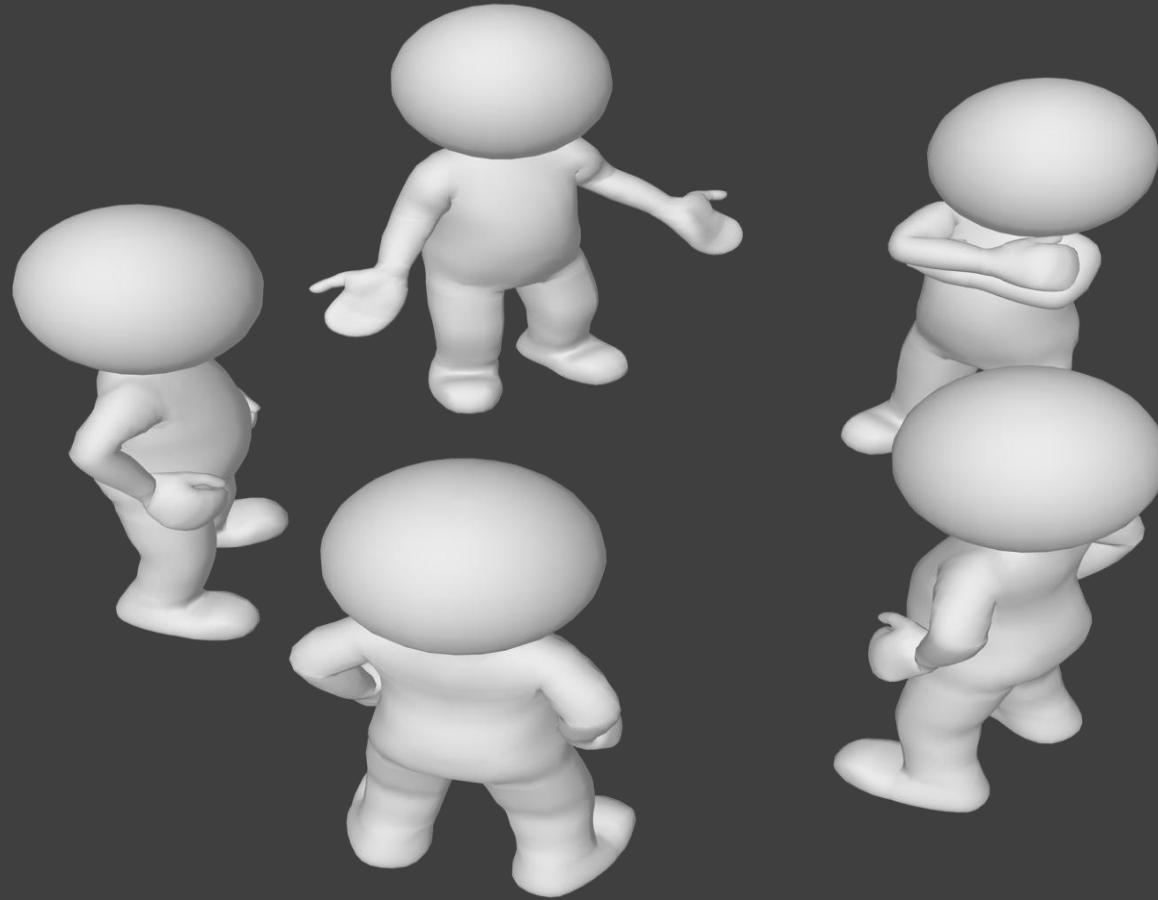
Pottinger is a lawsuit that was brought against the City of Miami in 1988 by the ACLU. (American Civil Liberties Union) www.aclufl.org

A.C.L.U.



The **A**merican **C**ivil **L**iberties **U**nion was founded in 1920 and is our nation's guardian of liberty. The ACLU works in the courts, legislatures and communities to defend and preserve the individual rights and liberties guaranteed to ALL people in this country by the Constitution and laws of the United States.

Why was the law suit brought against the City?



Arrested for minor crimes in the 1980's:

- Sleeping in parks after they have closed
- Sitting or laying on public sidewalks
- And other minor crimes
- Deliberately destroyed their personal property



The unjustifiable seizure and destruction of the Plaintiffs' property violated the Fourth & Fifth Amendments.

Pottinger Modifications

- Sexual Predators – No protection under Pottinger
- Expand shelter territory from “city and one mile outside city” to “county-wide” (with homeless person’s consent)
- Imminent threat of physical injury exception – if observed, police officer must warn homeless person to stop, and may arrest if there is a refusal regardless of available shelter
- In addition to beds, allow mats (greater than 3 inches thick)

NO LONGER PROTECTED UNDER POTTINGER



NO – Fires in parks



NO – Littering (within 300 feet of receptacle)



NO – Public nudity (Done intentionally and in plain view-ARRESTABLE
Never permitted for call of nature, if there is a restroom within ¼ of a mile it is
ARRESTABLE.



NO – 100% Obstructing sidewalks (After warning)



NO – Lewd conduct

Sexual Predators are NOT protected under Pottinger



NO – Temporary structures in parks



HOMELESS TRUST CENSUS RESULTS & COMPARISON: JANUARY 21, 2016/JANUARY 26, 2017

UNSHELTERED HOMELESS COUNT	# ON 1/26/17	# ON 1/25/18	Difference +/-	%
City of Miami-City of Miami, City Limits	609	665	56	9%
City of Miami Beach- Miami Beach	133	124	-9	-7%
Miami-Dade County-South Dade, South of Kendall Drive to Monroe County Line	119	85	-34	-29%
Miami-Dade County-Unincorporated Miami-Dade County, North of Kendall Drive to Broward County Line	150	156	6	4%
Subtotal- # of UNSHELTERED Homeless:	1011	1030	19	2%

TOP 10 CITIES OF HOMELESS

10. Philadelphia	6,112
9. Las Vegas	6,208
8. Boston	6,240
7. California (San Jose & Santa Clara)	6,524
6. San Francisco	6,996
5. District of Columbia	8,350
4. San Diego	8,669
3. Seattle	10,730
2. Los Angeles	43,854
1. New York	73,523



Since 2016

www.cheatsheet.com

Call Center for the homeless:

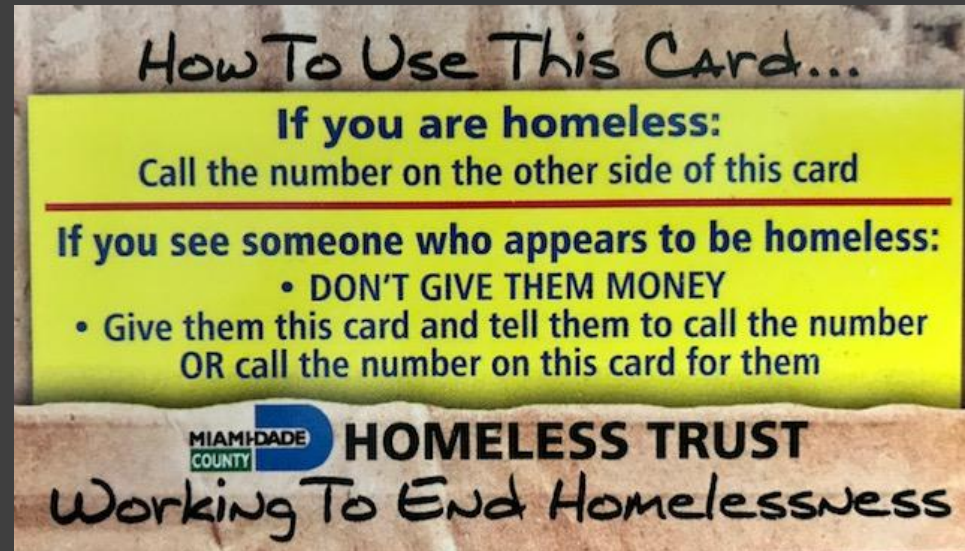


NOT for parking

HOMELESS?
Or about to be?
¿DESAMPARADO?
SANZABRI?

FREE CALL - Homeless Helpline
1-877-994-4357
(H E L P)

End Homelessness



How To Use This Card...

If you are homeless:
Call the number on the other side of this card

If you see someone who appears to be homeless:

- DON'T GIVE THEM MONEY
- Give them this card and tell them to call the number
OR call the number on this card for them

MIAMI-DADE COUNTY HOMELESS TRUST
Working To End Homelessness

Brickell/Roads NET

HOMELESS LOCATIONS:

SW 2nd AV & SW 6th ST (Under the Bridge)

SW 2nd - 3rd AV & SW 6th ST (along the block on the sidewalk and benches)

SW 3RD AV & SW 8th ST (I-95 Northbound on ramp) Homeless camp has been removed and are cleaned.

SW 4th AV & SW 6th ST (LOT 28)

SW 3RD AV & SW 5th ST (Jose Marti Park)

34 SW 28th RD (Rear of residence) Area cleaned and fenced in by FDOT. *

SW 1st AV & 8th - 11th ST (Under Metro Rail Station)

Rickenbacker CSWY (Parking Lot near fishing Pier)

I-95 & SW 25 - 26th RD *

41 SW 15th RD (Next to apartment building.)

21st SW 15th RD (Management company) *

SW 4th AV & SW 8th ST (Under I-95) *

3001 SW 3rd AV (This location might be the Grove but we have gotten complaints.)

* Roads Homeless locations:

Operation Helping Hands Mission.

The mission of The City of Miami Police Department is to continue to work together with the Miami Dade County Homeless Trust and Camillus House to assist with the placement of the homeless by placing them in shelters. We will educate the community on the Pottinger Agreement so the they will have a better understanding.



Helping Hands

Brickell-Roads NET
Commander Antonio Diaz

2018

The City of Miami Police has worked along with the Homeless Outreach and the Net Clean up team to assist and address homeless concerns in the Brickell/Roads NET area. Some areas are visited on more than one occasion.

- Police MPD
- Homeless Assistance Program (Green Shirts)
- Camillus House (Other homeless shelters)
- Homeless Outreach
- Homeless Trust
- NET Clean Up Team



**S. Miami CT & SW 25th – 26th RD
August 2017**

This homeless male is NOT violating Pottinger.



NET Cleaning Crew

345 SW 15th Road



Before



345 SW 15th Road cont.



After



S. Miami CT & SW 26th RD (Near I-95)



SW 3rd AV & SW 8th ST (I-95 North on ramp)



Before



After



(Near) 2520 S. Miami AV



We have addressed several complaints of homeless sleeping near this area.

LOT 23



This homeless male was offered shelter, he refused and then was advised he could not be in the parking lot sleeping. He stated that he did have a friend to live with near the Grove.



Thank you.

