

Criminalization of Homeless Individuals in Cincinnati



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In the past six or seven months, the political climate in Cincinnati has brought about an increased awareness of criminal justice issues such as crime, a new jail tax, and jail overcrowding. These issues have presented the city and the county with unique challenges. How do corrections officers and jail administration determine who stays in jail and who is released immediately? How does the county fund the construction of a new jail to accommodate the increased number of offenders? How does the county and/or city respond to crime? How does the city or county attempt to prevent crime? These issues prompted the Greater Cincinnati Coalition for the Homeless to research the relationship between the criminal justice system and homeless individuals. This research confirmed our suspicions that although homeless individuals are typically arrested for minor misdemeanors and fourth degree misdemeanors which are typically non-violent, the Hamilton County Jails are still clogged with homeless individuals. In addition, as the temperatures outside rise, so do the number of homeless arrests.

The following information is based off of public records available between October 1, 2005, and September 30, 2006. A total of 54,495 records were provided. While all information is a matter of public record, confidentiality of the individuals found in the records request is top priority. Individuals were identified as homeless based on the address they provided at the time of arrest. However, due to the large number of people who provided a "homeless address," only those who provided a homeless address at least fifty percent of the time will be discussed here, unless otherwise noted. There were a total of 2,912 records and 840 people identified as homeless. A homeless address is any address that was given at the time of arrest which implies homelessness (e.g. 0 Homeless, or 100 No Home), or is the address of a human services agency whose clients are homeless. These agencies include shelters, soup kitchens, and transitional housing facilities, among others. Also included were the addresses of the Hamilton County Jails and of the Adult Parole Authority. A list of all homeless addresses found is available in the appendix (Chart 1). Almost eighty-three percent of the addresses provided were homeless addresses. The remaining seventeen percent were residential or commercial addresses – which were verified via the Hamilton County Auditor's website (www.hamiltoncountyauditor.org). It is important to note that while the individuals provided these addresses during one or more of their arrests, it does not mean that they actually stayed at or received any services from that agency. The Drop Inn Center determined from their own independent research that 95% of their residents had not been charged with a crime between January 1, 2006, and May 22, 2006. The Drop Inn Center also found that 67% of those arrested with the Drop Inn Center as their address did not stay at the Drop Inn Center.

Homeless individuals live a very different life from non-homeless individuals. They are often outside – exposed to the elements and high and low temperatures. The number of arrests for both homeless and non-homeless individuals remained fairly constant throughout the year, with only a slight dip during the colder months. However, there were spikes of homeless arrests in April 2006 and again in July 2006, but no spike in arrests for the rest of the population. This is most likely because homeless individuals leave the shelters which protected them from the bitter cold of winter, to live on the river bank or under bridges. Homeless individuals are more visible and the police are more likely to receive complaints during the warmer months. Please see Graph 1 and Graph 2.

Homeless individuals take up a considerable amount of space in the Hamilton County Jails. Between August 28, 2006, and November 2, 2006, the jail roster was analyzed almost daily. During this time, an average of 5.68% of the jail population was homeless. This was determined by cross referencing the public records with the jail roster as it is available on the Hamilton County Sheriff's Website (www.hcso.org). The Hamilton County Jails were over capacity every day the data was collected, however, had homeless individuals not been arrested, the jail would not have been over capacity on all of those days.

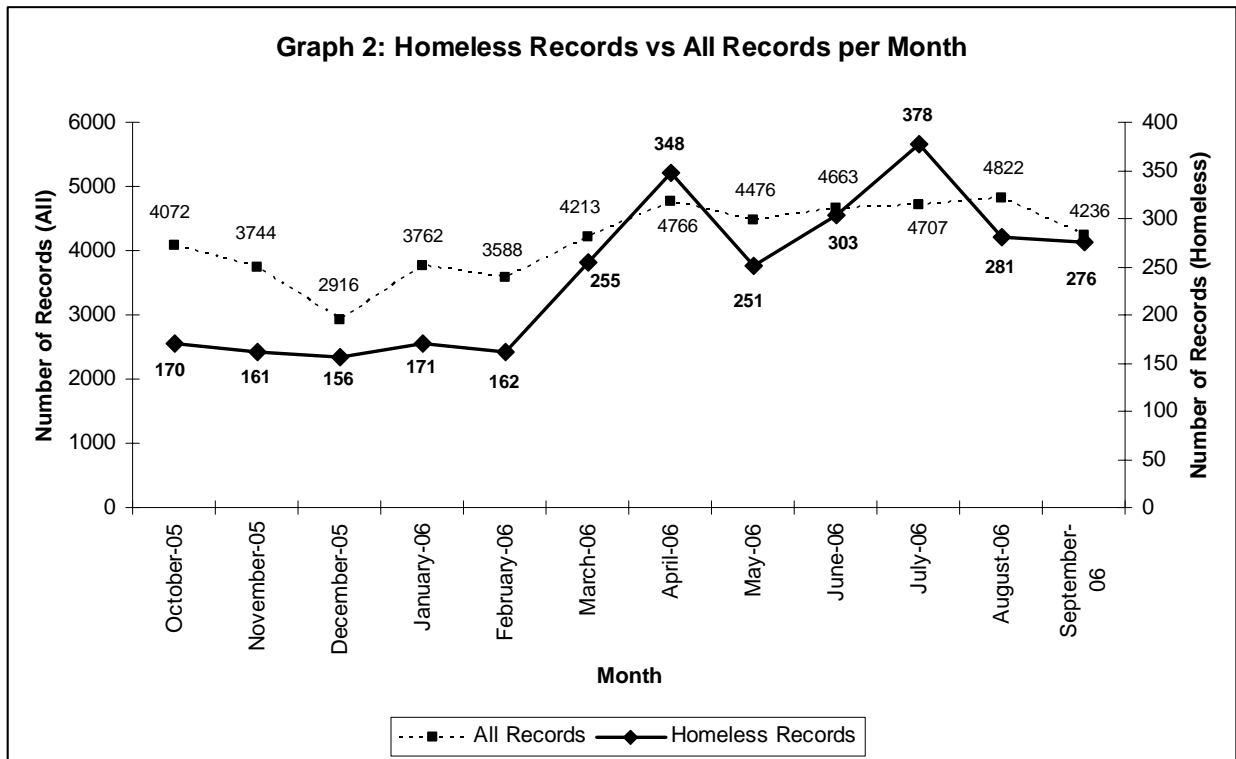
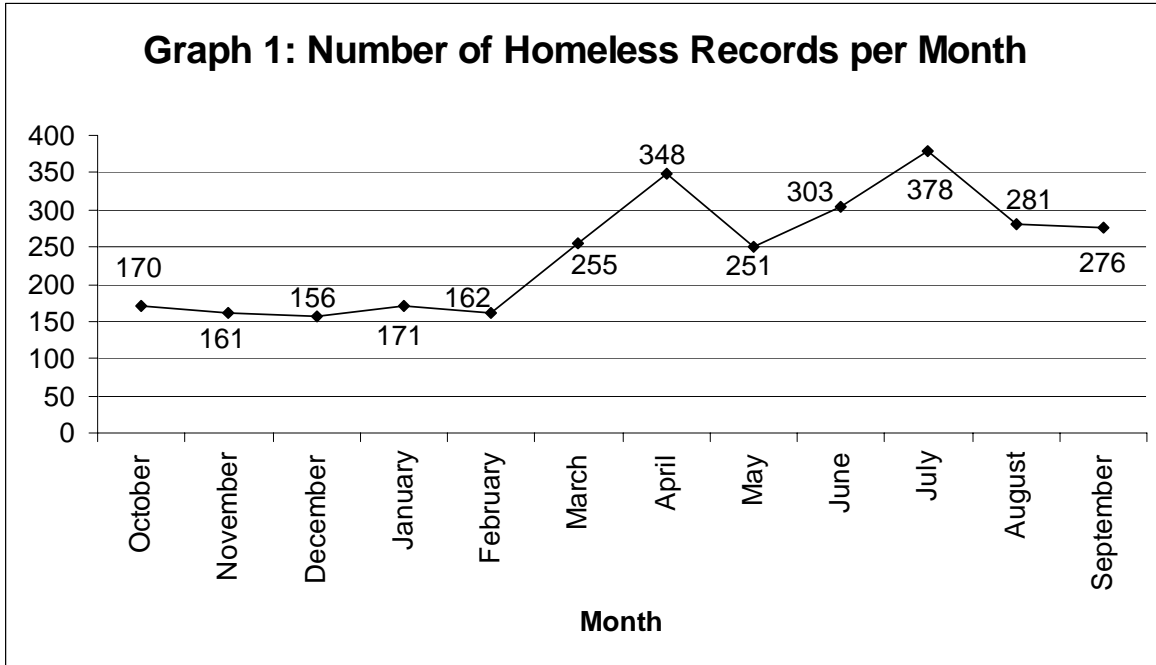
Homeless individuals rarely commit violent crimes. This is evident because minor misdemeanors and misdemeanors comprise about seventy-two percent of crimes charged against individuals with a homeless address. Minor Misdemeanors accounted for 25.38% of charges and 46.88% for misdemeanors of all degrees. Some of the most common charges associated with homeless individuals are: open flask charges, public indecency due to public urination, sitting on the sidewalk, spitting in a public place, dumpster diving (upsetting public and private receptacles), littering charges, loitering charges, solicitation charges (commonly improper solicitation for panhandling), trespassing charges, and disorderly conduct charges. These are the big 10 homeless crimes because they are either the most common charges against homeless individuals or no one else is arrested for these crimes except homeless individuals. Please see Graph 4. Forty-four percent of the charges against homeless individuals are for homeless crimes. These homeless crimes represent some of the quality of life issues faced by homeless individuals daily. If homeless individuals were not homeless, they would not be committing these crimes. Homeless individuals have little choice but to panhandle, loiter, and trespass. It's the nature of being homeless, no matter where they go, they will be trespassing. Chart 2 provides a list of all of the charges.

Constantly arresting homeless individuals for quality of life crimes is a huge cost burden for the county to bear. This is especially true when there are other more cost effective, proven successful alternatives available within the community. It costs \$65 per bed per day in the jail. The Lewin Group conducted their own study titled "Costs of Serving Homeless Individuals in Nine Cities." Columbus, Ohio, was one of those cities. In Columbus, Ohio, it costs \$70 per bed per day in jail and just over \$30 a day for supportive housing. Supportive housing is not transitional and is not emergency shelter, it is permanent and the residents are eligible to continue working with case workers and for various services including substance abuse and mental health treatment.

Fifty three of the individuals identified as homeless had been arrested five or more times during the year. These fifty three are most likely falling through the cracks in the justice system as well as in the social service system. If Hamilton County had housed each of these individuals to the maximum extent of the law, they easily could have spent over \$4.2 million alone. The average cost per person in our focus group is \$35,100. The range of cost is between \$1,950 and \$538,850. The individual who potentially cost the county \$538,850 had 42 charges against him – all but nine were misdemeanors and the nine felony counts were non-violent. Another individual could have cost the county over forty thousand dollars in twelve months. He had thirty-eight charges against him, gave a homeless address one hundred percent of the time, and his most severe charges were public indecency and improper solicitation – both fourth degree misdemeanors. His other charges included possession of an open flask and disorderly conduct.

Housing in the Hamilton County Jails is not a permanent, cost-effective or sensible way to respond to homelessness. Work needs to occur in the eradication of homelessness through the production of safe, affordable housing and jobs with a living wage to stop the revolving door at the justice center.

Appendix



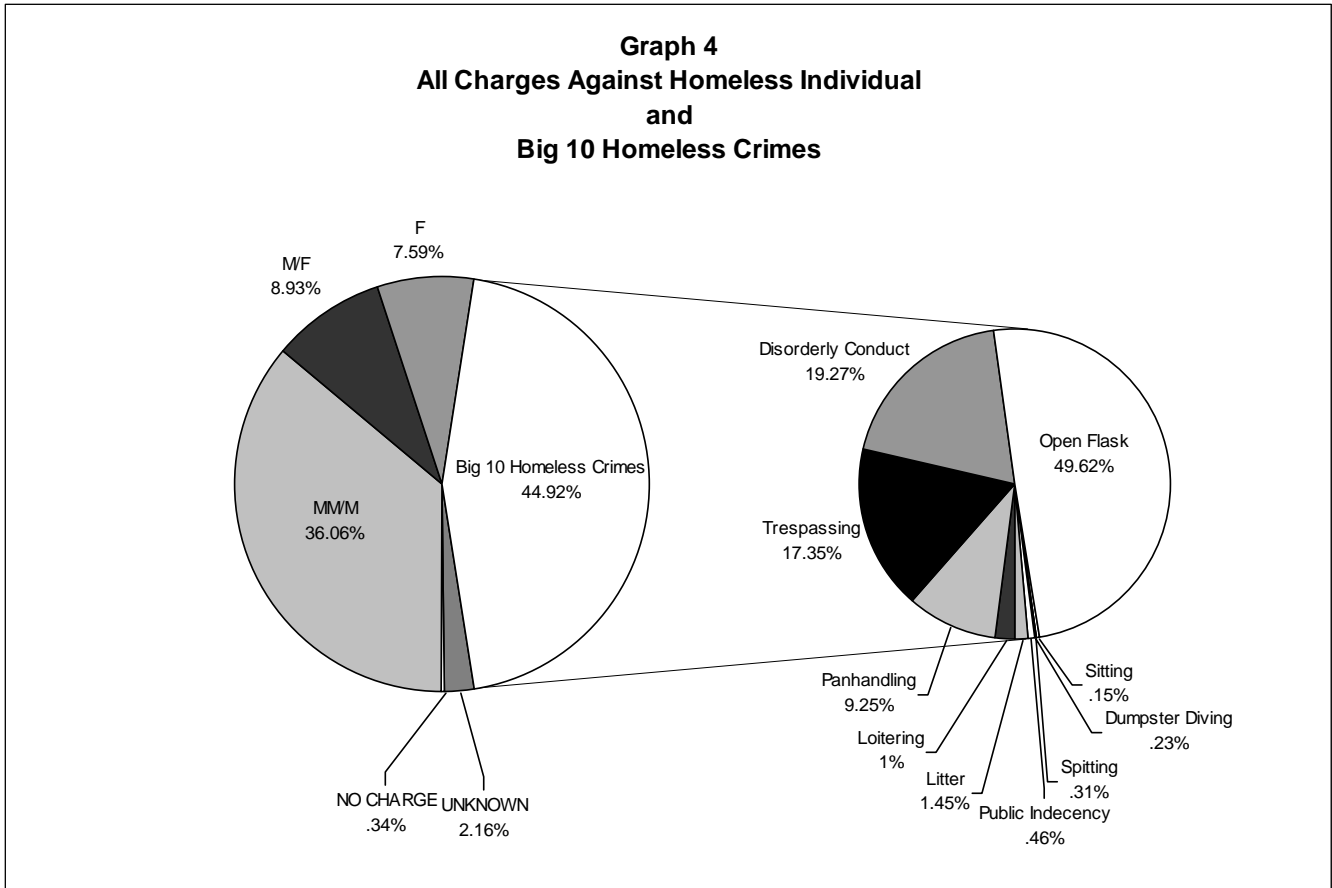
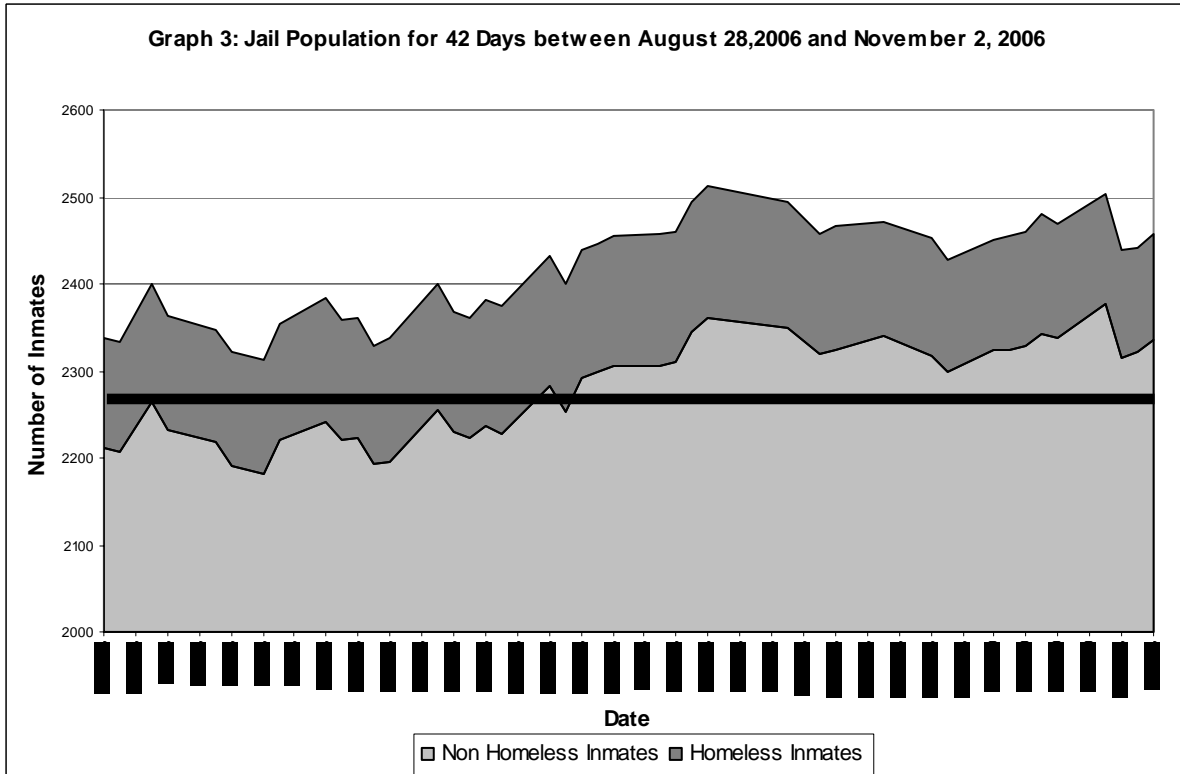


Chart 1: Homeless Addresses

Address	Frequency	Place
300 LYTLE PL	15	Anna Louise
1000 SYCAMORE ST	236	Jail
2728 GLENDORA	2	Anthony House
0 HOMELESS	5	Homeless
0 NO HOME	241	Homeless
0 READING RD	1	Homeless
3730 UNKNOWN	2	Homeless
421 E	1	Homeless
788 W	1	Homeless
BLANK	39	Homeless
2660 DIEHL RD	3	Mt. Airy Shelter
2214 VINE ST	4	Talbert House
1437 WALNUT ST	1	St. Francis/St. Joseph Catholic Worker House
115 E MCMICKEN ST	3	VOA
115 MCMICKEN AV	1	VOA
115 W MCMICKEN AV	3	VOA
1122 ELM ST	4	Shelter House Volunteer
117 E TWELFTH ST	11	Homeless Coalition
1221 MAIN ST	5	Mary Magdalene
129 W TWELFTH ST	7	Shelter House Volunteer
1300 VINE ST	2	Buddy's Place
1419 ELM ST	11	City Gospel
215 W TWELFTH ST	5	Shelter House Volunteer
217 W TWELFTH ST	1761	Shelter House Volunteer
24 W TWELFTH ST	7	Tender Mercies
29 TWELFTH ST	16	Tender Mercies
4059 READING RD	18	Lighthouse Youth Services
7710 READING RD	1	Adult Parole Authority
1120 GARDEN ST	6	Justice Watch

Notes: These are the addresses found in the public records, not the addresses used to determine if people were homeless. “Frequency” refers to the number of charges or records – not to the number of people who used that address.

Chart 2: Homeless Charges

SECTION DESC	FREQ.	SECTION DESC	FREQ.
2ND ADULT CURFEW LAW VIOL	1	INCITING TO VIOLENCE F3	1
ABDUCTION F3	1	IND PANIC-CIRCULATE REPORTM1F4	1
ABDUCT-RMOVE FRM PLACE FOUND F3	1	INTERFERE-IMPEDE SOLICITATION	2
AFTER HOURS IN PARK-R21	31	KNOWINGLY POSS CONT SUB M1	1
AGG BURGLARY-INFLICT HARM F1	1	LITTER IN PUBLIC PLACES	17
AGG ROBBERY-ARMED F1	7	LITTERING FROM MV	1
AGGRAVATED BURGLARY F1	1	LITTERING IN PARK-R6	1
AGGRAVATED MENACING M1	20	LOITER TO ENGAGE SOLICITATION	23
AGGRAVATED ROBBERY F1	8	MENACING M4	15
AGGRAVATED TRESPASSING	1	MINOR MISD DRUG ABUSE	27
AGGRAVATED VEHICULAR ASSAULT	1	MISCHIEF-TMPER W/O PRIVILEGM3M1	1
ALCOHOLIC BEVERAGS IN PARK-R11	35	MISUE OF CREDIT CARDS M1F4	1
ANIMALS IN PARK-R9	1	MISUSE CREDIT CARD-EXP,REVM1F4	2
ARSON M1F3F4	2	NONSUPPORT OF DEPENDENT M1	1

ASSAULT M1	42	NOTICE OF CHANGE OF ADDRESS	2
ASSLT-KNOWINGLY,VICTIM HRMD M1	12	OBSTRUCT OFFICIAL BUSINESS M2	95
ATTEMPT	15	PASSING BAD CHECKS M1F4	4
B AND E-COMMIT FELONY F4	1	PERIODIC VERIFY OF CURR ADDR	1
B AND E-COMMIT THEFT F4	10	PERMIT DRUG ABUSE-ON PREMISES	2
BLANK	39	POSS COUNTRFT CNTRLD SUBSTNC	10
BREAKING AND ENTERING F4	27	POSS DRUG ABSE INSTRUMENTS	18
BURGLARY	19	POSS ILLEG DRUG PARAPHENALIA	412
CARRYING CONCEALED WEAPON	11	POSSESS OF DRUGS - MARIJUANA	6
CHANGE OF ADDR-DUTY TO INFORM	7	POSSESSING CRIMINAL TOOLS F4	10
CONSPIRACY-PLAN WITH OTHERS	1	POSSESSION OF MARIJUANA	59
CRIM DAMAGING OR ENDANGRNGM2M1	13	POSSESSION OF OPEN FLASK	613
CRIMINAL TRESPASS M4	132	PUBLIC INDECENCY	6
DAMAGE,ENDAGER-KNOWINGLY M2M1	10	PUBLIC INDECENCY-SEX ACT M4	1
DC-FIGHTING OR THREATENINGMMM4	7	PURCHASE BEER - UNDER 19	1
DC-INTOX, CREATE RSK OF HRMMMM4	1	RAPE F1	6
DC-INTOX,ANNOY OR ALARM MMM4	62	RAPE-FORCE,THREAT OF FORCE F1	1
DC-INTOXICATION MMM4	7	RECEIVING STOLEN PROPERTY M1F4	39
DC-OFFENSVE GESTUR OR NOISMMM4	27	RESISTING ARREST M2	22
DC-OFFENSVE OF RSK OF HARMMMMM4	12	ROBBERY	20
DISORDERLY CONDUCT MMM4	136	SALE OF ALCOHOL IN PARK-R12	1
DOMESTIC VIOLENCE	29	SALE OF LIQUOR TO MINORS	9
DOMESTIC VIOLENCE-KNOWINGLY	12	SEXUAL IMPOSITION M3	1
DRUG ABUSE	156	SITTING ON SIDEWALK	2
ENDANGER CHILD-CREATE RISKM1F4	2	SOLICITING M3	43
ENDANGERING CHILDREN M1F4	1	SPITTING IN A PUBLIC PLACE MM	4
ESCAPE F4	3	STREET SALES	1
EXCESSIVE SOUND-MOTOR VEHICLE	5	TAKING THE IDENTITY OF ANOTHER	1
FAIL TO COMPLY WITH POLICE OFF	5	TAMPERING EVI-ALTER RECORD F3	2
FALSIFCATION-OFFCIAL PROCEEDM1	3	TAMPERING WITH EVIDENCE F3	4
FALSIFICATION M1	33	TELECOMMUNICATION HARASSMNT M1	2
FALSIFICATION-TO MISLEAD M1	9	THEFT M1F4	198
FEL ASSLT-VICTIM HARMED F2	1	THEFT-WITHOUT CONSENT M1F4	5
FEL ASSLT-WEAPON OR ORDNANCE	2	TRAFFICKING IN DRUGS	28
FELONIOUS ASSAULT F2	19	TRAFFICKING IN MARIJUANA	1
FIRE ESCAPES	1	TRAFFICKING-SALE LSS THN BULK	6
FORGERY F4	2	TRAFFICKING-SHIP,TRNSPORT,DIST	10
FORGERY-POSSESS TO UTTER F4	5	TRESPASS-KNOWINGLY M4	55
GAMES-ACTIVITIES IN PARK-R7	1	TRESPASS-RESTRICTED AREA M4	9
HARM POLICE DOG-HORSE-ASSIST	1	UNAUTH VEH USE-JOY RIDING M1F4	3
HAVE WEAPON-CONV OR INDICTEDF4	2	UNAUTHORIZED USE OF VEHCLM1F4	2
ILL PRCSS DRUG DOC-FORGE,POSS	1	UPSET PUBLIC PRIV RECEPTACLES	3
ILLEGAL POSS PRESCRIPTION DRUG	9	VANDALISM F4	5
IMPERSONATING PEACE OFFICER	1	VEHICULAR ASSAULT	1
IMPORTUNING M1M4	2	VIOL PROTECT ORDR CONSNT AGRMT	4
IMPROPER SOLICITATION	78	WEAPON WHILE UNDER DISABILTYF4	5

Note: "Freq" refers to the number of charges or records – not the number of people who were charged with that crime. Example: There were six records with rape charges; however, all six of these charges were brought against one person.