

**Remote HHS and Public Safety  
Meeting Agenda  
May 9, 2023 at 5:30 PM  
Remote Meeting**



**MEMBERS**  
Councilor April Fournier, At-Large, Chair  
Councilor Anna Trevorrow, District 1  
Councilor Victoria Pelletier, District 2

To submit written public comment on an agenda item, email [HHSPS@portlandmaine.gov](mailto:HHSPS@portlandmaine.gov). Submissions must be received by 12:00 pm the day before the Health & Human Services and Public Safety meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

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Hi there,

You are invited to a Zoom webinar.

When: May 9, 2023 05:30 PM Eastern Time (US and Canada)

Topic: Remote HHS and Public Safety Meeting

Please click the link below to join the webinar:

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1. Announcements
2. Review and Approval of Minutes from April 11, 2023 and May 2, 2023
  - a. Draft Minutes
3. Encampments and Unsheltered Homelessness
  - a. Recommendations
  - b. Committee Questions and Discussion
  - c. Executive Session: The Committee may go into Executive Session with counsel to discuss the City's legal rights and duties regarding encampments in the City pursuant to 1 MRS 405(6)(E).
  - d. The Committee will not be taking public comment at this meeting.
4. Next Meeting: June 13, 2023



## **Health & Human Services and Public Safety Committee Minutes**

**Thursday April 11, 2023, 5:30pm, Remote Meeting**

Committee Attendance: April Fournier, Chair (At-large), Anna Trevorrow (District 1), & Victoria Pelletier (District 2).

City Staff:

Kristen Dow, Director of HHS; Adam Harr, Executive Assistant for Social Services; Heath Gorham, Interim Police Chief; Alfredo Vergara, Director of Public Health; Amy McNally, Associate Corporation Counsel; Danielle West, Interim City Manager; Ethan Hipple, Director of Parks and Recreation; Dena Libner, Chief of Staff.

Meeting called to order at 5:36 PM.

### **Announcements and Approval of Minutes**

- Tabling item 3 and 4 and starting with Encampment Policy.
- We are moving items around based on City staff availability.
  - Encampment policy
  - Pregnancy Crisis Centers
  - May meeting.
- Trevorrow moved to approve minutes, Pelletier seconded and minutes were approved 3 – 0 unanimously

### **Encampment Policy**

- Policy provides a clear procedure to provide outreach and protect health and safety when those are compromised by campsites.
- 8th amendment on cruel and unusual punishment

- Government inability to criminalize standards of being such as being sleeping outside.
- 4th amendment on illegal seizures of property.
  - Notices on how and where property gets seized and stopped.
- 14th amendment due process on noticing the above process.
- When the City shelters are at capacity the City usually takes no action except:
  - Emphasis areas
  - Public health and safety are at risk.
- Implemented in July, 2022. City Manager West thanked Amistad for storing belongings.
- To report issues:
  - See Click Fix App or
  - Email [citymanager@portlandmaine.gov](mailto:citymanager@portlandmaine.gov)
- We have had reports of Public Health and Public Safety Issues.
  - Social Services: reaching out to partner organizations for outreach.
  - Public Health: this element will need to be addressed with the increased numbers.
- PD Update
  - Reports on the encampments from people who use the trail.
  - Significant violent crime including a stabbing, assaults, as well as overdoses.
- Fire Update
  - Have seen an uptick in encampment fires.
- Public Works and Parks and Rec are doing a lot of the work around this.
- 102 known campsites
  - 50 along Bayside Trail near Trader Joes.
  - Some tents have multiple people.
  - Started tracking as it increased in the winter which is unusual.
  - Had 70 tents citywide in February.
- Last year Parks cleaned up 400 campsites.
  - We were not at capacity last year but the shelters have been at capacity all year.
- Issues Reported along the trail include human waste/feces and trash.
  - Update on public bathrooms
    - Some restrooms were removed for the Winter.
      - Waiting for an update from contractors but one near monument way and the fire station on Congress will be installed in June.
    - We used to have more restroom capacity when OSS was open.
    - Public Bathrooms map on the website is up to date.
    - Closest one is Deering Oaks Park.
  - Trash bins/collection
    - Can there be temporary waste disposal while the encampments are there?
      - Public Works is not on here but can be followed up with.
    - There are 3 existing trash barrels along the trail that are emptied daily.
      - The trash is overflowing but parks stops by three times a week getting two trucks worth at each pick-up.

- This is a policy discussion for the council of prioritizing housing services vs services diverting from that.
- Councilor Pelletier would like to add this conversation in a couple of months to check in how Summer is going and after the HSC has been open; revisit towards the middle to end of the summer.
- Councilor Trevorrow agrees on the questions of trash cans and bathrooms.
  - It can take a while to get people to come into shelter and housing.
  - Keep things sanitary during this interim period.
- What makes an area an emphasis area?
  - Public health and safety Issues.
  - Bayside Trail is headed towards this due to these issues.
- What are the current emphasis area
  - Deering Oaks Park
  - Oxford Street
  - Commercial Street
  - Cedar Street
- Harbor View Park
  - Larger concentration of tents, 8-9 as well as a larger number of campers in a nearby tunnel.
  - A cleanup is planned that will include Public Health staff from the needle exchange and other programs.
- Councilor Trevorrow said Chief of Staff Libner has been hugely helpful for answering constituent concerns.
- Councilor Fournier asked if the additional bathrooms and trash receptacles are policy changes the City manager can focus from the operations side vs the policy on the council.
  - It is more operations on the staff side.

## **Pregnancy Crisis Centers**

- It would be difficult to write an ordinance that would survive a legal challenge.
  - A broad ordinance is probably not the best approach.
- Councilor Pelletier doesn't want to do more harm than good.
- A legal challenge could tie us up in a conservative court and do more harm to the people we want to protect.
- Potential other options outside of an ordinance modeling Somerville,
  - A proactive public health campaign from the city level: a realistic first step.
    - In-line with the ordinance passed last year,
    - Social media campaigns.
    - One-pager write ups on how to spot a predatory website.
    - Distribute info and place posters in schools and public transit,
    - A complaint form or line regarding pregnancy crisis centers.
- Councilor Trevorrow agreed in wanted to stick to our values but not put ourselves in a position of doing more harm than could.

- Likes a city-centered campaign.
- When we act in a neutral capacity, it enables bias.
- Favors taking a position as the City.
- Councilor Fournier agrees;
  - Trusts the people doing this work.
  - Wants to move forward on the education strategy.
    - What questions should be asked at a health center?
    - What certifications should be looked for the type of care they are providing.
- Director Dow have had discussions in these options and that there would be costs.
- Dr. Vergara said one danger with the facilities is the lack of having to abide by HIPPA and privacy regulations.
  - Withholding services because people are not willing to take a stance on a particular issue.
  - This is something that can be done with the education specialist on their team, partnering with Planned Parenthood and advertising company, if funding allows.
  - Maternal Child Health (MCH) team would do outreach.
  - Materials would be translated into the languages spoken in Portland, including those spoken by new Mainers.,
  - 3 month campaign of cards and social media, including WhatsApp which is used by new Mainers.
- Councilor Pelletier likes this plan and said it allows Portland to be a leader.
- Councilor Fournier asked if this is something that is included in the PH budget and would already be supported and when would the 3 month campaign start?
  - HHS may have some grant funds and can work on finding more.
    - It can be partially paid for by existing grant funds.
  - HHS will include in the FY 24 budget.
  - Timeline: it would need about 4 weeks lead time.

### **May 9, 2023 Meeting**

- Revisit Chapter 35.
- Decriminalize Maine: legal question on policy on decriminalizing therapeutic psychedelic plants and fungi
  - Could we do it?
  - Are there concerns with conflict with state policy?

The meeting adjourned at approximately 6:35 PM



## **Health & Human Services and Public Safety Committee Minutes**

**Thursday May 2, 2023, 5:30pm, Remote Meeting**

Committee Attendance: April Fournier, Chair (At-large), Anna Trevorrow (District 1), & Victoria Pelletier (District 2).

Councilors in Attendance: Pious Ali (At-Large), Roberto Rodriguez (At-Large), Regina Phillips (District 3), Andrew Zarro (District 4), Mark Dion (District 5).

Mayor Kate Snyder

City Staff:

Kristen Dow, Director of HHS; Adam Harr, Executive Assistant for Social Services; Heath Gorham, Interim Police Chief; Aaron Geyer, Director of Social Services; Michael Goldman, Acting Corporation Counsel; Keith Gautreau, Fire Chief; Ethan Hipple, Director of Parks and Recreation; Danielle West, Interim City Manager.

### **Encampments and Unsheltered Homelessness in the city**

Overview of the City Encampment Policy

- Currently serving 1,150 individuals across the Family Shelter, HSC, Expo, and contract hotels.
- Have received over 1,000 asylum seekers this year.
- Spending close to \$40 million to shelter and house people this budget year.
- Calls for service have increased over 70% compared to last year.
- Trash and Service Call related health and safety issues at the Bayside Trail.

- Provisions of City code that prohibit camping
  - Chapter 25 provisions prevents obstructing public way.
  - Chapter 7 prohibits loitering and obstruction.
  - Chapter 8 prevents loitering in cars between the hours of 10:00 at night and 6:30 in the morning.
- Recent case law says you cannot enforce no camping policies if there is no other place for people to go.
  - Created the administrative policy on encampments in light of these cases. When city run shelters are at capacity, City staff will take a non-involvement approach to campsites with exceptions for campsites creating obstructions and hazards.
  - Only designating emphasis areas as public health need arises.
- Councilor Dion asked about the Attorney General's policies and conduct at camps.
  - There have been significant issues of available space at the Cumberland county jail.
  - Homelessness Crisis Protocol addresses specific crime associated with homelessness.
    - Drinking in public
    - Disorderly conduct.
  - Portland developed our own policy mirroring this and includes handing out cards with resources including for Substance Use Disorder.

#### HHS Staff Recommendations

- Everyone deserves the right to shelter. Being at capacity every night means we need to be creative holistic approach that meets the needs of the unsheltered that needs the community as a whole.
- First recommendation is a Task force is a middle ground between an EOC model and a working group.
  - Convened ad-hoc as camps arise.
  - Convene minimum of twice a week.
  - Goal is clear communication and intensive outreach to each person I identified encampments.
    - This work is currently being done every day; this structure helps show that work and coordinate a mobile engagement center.
  - Assist people to safe shelter and housing.
- Mobile engagement center

- Food
- Sharps boxes
- Housing services
- Daily outreach would report to the taskforce.

#### Emergency Shelter Assessment Committee

- ESAC met to discuss any potential action on the Bayside Trail.
- ESAC requested a 30 day moratorium on clearing encampments and collaborate on solutions over the next two weeks.
- There is not enough housing to solve the unsheltered homelessness in Portland.
- ESAC met before Director Dow's recommendations were released.

#### Committee Questions and Discussion

- Councilor Pelletier clarified ESAC and the task force are two separate entities but membership will overlap.
  - Has information about the taskforce been shared with community partners?
    - Yes, some provided feedback incorporated into the recommendation.
    - There is a concern about resource constraints.
  - A 30 day moratorium was requested by ESAC.
  - Will there be individuals who are unhoused who will be able to be part of the taskforce?
    - Yes.
- Councilor Trevorrow asked how quickly could a task force be created?
  - If the recommendations were adopted, HHS could start pulling partners together immediately.
  - There needs to be a long term strategy.
- Mayor Snyder asked if providers have given specific feedback on solutions.
  - ESAC will meet after this meeting to discuss solutions and comment on the HHS recommendation.
  - Staff capacity is a concern; how realistic is the City being at the center of this task force.
    - The City is at the center of this issue; everywhere where this has been

successful is when the leadership makes it a top down priority. The on the ground work is being done now.

- Getting folks housed in 2 months sounds fast.
  - It would be one encampment at a time and is an estimate based on what other cities have done.
  - City departments already have a significant amount of staff time addressing encampments
  - April 2022 to 2023 calls for service went up to 39 to 145 calls for service, a 280% increase.
- Councilor Phillips asked how many encampments there are in the City?
  - 75 individual tents in February and 110 citywide now.
    - About 50 tents are on the bayside trail.
  - Will the mobile engagement center be for Bayside or citywide?
    - Whichever encampment the taskforce is focusing on, likely bayside first.
  - What happens at night?
    - How safety be provided at night? The police?
      - Fire and PD will be reactive to needs.
    - Needs would be different encampment to encampment.
    - Community policing has become an encampment management position.
      - Vacancies don't allow for more.
    - Milestone is at camps until 9PM.
  - Who will provide the services listed?
    - The services are already being provided such as meal drop offs; the taskforce will organize this.
      - We will not need new HHS staff.
      - This pivots resources towards a common alignment.
    - Once staff have direction, efforts would be realigned.
    - Status quo is not sustainable lacking coordination; the coordination is the value of the task force.
  - Whatever plan must work and not overwhelm staff.

- Councilor Rodriguez requested an organizational chart and command structure.
  - Set up emergency operations as part of the National Guard; what can this Council do for the State to release resources like the National Guard?
    - We have got zero help from the State and don't see them deploying the National Guard now.
  - Chief Gautreau will lead command structure.
  - Chief Gorham tried to get the National Guard to help with the Jail and it was a nonstarter.
- Mayor Snyder would like ESAC input for the next HHS&PS meeting and National Guard engagement.
  - Director Dow does not recommend displacing people camping.
  - The business community could engage with the taskforce.
- Councilor Trevorrow asked how the taskforce could meet the immediate hygiene needs of waste management?
  - We need the people working with people in the camps to know what is needed.
    - Getting camps safe would be a top priority.
  - Bathroom access?
    - We will give the resources for survival but we have not gone through those logistics yet, but will be done as a taskforce.
- Councilor Zarro wants to know what the State's role will be? What do we need to do?
  - Create a resolution calling on our legislature and governor?
  - \$1 billion needs to be spent per the state budget; how can some of that go to unsheltered homelessness.
  - Service providers are beyond capacity and the Council sees the work being done.
  - What are going to do in the interim period?
    - Leave the camp alone?
    - What can we say we are doing?
    - We don't have the answers and are working on it.
- Councilor Ali said we should find a way to make use of the Maine National Guard.
  - A resolution from the Council and letters from community partners specifically asking for National Guard and financial support.

- What role is the council envisioning the National Guard have?
    - Staffing?
    - Law enforcement?
    - Emergency Response?
- Councilor Fournier looked to implementation:
  - Human power
    - Community partner support and city staff.
  - Overnight services
    - Safety and support
  - Cost
    - Dollar amount
    - Articulate how funds will be distrusted
  - Safety
    - People in the camps and surrounding communities.
  - Sanitation
    - Showers
    - Toilets
    - Keeping the area uncluttered.
    - Safe disposal of medicine and sharps.
  - Collaboration and planning
    - Strategy for getting people into permanent housing.
    - Convening HHS&PS to meeting with community partners and the State.
  - Housing and shelter capacity are still needed.
    - We may need to look outside of Portland for housing and sanitation.
    - How to meet immediate sanitation needs.
- Councilor Dion agree with the above and emphasized countering the environment.
  - Where is the shelter capacity to bring people inside?

- We are understaffed
  - Boots on the ground staff are distraught over the living conditions.
  - Impacts nearly every department of the City.
- Mayor Snyder said tonight is the start of a long lasting strategy.
  - The City gave notice it would move camps but then paused for an emergency meeting and is waiting to see partner input.
  - Advocacy is always best when joined by others. We would like to see ESAC join specific advocacy.
  - GA advocacy and transitional housing are part of a long term solutions.
- Is this the right location, the bayside trail? What are the options?
  - Sanctioned encampments are not part of the recommendation.
  - PD and Parks support the proposal.
  - The green space is not safe to use in bayside due to needles and violence.
- Councilor Phillips said other municipalities need to be partners as Portland doesn't have housing.
- Next Steps
  - Bayside encampment
    - If we were to clear the camp, where would people go?
    - We would be scattering the people the task force is looking to help?
  - ESAC Meets the Third Thursday of every month but will meet before the next HHS&PS Meeting.
  - Feedback from staff on how to best clear if clearing the camp is a necessity?
    - Clearing camps can be retraumatizing
    - Hopes clearing activities would be on pause until we get more feedback.
      - Getting a lot of feedback and increased calls for service.
  - We need community partner feedback next week.
    - What are provider recommendations or ability to support people in the event the bayside trial camp is cleared?
    - A designated camping spaces?
  - A specific asks of the State.

Councilor Trevorrow moved to adjourn; Councilor Pelletier seconded. The motion passed unanimously 3 – 0, and the committee adjourned at approximately 7:36 PM.

DRAFT

## ***Emergency Shelter Assessment Committee***

May 5, 2023

To the members of the Health & Human Services and Public Safety Committee:

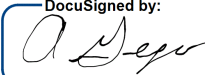
The Emergency Shelter Assessment Committee (ESAC) writes this letter in response to the May 2, 2023 HHS&PS meeting. ESAC voted unanimously to support HHS Director, Kristen Dow's proposal (Encampment Recommendation) be adopted with the amendment that both resources and people of lived experience from the Bayside and other camps, and the HUB 2 coordinator join the taskforce. The following organizations in attendance unanimously supported adding the resources to meet basic needs and having the above stakeholders join Director Dow's proposed taskforce:

Amistad,  
CHOM,  
Greater Portland Health,  
H4All,  
Homeless Voices for Justice,  
Milestone,  
Preble Street,  
Shalom House,  
Spurwink,  
TOA/PATH,  
Through These Doors,  
United Way of Southern Maine

Members of the committee stressed that the work of the taskforce is already being done, but may not be visible and the taskforce will bring that work to light. The task force may also be a vehicle towards funding opportunities and work on longer-term solutions. A robust discussion around the response and need for resources must include those that meet basic needs including: bathrooms, showers, handwashing stations, and trash removal. The group of about 50 in attendance discussed the need for State support and County Emergency Management Resources and a By Name list approach that can be used by the task force. As one attendee articulated "we must insist everyone in Maine be indoors and if housing cannot happen, we must insist on shelter space."

Thank you for your consideration,

Aaron Geyer, Tri-chair of ESAC

DocuSigned by:  
  
B0F4574DE065406...

Dan Coyne, Tri-chair of ESAC

DocuSigned by:  
  
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*A Collaborative of Services Providers, Community, and Health & Human Services Agencies  
whose Primary Objective is to Ensure the Safety and Well-Being of Portland's Homeless.*

**City of Portland | Health & Human Services Department**

Kristen Dow, *Director*



**To:** Danielle West, Interim City Manager

**From:** Kristen Dow, Director of Health & Human Services

**Date:** April 18, 2023

**Re:** Encampment Recommendations

As we navigate the growing number of people experiencing homelessness in our city and state, we have seen a significant spike in the number of unsheltered individuals in Portland over the past year. As of the date of this memo, our Parks department reports 102 tents in the city and several growing encampments. While encampments provide a sense of safety and stability for those in them, I believe that we must take the mindset that everyone deserves the right to shelter and housing. With shelters in our city being at capacity most nights, we must then find creative ways to meet this goal.

In July of 2022 the [Enforcement and Removal Policies and Procedures Relating to Unauthorized Campsites on City Properties](#) policy was put into place. The policy itself aligns with the USICH's [Principles for Addressing Encampments](#) on a high level. I would like to take this opportunity to add further recommendations to the approach taken to removing encampments in accordance with the policy, to ensure that we are taking a whole-person approach. The recommendations are as follows:

### **Encampment Task Force**

The Encampment Task Force will be ad-hoc and will consist of members from the following sectors:

- City departments:
  - Parks
  - Executive office
  - Public works
  - Public health
  - Social services
  - Police
  - Fire/ MMO
- Outreach providers, including peer specialists
- Emergency shelter providers
- Transitional housing providers
- Permanent housing providers
- Faith based community
- Medical mental health providers

The committee will convene when a campsite is identified as potentially needing to be removed. The team will hold briefings a minimum of twice per week with the ultimate goal of the task force being to ensure clear communication and provide intensive

outreach to each person in the identified encampment in order to link them to appropriate shelter, housing and services to best meet their individual needs.

### **Mobile Engagement Center**

One of the primary responsibilities of the Encampment Task Force will be the deployment, oversight, and coordination of a Mobile Engagement Center. The Mobile Engagement Center (MEC) will provide a host of services ranging from food, medical care, harm reduction, resources to maintain safe spaces, as well as housing and shelter services onsite at the encampment. These intensive services should happen seven days per week on a set schedule. A daily outreach report should be shared with the Task Force to ensure the needs of people sleeping outside are being met. All services and outreach should be tailored to the individual needs of the people sleeping outside with the ultimate goal of assisting them to safe and supportive shelter or housing.

### **Conclusion**

Encampments are a growing concern across the country and as the USICH has stated, there is no one-size-fits-all approach when addressing them. The approach outlined in this memo will undoubtedly take time to implement and see results. It is my belief though that with the current landscape in our city, this will be a comprehensive and compassionate approach to assisting those who are currently sleeping outdoors.