

CITY OF CASTLE ROCK

PRESS RELEASE

Date: August 27, 2020
From: Paul Helenberg, Mayor
For Immediate Release



Press Release: Committee Appointed

The Castle Rock City Council has appointed a committee to begin working on the issue of temporary sleeping on city property. The city is not opening a homeless camp, or planning to provide services to people experiencing homelessness. The issue before the city is in response to Martin v. City of Boise. The 9th Circuit Court of Appeals has decided that the Eighth Amendment prohibits the state from punishing an involuntary act or condition, if it is an unavoidable consequence of ones status or being.

Cities and counties cannot prosecute homeless individuals for involuntarily sitting, lying and sleeping in public. The decision does not mean that jurisdictions must provide shelter, nor does it bar ordinances prohibiting the obstruction of public rights of way or the erection of certain structures and ordinances prohibiting sitting, lying, or sleeping outside of particular times or in particular locations.

The city has 3 basic choices: 1) do nothing and allow people to sleep and erect structures on city property 2) limit the times that people can sleep or erect structures on city property 3) limit the times, locations and limit the ability to erect structures on city property.

This is the beginning of a long and thorough process. A committee has been formed and tasked with developing an ordinance to meet the needs of the city. The committee will also provide recommendations of possible locations for a temporary sleeping area. As the project moves forward, the city will gather public input.

~End~

