

May 28, 2026

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202601662

Subject: Supplemental Encampment Update and Resources

Reference Document #202402557

The City Council at its session on December 10, 2024, referred the following item for review and report:

WE MOVE that the administration provide a report on homeless encampments in Cincinnati. The report should include the following:

- 1) Gaps in the current shelter or housing systems that would provide viable alternatives to encampments and identification of city or county resources that would help eliminate the obstacles to fill these gaps
- 2) Data regarding the rate of homeless encampments in the city and other relevant information that the administration has gathered
- 3) Proposals to further discourage encampments in parks, recreation sites, and other public spaces to ensure that these spaces can be utilized by all City residents
- 4) Identification of any additional resources necessary to curtail homeless encampments, including additional resources to ARC (Alternative Response to Crises) teams or the Cincinnati Police Department, potentially reinstating the Cincinnati Parks Police Department (reorganized into the Cincinnati Police Department in the late eighties), or instating a Parks Ranger program.

This is an update to Report #202500578

Introduction

The City's approach to engaging individuals living in encampments is governed by constitutional due process considerations and two settlement agreements: (1) the 2006 agreement resolving *Cash v. City of Cincinnati* (S.D. Ohio 2003) and (2) the 2024 agreement resolving *Chin v. City of Cincinnati* (S.D. Ohio 2018).

The *Cash* litigation was filed after the City cleared an encampment without providing residents with notice, and the residents' personal belongings were destroyed. The U.S. Court of Appeals for the Sixth Circuit reversed the trial court's decision in favor of the City and directed the trial court to assess whether the City's practice of publishing notice of

encampment clearings in a local newspaper was constitutionally sufficient. *See Cash*, 388 F.3d 539 (6th Cir. 2004), *cert. denied*. This question was never decided by the court because the City entered into the 2006 *Cash* settlement agreement, which obligates the City to (1) provide 72-hours' notice before clearing an encampment and (2) store unsoiled personal items for 90 days to provide an opportunity for their collection.

Courts across the country have confirmed that a 72-hour notice period meets the constitutional due process requirements. *See Murray v. City of Philadelphia*, 481 F. Supp.3d 461 (E.D. Penn. 2020) (ordering city to provide 72 hours advance notice before removing property from encampment); *Sullivan v. City of Berkeley*, 383 F. Supp.3d 976, 982 (N.D. Cal. 2019) (holding that 72-hour notice period before encampment removal satisfies Fourth and Fourteenth Amendment requirements regarding seizure of homeless individuals' property); *See v. City of Fort Wayne*, 2017 U.S. Dist. LEXIS 49956 (N.D. Ind. Mar. 31, 2017) (ordering city to expand its notice period from 48 to 72 hours in advance of clearing an encampment). While these and many other cases support the City's current 72-hour notice process, there are situations where a longer notice period may be required. For example, at the beginning of the Covid-19 pandemic, a court ruled that the City of Wheeling, West Virginia's 72-hour notice "was woefully insufficient" and determined that "a period of a minimum of two weeks is necessary to constitute sufficient and proper notice[.]"

Accordingly, while the *Cash* settlement requires the City to provide notice 72 hours in advance of an encampment clearing, the City must tailor its notice to the unique circumstances presented by each encampment. For example, the City may provide a shorter notice period where an encampment presents an immediate health and safety concern, such as an encampment under highways or public infrastructure. Conversely, the City may be required to provide more than 72 hours' notice in unique circumstances, such as those presented by the Covid-19 in 2020. As a general matter, the existing 72-hour notice period appropriately balances the City's interests in addressing encampments and the residents' constitutional property interests.

The *Chin* litigation was filed in 2018 and challenged the City's encampment procedures more broadly, including claiming that the act of camping in public was an exercise of First Amendment free speech rights. This litigation spanned six years and involved extensive briefing on the nature of the plaintiff's claims and significant delays in receiving rulings from the court. As the Covid-19 pandemic began to impact the City and encampment residents, the parties began collaborating with each other to deploy funds made available by Council and the Administration to provide emergency housing and shelter opportunities for our unhoused population. As the City began to modify its encampment response to include an initial engagement attempt designed to connect encampment residents with services and housing or shelter opportunities, the parties entered into settlement discussions. The resulting 2024 settlement agreement made two key changes to the City's encampment abatement process.

First, encampment engagement work would be overseen directly by the City Manager or the City Manager's designee. This work was previously performed primarily by the Cincinnati Police Department.

Second, as part of the initial engagement work, the City Manager or the City Manager's designee is required to confirm that there is an available housing or shelter opportunity for encampment residents prior to pursuing an arrest of the individual for trespass on public property.

The City Manager's Office works directly with the Cincinnati Police Department in addressing and abating encampments, while also working with the Department of Public Services and many external stakeholder agencies to balance the immediate need to abate encampments and the desire to provide long-term housing solutions to individuals.

The City Manager's Office also partners with external organizations to provide a range of services and shelter for individuals residing in encampments. In addition, the office leads a coordinated, cross-departmental response, establishing protocols for assessment, prioritization, and resolution while balancing public health and safety.

Identified Gaps in Shelter and Housing Systems

There are several gaps in the shelter and housing system that contribute to homelessness. The largest gap is that shelter options are limited. Many shelters enforce strict entry requirements, such as sobriety, curfews, and identification, which exclude many individuals in need. Specific populations face additional barriers. Youth, LGBTQ+ individuals, families, and people with disabilities often struggle to access appropriate shelter and housing resources. There is an insufficient supply of transitional and permanent supportive housing. The shortage of these housing options leaves many individuals without a pathway to long-term stability.

A lack of affordable housing units exacerbates the problem. Rising rental costs and a shortage of affordable units make it difficult for people to secure stable housing. Outreach and case management services are insufficient. Many individuals struggle to navigate available housing programs due to limited case management support. Emergency shelters often lack capacity. Seasonal and emergency shelters fill up quickly, forcing many individuals to remain outside with no alternative. Overall, the resources available do not match the number of homeless individuals, leaving significant gaps in the shelter and housing system.

Expanded Support

A coordinated, safe, and consistent encampment response requires expanded operational capacity. This includes funding for contracted cleanup crews equipped with appropriate safety gear and biohazard disposal supplies to ensure cleanups are conducted efficiently and in compliance with health and safety standards. Expanding contractor capacity would also increase crew availability, allowing for faster response times and timelier cleanup of encampments.

Additional staffing is also needed to manage customer service requests, coordinate field operations, and ensure timely posting, tracking, and follow-up on encampments. Without adequate staff capacity, response times lag and encampments are more likely to persist or reestablish.

Data regarding the rate of homeless encampments in the city and other relevant information that the administration has gathered.

Service Requests (SR) regarding homeless encampments are entered into the 311 Customer Service Response (CSR) system by city residents and staff members. These requests are managed by the Department of Opportunity and Residential Services (DORS). Since April 2026, there have been a total of 641 reports of homeless encampments that have been submitted through the 311 system. However, not all SRs represent true encampments. Of the sites that have been verified as encampments, a total of 79 encampments have been cleaned.

The Office of Performance and Data Analytics (OPDA) provides a public facing [dashboard of CSR data](#) on the Cincy Insights portal. This dashboard may be filtered to the Homeless Encampment request type and used to view the number of currently open requests, requests created over time, and their distribution by neighborhood.

Proposals to Discourage Encampments in Parks, Recreation Sites, etc.

To discourage encampments in parks, recreation sites, and other public spaces, there are four strategies that can be implemented.

1. Community engagement and education efforts can help reduce encampments by clearly communicating and posting where camping is not permitted and what enforcement actions will follow. When expectations are visible and consistently reinforced, individuals are less likely to establish encampments in those areas.

For non-Parks' or private property, much of the land being used for encampments is not open to the public. When encampments occur on City-owned property that is not publicly accessible, individuals can be required to vacate immediately, as this constitutes trespassing. Posting clear signage indicating that the area is not open to the public and that unauthorized presence is prohibited helps deter encampments before they are established.

For Parks' property, we can clearly communicate designated hours of operation. Individuals remaining in parks after hours are subject to removal. Signage and outreach that reinforce these rules, paired with consistent enforcement, can discourage overnight camping and reduce repeat encampments.

By combining proactive communication, visible signage, and predictable enforcement, the City can both guide individuals toward appropriate resources and reduce the likelihood of encampments forming in restricted areas.

2. Environmental design strategies can be used to deter unauthorized camping. Improvements such as better lighting, clear signage, strategic landscaping, and increased park activation through programming can make public spaces less conducive to encampments and prohibited after-hours public sleeping.
 - For example, adding lighting under the shelter area in Northside's Hoffner Park would enhance public safety.

3. Increasing directed patrols can support enforcement of local regulations. Expanding a visible presence in Parks and Recreation areas can also help deter encampments and maintain safe, accessible public spaces for all community members.
4. Providing education and training for City staff on handling homeless encampments is essential. By continuing to develop and implement training programs, staff can learn best practices for reporting and interacting with individuals experiencing homelessness in a compassionate and effective manner.

Additional Resources

The 311 Community Responder team will assist the DORS team by quickly validating initial reports of homeless encampments to ensure the proper service providers are engaged. In addition to the DORS team, there are many other organizations and agencies that are utilized for outreach and service provision, including the City's Alternative Response to Crisis (ARC) team, the Cincinnati Health Department, PATH (Projects for Assistance in Transition from Homelessness), GeneroCity 513, and the Hamilton County Quick Response Team.

cc: Amara Kinney, Supervising Management Analyst, Department of Opportunity and Residential Services (DORS)
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