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POLICING PANHANDLING

IMPLICATIONS OF RACE AND HOUSING STATUS IN INDIANAPOLIS, 2015–2018

ANSWER

AUTHORS

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INTRODUCTION

This study places the ongoing criminalization of panhandling, including a failed attempt in late 2018 by Indianapolis City-County Councillor Michael McQuillen to pass a "sit-lie" ordinance, in the context of economic injustice and the relationship between panhandling and homelessness. Point-in-time counts of people experiencing homelessness, Census data, inmate booking records, arrest records, and court records for Marion County, Indiana between 2015 and 2018 have been cross-referenced to build an understanding of who is targeted by enforcement of anti-panhandling laws and ordinances and what trends in discrimination can be observed in enforcement.

METHODOLOGY

Inmate booking records for Marion County jails between January 1, 2015 to December 1, 2018 were retrieved, which included demographic information. From this, a search was conducted to retrieve only the data corresponding to a charge of misdemeanor panhandling, Indiana Code 35-45-17-2. A separate search of court records was conducted for citations in the same period of time for citations for violations of the Indianapolis ordinance against panhandling.

Resulting court case numbers were used to retrieve data from the Odyssey Public Access platform managed by the Indiana Supreme Court Office of Judicial Administration.

HOMELESSNESS

Based on the findings of the 2017 Indiana University Public Policy Institute (PPI) study of panhandling in downtown Indianapolis, a focus of our research was to determine the prevalence of homelessness among individuals charged with or cited for panhandling.

KEY FINDINGS

- 55% of citations or arrests for panhandling were of Black individuals
- 62% of people experiencing homelessness arrested or cited were Black
- 53% of panhandlers were experiencing homelessness at the time of their arrest/citation
- 8% of individuals showed changes in their housing status between arrests or citations
- 50% of white panhandlers had their charge dismissed; only 31% of Black panhandlers did

Following a recommendation from the National Law Center on Homelessness & Poverty, the term "experiencing homelessness" includes those individuals listed as homeless in the Odyssey system or police reports, as well as those who had addresses to local shelters or transitional housing, hotels or motels, mental health facilities, hospitals, or Department of Corrections work release residences.

We recognize this still likely narrows the homeless population found, as many people experiencing homelessness may list addresses of relatives or friends, known as "doubling up."

OUTCOMES

As this study focuses exclusively on the issue of panhandling, only the outcome of the charge of panhandling is considered when determining the outcome of a citation or arrest. Each citation or arrest has been categorized as follows:

- **Not Charged** (e.g., panhandling appears in a booking record but not in the case record)
- **Charge Dismissed** (e.g., a charge or citation for panhandling is dismissed even if other charges are present)
- **Found Not Guilty**

Visited 07/29/2020

- **Found Guilty** (e.g., default judgment for citations or a finding of guilty)
- **Found Guilty by Plea Agreement**
- **Pending**
- **Unknown** (e.g., if a case cannot be found)

LOCATION

A public records request was made to the Indianapolis Metropolitan Police Department for locations of each citation or arrest based on police report numbers attached to cases.

RESULTS

In total, 146 citations and arrests were found across the four-year sample period.

DEMOGRAPHICS

In the 2017 PPI study of Indianapolis, of 53 panhandlers surveyed, 53% were white, 43% were Black, and 4% were of multiple races. 8% of respondents reported Hispanic ethnicity.[1] We recognize the problematic nature of this data capture, but found it is the best available data on the panhandling population in the city.

Of the 146 citations and arrests included in our study, 81 individuals (55%) were Black; 64 of individuals (44%) cited or arrested were white. One individual did not have their race reported. There were no other races reported. For ethnicity, 1 (<1%) was reported as Hispanic; the ethnicity of 40 individuals (27%) was not given.

HOMELESSNESS

The correlation between panhandling and homelessness is established and confirmed in Indianapolis by the PPI study. Over half of the arrests or citations for panhandling (77, 53%) involved people who were experiencing homelessness per our methodology at the time of their arrest or citation. Of the 121 unique individuals arrested or cited, 21 (17%) were arrested or cited multiple times. Of these individuals, 10 (8% of total unique individuals) varied in their housing status between incidents, indicating that even those with an address may have unstable access to shelter. We show this uncertainty in Figure 2 below with error bars.

Again, race plays a role, as the incidence of homelessness among people of color, especially Black people, is widely disproportionate to the broader demographics of Indianapolis. This manifests in a large deviation in the racial makeup of citations and arrests for individuals experiencing homelessness compared to those who are not. Across Marion County, 28% of residents are Black and 64% are white. According to annual point-in-time counts of people who are experiencing homelessness in Indianapolis, 40% are white, 56% are Black.[2] Of the 77 panhandling arrests and citations of people experiencing homelessness, 29 (38%) were white; 48 (62%) were Black.

OUTCOMES

Race also impacts case outcomes, as 32 white individuals (50%) who were arrested or cited for panhandling had their charge dismissed. This compares to 25 Black individuals who had their charge dismissed, representing only 31% of the total number of Black individuals charged.

White individuals experiencing homelessness were less likely to have charges dismissed (12 cases, 41%) than white individuals who had a home address listed (20 cases, 57%).

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[1] Katie Bailey and Elle Yang, *State of Panhandling in Downtown Indianapolis*, (Indianapolis: Public Policy Institute, 2017), http://ppidb.iu.edu/Uploads/PublicationFiles/downtown-indy-panhandling-report-2017.pdf.

[2] Laura Littlepage and Abe Roll, *Homelessness in Indianapolis: 2018 Point-in-Time Count*, (Indianapolis: Public Policy Institute, 2018), http://ppidb.iu.edu/Uploads/PublicationFiles/homeless-pit-count-2018.pdf.

Visited 07/29/2020

Figure 1. Demographics of individuals panhandling vs. arrest/citation rate

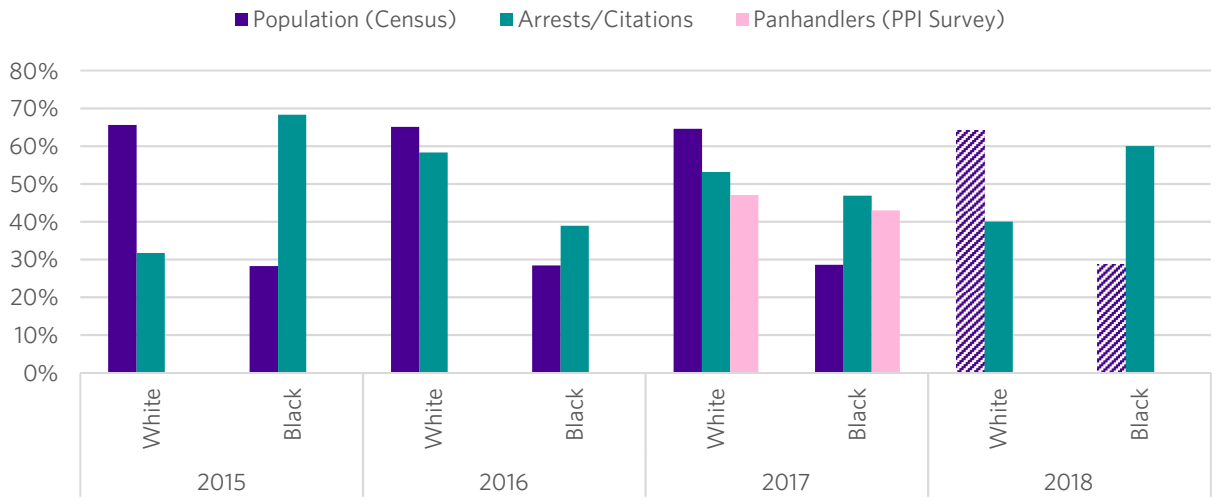


Figure 2. Demographics of people experiencing homelessness vs. arrest/citation rate

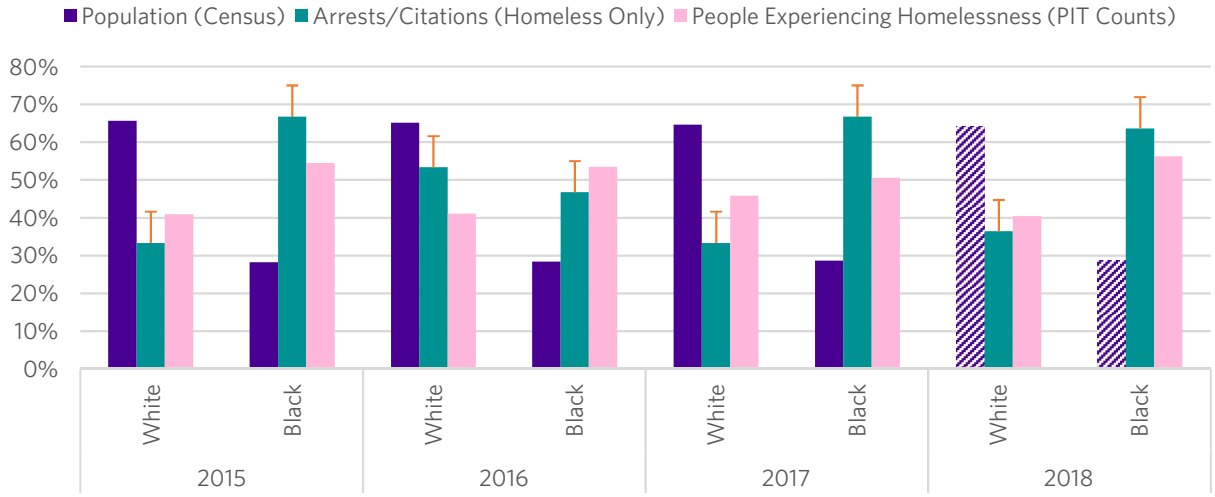
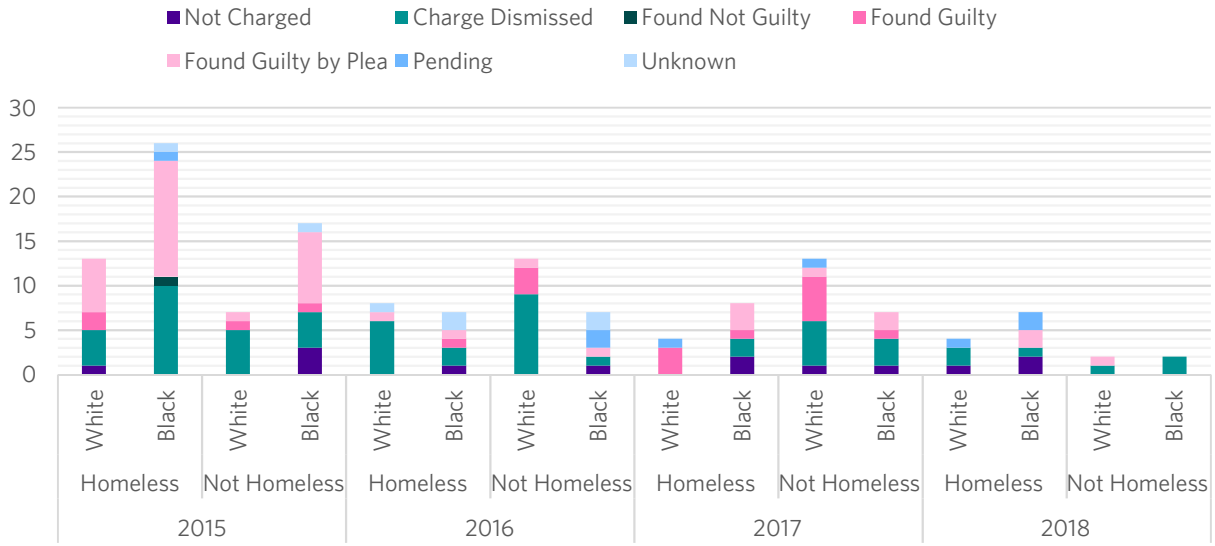


Figure 3. Arrest and citation outcomes by race and housing status



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LOCATION

Of the 146 citations and arrests, police reports for 97 were provided as a result of our public records requests made to IMPD. Of these, 82 (85%) were located within the Mile Square. 18 (12%) cases did not list the corresponding police report numbers in the Odyssey system, and therefore were not included in our public records request. Police reports for 31 cases (21% of all cases) were not provided by IMPD.

Notably, the panhandling arrest and citation rate for both Black individuals (57, 70%) and people experiencing homelessness (51, 62%) is higher in the downtown Mile Square financial district compared to the total across Marion County (respectively, 81, 55%; and 77, 53%).

CONCLUSIONS

Our study shows that IMPD more heavily targets Black panhandlers, despite previous studies finding a roughly even distribution between Black and white panhandlers. This disparity is compounded by demographics showing that less than 30% of city residents are Black. Furthermore, the data uncovered in our study suggests that Black people experiencing homelessness are especially targeted by police.

The 1948 Universal Declaration of Human Rights declares housing as a human right. According to national research, the actual number of people experiencing homelessness can be between 2.5 and 10.2 times the number included in annual point-in-time counts, putting the homeless population in Marion County anywhere between 4,200 to 17,150 people.

The fact that policing of panhandling laws so clearly, unfairly targets Black individuals in Indianapolis calls into question the intent of policies touted as colorblind, anti-panhandling measures. Panhandling, like homelessness, is an economic problem that cannot be solved by increasing police patrols. For cities to solve the linked crises of panhandling and homelessness, the answer lies in economic and racial justice.

RECOMMENDATIONS

As more research confirms the relationship between panhandling and homelessness, it is clear that policies seeking to reduce excess numbers of panhandlers must do so by taking meaningful steps to end homelessness. Attempts to criminalize panhandling or to remove panhandlers from specific areas of the city may placate a tiny fraction of the population for a short time but is akin to curing an ailment by only managing symptoms. Panhandling and homelessness are symptomatic of economic injustice, and only addressing the root cause will lead to a long-lasting reduction in the number of individuals panhandling in the city. With nearly 14,000 abandoned or vacant homes existing in Marion County, a plan to provide housing based on need and not on profit could realistically end homelessness in Indianapolis overnight.

It is impossible to focus solely on economics in a racialized society like the US. Our research reveals a clear bias in enforcement of panhandling laws by the Indianapolis Metropolitan Police Department against Black individuals in ways that do not match the known demographics of Indianapolis, the city's homeless population, or of individuals who panhandle in the city. Intensifying policing in the Mile Square financial district will only exacerbate racism in our city, in the same way Councillor McQuillen's failed "sit-lie" ordinance would have. Fortunately, many community organizations in Indianapolis have already developed robust plans for fighting racism and economic injustice. We need to build on these resources to collectively end homelessness, poverty, racism, and all forms of oppression.

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Answer Indiana is an all-volunteer grassroots organization dedicated to progressive political education and mass mobilization against racism, sexism, anti-LGBTQ bigotry, war, and all forms of oppression.

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