

DATED: September 29, 2018

FROM: Donna Mae Baukat, Executive Director — Community Compassion Outreach

TO ALL HOMELESS PERSONS IN DURANGO, CO (including people sleeping in vehicles)

This is not an agreement with the City. It is a copy of an email from ACLU to the City of Durango Attorney Dirk Nelson in which ACLU recognizes the steps the City is taking to stop enforcing the camp ban in this temporary moratorium.

If you are molested by police or city officials during the times prescribed below, you are encouraged to report it immediately to us, including the name of the official and a badge number — otherwise ACLU cannot take further action.

The email below identifies locations where officers will not enforce camp bans or sleeping between sunset and sunrise, so long as it is on City land. This gives you time to set up your tents before dark, and to take them down after sunrise.

Avoid violence, loud noises, and campfires!!

In the event you are harassed, or awoken during your sleep or told by officers to move-on between the sundown and sunrise, PLEASE NOTIFY US.

If you are disabled, and you cannot take tents down, you must inform the officer of your disability. They might send you to a safe shelter, or not. Report any harassment if you are disabled and elderly for any problems taking down tents on the City's allowable public spaces. We are still considering the constitutionality of even a partial camp ban.

ACLU HAS YOUR BACKS. You must keep me informed of any incidences that impacts your condition of being without safe shelter, and I will register the complaint with ACLU.

If you have any questions, please notify Donna Mae Baukat of CCO at (970) 236-2313 or E-Mail donnaebauekat@gmail.com at anytime.

INSTRUCTIONS:

- 1) Report all move-on orders and citations and any disturbances of sleep during the non-enforcement hours between dusk and dawn each day
- 2) Take the name of the officer who moves you to nowhere
- 3) Submit information and description of incidences to Donna Mae Baukat, Executive Director of Community Compassion Outreach (CCO) immediately.

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FROM: Donna Mae Baukat, Executive Director — Community Compassion Outreach

FORWARDED: EMAIL FROM ACLU TO DURANGO CITY ATTORNEY

Subject: RE: City of Durango Ordinances

Thank you for your email and for the City's commitment to temporarily cease enforcement of the camping ban in certain locations. I appreciate that your email provides some additional information about the City's enforcement plan.

During our phone conversation on Thursday, you and I discussed and agreed upon the importance of clarity regarding the enforcement plan. To that end, based on your email below, I understand the City's enforcement plan to be as follows:

During this temporary moratorium, the City will not enforce the camping ban in any way, including by waking sleeping individuals to discuss the camping ban, or by issuing move-on orders, warnings or citations, from sunset to sunrise in the City's publicly-owned open spaces, excluding improved green parks or playgrounds, the Animas River Trail corridor or areas adjacent to the Animas River. In accordance with this moratorium, the City will not enforce the camping ban in at least the following locations:

Animas Hill

Dalla Mountain Park

Tech Center and Overend Mountain Hidden Park

Twin Buttes

Horse Gulch

Animals Overlook Trail

Elks Parcel (to the extent it is on City land)

People sleeping outside are expected to keep a reasonable distance from residential properties. The City will only disturb campers when there is credible evidence of violations of the law other than camping.