

FOURTH DRAFT KNOXVILLE BILL OF RIGHTS ON HOUSING STATUS  
SUNDAY AUG. 16, 2015

Out of a belief in human dignity and basic human rights, Knoxville holds that no person should suffer unnecessarily from cold or hunger, be deprived of shelter or the basic rights incident to shelter, or be subject to unfair discrimination based on his or her housing status. This includes those who do not have a fixed or regular residence, including those who live on the streets, in a shelter, or in a temporary residence.

No person's rights, privileges, or access to public services may be denied or abridged solely because of their housing status.

Every person, regardless of housing status, has the following rights:

(1) the right to use, rest, and move freely in public spaces, including but not limited to public sidewalks, public parks, public land, public transportation, and public buildings;

(2) the right to rest, sleep, or use for the purposes of shelter any motor vehicle provided that it is legally parked on public property;

(3) The right to access public restrooms and discretely exercise necessary bodily functions if no restroom is available;

(4) The right to equal treatment by all municipal agencies;

(5) The right to employment including sales on the street of legal products and services without burdensome insurance or other regulations provided such sale or service poses no significant danger or obstruction of sidewalk or roadway; and the right not to face discrimination while maintaining employment due to his or her lack of permanent mailing address, or his or her mailing address being that of a shelter or social service provider;

(6) The right to give and solicit donations in public spaces

(7) the right to medical care without prejudice including mental health care;

(8) the right to demand a Breathalyzer and/or other definitive test methods if arrested for public intoxication with a BAC of .08% or above required to justify such an arrest;

(9) the right to vote, register to vote, and receive documentation necessary to prove identity for voting without discrimination due to his or her housing status;

(10) the right to protection from disclosure of his or her records and information provided to homeless shelters and service providers to municipal, and private entities without appropriate legal authority; and the right to confidentiality of personal records and information in accordance with all limitations on disclosure established by the federal Homeless Management Information Systems, the federal Health Insurance Portability and Accountability Act, and the federal Violence Against Women Act; and

(11) the right to a reasonable expectation of privacy for his or her personal property to the same extent as a person has in a permanent residence including the right to set down or leave at rest personal property in public spaces without harassment as long as that personal property does not maliciously or substantially obstruct a passageway, or cause a public security threat. Should the property be confiscated, the owner of the property has from the time it is seized to within 30 days to reclaim the property. If the property is damaged or destroyed, its owner has the right to fair value restitution.

(12) the right to collect, within 24 hours, personal property stored on private ground when the owner of the land expresses a desire for the personal property to be removed. If the property is damaged or destroyed within the 24 hour timeframe, its owner has the right to fair value restitution.

Furthermore, Knoxville prides itself on the willingness of its citizens to actively care for those in need. All persons have the right to perform voluntary acts of compassionate assistance including but not limited to:

(1) The right to provide religious services for those in public spaces, and the right of those in public spaces to pray, meditate, or practice religion in the same manner as any other person;

(2) The right to give food or water to others, and the right to eat, share, and accept food and water in public spaces;

(3) The right to give shelter or assist those in need by helping them find shelter, and where no affordable shelter can be found, assist them in getting to public spaces where they have the right to move freely and rest without harassment or intimidation in the same manner as other persons.

These rights are secured by the Constitution and laws of the United States of America including, but not limited to, the following amendments: 1st (free exercise of religion and freedom of speech), 4th (protection against unreasonable search and seizure), 8th (cruel and unusual punishment) 14th (due process and equal protection), and 15th (the right to vote). They are also grounded in the Declaration of Independence.

