

TRLA

Texas RioGrande Legal Aid



Street Smart Austin: Know Your Rights!



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This is the revised publication of Street Smart Austin. It has been prepared by Legal Aid for the Homeless and Texas C-BAR, which are projects of Texas RioGrande Legal Aid.

We have developed this booklet to provide useful information about laws that may affect people who are homeless in Austin, Texas. Specific questions and incidents can be addressed by contacting Legal Aid for the Homeless at ARCH, 500 E. 7th St., Austin, TX 78701 or (512) 305-4100.

This document is not a substitute for the advice of an attorney. The materials and information contained in this document may not reflect the most current legal developments.

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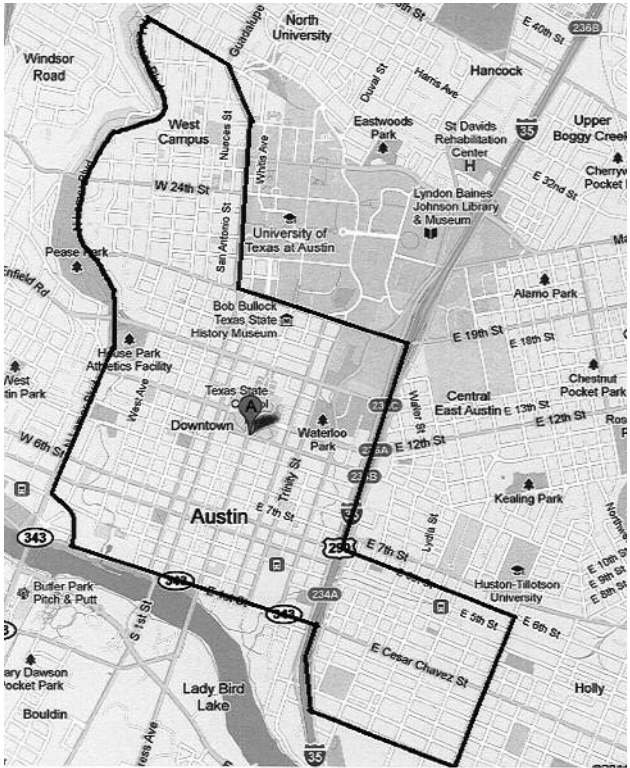
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1.1 Sitting, Lying Down or Blocking a Sidewalk or Public Access Way

1.2 Downtown Area Business Map



1.3 Austin city ordinances and state law say that **after being notified or warned by a police officer of the rules**, it is illegal to continue to do the following in the area shown above (except for the campus of the University of Texas):

- Be asleep outdoors;¹ or
- Sit or lie down in the right-of-way between the roadway and the property line, building, or object placed in that area.²

1.4 Note: This ordinance pertains to the area within the boundaries indicated in the above map: east of North Lamar Blvd., south of East Dean Keeton, west of IH 35, and north of Cesar Chavez.

¹ Austin City § 9-4-14 (D)(1)

² Austin City § 9-4-14(D)(2)

1.5 Exceptions to the sitting, lying and sleeping laws:³

- Experiencing a medical emergency;
- Using a wheelchair because of disability;
- Buying something from someone on the sidewalk;
- Sitting on a public chair or bench;
- Sitting in a bus stop zone waiting for transportation;
- Standing in line to buy tickets or attend a public event; or
- Participating in or watching a parade or demonstration.

1.6 Exception to No Sit, No Lie Ordinance if you have a disability:

- If you have a disability, you are allowed to sit or lie down on public sidewalks for a 30 minute period.⁴
- Additional exceptions to the ordinance include:
 - * when in line for goods or services,
 - * when viewing a parade, demonstration, rally or the like,
 - * when at a bus stop area waiting to use transportation,
 - * when sitting on a chair or bench provided by a public agency or the abutting private property owner,
 - * or when Austin is experiencing extreme weather.

1.7 A disability is a physical or mental impairment that substantially limits a major life activity such as walking, seeing, hearing, speaking, or breathing.⁵

Note: Tell the police officer you are sitting or lying because of a disability, and tell the officer what disability you have, such as diabetes, congestive heart failure, schizophrenia, bipolar disorder, depression, cerebral palsy, or any other disability. If possible, show the police

³ Austin City § 9-4-14 (G).

⁴ Id. at (A)(1-2).

⁵ Austin City Code § 9-4-14(E)

officer a document that shows you are disabled, such as a Mobility Impaired Bus Pass, Social Security Disability Award Letter, Food Stamp Work Exemption, or a letter from a doctor, hospital, clinic, or MHMR.

Note: Also explain what specifically made you need to sit or lie down, such as a migraine, muscle weakness, dizziness, feeling faint, nausea, pain, panic attack, heat exhaustion, muscle cramps, or any other specific reason.

1.8 Penalty: Class C misdemeanor, which is a fine up to \$500.

2.1 Jaywalking

- If there is a crosswalk nearby, you must use a crosswalk.⁶
- When crossing the street, you must cross in a straight line, not diagonally.⁷
- If there is a sidewalk near you, you must use the sidewalk and not walk in the street.⁸

2.2 Penalty: Between \$1 and \$200.⁹

3.1 Loitering

3.2 Austin city ordinances that say you may not loiter if you intend to or engage in prostitution.¹⁰

3.3 A peace officer may arrest a known drug dealer who loiters in a public place under circumstances that appear that the person intends to sell illegal drugs.¹¹

3.4 Note: The officer may not arrest the person without an opportunity to explain what they are doing.¹²

3.5 Penalty: Class C misdemeanor.

⁶ Transportation Code § 552.005(b)

⁷ Transportation Code § 552.005(c)

⁸ Transportation Code § 552.006(a)

⁹ Transportation Code § 542.401

¹⁰ Austin City Code § 9-4-16

¹¹ Austin City Code § 9-5-62

¹² Austin City Code § 9-5-63

4.1 Criminal Trespass¹³

4.2 You commit criminal trespass when you:

- Enter onto another's property without permission and
 - * There is a "No trespassing" sign; or
 - * Stay on the property after someone tells you to get off.

4.3 Penalty: Class B misdemeanor, which may be punished by a fine up to \$2,000 and/or 180 days in jail.

5.1 Criminal Mischief

5.2 You commit criminal mischief when you do the following to someone's property without their permission:¹⁴

- Destroy;
- Tamper; or
- Make markings, inscriptions or drawings.

5.3 Penalty: Ranges from a Class C misdemeanor to a felony of the first degree depending on value of property destroyed or vandalized.

6.1 Disorderly Conduct

6.2 You may be charged with disorderly conduct if you:¹⁵

- Use vulgar language that will cause a "breach of the peace" (i.e. violence);
- Make a gesture or display that will cause a "breach of the peace";
- Create an unreasonable odor or smell;
- Abuse or threaten someone in an offensive manner;
- Make too much noise;
- Fight with someone;

¹³ Texas Penal Code § 30.05

¹⁴ Texas Penal Code § 28.03

¹⁵ Texas Penal Code § 42.01

- Enter private property and look into someone's window;
- Go into a public bathroom or shower stall and look at someone; or
- Interrupt an "Authorized Activity" in a public park (wedding, concert, etc.).¹⁶

6.3 Penalty: Class C misdemeanor.

6.4 If you expose your anus or genitals, you could be charged with disorderly conduct. However, if you expose your anus or genitals for sexual gratification or arousal, you will be cited for indecent exposure.¹⁷

6.5 Penalty for indecent exposure: Class B misdemeanor.

6.6 While riding on city buses, you may not:

- Play radios or musical instruments;
- Use profanity or vulgar language when talking with the bus driver; or
- Ride the bus without shirt or shoes.¹⁸

6.7 Penalty: A person may be removed from bus with the possibility of permanently losing bus-riding privileges.

7.1 Public Lewdness

7.2 It is illegal to have the following in a public place:¹⁹

- Sexual intercourse; or
- Any sexual contact, which is touching another's genitals or breast in order to arouse.

7.3 Penalty: Class A misdemeanor, which may be punished by a fine up to \$4,000 and/or one year in jail.

¹⁶ Austin City Code § 8-1-11

¹⁷ Texas Penal Code § 21.08

¹⁸ http://www.capmetro.org/riding/safe_riding.asp

¹⁹ Texas Penal Code § 21.07

8.1 Assault

8.2 You commit assault when you:²⁰

- Cause an injury to another or your spouse.
- Threaten to injure another person or your spouse.
- Cause contact you know the other person will find offensive.

8.3 Penalty: Causing an injury is a Class A misdemeanor. Threatening injury or offensively touching someone is a Class C misdemeanor. If you live with or are related to the victim, the penalty could be increased because it may be classified as domestic assault.

8.4 Penalty for domestic assault: The first offense is a class A misdemeanor. Subsequent convictions are third degree felonies, which may be punished by a fine up to \$10,000 and between two to ten years in jail.

9.1 Weapons

9.2 Texas state law defines an “illegal knife” as a:²¹

- Knife with a blade over five and one-half inches;
- Hand instrument designed to cut or stab another by being thrown;
- Dagger, including but not limited to a dirk, stiletto and poniard;
- Bowie knife;
- Sword; or
- Spear.

²⁰ Texas Penal Code § 22.01

²¹ Texas Penal Code § 46.01

9.3 Texas state law says that it is illegal to carry the following on or near you²² (in your pocket, pants, glove compartment, etc.):²³

- Handgun;
- Illegal knife; or
- Club
 - A club is defined as:
 - * Blackjack
 - * Nightstick
 - * Mace
 - * Tomahawk

9.4 Penalty: Class A misdemeanor.

9.5 A person may not enter city premises with a concealed or unconcealed firearm.²⁴

9.6 Penalty: Class B misdemeanor.

10.1 Sleeping and Camping

10.2 The “No Camping Ordinance”²⁵ says you may not camp in a public area that is not designated as a camping area. The following could be seen as camping:

- Dig a hole or build a fire outside of an authorized area (fire pit or grill);
- Store personal belongings; or
- Carry on cooking activities;
- Make a camp fire; or
- Use a tent, vehicle or other structure for a living accommodation.²⁶

10.3 Places where you may sleep:

- On private property with permission.
- On public property anytime except in a park during curfew hours²⁷ or after you’ve been warned by a police officer.

²² The penal code states “about his person,” where “about” has been defined as “near by, close at hand, convenient of access, and within such distance of the person in question that the person could, without materially changing position, place a hand on the weapon,” Courtney v. State, 424 S.W.2d 440 (Tex. Crim. App. 1968).

²³ Texas Penal Code § 46.02

²⁴ Austin City Code § 9-6-2

²⁵ Austin City Code § 9-4-11

²⁶ An officer may look at the totality of circumstances to decide that

“camping” is taking place. See § 9-4-11

²⁷ Austin City Code § 8-1-14

10.4 Note: A police officer does not need to warn you to leave before giving you a ticket under the “No Camping Ordinance”.

10.5 Penalty: Class C misdemeanor.

11.1 Urinating or Defecating in Public

11.2 Austin city ordinances say you may not urinate or defecate:

- In public view.
- On public property (i.e. streets, alleys, sidewalks).²⁸

11.3 Note: Restrooms in restaurants and nongovernmental buildings can be reserved for customers only.

11.4 Penalty: Class C misdemeanor.

12.1 Bathing

12.2 Austin city ordinances say you may not:

- Take a bath in a public fountain or public reservoir.²⁹
- Swim or bathe in Lady Bird Lake (Town Lake).³⁰
- Bathe in Barton Springs if a staff member tells you to stop.
- Use water from a public water source.³¹

12.3 Penalty: Class C misdemeanor.

13.1 Panhandling or Begging

13.2 Note: These laws change frequently.

13.3 Panhandling (or soliciting for money) is legal in some areas of the city of Austin as long as the panhandler does not become aggressive.

²⁸ Austin City Code § 9-4-15

²⁹ Austin City Code § 9-4-17

³⁰ Austin City Code § 8-5-48

³¹ Austin City Code § 9-4-17

13.4 Panhandling is prohibited between 7:00 p.m. and 7:00 a.m. in the downtown central business district, shown in the map on page 3.³²

13.5 Other places panhandling is prohibited:

- At a bus, bus station or stop, or a place for transportation.
- Within 25 feet of an ATM, bank, or check cashing business.
- At a marked crosswalk.
- On a block with a school or child care facility.

13.6 Aggressive panhandling³³ is illegal. Aggressive panhandling occurs when you:

- Touch another person during the panhandling or begging.
- Follow the person if it causes that person to fear for injury or robbery.
- Continue to beg within five feet from a person when that person has indicated they are not interested.
- Get in the way of a person (or vehicle) so that they have to change directions to avoid hitting you.
- Use obscene (nasty) or abusive (cruel) language or gestures toward the person you are asking for money.
- Act in a threatening manner towards someone.

13.7 Penalty: Class C misdemeanor.

14.1 Panhandling from Vehicles

14.2 Austin city ordinances prohibit a person who is in a roadway from soliciting money or employment from occupants of vehicles.³⁴

14.3 You may never panhandle, ask for work, or sell objects while in a roadway.³⁵

³² Austin City Code § 9-4-13(C)(7)

³⁵ Texas Transportation Code § 552.007

³³ Austin City Code § 9-4-13 (C)

³⁴ Austin City Code § 12-1-27(D)

14.4 Penalty: Class C misdemeanor.

14.5 Stepping into the following roadways is prohibited under all circumstances:³⁶

- IH 35
- MoPac Expressway (Loop 1)
- U.S. Highway 290
- U.S. Highway 183

14.6 Penalty: Class C misdemeanor.

15.1 Asking for Work

15.2 You may ask occupants of a car or truck for work when:

- You are at the Work Corner at 51st and IH 35 or the Work Corner at 2201 E. Ben White Blvd.³⁷
- In a private parking lot unless there is a sign stating (in both Spanish and English) that it is a misdemeanor to engage in solicitation for employment.³⁸

15.4 Penalty: Asking for work on a roadway outside this area is Class C misdemeanor.

16.1 Prostitution

16.2 Prostitution is defined as offering, agreeing, or engaging in sexual conduct for a fee.³⁹

16.3 Penalty: First offense is a Class B misdemeanor. Second or third offense is a Class A misdemeanor. A fourth offense is a state jail felony.

16.4 Austin city ordinances prohibit a known prostitute from loitering in a public place for the purpose of engaging in prostitution.⁴⁰

³⁶ Austin City Code § 12-1-26

³⁷ Austin City Code § 12-1-27(F)(1)

³⁸ Austin City Code § 12-1-27(F)(2)

³⁹ Texas Penal Code § 43.02

⁴⁰ Austin City Code § 9-4-16

16.5 A person may violate this ordinance if they repeatedly stop or attempt to talk to people walking by or flagging down a vehicle.

16.6 An officer may not arrest the person without giving them an opportunity to explain what they are doing. See also Section 3: Loitering.

17.1 Public Park Rules and Curfews

17.2 Alcohol is prohibited at all times (unless you obtain a permit) in the following downtown area parks:

- Barton Creek Greenbelt East/West
- Bull Creek Greenbelt Lower/Upper
- Palm Park
- Rosewood Park
- Waller Creek Greenbelt
- Waller Creek Metropolitan Park
- Waterloo Park
- Wooldridge Square
- Zilker Metropolitan Park

17.3 Note: This list is not exclusive. There are many more parks where alcohol is prohibited.

17.4 An alcohol permit is very difficult to obtain and is reserved only for special occasions (weddings, concerts, etc.).⁴¹

17.5 You may not be in a park between 10 p.m. and 5 a.m.,⁴² except if there is an event, you have a camping permit, or have a permit to be there after hours.

17.6 Some other restrictions in public parks:

- Do not sell food or drink⁴³ or any other item in the parks without a permit.⁴⁴
- Do not build a fire unless in a designated area. Camp stoves and BBQ grills may be used only in certain areas.⁴⁵
- Camp only with a permit and in certain areas.⁴⁶

⁴¹ Austin City Code § 8-3-5

⁴² Austin City Code § 8-1-14

⁴³ Austin City Code § 8-3-3

⁴⁴ Austin Park Police § 1.06

⁴⁵ Austin Park Police § 1.15

⁴⁶ Austin Park Police § 1.16

17.7 Penalty for code violations: You will be asked to stop what you are doing and could be asked to leave the park. If you are in the park past curfew, you could be cited for criminal trespass.

17.8 Penalty for criminal trespass: Class B misdemeanor.

18.1 Glass Containers

18.2 Austin city ordinances say you may not carry any glass container in the following areas:⁴⁷

- A recreation building or outdoor area (a field, playground, or parking lot);
- All or part of a park, playground, or nature preserve;
- The playing area or dugout area of an athletic field;
- A school district/playground area;
- A lake, river, stream, shoreline, or beach; or
- the areas listed in Section 19.5 of this booklet.

18.3 Penalty: You will be asked to discard the glass or leave the area and a fine not less than \$1.

18.4 Exceptions:⁴⁸

- Baby bottles for babies;
- Prescription drug containers;
- Glass-lined vacuum picnic containers or thermos bottles; or
- Sitting at a sidewalk cafe, your residence, or a friend's residence.

19.1 Alcoholic Drinks and Controlled Substances

19.2 Austin city ordinances say you may not drink or hold any alcoholic beverages in any public place on Sunday between 2:15 a.m. and noon or Monday through Saturday between 2:15 a.m. and 7:00 a.m.⁴⁹

⁴⁷ Austin City Code § 9-4-12

⁴⁸ Austin City Code § 9-4-12

⁴⁹ Austin City Code § 4-9-9

19.3 Penalty: Class C misdemeanor.

19.4 Austin city ordinances say you may not drink alcoholic beverages on property of the Austin Water Utility if a sign is posted prohibiting the consumption of alcoholic beverages.⁵⁰

19.5 Austin city ordinances say you may not drink alcoholic beverages on the sidewalk, public street, or parks located in the following general areas:⁵¹

- In downtown Austin between Martin Luther King Blvd, IH 35, Lady Bird Lake (Town Lake), and Lamar Blvd;
- In central east Austin between IH 35, 13th Street, Airport Blvd to Webberville/Chicon and Holly Street;
- In south central Austin between Lady Bird Lake (Town Lake), Dawson/South 5th Street, Oltorf, and Congress;
- In the UT area between Martin Luther King Blvd, Guadalupe, 29th Street, and Rio Grande Street;
- In the Riverside area between IH 35, East Riverside and Lakeshore Blvd, Pleasant Valley Road, and Woodland Avenue; and
- In the Montopolis area between Montopolis, Grove Blvd and Ponca Street, Vargas Road, and 183.

19.6 Penalty: Punishable by a fine of at least \$1.⁵²

19.7 Note: You may NEVER drink alcohol within 1,000 feet of a pre-K, elementary, junior high, or senior high school.⁵³

19.8 Penalty: Class C misdemeanor.

19.9 Note: A city may prohibit the possession of an open container or consumption of an alcoholic beverage on public property, within 1,000 feet of a homeless shelter or substance abuse treatment center.⁵⁴

⁵⁰ Austin City Code § 4-9-11

⁵³ Alcoholic Beverage Code § 101.75

⁵¹ Austin City Code § 4-9-1

⁵⁴ Alcoholic Beverage Code § 109.36

⁵² Austin City Code § 4-9-12(C)

19.10 Note: Public intoxication is a state crime.⁵⁵

19.11 Penalty: Class C misdemeanor. If you are under 21, not a child, and have been convicted twice before, then you can be fined between \$250 and \$2,000 AND sentenced to jail for 180 days.⁵⁶

19.12 Austin city ordinances say you may not ask another person to buy or sell a prohibited controlled substance.⁵⁷

19.13 Austin city ordinances prohibit sales of aerosol paint or glue to a person under 17 years of age.⁵⁸

19.14 Austin city ordinances prohibit the sale of nitrous oxide to a person under 19 years of age.⁵⁹

19.15 Penalty: Class C misdemeanor. Punishable by a fine of not less than \$200 or more than \$2,000.

19.16 Note: See also Section 3: Loitering.

20.1 Littering

20.2 Austin city ordinances say you cannot throw litter, including garbage, clothes, paper, or ashes, on a street, alley, sidewalk, vacant lot, or public property.⁶⁰

20.3 Penalty: Class C misdemeanor.

21.1 Smoking

21.2 Austin city ordinances say you cannot smoke in a public place, which includes all city facilities, in a park, inside a workplace, or within 15 feet of an entrance of an area where smoking is prohibited.⁶¹

⁵⁵ Texas Penal Code § 49.02

⁵⁶ Alcoholic Beverage Code § 106.071

⁵⁷ Austin City Code § 9-5-11

⁵⁸ Austin City Code § 9-5-22

⁵⁹ Austin City Code § 9-5-41

⁶⁰ Austin City Code § 10-5-42

⁶¹ Austin City Code § 10-6-2

22.1 Trash Picking

22.2 Austin city ordinances say you cannot pick things out of trash or recycling containers. It is also illegal to tamper with the containers, or interfere with collecting the trash or recycling.⁶²

23.1 If your pet is in the pound

23.2 You must pay a fee to retrieve your pet from the pound. You can have the fee waived if you claim in writing that you are unable to pay, or if the animal will be killed, or if the animal is sterile, or if you agree to sterilize the animal.⁶³

23.3 If the pet is a cat or dog, you must prove it has been vaccinated, or agree to have it vaccinated.⁶⁴

23.4 The animal may be killed if you do not claim it for three days, or if it is sick or injured.⁶⁵

23.5 The pound may implant a microchip in the animal for identification purposes.⁶⁶

23.6 If the animal has been impounded before, it may be sterilized.⁶⁷

Note: Ask at the ARCH 305-4100 x 9 about special exceptions during cold weather shelter nights.

24.1 Taking care of your pet

24.2 You may not keep a noisy animal that disturbs other people.

24.3 You must keep your pet clean, healthy, well-fed, and hydrated.⁶⁸

⁶² Id. at § 10-6-2.

⁶³ Austin City § 15-6-111 (A).

⁶⁴ Austin City § 3-1-23 (A).

⁶⁵ Id. at § 3-1-24.

⁶⁶ Id. at § 3-1-26.

⁶⁷ Id. at § 3-1-28.

⁶⁸ Id. at § 3-1-29.

24.4 If an animal is kept in a vehicle, the vehicle must be well-ventilated, and the animal must be prevented from falling or jumping from the vehicle.⁶⁹

24.5 If you have a dog, you must keep it either in a secure enclosure or under your physical control, e.g., on a leash,⁷⁰ except in certain areas where dogs need not be restrained,⁷¹ as long as the dog is not in heat.⁷²

24.6 You cannot keep your dog chained unless you are holding the chain, or it is temporary, or necessary for the health or safety of the dog or a person.⁷³

24.7 Your dog's feces must be removed from public or private property promptly.⁷⁴

24.8 You cannot keep a dog that has bitten or scratched a person in the city more than twice, or has ever endangered the life of a person, pet, or livestock.⁷⁵

25.1 Dealing with a Police Officer

Below are some of the main laws about speaking or dealing with a police officer. These are not all the laws but only a guide.

25.2 Texas state law says you may not:

- Refuse to give your name, address,⁷⁶ or date of birth when asked by a police officer after you have been arrested.⁷⁷
 - * **Penalty:** Class C misdemeanor
- Give a false name, address, or date of birth to a police officer after you have been arrested, stopped (detained), or if you are a witness to a crime.⁷⁸
 - * **Penalty:** Class B misdemeanor
- Leave a police officer who is trying to arrest or stop (detain) you.⁷⁹
 - * **Penalty:** Class B misdemeanor

69 Id. at § 3-2-5.

70 Id. at § 3-2-6.

71 Id. at § 3-1-1, § 3-2-1.

72 Id. at § 3-4-4.

73 Id. at § 3-4-5.

74 Id. at § 3-4-2.

75 Id. at § 3-4-6.

76 Id. at § 3-4-7.

⁷⁷ Texas Penal Code § 38.02(a)

⁷⁸ Texas Penal Code § 38.02(b)

⁷⁹ Texas Penal Code § 38.04

- Prevent or obstruct a police officer or a person under the police officer’s direction if they are trying to arrest, search, or transport you or someone else.⁸⁰
 - * **Penalty:** Class A misdemeanor
- Hinder, hide, or help someone who is being arrested or detained by a police officer.⁸¹
 - * **Penalty:** Class A misdemeanor

25.3 You have the right:

- After you have given the police officer your name, address, and date of birth, you have the right not to answer a police officer’s questions even if you are only a witness to a crime.⁸²
- You have a right to stop answering questions, even if you have already answered some of a police officer’s questions.
- You have the right to object to a search by a police officer,⁸³ but do not physically resist the police officer’s arrest.
- You have the right to be free from excessive force.⁸⁴
- You have a right to ask a police officer and be told his or her name and badge number.⁸⁵

25.4 How do you know when you are under arrest?

- You may be under arrest without the police officer saying the word “arrest.”
- You are arrested when the police officer takes you into custody or deprives you of freedom of movement in any significant way.⁸⁶
- A police officer may detain you without arresting you. The officer may detain you if he suspects you may be involved in criminal

⁸⁰ Texas Penal Code § 38.04

⁸¹ Texas Penal Code § 38.03

⁸² Texas Penal Code § 38.05

⁸³ U.S. Const. 5th Amendment

⁸⁴ U.S. Const. 4th Amendment

⁸⁵ internal police policy

⁸⁶ “If You Are Arrested,” State Bar of Texas

activity. After a temporary detention, a police officer must either arrest you or let you go.

- If you are not sure, ask the police officer if you are under arrest and why!

25.5 A police officer has the right to administer a “pat down” if he/she has a reasonable belief that you are carrying weapons.⁸⁷

25.6 Austin city ordinances say you cannot refuse to comply with an order of a police officer.⁸⁸

25.7 Austin city ordinances say you cannot interfere with a police officer carrying out his or her duties.⁸⁹

25.8 If you are under arrest, you cannot refuse to give a police officer your correct name and address. You also cannot give a police officer a false name or address.⁹⁰

26.1 Warrants

26.2 A warrant is an order from a judge instructing the police to arrest an individual accused of violating a law(s).

26.3 If you fail to make a plea to each violation on a ticket within 30 days, the court will:

- issue a warrant;⁹¹
- charge the standard fine plus \$50; and
- send a request to the Texas Department of Public Safety for Denial of Drivers License or Identification Card.

26.4 Note: Tickets are not always turned in to the court in a timely fashion. You must continue to show up in court and attempt to make a plea.

26.5 If there is a warrant for your arrest, a police officer may stop and arrest you even if the police officer has not witnessed you doing anything illegal.

⁸⁷ Terry v. Ohio, 392 U.S. 1 (1968)

⁸⁸ Austin City Code § 9-4-51

⁸⁹ Austin City Code § 9-4-51

⁹⁰ Austin City Code § 9-4-51

⁹¹ Texas Code of Criminal Procedure § 15.01

26.6 You can call the following phone numbers to find out if there is an outstanding warrant for you:

Community Court (512) 974-4879

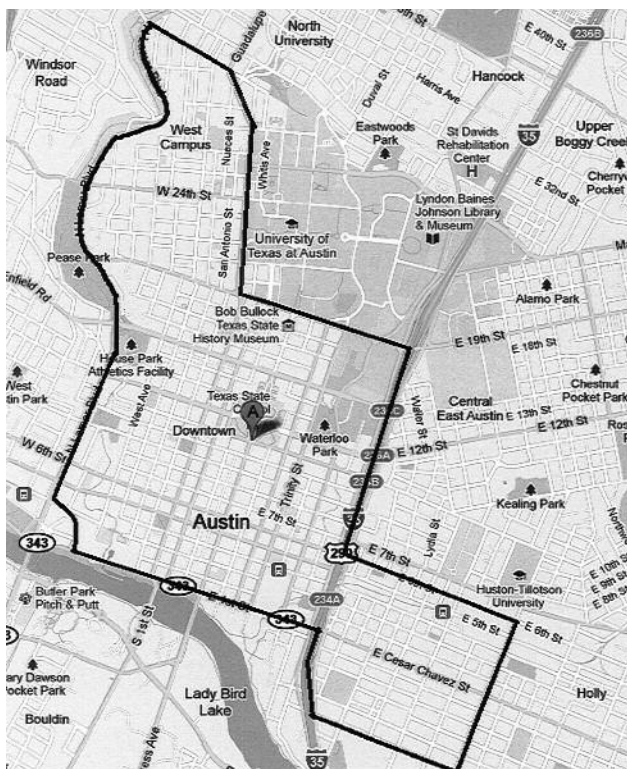
Municipal Court (512) 974-4800

Travis County Court (512) 854-9000

27.1 Community Court

27.2 Non-traffic Class C misdemeanor or City Code offenses committed in downtown, east Austin, and campus areas shown below⁹² should be tried in Community Court.⁹³

27.3 Community Court Case Map



⁹² <http://www.ci.austin.tx.us/comcourt/overview.htm>

⁹³ Austin City Code & 2-10-32

27.4 Downtown Community Court is located at **719 E. 6th Street**. It operates from 8 a.m. to 5 p.m. Monday – Friday.

28.1 Reporting Police Misconduct⁹⁴

28.2 You may be the victim of police misconduct if a police officer inappropriately uses force and inflicts harm on you. All police misconduct should be reported.

28.3 If you are a victim of police misconduct, please follow these steps:

1. Immediately after the incident contact Legal Aid for the Homeless. The staff will help you put the events down on paper.
2. Contact the Office of Police Monitor or Internal Affairs to file your report.

28.4 Office of Internal Affairs
Office of Police Monitor
1106 Clayton Lane #100E
Austin, TX 78723

(The office is in the “Twin Gold Towers.”)

Main Number: (512) 974-9090

Officer Misconduct: (512) 974-5200

28.5 A complaint should be filed within the first 30 days after the incident.

Legal Aid for the Homeless
500 E. 7th St.
Austin, TX 78701
(512) 305-4100

⁹⁴ <http://www.ci.austin.tx.us/police/ia.htm>

Notes:

Notes:



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TRLA

Texas RioGrande Legal Aid

To apply for legal services or to make referrals, contact:

Austin Office

4920 North IH 35

Austin, TX 78751

Phone: (512) 374-2700

Toll-free: (800) 369-0574

Fax: (512) 447-3940

For local contact information visit our web site:

www.trla.org



Legal Aid for the Homeless

500 E. 7th St.

Austin, TX 78701

(512) 305-4100