



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 3

**Agenda Date:** October 19, 2023

**In Control:** City Council A Session

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**DEPARTMENT:** Health Department

**DEPARTMENT HEAD:** Claude Jacob

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Amending Chapter 15 of the City Code to add an article on domestic violence signage.

**SUMMARY:**

This ordinance authorizes changes to Chapter 15 of the City Code to adopt an article, titled “Domestic Violence Signage” requiring places of public accommodation to post signage with domestic violence resources. The proposed amendments would become effective October 1, 2024, after a 12-month implementation period consisting of outreach and education to local places of public accommodation.

**BACKGROUND INFORMATION:**

Domestic violence is also called family violence, domestic battering, spousal abuse, domestic abuse, and intimate partner violence. Regardless of the name, at the heart of domestic violence is the attempt by one person to use power and control over another person in a physical, economic, or emotional way. This power struggle can shape many abusive behaviors, including stalking, physical violence, sexual violence, mental abuse, and emotional abuse. While human trafficking and sex trafficking can be a part of intimate partner violence, they also have unique risks and encompass other forms of abuse and human rights violations. For example, abusive partners may use physical force, coercion, and violence to compel participation in sex work. Abusive partners

may also force other forms of labor without pay. Domestic violence, human trafficking, and sex trafficking are underreported and undercounted, with the true scope of the challenge remaining hidden.

According to the Department of Health and Human Services, of the more than 50,000 people trafficked in the United States every year, 25% pass through Texas. In 2021, 19,945 reports were filed through the San Antonio Police Department (SAPD) related to family violence, including 22 homicides. In 2022, SAPD filed 20,547 reports and documented 17 homicides. Metro Health Crisis Advocates served more than 11,000 people who experienced family violence.

### **COUNCIL ACTION HISTORY:**

District 8 Councilmember Manny Pelaez filed three Council Consideration Requests (CCRs) on October 7, 2021, directing:

1. City staff to draft an ordinance requiring that schools and universities which receive City funding ensure instruction on family violence, child abuse, and human trafficking;
2. City staff to draft an ordinance to require that all places of public accommodation display in bathrooms clearly visible signage featuring domestic violence and sex trafficking prevention resources; and
3. City staff to develop and operationalize a plan to equip City and City-affiliated organizations with requirements to distribute informational resources regarding domestic violence, family violence and human trafficking.

Metro Health presented background information on these three CCRs at the Governance Committee meeting on January 11, 2022. The request was directed to the Community Health, Environment, and Culture Committee (CHECC) for further review of response recommendations, which occurred on March 8, 2022, and August 25, 2022.

At the CHECC meeting on August 25, 2022, the Committee decided not to move the school education and the information augmentation requests forward since the presentation from Metro Health included current and future efforts that aligned with these CCRs. Additionally, the Committee requested that Metro Health research two possible options: drafting a proposed ordinance and considering a voluntary approach to disseminate the signage. Metro Health has been carrying out a voluntary initiative since 2020 by disseminating 10,000 decals to restaurants, businesses, City departments, and community organizations to help promote access to domestic violence resources.

Metro Health presented the two options to the CHECC on April 27, 2023. During the meeting, the Committee voted for Metro Health to bring forward an ordinance requiring domestic violence resources signage with no penalty to City Council A Session.

### **PUBLIC INPUT:**

Metro Health conducted an online survey in English and Spanish to gauge public sentiment on this issue from November 2022 to January 2023. The survey gathered more than 1,400 responses, with 81% being female and 15% male. Community members made up 82% of responses while 18% of

respondents identified as business community members. Every age group between 25 and 64 years of age recorded participation in the survey. About 16% of respondents reported living with a disability. Additionally, responses were recorded from individuals representing every City Council District.

The survey was widely distributed to community organizations, City of San Antonio (CoSA) partners, public-facing, and business-serving Metro Health programs, promoted through social media posts, paid advertisements and numerous media interviews. Additionally, Metro Health reached out directly to local Chambers of Commerce and to business groups and small businesses through the Economic Development Department.

When looking at the overall support for an ordinance, 79% of those surveyed supported or strongly supported the idea of a mandate. When analyzing the survey data in support of an ordinance by gender, there was overwhelming support for a mandate from all genders with only a small fraction opposing the effort. When looking at support for an ordinance by audience type, both the majority of the business community and the community at large support the initiative. Similarly, when looking at reaction to a voluntary initiative, a majority of respondents, across genders, City Council Districts and audience were in favor of a voluntary initiative. The survey results showed that there is a majority support for both a mandatory initiative and a voluntary initiative. These questions were not exclusionary, and they showed that there is overwhelming support in the community for some type of action to be carried out.

Metro Health staff presented drafts of the ordinance, signage, and implementation plan with the Texas Restaurant Association – San Antonio Chapter in April 2023 to obtain the organization's feedback. The representatives recommended a voluntary initiative to limit the burden on businesses. Staff also shared the information with the Collaborative Commission on Domestic Violence, which recommended an ordinance to create a community-wide mechanism for promoting domestic violence resources.

## **IMPLEMENTATION AND COMPLIANCE:**

The principle guiding the implementation of this ordinance is education and partnership with businesses and other facilities to achieve compliance. This ordinance applies to any places of public accommodation within the City. Places of public accommodation include every business, whether wholesale or retail, which is open to the general public and offers, for compensation, any product, service, or facility. The term includes, but is not limited to, all taverns, hotels, motels, apartment hotels, apartment houses with four (4) or more tenant units, restaurants, or any place where food or beverages are sold, retail and wholesale establishments, hospitals, theaters, motion picture houses, museums, bowling alleys, golf courses and all public conveyances, as well as the stations or terminals thereof.

Metro Health will develop and provide the required sign at no cost to the participating establishments and will execute an education and distribution campaign over the 12-month implementation period to prepare the community for the ordinance. Metro Health will ensure wide-reaching education and promotion takes place, so all establishments have enough time to learn about the new ordinance and train their staff. The ordinance will use a complaint-based model and will not include penalties. Metro Health will be responsible for the education and ensuring

compliance.

After the one-year implementation period, any resident who observes non-compliance with the ordinance will be able to make a complaint with Metro Health through 3-1-1. Once the complaint is received, Metro Health will follow up with the facility to provide education and ensure compliance. Additionally, Metro Health will conduct compliance checks during routine inspections of licensed food service establishments.

#### **ISSUE:**

Current estimates indicate 1 in 3 women and 1 in 4 men in Texas have experienced domestic violence. Domestic violence is underreported, and most people do not know where to find assistance. Placing signs throughout the community featuring trusted resources enables more people experiencing domestic violence to find the help they need when they need it most. An ordinance requiring a sign posted in bathrooms in places of public accommodation will increase the number of people who are linked to the resources and have the opportunity to receive the information in a private setting.

Metro Health has a long history of working to educate establishments in the community about new requirements before taking enforcement action. Metro Health will provide the required signage at no cost to included establishments and will implement an education and distribution campaign over a 12-month period to prepare the community for the ordinance. The proposed ordinance would become effective October 1, 2024, utilizing a complaint-based model with no penalties. Metro Health will be responsible for education and compliance.

#### **ALTERNATIVES:**

Should City Council choose not to approve the proposed ordinance, the City Code will remain as is and not include an article requiring places of public accommodation to post signage with domestic violence resources. Metro Health will seek further guidance from City Council regarding next steps and propose an alternative means to comply with the CCR.

#### **FISCAL IMPACT:**

This ordinance authorizes amendments to Chapter 15 of the City Code, adding an article requiring places of public accommodation to post signage with domestic violence resources. Metro Health will utilize a complaint-based model and no fines may be assessed for violations or non-compliance.

There is no cost to change the City's ordinance. However, an expenditure of \$200,316.00 will be necessary to print signs and informational materials, fund marketing and promotional costs, and provide temporary labor to educate places of accommodation with an additional \$7,500.00 recurring each year thereafter. Funding is available in the General Fund FY 2024 Proposed Budget. Funding for future years is contingent on City Council approval of future annual budgets.

**RECOMMENDATION:**

Staff recommends approval of this ordinance.