I. POLICY

It is the policy of the Davis Police Department to provide law enforcement services to all members of the community, while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

II. PURPOSE

The purpose of this policy is to ensure that all members understand the needs and rights of the homeless and to establish procedures to guide members during all contacts with the homeless, whether consensual or for enforcement purposes. This policy also outlines eligibility criteria to access emergency shelter assistance in the form of hotel/motel vouchers.

The Davis Police Department recognizes that members of the homeless community are often in need of special protection and services. The Davis Police Department will address these needs in balance with the overall mission of this department. Therefore, members will consider the following when serving the homeless community.

III. PROCEDURE

A. Homeless Outreach and Services

The Police Services Specialist Supervisor assigned to Homeless Outreach & Services is the designated member of this department to act as the Homeless Liaison. The Police Chief will notify members who the designated person is and whenever changes are made. The responsibilities of the Homeless Liaison include the following:

1. Maintain and make available to all department members a list of assistance programs and other resources that are available to the homeless.

2. Meet with social services and representatives of other departments and organizations that render assistance to the homeless.

3. Maintain a list of the areas within and near this jurisdiction that are used as frequent homeless encampments.

4. Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include:

   a. Proper posting of notices of trespass and clean-up operations.
b. Proper retention of property after clean-up, to include procedures for owners to reclaim their property in accordance with the Property and Evidence Policy and other established procedures.

5. Be present, or ensure that a properly trained member is present, during any clean-up operation conducted by this department involving the removal of personal property of the homeless to ensure that the rights of individuals are not violated.

6. Develop training to assist members in understanding current legal and social issues relating to the homeless.

B. Field Contacts

Members are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade a member from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, members are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Members should provide homeless persons with resource and assistance information whenever it is reasonably apparent that such services may be appropriate.

C. Other Considerations

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Members should consider the following when handling investigations involving homeless victims, witnesses or suspects:

1. Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.

2. Document places the homeless person may frequent.

3. Provide homeless victims with victim/witness resources when appropriate.

4. Obtain statements from all available witnesses in the event that a homeless victim is unavailable for a court appearance.

5. Consider whether the person may be a dependent adult or elder, and if so, proceed in accordance with the Elder/Dependent-Adult Abuse Policy.

6. Arrange for transportation for investigation-related matters, such as medical exams and court appearances.

7. Consider whether a crime should be reported and submitted for prosecution, even when a homeless victim indicates that they do not desire prosecution.
D. Personal Property

The personal property of homeless persons must not be treated differently than the property of other members of the public. Members should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested or otherwise removed from a public place, members should make reasonable accommodations to permit the person to lawfully secure their personal property. Otherwise, the personal property should be collected for safekeeping, as specified below. If the individual has more personal property than can reasonably be collected and transported by the member, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor’s responsibility to coordinate the removal and safekeeping of the property.

Members should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or the department Homeless Liaison or Code Enforcement Supervisor. When practicable, requests by the public for clean-up of a homeless encampment should be referred to the Homeless Liaison and Code Enforcement.

Members who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property and should inform the department Homeless Liaison if such property appears to involve a trespass, blight to the community or is the subject of a complaint. It will be the responsibility of the Homeless Liaison Officer and Code Enforcement to address the matter in a timely fashion pursuant to Policy and Procedure 2.51-A, Encampments.

E. Mental Illness/Impairment

Some homeless persons may suffer from a mental illness or a mental impairment. Members shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention (see PP 2.19-A Mental Health Policy).

When a mental illness hold is not warranted, the contacting member should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, members may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

F. Hotel/Motel Voucher Program

The Homeless Liaison may offer hotel/motel vouchers when warranted and in compliance with this policy.

- If another accessible emergency shelter option can be identified through a local Continuum of Care Agency to fulfill the presenting need in part or whole, those options will be used first before accessing hotel vouchers from the Davis Police Department.

- Whenever possible, the lowest cost solution that meets the presenting need shall be purchased in order to spend funds in a cost-effective manner.
A person may be eligible for up to $500 of assistance per instance, in the form of gift cards to hotels.com or a similar vendor, if all the following criteria are met.

1. The individual or family seeking assistance (hereafter “client”) must meet with the Homeless Liaison, or their designee, and request emergency shelter assistance directly or by referral from a partner agency acting on their behalf in the event that they are not able to meet in person.

2. The client is assessed as “highly vulnerable” using an evidence-based protocol. Examples of evidence for making a determination of vulnerability include, but are not limited to:
   a. The client has a Vulnerability Index - Service Prioritization Decision Assistance Tool (VI-SPDAT) assessment score of 11 or greater.
   b. The client is a recent victim of a violent crime or has obtained a verified criminal protective order.
   c. The client has a documented serious medical/health condition.
   d. The client has a documented chronic medical/health condition or disabling condition that limits their ability to access services.
   e. The client is at greater risk of serious injury or mortality due to extraordinary circumstances such as inclement weather conditions.

3. The client cannot access other emergency shelter resources for a compelling reason, such as:
   a. There are no local emergency shelter beds available.
   b. Local emergency shelter is not ADA accessible and cannot reasonably accommodate the client.
   c. The person has a documented serious medical/health condition that renders them ineligible for an emergency shelter program.
   d. The person has a companion, support, service, or psychiatric service animal that a shelter cannot accommodate.
   e. The client family is composed of multiple persons and there are insufficient shelter resources to provide to the family without separating its members.

Clients may receive additional vouchers so long as they continuously meet all the eligibility criteria and provide proof of a viable plan in place for accessing shelter or housing going forward. The plan should be documented with a local Continuum of Care agency. The maximum annual assistance to a household shall be $3,000 unless otherwise authorized by the Police Chief.

Darren Pytel
Police Chief
07/17

Revised
7/19: voucher program added

Reviewed 12/17, 05/19