

**RECOMMENDATIONS TO ADDRESS HOMELESSNESS FOR**




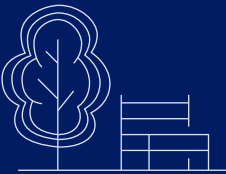
# Law Enforcement

## LAW ENFORCEMENT AGENCIES CAN BE A POWERFUL ALLY IN ALLEVIATING HOMELESSNESS

While law enforcement is often the first response to situations involving homelessness, there are often more effective ways to respond to such situations. Instead, either have alternative approaches available for officers to address these situations, or have other services providers take the lead in providing the needed assistance. People who are homeless face a high risk for victimization. However, because of the threat of coercive measures, individuals experiencing homelessness often do not call for law enforcement assistance when needed.

## ADDRESSING UNSHELTERED HOMELESSNESS

There are four required components to successfully address unsheltered homelessness.

 <p><b>Reducing Inflow</b></p>	 <p><b>Crisis Response</b></p>	 <p><b>Housing Stabilization</b></p>	 <p><b>Public Space Management</b></p>
<p>RESPONSIBILITY: <b>Public Systems</b></p>	<p>RESPONSIBILITY: <b>Homeless Assistance System</b></p>		<p>RESPONSIBILITY: <b>City &amp; County Government</b></p>
<ul style="list-style-type: none"> <li>&gt; Justice</li> <li>&gt; Anti-Poverty</li> <li>&gt; Prevention</li> <li>&gt; Health, including behavioral health</li> <li>&gt; Child Welfare System</li> <li>&gt; Affordable Housing</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Continuum of Care</li> <li>&gt; Outreach</li> <li>&gt; Emergency shelter &amp; temporary housing</li> <li>&gt; Housing providers</li> <li>&gt; First responders</li> <li>&gt; Health, including behavioral health providers</li> </ul>		<ul style="list-style-type: none"> <li>&gt; Mayor/city manager</li> <li>&gt; Code enforcement</li> <li>&gt; Public health</li> <li>&gt; Law enforcement</li> <li>&gt; Parks</li> <li>&gt; Outreach</li> <li>&gt; Libraries</li> <li>&gt; Businesses and business organizations</li> <li>&gt; Faith-based organizations</li> </ul>
<p>Use data to identify how people are becoming homeless and target prevention strategies and policies to these areas.</p>	<p>Investment in housing stabilization capacity will make crisis response more effective and efficient.</p>		<p>To reduce expenditures, increase efforts to reduce inflow and expand homeless assistance system.</p>

# TO DO

1

## Foster collaboration across sectors with a full range of partners

- > Participate in Continuum of Care (CoC), an umbrella group of homeless services providers and other stakeholders who coordinate a region-wide response to homelessness, to provide a structure for collaborations with services agencies
- > Work collaboratively with social services, mental health, outreach, and other professionals
- > Learn a wide range of approaches in responding to a situation or people experiencing homelessness
- > Direct people experiencing homelessness to the most appropriate provider
- > Train with service providers to develop an understanding of respective outreach approaches and perspectives before conducting joint outreach
- > Provide support for adequate homeless outreach services

2

## Use data to inform policy and practices

Data-informed decision making is critical to developing and implementing effective strategies to reduce unsheltered homelessness. Data analysis is important to identifying approaches to reduce racial disparities. Integrating data across local government with data available through HMIS (Homeless Management Information System).

Share the data that law enforcement collects—either formally or informally—with providers to assist them in assessing needs and coordinating services. Service providers may be reluctant to share data with law enforcement due to privacy concerns.

Move forward with law enforcement initiatives only when empirical data supports their effectiveness. Evaluate homeless programs and approaches.

- > Conduct program evaluations on homeless services provided by law enforcement
- > Review statistics on “homeless” responses
- > Create a basis for replicating effective programs in other localities

### Informed Practices in Action

- > In Philadelphia, police undertake weekly informal “windshield counts” of persons sleeping in unsheltered locations and disseminate that information as a means to assess changes in population size and geographic concentrations.
- > In the Twin Cities, Metro Transit Police have a new HIPAA-compliant mobile assessment vehicle that is equipped to make identification cards, connect into the local homeless management information system, and provide practical services for people who are unsheltered (e.g., phone charger service and Wi-Fi).

# 3

## Provide training on engaging with those living unsheltered

### TRAINING TOPICS:

- > Homelessness 101—create awareness of the need for compassion for the situations of those living unsheltered, reasons for homelessness, and local homeless assistance system
- > Non-punitive approaches
- > Effectiveness in interacting with people who are homeless and who may have endured trauma
- > De-escalating crises
- > Culturally appropriate practices
- > Effective responses to circumstances that occur in conjunction with homelessness
- > Law enforcement protocols and practices:
  - > How to connect to the homeless assistance system and partner with homelessness outreach teams
  - > How to mitigate public health and safety issues

### TRAINING SOURCES:

While presently there is no predominant curriculum for providing such training, sources and curriculum options include:

- > Internal departmental training by officers who regularly engage with the homeless population
- > Training by professionals in homeless services and advocacy organizations
- > Trainers from other jurisdictions
- > Consultation with law enforcement research and policy organizations and technical assistance providers
- > Crisis Intervention Team (CIT) program curriculum — given the high levels of behavioral health disorders that co-occur with homelessness, CIT curriculum provides tools to address situations involving homeless people with behavioral health disorders

# 4

## Apply a problem-oriented, trauma-informed policing approach towards homelessness

Focus on root causes, such as lack of access to housing or shelter and health/behavioral health care, instead of immediate enforcement outcomes. With the vast majority of people who experience homelessness also having history of trauma, it is critical that police are able to recognize and address trauma.

- > Discourage arrest and citation as a first response, even when the situation permits doing so
- > Favor less punitive, alternative approaches (e.g., when addressing individuals dwelling inside of a homeless encampment, arrange overnight shelter with housing services instead of citing under an anti-camping ordinance)
- > Address safety and security needs of the individual, listen with compassion in a non-judgmental manner, and help them understand next steps

For communities with high rates of unsheltered homeless and limited community-based outreach capacity, consider creating a specialized unit or group of officers with embedded social workers to respond to 911 and other calls involving homeless situations (see Special Topics brief on outreach). All members of the homeless unit would require appropriate training, and clear protocols must be created that focus on problem-oriented, trauma-informed practices.

- > Develop working relationships with the homeless assistance system and network of providers
- > Respond to “homeless” calls and provide direct assistance to help individuals exit homelessness
- > Develop trusting relationships with people who are affected by homelessness
- > Provide guidance to people living unsheltered on how to avoid arrest, citation, or move-along orders

# 5

## Promote non-punitive practices based on proven best practices

People in homeless situations should not be arrested or cited for offenses that are related to or would not have occurred in the absence of the deprivations of homelessness. This includes offenses related to camping or sleeping in places not meant for human habitation, offenses related to panhandling, and offenses that likely would not have occurred if access to private space were available, such as loitering or public urination. The consequences become more problematic due to difficulties with paying fines, not appearing for court dates, and other actions that lead to compounded fines, new charges, and bench warrants. These unresolved legal issues can result in subsequent justice-related encounters leading to arrest and incarceration. Instead, officers should focus on solutions:

- Make “warm handoffs” to appropriate services providers
- Engage in outreach and support casework in partnership with community providers
- Arrange for housing and broker needed services; coordinate services
- Reunite individuals with families, including assisting with transportation
- Explore competitive grant funding opportunities to generate new resources to expand services
- Educate the community about causes of homelessness and actions being taken

Police are usually involved when closing encampments in case it becomes necessary to physically evict people and their possessions. Police can leverage this involvement and minimize their role by urging that, when encampments must be displaced, there are protocols that ensure:

- Adequate notice, consultation with impacted encampment residents, and connections to service providers should be included in the closure process so the encampment is resolved permanently, rather than just moved
- Safeguards for homeless persons’ belongings in the event of an arrest or displacement

# 6

## Liaise with all constituents impacted by homelessness

People who are homeless are in milieus where they are in greater need of the protection that officers can provide. At the same time, they often distrust officers due to negative past experience or to enforcement of laws that prevent them from legally engaging in life-sustaining activities.

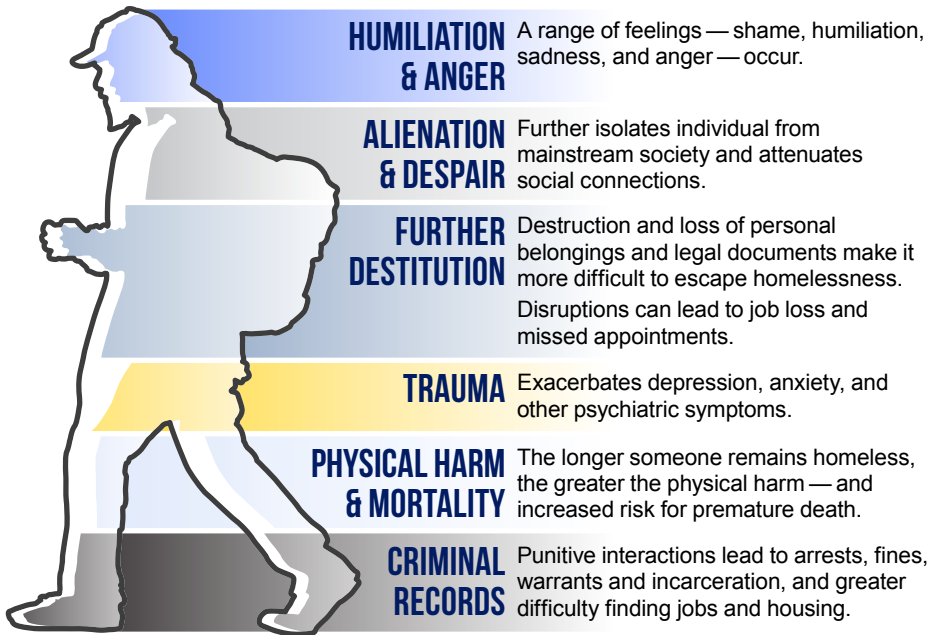
- Foster ongoing relationships with people who are homeless
- Build trust and promote public health
- Include people with lived experience of homelessness in the development and implementation of policies and practices to address unsheltered homelessness
- Be aware that people who are unsheltered are often the victims of crime and violence and may need your protection

Homelessness impacts not only those who experience this condition, but also family members, community residents, business owners, and other segments of the greater community.

- Interact with and, when needed, mediate between these individuals and situations
- Educate the community on homelessness and what the police can do (and cannot do)

## Consequences of Punitive Approaches

Displacement through move-along orders or arrest and citations for activities like sleeping, camping and “acts of living” laws are fundamentally unfair when individuals have no other reasonable alternatives, and prolong homelessness and increase the need for services from various public systems.



## WICHITA, KS AND PHILADELPHIA, PA

### DIFFERENT APPROACHES TO ADDRESSING HOMELESSNESS:

Wichita and Philadelphia both have police units dedicated to addressing homelessness. Both work cooperatively with their homeless assistance systems, but each takes a fundamentally different approach.

In Wichita’s Homeless Outreach Team model, first developed by the Colorado Springs Police Department, officers assume tasks that are typically a function of homeless outreach providers, while they retain law enforcement capabilities. This unit was developed since there are very limited community-based outreach services available in Wichita. Police officers, in this model, act as outreach workers to engage unsheltered homeless people in places that would otherwise be inaccessible to other outreach workers due to safety concerns. HOT will avoid making arrests or issuing citations unless absolutely necessary; instead, they encourage people with whom they engage to use HOT as an entry point to social services, counseling, subsidized housing, and services.

The Philadelphia Police Department has two homeless details with officers who are trained to address homeless individuals and their needs. In contrast to models where police take on casework duties directly, police on the homeless detail will call for assistance from outreach workers and provide support, thus limiting their direct participation in casework functions. The homeless unit works in close collaboration with outreach workers coordinated through the City’s public behavioral health services department, with each entity’s capabilities complementing the other.

### DON'T DO

While punitive approaches can be superficially appealing, they have low return-on-investment and are harmful and traumatizing to people who are unsheltered. They do not reduce unsheltered homelessness. Instead, they take the attention away from solutions, are expensive to implement, and can spur costly litigation.



Don't take coercive approaches that threaten the well-being of unsheltered people



Don't enforce statutes or regulations that result in citations, or “move along” orders for people in response to complaints about people who are unsheltered



Don't enforce statutes or regulations that result in arrests for people engaging in meeting their basic needs



Don't forget that people who are unsheltered are often the victims of crime and violence



Don't require people to accept emergency shelter or face arrest

## TALKING POINTS

- We cannot arrest our way out of homelessness.
- Punitive practices, like arrest, citations, or move-along orders, are ineffective and harmful.
- Effective responses to homelessness involve access to housing.
- People who experience homelessness are often victims of crime.
- The role of law enforcement in responding to homelessness is to support and facilitate the provision of appropriate services.
- People who are homeless have the same rights and access to public spaces as other people and should be treated with dignity and respect.
- The more that resources become available to address homelessness, the more the role of law enforcement will diminish.



Officer Nate Schwiethale with 'Tex,' who was placed in housing through the efforts of Wichita's CoC and the HOT team.

PHOTO COURTESY OF KMWU

## KEY TERMS

### Housing First

Housing First is an approach to ending homelessness that centers on providing people experiencing homelessness with housing as quickly as possible – and then providing services as needed. The basic underlying principle of Housing First is that people are better able to move forward with their lives if they are first housed. This means eliminating or reducing the use of treatment preconditions, behavioral contingencies, and other barriers or requirements before housing or as a condition for continued tenancy in housing.

### Continuum of Care

The Continuum of Care is a regional or local planning body required by HUD to organize and deliver housing and services to meet the specific needs of people who are homeless as they move to stable housing and maximum self-sufficiency. CoC refers to the system coordinating programs that address and prevent homelessness within a geographical region.

### Inclusive Public Space Management

These activities include regulating uses, managing conflicts between uses, and coordinating interventions in the uses of public spaces to be inclusive of all, including people who are unsheltered and have no other feasible options.

## RESOURCES

- **Council of State Governments and United States Interagency Council on Homelessness.** Strengthening the Partnerships between Law Enforcement and Homelessness Services Systems. Available at: <https://csgjusticecenter.org/law-enforcement/publications/strengthening-partnerships-between-law-enforcement-and-homelessness-service-systems/>
- **International Association of Chiefs of Police.** Policing in Vulnerable Populations. Available at: [https://www.theiacp.org/sites/default/files/2018-11/IACP\\_PMP\\_VulnerablePops.pdf](https://www.theiacp.org/sites/default/files/2018-11/IACP_PMP_VulnerablePops.pdf).
- **National Law Center on Homelessness and Poverty.** Housing Not Handcuffs: Ending the Criminalization of Homelessness in U.S. Cities. Available at: <https://www.nlchp.org/documents/Housing-Not-Handcuffs>.
- **U.S. Interagency Council on Homeless.** Searching Out Solutions: Constructive Alternatives to the Criminalization of Homelessness. Available at: <https://www.usich.gov/tools-for-action/searching-out-solutions>.

## SOLUTIONS BASED ON EVIDENCE

Arnold Ventures (AV) is a philanthropic organization with the mission to invest in evidence-based solutions that maximize opportunities and minimize injustice. AV supported a study to identify practices and policies that promote alternatives to using punitive and enforcement-based measures as the primary responses to unsheltered homelessness. Project investigators conducted a three-day visit in spring–summer 2019 to each of nine sites for an in-person review of community-specific initiatives. The sites represent the major regions of the U.S. and include cities of different sizes as well as rural, suburban, and tribal areas and provide an array of different socioeconomic contexts and present different local housing market configurations.