From: Chief David Zack <dzack@ashevillenc.gov>
Sent: 1/11/2022 3:48:57 PM
To: Mike Lamb <mlamb@ashevillenc.gov>
Cc:
Subject: Re: Document shared with you: "SOP 3020 - Persons Experiencing Homelessness"

Has Bill's email been shared with Debra/Dawa ?

On Tue, Jan 11, 2022 at 11:26 AM Mike Lamb <mlamb@ashevillenc.gov> wrote:

> FYI
>
> ---------- Forwarded message ---------
> From: **Dawa Hitch** <dhitch@ashevillenc.gov>
> Date: Tue, Jan 11, 2022 at 11:23 AM
> Subject: Re: Document shared with you: "SOP 3020 - Persons Experiencing Homelessness"
> To: Bill Davis <bdavis2@ashevillenc.gov>, Polly McDaniel <pmcdaniel@ashevillenc.gov>, Kim Miller <kmiller2@ashevillenc.gov>
> CC: Mike Lamb <mlamb@ashevillenc.gov>, Samantha Booth <sbooth@ashevillenc.gov>
>
> Good Morning All,
>
> As Mike shared, we are working hard to demonstrate (and communicate) we take a comprehensive approach to homelessness.
>
> In all communications, we want to avoid the idea that there is a hard and fast policy (e.g. 7 day rule) for dealing with encampments.
>
> The key message is "safety will always be our top priority." We do have procedures in place (to be presented tonight in the City Manager's Report) AND discretion will be used as safety for campers and the community are taken into consideration. The presentation will be available soon and I will share. The presentation should be the anchor document for all communication with the media.
>
> Additionally, there will be a long form piece that will be released to the media and stakeholders (e.g., business community, neighborhoods) either tonight or tomorrow.
>
> Polly: please share the document with Bill and Samantha.
>
> There are some important nuances that we are aiming for all departments to be able to convey through media inquiries and/or managed relationships
>
> Copying Polly and her successor, Kim Miller, on this email. Coordination between the PIOs prior to responding to any media inquiries will be critical as we move forward.
>
> Appreciate you all,
> Dawa
>
> On Fri, Jan 7, 2022 at 3:17 PM Bill Davis <bdavis2@ashevillenc.gov> wrote:
>
> > Thanks, Mike,
> >
> > Very important to have message alignment. So just to be clear - if we at APD are asked about trespassing, that is something we work with land/home owners to facilitate as normal. Give folks notice they have to leave, and if they don't (based on owners wishes), we can take appropriate action, to include charging them trespassing. As with city property (the owners) we work with them the same, but they had set the timeline for wanting trespassers removed - thus the 7-day timeline. But now they are going to a 24-hour timeline, correct? That seems to be the big question on the minds of some "reporters"...or activists, who, as you say, appear to be exploiting the 7-day notification issue. It's like telling your kid you are going to count to three before taking action for them not listening to you in cleaning their room, for example. "Okay, the kid might say," I'll just wait until you get to three!
> >
> > So, if you encounter a situation of trespassers on city property, no matter the status of owning mansions or no home, we will advise them they

are trespassing and need to vacate the property right away (while providing resource material to those truly in need). If they don't leave within 24 hours, we can/will make arrests for trespassing, correct?

I'm trying not to conflate homelessness in and off itself with a crime (because it's not!), but there appear to be some that would think that the homeless CANNOT be charged with a crime because of their plight in life. Homelessness is not the charge for which we charge anyone...criminal activity such as trespassing, public safety concerns of illegal fires, drug use, sex crimes...they are the issue here.

Thank you all for working on this difficult issue. I'm been in tough situations in poor conditions. But praise God I have never been homeless. I do have a brother who was a convicted felon and was a drug and alcohol addict who was homeless at times. Even had to stay with me for a while in Memphis when he got hurt. But he eventually picked himself up, got his HVAC license, and is a successful businessman in Memphis. There is hope.

Thanks.
Bill D.

Bill Davis
Asheville Police Department
Public Information Officer
828-259-5881

On Fri, Jan 7, 2022 at 2:03 PM Mike Lamb <mlamb@ashevillenc.gov> wrote:
Bill, I've cc'd Dawa and Samantha on this email as well so that we can coordinate responses. As you can see in the attachments CIty staff consulted with COA legal and it was determined that state law and city ordinances superseded APD 7 day policy. Then COA developed a 24 protocol (also attached). APD has been working on a revision that is still in the process mainly due to the difficulties that activists have caused by exploiting APDs 7 day notification.

On Fri, Jan 7, 2022 at 1:50 PM Mike Lamb <mlamb@ashevillenc.gov> wrote:
I will present on that next week. The issue of time changes was addressed back in May by the City (I'll forward the city protocol email to you). APD has has not been doing notifications prior to Nov 2021. COA did not want APD to give notifications at camps. So, city staff (Parks and Rec, Public Works, Etc.) have been giving the notifications and we've been following up at the end of the 7 day or 24 notice (unless there were exigent circumstances)

On Fri, Jan 7, 2022 at 1:00 PM Bill Davis <bdavis2@ashevillenc.gov> wrote:
Hey, Mike, one of the biggest questions we continue to get from the media is this issue of the 7-day timeline of folks being told they need to vacate? What can you address about that? Was that a temporary measure to help with COVID issues or a city-issued timeline? Obviously, if folks are trespassing, we typically tell them they must leave...immediately. Obviously, we are using more discretion with those facing true homelessness (not to be confused with activists who may live higher on the hog than you or me). But trespassing and public safety was what we in law enforcement live by.

I made a few comments on the document. You are doing a good job on a difficult subject. Is that what you plan on presenting to the council next week?

Thanks,
Bill D.

Bill Davis
Asheville Police Department
Public Information Officer
828-259-5881

On Wed, Jan 5, 2022 at 2:36 PM Mike Lamb (via Google Docs) <drive-shares-dm-noreply@google.com> wrote:

mlamb@ashevillenc.gov shared a document

mlamb@ashevillenc.gov has invited you to **edit** the following document:

Bill this is the current draft of the SOP. Could you look through it and give suggestions for consistency?

SOP 3020 - Persons Experiencing Homelessness

Open

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because mlamb@ashevillenc.gov shared a document with you from Google Docs.

Google Workspace

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Dawa Hitch
Director, Communication &
Public Engagement Department
City of Asheville
828-552-1311 l mobile
--
David J. Zack
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