From: Mike Lamb <mlamb@ashevillenc.gov>
Sent: 12/13/2021 3:59:17 PM
To: Bill Davis <bdavis2@ashevillenc.gov>
Cc: Chief David Zack <dzack@ashevillenc.gov>,Deputy Chief Jim Baumstark <jbaumstark@ashevillenc.gov>,Deputy Chief Mike Yelton <myelton@ashevillenc.gov>,Captain J.E.Silberman <jsilberman@ashevillenc.gov>,Samantha Booth <sbooth@ashevillenc.gov>
Subject: Re: Homeless Persons APD Policy

Thanks Bill. We have an updated DRAFT SOP that is in the works currently.Â

On Fri, Dec 10, 2021 at 2:29 PM Bill Davis <bdavis2@ashevillenc.gov> wrote:

All,

As I was pursuing APD's policies and getting signed off, I came across this one today and thought itÂ was quite relevant to this week's topic.Â Bold and underlined statements below.

Bill D.
PIO

SOP:Â Homeless Persons
Effective Date:Â April 18, 2014

Introduction:
The purpose of this directive is to outline standard operating procedures to be used in the interaction with homeless individuals, homeless camp protocols, and information on outreach assistance to social service resources.

II. Policy Statement:
It is the policy of the Asheville Police Department to treat all persons, including the homeless, in a manner that respects their individual rights, human dignity and community values, while enforcing laws that protect life and property and sustain civic life. Whenever possible, APD members should exercise proper discretion and refer homeless individuals to an appropriate social service agency, unless circumstances dictate otherwise.

III. Definitions:
A. Homeless â€" a person is considered homeless if he or she lacks a fixed, regular and adequate nighttime residence, or has a primary nighttime residence that is:
1. A supervised publicly or privately operated shelter designated to provide temporary living accommodations;
2. An institution that provides a temporary residence for individuals intended to be permanently institutionalized;
3. A public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.
B. Homeless Camp â€" Any place where homeless individuals gather to store their property and/or sleep. These areas may take a variety of forms not meant for human habitation.
C. Outreach â€" The initial and most critical step in connecting or reconnecting a homeless individual to needed health, mental health, recovery, social and housing services that involves the process of engagement, assessing needs, defining service goals or agreeing on a plan for delivering those services.
D. Crisis Intervention â€" Psychotherapy approach for officers who come into contact with people with severe mental illnesses, intellectual/developmental disabilities or addiction issues. This approach is designed to improve safety, focus on recognizing the signs and symptoms of these illnesses in order to respond effectively, and help redirect consumers from the judicial system to the health care system and other appropriate resources.
E. Homeless Initiative Coordinator - The liaison from the City of Asheville Planning and Development Department whose responsibilities include conducting research and investigation into issues about homelessness, and formulating recommendations to local governmental entities and social service agencies to reduce the incidence of homelessness.

IV. Procedures:

A. Absent reasonable suspicion that a homeless person is violating the law, APD members should approach homeless individuals as they would any other citizen. Homelessness, on its own, does not constitute reasonable suspicion. If reasonable suspicion is present, officers may detain and identify a homeless

person.
B. No items of personal property shall be destroyed or discarded. Homeless individuals keep many personal belongings, including documents and medications in what might initially appear to be an item of trash or other type of refuse. Members shall adhere to APD Policy 1100 - Property & Evidence Control in the handling of any property. No personal property shall be searched or seized unless reasonable suspicion or probable cause exists.
C. Homeless individuals cannot be forced to move to another location if they have a legal right to be present at a location. However, a homeless person may be asked to relocate for safety or security reasons.
D. Whenever possible, homeless individuals should be referred to health, mental health, recovery, social, and/or housing services.
E. Many homeless persons suffer from mental health and substance abuse issues that are beyond their control. If an officer encounters an individual who is suffering an episode, the officer should notify an APD member trained in Crisis Intervention techniques (CIT officer) to assist, should they not be formally trained themselves. The officers should then complete a CIT incident report and forward that case number to the Homeless Initiative Coordinator.

V. Homeless Camp Procedure:

A. The primary officer responding to a homeless camp call for service will complete an â€˜Information Onlyâ€™ report in order to identify all individuals located at the camp, and document pertinent details of the scene such as location, conditions, etc.
B. If individuals are located at the camp, responding officers will instruct them that they have seven (7) days to vacate the property. They will also provide them with resource cards outlining outreach assistance options. Prior to the conclusionÂ of their shift, the primary responding officer will email the details and the case number of the report to the appropriate district Community Resource Officer(s) and District Commander notifying them of the call for service.
C. The district Community Resource Officer will in turn notify the Homeless Initiative Coordinator to facilitate outreach workersâ€™ referral to the campsite.
D. During the seven (7) days, outreach workers will respond to the campsite and offer to assist with needed social services, as well as moving belongings. The Homeless Initiative Coordinator will let that districtâ€™s Community Resource Officer know that outreaches have responded and the result.
E. On the 7th day or soon thereafter, the district Community Resource Officer will respond back to the camp location to take appropriate enforcement action of any original inhabitants which may remain or have returned to the property.
F. The district Community Resource Officer will notify the property owner that the property should be cleaned along with any trespass letter information. This procedure will apply for private as well as public properties.
G. The Community Resource Officer will conduct follow up to ensure the property has been cleaned, and complete a supplement to the original report documenting that the property has been cleaned.
H. If officers respond to a camp three (3) times in a seven (7) day period and never locate anyone, they can assume that the property is abandoned and the CRO can move forward with contacting the property owner to have the property cleaned up.

VI. Outreach:

A. Outreach is important in connecting or reconnecting a homeless individual to needed health, mental health, social and housing services. Officers should collaborate with physical and mental health experts in order to visit individuals and homeless camps to allow for joint assessment and planning.
B. Winter Contingency Plan â€" People experiencing homelessness have a higher risk than the general population of developing exposure-related conditions such as hypothermia and frostbite. These conditions can be immediately life threatening, and may also increase the risk of dying from unrelated conditions in the future. Increased homeless services, especially additional shelter availability, are necessary to accommodate such amplified needs in the winter.
C. The Winter Contingency Plan, also known as â€œCode Purpleâ€ has been developed to provide relief to the homeless when inclement weather conditions occur. The City of Asheville has a number of shelters that provide overflow space during the winter months to provide additional protection against the harsher elements. Each shelter generally bases its overflow on weather conditions below 32 degrees.

VII. Referrals to Asheville Shelters and Contact Information

ï‚· ABCCM
Steadfast House (Women & children only)
(828) 259-5365
ï‚· ABCCM

Veterans Restoration Quarters (Men only)
1329 Tunnel Road
(828) 259-5333
**Winter overflow accommodations
ï‚· ABCCM
30 Cumberland Ave
(828) 253-5300
**Monday â€“ Friday hours only
ï‚· A-Hope Day Center
19 N. Ann Street
(828) 252-8883
ï‚· Helpmate (Women & Children only, specifically for domestic violence)
Crisis Line: (828) 254-0516
Office: (828) 254-2968
ï‚· Rescue Mission
225 Patton Avenue
(828) 254-0471
**Winter overflow accommodations
ï‚· Salvation Army
297 Haywood Street
(828) 253-4723
**Winter overflow accommodations

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