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Problem-Specific Guides Series  
No. 56



# Homeless Encampments

Sharon Chamard

[www.cops.usdoj.gov](http://www.cops.usdoj.gov)



Center for  
Problem-Oriented Policing



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**Sharon Chamard**

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The Internet references cited in this publication were valid as of June 2009. Given that URLs and web sites are in constant flux, neither the author nor the COPS Office can vouch for their current validity.

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## About the Problem-Specific Guide Series

The *Problem-Specific Guides* summarize knowledge about how police can reduce the harm caused by specific crime and disorder problems. They are guides to prevention and to improving the overall response to incidents, not to investigating offenses or handling specific incidents. Neither do they cover all of the technical details about how to implement specific responses. The guides are written for police—of whatever rank or assignment—who must address the specific problem the guides cover. The guides will be most useful to officers who:

- **Understand basic problem-oriented policing principles and methods.** The guides are not primers in problem-oriented policing. They deal only briefly with the initial decision to focus on a particular problem, methods to analyze the problem, and means to assess the results of a problem-oriented policing project. They are designed to help police decide how best to analyze and address a problem they have already identified. (A companion series of *Problem-Solving Tools* guides has been produced to aid in various aspects of problem analysis and assessment.)
- **Can look at a problem in depth.** Depending on the complexity of the problem, you should be prepared to spend perhaps weeks, or even months, analyzing and responding to it. Carefully studying a problem before responding helps you design the right strategy, one that is most likely to work in your community. You should not blindly adopt the responses others have used; you must decide whether they are appropriate to your local situation. What is true in one place may not be true elsewhere; what works in one place may not work everywhere.



- **Are willing to consider new ways of doing police business.** The guides describe responses that other police departments have used or that researchers have tested. While not all of these responses will be appropriate to your particular problem, they should help give a broader view of the kinds of things you could do. You may think you cannot implement some of these responses in your jurisdiction, but perhaps you can. In many places, when police have discovered a more effective response, they have succeeded in having laws and policies changed, improving the response to the problem. (A companion series of *Response Guides* has been produced to help you understand how commonly-used police responses work on a variety of problems.)
- **Understand the value and the limits of research knowledge.** For some types of problems, a lot of useful research is available to the police; for other problems, little is available. Accordingly, some guides in this series summarize existing research whereas other guides illustrate the need for more research on that particular problem. Regardless, research has not provided definitive answers to all the questions you might have about the problem. The research may help get you started in designing your own responses, but it cannot tell you exactly what to do. This will depend greatly on the particular nature of your local problem. In the interest of keeping the guides readable, not every piece of relevant research has been cited, nor has every point been attributed to its sources. To have done so would have overwhelmed and distracted the reader. The references listed at the end of each guide are those drawn on most heavily; they are not a complete bibliography of research on the subject.
- **Are willing to work with others to find effective solutions to the problem.** The police alone cannot implement many of the responses discussed in the guides. They must frequently implement them in partnership with other responsible private and public bodies including other government agencies, non-governmental organizations, private businesses, public utilities, community groups, and individual citizens. An effective problem-solver must know how to forge genuine partnerships with others and be prepared to invest considerable effort



in making these partnerships work. Each guide identifies particular individuals or groups in the community with whom police might work to improve the overall response to that problem. Thorough analysis of problems often reveals that individuals and groups other than the police are in a stronger position to address problems and that police ought to shift some greater responsibility to them to do so. Response Guide No. 3, *Shifting and Sharing Responsibility for Public Safety Problems*, provides further discussion of this topic.

The COPS Office defines community policing as “a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.” These guides emphasize *problem-solving* and *police-community partnerships* in the context of addressing specific public safety problems. For the most part, the organizational strategies that can facilitate problem-solving and police-community partnerships vary considerably and discussion of them is beyond the scope of these guides.

These guides have drawn on research findings and police practices in the United States, the United Kingdom, Canada, Australia, New Zealand, the Netherlands, and Scandinavia. Even though laws, customs and police practices vary from country to country, it is apparent that the police everywhere experience common problems. In a world that is becoming increasingly interconnected, it is important that police be aware of research and successful practices beyond the borders of their own countries.

Each guide is informed by a thorough review of the research literature and reported police practice, and each guide is anonymously peer-reviewed by a line police officer, a police executive and a researcher prior to publication. The review process is independently managed by the COPS Office, which solicits the reviews.



For more information about problem-oriented policing, visit the Center for Problem-Oriented Policing online at [www.popcenter.org](http://www.popcenter.org). This website offers free online access to:

- the *Problem-Specific Guides* series,
- the companion *Response Guides* and *Problem-Solving Tools* series,
- special publications on crime analysis and on policing terrorism,
- instructional information about problem-oriented policing and related topics,
- an interactive problem-oriented policing training exercise,
- an interactive *Problem Analysis Module*,
- online access to important police research and practices, and
- information about problem-oriented policing conferences and award programs.



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The project team that developed the guide series comprised Herman Goldstein (University of Wisconsin Law School), Ronald V. Clarke (Rutgers University), John E. Eck (University of Cincinnati), Michael S. Scott (University of Wisconsin Law School), Rana Sampson (Police Consultant), and Deborah Lamm Weisel (North Carolina State University).

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Debra Cohen, Ph.D. oversaw the project for the COPS Office and research for the guides was conducted at the Criminal Justice Library at Rutgers University by Phyllis Schultze. Suzanne Fregly edited this guide.





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## **The Problem of Homeless Encampments**

### **What This Guide Does and Does Not Cover**

This guide addresses homeless encampments, also known as transient camps. It begins by describing the problem and reviewing factors that contribute to it. It then identifies a series of questions to help you analyze your local problem. Finally, it reviews responses to the problem and what is known about them from evaluative research and police practice.

Homeless encampments are only one aspect of the larger set of problems related to homelessness, street life, and public disorder. This guide does not cover all aspects of homelessness, only those that pertain to the small proportion of homeless people who live in encampments. Throughout this guide, the term “transient” is often used to refer to this small group. Further, it addresses only the particular harms created by homeless encampments, not the issues commonly associated with homeless people. These related problems, each of which requires separate analysis, include:

- chronic public intoxication,
- panhandling,
- loitering,
- trespassing,
- shoplifting,
- drug dealing,
- mental illness, and
- disorder at day laborer sites.

A discussion of the broad economic and social conditions that give rise to homelessness and to homeless encampments is beyond the scope of this guide.



## The Philosophical Debate on Chronic Homelessness

§See Harcourt (2005) for a fascinating discussion of the conflicts between owners of single room occupancy (SRO) hotels and real estate developers in Los Angeles' skid row.

Dealing with homeless people living in encampments can be fraught with moral danger. Few people would argue that the police should do what they can to reduce burglary or car theft. Yet there are many strong and organized advocates of the chronically homeless. Some believe chronic homelessness is a lifestyle choice and, as such, should be protected by law. Others claim it is a consequence of socio-economic factors, such as high unemployment and the lack of affordable housing, or that the chronically homeless are victims of abusive childhoods, addiction, or mental illness. In any event, they oppose criminalizing what they perceive to be a status beyond a homeless person's control. Still others object to the "criminalization of homelessness" because it violates fundamental constitutional rights, in particular those codified in the First, Fourth, Eighth, and Fourteenth Amendments.

On the other hand, problems associated with transients and their encampments can often lead business owners and residents to demand the police use traditional, and perhaps somewhat punitive, law enforcement methods to solve them.

It is important to be aware of the fundamental differences in people's beliefs about chronic homelessness (put simply, the homeless are victims who need society's help to recover versus the behaviors of homeless people drain public resources and damage the community) because how the problem is defined determines what is considered to be an "effective strategy."<sup>§</sup>



## General Description of the Problem

### *What are Homeless Encampments?*

The term “homeless” refers to someone who is usually poor and frequently on the move from one temporary dwelling situation to another. Many slang words are used to describe such a person: transient, squatter, hobo, bum, vagrant, and vagabond. Homeless encampments take a variety of forms: tent cities; groups living under freeway overpasses; and groups sleeping in parks, in skid rows (urban areas with concentrations of poverty and dilapidated buildings), in subway tunnels, on sidewalks, etc. One person setting up shelter in such a location does not constitute an encampment. Studies show homeless encampments vary in size. Some, particularly those in the woods, can be fairly small with only a few campers. Those under freeway overpasses and in urban vacant lots and parks may be larger, with some reportedly having 100 or more people. Shelters in homeless encampments range from lean-tos made of cardboard, to tents, to more elaborate structures—in one case including French doors, a skylight, and a picture window.<sup>1</sup> Obviously, the more established the encampment, the better constructed the “housing” is likely to be.

*Myrtle Beach (South Carolina) Police Department.*



Some encampments, particularly those in the woods, such as the one shown above, can be fairly small with only a few campers.



## *Who Lives in Homeless Encampments?*

To understand who lives in homeless encampments<sup>§</sup>, it is useful to begin with the entire population of homeless people and whittle it down.

<sup>§</sup>The behavior in question is known as “sleeping rough” in the United Kingdom.

It is important to realize that although people living in homeless encampments are homeless, most homeless people do not live in homeless encampments. The U.S. Department of Housing and Urban Development (HUD) classifies homeless people in two broad categories: sheltered and unsheltered. A “sheltered” homeless person lives in an emergency shelter or transitional housing. This includes domestic violence shelters; residential programs for homeless or runaway youth; or a hotel, motel or apartment paid for with a voucher provided by a governmental or private agency because the person is homeless. An unsheltered homeless person lives in “a place not meant for human habitation, such as cars, parks, sidewalks, abandoned buildings, or on the street.”<sup>2</sup> About 44 percent of homeless people are unsheltered.<sup>3</sup> Unsheltered homeless are usually single men, who, unlike homeless families, are less likely to live in emergency shelter, transitional housing, or permanent supportive housing.<sup>4</sup>

Another categorization of homelessness is whether the status is temporary (due to an eviction, prolonged unemployment, job layoff, or domestic violence) or chronic. The federal definition of chronically homeless is an “unaccompanied homeless individual with a disabling condition who has either been continuously homeless for a year or more or has had at least four episodes of homelessness in the past three years” (U.S. Department of Housing and Urban Development, 2008b:15). About 18 percent of the total homeless population (unsheltered and sheltered in emergency shelter) is considered chronically homeless, and, of those, two-thirds are unsheltered. In other words, an estimated 12 percent of the United States’ homeless population, or close to 83,000 people, is unsheltered and chronically homeless.<sup>5</sup>



This relatively small group of homeless people may end up in homeless encampments because they have exhausted all resources available to them or their conditions (e.g., drug use, alcoholism, criminal record) hinder them from using them (shelters, for example). Others may have chosen the lifestyle because it frees them from competing in a consumerist society, or because it is better than previous living arrangements.<sup>6</sup> However, most residents of homeless encampments say they would prefer to live in a more conventional way with their own room and a job.<sup>7</sup>

§For a reasoned and practical discussion of the causes of homelessness and policies for solving the problem, see Jencks (1994).

Compared with the general population, people in homeless encampments are more likely to be male, older, and a minority.<sup>8</sup> A significant number of transients living in encampments are addicted to drugs or alcohol, and a sizable portion are also mentally ill (“dually diagnosed”).<sup>9</sup>

Panhandling is one way homeless encampment dwellers make money, but more work at odd short-term jobs, such as street vending and day labor. Collecting cans or bottles is also common. Relatively few receive public benefits. A very small number engage in prostitution.<sup>10</sup> The relationship between crime and transients is discussed later in this guide.



## Harms Caused by Homeless Encampments

Problems associated with homeless encampments fall into three categories: impact on the homeless population, impact on the environment, and impact on the larger community.

### Impact on the Homeless Population

*Unhealthy encampment conditions.* Conditions in homeless encampments can be dangerous to health. Garbage attracts rodents and other vermin. Food cannot be stored, and dishes cannot be washed properly, facilitating the spread of food-borne diseases. Depending on a camp's location, some residents might use portable toilets or public facilities, but most are likely to use an outdoor location. Poor hygiene contributes to dental and skin problems.<sup>11</sup> Other environmental hazards, such as batteries and fuels, are used for heating and cooking.<sup>12</sup>

Most people who live in homeless encampments lack health insurance, but they frequently have chronic physical and mental health conditions that require ongoing medical attention.<sup>13</sup> Barriers to seeking routine medical care lead many to the emergency room for non-emergency care. There is some indication that tuberculosis and sexually-transmitted diseases are of special concern.<sup>14</sup> Many transients living in encampments report addiction to drugs or alcohol.<sup>15</sup>

*Victimization of the chronically homeless.* Not much is known about victimization among this population because they are not included in large-scale household-based surveys, such as the National Crime Victimization Survey. Official data, such as the National Incident-Based Reporting System and the Uniform Crime Reports, typically do not include victims' housing status. Further, specific information on victimization of chronically homeless people who live in homeless encampments is based on case studies of particular jurisdictions or is anecdotal.<sup>16</sup>



However, smaller studies paint a troubling picture. The chronically homeless report high rates of child and sexual abuse that occurred before they became homeless. Further, once homeless, the population continues to be victimized at a rate about twice that of the general population. Chronically homeless people are also more likely than the general population to be victims of crime against the person than property crime. These patterns are particularly true for chronically homeless women; one British study found that 95 percent of chronically homeless women had been victimized compared with 75 percent of men.<sup>17</sup>

Chronically homeless people are victimized by the public and by their peers.<sup>18</sup> Violence against the homeless committed by non-homeless offenders appears to be increasing even while violent crimes are generally decreasing.<sup>19</sup> Many of these incidents are beatings. Over the nine-year period from 1999 to 2007 in the United States, 217 homeless people were killed by those who were not homeless.<sup>20</sup>

Despite the notion that homeless encampments are safe havens for those living an otherwise rough or unconventional life, these camps can be venues for serious violent crime. In November 2008, five people in a Long Beach, California, encampment were shot to death<sup>21</sup>, and one man was fatally stabbed at a homeless camp in Tucson, Arizona.<sup>22</sup> A homeless encampment in a wooded area off a freeway in Orlando, Florida, was the site of three homicides in the 10 months between October 2006 and August 2007.<sup>23</sup> In Sacramento, California, in September 2008, two men were murdered within hours of each other in a “well-established homeless camp” near some light-rail tracks.<sup>24</sup> Other research found that the incidence of victimization by strangers was lower for the homeless population (16 percent)<sup>25</sup> than for the general population (which ranges from 28 percent to 89 percent depending on the type of violent crime).<sup>26</sup>



## Impact on the Environment

In addition to concerns about the hazardous materials mentioned above, which potentially harm both the transients and the surrounding environment, inadequate human waste disposal at large encampments along rivers can pose a hazard to the water supply of nearby communities.<sup>27</sup> Another hazard linked to homeless encampments is fire. Residents of homeless encampments turn to wood stoves and camp fires for heat and cooking. If left unattended (typically by intoxicated transients), these fires can become out of control and burn down camp structures and injure people. Larger fires can spread to more populated areas and damage buildings and infrastructure. More significantly for the environment, these fires may kill animals and vegetation and destroy their habitats. Although most wildfires are started by people, there are no data on how many of those are started specifically by transients.

Wilderness areas are further damaged through abusive camping practices, such as cutting down trees and leaving garbage on site.

## Impact on the Larger Community

*Criminal activity by the chronically homeless.* Numerous studies have pointed to a strong relationship between homelessness and criminality. Yet contrary to popular opinion, the typical chronically homeless person is not a hardened violent felon, but someone with a disproportionately high arrest rate for crimes such as public intoxication, petty theft, and trespassing.<sup>28</sup> The longer someone is unsheltered and chronically homeless, the more involved he or she becomes in criminal behavior, largely due to the increased use of “non-institutionalized survival strategies,” such as panhandling, street peddling, and theft.<sup>29</sup> Chronically homeless people who are mentally ill are arrested more than those who are not mentally ill.<sup>30</sup>

Many researchers have argued that the high rates of arrest and low-level offending by the chronically homeless are results of the “criminalization of homelessness.” Laws against lying down or sleeping in public, public excretion and urination, public intoxication, and the like, make it difficult for the street homeless



to carry out routine behaviors in public places.<sup>31</sup> Some police observers report that being homeless subjects people to more strict enforcement for activities that are dealt with more leniently if the person can show proof of address.<sup>32</sup>

Even if transients are not hard-core violent offenders, evidence from police case studies shows areas adjacent to transient encampments have higher levels of petty and serious crime unrelated to “routine behaviors,” such as drug dealing and usage, disturbance, theft, prowling, burglary, panhandling, fighting, vandalism, armed robbery, rape, and aggravated assault.<sup>33</sup> Stolen property, weapons, and wanted felons have been found in homeless encampments.<sup>34</sup>

***Threats to business viability.*** Urban homeless encampments have a more immediate impact on the nearby community because of proximity. Many chronically homeless behaviors, such as sleeping on the streets, panhandling, public excretion or urination, and public intoxication, are threatening or undesirable. In some urban settings, police rate transients and their behaviors as a bigger problem than drugs, car burglaries, public fighting, cruising, or noise.<sup>35</sup> Entertainment districts are particularly vulnerable to transient behavior because of the availability of people with disposable income, park benches, unattended public restrooms, and lax enforcement of laws governing street behavior. The presence of transients creates an environment of lawlessness. During the day, transients sitting in front of businesses can scare away customers.<sup>36</sup>



***Illegitimate use of public space.*** Regular citizens may not use public parks and other facilities because they fear the spaces are controlled by transients. Often the homeless are victimized at night, prompting them to sleep only during daylight hours in parks and other public places. Thus, the park may be laden with individuals sleeping on benches or in picnic shelters during the park's busiest hours. This condition only exacerbates the conflict with legitimate park users. Further, due to the homeless taking over and sometimes vandalizing park barbecues, sinks, and faucets designed for regular park visitors to use, officials may remove these amenities thereby penalizing everyone.<sup>37</sup> In Madison, Wisconsin, a group of 30-40 men (not all of whom were homeless) took over a lakeside park shelter, moving in furniture and other personal belongings. They drank there during the day and slept there at night. Nearby residents reported car break-ins, firewood thefts, and attempted burglaries. Legitimate park users reported aggressive panhandling. Use of this park by permit-holders was considerably lower compared with other area parks.<sup>38</sup>

***Cost to society.*** Because so many chronically homeless people have medical problems and substance abuse issues and frequently come in contact with the police and social service providers, they can be very costly to taxpayers. For example, a study following 15 chronically homeless people in San Diego, California found that they cumulatively received more than \$3 million worth of public services in just 18 months. Despite benefiting from \$200,000 in taxpayer-provided services during this time, each was still homeless. Just as a small number of criminals commit most of the crime and a few addresses in a city account for most of the calls for service, studies have found that about 10 percent of all homeless people consume about half of the resources.<sup>39</sup> In Madison, Wisconsin, for example, a study of "chronic nuisance" people in the downtown area found that two-thirds were homeless; however, only five percent of the downtown homeless population was defined by the police as being part of the "chronic nuisance" population.<sup>40</sup>



## Factors Contributing to Homeless Encampments

Understanding the factors that contribute to your problem will help you frame your own local analysis questions, determine good effectiveness measures, recognize key intervention points, and select appropriate responses.

§ See Problem-Specific Guide No. 44, *Disorder at Day Laborer Sites*.

Encampments are usually located close to goods and services that transients need: food, alcohol, employment (or crime) opportunities, and shelter (in case of inclement weather). Services geared toward this population obviously contribute to a concentration of transients in certain areas. Although soup kitchens attract the chronically homeless, food pantries are less popular with transients because they often lack facilities to cook the items pantries distribute. Social service providers and day labor sites attract some transients.<sup>§</sup> Liquor stores and drug markets attract others.<sup>41</sup> Homes and businesses are targets for theft or burglary, but also for short-term work for those so inclined.

Because many transients do not have their own vehicles, encampments, even in wooded areas, are likely to be located by pedestrian access points (such as trails), or close to public transportation facilities and railroad tracks.

Transients look for overgrown brush to help hide their encampment from public view, providing privacy and the opportunity to establish the camp before it is discovered and dealt with by the authorities.

People in homeless encampments benefit from food and clothing provided by church groups, missions, and social services agencies, but such charity is not always combined with efforts to facilitate transition from the streets.<sup>42</sup> In some respects, this enables encampment residents to stay where they are.





## Understanding Your Local Problem

The information provided above is only a generalized description of homeless encampments. You must combine the basic facts with a more specific understanding of your local problem. Analyzing the local problem carefully will help you design a more effective response strategy.

### Stakeholders

In addition to criminal justice agencies, the following groups have an interest in the homeless encampments problem and should be considered for the contribution they might make in gathering information about the problem and responding to it:

- **Social services agencies.** Government agencies and non-government organizations that serve homeless populations are obviously interested in improving living conditions for their clients, but they also are interested in reducing the level of resources consumed by relatively few chronically needy clients. They also have data that police may not have and expertise and resources to improve responses.
- **Religious and charitable organizations serving the transient population.** As with social services agencies, these groups are interested in improving transients' lives. Their mission, however, may focus on meeting transients' daily needs (food, clothing, and emergency shelter) and preclude involvement in strategies that will ultimately reduce the need to carry out this missionary work. These organizations can sometimes provide monetary support for programs, and their staff and congregations can be valuable sources of volunteers. Religious organizations also can help shape the moral content of public policy discussions about how to respond to transient encampments.



- **People living in homeless encampments.** Transients themselves clearly have a strong interest in this problem. Although they may not prefer life in encampments, they still regard these places as their homes and expect that others will respect their privacy and personal belongings. Transients can be a valuable source of information about who lives in the encampments and the activities of other transients.
- **Residents living close to homeless encampments.** These people suffer disproportionately from crimes committed by transients. Their interest may not extend beyond pushing the problem out of their immediate area. Nearby residents can provide information about individual transients and the nature of crime and disorder associated with transients in particular camps.
- **Businesses.** Businesses are frequent targets of transients' crimes and the social and physical disorder accompanying them. Because businesses' viability can be adversely affected by transients in the area, business owners are motivated to support practical solutions. They can provide resources for programs once they discover they can effectively reduce the problems that impact their businesses.
- **Community as a whole.** Efforts to address homeless encampments and homelessness in general are often met with hostility from the public, perhaps because they resent public resources being spent on people seen as unproductive members of society, or because they think providing services will encourage more transients to move into the area. Many members of the community would rather push the problem out of their area than deal with it in a meaningful way. Depending on your response, citizens can provide volunteer or financial support.
- **Media.** How your local media cover homeless encampments can influence the community's perception of the issue. Stories about transients and interviews with representatives of homeless advocacy organizations can be quite compelling; however, if this is the only side of the issue the public hears, you may have trouble galvanizing support for problem-solving. Involving the media in early planning efforts can work to your advantage,



especially if they can convey your message that solving this social problem will likely take much longer than expected and involve some false starts and failures.

- **Politicians.** Elected officials have an interest in being responsive to citizens' calls for tougher enforcement of laws concerning transients' public behavior. At the same time, they can direct funding toward projects they think will address the issue. Involve them at the early planning stages to ensure their cooperation later when fiscal resources may be needed.
- **City officials.** People who run the local government's daily operations want to increase efficiency and would be receptive to strategies to reduce the demand for public resources from a small number of transients. If an encampment needs to be removed, city officials can provide personnel such as zoning and land use enforcement officers and parks and recreation staff. Human or social services offices can recommend nonprofit organizations to help identify the problem and create a successful strategy. Also, these local government offices may be involved in advocating for and coordinating the receipt of HUD (Community Development Block Grants, Emergency Shelter Grants and HOME Investment Trust funds) and state resources for addressing homelessness issues.
- **County officials.** County officials are concerned with ensuring a coordinated regional approach to homelessness issues. Counties also control state "pass through" resources. Although it may be tempting to move the problem from your jurisdictional boundaries, it is more responsible to create a strategy that does not impact neighboring communities.
- **Police leadership.** Given the controversy that typically surrounds interventions involving the chronically homeless, it is important to keep the chief and command staff advised of the details of the project and even to include them in planning. They may have insights to offer about the political realities in your jurisdiction and can provide a buffer between you and concerned advocates, media, and politicians.



## Asking the Right Questions

The following are some critical questions you should ask in analyzing your particular problem of homeless encampments, even if the answers are not always readily available. Your answers to these and other questions will help you choose the most appropriate set of responses.

### *Transients*

- How many people live in homeless encampments in your jurisdiction?
- What is known about them? Where did they live before the encampment? What are their gender, age, race or ethnicity, and employment histories? How many of them have chronic health issues, substance abuse problems, and/or mental illness?
- What is known about the criminal victimization of transients living in encampments?
- What is known about the criminal behavior of transients living in encampments?
- How long have these individuals been living in encampments?
- Why do transients report living in encampments instead of other types of shelters?
- Do the transients know about and use community social services, such as soup kitchens, drop-in centers, shelters, job training, and substance abuse treatment?



## Counting Transients

To find the number of “unsheltered homeless people” aggregated to your county or state level, look at the data compiled annually for HUD as part of the application for *Continuum of Care* grants. 2005-2008 Population/Subpopulation reports, available at [www.hudhre.info/index.cfm?do=viewHomelessRpts](http://www.hudhre.info/index.cfm?do=viewHomelessRpts), include the number of unsheltered homeless people in your area. This report does not give the exact number of people living in homeless encampments in municipalities. However, if this is your type of jurisdiction, it is still a good starting point to get a sense of the problem and the percentage of homeless people who are unsheltered in your area. This web site also lists HUD *Continuum of Care* grant recipients—organizations you should contact for data on chronic homelessness in your community.

There are three primary methods for counting unsheltered homeless people. Your community’s characteristics determine which is most appropriate. The first, called the “public places” method, is a direct count of people in a non-shelter location; e.g., walking through a homeless encampment and taking a head count. This works if you know where all the encampments are and can reliably count everyone residing there. The second method is to augment the counts in non-shelter locations with an interview component, helping to ensure the people counted were not counted twice and actually are homeless. Conducting interviews is recommended if you also want to get information about this population as part of your project’s scanning phase. You could learn what services the subjects use and what it would take for them to leave the chronically homeless lifestyle. The third method involves counting users of soup kitchens and other social services for the homeless. One advantage of this strategy is that it allows you to reach people who may not be living in known, public areas. *A Guide to Counting Unsheltered Homeless People* (available at [www.hudhre.info/documents/counting\\_unsheltered.pdf](http://www.hudhre.info/documents/counting_unsheltered.pdf)) discusses the pros and cons of each method and is an invaluable resource.<sup>43</sup>

For an example of a questionnaire used to count homeless people, look at the Texas Homeless Network’s point-in-time survey ([www.thn.org/info/static/files/2009\\_THN\\_PIT\\_Homeless\\_survey.pdf](http://www.thn.org/info/static/files/2009_THN_PIT_Homeless_survey.pdf)) and training guide for volunteers ([www.thn.org/info/static/files/2009\\_THN\\_Instructions\\_for\\_Homeless\\_Count-Survey.pdf](http://www.thn.org/info/static/files/2009_THN_Instructions_for_Homeless_Count-Survey.pdf)). Most states conduct annual surveys to measure the size of their homeless population; here is an example of the questionnaire used in Colorado ([www.colorado.gov/cich/documents/Final\\_Statewide\\_Homeless\\_Survey.pdf](http://www.colorado.gov/cich/documents/Final_Statewide_Homeless_Survey.pdf)).



### *Time and Location Patterns*

- Are there seasonal patterns to homeless encampments? Are there more people in such places in the summer or the winter?
- Where are the encampments located? (You might use aerial surveillance and on-board infra-red, or night-vision goggles to identify camps and ingress/egress points.)
- How accessible or remote are the encampments? How visible are they from a distance?
- Who owns or has jurisdiction in the encampment areas for policing, landscaping, maintenance, etc.? Are the encampment sites publicly or privately owned?
- Why are the encampments located where they are? Are they close to food and water sources or transportation? Are they concealed? Do they provide shelter from weather?

### *Encampments*

- How elaborate are the encampments? Are there shelters, cooking facilities, bathing facilities, potable and non-potable water sources, and security features?
- Are there health and safety concerns, such as unsafe fire situations and poor waste management?
- What is the allowable land use (according to municipal code) of the area where the encampment is located?
- Who else uses the area around the encampment? Do transients and “legitimate” users conflict over the user of this area?

### *Public Attitudes*

- What are your community’s standards regarding street behavior? In entertainment districts, do people prefer things to be orderly or more exciting to attract people?
- How many citizen complaints do you receive about homeless encampments? What, precisely, is the nature of those complaints?



### *Demand on Police Resources*

- How many crimes are committed against people living in homeless encampments? What is the nature of these crimes? How serious are they?
- How many calls for service concerning encampment areas does your agency receive?
- How many calls for service concerning nuisance problems involving transients does your agency receive? How many of these calls are from businesses and residents close to encampments?
- How many incidents involving disputes over public space does your agency handle?
- How much time and money does your agency spend dealing with problems associated with homeless encampments?

§ Many communities have created and adopted “Ten-Year Plans” as part of a federal government initiative to eliminate chronic homelessness. More information about ten-year plans (and a list of the more than 200 communities that have one in place) is on the United States Interagency Council on Homelessness web site: [www.usich.gov](http://www.usich.gov).

### *Current Responses to the Problem*

- How has the homeless encampment problem in your jurisdiction been handled in the past? How is it handled now? Is the current response adequate and appropriate?
- What laws currently regulate homeless encampments? Are these laws adequate and/or constitutional?
- What is being done now in your community to address chronic homelessness? Does your community have a long-range plan to end chronic homelessness?<sup>§</sup>
- How many contacts with chronically homeless people do members of your department make? What are the outcomes of these contacts?
- Does your department have any formal policies with shelters and social services agencies regarding referrals and transportation of chronically homeless people?
- What efforts have been made by social services providers to discourage transients from living in encampments? Have such efforts been successful?



## Measuring Your Effectiveness

Measurement allows you to determine to what degree your efforts have succeeded, and suggests how you might modify your responses if they are not producing the intended results. You should take measures of your problem *before* you implement responses to determine the seriousness of your problem, and *after* you implement them to determine the effectiveness of your responses. Take all measures in both the target area and the surrounding area. (For more detailed guidance on measuring effectiveness, see the companion guide to this series, *Assessing Responses to Problems: An Introductory Guide for Police Problem-Solvers.*)

Following are potentially useful effectiveness measures of responses to homeless encampments:

- Reduced numbers of encampments and transients living in them
- Less crime in areas around the encampments
- Fewer or less serious crimes committed against transients living in encampments
- Fewer calls for police service to the encampment area
- Fewer calls for police service for nuisance problems caused by transients
- Fewer calls for police service by businesses and residents concerning transients
- Fewer citizen complaints about transient behavior and encampments
- Fewer health and safety hazards associated with encampments
- Reduced number of conflicts between transients and others over use of public space
- Lower costs of police response dealing with homeless encampments
- Increased use of social services by transients
- Improved communication between the police and social services providers.



## **Responses to the Problem of Homeless Encampments**

Analyzing your local problem should give you a better understanding of the factors contributing to it. Once you have analyzed your local problem and established a baseline for measuring effectiveness, consider possible responses to address the problem.

The following responses, drawn from a variety of research studies and police reports, provide a foundation of ideas for addressing your problem. Several of these strategies may apply to your community's problem. It is critical that you tailor responses to local circumstances and that you can justify each response based on reliable analysis. In most cases, an effective strategy involves implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem. Do not limit yourself to considering only what the police can do; give careful thought to others in your community who share responsibility for the problem and can help police better respond to it. The responsibility of responding, in some cases, may need to shift toward those who can implement more effective responses. (For more detailed information on shifting and sharing responsibility, see Response Guide No. 3, *Shifting and Sharing Responsibility for Public Safety Problems*).



§ In Clearwater, a Neighborhood Advisory Committee was set up to monitor, advise, and provide volunteer services at a shelter established by the police department. Eventually the community dropped its resistance to the new shelter and became actively involved with it (Clearwater (Florida) Police Department, 2001).

§§ The Fort Lauderdale Police Department's two-hour department-wide course "Homelessness 101" was developed by the Broward Coalition for Homeless (Fort Lauderdale (Florida) Police Department, 2002).

## General Principles for an Effective Strategy

- 1. Enlisting community support to address the problem.** Because of the intense public debate in many cities about how to deal with homelessness, it is a very good idea to involve homeless advocacy groups early in your planning process. Otherwise, you risk being derailed later by legal challenges. Other stakeholders, particularly those who may be making demands for police action, such as residents, business owners, politicians, and city officials should be involved in negotiating what is acceptable in public spaces. § Dismantling homeless encampments or altering their environmental features to discourage living there can easily be perceived as cruel by some if they don't understand how the overall effort will improve the lives of both transients and the larger community. Notwithstanding your efforts, it is unlikely that all will agree with the goal of eradicating homeless encampments.
- 2. Educating the community about homelessness.** Community members often don't understand the factors that give rise to homelessness and the constitutional limits on police trying to manage problems associated with chronically homeless people on the streets. Better-informed citizens may be more receptive to fundraising efforts for programs and services for the homeless and may be less resistant to the placement of facilities for homeless people in their neighborhoods.
- 3. Educating police officers about homelessness.** Negative interactions between police officers and homeless people can be avoided through educational efforts to change police culture and attitudes toward homelessness. Inviting homeless advocacy groups to help design and offer the curriculum can be very useful in building positive inter-agency relationships. § §
- 4. Helping with your community's long-range homelessness plan.** Police involvement in planning community-wide strategies to end homelessness is beneficial. Other people involved in planning need to hear what resources your department can bring to the table as well as any limits on your involvement.



## Specific Responses to Homeless Encampments

### *Providing Alternatives to Homeless Encampments*

5. **Promoting the “Housing First” model.** This strategy for housing chronically homeless people puts them into their own permanent housing units first instead of first treating the underlying problems to make them “housing ready.” The housing is seen mainly as a place to live. Treatment comes later.

An evaluation of this strategy in San Francisco, California found that the number of people living on the streets dropped by 41 percent in three years. More than 1,000 units of “permanent supportive housing” were established, and, of those who moved into such units, 95 percent remained housed.<sup>44</sup> In New York City, placing chronically homeless people with severe mental illnesses into supportive housing led to significantly fewer visits to emergency rooms, psychiatric wards, shelters, and jail. About 95 percent of the cost of providing the supportive housing was made up for by reductions in public service expenditures.<sup>45</sup> Other studies found that this approach results in more stable housing outcomes for participants (in terms of the percentage of participants still in housing after certain time frames) compared with standard care that begins with encouraging abstinence from alcohol and leads eventually to long-term housing.<sup>46</sup>

This strategy seems promising for those living in homeless encampments. Surveys of these populations find that a large majority (about 75 percent) list their most preferred shelter option as a place of their own, followed by encampments. Very few prefer government-run camps, and hardly any of the people surveyed wanted to live in a mission or shelter.<sup>47</sup>



§ See [www.mrsc.org/Subjects/Housing/TentCity/TentCity.aspx](http://www.mrsc.org/Subjects/Housing/TentCity/TentCity.aspx) for a comprehensive list of ordinances governing tent cities.

6. **Lobbying for more resources for mental health and substance abuse.** Given the strong relationship between residency in homeless encampments and dual diagnoses of addiction and mental illness, effective strategies to get people out of encampment life include long-term integrated treatment (i.e., treatment for both substance abuse and mental illness in the same program) and comprehensive case management.<sup>48</sup> Many communities have groups actively working to increase state and local government funding of these services.
7. **Regulating structured camping facilities.** This involves setting up an area where transients can encamp in relative safety, without the fear of violating laws and ordinances, and receive services as long as they follow facility rules. In Phoenix, Arizona, authorities established a campus for the unsheltered homeless that centralized their social services demands, including food, shelter, medical care, and employment services.<sup>49</sup> Such facilities are likely to garner negative reactions from nearby residents and business owners who fear an influx of petty criminals and a drop in property values and quality of life. Involving them early in the planning process, as Clearwater, Florida, police did when they built a homeless shelter, can help reduce these NIMBY (“not in my backyard”) responses.

Tent cities, if they are not properly run, can be problematic.<sup>§</sup> Typical restrictions specified in municipal codes for jurisdictions that permit tent cities include:

- requiring a meeting with the community before establishing the encampment
- limiting the encampment’s existence to a few months
- limiting the number of encampments that can operate in the jurisdiction at any one time
- limiting the number of times a location can be used for an encampment in a particular time period
- requiring a certain number of toilet and shower facilities
- restricting the use of heating and cooking devices



- specifying a minimum distance for the encampment from sensitive areas, such as schools, churches, playgrounds, and day care centers
- specifying a minimum distance from public transportation
- specifying the provision of social services to help homeless people out of their situations
- setting codes of conduct for residents.

§ In San Diego, clearing brush along the side of an interstate resulted in a 100 percent reduction in calls-for-service, crime, out-of-service time for law enforcement, citations, arrests, and community complaints (San Diego (California) Police Department, 2003). In Anchorage, Alaska, a few homeless people lived in a small wooded strip between a residential area and a high-traffic roadway. After the low-lying brush was mysteriously cut back one weekend, the encampments disappeared.

### *Changing the Physical Environment*

8. **Clear-cutting overgrown brush.**<sup>§</sup> Transients like encampments to be surrounded by overgrown vegetation, but this can make the camps difficult for police to enter safely, especially at night. Before clearing brush, first determine who owns the land. Multi-agency cooperation may be necessary on land owned by the park service, municipal parks and recreation departments, or transportation and highway departments. You may also need to consult a landscape architect about what kinds of plants should replace what is removed. If a lot of brush needs to be cleared, consider asking neighborhood residents to help out.

Clearing brush can be effective short term. However, unless there are other changes to the area that make it unattractive to transients, the encampment is likely to reappear when the brush grows back. It is also possible the encampment will move to another location. If the encampment is close to neighboring jurisdictions, it can be worthwhile to work with agencies in these jurisdictions to anticipate and prevent this displacement.

9. **Deploying water sprinklers.** If the chronically homeless have set up camps in relatively small urban parks, setting water sprinklers to go off at various times can make sitting or lying on the grass less comfortable. Sprinklers on buildings can also be used to prevent people from sleeping on sidewalks.



10. **Encouraging private property owners to secure vacant lots and buildings.** Fencing and other barriers can make spaces less desirable for encampments because of the increased effort needed to reach the camp. On the other hand, making it harder to get to the encampment means it is less likely to be detected by police on routine patrol, which may actually serve to make the site more attractive.
11. **Removing or altering street furniture.** Dismantling park benches and the like, or installing spikes and other devices to discourage sitting or lying on flat, raised surfaces, can make places less attractive for idle transients. But this will affect the street homeless and the legitimate user of public space equally, as each will be denied a place to sit and rest. Better approaches involve encouraging property owners to modify surfaces in fairly benign ways or construct them so they do not promote long-term sitting. Examples include central armrests on benches, slanted surfaces at the bases of walls, prickly vegetation in planter boxes, and narrow or pointed treatments on tops of fences and ledges. However, some observers of public spaces argue that the way to lessen the impact of loitering homeless people is to construct even more desirable sitting environments to attract more legitimate users, thus decreasing the ratio of homeless to legitimate users.<sup>50</sup>

### *Restricting Access to Goods and Services That Promote Encampments*

12. **Restricting public feeding of transients.** Health codes in many communities prohibit feeding people in public without appropriate permits and measures to ensure food safety. Zoning codes often specify what activities are allowable when providing services to homeless people. Religious groups have argued these prohibitions violate the freedom of religious expression under the First Amendment, the Equal Protection clause of the Fourteenth Amendment, and the Religious Freedom Restoration Act of 1993.<sup>51</sup>



### **Responding To Public Feedings In Anchorage, Alaska**

Instead of first enforcing health or zoning codes, it can be more productive to first engage stakeholders in discussions. For example, community leaders in Anchorage, Alaska, raised concerns about the negative impact on its commercial center of large groups of chronically homeless people showing up throughout the day and late at night for feedings from the back of a van. A short-term working group was formed to address the issue. The main stakeholders were the community members, the state office of Faith-Based Initiatives, the municipal department of health and human services, and leaders in the faith community. After several meetings and hearing the neighborhood's concerns, the faith leaders communicated to their congregations that this activity was unwelcome at that location. Congregants were encouraged to move to the grounds of a nearby soup kitchen that did not serve an evening meal. The majority of the food-givers relocated. One person refused to comply, arguing that she was doing "God's work" and would not be stopped. The police contacted the property owner where the feedings occurred and secured a letter asking the police to enforce trespassing laws against the woman. This, coupled with the threat of citations for health code violations, finally brought an end to public feedings at that location.

13. **Diverting donations from the public.** Well-intentioned people who leave donations of food and clothing at encampment sites may not realize that their actions may do more to enable transients than help them out of their chronically homeless lifestyle. Public education can encourage citizens to direct their charitable energies toward programs and services that reduce the need for homeless encampments rather than supporting them.



## *Reducing Negative Impacts of “Routine Activities” of the Chronically Homeless*

§ An architect in Winnipeg, Manitoba, troubled by the strong smell of urine in doorways by his business, teamed up with the local Business Improvement Zone (BIZ) to install two portable toilets. Police and BIZ employees checked the toilets regularly to ensure they were not being used for criminal activity. Despite a reported reduction in urine odors, the city ordered their removal and declined to issue a permit (CBC News, 2008).

14. **Installing more public toilets.** If your community has a problem with homeless people excreting and urinating in public, it may be because there is no place else for them to go. Seattle put in more public toilets, automated stand-alone units with doors that open after 10 minutes, seats that retract for cleaning, and a system to hose down the floors. However, some community members thought the toilets were havens for drug dealers and prostitutes. There were also some mechanical failures.<sup>52</sup> Because some members of the public might object to the high price of automated toilets, it may be better to start with portable toilets.<sup>§</sup> In Fresno, California, and Grand Rapids, Michigan, several portable toilets were recently installed next to homeless encampments, although not without opposition from those who argued that this would legitimize the encampments. Health and sanitation concerns were deemed more important. Another approach to dealing with citizens’ concerns about the cost of public toilets is to contract with companies that can provide public toilets in addition to other street “furniture” (such as litter receptacles, bus shelters, newsstands, and benches). Revenue is generated by placing advertising on the street furniture and charging people a small fee to use the toilets (which have cleaning systems and automatic doors to prevent long stays). These arrangements can make money for local government—New York City expects to bring in \$1 billion over 20 years.<sup>53</sup>
15. **Opening a day resource center.** These are “one-stop shops” where the chronically homeless can access services, use bathing facilities, and receive health care, food, etc.<sup>54</sup> People who reside in urban encampments are likely to benefit, and, at the very least, will be off the streets and out of public view for much of the day. Encampment dwellers who work during the day do not need the “drop-in” component of a day resource center, but could more efficiently access services. Opponents think this will just bring in more people, so providers of these facilities should strongly consider connecting the receipt of services to some sort of programming to transition people from homelessness.<sup>55</sup>



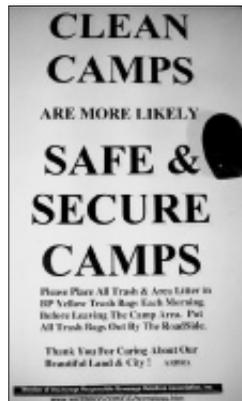
In Fontana, California, the police worked with local churches and other service providers to create TEN-4 (Transient Enrichment Network for Fontana), a processing center that provides a hot shower, clean clothes, food, and assistance finding housing, employment, or placement in a long-term substance abuse treatment program. The facility is in a strip mall in an area of the city with a long-standing homelessness problem. If someone brought to the TEN-4 facility did not enter the program, he or she was given a ride away from the area. This helped alleviate business owners' concerns that the area around the center would be overrun by homeless people who were "dropped off" there. Also, homeless people who did not enter the program were not given any food or clothing, and were not allowed to use any restroom or shower facilities. These measures satisfied the business owners, who soon became strong supporters of TEN-4.<sup>56</sup>

16. **Working with land use enforcement officers.** Most jurisdictions have land use codes that can prohibit homeless encampments on private property. They include restrictions or specifications on the type of ancillary dwelling units permitted on property and regulations against camping. Squatting in buildings is generally prohibited through codes setting safety standards for occupancy of structures.
17. **Cleaning up camp sites.** Removal of trash and debris from homeless encampments can improve the unsanitary conditions there. However, without taking steps to permanently remove the inhabitants, this response is unlikely to result in long-term change to the encampment.



18. **Shutting down homeless encampments.** This response takes cleaning up camp sites much further and includes strategies to permanently remove the transients and discourage their return. The procedure for shutting down homeless encampments is multi-staged. Most successful plans include these elements, generally in this order:<sup>57</sup>
- Visit the encampment to determine 1) how many people live there and if they have any special needs; 2) if there are any environmental hazards that need to be handled by trained personnel; and 3) the proper deployment of police officers and others to adequately carry out the plan.
  - Determine which law enforcement agencies have jurisdiction in the encampment area. If there is more than one, as is often the case in wilderness areas where state or federal agencies may have jurisdiction, establish a Memorandum-of-Understanding (MOU) that specifies which agency will be responsible for law enforcement, safety, and environmental protection, and who will do what while the response is being implemented.
  - Find out who owns the property in question. The laws pertaining to legality of encampments vary depending on whether the land is privately or publicly owned.

*Anchorage Responsible Beverage Retailers  
Association (ARBRA)*



This notice is placed at encampments after they have been cleaned by volunteers.



- Become familiar with your jurisdiction’s laws regarding removal of personal property and people from transient encampments.
- Meet with representatives from homeless advocacy groups to advise them of your plan and why you are doing it. Data collected during the scanning phase of your project will be useful here. Consider inviting these groups to come along on your subsequent contacts with transients at the encampment.
- Arrange alternate shelter for all the transients *before* you begin to remove them from the encampment. This is an important step to avoid legal challenges on the basis of the unconstitutionality of punishing someone for carrying out a “physiological need”—sleeping.
- Provide all transients with a written notice advising them 1) they are violating the law by camping in the park, under the freeway overpass, etc; 2) they are subject to further law enforcement if they remain in the area; 3) of the location of the alternate shelter arranged specifically for them; and 4) by which date they must vacate the area.
- After the date of vacation passes, return to the encampment and issue citations to those still there. Tell them the date by which they must vacate and that they will be subject to arrest and seizure of property if they do not leave by then.
- After the second notice passes, arrest any remaining transients and store their belongings. Ask other agencies or government departments to assist you in removing this property. Be careful about potential constitutional violations regarding searches of property.
- Establish another MOU detailing who will be responsible for ensuring the encampment is not rebuilt. Consider having each agency contribute some resources for regular patrols of the affected areas, and ensure you have the capacity to immediately clean up an area if it begins to reestablish itself.
- Cut back any excessive foliage that hides the encampment area.
- Post signage in the former encampment indicating that camping is not permitted in the area.



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§ See [http://file.burbankca.gov/cityclerk/agendas/ag\\_council/2007/ag032007\\_Minutes.html](http://file.burbankca.gov/cityclerk/agendas/ag_council/2007/ag032007_Minutes.html) for a good discussion about the legal implications of different methods of controlling abandoned shopping carts.



Example of signage posted in a former encampment.

19. **Retrieving shopping carts.** Some transients store their personal belongings in shopping carts, making it relatively easy for them to move from place to place. Often what is transported in the carts is not food or other grocery items but debris, soiled clothing, or animals. If a cart is returned to the store, its use by shoppers may constitute a health hazard.

Stores in areas populated by transients may be especially vulnerable to cart theft because many of their customers are pedestrians and cannot transport their goods home without a shopping cart. Further, these stores may lack the resources to install security devices on the carts or to allocate staff and a vehicle to patrol the neighborhood to pick up stray carts. Some cities, such as Phoenix, Arizona, allocate government funding to hire shopping cart pickup vendors to work in areas particularly afflicted by discarded carts.<sup>58</sup> Other cities have ordinances that require stores to contract with vendors whose business is retrieving abandoned shopping carts,<sup>59</sup> or to develop a plan to contain their carts on their property. This ordinance is widespread in California, where state law places numerous restrictions on the capacity of local governments to quickly retrieve abandoned shopping carts.<sup>§</sup>



## *Improving Police Interactions with Transients*

20. **Developing a departmental policy.** About a quarter of sheriffs' offices and local police departments have written policies for contacts with homeless people.<sup>60</sup> A policy should include procedures for casual contacts and arrests, as well as details about how give notice to illegal campers and deal with the property of homeless people.<sup>§</sup> The use of appropriate record-keeping tools (to support efforts to assess the effectiveness of your intervention) could also be mandated by policy.
21. **Creating a specialized unit.** Police departments in many cities, such as Santa Monica and San Diego, California, Pinellas Park and Fort Lauderdale, Florida, New York City, and Albuquerque, New Mexico, have established units to deal specifically with homeless people. There are different types of these units. In one variation, police accompany outreach workers on patrols through areas frequented by homeless people. Contacted homeless people are referred or transported to services. In Fort Lauderdale, police officers on the Homeless Outreach Team learned that wearing a uniform and driving a marked patrol car actually made it easier to contact homeless people. Being approached by someone in plain clothes and an unmarked car made the homeless fearful.<sup>61</sup> Another variation is based less on patrol and more on crisis intervention. An example is the Homeless Outreach Team in San Diego, where in addition to homeless outreach efforts, police officers partner with mental health clinicians in a Psychiatric Emergency Response Team.<sup>62</sup> A third variation is exemplified by the Homeless Liaison Program (HLP) in Santa Monica. There, a specially trained unit of about six police officers reaches out to transients and refers them to services. The HLP Team established contacts with short-term and long-term housing providers, job placement services, and treatment programs for mental illness and substance abuse disorders.<sup>63</sup>

<sup>§</sup>For examples of policies, see the Fort Lauderdale (Florida) Police Department (<http://ci.ftlaud.fl.us/POLICE/homeless4.html>) and the Cincinnati (Ohio) Police Department ([www.cincinnati-oh.gov/police/downloads/police\\_pdf7158.pdf](http://www.cincinnati-oh.gov/police/downloads/police_pdf7158.pdf)).



§ See, for example, *Pottinger v. City of Miami*, *Johnson v. City of Dallas*, and *Jones v. City of Los Angeles*.

## Responses with Limited Effectiveness

22. **Enforcing “sidewalk behavior” ordinances.** “Sidewalk behavior” ordinances prohibit behaviors on public sidewalks. Examples of these prohibited behaviors include lying or sitting on the sidewalk, or on any object placed on the sidewalk; impeding or obstructing the passage of pedestrians by getting in their way or putting obstacles on the sidewalk; leaving belongings unattended on sidewalks; and soliciting.<sup>64</sup> There have been successful class-action legal challenges<sup>§</sup> to arrests of homeless people for sleeping in public places and carrying out other “life-sustaining functions.”<sup>65</sup> The courts’ decision rules have generally been:

- 1) Are the plaintiffs involuntarily homeless? If your community does not have enough shelter beds to house all the homeless people, a court is likely to rule, based on precedent, that homelessness is not a choice and thus involuntary.
- 2) Do the plaintiffs have access to non-public spaces to carry out the punished activities? If your community lacks bathing and toilet facilities for the homeless, enforcement of laws prohibiting these activities could run into legal challenges.
- 3) Are the activities for which the plaintiff is being punished involuntary? Courts have tended to rule that sleeping and excretion are involuntary.

Beyond the legal impediments to enforcing these ordinances, it is likely that some offenders might welcome being arrested for these sorts of activities. It gives them a chance to be off the street for a short period of time in a place where they can eat, get warm, and clean up. Before long, they will be back in the same area doing the very things for which they were arrested.<sup>66</sup>



23. **Enforcing ordinances against panhandling.** Only a small percentage of chronically homeless people are panhandlers.<sup>§67</sup> Therefore, cracking down on panhandlers is not likely to have a significant impact on transient encampments. Furthermore, the legal impediments to successful enforcement of anti-begging laws are great.<sup>§§</sup>

§ American ethnographic studies and small-scale surveys of people living on the street or in transient encampments show that about 20–30 percent engage in panhandling. This percentage was considerably higher in a Scottish study however (Fitzpatrick and Kennedy, 2000).

§§ See Problem-Specific Guide No. 13, *Panhandling* for more information.

§§§ See Response Guide No. 1, *The Benefits and Consequences of Police Crackdowns* for more information.

24. **Doing “bum” sweeps.** One common strategy is the “bum sweep,” where police temporarily concentrate resources in a troubled area and arrest a lot of homeless people for minor offenses or on outstanding warrants. Sweeps can clean up an area very quickly, but they are not generally effective for a number of reasons. First, they can create an adversarial relationship between this group and the police, and, second, they can encourage unproductive interaction with homeless advocates.<sup>68</sup> Finally, there is no evidence that sweeps have any long-term effect. As an isolated response, crackdowns against the street homeless are not advised. However, there is evidence from studies of crackdowns on serious crime (mostly drug markets) that they can be effective if done in conjunction with other strategies.<sup>§§§69</sup>

25. **Creating safe zones.** These areas, wherein homeless people can live without fear of arrest for carrying out the routine behaviors of daily life, typically combine temporary shelter with services such as medical care, meals, and employment assistance. Homeless encampment residents prefer these to shelters.<sup>70</sup> In practice though, safe zones are not effective. Their location in industrial parts of cities makes community opposition unlikely, but also isolates inhabitants from the services and employment opportunities that might help them transition out of chronic homelessness. It is also possible that this isolation might actually increase the divide between safe zone residents and “housed” people.<sup>71</sup> The city of Fort Lauderdale, Florida, was compelled by court order to establish a safe zone—four tents in a downtown parking lot. It had feedings, showers, and restrooms, and ended up attracting new homeless people to the city. The safe zone became rife with crime. Overall, the effort proved not to be cost-effective.<sup>72</sup>



26. **Increasing the capacity of local shelters.** It is not always true that people reside in transient encampments due to lack of shelter space. Campers resist going to shelters for a variety of reasons. Some shelters cost too much, prohibit alcohol use, couple shelter with religious outreach, or refuse admittance to those with certain types of criminal histories (sex offenders in particular). Those who are denied entry once are not likely to try again. Relaxing these rules might make shelters more palatable to this group of chronically homeless people. On the other hand, allowing anyone into shelters would lead others to avoid them for personal safety reasons. Finding a balance can be difficult.<sup>73</sup>

In two studies of homeless encampment residents, only 25-41 percent said they would go willingly to shelters. If forced to leave their encampment, a larger percentage said they would just find a more secluded place to live, and others said they would continue to stay at their encampment, even if it meant risking arrest.<sup>74</sup>



## Appendix: Summary of Responses to Homeless Encampments

The table below summarizes the responses to homeless encampments, the mechanisms by which they are intended to work, the conditions under which they ought to work best, and some factors you should consider before implementing a particular response. It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem.

Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
<b>General Principles for an Effective Strategy</b>					
1	22	Enlisting community support to address the problem	Involving stakeholders early on increases likelihood of support for responses and reduces risk of lawsuits	... there is consensus about how to define the problem and the possible solutions	Some advocacy groups are unreceptive to other views and may attempt to derail your efforts
2	22	Educating the community about homelessness	Makes people's expectations of what police can do more realistic; reduces "NIMBY" response	... there is a tradition of civic engagement in the community	Some citizens may resist learning about the causes of and effective responses to chronic homelessness if these ideas are contrary to their moral values
3	22	Educating police officers about homelessness	Improves interaction between police officers and homeless people	... the training leads to changes in attitudes and beliefs about the chronically homeless	Some officers resent "sensitivity" training
4	22	Helping with your community's long-range homelessness plan	Ensures that police interests are included in the plan	... stakeholders involved in the plan are receptive to input from police	Some stakeholders are hostile to the police and do not view them as allies



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
<b>Specific Responses to Homeless Encampments</b>					
<i>Providing Alternatives to Homeless Encampments</i>					
5	23	Promoting the “Housing First” model	Puts hard-to-place chronically homeless people into housing immediately	... the infrastructure exists in your community	Finding locations for these housing facilities can be difficult in some communities
6	24	Lobbying for more resources for mental health and substance abuse treatment	Increases treatment options for those who need them	...this treatment is provided in conjunction with housing	Citizens resent paying taxes to help people with substance abuse problems and mental illness
7	24	Regulating structured camping facilities	Creates an area for transients to camp safely	... a suitable location can be found that meets community needs	The facility may be located on undesirable land far from services transients need
<i>Changing the Physical Environment</i>					
8	25	Clear-cutting of overgrown brush	Removes privacy for transients and barriers to encampment detection; assists natural surveillance	... vegetation is not allowed to grow back to previous levels	Clearing only small areas at a time may displace transients to nearby spots to set up new encampments
9	25	Deploying water sprinklers	Makes the encampment area wet and the ground less desirable to sit or lie on	...sprinklers are set to go off at random times to increase unpredictability	Legitimate users of the space, such as picnickers and sunbathers, may be annoyed
10	26	Encouraging private property owners to secure vacant lots and buildings	Access to potential sites for transient encampments is blocked	...measures used to secure the space are checked regularly to ensure they have not been compromised	If encampments are established in areas with limited access, it will be harder for the police to find them



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
11	26	Removing or altering street furniture	Reduces the number of places to comfortably sit or lie down in public	...alterations will not cause physical injury	Legitimate users may object to the loss of streetscape amenities
<i>Restricting Access to Goods and Services that Promote Encampments</i>					
12	26	Restricting public feeding of transients	Prevents gathering of transients	... the health department provides support	Food providers may view restrictions as harsh and uncaring
13	27	Diverting donations from the public	Reduces funds available to support encampment lifestyle	... there is a mechanism to permanently block drop-off sites near encampments	Some people will think the response is harsh and uncaring
<i>Reducing Negative Impacts of "Routine Activities" of the Chronically Homeless</i>					
14	28	Installing more public toilets	Facilitates compliance with community standards on personal hygiene	... low-cost models are used at the beginning	Toilets can become havens for criminals
15	28	Opening a day resource center	Puts transients in direct contact with service providers in one location	... use of facility amenities is tied in with program participation	Nearby residents and businesses may work to block location of the facility in their neighborhood
16	29	Working with land use enforcement officers	Sets rules about what activities and uses are permitted; encourages place management by property owner	... transients are encamped on private property	Fining property owners may not directly affect the transients encamped on the property
17	29	Cleaning up camp sites	Denies benefits of encampment by removing personal property and amenities	... done in conjunction with legal measures to remove transients	This may not work if measures are not taken to prevent the reestablishment of the encampment



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
18	30	Shutting down homeless encampments	Long-term denial of benefits for transients by removing their personal property	... there is extensive planning before the intervention and multi-agency cooperation for implementation and follow-up	Displacement of transients to other encampments is likely unless they are provided with more desirable shelter alternatives
19	32	Retrieving shopping carts	Removes facilitator of transient lifestyle	... there is an ordinance in place making stores responsible for retrieval or containment of carts	Local grocery stores may lack resources to prevent theft of carts or collect them regularly
<i>Improving Police Interactions With Transients</i>					
20	33	Developing a departmental policy	Sets standards for contacts with homeless people	...the policies and procedures support the departmental mission and values of the department and the community	Homeless advocates may scrutinize the policy and its implementation
21	33	Creating a specialized unit	Ensures rapid identification of homeless people in need of help	... police work together with social service providers to access services for homeless	Homeless advocates may view police involvement unfavorably
<i>Responses With Limited Effectiveness</i>					
22	34	Enforcing "sidewalk behavior" ordinances	Restores orderliness to public spaces and discourages unwanted behaviors	... ordinances can be written so they do not violate constitutional protections	In addition to potential legal challenges, these ordinances can reinforce undesired activity by rewarding the offender with a warm bed and food



<b>Response No.</b>	<b>Page No.</b>	<b>Response</b>	<b>How It Works</b>	<b>Works Best If...</b>	<b>Considerations</b>
23	35	Enforcing ordinances against panhandling	Increases the effort required by panhandlers to make money	... there is a large overlap between panhandlers and transients in your community; ordinances do not violate constitutionally protected freedoms	Most people who live in transient encampments are not panhandlers
24	35	Doing “bum” sweeps	Temporarily removes transients from public spaces	... if done in conjunction with other strategies	In addition to creating an adversarial relationship with the homeless and their advocates, there is no evidence that it works
25	35	Creating safe zones	Isolates transients in an area where their behaviors will disturb fewer people	... services to transition out of chronic homelessness are accessible in the safe zone	Industrial zone locations cut off transients from needed services; increased services may attract new homeless people to the area
26	36	Increasing the capacity of local shelters	Provides alternatives to encampment living	... there is an actual demand for shelter services among the transient population	Transients find shelters less desirable than encampments, and some transients would be denied entry to shelters





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## Endnotes

- <sup>1</sup> Nicol (2001).
- <sup>2</sup> U.S. Department of Housing and Urban Development (2008a).
- <sup>3</sup> U.S. Department of Housing and Urban Development (2008b).
- <sup>4</sup> U.S. Conference of Mayors (2008).
- <sup>5</sup> U.S. Department of Housing and Urban Development (2008b).
- <sup>6</sup> Amster (2003); Cousineau (1993).
- <sup>7</sup> Cousineau (1993).
- <sup>8</sup> Cousineau (1993); Erlenbusch, Marr, and White (2001).
- <sup>9</sup> Cousineau (1993); Tempe, Arizona, Homeless Task Force (2000); San Diego (California) Police Department (1999); Swope (2005); Lawson, S. (2002); Aubry, Klodawsky, Hay, and Birnie (2003).
- <sup>10</sup> Cousineau (1993); Erlenbusch, Marr, and White (2001), Tempe, Arizona, Homeless Task Force (2000).
- <sup>11</sup> Cousineau (1993).
- <sup>12</sup> Newport Beach (California) Police Department (2000); Reno (Nevada) Police Department (1998).
- <sup>13</sup> Tempe, Arizona, Homeless Task Force (2000); Harcourt (2005).
- <sup>14</sup> Allen, Lehman, Green, Lindegren, Onorato, and Forrester (1994); National Coalition for the Homeless (2008b); Zerger (2002).
- <sup>15</sup> Cousineau (1993); Tempe, Arizona, Homeless Task Force (2000); Harcourt (2005).
- <sup>16</sup> Constable (2008).
- <sup>17</sup> Ballintyne (1999).
- <sup>18</sup> Newburn and Rock (2005).
- <sup>19</sup> National Coalition for the Homeless (2008a).
- <sup>20</sup> National Coalition for the Homeless (2008a).
- <sup>21</sup> Sahagun and Bloomekatz (2008).



- <sup>22</sup> Huichochea (2008).
- <sup>23</sup> Pacheco (2007).
- <sup>24</sup> Minugh (2008).
- <sup>25</sup> Mallory (2002).
- <sup>26</sup> Bureau of Justice Statistics (2008).
- <sup>27</sup> Reno (Nevada) Police Department (1998); San Diego (California) Police Department (1995).
- <sup>28</sup> Fischer (1998); Snow, Baker, and Anderson (1989).
- <sup>29</sup> Snow, Baker, and Anderson (1989).
- <sup>30</sup> Snow, Baker, and Anderson (1989).
- <sup>31</sup> Snow, Baker, and Anderson (1989); Foscarinis (1996); Foscarinis, Cunningham-Bowers, and Brown (1999), Simon (1995).
- <sup>32</sup> Snow, Baker, and Anderson (1989).
- <sup>33</sup> Newport Beach (California) Police Department (2000); San Diego (California) Police Department (1995, 1999, 2003); San Diego (California) Police Department, Northern Division (2001); Reno (Nevada) Police Department (1998); Fontana (California) Police Department (1998).
- <sup>34</sup> Newport Beach (California) Police Department (2000).
- <sup>35</sup> Berkley and Thayer (2000).
- <sup>36</sup> Berkley and Thayer (2000).
- <sup>37</sup> Newport Beach (California) Police Department (2000); Reno (Nevada) Police Department (1998).
- <sup>38</sup> Balles (2008); Siemers (2008).
- <sup>39</sup> Swope (2005).
- <sup>40</sup> Balles (2008).
- <sup>41</sup> Dallas (Texas) Police Department, Northwest Operations Division (1999).
- <sup>42</sup> Cousineau (1993); Fontana (California) Police Department (1998); Erlenbusch, Marr, and White (2001); Constable (2008).
- <sup>43</sup> U.S. Department of Housing and Urban Development (2008a).



- <sup>44</sup> Swope (2005).
- <sup>45</sup> Culhane, Metraux, and Hadley (2002).
- <sup>46</sup> Alliance to End Homelessness in Ottawa (2006); De Jong (2007).
- <sup>47</sup> Cousineau (1993); Erlenbusch, Marr, and White (2001).
- <sup>48</sup> McMurray-Avila, Gelberg, and Breakey (1999); Drake, Osher, and Wallach (1991); Drake, Mercer-McFadden, Mueser, McHugo, and Bond (1998); Drake, Mueser, Brunette, and McHugo (2004).
- <sup>49</sup> Amster (2003).
- <sup>50</sup> Whyte (1980).
- <sup>51</sup> National Coalition for the Homeless and National Law Center on Homelessness & Poverty (2006).
- <sup>52</sup> Shen (2007).
- <sup>53</sup> Hu (2005); Roberts (2008).
- <sup>54</sup> Tempe, Arizona, Homeless Task Force (2000).
- <sup>55</sup> Berkley and Thayer (2000).
- <sup>56</sup> Fontana (California) Police Department (1998).
- <sup>57</sup> Newport Beach (California) Police Department (2000); Reno (Nevada) Police Department (1998)
- <sup>58</sup> Moravcik (2005).
- <sup>59</sup> City of Concord (California) (2009).
- <sup>60</sup> Bureau of Justice Statistics (2006a, 2006b).
- <sup>61</sup> Fort Lauderdale (Florida) Police Department (2002).
- <sup>62</sup> San Diego (California) Police Department (1999).
- <sup>63</sup> Groves (2009); City of Santa Monica (California) (2008); Melekian (1990).
- <sup>64</sup> Leckerman (2001).
- <sup>65</sup> Leckerman (2001); Foscarinis (1996); National Law Center on Homelessness & Poverty (2003).
- <sup>66</sup> San Diego (California) Police Department (1995).



<sup>67</sup> Ellickson (1996); Cousineau (1993).

<sup>68</sup> Fort Lauderdale (Florida) Police Department (2002).

<sup>69</sup> Scott (2004).

<sup>70</sup> Cousineau (1993); Erlenbusch, Marr, and White (2001).

<sup>71</sup> Foscarinis (1996).

<sup>72</sup> Fort Lauderdale (Florida) Police Department (2002).

<sup>73</sup> Jencks (1994); Cousineau (1993); Erlenbusch, Marr, and White (2001).

<sup>74</sup> Cousineau (1993); Erlenbusch, Marr, and White (2001).



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