



# ASHEVILLE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE



### SOP 3020 - Persons Experiencing Homelessness

<b>Original Issue:</b>	4/18/2014	<b>Last Revision:</b>	1/8/2025
<b>Replaces:</b>	Homeless Persons SOP		

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#### INTRODUCTION

This directive provides procedures for interaction with persons experiencing homelessness, handling encampments, and providing information on outreach for assistance from social service resources. The Asheville Police Department treats all persons, including those experiencing homelessness, in a manner that respects their rights, human dignity, and community values while enforcing laws that protect life and property and sustain civic life.

#### DEFINITIONS

Homelessness: a person is considered to be experiencing homelessness if they lack a fixed, regular, and adequate nighttime residence, meaning:

- Has a primary nighttime residence that is a public or private place not meant for human habitation (such as a car, abandoned building, park, or sidewalk).
- Is living in a shelter designated to provide temporary living arrangements (such as an emergency shelter, transitional housing, or hotel/motel paid for by a charitable or governmental agency).

- Is exiting an institution where they resided for ninety (90) days or less and resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

Encampment: for this directive, a location where persons experiencing homelessness are sleeping, making preparations to sleep (including the laying down of bedding for sleeping), and associated activities, including the storing of personal belongings, making any fire, remaining at or near any tent or other shelter, doing any digging or earth breaking or carrying on of cooking or other activities in support of camping or living accommodations. [People experiencing homelessness may also sleep in different locations \(e.g., doorways\) which are typically not considered encampments.](#)

Outreach: the initial and most critical step in connecting or reconnecting a person experiencing homelessness to needed health, mental health, recovery, social, and housing services that involve the process of engagement, assessing needs, defining service goals, or agreeing on a plan for delivering those services.

### 3020.1 GENERAL PROCEDURES

- A. Absent reasonable suspicion that a person experiencing homelessness is violating the law, department members should approach these individuals as they would any other citizen. Homelessness, on its own, does not constitute reasonable suspicion.
- B. Persons experiencing homelessness may keep personal belongings, including documents and medications.
  - 1. Department members will adhere to department [directives](#) regarding property and evidence [when](#) handling personal property; see [SOP 3006 - Property & Evidence Submission](#).
  - 2. No personal property will be searched or seized unless reasonable suspicion or probable cause exists.
- C. Whenever possible, persons experiencing homelessness may be provided information on available health, mental health, recovery, social, and/or housing services.
- D. Many persons experiencing homelessness may suffer from mental health and substance abuse issues that are beyond their control. Officers [will](#) follow guidelines in [Policy 501 - Crisis Intervention](#) when interacting with persons in crisis.

### 3020.2 ENCAMPMENTS

- A. The primary officer responding where an **encampment is present** will [follow the City of Asheville Encampment Response Protocol](#), including:

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1. Determine if the encampment is on public (including city-owned) or private property; this may be accomplished using the department's Computer Aided Dispatch (CAD) system or Buncombe GIS. Once the property status is determined, the officer will document the location within the related CAD call notes.
  2. Document the encampment via a department cell phone camera [and send or share the photographs to helpendhomelessness@ashevillenc.gov](#). Photographs should include any significant items in the vicinity, such as erected tents, temporary structures, dangerous weapons, dangerous materials, etc.
- B. Private property owners may request APD enforcement of trespassing ordinances to remove encampments on their property at their discretion. Property owners are required to maintain cleanliness and sanitation standards per the Asheville City Code of Ordinances.
- C. The Community Unit will conduct any necessary follow-up through the City of Asheville Homeless [Strategy Division](#) to facilitate outreach workers' referral to the campsite.

BY ORDER OF:

A handwritten signature in black ink, appearing to read 'ML LH', is positioned above the printed name of the Chief of Police.

Michael Lamb  
Chief of Police