Colorado Springs Police Department

General Order

1091 Illegal Camping Enforcement & Issues Related to Homelessness

Section 1000 – Patrol Functions

Effective Date: 9/22/2026
Supersedes Date: 2/24/2022

.01 Purpose

The purpose of this directive is to establish procedures for officers during contacts, enforcement actions, and arrests involving community members experiencing homelessness.

.02 Cross-Reference

GO 120 Treatment of the Public
GO 121 Fair and Impartial Policing

.03 Discussion

Homeless encampments may occur on public or private property and may involve tents, vehicles, makeshift shelters, existing structures, or personal property, and may present public safety, environmental, or sanitation concerns or involve violations of law.

Homelessness is not a crime, and people experiencing homelessness retain the same constitutional rights as all members of the community. Officers will protect those rights, treat individuals with dignity, facilitate access to available resources when appropriate, and enforce applicable laws and ordinances.

CSPD utilizes specialized resources, including the Homeless Operations Team (HOT), Directed Area Response Team (DART), HOT Subject Matter Experts (SMEs), and community outreach partners, to address homelessness-related issues and connect individuals with available shelter, housing, food, substance-use, medical, and behavioral-health resources.

.04 Policy

CSPD personnel will provide appropriate law enforcement services to the entire community while protecting the rights, dignity, and personal property of people experiencing homelessness.

Enforcement will be consistent with applicable law, city ordinance, department policy, and constitutional requirements.

Applicable provisions may include:

- 9.6.110 – Camping Prohibited
- 9.6.202 – Littering Prohibited
- 9.6.102 – Trespass on Private Property
- 9.2.104 – Obstructing Passage or Assembly
- 18-4-504 – Third Degree Criminal Trespass
- 18-9-117 – Unlawful Conduct on Public Property
- Fire and outdoor-burning regulations
- RV camping and parking regulations

Officers responding to a call involving homelessness will address the entire call appropriately and professionally. HOT, DART, and HOT SMEs may respond to illegal camping and other homelessness-related matters when appropriate and available. Routine calls, such as shoplifting, business trespass, or disturbances involving a person experiencing homelessness, will generally be handled by patrol officers assigned to the division.

HOT, DART, and HOT SME personnel will complete required training related to illegal camping enforcement and homelessness, with completion reported to the Training Academy for record retention.

.05 Definitions

Camping: Sleeping in or occupying a temporary outdoor shelter. A temporary shelter may include a sleeping bag, tent, vehicle, tarp, cardboard, foliage, or other material used as a barrier from the surrounding environment. Evidence of camping may include use of the shelter for sleeping, bathing, or preparing or cooking meals.

Central Commercial District: The area bordered on the north by Cache La Poudre Street, south by E. Cheyenne Road, east by Wahsatch Avenue, and west by Interstate-25 and S. Tejon Street.

Median: The area between two (2) roadways of a divided street or highway measured from the edge of the traveled way to the edge of the other traveled way including areas between traffic lanes for control of vehicular movements. Such an area may be physically defined by curbing, landscaping, or other physical obstacles to the area's use by vehicles or by traffic control markings (also known as a painted median).

Obstruct: To hinder or slow progress, to deter progress, to make accomplishment of obtaining a goal slower or more difficult, to be or come in the way of, or impede.

Old Colorado City Commercial District: The area bordered on or included within the area bordered on the north by W. Pikes Peak Avenue, on the south by W. Cucharras Street, on the east by 23rd Street, and on the west by 28th Street.

Public Place: A place to which the public or a substantial part of the public has access, including streets, highways, transportation facilities, schools, places of amusement, parks, playgrounds and the common areas of public and private buildings and facilities, including parking lots or any other area intended for use by the public. It will include the front, entryway, doorway or vestibule or area of immediate access to any public place, store, shop, restaurant, tavern or other place of business.

Public Property: Property that is dedicated to public use. Property owned by the government (or its entities), rather than by a private individual; e.g., parks, streets, sidewalks, or libraries.

Public Right of Way: Any street, sidewalk, trail, path, alley, parkway, curb, median, traffic island, or any other publicly owned property intended or used for pedestrian, recreational, or vehicular travel.

Shelter: Any protection from the elements other than clothing, such as tents, shacks, sleeping bags, other structure, or material

Soliciting: To knowingly make a request, whether by spoken words, bodily gestures, written signs or other means, for a gift of money or other thing of value. Soliciting includes, but is not limited to, seeking a donation where the person being solicited receives an item of little or no monetary value in exchange for a donation, under circumstances where a reasonable person would understand that the purchase is in substance a donation, or begging, or panhandling.

Stream Bank: Means the terrain alongside a stream between which the flow of water or body of water is confined.

Stream Riparian Zone or Riparian Zone: Means a public land area that extends one hundred feet (100') away from the edge of the streambank.

Stream: Means natural, altered or improved channels that have seasonal or continuous water flows as a result of surface sources, storm water runoff or groundwater influx, or naturally occurring or man-made bodies of water surrounded by land which water is confined. Streams include channels, canals, streambeds, stream banks, drainage ways, flood ways, holding insulting basins, reservoirs, lakes and ponds.

Waste: Includes but is not limited to: any and all rubbish; unused, rejected and/or discarded material(s); feces; garbage; trash; debris or other foreign substances, solid or liquid of every form, size, kind, and description.

Verbal Warning: For the purposes of this directive, "verbal warning" refers to the Colorado Springs Police FIR card in MFR. The verbal warning will be documented on an FIR card. The FIR notes must contain the date, time, and location of violation, name of violator, sex, race, DOB, ID number and state of ID. The ordinance will be cited in the "other violations not listed" section and will be written as *9.6.110, Camping Prohibited*. All specific referrals given to the violator will be noted within the FIR notes. The FIR card will be maintained by the Records Section. Additionally, the notation “Camping Prohibited VW” will be noted on the FIR card.

.10 Homeless Related Issues and Illegal Camping Enforcement Personnel

Homeless Operations Team

The Homeless Operations Team (HOT) works with public sector, nonprofit, and business partners to address homelessness-related issues throughout Colorado Springs. HOT personnel enforce applicable illegal camping ordinances and statutes and are based in the Gold Hill Division but may respond citywide.

DART

The Directed Area Response Team (DART) responds primarily in downtown and other areas designated by DART supervisors. Because DART personnel routinely encounter homelessness and camping-related issues, members receive additional related training.

Outreach Partners

Community outreach partners may accompany or coordinate with HOT during illegal-camping enforcement. They provide information, referrals, and services to people who request or accept assistance, including medical care, housing navigation, substance-use services, and other resources.

Street Outreach Workers

Contracted outreach workers may accompany HOT officers, provide referrals and information, and conduct interviews related to future housing placement.

HOT Subject Matter Experts

HOT will provide specialized training to Patrol Operations Bureau personnel designated as HOT SMEs. SMEs may enforce ordinances and statutes relating to illegal camping.

Initial certification will consist of 10 hours of training, followed by annual recertification conducted by HOT.

.15 Enforceable Actions by Patrol

The HOT SME program provides specialized knowledge; however, all officers have authority to enforce City Ordinance 9.6.110, Camping Prohibited, including prohibitions on camping on public property, in parks, within riparian zones, and in vehicles on public property.

Before citing a person for vehicle camping, officers will document a warning and allow 24 hours to pass. Probable cause will include the date, time, location, and identity of the person receiving the warning. Officers should document warnings on an FIR.

All officers may also enforce:

- 9.6.202 – Littering Prohibited
- 9.2.104 – Obstructing Passage or Assembly
- 9.6.102 – Trespass

.20 Trespassing on Private Property and Camping on Public Property Prohibited

Camping on private property will be handled as a trespass complaint, not a camping complaint. Patrol officers will respond and address the matter with the property owner or authorized representative as appropriate.

Camping on public property is prohibited by 9.6.110. Officers may contact a HOT SME or HOT officer for guidance when needed.

Reasonable grounds that a person has camped or is camping may include:

- Sleeping or preparing to sleep, including bedding, pillows, or blankets.
- Camping equipment such as lanterns, chairs, tables, large bags, backpacks, sleeping bags, bed mats, or similar items.
- Occupying an outdoor shelter.
- Using campfires, camp stoves, heating sources, or cooking devices.
- Storing personal property, including clothing, tools, grooming items, food, or beverages.
- Litter, waste, or evidence of urination or defecation in or around the shelter.
- Similar activity occurring in or around an occupied vehicle parked on public property.

When a member of the public reports illegal camping, Communications will direct the reporting party to GoGov through the City of Colorado Springs website. If the person cannot access or complete a GoGov request, Communications will create a CAMP call for service. The Downtown Station Lieutenant or designee will determine whether the matter should be handled by HOT, DART, or a divisional HOT SME.

When a patrol officer encounters illegal camping, the officer will:

- Advise the person of the violation and document the contact on an FIR.
- When issuing a camping warning, advise that camping is prohibited on public property within the city limits of Colorado Springs.
- Photograph the campsite.
- If the site is abandoned or consists only of trash, notify the HOT Team Sergeants with the location, description, and photographs when available. HOT will coordinate with the appropriate city cleanup resources.

HOT, DART, and HOT SMEs Officers should, when practicable, determine whether shelter is available before issuing a citation. Shelter availability may be confirmed through current department procedures and available shelter providers.

When contacting a parent with juvenile children who require shelter, officers should coordinate with the RJ Montgomery Family Hope Center to determine available family shelter resources.

For vehicle camping, a person who has not previously received a warning or citation will receive a warning and be given 24 hours to remove the camp before a citation is issued. A subsequent warning is not required after a warning or citation.

.30 Expectation of Privacy in Tents

Under *People v. Schafer*, a person camping in Colorado may have a reasonable expectation of privacy in a tent used for habitation and personal effects when the circumstances described by the court are present.

Officers will apply the following procedures:

- A person occupying a tent on public property will be treated as having a reasonable expectation of privacy unless that expectation has been lawfully removed
- Officers will provide appropriate notice of illegal camping and follow applicable posting requirements
- When property is clearly identified as private, such as by fencing, posted signs, or other measures designed to exclude intruders, the expectation of privacy described in *Schafer* does not apply in the same manner
- When private property is not clearly identified, officers will determine whether a CSPD No Trespass letter is on file

- If a No Trespass letter authorizes CSPD to act for the property owner, officers will provide trespass notice, appropriately post the area, and generally allow one hour for compliance absent exigent circumstances. Continued presence after that period may support trespass enforcement
- If no trespass letter exists, the property owner or authorized representative must provide the required trespass notice before the person's reasonable expectation of privacy is removed
- Once lawful authority to enter a tent or shelter has been established, officers may conduct a protective sweep when legally justified. Officers will not search personal belongings, closed containers, or other items without a warrant or a recognized exception to the Fourth Amendment warrant requirement
- Evidence or contraband observed in plain view during a lawful protective sweep may be seized consistent with applicable law

For additional guidance regarding legal authority and constitutional policing, officers will consult the CSPD Criminal Procedures Manual

.35 Fire Burn Regulations

When an officer encounters an open fire or campsite fire, the officer will determine whether action is required under the CSPD Outdoor Burning Citation Quick Guide and applicable Colorado Springs Fire Department (CSFD) restrictions.

If a fire presents an immediate danger to life or property, officers will take appropriate action to protect life and property, including extinguishing the fire. Officers will also consult current CSFD burn restrictions and burn-ban guidance.

.40 RV Camping Complaints

Downtown Station Unit officers and divisional HOT SMEs will address complaints involving occupied recreational vehicles (RVs) parked on public roadways and used as stationary residences.

1. Communications will create an RV PARKING COMPLAINT call and assign it to the appropriate patrol division. If the call indicates the RV is occupied, it will be assigned to the Downtown Station or divisional HOT SME personnel
2. For a first-time offense, officers will issue a courtesy warning by placing a fluorescent green ABANDONED VEHICLE REPORT sticker on the RV and checking the RECREATIONAL VEHICLE box. The call will then be split into an Abandoned RV call for follow-up after 24 hours
3. Subsequent offenses will result in parking citations with progressive fines. After three parking citations, the responding officer will consult with a DART or HOT sergeant,

divisional HOT SME supervisor, and Impound Lot supervisor regarding possible impoundment

4. An unregistered or expired-registration RV parked on a public street may be impounded before the third citation when authorized. Officers will consider prior calls, warnings, registration history, and public-safety factors when making this determination

Questions regarding RV enforcement will be directed to a HOT or DART officer or HOT SME supervisor.

.50 Pedestrian Access Act

City Ordinance 9.2.112, Sitting or Lying Down in Commercial Districts, prohibits sitting, kneeling, reclining, or lying on a public ROW and placing objects on the ROW in the Central Commercial District and Old Colorado City Commercial District.

The ordinance applies from 7:00 a.m. to 10:00 p.m. daily and from 10:00 p.m. to 3:00 a.m. Friday and Saturday nights. Public ROW includes streets, sidewalks, trails, paths, alleys, parkways, curbs, medians, traffic islands, and other publicly owned property intended or used for pedestrian, recreational, or vehicular travel.

The ordinance is enforceable by all CSPD officers.

Affirmative defenses include:

- Medical emergency
- Disability requiring a wheelchair, cane, walker, or other medical aid.
- Commercial use of the ROW pursuant to a permit or license
- Permitted parades or special events
- City- or public-agency-provided seating and marked transit stops

A summons will not be issued unless the violator:

- Was previously notified that the conduct violates the ordinance; and
- Previously received a written warning issued through e-citation

Upon contact, officers will determine whether a prior written warning exists. If one exists, the probable-cause section of the e-citation will include the warning's date, time, location, serving officer, and summons number.

The e-citation will also describe the specific conduct establishing probable cause.

.60 Solicitation on or Near a Street or Highway

City Ordinance 10.18.111 prohibits obstruction or interference with traffic on a street or highway. People may also be prohibited from occupying a median that is posted with official signage restricting access, use, or occupancy.

City Ordinance 9.2.111 prohibits aggressive solicitation. Passive standing or sitting with a sign seeking donations, without directing a solicitation to a specific person except in response to an inquiry, is not aggressive solicitation.

Officers may cite for aggressive solicitation or obstruction of traffic when probable cause establishes the ordinance's elements.

A request for a donation from a person displaying a "No Soliciting" sign violates the solicitation ordinance. Selling goods, such as Girl Scout cookies or popcorn, to a person displaying such a sign does not constitute a violation of the solicitation ordinance, although other offenses, including trespass, may apply.

.65 Use of Medians

City Ordinance 10.18.112 prohibits occupying a median that is posted with official signage prohibiting access, use, or occupancy.

All officers may enforce this ordinance and will use appropriate discretion when deciding whether to issue a citation or verbal warning. The violation is a serve-and-release traffic offense.

A citation will not be issued unless the median is clearly posted with the required signage. When practicable, officers should photograph the sign and upload the photograph to Evidence.com using the call-screen number.

.70 Available Resources

Officers who contact people experiencing homelessness and who request or may benefit from assistance may contact HOT for guidance or referrals. If HOT is unavailable, officers should consult the current helpCOS.org resources and provide appropriate information to the person requesting assistance.

.80 Overnight Warming Shelter

Springs Rescue Mission (SRM) may activate an overnight warming shelter when temperatures reach 19 degrees Fahrenheit or below or when other adverse weather conditions warrant activation.

When activated, the warming shelter is open to everyone and has no curfew. On non-warming-shelter nights, SRM's curfew is 10:00 p.m. Additional warming shelters may be activated for individuals with special needs as circumstances require.