

	INTERACTING WITH INDIVIDUALS EXPERIENCING HOMELESSNESS PHOENIX POLICE DEPARTMENT	Operations Order 1.3.XX PAGE 1
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1. PURPOSE

- A. This policy provides guidance on how Department employees should:
- Appropriately interact with individuals experiencing homelessness, including enforcement situations
 - Report the existence of encampments to city partners
 - Handle the storage of personal property belonging to individuals experiencing homelessness.
- B. As outlined in Operations Order 1.3.00, Standards of Public Trust, it is the policy of the Department to protect the rights and dignity of all members of the community, including individuals experiencing homelessness. This policy acknowledges an individual's right to be in any public place so long as their activities are lawful.
- C. This policy utilizes the existing framework of the Office of Homeless Solutions (OHS) and PHX C.A.R.E.S. (Phoenix Community Action Response Engagement Services) process. This process is a coordinated response for neighborhoods and individuals experiencing homelessness—offering education, resources, and encampment cleanups. Further information about PHX C.A.R.E.S. can be found on its website at: <https://www.phoenix.gov/phxcares>

2. DEFINITIONS

A. Active Encampment	• A site where individuals experiencing homelessness and their personal property are present. • PHX C.A.R.E.S. is responsible for determining the status of the encampment through its administrative process.
B. Encampment	• A site where one or more individuals experiencing homelessness stays that is not intended for long-term, continuous occupancy, excluding shelters and other forms of temporary housing/accommodations provided through a government or private service.
C. Garbage	• Any material discarded by or asked to be discarded by its owner. • Waste/refuse such as wrappers, packaging, plant debris, used paper and personal hygiene products, construction debris, and used consumable medical and other supplies. • An item that is soiled, damaged, broken, missing components, or otherwise non-functional. • Apparent biohazardous items that present a risk of disease, injury, infection, or illness to those who encounter the item. NOTE: An item is not garbage if a person takes action consistent with ownership, such as grabbing or holding the item, moving or hiding the item, stating the item is being held or watched for another, or requests to keep the item. Unless it is an item of evidence or an item of value, if an item meets one or more criteria included on the PHX C.A.R.E.S. Imminent Risk Criteria list or would be considered a biohazard as outlined in Operations Order 6.7.00, Communicable Disease Control Plan, employees are not required to handle, collect, or retain it.
D. Individual Experiencing Homelessness	• An individual who lacks a fixed, regular, and adequate nighttime residence, such as those living in emergency shelters, transitional housing, encampments, or places not meant for human habitation.
E. Personal Property	• Any movable thing capable of being owned by and reasonably believed to belong to an individual.
F. Services	• Programs that assist individuals experiencing homelessness, including but not limited to shelter, day centers, recovery, housing, mental health, and hygiene facilities.
G. Site Limited to Garbage	• A site is Limited to Garbage if it contains only garbage as defined by this policy.

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H. Unattended Encampment	• PHX C.A.R.E.S. is responsible for determining the status of the encampment through its administrative process. • A site where personal property reasonably believed to belong to individuals experiencing homelessness is located, but individuals are not present. • PHX C.A.R.E.S. is responsible for determining the status of the encampment through its administrative process.
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3. **NON-ENFORCEMENT INTERACTIONS**

- A. Employees may initiate consensual contacts with individuals experiencing homelessness in any location where the employees have a legal authority to be.
- (1) When practicable, employees should offer to connect individuals experiencing homelessness with services during encounters.
 - Employees may contact Community Bridges Inc. (CBI) through an Information Channel.
 - Employees may transport an individual experiencing homelessness who is willing to accept services to the appropriate facility. See Operations Order 7.2.00, Community Based Policing for additional guidance.
 - See PolicePoint for a list of services. ([Future PolicePoint link](#))
 - (2) Employees will not order or impose arbitrary time limits on an individual to move to another location.
 - (3) If an individual experiencing homelessness declines to engage by word or action in a consensual contact, employees will discontinue the contact.
- B. When employees encounter an individual experiencing a behavioral health crisis, the employees should attempt crisis intervention and, when feasible, utilize one of the following resources:
- Community Assistance Program (CAP)
 - Mobile Crisis Team
 - CIT detective
 - CIT-certified officer
 - Operations Order 1.3.02, Individuals with Mental or Physical Disabilities
- C. When employees encounter an individual experiencing homelessness with a dependent child/ren, the employees should:
- (1) Contact an Information Channel to request CBI respond to connect the family with appropriate services.
 - When an outreach worker is unavailable, a list of services/resources can be found on PolicePoint. ([Future PolicePoint link](#))
 - (2) For circumstances surrounding a peace officer's duty to report (ARS 13-3620), refer to Operations Orders 7.16.00, Child Abuse/Child Neglect/Contributing to the Delinquency.
- D. When employees encounter an individual who is, or is reasonably believed to be, a runaway juvenile, the employees will follow Operations Order 7.8.00, Juvenile Procedures.

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4. **ENFORCEMENT CONTACTS**

- A. Employees will take reasonable, necessary, and lawful enforcement action to ensure the safety of employees and the public.
- B. Employees should take enforcement action for criminal offenses (e.g., trespassing, shoplifting, drug usage, etc.) that occur on private property when an owner or responsible party is willing to aid in prosecution.
- C. When practicable, employees may use their discretion and offer to connect individuals experiencing homelessness with services in lieu of citation or arrest for petty and misdemeanor offenses that occur on public property, as outlined in [Phoenix City Code](#) and [Arizona Revised Statutes \(A.R.S.\)](#), including but not limited to camping, trespassing, and obstructing public areas.
 - Employees may provide services by contacting an Information Channel to request CBI or by providing the list of services/resources found on PolicePoint. ([Future PolicePoint link](#))
 - When an employee offers to connect an individual experiencing homelessness with services in lieu of citation or arrest for an offense, the employee will document this decision in the narrative of a Case Report (CR).
- D. In limited circumstances, employees may move property off streets, sidewalks, pathways, or other public areas where it may present a safety hazard.
 - Employees should take into consideration the surrounding area, such as proximity to schools or critical infrastructure, when deciding to move property.
 - When practicable, employees should avoid moving property onto private property.
 - Employees should consider the need to contact PHX C.A.R.E.S. ([Future PolicePoint link](#))

5. **ENCAMPMENTS**

- A. PHX C.A.R.E.S. is responsible for determining the status of an encampment and conducts assessments of encampments located on both private and public property.
- B. Encampments are classified by PHX C.A.R.E.S. as one of the following statuses:
 - Active Encampment
 - Unattended Encampment
 - Site Limited to Garbage
- C. Active Encampment: When a site appears to be or has been determined by PHX C.A.R.E.S. to be an Active Encampment, employees should:
 - (1) Take reasonable, necessary, and lawful enforcement action to ensure the safety of employees, encampment occupants, and the public.
 - (2) If employees are aware PHX C.A.R.E.S. recently cleaned up the encampment and individuals experiencing homelessness have returned, employees should take enforcement action.
 - (3) If occupants are lawfully present on the property and choose to remain at the encampment, employees should contact an Information Channel and request CBI respond and provide appropriate services.

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- If an outreach worker is unavailable, employees should offer services when appropriate.
- (4) If occupants are unlawfully present on the property but will not be booked into jail, employees will instruct the occupants to take all personal property with them as they leave.
- (a) Employees should contact an Information Channel to request CBI respond to provide appropriate services.
- If an outreach worker is unavailable, employees should offer services when appropriate.
- (b) Employees will give the occupants a reasonable opportunity to collect and transport personal property. Employees should communicate to the occupants that items left behind on private property may be disposed of by the private property owner. Items left behind on public property will be handled according to established PHX C.A.R.E.S. procedures.
- (c) Employees should notify PHX C.A.R.E.S. of items that remain at the site.
- (d) Employees will not throw away any items left behind by an encampment occupant.
- (5) If the occupants will be booked into jail or involuntarily transported, or are otherwise incapacitated, employees should refer to section 8 below.
- (6) Contact PHX C.A.R.E.S. to report the existence of the encampment.
- (7) If the encampment was encountered in response to a Call for Service by a community member, employees should advise the complainant to contact PHX C.A.R.E.S. if they want updates about the encampment.
- D. Unattended Encampment: When a site appears to be or has been determined by PHX C.A.R.E.S. to be an Unattended Encampment, employees should:
- (1) Contact PHX C.A.R.E.S. to report the existence of the encampment.
- Employees will report any empty and unattended shopping carts present.
- (2) If the encampment was encountered in response to a Call For Service by a community member, employees should advise the complainant to contact PHX C.A.R.E.S. if they want updates about the encampment.
- E. Site Limited to Garbage: When a site appears to be or has been determined by PHX C.A.R.E.S. to be a Site Limited to Garbage, employees should contact PHX C.A.R.E.S. to report this information.

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6. **PHX C.A.R.E.S. ENCAMPMENT CONTACT INFORMATION**

- A. Contact PHX C.A.R.E.S. through the PD-only reporting form, complete the required fields, and provide the following:
 - Photographs of the encampment
 - Information regarding the presence of items meeting one or more criteria on the PHX C.A.R.E.S. Imminent Risk Criteria list
- B. For questions, contact PHX C.A.R.E.S. at 602-262-6251.
 - PHX C.A.R.E.S. operates Monday-Saturday from 8 a.m. to 5 p.m.

7. **DOCUMENTATION OF ENCAMPMENTS**

- A. For each Active or Unattended Encampment visited, employees should complete an FI unless a CR is required by another policy. The FI or CR should include the following (as applicable):
 - (1) Location
 - (2) Contact with PHX C.A.R.E.S.
 - (3) Interactions with individuals at the site (if applicable) to include:
 - Number of encampment occupants
 - Names of occupants (if known)
 - Services offered and/or provided
 - Claims of ownership of property
 - Disclaimers of ownership, such as statements that an individual wants an item thrown away
 - (4) What, if anything, was done with any personal property
 - (5) Additional actions taken
 - (6) Photographs

8. **PROPERTY IMPOUND AND STORAGE**

- A. Employees will use reasonable care when handling, collecting, and retaining the personal property of individuals experiencing homelessness.
- B. Employees should not destroy or discard the personal property of an individual experiencing homelessness.
- C. Exceptions:
 - The owner gives verbal consent to do so.
 - The property meets one or more of the criteria on the PHX C.A.R.E.S. Imminent Risk Criteria list, unless it is an item of evidence or an item of value.
 - The Property Management Unit (PMU) will follow property retention procedures as outlined in their bureau manual.



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- D. When an individual experiencing homelessness is arrested, employees will take the following steps, as applicable, to ensure the proper disposition of the arrestee's personal property. These actions will be captured on the employee's Body Worn Camera (BWC).
- (1) Give the arrestee a reasonable opportunity to identify items of value to be impounded or arrange for the care of the arrestee's personal property.
 - (2) Communicate to the arrestee/s that items left behind may be disposed of by a PHX C.A.R.E.S. partner or private property owner.
 - (3) Transfer applicable personal property to MCSO staff at Intake, Transfer, & Release (ITR).
 - Whenever feasible, employees should ensure cash, credit cards, jewelry, identifying documents, cell phones, and items of value that are not evidence are transported to ITR with an arrestee's property.
 - (4) Impound applicable personal property as prisoner property per Operations Order 5.8.00, Evidence, Impounding, and Property.
- E. When an individual experiencing homelessness is transported for services, employees will do at least one of the following:
- (1) Arrange for the care of the individual's personal property.
 - (2) Transport personal property with the individual to the service provider.
 - (3) Impound personal property as safekeeping per Operations Order 5.8.00, Evidence, Impounding, and Property.

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