

San Bernardino County Sheriff's Department

HOPE for patrol

Expanded course outline

I. Introduction

A. Welcome

1. Introduce the instructor
2. Self-introduction of students

B. Course Objectives

1. To provide training for patrol officers on property rights of homeless subjects
2. To provide patrol officers with information reference the 4th amendment in relation to homeless subjects and their place of residence
3. To provide patrol officers with case law pertinent to homeless subjects
4. To educate officers on the criminal and civil aspects of squatting in a residence
5. To provide the officer with techniques for trust building when dealing with homeless subjects
6. To provide the patrol officer with information reference resources available for the homeless subjects

II. Officer Involvement with Homeless Subjects

A. Calls for service reference homeless subjects

1. Residents are concerned and call police
2. Residents do not want to see homeless subjects in their neighborhoods

B. Criminal reports Involving Homeless Subjects

1. Property crimes

- a. Grand theft
- b. Vandalism
- c. Unlawful entry to building

2. Intoxicated subjects

- a. Homeless subjects publically intoxicated by alcohol or marijuana
- b. Homeless subjects under the influence of a controlled substance

3. Disturbance calls

- a. Public disturbance issues
- b. Interfering with business operations

III. Property Rights of the Homeless Subject

A. Dwellings commonly used by homeless subjects

1. Define a dwelling

- a. Per PC459, dwelling is defined
- b. Must be inhabited- used for dwelling purposes
- c. Does not have to occupied

2. List types of homeless camp dwellings

- a. Fixed structures
 - i. House
 - ii. Apartment
 - iii. Out building

b. Non-fixed structures

i. Tent

ii. Vessel

iii. Vehicle

B. Property

1. Safekeeping requirements of a homeless subject's property

a. Officer have a responsibility to protect homeless subject's property

b. Liability incurred by department/officer for improper disposal of homeless subjects' property

2. Storage requirements of a homeless subject's property

a. Book into safekeeping at the station

b. Leave property with a person trusted by the homeless subject

3. Pets belonging to homeless subjects

a. Can be left with a trusted friend

b. When the pet should be turned over to Animal Control

C. Search and seizure

1. When officers can search

a. Warrant and warrantless entries

b. Compliance with the 4th Amendment

2. How plain sight applies to outdoor camps

D. Case law

1. Homeless Bill of Rights

2. Collier vs Menzel 1985

- a. Santa Barbara
- b. Homeless subjects registered to vote using a park address
- c. Determined that it is sufficient residence for voting precinct

3. Jones vs City of Los Angeles

- a. Many anti-homeless ordinances and laws are unconstitutional
- b. Violates the subjects 5th amendment rights
- c. In absence of shelter beds, sleeping outside is not unlawful

IV. Unlawful residency

A. Civil

1. Unlawful eviction

- a. Three day "pay or quit" is not a legal eviction
- b. Lock out must be done by designated officer/agency

2. Gratuitous guest

B. Criminal

1. Fraudulent rental

- a. Suspect unlawfully enters a residence with a forged rental contract
- b. Suspect acts as the homeowner and unlawfully rents a residence to another person

2. Trespassing (Letters of agency)

- a. Public land
- b. Private property

3. Burglary

- a. Commercial

- i. For shelter
 - ii. For theft/criminal activity
 - b. Residential
 - i. Vacant residences
 - ii. Unoccupied residences
 - iii. Fake care takers
- 4. Property owner permission
- 5. Public Works/Code Enforcement
 - a. Municipal codes preventing vagrancies
 - b. Enforce penal codes and municipal codes

V. Psychology of Homelessness

A. Mental health issues

- 1. Schizophrenia/ Depression/ Bi-polar
 - a. Unable to make decisions reference living conditions
 - b. Family is unwilling/unable to help
- 2. Post-Traumatic Stress Disorder (PTSD)
- 3. Mentally disabled
 - a. Unable to care for themselves
 - b. Unable to manage a household
 - c. Misunderstood by family

B. Criminal issues

1.Substance abuse

- a. Drug use
- b. Alcohol dependency

2.Habitual incarceration

- a. Officers have a lack of options
- b. Alternative to hospitals

C. Sovereign citizens

1.Use it as an excuse to disobey the law

- a. Homesteading
- b. Unlawful dwelling/residence/compound

2.Tactics used to confuse officers of the legalities of their presence

- a. Refusal to comply with lawful requests by law enforcement
- b. Cite laws/case law that does not apply to the situation

3.Officer Safety Concerns

D. Families

1. Children

- a. CPS concerns
- b. School
- c. Stigma

2. Pets

3. Spouse

- a. Want to stay together
- b. Most resources include both subjects and small pets

4. Significant other

- a. If unmarried, most resources do not include both subjects
- b. Long term relationships may be broken up if separated

E. Stigma

1. Society's view of homelessness

- a. Voluntary choice to be homeless
- b. Deserve to be homeless
- c. All homeless subjects are criminals

2. Society's view of mental illness

- a. Dangerous to society
- b. Less intelligent

3. Stigma reduction

- a. Education on homelessness will foster understanding
- b. Resources provide solutions for the problem

VI. Outreach

A. Trust building

1. Cite release

- a. Break the incarceration cycle
- b. Subject is left in home with property

2. Pets

- a. Bring food to the pets
- b. Bring leashes and treats to the pets

- c. Psychological value of the pet to the subject

3. Interest interview

- a. Visit the subject and talk to them to learn about them
- b. Follow up with subject to check on their current status and changes
- c. Remain respectful and interested
- d. Be compassionate

B. Gaining compliance

1. To get the subject to accept services

- a. Gets subject off the street
- b. Keeps subject safe

2. To get the subject to comply with the law

- a. Reduce the impact on the correctional system
- b. Keeps the subject out of jail when possible
- c. Saves law enforcement to deal with other types of crimes

3. Follow up to determine if subject complied

- a. Important for continued rapport within the homeless community
- b. Continue to offer services

4. Repeated contacts

- a. Colorado Springs
- b. City was sued by the ACLU
- c. Became a law enforcement model for homeless outreach

C. Identification and tracking

1. Why track and identify homeless subjects

- a. Determine patterns in groups of subjects who need services
- b. Follow up to complete rapport building

- c. Assist the community in reducing homelessness
- 2. Things to look for when tracking homeless subjects
 - 3. Where they are living
 - 4. Type of residences they are living in
- 5. Methods for tracking homeless subjects
 - a. Geographic Information Systems (GIS)
 - b. Spreadsheets
 - c. Homeless Interview Cards

VII. Geographical issues

A. City

- 1. Municipal codes
 - a. City Counsel
 - b. Business owner's concerns
 - c. Home owner's concerns
- 2. Public lands
 - a. Parks
 - b. Businesses
 - c. City property
- 3. Calls for service
 - a. Resident complaints
 - b. Business complaints

B. Rural areas

1. Vacancy

- a. Homes
- b. Land
- c. Vacation residences

2. Camping

- a. BLM land
- b. Unincorporated areas with minimal enforcement

3. Board of Supervisors

VIII. Connecting with Services

A. Behavioral health

1. Behavioral Health concerns

- a. Crisis walk in center
- b. WI 5150
- c. Counseling
- d. Long term medication

2. Partnerships/Partnering

- a. Social services
- b. Law enforcement

B. Substance abuse

1. Substance abuse

- a. Alcohol Abuse

- b. Drug use

- 2. Rehabilitation Services

- a. Faith Based vs Counseling based

- b. County Services/Referral

- c. Sober living residences

- d. AA and NA meetings

- C. Veteran's Administration

- 1. Services provided

- a. Housing

- b. Medical care

- c. Counseling

- 2. Requirements

- a. Copy of a DD-214

- b. Access to county VA

- D. Faith based

- 1. Short term housing

- a. Meals

- b. Clothing

- 2. Community Support

- a. Acceptance

- b. Re-entry

- E. Government assistance

1. Housing Authority
 - a. Section 8
 - b. Homeless relief
2. Cash benefits
 - a. SNAP/EBT
 - b. Social security/disability benefits
4. Transition Assistance Department
 - a. Cal Fresh/Cal Works
 - b. Covered California — Medicare
 - c. Government phone
5. Bridge Housing
 - a. Motel Vouchers
 - b. Shelters

LEARNING ACTIVITY: Students will be broken into groups. Each group will be given a profile of a subject who is currently homeless. Collaboratively, the students will determine a plan of action to contact the subject, create a rapport and gain trust, then identify any specific laws and case studies that apply to the subject. The students will then identify the most useful resources for the subject and propose a plan of action to offer the services to the subject. The resolution will be presented to the class.

IX. COURSE REVIEW AND EVALUATION

- A. Demonstration
 1. Learning Activity Result
 - a. Student will discuss techniques for working with homelessness that is an alternative to incarceration
 - b. Student will discuss problem solving techniques learned
 2. Student Ability
 - a. Student will discuss how to assist homeless members of the community through proper social services and assistance to relieve

the burden on the jails

b. Student will discuss how to foster improved community relations through homeless outreach programs

B. Evaluation

1. Students will complete an evaluation on the class and instructor
2. Students will be provided with reference materials for available services