

Homeless Persons

428.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department members understand the needs and rights of the homeless, and to establish procedures to guide them during all contacts with the homeless, whether consensual or for enforcement purposes.

This policy establishes a liaison to the homeless community, addresses the responsibilities of the department member appointed to act as a liaison to the homeless, and details the need for special protection and services for homeless persons.

428.2 POLICY

It is the policy of the University of Maryland, Baltimore Police Department to protect the rights, dignity and private property of all members of the community, including people who are homeless. Abuse of authority to harass any member of the community will not be permitted. The University of Maryland, Baltimore Police Department will address the needs of homeless persons in balance with the overall mission of this department.

Homelessness is not a crime and members will not use homelessness as the sole basis for detention or law enforcement action.

428.3 DEFINITIONS

Crisis Intervention – methods and strategies employed to provide immediate, short-term assistance to individuals experiencing psychological distress.

Referral – facilitating an in-person (face-to-face) encounter between the client (sheltered/unsheltered homeless person) and the provider, during which there is a meaningful exchange of verbal or written information resulting in an agreement to further explore the services offered by the provider.

Sheltered Homeless – a person who resides in an emergency shelter, transitional housing, or supportive housing for homeless persons who originally came from the streets or emergency shelters.

Unsheltered Homeless – a subpopulation of homeless persons characterized by individuals who reside in a place not meant for human habitation, such as cars, parks, sidewalks, abandoned buildings, the street, etc.

428.4 LIAISON TO THE HOMELESS COMMUNITY

The Chief of Police shall delegate certain responsibilities to a liaison to the homeless community. The liaison (Outreach and Intervention Officer -OIO) shall be assigned to the Operations Bureau under the Campus Outreach and Support Team (COAST). The member selected for the position of OIO will be of high moral standing and willing to routinely work with the homeless and mentally ill, demonstrating patient, compassion and respect for these individuals.

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Within the first year of being selected to serve as the OIO, the officer will undergo the following listed (or comparable) certification programs that are intended to enhance his/her ability to assist unsheltered homeless persons and individuals suffering from mental illness:

- (a) Crisis Intervention Team (CIT) 40-hours training certification
- (b) Trauma-Informed Care 8-hour training certification

In an effort to break stigmas associated with police and normalize the appearance of officers in outreach-related roles, the OIO will wear the departmental duty uniform and will be issued a departmental cellular telephone for the purposes of maintaining professional contact with clients, service providers, and other outreach-related partners.

The responsibilities of the OIO include, but are not limited to:

- (a) Maintaining and making available to all department members a list of assistance programs and other resources that are available to homeless persons.
- (b) Meeting with social services and representatives of other organizations that render assistance to the homeless community.
- (c) Maintaining a list of the areas within and near the jurisdiction of this department that are used as frequent homeless encampments.
- (d) Remaining abreast of laws dealing with homelessness, including personal property rights.
- (e) Being present during any clean-up operation conducted by this department that involves the removal of personal property of the homeless. This is to ensure that the established rights of the homeless are not violated.
- (f) Developing training to assist members in understanding current legal and social issues relating to the homeless.

428.5 FIELD CONTACTS

Officers are encouraged to contact a homeless person to render aid, offer assistance or to check on the person's welfare. Officers also will take enforcement action when information supports a reasonable and articulable suspicion of criminal activity. However, such contacts shall not be used for harassment.

When encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions, such as shelter referrals and counseling, in lieu of an arrest and criminal charges.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent that such services may be appropriate.

The effectiveness of the OIO and homeless outreach program will not only depend upon the ability to build rapport with the community that the UMBPD serves but also upon the network of

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service providers and organizations with whom the UMBPD will partner with. The Department has established working relationships with the following agencies:

- Baltimore Crisis Response, Inc. (BCRI)
5124 Greenwich Ave., Baltimore, MD 21229
Main: 410-433-5255 | Fax: 410-433-6795
bcresponse.org
- Law Enforcement Assisted Diversion (LEAD)
5124 Greenwich Ave., Baltimore, MD 21229
Main: 410-433-5255 | Fax: 410-433-6795
bcresponse.org/our-work/lead-and-crt.html
- Paul's Place, Inc.
1118 Ward St., Baltimore, MD 21230
Main: 410-625-0775 | Fax: 410-625-0784
paulsplaceoutreach.org
- Project PLASE
3549-3601 Old Frederick Rd., Baltimore, MD 21229
Main: 410-837-1400 ext. 221 | Fax: 410-837-6130
projectplase.org
- MB Rebuild, Overcome, and Rise Center (ROAR)
520 W. Fayette St., Suite 320, Baltimore, MD 21201
410-706-2781

428.5.1 CONSIDERATIONS

A homeless person will receive the same level and quality of service provided to other members of the community. The fact that a victim, witness or suspect is homeless can, however, require special consideration for a successful investigation and prosecution. When handling investigations involving victims, witnesses or suspects who are homeless, officers should consider:

- (a) Documenting alternate contact information. This may include obtaining addresses and telephone numbers of relatives and friends.
- (b) Documenting locations the person may frequent.
- (c) Providing victim/witness resources, when appropriate.
- (d) Obtaining sufficient statements from all available witnesses in the event that a victim cannot be located and is unavailable for a court appearance.
- (e) Arranging for transportation for investigation-related matters, such as medical exams and court appearances.

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- (f) Whether the person may be an adult abuse victim, and if so, proceed in accordance with the Adult Abuse Policy 314.

428.6 MENTAL HEALTH ISSUES

When mental health issues are evident, officers shall consider referring the person to the appropriate mental health agency or providing the person with contact information for mental health assistance, as appropriate. In these circumstances, officers may provide transportation to a mental health facility for voluntary evaluation if it is requested or offered and accepted by the person, and approved by a supervisor. Officers should consider detaining the person under a mental health evaluation when facts and circumstances reasonably indicate such a detention is warranted (see the Mental Health Evaluations Policy 409).

428.7 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the community. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and shall not destroy or discard the personal property of a homeless person (Md. Code CR § 10-304).

When a homeless person is arrested or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, it should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure it. It will be the officer's responsibility to coordinate its removal and safekeeping.

Officers should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or the homeless OIO.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property and should inform the OIO and Shift Supervisor if such property appears to involve a trespass, is a blight to the community or the subject of a complaint. It will be the responsibility of the OIO to address the matter in a timely fashion. If, for some reason, the OIO is unavailable to address this matter in a timely matter, the Shift Supervisor shall address this issue. The OIO or Shift Supervisor shall contact an agency (i.e., Maryland 211, Baltimore City Department of Public Works, etc.) equipped with handling this matter.

428.8 ECOLOGICAL ISSUES

Sometimes homeless encampments can have an impact on the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify the OIO or other appropriate agencies (i.e. Maryland 211, BPW, etc.) when a significant impact to the environment has or is likely to occur. A significant impact to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

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