

INTRADEPARTMENTAL CORRESPONDENCE

June 1, 2016

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TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: POLICY REGARDING POLICE CONTACTS WITH PERSONS
EXPERIENCING HOMELESSNESS – ESTABLISHED

RECOMMENDED ACTION: That the Board of Police Commissioners REVIEW and COMMENT on the attached policy, and that there be an opportunity for public comment either in person or via email or other written correspondence.

DISCUSSION:

The attached Special Order establishes Department policy regarding police contacts with persons experiencing homelessness. In an effort to solicit public feedback, the Special Order titled Policy Regarding Police Contacts with Persons Experiencing Homelessness will be posted on the Department's public website, www.lapdonline.org. The Department has created a temporary email account, lapdhomelesspolicy@lapd.lacity.org, where electronic comments may be submitted. Handwritten responses may be addressed to Police Administration Building, 100 W. First Street, Los Angeles, CA 90012, attention: Captain Jeffrey Bert.

Should you have any questions regarding this matter, please contact Captain Jeffrey Bert, Strategic Planning Group, at (213) 486-6605.

Respectfully,



CHARLIE BECK
Chief of Police

Attachment

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO.

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON

SUBJECT: POLICY REGARDING POLICE CONTACTS WITH PERSONS EXPERIENCING HOMELESSNESS - ESTABLISHED

PURPOSE: This Order establishes a policy to ensure that Department personnel are familiar with and recognize the special needs of people experiencing homelessness in the City of Los Angeles. Those experiencing homelessness are among the most vulnerable in society, and contacts by Department personnel often require special consideration and coordinated assistance from multiple government agencies. When called upon to contact an individual experiencing homelessness who was a victim of a crime, witness to a crime, or is suspected of committing a crime, Department personnel must maintain the highest standards of professionalism and take into account the unique circumstances and challenges that homelessness causes for individuals and families.

DEFINITION: For purposes of this Order, the terms "homelessness," "homeless," "homeless individual," and "homeless person" shall refer to the following:

- An individual or family who lacks a fixed, regular, and adequate nighttime residence;
- An individual or family with a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (including a car, park, abandoned building, bus or train station, airport, or camping ground);
- An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing); or,
- An individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided.

POLICY: It is the policy of the Department to protect the rights of all individuals in the City of Los Angeles, regardless of their housing status, and assist those in need while fairly enforcing the law. Individuals experiencing homelessness often have unique circumstances which require special consideration when they are a victim of a crime, witness to a crime, or suspected of violating the law. In addition, when homeless individuals come into consensual contact with Department personnel unrelated to a criminal investigation or enforcement activity, they may require special assistance to address their immediate needs. Accordingly, when appropriate under the circumstances, Department personnel should assist individuals experiencing homelessness by offering guidance and information to obtain temporary housing, medical or psychological services if needed, or other available services. Department personnel, however, shall steadfastly respect the individual's right to refuse assistance.

Housing Status

An individual's housing status is not a sufficient basis to justify a lawful detention or arrest. All detentions and arrests must be based on applicable local, state, and federal laws. In addition, Department personnel are prohibited from involuntarily moving a homeless individual from a location where the person may lawfully stay, absent legal justification to do such as when there is a safety or security concern.

Special Considerations

Department personnel requesting identification from a person who is, or appears to be, experiencing homelessness should be sensitive to the special needs and circumstances of each individual situation, including circumstances where individuals may not have proper identification or other official documents in their possession. Department personnel are also reminded that requesting identification from a person who is, or appears to be, experiencing homelessness may sometimes be perceived by that individual to be harassing, intimidating, or threatening. In addition, some individuals experiencing homelessness may be suffering from mental illness or other medical conditions that can limit their ability to communicate effectively with Department personnel. As such, Department personnel should take special consideration of the circumstances and always be guided by compassion and empathy in all of their interactions.

AMENDMENT: This Order adds Volume I, Section 1240.07 *Policy Regarding Police Contacts with Persons Experiencing Homelessness* to the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall conduct regular audits or inspections regarding officer compliance with this policy in accordance with Department Manual Section 0/080.30.



CHARLIE BECK
Chief of Police

DISTRIBUTION "A"