

County of Monterey Board Policy Manual

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Policy for Addressing Encampments		1 of ____
Policy Category Government and Administration		

I. PURPOSE

The Policy for Addressing Encampments (“Policy”) provides guidance to departments and offices regarding when and in what manner encampments within the County of Monterey’s jurisdictional boundaries will be addressed.

II. BACKGROUND

- a. Homelessness creates health and safety stressors for an entire community. It is particularly dangerous and traumatic for the individuals living unsheltered. Housed community members may express concern when seeing people living in the streets, parks, and other public spaces not meant for human habitation. The County and its partners recognize that strategies to minimize the social dysfunction that a growing population experiencing homelessness represents must simultaneously address the concerns of unsheltered individuals and the whole community.
- b. This Policy has been developed to establish a comprehensive, deliberate and compassionate approach to address encampments on public lands within unincorporated areas of the County. It describes principles and procedures the County will adhere to when considering and implementing decisions about an appropriate level of intervention. At the forefront is an assessment of health, welfare, and safety concerns for those within and outside of encampments. It aligns with the Seven Principles for Addressing Encampments¹ published by the United States Interagency Council on Homelessness (USICH).

¹ [Principles for Addressing Encampments.pdf\(usich.gov\)](https://www.usich.gov/sites/default/files/2017-08/Principles_for_Addressing_Encampments.pdf)

III. POLICY

This Policy applies to all County of Monterey staff and contracted providers involved in managing, addressing, or interacting with encampments on public lands within the unincorporated areas of the County.

- a. The County is committed to addressing homelessness with compassion, dignity, and respect.
- b. To the extent possible, the County Administrative Office Homelessness strategies and Initiatives division (CAO-HSI) should work with internal and external partners to ensure a range of supportive services are available to individuals who are voluntarily or involuntarily displaced from encampments.
- c. The County will evaluate health and safety considerations and determine its approach to encampments on a case-by-case basis.
- d. Public safety emergencies requiring fire, medical, and/or law enforcement involvement should immediately be reported to 9-1-1. In these situations, emergency partners shall respond according to the codes, statutes, regulations, ordinances, protocols, etc. under which they operate and are authorized to act [e.g., Health & Safety Code (HSC), Fire Code, Penal Code (PC), etc.].
- e. Data on the number and characteristics of encampments, as well as outcomes of interventions, shall be collected and analyzed to guide policy and improve practices.

IV. PROCEDURE

a. Identification and Assessment

- i. Upon receipt of a complaint from the public regarding an encampment on public or private lands, CAO-HSI will refer the encampment to a local outreach team to begin engagement and gather pertinent information on the encampment, including but not limited to, photographs, number of occupants and notation of highly vulnerable individuals (e.g., medically fragile, seniors, children, etc.)
- ii. CAO-HSI shall establish an Encampment Resolution Team (ERT) composed of appropriate representation from county departments to assess and determine the type of intervention(s) needed.
- iii. Encampments that pose immediate risks to health or safety will require a course of action up to and including encampment clearing. Such risks include but are not limited to:
 - Excessive animal or vermin vector hazards (e.g., rats, other vector vermin); HSC, section 17920.3.
 - Accumulation of biological hazards (e.g., blood, fecal matter); Environmental Health Monterey County Code (MCC), sections 15.20.120; 10.41.020.
 - Location of encampment impedes the right-of-way, lane of traffic, bike lane, or Americans with Disabilities Act access.
 - Location of encampment such that First Responders (including, but not limited to, fire, law enforcement, and health care workers), are impeded in performing their essential functions.

- Pervasive criminal activity.
 - Damage to essential infrastructure (e.g., reservoirs, bridges, public utilities, drainage, and sewer systems).
 - Excessive amounts of waste/garbage/debris creating traffic hazards, as determined by Public Works, Facilities and Parks.
 - Excessive amounts of waste/garbage/debris as determined by Environmental Health MCC, section 15.20.120.
 - Proximity of encampment to objective dangers (e.g., edge of a steep slope, on an active train track, in a vehicular lane of traffic).
 - Excessive fire hazards and/or calls for service as determined by the Sheriff's Office.
 - Unpermitted outside fires burning less than 30 feet away from any structure, tent, or vehicle.
 - Presence of open electrical splices or illegal wiring.
 - Roadway does not have 20-foot unobstructed width for fire apparatus access.
 - Fire hydrant obstructions with less than a three-foot radial clearance around hydrants.
 - Storage of tires, gasoline, or propane tanks, and unsafe storage of combustible materials or accumulation of combustible waste.
 - Encampment is within 500 feet from a preschool, day care center, elementary, middle, or high school, including school bus stops.
 - Present danger to life and safety, such as encampments near railways or in riverbeds when storms are expected.
 - Public health emergencies or disease breakouts
 - Environmental hazards near waterways, e.g., in response to an order the Central Coast Water Quality Control Board.
- iv. CAO-HSI should document how referred encampments impact surrounding areas (i.e., proximity to schools, hospitals, waterways, etc.), and track referral responses.

b. Intervention Types

- i. Outreach and Service Linkages: At minimum, encampments that do not require immediate resolution should be referred to outreach and mobile case management services offered by local outreach teams, and in some cases, the Behavioral Health Mobile Crisis team. Outreach workers should engage with individuals experiencing homelessness to build rapport and make linkages to services that will assist with resolving unsheltered statuses.
- ii. Voluntary Cleanup and Decontamination Services: When dealing with minor health and safety concerns, the ERT may offer a voluntary clean-up option, and every effort should be made to mitigate any individual's property loss. Voluntary Cleanups consist of provision of trash bags, trash receptacles (when available), and trash pick-up. When individuals are not cooperating with voluntary trash removal activities, Voluntary Cleanup interventions may be escalated.
- iii. Encampment Closure: This intervention involves the full removal and permanent closure

of an encampment to provide access to a work zone or to abate ongoing public safety and/or public health hazards. This intervention may be employed when the County is alerted to an impending construction or work project, and/or one or more of the public health or public safety findings identified in the protocol are present and, due to its presence, the County determines that performing an encampment clearing is necessary to protect the public (including, but not limited to, the health and/or safety of the individuals experiencing homelessness). Enforcement of the closure shall be in effect.

c. Storage

- i. Decontamination Services and Encampment Clearing requires county departments to remove debris, trash, waste, hazardous materials, and other illegal materials according to protocol with respect to the handling and disposal of such materials. County departments may also encounter property that is not debris, trash, waste, illegal dumping, or hazmat. In such cases, the County shall make a reasonable effort to provide storage for personal property encountered during an involuntary encampment clean-up when an owner either cannot transport their belongings or cannot immediately be located. The County shall make reasonable efforts to provide storage for items of apparent value of \$50 or more, or items of personal value (i.e., wheelchairs, personal paperwork, medical equipment, photographs, etc.)
 - The County shall explore viable methods for safe, secure, property storage options, including, but not limited to, utilizing county-owned facilities, self-storage, and partnering with other public agencies or businesses to develop storage capacity.
- ii. Property removed from encampment sites should be stored for no less than 90 days to provide owners sufficient time to retrieve their personal belongings. Thereafter, any belongings not retrieved will be considered abandoned and will be disposed of accordingly.
- iii. When available, County-funded outreach teams should serve as the point-of-contact for the individuals experiencing homelessness to retrieve their items from storage. Otherwise, the ERT will assign a point-of-contact.
- iv. County departments or offices may promulgate internal standard operating procedures to adhere to storage requirements listed in this policy.
- v. Items that do not qualify for storage services:
 - Toxic sharps: needles, scissors, knives.
 - Chemicals: bleach, paint, oils, etc.
 - Items (including bedding and clothing) soiled by infectious materials: human waste, bodily fluids.
 - Moldy, mildewed items.
 - Items that may be infested by rodents and insects: rats, mice, fleas, lice, bed bugs.
 - Items that pose a risk of fire or explosion, combustibles, and propane tanks; any item containing fuel or corrosives or other unidentified liquids.
 - If personal belongings are co-mingled or littered with needles, human waste, or

other health risks, employees/contractor may dispose of the entire pile of belongings and are not required to sort through and attempt to remove the health or safety risks. The presence of clothing in a backpack or container shall not be the sole reason to discard the backpack or container.

- Mattresses, box springs, furniture with fabric, padding, or is porous; sheds, fixed or rolling structures; and bulky items. Sheds, structures, or rolling structures may be demolished if not removed by individuals experiencing homelessness prior to the encampment removal. A "bulky item" is any single item that is over 50 pounds and requires more than two persons to safely lift.
 - Perishable items, perishable food.
 - Controlled substances, drugs with or without prescription and medications of any kind.
 - Contraband, weapons, and illegal items.
 - Trash, garbage, and/or debris. This includes property that appears to have been discarded by its owner, including broken appliances or broken furniture.
 - Motor vehicles
- vi. In critical situations, it may not be possible to collect, label, and store items.

d. Notice

- i. In non-critical situations:
 - Public noticing shall involve written postings in English and Spanish, at least 72 hours prior to action, not including weekends and holidays.
 - Printed resource listings shall be provided in both English and Spanish.
 - Written notices should be posted in sheet protectors to protect against weather.
 - Time-stamped photographs or videos should be taken of the posted notice.
 - Notices shall be filled out completely and include posting date and time, location, "vacate by" date, contact information for property collection, period during which property will be stored, and removal start and end dates.
 - Advance deployment of an outreach team to connect occupants to resources and encourage them to voluntarily relocate prior to the clean-up.
- ii. In critical situations:
 - The County will make reasonable efforts to provide individuals experiencing homelessness with some form of notice when possible.
 - For certain public health or public safety interventions, including but not limited to the case of fires, the County may be unable to provide prior notice due to the nature of the emergency.

e. Record Keeping

- i. CAO-HSI should create a digitized or paper file of each non-emergency encampment referral.
- ii. Each file should be retained for a minimum of three (3) years and should contain:
 - Any photographs taken in connection to the encampment
 - Writings reflecting assessments, evaluations, summaries, receipts and notices, items

collected, and items retrieved, if any

- Name(s) of the contractor(s) involved in the removal
- Name(s) of the social service providers
- Any information regarding personal property

V. REVIEW DATE

This Policy will be reviewed for continuance by _____, 20__.

VI. BOARD ACTION

Legistar File Number: R __#__ , _____, 20__