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# **Individuals experiencing homelessness**

Youth and Community Services Division  
Special Operations Bureau  
North Port Police Department



# Commission directed questions

- The City Manager was asked to address the below questions from Commission.
  - City Manager to bring back an agenda item for an update on enforcement of regulations regarding trespassing on public property.
  - City Manager to bring back an agenda item with an update on Homeless Outreach Team efforts to provide assistance to individuals experiencing homelessness.



# Individual experiencing homelessness

- An individual who lacks a fixed, regular and adequate nighttime residence, or has a primary night-time residence that is:
  - A supervised, publicly or privately-operated shelter designed to provide temporary living accommodations,
  - An institution that provides a temporary residence for individuals intended to be institutionalized, or
  - 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.

# Analysis

- Teamwork between city departments (PD, Social Services, Attorney's Office, and Public Works)
- Positive working relationships with non-profits
- Positive working relationships with FDOT

- Potential for violations of property rights.
- Potential for contamination of waterways from individuals living by the water.
- Potential for citizens to incur additional fees to clean up remaining items leftover from the homeless.



- Lack of proper locations as alternative placement (Shelters, housing).
- Refusal of services by individuals.
- Lack of proper signage at city properties.
- Decline of information sharing between city departments.

- Identifying partnerships within the city.
- Identifying locations for potential shelters/housing.
- Identifying new resources for individuals experiencing homelessness

# NPPD Enforcement Model

## EDUCATE

*Educate* individuals experiencing homelessness about the law and about local housing and social service resources through *outreach*.

*Educate* stakeholders.



## ENCOURAGE

*Encourage* individuals experiencing homelessness to accept services through *outreach* and pre-arrest *diversion*.



## ENFORCE

*Enforce* the law (separate from homelessness) after rejection of services outcome, or as warranted. Offer post-arrest *diversion*.



# Community Policing Contacts

## Totals (historical data)

Total number of contacts 9/2020-current= 304

Total number of monthly (January 2024) contacts= 19

Total number of clients with ongoing case management= 6

Total number of access point type case management 9/2020-Current= 97

Total number of monthly (January 2024) access point case management= 2

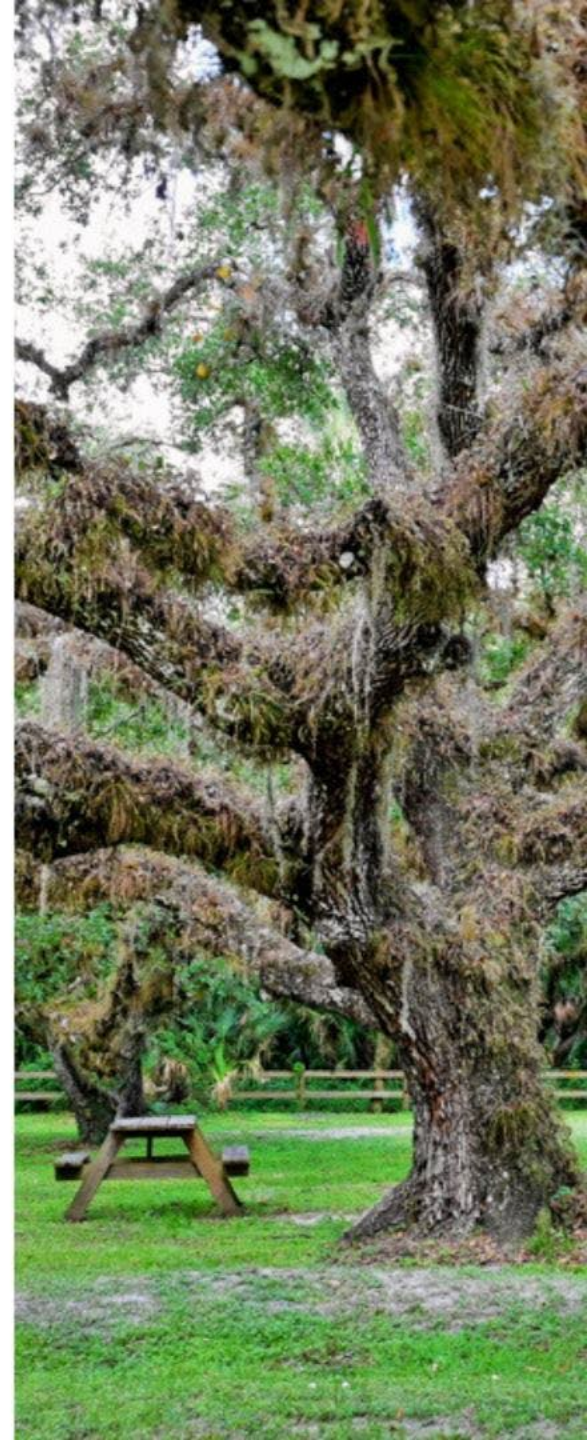
Total number (9/2020-current) of clients housed= 53

Total number (9/2020-current) of Road patrol referrals= 119

Total number (9/2020-current) of clients (not literally unhoused) assisted w/other resources/services= 58

Total number (9/2020-current) of clients that refused services/were unable to be reach= 130

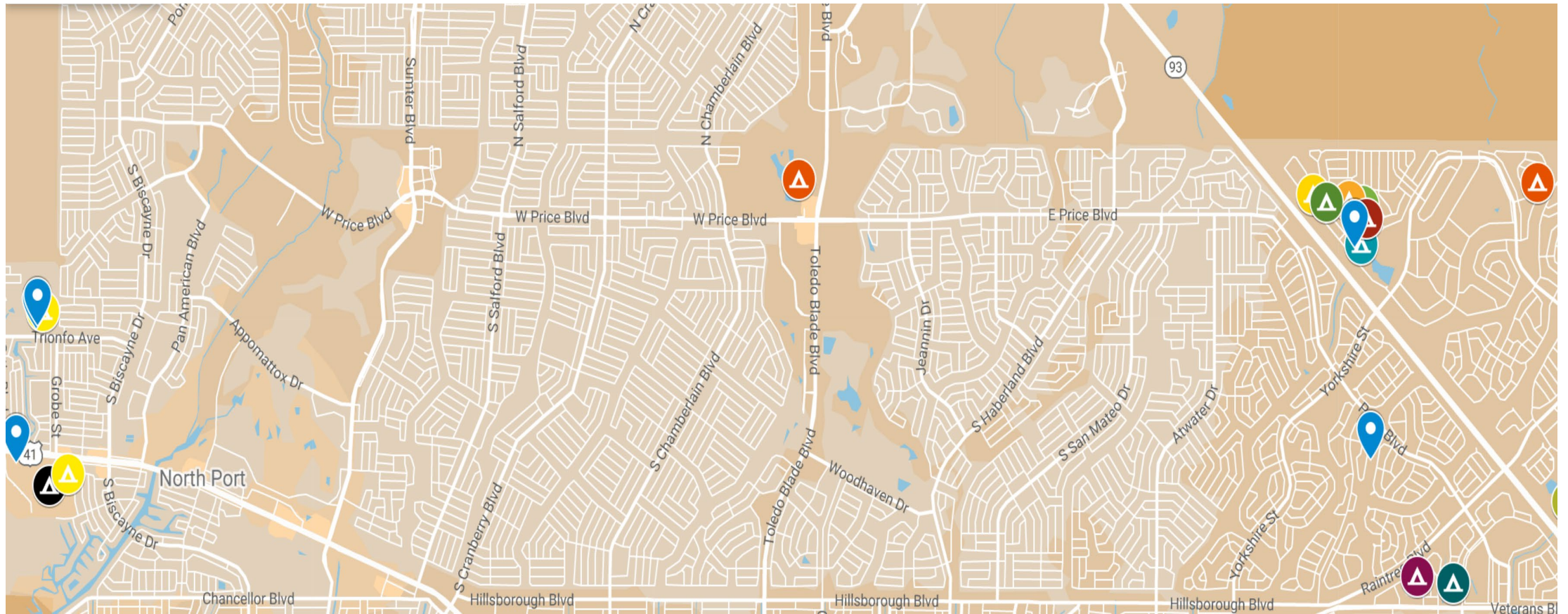
- \*Contact is defined as department members meeting with individuals experiencing homelessness and determining their needs and resources available.





# Community Policing Contacts

Locations in the city that are identified as camps year to date.





# Police Department Engagement

NORT PORT POLICE DEPARTMENT													
Public Service Homeless									09/20	10/20	11/20	12/20	2020
									17	24	13	9	63
	01/21	02/21	03/21	04/21	05/21	06/21	07/21	08/21	09/21	10/21	11/21	12/21	2021
	17	24	30	26	24	17	23	25	6	9	11	17	229
	01/22	02/22	03/22	04/22	05/22	06/22	07/22	08/22	09/22	10/22	11/22	12/22	2022
	19	13	17	21	11	15	13	16	11	3	7	16	162
	01/23	02/23	03/23	04/23	05/23	06/23	07/23	08/23	09/23	10/23	11/23	12/23	2023
	30	11	18	6	12	14	7	14	9	26	33	23	203
	01/24												2024
	8												8
													TOTAL
													665



# Relocation concerns

- Pursuant to federal circuit court case law (from other circuits), cities cannot make life sustaining activity (such as sleeping on a park bench) a crime unless there is an alternative (such as shelter beds) available. Currently, there are no shelter beds close enough to the City to meet the standard set forth in the case law.
- Please note, this case law is from other circuits, therefore it is persuasive but not binding on the City. However, best practices are to follow these practices as our neighboring cities have followed these regulations.



# Trespass on public property

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## **Sec. 46-2 - Trespass warnings on public property.**

This section of the city code provides us with the authority as law enforcement officer employed by the city to issue a trespass warning to any individual who violates a section of this Code, city facility rule, or Florida law, where the violation was committed while the individual was on or within any of the following locations:

*City facility.*

*Other public property.*

*Public access easements on private property.*

Enforcement actions when violations occur:

- *Verbal Warning*
- *Written warning*
- *Arrest*
  - Appeal (request must be made within 10 days from incident)
  - Hearing (scheduled with hearing officer)
  - Outcome – Rescinded/upheld (trespass warning stays in effect until final ruling)



# Sec. 46-3. - Storage and removal of personal property

- (a) *Definitions.*
  - (1) Custodian
  - (2) Public property
  - (3) Reasonable charges
  - (4) Store or stored
- (b) *Storage of personal property.*
  - Not more than 24 continuous hours
  - Not on private property without the authorization of the private property owner.
- (c) *Removal of personal property unlawfully stored on public property.*
  - (1) *Attended property.* (the city must give the owner or custodian 24 hours to remove)
  - (2) *Unattended property.* (must affix written notice to the personal property giving owner 48 hours to remove)
  - (3) *Property that is a threat to health, safety, or welfare.* (may immediately remove the stored item)



# Trespass

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Amount of trespass on public property since 2021 – 102

Number of appeals since 2021 – 14

Number of overturned rulings by hearing officer since 2021 – 7

Number of upheld cases since 2021 – 7

\* These numbers are not inclusive to just individuals experiencing homelessness, they include all trespasses on public property since 2021.



# Initiatives

- Working with Social Services on bus passes for individuals wanting to relocate.
- Outreach with non-profits to assist with placement of individuals experiencing homelessness.
- Continued partnership with the Homeless2Homes group that assists with resources.
- Future development of a short-term transitional housing location. (Potential partnership with Salvation Army)
- Continued enforcement of city code violations in parks and private property along US 41.



