

Homeless Outreach and Liaison

408.1 DEFINITION

According to the U.S. Department of Housing and Urban Development (HUD) Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009, homelessness is defined as, "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 campground".

408.2 GOALS

1. When working with a homeless individual or family, the Department's mission is to work collaboratively with all other agencies and organizations with a focus on outreach and enforcement to assist the homeless population and provide them with access to available resources and services, while protecting the quality of life for the residents of Orange County.
2. The Department shall be part of a multidisciplinary effort including law enforcement (OCSD and allied agencies), the Office of Care Coordination, OC Healthcare, mental health workers, fire, hospitals, public works, code enforcement, park rangers, residents, businesses, service providers, and homeless advocate groups to transition homeless individuals off the streets.
3. A major short term goal is the immediate transition of a homeless individual into either a shelter or other form of bridge housing. Although this transition is often accomplished by linking the homeless individual with an appropriate case manager such as the Health Care Agency (HCA), City Net, Mercy House, Illumination Foundation, or other entities, nothing prevents the individual patrol deputy or Behavioral Health Liaison from transporting a subject to shelter/housing if the resource is available and the subject is willing to utilize the service. The deputy shall remain with the subject until they are accepted into the facility.[Care Coordination – Additional Documents | Orange County CEO's Office](#)

408.3 ENFORCEMENT CONSIDERATIONS

1. The Department has a primary focus on outreach but may enforce any laws and city ordinances when appropriate.
2. Where feasible, individuals who are experiencing homelessness may be offered a warning for related offenses (anti-camping, anti-loitering, and trespassing) and given an opportunity to immediately relocate to a location where they may lawfully be prior to citation or custodial arrest for anti-camping or anti-loitering ordinances.
3. To locate an available shelter bed, the deputy shall use the Office of Care Coordination or appropriate service provider for the area or city where the subject is contacted. The deputy should also verify whether or not the individual refuses the available shelter bed. The deputy shall document in his or her report the availability of the shelter bed.

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and the individual's refusal to accept the shelter bed. The report shall list where the available bed is.

4. Unless the initial call for service or interaction is immediately dangerous, it is important for deputies to take their time during an investigation. Mental illness and drug addiction are potential problems which can be addressed through patience and understanding while maintaining officer safety.
5. Mental health issues are a component of dealing with homeless individuals. Refer to POM Section 29 for guidance in dealing with Mental Health and W&I 5150 issues.
6. Patrol deputy contacts with homeless individuals should be documented with an appropriate CAD entry. The individual's information shall be entered into ESRI and the appropriate RIPA database. The individual's biographic information should be entered, along with a narrative entry describing contact and any services offered. Any information that may assist with connecting the individual to services should be forwarded to a Behavioral Health Liaison by sharing the incident number. These contacts shall be cleared with a Homeless disposition.
7. Search and seizure of a homeless individual's property is no different from search and seizure as it relates to any other law enforcement functions. The Fourth Amendment prevents searches and seizures which are unreasonable. As a result, the "totality of the circumstances" shall be well documented and fact specific in all incidents involving a search/seizure of property. Examples of specific facts include existence of posted "no trespassing" signs, previous outreach efforts, previous warnings, prior citations at the same location, the surrounding environment (fencing, barricades, ease of public access), condition of the property (degree to which the contents are exposed to public view reducing expectation of privacy), knowledge of trespass, probable cause for the search, and length of time the property has remained occupied continuously at a specific location.
8. Repeat Interactions - Most interactions with the homeless population will be one of repeat interactions. Over time, Behavioral Health Liaisons and patrol deputies may be able to establish working relationships with the homeless population which could result in the homeless individual being more receptive to accepting services. As a result, voluntary compliance is the preferred method when conducting enforcement. By presenting a firm, fair, professional, and understanding demeanor and attitude, deputies will be in a better position to understand the specific needs of the subject and offer the best resource to begin the transition process.
9. Identification - When issuing misdemeanor citations, deputies shall document how the subject was identified. Verbal identification by the subject is not positive identification. Furthermore, possession of California Benefits Cards (EBT) or other paperwork without a photograph does not qualify as valid identification for purposes of charging a crime. Identification of subjects should be verified via DMV photograph, mobile identification devices, criminal records (booking photos), prior knowledge, or unique and distinguishing features such as tattoos.
10. Whenever possible, enforcement documentation should include the availability of shelter beds at the time of enforcement, attitude or degree of willingness of the subject toward participating in outreach services, past efforts at outreach, and agencies

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contacted for possible follow-up and case management (HCA, City Net, Mercy House, OC Link, city specific services, non-profits etc.).

11. Referral to Collaborative Courts:

- (a) While issuing a citation or making a custodial arrest for an anti-camping or anti-loitering ordinance, deputies should advise a homeless individual they can request acceptance into the Collaborative Court and providing the Public Defender's phone number of (657) 251-6090, providing the individual with the OC Resource Guide that contains the number or providing the County of Orange Superior Court Outreach Court pamphlet.

408.5 HAZARDS

- 1. Dealing with Homeless populations requires an officer safety mindset beyond tactical considerations. Deputies should be aware of health and environmental hazards such as uncapped needles, fecal matter and other bodily fluids, and potential communicable diseases like MRSA, which may be transmitted through contact with open wounds and sores.
 - (a) Wear gloves while searching subjects and property. Remove gloves while using your MDC or before entering your vehicle. Replace your gloves frequently while transitioning between searches and bagging evidence.
 - (b) Be aware of open fires, dust, and confined spaces which may present health hazards that require the use of special equipment and training.

408.6 PROPERTY

- 1. Safekeeping is non-evidentiary property that is temporarily stored with the Property-Evidence Unit for protection on behalf of the owner.
- 2. Temporary Safekeeping of Property is governed by California Civil Code 2080.10.
 - (a) When the Department takes possession of personal property for temporary safekeeping, the Department shall do all of the following:
 - 1. Take responsibility for the storage, documentation, and disposition of the property.
 - 2. Provide the person from whom the property was taken with a receipt and instructions for the retrieval of the property. The receipt and instructions shall either be given to the person from whom the property was taken at the time the Department obtains the property or immediately mailed, by first-class mail, to the person from whom the property was taken. For homeless persons, the receipt and instructions shall be given to the person.
 - 3. If the Department has knowledge that the person from whom the property was taken is not the owner, the Department shall make reasonable efforts to identify the owner. If the owner is identified, the Department shall mail, by first-class mail, a receipt and instructions for the retrieval of the property. If the owner is homeless without a mailing address and is able to be located

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with reasonable efforts, the receipt and instructions shall be given to the owner.

4. The receipt and instructions shall notify the person from whom the property was taken that the property must be claimed within 90 days after the Department obtains possession or the property shall be disposed of in accordance with the disposal provisions of this article. Within 90 days (the 90 days is per Department Policy), the person may do one of the following:
 - (a) Retrieve the property.
 - (b) Authorize in writing another person to retrieve the property.
 - (c) Notify the Department in writing that he or she is unable to retrieve the property, because he or she is in custody, and request the Department to hold the property. If a person notifies the Department that he or she is unable to retrieve the property within 90 days, or have an authorized person retrieve the property, the Department shall hold the property for not longer than 10 additional months.
3. Release of property to owner is governed by California Civil Code 2080.2.
 - (a) If the owner appears within 90 days, after receipt of the property by the Department, proves his/her ownership of the property, and pays all reasonable charges, if any, the Department shall restore the property to him/her.
4. If deputies collect non-evidentiary property, the "Safekeeping" form shall be utilized. See Field Operations Advisory Issue 56 dated February 9, 2018 and Policy Section 802 - Property and Evidence for further information. Per department safekeeping policy and the California Civil Code, property shall be retained for a minimum of 90 days.
5. When a homeless person is arrested or otherwise removed from a public place, deputies should make reasonable accommodations to permit the person to lawfully secure his/her personal property, which includes transferring control to a designated responsible person. If the above cannot be accomplished, the property should be collected for safekeeping.
 - (a) If the arrestee has more personal property than can reasonably be collected and transported by the deputy, a supervisor should be consulted for disposition and possible collection by an allied agency such as city/county public works. The arrestee shall be provided written notice of the location where the arrestee's property may be claimed if the property is collected by an allied agency.
- 6.
7. Any agency (i.e. County or City Public Works) conducting clean-up of a potential homeless encampment shall be made aware of the Schuler Settlement. This settlement requires a minimum of 24 hours notice of any intended impoundment of personal property during clean-up or any remediation project unless exigent circumstances exist. Although this settlement applies only to sections of the Santa Ana Riverbed, it is the best practice and should be followed by any agency doing clean up

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in Department jurisdiction. It is County Public Works' practice to give 72 hours notice when feasible.

8. Deputies who encounter encampments or large collections of property in public areas should inform the city Behavioral Health Liaison or county Homeless Outreach Team for guidance in finding a long term disposition.
9. Documentation of property goes beyond written documentation in reports. Best practice includes taking via body worn camera. Documentation includes the initial state of the property (long, mid, close range photos), and a detailed inventory of property recovered. Furthermore, consider verbal narration during the incident: describe sights, smells, hazards, items of value, and items which a reasonable person would classify as having no intrinsic value.
10. Property that shall not be stored:
 - (a) Property that presents a danger to Department personnel including but not limited to: hazardous, flammable, or biohazard materials, items contaminated with human or animal waste, items that are wet and present a mold hazard, batteries.
 - (b) Property that is obviously abandoned or trash.
 - (c) Property whose owner has identified it as trash or no longer wanted.

408.6 HOMELESS SERVICES SYSTEM (ESRI APPLICATION AND SURVEY123)

1. Department surveys published through the ESRI Survey 123 application and maintained via the ArcGIS platform shall be the only Database used by Members of the Department when documenting encounters and dispositions with homeless subjects. Access to the ESRI suite of applications shall only be done through Department issued electronic mobile devices.
2. The ESRI ArcGIS Survey 123, Collector, and Dashboard applications provide a mobile application and software suite used by the Department and their Adult and Family Multi Disciplinary Team (MDT) partners to identify homeless subjects, and assist in linking those homeless subjects to services. This Database shall be used collaboratively by members of the MDT with the primary intent of outreach and engagement. The application will allow participating agencies to share information for the purpose of facilitating expedited identification, assessment, and linkage of homeless individuals or families to housing and supportive services.
3. Any member of the MDT who receives information or records from this application shall agree to keep the information or records confidential, to be used only for purposes set forth in Policy 408.6.2 above.
4. All County departments who have access to the information shared by the participating agencies shall sign a confidentiality statement that includes at a minimum general use, security safeguards, acceptable use, and enforcement policies.
5. The sharing of information shall be governed by an MOU or protocols developed by the County of Orange.

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6. Department IT or OCIT shall employ security controls to ensure data confidentiality, integrity, and prevention of unauthorized or inappropriate access, use, or disclosure.
7. Information entered in the Database shall be retained indefinitely or until a record retention schedule is approved by the Orange County Board of Supervisors, setting a retention period.

408.7 RESOURCES AVAILABLE TO THE FIELD DEPUTY

1. Homeless MDT's.
2. City assigned Behavioral Health Liaison.
3. OC Links: 855-OC-LINKS (625-4657) is a referral line for services including children and adult mental health, alcohol and drug inpatient and outpatient, crisis programs, and prevention and early intervention services.
4. Homeless Resources Trifold (contains numerous area specific resources for armories, county resources, mental health, hospitals, non-profit and faith based community), and is available in electronic form from the [Orange County Office of Care Coordination \(Care Coordination – Additional Documents | Orange County CEO's Office\)](#).
5. SPA (County Service Planning Area) Pocket Guides for North, Central, and South County contain numerous region specific county resources. These guides are available in electronic form from the [Orange County Office of Care Coordination \(Care Coordination – Additional Documents | Orange County CEO's Office\)](#).
6. Many of the Department's contract partners have contracted with service agencies such as City Net or Mercy House to provide homeless outreach services in our contract cities. These agencies are valuable resources in the areas they cover and have access to many different shelter options.

408.8 BEHAVIORAL HEALTH LIAISON REQUIRED AND RECOMMENDED TRAINING

1. Required Training:
 - (a) POST Certified HLO Course
 - (b) POST Certified 40-hour Advanced Homeless Liaison Officer course.
 - (c) POST Certified Crisis Intervention Training consisting of CIT-I Basic, CIT-II Intermediate, and CIT-III Advanced.
 - (d) Behavioral Health Liaisons members shall attend monthly BHL meetings.
 - (e) Advanced Roadside Impaired Driving Enforcement training or other drug impairment training.
2. Recommended Training:
 - (a) Drug Abuse Recognition (DAR) or Drug Recognition Expert (DRE).
 - (b) Search and Seizure (8 hour).