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COUNTY OF SANTA BARBARA ENCAMPMENT RESPONSE PROTOCOL: POLICY FRAMEWORK

I. Guiding Principles

It is not safe or healthy for people to live unsheltered. The community must compassionately and constructively provide pathways to shelter and wellness for those living in encampments. This framework addresses the County's official response protocol to existing homeless encampments and is intended to serve as one part of the County's larger strategies to address homelessness. Additional strategies include: increased access to shelter, leveraging long-term subsidies, new temporary and permanent housing units, robust outreach and engagement, and sustained funding. Other County policies exist to address the needs of specific populations and how those populations are connected to services and housing.

The County of Santa Barbara's Community Action Plan to Address Homelessness is the guide to how the region addresses homelessness. It is guided by a core set of principles that serve as the foundation and create a culture of focusing on solutions to end homelessness. These guiding principles have informed the development of this framework:

- Respond with urgency
- Provide community with regular and ongoing communication
- Promote cross-sector collaboration and collective support
- Incorporate those with lived experience at all levels of planning, protocol, and implementation
- Embrace best practices and be housing-focused
- Utilize objective data to drive decision making
- Support homeless services providers and value their contribution
- Maintain transparency and accountability at all levels of decision making
- Commit to ongoing performance management and process improvement

The following principles, specific to addressing encampments, have also informed the development of this framework:

- It is not safe or healthy for people to live unsheltered.
- Adequate safe, accessible, and supportive shelter and housing of all types, including permanent supportive and affordable housing, is the solution to homelessness.
- Low-barrier pathways to permanent housing (including, but not limited to: emergency shelter, bridge housing, and rapid rehousing) are the best solution to addressing encampments.
- People may sleep and live in encampment settings alone or as a collective for many reasons, including a sense of community and safety.
- Community member concerns about encampments within their neighborhoods, including those related to health, sanitation, and safety.
- The County must balance the interests of unsheltered residents with the interests of all other community residents.

II. Purpose

The purpose of this framework is to provide increased clarity and coordination for encampment response on property owned or under the jurisdiction of Santa Barbara County. All interventions will

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include health and safety measures, and will be based on health and safety risks, available resources, and capacity. The use of this protocol will help ensure:

- Defined roles and responsibilities;
- Coordination and management of limited resources;
- Prioritized approach to address encampments based on defined criteria;
- Consistent application of procedures; and
- Data collection and established metrics to measure the effectiveness of reducing encampments.

III. Definitions

- Emergency shelter: any facility, the primary purpose of which is to provide temporary or transitional shelter for persons without housing in general or for specific populations.
- Encampment: Homeless encampments are locations where one or more persons without housing live in an unsheltered area. These encampments can be found on properties owned by private individuals or companies or owned by local, state, and federal governmental agencies.
- Unsheltered homeless persons include people who live in places not meant for human habitation, such as the streets, campgrounds, undeveloped properties, abandoned buildings, vehicles, or parks.
- Sheltered homeless persons are people who are staying in emergency shelters, transitional housing programs, or safe havens.
- Mainstream resources: publicly funded programs that provide services, housing, and income supports (ex: financial assistance, health care, mental health care, substance use disorder treatment programs) to all eligible persons, not dedicated to homelessness

IV. Scope

This framework applies countywide to practices when addressing homeless encampments located specifically on property owned or under the jurisdiction of Santa Barbara County or its organizational units, such as dependent special districts. County assistance to other public agencies to address encampment located on property owned or controlled by those agencies is beyond the scope of this framework. Similarly, encampments located on private property may be referred to the Sheriff's Office but are beyond the scope of this framework.

V. Protocol for Closure/Removal of Encampment

Identifying or providing alternate shelter before removing non-obstructing encampments

This framework acknowledges two types of encampments that require different protocol measures when considering the removal of an encampment. These two categories are:

- Type 1 Encampment: an encampment that does not exist in a waterway or does not present a threat to public health and safety, and
- Type 2 Encampment: an encampment that does exist in a waterway or has been determined to present a threat to public health and safety in some way.

Prior to removing a Type 1 Encampment, the County must document offers of available,

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accessible housing or other shelter for encampment occupants. The alternate shelter shall be available to the encampment occupant starting on the date an encampment removal notice is posted and shall continue to be available until the encampment removal is completed. A daily list of shelter and housing alternatives will be maintained by Encampment Response Coordinator and shared with other staff as needed. The alternate shelter may include linkages to housing programs and shelter programs with or without day programs. Offers of shelter shall be made on an individual basis and, to the extent possible, be based on the individual needs of each encampment occupant.

In making offers of shelter, the County shall consider any applicable local, state or federal statute, case law, order or other guidance related to shelters and public health and safety. In making offers, the County shall also consider the eligibility or admittance criteria for a particular shelter. The County shall, to the extent possible, ensure that the individual offeree can satisfy the admittance criteria that may apply to the shelter offered. Information about warming and sobering centers may be provided as additional information only but shall not be considered to satisfy the requirement to offer alternate shelter.

Prior to removing a Type 2 Encampment, there is no requirement to identify or provide alternative shelter before posting notices referencing the intent to clear an encampment, although attempts to do so should still occur. The determination as to whether a specific encampment presents a threat to public health and safety and constitutes a Type 2 Encampment will be determined through a collaborative process involving multiple departments, with the final decision resting with the Director of the Community Services Department (CSD). Among the departments to be consulted include Public Health, Fire, Sheriff's Office, Behavioral Wellness, Public Defender, and Probation, as well as outreach staff from contracted service providers.

Encampment removal and notice requirements

A notice shall be posted by the entity responsible for the property being closed/cleared, with the Encampment Response Team, on or near each tent or structure that is subject to removal stating: (1) the day the notice was posted; (2) the date the removal is scheduled; (3) the time range in which that date's removal will commence, which range may be no more than four hours; (4) where personal property will be stored if removed by the County; (5) how personal property may be claimed by its owner (6) the date when stored items will be disposed of; and (7) contact information for an outreach provider that can provide shelter alternatives. If individuals are present at the encampment, verbal notice and written notice shall if reasonably possible, be given to the individuals that the encampment is subject to removal as provided for in the posted notice. The notice shall be posted no fewer than 48 hours before an encampment removal and shall provide a removal date no more than 7 days after the notice posting date. If the action to physically remove the encampment is not commenced by the County within the removal date and time range provided in the notice, the County shall repost notice of the encampment removal before removal may occur. The County may diligently pursue to completion a removal properly commenced during the removal date and time range. The notice shall be printed in English, Spanish, and any other language the County determines would further the purpose of the notice. Nothing in this section shall prohibit the County from posting notice that the removal of a large encampment will occur over a period of several days, provided each day's operations start during the period identified in the notice. Some encampment sites include tents and structures

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separated by infrastructure such as off-ramps; removal operations may proceed through such sites so long as they start on some portion of the sites within the times specified on the notice. Posting of noticed shall be video-recorded by the posting officer(s) and saved/stored based on department protocol (currently a minimum of 3 years).

Outreach for encampment removals

Should shelter or other housing be available, it will be communicated to the occupants by the Encampment Response Team representatives or designated outreach/shelter staff in advance of the closure. Encampment Response Team representatives or designated outreach/shelter staff shall visit each encampment site at least once daily between the time that notice of removal is posted and the scheduled removal date; if the encampment dweller is present, visits may include sorting items for clearing/storage. Encampment Response Team representatives or designated outreach/shelter staff shall be present at the commencement of removal activities on the date an encampment removal is scheduled to start according to the posted notice and shall be available to offer shelter alternatives and other services (transportation, basic needs) until the encampment removal is completed. Encampment Response Team representatives or designated outreach/shelter staff may leave an encampment removal operation after outreach services have been refused by all people present at the site. Encampment Response Team representatives or designated outreach/shelter staff shall return to a site if an individual requests services before the encampment removal is completed.

Storage of personal property removed from an encampment

The party(ies) removing the camp, designated by the County, shall offer to store personal property (when removing obstructions and immediate hazards, or when removing encampments). The County has no obligation to store personal property that is reasonably understood to be waste (for example, empty single-use food storage containers), hazardous (for example, a needle-strewn tent), or is reasonably expected to become a hazard during storage (for example, wet bedding materials). At the time of closure/removal of encampment, the County will make a cart with lock for personal storage available to each person residing in the encampment. Items will be packed by the owner, supervised by the County contractor. The contractor will relocate the storage cart to a secure site, and the property owner shall be notified how to access property. A contracted service provider would be available by appointment only, through a phone number, to provide access to retrieve belongings for up to 60 days. After 60 days, the County will dispose of any items remaining in storage.

The Encampment Response Coordinator shall identify the site and the date of the encampment removal on a County web page. The notice posted on the webpage shall identify: (1) the dates personal property was removed from the site; (2) if the personal property was stored; and (3) how the stored personal property may be claimed by its owner. This notice shall not be removed by the County for a minimum of 10 days. The County shall maintain a log of personal property removed from an encampment. Personal property that is not recovered after 60 days from and including the day the property was stored may be discarded or donated by the County.

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Encampment site cleanup

All County personnel, vendors, outreach workers, and other personnel necessary for an encampment removal and cleanup shall be present at the start of an encampment removal, and actions shall be video-recorded. The County shall take reasonable steps to segregate personal property (e.g. clothing) from material that is not personal property (e.g. park bench), provided the segregation does not pose a danger to the individual segregating the personal property from the other material. Tents and structures that were not previously posted with a notice but are in the immediate area of tents or structures that were posted with a notice may be removed if the tent or structure was placed in the immediate area after notices were posted. All personal property that is removed from the site shall be stored as provided for in the previous section of this document and may be recovered as provided for a subsequent section of this document. The County/contracted vendor may remove and dispose of personal property that is reasonably understood to be waste (for example, empty single-use food storage containers), hazardous (for example, a needle-strewn tent), or is reasonably expected to become a hazard during storage (for example, wet bedding materials). When a person refuses to leave the camp at the point of closure and all protocols have been followed regarding offers of alternative shelter and personal property, the matter may be referred to the Sheriff's Office. The Sheriff's Office will assess and determine next steps to gain compliance for the removal of the encampment.

If feasible given the location, fencing shall be considered for a minimum of 10 days in order to prevent re-encampment in the area. The Encampment Response Team will attempt to revisit closed areas to prevent a reoccurrence of an encampment whenever possible. A reoccurrence may require the posting process begin again.

Post-encampment removal notice

A notice shall be prominently posted to fencing installed at the site where an encampment has been removed and the site cleaned up. The notice shall state: (1) the date the cleanup was performed; (2) whether personal property was stored by the County; (3) where the personal property is stored; (4) how any stored personal property may be claimed by its owner; (5) the date when stored items will be disposed; and (6) contact information for outreach personnel who can assist individuals with shelter alternatives and other services. This notice shall not be removed by the County for a minimum of 10 days. The department organizing the cleanup shall, within 2 business days of the cleanup, send electronic documentation of the cleanup to Encampment Response Coordinator in the format required for recording and updating the encampment record in Fulcrum.

Recovering stored personal property

Individuals claiming that personal property has been removed from an encampment may contact Encampment Response Coordinator, who will inform the individual how the property may be recovered. The individual shall describe the personal property with particularity. No identification is required for an individual to recover the property. The log of personal property shall indicate who received the recovered property. A contracted service provider may be available by appointment only, through a phone number, to provide access to retrieve belongings for up to 90 days. After 90 days, any remaining items may be disposed of. Storage and recovery of personal

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property shall be at no cost to the individual that owns the property.