



MEMORANDUM

Date: June 2, 2015

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **Homeless Encampment Protocol**

Attached is new Administrative Procedure 50-02, which is an updated protocol regarding the County's response to reported homeless encampments.

This protocol has been in place for some time but required modification. The appropriate modifications have been made, and the protocol is being issued as a new Administrative Procedure so it receives periodic review and updating.

CHH/anc

Attachment

c: The Honorable Clarence Dupnik, Pima County Sheriff
Chris Nanos, Chief Deputy, Sheriff's Department
Hank Atha, Deputy County Administrator for Community and Economic Development
Ursula Nelson, Director, Department of Environmental Quality
Scott Porter, Manager, Department of Environmental Quality



ADMINISTRATIVE PROCEDURES

Procedure Number: 50-02

Effective Date: 06/03/2015

Revision Date: _____


County Administrator

SUBJECT: Pima County Homeless Encampment Protocol

DEPARTMENT RESPONSIBLE: Department of Environmental Quality, Sheriff's Department

I. PURPOSE

This Homeless Encampment Protocol is initiated when surveillance discovers homeless individuals camping on public or private properties or a constituent/citizen complaint is received by a Pima County agency. Homeless camps can pose a threat to public health, safety and the environment and foster criminal activity. The protocol may also be initiated when a homeless camp is established in a public waterway and poses a threat to the safety of the occupants of the camp. This protocol applies to all County rights of way and lands owned by the County or the Regional Flood Control District (RFCD) in unincorporated Pima County or in a municipality.

The protocol is designed to allow County departments the opportunity to offer humanitarian and human services resources to homeless camp inhabitants and address the facilitation of law enforcement and remediation activities on affected properties. County departments shall maintain data of all homeless camp intervention and remediation activities in electronic form for dissemination upon request. This protocol relates only to the internal management of the County or the RFCD or only to the care of County or RFCD facilities or property and does not affect the substantive or procedural rights of any segment of the public.

II. PROCEDURE

1. Homeless camp complaints should initially be forwarded to the Pima County Department of Environmental Quality (PDEQ) when received by other County entities. Generally, it is the Pima County Sheriff's Department (PCSD) or PDEQ that receive the initial complaint or identify the camp through surveillance.

IMPORTANT:

- All homeless camp complaints where criminal activity is observed should immediately be referred to PCSD via calling 911.
- Private property owners should be advised to call 911 for trespass complaints on their property.
- PCSD will only respond when requested by the property owner.
- PCSD cannot remove transients from public property where no law or ordinance is in place or being violated.

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- **NOTE:** Pima County Parks Rules, Chapter 1, Section 1.070 states: "It shall be unlawful to enter, use or occupy public parks...for any purpose when said parks are posted against such entrance, use or occupancy. Use of county parks and recreation areas where a fee, rental, admission or other consideration has been established without proof of fee payment, rental, admission or other consideration is prohibited."
2. Homeless camp complaints relating to environmental and waterway concerns i.e. solid waste, sewage or waterway violations received by PCSD will be referred to PDEQ for investigation. A member of the PCSD will accompany PDEQ staff during the investigation when requested and prior arrangements are made.
 3. The PCSD or PDEQ will identify the homeless camp location and property ownership (public or private property) as part of the initial investigation using Pima County GIS PimaMaps, MapGuide Maps and Parcel Information Search. Pima County Real Property (PCRP) can be used to research County agency property ownership when not identified on the GIS parcel record.
 - **NOTE:** PDEQ may issue either an intergovernmental referral (if publicly owned property is not County-owned) or a Notice of Violation (NOV) to the private property owner for remediation to be scheduled.
 4. PDEQ will notify the PCSD, Sullivan Jackson Employment Center (SJEC), Pima County Health Department (PCHD) and the Pima County Department of Behavioral Health (PCBH) upon completion of the initial investigation. The SJEC outreach team will contact the PCHD and PCBH and, if possible, coordinate their site visit and homeless camp investigation. The SJEC referral is to SJEC and not to the Community Development and Neighborhood Conservation Department (CDNCD).
 - **NOTE:** Within 24 hours of notification, the SJEC Outreach Team will make contact with the homeless group or individual and inform them of community resources available to assist them with immediate and/or long-term needs. A member of the PCSD will accompany all Outreach Teams when requested and prior arrangements are made.
 5. If the PCSD or PDEQ observes a health-related violation during their investigation of a homeless camp, the PCHD will be contacted for assistance and possible enforcement action.
 6. Agencies such as the RFCD, Pima County Natural Resources, Parks and Recreation (NRPR) and the Pima County Department of Transportation (PCDOT) have their own maintenance crews and equipment. RFCD, NRPR and PCDOT will conduct homeless camp remediation projects on properties under their maintenance or ownership. PDEQ will remediate all other County rights of way and County-owned property homeless camps when the County agency that owns the property does not have the means to do so. All County remediation crews must coordinate with the PCSD to address safety concerns prior to conducting a remediation project.
 - Following an inspection where County violations are documented on County- or RFCD-owned property, a remediation project will be scheduled by the responsible agency. This agency will advise the PCSD, in advance, of the remediation project

date and time to allow for notification to the congregate group/individuals of a timeframe to vacate the property.

- If the congregate group/individuals fail to vacate public property within the given timeframe and the remediation crew has arrived at the site without a PCSD unit, the remediation crew supervisor shall contact the PCSD and allow them to respond to the location and take appropriate action to remove the individuals from the homeless camp prior to commencement of the remediation project.

Potential State Law and Pima County Code/Rule Violations Related to Homeless Encampments

Arizona Revised Statutes (A.R.S.)

PCDOT

- Title 28 – Transportation
 - § 28-7053 – Misuse of public highway
 - § 28-7056 – Dumping trash on highways

PCHD

- Title 36 – Public Health and Safety
 - § 36.601 – Public nuisances dangerous to public health

PDEQ

- Title 49 – Environmental
 - § 49.141 – Environmental nuisances

Pima County Code (P.C.C.)

PDEQ

- Title 7 – Environmental Quality
 - Liquid Waste - 7.21.090
 - Solid Waste – 7.29.040C
 - Environmental Nuisances – 7.45.020

PCDOT

- Title 10 – Floodplain Management
 - County authority over public right-of-way – 10.50.020

RFCD

- Title 16 – Floodplain Management
 - Prohibited Uses in a Floodway – 16.24.020
 - Storage of Materials and Equipment – 16.26.060

Pima County Parks Rules

NRPR

- Chapter 1 - Use and Occupancy
 - Areas posted against entrance, use or occupancy - 1.070

PROPERTY REMEDIATION GOALS

- PCSD or PDEQ will inspect the site, determine property ownership, and take the required action to initiate the protocol.
- Once County- or RFCD-owned property is vacated, remedial efforts will be initiated.
- Waste will be removed and properly disposed of with as little damage to the environment as possible.
- Remediation of the vacated public property must be accomplished in a short timeframe to discourage a return of homeless individuals to the property.
- County departments that own affected parcels are encouraged to post “No Trespassing” signage at the remediated homeless camp location to prevent the return of transients and assist PCSD with the enforcement of State trespassing statutes.
- All complaints received by PDEQ from the following entities will be contacted by the department and advised of the outcome of their complaint referral:
 1. County Administrator’s Office
 2. Affected Board of Supervisors Office
 3. Constituent/Citizen complainant
 4. All departments included in this protocol.

ADDITIONAL RESOURCES

These resources address homelessness in the urban areas of the County and may be of interest to Pima County personnel that make first contact with homeless individuals.

La Frontera’s Safe Haven is a low demand facility for people with mental illness and active substance abuse who have repeatedly rejected conventional services for people in crisis or are homeless. In order to access the services of the Safe Haven facility, referrals into the facility must be made by the La Frontera Readily Accessible People Program (R.A.P.P.) Team.

Tucson Pima Collaboration to End Homelessness - “Guidelines on Getting Out.” This is a 16-page pamphlet geared to help ex-offenders plan for their release rather than being discharged to the streets. “Guidelines” lists 22 homeless-serving agencies and programs in Tucson in a chart format that indicates their program types, client profile, entry fee or rent, drug/alcohol status, and other details. It also contains useful telephone numbers, tips on how to use the handbook, a sample letter to write to agencies before release, as well as words of encouragement. “Guidelines on Getting Out” is distributed by the Arizona Department of Corrections throughout Arizona. The Tucson Pima Collaboration to End Homelessness is also distributing the pamphlet to jails, parole and probation departments, and mental health units, as well as sending them individually to inmates upon request.

“Need Help” Pocket Guide. This small-size brochure is published twice each year by the Tucson Pima Collaboration to End Homelessness, 724-7300. Resources listed in the pocket guide include shelters, showers, food, healthcare, Arizona Department of Economic Security services and employment assistance. It also includes a map of Tucson.

PROTOCOL CONTACT INFORMATION:

Pima County Sheriff's Department (PCSD) Protocol Contact List

PCSD enforces criminal violations at homeless camps. PCSD assists County agencies with removal of congregate groups/individuals prior to commencement of remediation projects on County rights of way and lands owned by the County.

- **NOTE:** Homeless encampment complaints may also be called in after hours to the Communication Section, non-emergency phone number at: (520) 351-4900.

<p><u>PCSD Ajo District</u></p> <p>Contact Number: (520) 351-8511</p> <p>1249 Ajo Well Road Ajo, AZ 85321-9701</p>	<p><u>PCSD Foothills District</u></p> <p>Contact Number: (520) 351-6311</p> <p>7300 N. Shannon Road Tucson, AZ 85741-2137</p>
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<p><u>PCSD Green Valley District</u></p> <p>Contact Number: (520) 351-6711</p> <p>601 N. La Cañada Drive Green Valley, AZ 85614-3440</p>	<p><u>PCSD Rincon District</u></p> <p>Contact Number: (520) 351-4511</p> <p>8999 E. Tanque Verde Road Tucson, AZ 85749-9470</p>
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<p><u>PCSD San Xavier District</u></p> <p>Contact Number: (520) 351-3888</p> <p>2545 E. Ajo Way Tucson, AZ 85713-6203</p>	<p><u>PCSD Tucson Mountain District</u></p> <p>Contact Number: (520) 351-3811</p> <p>6261 N. Sandario Road Tucson, AZ 85743-9321</p>
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Pima County Department Protocol Contact List

<p><u>Department of Environmental Quality (PDEQ)</u></p> <p>Main Number: (520) 724-7400 Contact: Enforcement Manager</p> <p>Bank of America Building 33 N. Stone Avenue, 7th Floor Tucson, AZ 85701</p>	<p><u>Community Development and Neighborhood Conservation Department (CDNCD)</u></p> <p>Main Number: (520) 724-3777 Contact: Program Manager</p> <p>Kino Service Center 2797 E. Ajo Way Tucson, AZ 85713</p>
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Sullivan Jackson Employment Center

Main Number: (520) 724-7300
 Contact: Program Coordinator

400 E. 26th Street
 Tucson, AZ 85713

Pima County Department of Transportation (PCDOT)

Main Number: (520) 724-6410
 Contact: Program Manager

201 N. Stone Avenue
 Tucson, AZ 85701

Pima County Regional Flood Control District (RFCD)

Main Number: (520) 724-4600
 Contact: Chief Hydrologist

97 E. Congress Street
 Tucson, AZ 85701

Pima County Natural Resources, Parks and Recreation (NRPR)

Main Number: (520) 724-5000
 Contact: Park Operator & Maintenance Manager

3500 W. River Road
 Tucson AZ 85741

Pima County Health Department (PCHD)

Main Number - (520) 243-7770
 Contact: Consumer Health and Food Safety Program Manager

3950 S. Country Club Road
 Tucson, AZ 85714

Pima County Behavioral Health (PCBH)

Main Number: (520) 724-7923
 Contact: Behavioral Health Administrator

3950 S. Country Club Road
 Tucson AZ 85714