


POLICY 511.0	HOMELESS PERSONS	
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A. PURPOSE

The purpose of this policy is to ensure that personnel are sensitive to the needs and rights of the homeless population. To establish procedures helping guide officers during casual contacts and arrest situation contacts with homeless individuals and reaffirm that homelessness is not a crime.

B. POLICY

It is the policy of the Fort Lauderdale Police Department for all personnel to provide appropriate law enforcement services to the entire community while protecting the rights, dignity and personal property of the homeless through policy, rules, regulations and practices.

C. DEFINITIONS

1. Homeless Person – an individual who lacks a fixed, regular and adequate nighttime residence or has a primary nighttime residency that is:
 - a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations.
 - b. An institution that provides a temporary residence for individuals intended to be institutionalized.
 - c. A private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

- d. The term “homeless person” does not include any person imprisoned or otherwise detained following an Act of Congress or state law. 42 U.S.C. § 11301, et seq. (1994).
2. An officer may make reasonable inquiry to make this determination.

D. PROCEDURE

1. Casual Contact - At any time, and for any reason, police officers may approach homeless individuals who have not been observed engaging in any criminal conduct, to advise them of shelters, services or assistance which are currently available. The officer may also call for the assistance of Homeless Outreach Unit officers if available. The homeless person may or may not accept the advice or referral or may even walk away from the area before the arrival of Homeless Outreach. The rationale is to proactively provide referrals to the homeless (also known as “consumers” in the social services arena).
 - a. Police officers shall advise homeless person(s) needing assistance to call the Nationwide Homeless Helpline @ 954-563-HELP (4357) or 1-888-537-0211.

Families must be referred to the Homeless Helpline for placement.

- b. Police officers making contact with homeless individuals requesting assistance should advise them to meet with Homeless Outreach officers and the Task Force for Ending Homelessness at their meeting locations.
- c. Police officers making contact with homeless individuals after hours may contact the Salvation Army by phone (954-712-2531) to inquire about available vacancies.
- d. The Task Force Outreach Team can be found at these central feeding locations:
 - (1). Monday: 11:00 – 11:15; North Fork Park, 200 NW 18th Ave., Fort Lauderdale, FL 33311
11:00 – 11:15; Mission United (Veterans ONLY), 1300 S Andrews Ave., Fort Lauderdale, FL 33316
 - (2). Tuesday: 11:15 – 11:30; Jubilee Kitchen, 2020 Scott St., Hollywood, FL 33020
11:00 – 11:15; LifeNet4Families, 1 NW 33rd Ter., Lauderhill, FL 33311
 - (3). Wednesday: 14:00-14:15; Mt. Olive Church, 349 NW 15th Way, Fort Lauderdale, FL 33311

- (4). Thursday: 10:00 – 11:00 LES 3320 N 24 Ave., Hollywood, FL 33020
- (5). Friday: 11:00 – 11:15; LifeNet4Families, 1 NW 33rd Ter.,
Lauderhill, FL 33311
11:00 – 11:15; Mission United (Veterans ONLY),
1300 S Andrews Ave., Fort Lauderdale, FL 33316
- (6). Saturday: 11:00 – 11:15; North Fork Park, 200 NW 18th Ave.,
Fort Lauderdale, FL 33311
- (7). Sunday: 13:30 – 13:45; 5th Ave Temple Church of God, 211
NW 5th Ave., Fort Lauderdale, FL 33311

e. At these locations, Task Force personnel conduct interviews, do street assessments and surveys utilizing the Vulnerability Index - Service Prioritization Decision Assistance Tool (VISPDAT). Clients can talk to TaskForce personnel about access to housing/shelter or referral/linkage to healthcare, behavioral health services, legal services, family reunification or basic needs.

2. Arrest Situations – Arrests of all persons including those defined as homeless shall comply with Florida Law, Statutes, Municipal Ordinances and Department policies and procedures.

- a. If a police officer observes a homeless person(s) engaged in criminal activity, when practical and prudent to do so, an alternative to a physical arrest should be considered. Department Policy 501.2 - Alternatives to Arrest, lists the available alternatives.
- b. When encountering a homeless person who has committed a misdemeanor law violation and the continued freedom of the individual would not result in a breach of the peace or a more serious crime, police officers are encouraged to offer Community Court in lieu of physical arrest.
- c. Officers using one of the alternative facilities listed in Department Policy 501.2 shall comply with the intake procedures of the chosen organization.

3. Community Court NTA - In lieu of physical arrest, a homeless individual can be issued a Notice to Appear in Community Court which meets every Wednesday (except holidays) at 0900 hours at 18 NW 1st Ave.

a. Criteria for Community Court NTA's are as follows:

- (1). Defendant must be homeless and willing to receive services.
- (2). Defendant must have committed a minor offense including but not limited to the following City Ordinance Violations: Trespassing,

DOC, DOI, Open Container, Sleeping on a bus bench/ interfering with transit system, etc.

- (3). Defendant must not have an open felony case, be on probation, or have any recent convictions for violent felony offenses.

b. Process for issuing a Community Court NTA

- (1). Complete arrest module in RMS the same as for a regular NTA, except in the beginning of the narrative section type *****COMMUNITY COURT*****.
- (2). The court date will be Wednesday of the following week at 0900 hours at 18 NW 1st Ave. If this falls on a holiday, the following week should be used.
- (3). Provide the defendant with their copy of the NTA and a Community Court brochure, along with clear instructions to appear the following Wednesday.
- (4). Email the HOMELESS OUTREACH email group with the case number, defendant's name and date of birth, charge, and location. Any contact information for the defendant should be included to assist Homeless Outreach officers in locating the defendant if necessary.