

# Standard Operating Procedure (SOP): City of Cincinnati Response to Homeless Encampments on Public Property

Rev date 4/24/2025

## Purpose

This SOP establishes a consistent and coordinated approach for City employees, in collaboration with community partners, to respond to homeless encampments on City-owned property that is open to members of the public. It seeks to balance the need to address public health, safety, and neighborhood concerns with the rights and dignity of individuals experiencing homelessness. This policy is established in response to the settlement agreement entered by the City in the federal lawsuit *Greater Cincinnati Homeless Coalition, et al. v. City of Cincinnati* (Case No. 1:18-cv-541) (referred to hereafter as “federal settlement”) and complements Cincinnati Police Department Policy 12.111 and the state court injunction entered against the City in *State of Ohio v. City of Cincinnati* (Case No. A1804285). This SOP ensures a whole-of-government response that aligns with legal requirements and community best practices.

## Guiding Principles

The City of Cincinnati’s approach to responding to homeless encampments is based on the following principles:

1. **Dignity and Respect:** Every individual experiencing homelessness is vulnerable and deserves dignified, respectful treatment that protects their rights.
2. **Housing First Approach:** Efforts will prioritize connecting individuals with low-barrier shelter and housing options, supportive services, substance use treatment, and/or mental healthcare.
3. **Public Health and Safety:** Unpermitted encampments pose health and safety risks for residents of encampments and the surrounding community; responses must mitigate these risks while prioritizing humane treatment.
4. **Transparency and Coordination:** City departments and community partners will work collaboratively to ensure clear communication, equitable processes, and accountability in all encampment responses.

## I. Scope

This SOP applies to all City employees involved in addressing homeless encampments. It also provides guidelines for collaboration with community partners.

## II. Definitions

1. **Encampment:** A homeless encampment can take a variety of forms, such as a “tent city” or a group of individuals living together in a public area, such as a public park or underneath a freeway overpass. Homeless encampments can vary widely in size and can be constituted of a single person or hundreds of individuals. Generally speaking, an encampment will include some type of shelter (for example, a tent, or a lean-to made of cardboard), although some encampments may rely on pre-existing structures, such as a freeway overpass, to provide shelter with the encampment itself consisting primarily of personal property (clothing, sleeping bags, cookware, etc.), and some encampments may include no shelter.
2. **City Manager’s Designee:** A designated City employee or group of employees responsible for coordinating encampment responses, outreach, and follow-up actions.
3. **Immediate Hazard:** All unpermitted encampments pose risks to the general health, welfare, and safety of encampment residents and the public at large. However, Encampments that pose imminent risks to human safety, that are close to traffic, contain fire hazards or unstable structures, or create other exigent circumstances are considered an immediate hazard and require a more immediate abatement process. This list is not exhaustive.
4. **Alternative Response to Crisis (ARC):** City led team of responders and clinicians who are trained in de-escalation, behavioral health needs assessment, and crisis intervention. ARC can be utilized in low-risk calls related to homelessness and can offer transport, offer connections to community resources, and provide basic needs like food, water, and clothing.
5. **311 Community Responder (CR) team:** City led team of responders who are trained in de-escalation, crisis intervention, and connection to services. Community Responders handle low-level crisis and non-emergency situations and serve as an ambassador to the community on behalf of all City agencies.
6. **Projects for Assistance in Transition from Homelessness (PATH):** External partners that go directly into the community to engage individuals experiencing homelessness and connect them with mental health and other services.

## III. Objectives

1. Ensure coordinated responses to encampments across City departments.
2. Prioritize outreach and connections to housing, shelter, and supportive services.
3. Maintain transparency and accountability through thorough documentation.
4. Protect public health and safety while addressing encampment-related concerns.
5. Compliance with the federal and state court obligations regarding the City’s engagement with encampments.

## **IV. Responsibilities**

### **1. City Manager/City Manager's Designee**

- a. Coordinate the City's response to encampments, ensuring compliance with federal and state court obligations, this procedure, and Cincinnati Police Department Policy 12.111.
- b. Engage with encampment residents to assess needs and connect them with outreach providers.
- c. Notify stakeholders, including the Greater Cincinnati Homeless Coalition and Strategies to End Homelessness, within 24 hours of the posting when either (1) encampment abatement or "cleanup" notices or (2) trespass notices are posted on public property.
- d. If the resident accepts shelter placement, confirm the availability of shelter or housing options for that individual encampment resident and ensure that individual encampment resident meets criteria for the placement before initiating a cleanup action or enforcing a trespass warning.
- e. Document all actions, including outreach efforts and outcomes, and include dates and times of actions in documentation. Documentation includes taking photos or video of an encampment site before, during, and after a site is abated.

### **2. Agency Performing Cleanup (for example, Public Services, Parks)**

- a. Assist with site cleanup and property handling after some encampment closures.
- b. Ensure personal property is handled in accordance with City guidelines and the terms of the federal settlement agreement, including engaging Police officials to ensure property is handled as required by the terms of Cincinnati Police Department Policy 12.111.
- c. If an encampment is of such a type or scale as to make cleanup by the responsible agency infeasible, that agency will coordinate with the City Manager or the City Manager's Designee to find an appropriate contractor to perform the necessary site cleanup activities.
- d. Follow safety procedures outlined in the department's Standard Operating Procedure for Homeless Encampment Clean-Up.

### **3. Cincinnati Police Department (CPD)**

- a. Report all new homeless encampments discovered using the 311 CSR system.
- b. At the request of the City Manager's Designee, provide support and ensure safety during encampment outreach, cleanup, and closure operations.
- c. Follow Cincinnati Police Department Policy 12.111.

#### 4. All City Departments (Parks, Cincinnati Recreation Commission, Transportation & Engineering, Health, etc.)

- a. Report all new homeless encampments discovered using the 311 CSR system.
- b. Support encampment responses as needed, particularly in public spaces such as parks, recreation centers and spaces, and City-owned transportation infrastructure.

### V. Procedure

#### 1. Reporting and Documentation

- a. **Initial Reporting:** All encampment-related concerns must be entered into the 311 CSR system, including details about the location and conditions observed at the encampment.
- b. **Assignment:** The CSR is assigned electronically to the City Manager's Designee, who will lead the response and coordinate with other departments.
- c. **Tracking:** All actions, including outreach, notices, photographs taken and site cleanup, are documented in the CSR system. Any images captured by CPD personnel, including body worn camera video of an encampment or encampment engagement, should be retained consistent with CPD's existing records retention schedule.

#### 2. Outreach and Engagement

- a. **Validation:** Following receipt of a new encampment service request, a 311 Community Responder (CR) team will be dispatched on or before the next business day to validate the request and collect information.
  - I. The CR team will confirm the following and add their observations to the SR record for review by the City Manager's Designee:
    - i. Whether an encampment exists;
    - ii. Whether the encampment is situated on public or private property; and
    - iii. Conditions observed at the encampment, including whether individuals were present and the general state of the location.
  - II. If the conditions found do not constitute an encampment as defined in this procedure, but individuals are present that may benefit from timely outreach, the CR team will request the response of an outreach worker (for example, an ARC team, a PATH program representative, or the City Manager's Designee).

- III. If no encampment is found and there are no individuals present, the SR will be closed by the City Manager's Designee.
- b. **Assessment:** Following validation of an encampment service request, the City Manager's Designee will visit the encampment on or before the next business day to assess conditions and engage encampment residents.
- c. **Engagement:** The City Manager's Designee will:
  - I. Evaluate whether encampment residents have access to shelter.
  - II. Offer connections to shelter, housing, and supportive services.
  - III. Document all interactions and outcomes in the CSR system.
- d. If the encampment is on private property, the City Manager's Designee will engage the Department of Buildings and Inspections (B&I) and/or the Cincinnati Police Department to coordinate enforcement action.

### 3. Notice of Cleanup or Trespass and Vacate

- a. Upon observation or receipt of a complaint of a homeless encampment on public property, the City Managers' Designee will initiate an internal CSR utilizing the 311Cincy system. Any legal violations observed at a homeless encampment that are not related to the lack of shelter (for example, illicit drug use or physical assault) shall be reported by calling 911.
- b. The City Manager's Designee will investigate the encampment and engage its resident(s). If needed, the City Manager's Designee will coordinate with ARC, CPD, or PATH, to be present while the Designee assesses the situation.
- c. After being advised by the City Manager's Designee that shelter is available for impacted individuals, the City will provide written and posted notice no less than 72 hours (3 business days; weekend and holidays do not count towards the 72 hours) in advance of a cleanup or trespass enforcement action. Notice will be posted if an area is unhealthy, unsafe, or unsanitary. The notices of cleanup or trespass that are posted or issued shall reflect the minimum period of time to gather possessions and depart.
- d. Exceptions for shorter notice periods may apply in cases of immediate hazard, as referenced in Section II above.
- e. Notify stakeholders, including the Greater Cincinnati Homeless Coalition and Strategies to End Homelessness, within 24 hours of the posting when either (1) encampment abatement or "cleanup" notices or (2) trespass notices are posted on public property

#### **4. Site Cleanup and Property Handling**

- a. After the notice period, the City Manager's Designee(s) will coordinate site cleanup with the responsible agency and CPD to ensure that CPD officers are available to provide support and ensure safety during cleanup operations.
- b. Personal property that is spoiled, soiled, unhealthy, hazardous, mildewed, unsafe, or unsanitary to handle will be disposed of in a safe manner.
- c. Personal items, such as photographs, personal papers, and keepsakes, are catalogued and processed into CPD's Court Property Unit and retained in compliance with Cincinnati Police Department Policies 12.111 and 12.715.
- d. The City Manager's Designee will document with photographs or video the conditions at the encampment before and after the cleanup. This documentation and other information detailing the site conditions, such as the personnel and equipment used to abate an encampment, will be uploaded to the appropriate CSR in the CSR system.

#### **5. Post-Closure Monitoring**

- a. The City Manager's Designee will conduct follow-up visits the next business day following an encampment site cleanup and, at a minimum, one additional time during the following 7 business days to ensure the site remains clear.

### **VI. Coordination with Community Partners**

1. Engage community-based organizations to support outreach, service delivery, and follow-up efforts.
2. Share closure timelines and site conditions with relevant partners to facilitate coordinated responses.
3. Establish regular meetings with partners to review encampment-related issues and improve collaboration.
4. Establish monthly internal meeting for City staff to review encampment-related issues and responses.

## **VII. Best Practices and Improvements**

This procedure incorporates best practices from other municipal jurisdictions, including:

1. **Cross-Departmental Coordination:** Regular meetings among City departments to review data, assess conditions, and plan encampment responses.
2. **Low-Barrier Shelter Options:** Prioritizing connection and approaches that reduce barriers to shelter entry or service access.
3. **Debrief and Evaluation:** Conducting post-closure reviews to identify system gaps and improve future responses.

## **VIII. Accountability and Training**

1. All employees involved in encampment responses must complete training on the legal framework governing encampments.
2. Quarterly performance reviews will be conducted to assess compliance with this procedure and identify areas for improvement.

## **IX. Effective Date and Review**

This procedure is effective as of [insert date] and will be reviewed annually to ensure alignment with legal requirements, community needs, and evolving best practices.

## **Appendices**

- **Appendix A:** Sample Notices
- **Appendix B:** Outreach Documentation Templates

# Appendix A

## **NOTICE OF CLEANING**

This area will be closed for cleaning and maintenance on

\_\_\_\_\_ at \_\_\_\_\_ until work is complete.

Please vacate the area and take all personal belongings with you. Any remaining items will be considered abandoned.

Over the next couple of days, Outreach Teams will be offering you immediate shelter and service. If you do not want shelter, you must **temporarily leave the area by the time posted above** so that the area may be cleaned. To help ensure your safety during the cleaning, **you must leave this area** and take your belongings with you. In addition to housing, Outreach Teams will be onsite providing storage bags and assistance. Items left behind will be abandoned property, which the City will throw away.

Personal items, such as photographs, personal papers, and keepsakes, are catalogued and processed into CPD's Court Property Unit and retained in compliance with Cincinnati Police Department Policies 12.111 and 12.715

Path Outreach Team can be reached by phone at (513) 814-3886 or in person at 411 Gest Street. Generocity513 can be reached by phone at (513) 498-6192.

# **TRESPASS WARNING**

You are hereby notified to leave these premises and this land located at:

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and not return unless authorized in writing by the owner/management of this property. Failure to do so will result in your arrest for criminal trespass in violation of **Ohio Revised Code §2911.21** (a fourth degree misdemeanor with a maximum thirty days incarceration) which provides:

***(A) No person, without privilege to do so, shall do any of the following:***

- (1) Knowingly enter or remain on the land or premises of another;**
- (2) Knowingly enter or remain on the land or premises of another, the use of which is lawfully restricted to certain persons, purposes, modes, or hours, when the offender knows the offender is in violation of any such restriction or is reckless in that regard;**
- (3) Recklessly enter or remain on the land or premises of another, as to which notice against unauthorized access or presence is given by actual communication to the offender, or in a manner prescribed by law, or by posting in a manner reasonably calculated to come to the attention of potential intruders, or by fencing or other enclosure manifestly designed to restrict access;**
- (4) Being on the land or premises of another, negligently fail or refuse to leave upon being notified by signage posted in a conspicuous place or otherwise being notified to do so by the owner or occupant, or the agent or servant of either.**

You will be given up to 72 hours to remove your personal belongings from this location. After the 72 hours, you are subject to arrest and the removal of your items will occur. Social service agency support can be arranged to assist you in your efforts to comply with this notice by contacting The Greater Cincinnati Coalition for the Homeless, at (513) 421-2701 or in person at 117 East 12<sup>th</sup> Street, Cincinnati, Ohio 45202.

Thank you for your cooperation in this effort to find a safer alternative to your current living conditions.

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I hereby acknowledge receipt of this notice:

Name: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

# Appendix B

Encampment Location:

Visit Date	Campers Present	Services Offered
...	...	...
...	...	...
...	...	...

Date Notice Posted	Reported to Homeless Coalition	Date(s) of Reported Cleanup	Shelter Beds Available
...	...	...	