



Pomona Police Department
DFTC TRAINING MEMORANDUM

No. 2024-011

Date: September 04, 2024

To: Police Department

From: Alyssa Bostrom, Lieutenant

Subject: Citywide Park Encampment Removal Procedure

Please see the below procedure for the removal of encampments from City parks. The procedure is effective immediately. If you have any questions, please contact the Quality of Life Unit.

Prepared by:	Sgt. Paulson
Approved by:	Lt. Brown



Citywide Park Encampment Removal

The City of Pomona does not permit encampments in its parks. The City's goal is to maintain the integrity of its parks and recreational spaces that serve its community members. Encampments degrade public infrastructure and impact the maintenance demands on park facilities. Removal of encampments mitigates health, safety, and access for the unhoused, community members, adjacent neighborhoods, staff, and first responders. This policy aims to ensure that all City personnel and contractors involved in the cleanup of encampments understand the City's need to maintain access for all to its parks and recreational spaces while also recognizing that encampment cleanup operations impact unhoused individuals. The policy will also guide staff and contractors during cleanup operations. Finally, this policy is being implemented at the encouragement of Governor Newsom pursuant to Executive Order N-1-24.

A. Site Assessment

1. When feasible, a site assessment should be performed by Pomona Police Department and include:
 - a. Prioritization of each encampment as either a Priority Level 1 (Critical Priority for Expeditious/Urgent Removal) or a Priority Level 2 (Removal needed).
 - i. Priority Level 1 (Critical Priority for Expeditious/Urgent Removal)—Critical circumstances exist when an encampment poses an imminent threat to life, health, safety, or infrastructure and must be immediately addressed. This is limited to difficult circumstances. Non-exclusive examples include the encampment being on or near an unstable structure at risk of collapse, those in the encampment being at immediate risk, or there being a threat of fire.
 - ii. Priority Level 2 (Removal needed) - All other encampments.

B. Site Assessment Action Items and Considerations

1. When appropriate, the Police Department (PD) should be contacted in advance to assist in initial site assessment.
2. The Site Coordinator, the person leading the encampment cleanup, should contact service providers and request outreach services for the unhoused at the encampment.
3. The Site Coordinator should evaluate the site for any hazards unique to the encampment that will require specialized hazardous materials handling, disposal, or site remediation.
4. If appropriate, the Site Coordinator should evaluate potential mitigation efforts related to landscaping to prevent future encampments.

C. Notice to Vacate

1. Priority Level 1
 - a. No advance posted Notice to Vacate is required.
 - b. PD should be present during operations if requested by the Site Coordinator.
 - c. If circumstances reasonably allow for advance notice, then give as much advance notice as is reasonable under the circumstances, which will be determined on a case-by-case basis.
 - d. If advance written notice is not given and if property was collected during the removal, a Post-Collection Notice shall be posted in a prominent location near where the encampment was removed. It shall provide information describing where items were removed from, a contact phone number for reclaiming collected property, and the date by which property must be reclaimed.
 - e. Photographs or videos of the Post-Collection Notice should be taken.
2. Priority Level 2
 - a. Post Notice to Vacate at least 48 hours before beginning encampment removal.
 - b. PD, or designated staff, shall be present during the posting of the Notice to Vacate.
 - c. Location of posted Notice to Vacate - Written Notice to Vacate should be posted at each major point of ingress/egress in a conspicuous manner.
 - d. If prevented from posting the Notice to Vacate because of hostility, interference, or any other action from persons on site, posting should not be attempted until PD mitigates the situation.
 - e. Photographs or videos should be taken of the posted Notices to Vacate.
3. Notices to Vacate should be enclosed in sheet protectors to protect against weather.
4. Notices to Vacate shall include:
 - a. Posting date and time.
 - b. Location.
 - c. "Vacate by" date and time.
 - d. Telephone number for assistance in obtaining property collected during a removal.
 - e. Date by which property must be collected from the City before it is discarded.
 - f. Removal start and end dates.

D. Removal Operations

1. Before work at the encampment site, PD shall be present. Do not begin removal operations when the affected unhoused are in the area designated for material removal. Any unhoused who remain on site when staff or contractors arrive to begin the removal shall be given a reasonable amount of time to remove possessions before any removal begins.
2. Where advance written notice is given, removal work shall begin on the date written on the Notice to Vacate and shall begin no earlier than the time written on the Notice to Vacate. If removal work does not begin on the date written on the Notice to Vacate, the location must be reposted before removal operations may begin. If removal work is prevented because of hostility, interference, or any other action from persons on site, removal work should not be attempted until PD mitigates the situation. No further posting is necessary once staff and/or

contractors arrive for removal operations, which will continue from day to day until it is completed.

3. Photographs or videos should be taken before, during, and after removal work has been completed.
4. When needed, hazardous materials-trained personnel (e.g., contracted vendor) should evaluate the site to identify and plan for the removal of any hazardous materials.
5. When possible, equipment should be used to gather, pile, and load encampment debris to reduce exposure and contamination.
6. Any collected personal property should be stored in a secured location for no less than 90 days, then discarded if not claimed.
7. Bags used by the City to collect items should differentiate in color (trash vs storage).
8. Collected personal property should be photographed and shall be inventoried by describing and labeling the items, identifying the encampment location, and recording the removal date.

E. Items to be Collected, Bagged, Tagged, and Stored

1. Personal property that is not a health or safety hazard in plain sight shall be collected, bagged, labeled, and stored. City employees and contractors shall collect the following items:
 - a. Items of apparent value - items having an apparent value of \$50 or more.
 - b. Items of apparent personal value including but not limited to:
 - i. Eyeglasses, operational wheelchairs, walkers, crutches, and other medical equipment.
 - ii. Tents (habitable and uncontaminated).
 - iii. Personal papers such as photographs, albums, IDs, bank statements, legal papers, etc.
 - iv. Bicycles, scooters, and strollers in good repair.
 - v. Backpacks and containers that appear to be in good condition as determined by the HEART/PW team.

F. Items to be Disposed

1. Items that present an immediate health or safety risk, such as:
 - a. Toxic sharps: needles, scissors, knives.
 - b. Chemicals: bleach, paint, oils, etc.
 - c. Items (including bedding and clothing) soiled by infectious materials: human waste, bodily fluids.
 - d. Moldy, mildewed items.
 - e. Items that are infested by rodents and insects, such as rats, mice, fleas, lice, and bed bugs.
 - f. Items that pose a risk of fire or explosion, combustibles and propane tanks; any item containing fuel or corrosives or other unidentified liquids.
 - g. Backpacks and closed containers that have been determined by the City's hazmat contractor to contain items listed in a-f above or items 3, 4, 5, or 6

h. If personal belongings are co-mingled or littered with needles, human waste, or other health risks, employees/contractors may dispose of the entire pile of belongings and are not required to sort through and attempt to remove the non-health or safety hazards. The presence of clothing in a backpack or container shall not be the sole reason to discard the backpack or container.

- ## G. Reclaiming Collected Personal Property

- ## H. Requests for Reasonable Accommodations under the Americans with Disabilities Act

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City will provide reasonable accommodations when the need for such accommodation is clear, such as a person using mobility equipment or where such accommodation is required by statute or regulation.

The Site Coordinator shall conduct a visual assessment in advance of the cleanup to assess the potential ways the planned activities may impact disabled individuals. A necessary component of this assessment shall involve identifying unhoused people with obvious accommodation needs.

An unhoused person's accommodation request may be made in writing or verbally anytime, including on the day of the clean-up. The unhoused individual will be directed to the designated person who is providing onsite accommodation services. That person's property shall not be removed or discarded pending the determination of their accommodation request.

The City will comply with HIPAA regulations. It will gather sufficient information from the person with disabilities who made the accommodation request and from qualified experts to determine whether the requested accommodation is reasonable without requesting medical information beyond the individual's disability-related limitations.

If the City denies a request, it will provide a written denial explaining the interactive process undertaken and why the request was denied, pointing to lawful reasons for denial in detail. The Site Coordinator or their designee will engage in an interactive process with the requester to determine whether an alternative accommodation is available to meet the requester's needs. The Site Coordinator or their designee will investigate the request, communicate effectively with the requester, and determine whether another accommodation would meet the requester's needs. A denial may be appealed immediately to the ADA Coordinator or their designee.

A reasonable accommodation may include, for example, but is not limited to, one or more of the following:

Temporary wheelchair access	Additional time to relocate
Temporary walker access	Hotel vouchers
Transportation assistance	Assistance with accessing temporary property storage
Assistance with packing, storing, and/or transporting personal property	



48-HOUR NOTICE OF CLEARANCE

ILLEGAL USE OF FACILITY

Storage of Personal Property in a Public Place (PCC 46-604)

Due to health and safety reasons, this property is
scheduled for maintenance.

PROPERTY LEFT IN THIS AREA WILL BE REMOVED ON

_____, 2024 at ____:____ a.m./p.m.

Property may be picked up free of charge from:

**Code Compliance Division
505 S. Garey Avenue, Pomona
(909) 620-2374**

- Monday – Thursday, 8:00 a.m. – 4:00 p.m.
- Friday – Sunday, 8:00 a.m. – 4:00 p.m., *by appointment only*

- No identification is required to retrieve property, except for prescription medications.
- You will be required to identify the property by location and contents.
- You will NOT be issued a ticket, fine, or citation for collecting your property.
- Property not claimed after ninety (90) days from the collection date designated in this notice, will be disposed and/or destroyed by the City.

DATE POSTED: TIME: A.M. /P.M.

PUBLIC WORKS DEPARTMENT – PUBLIC SERVICES DIVISION, 636 W. Monterey Ave., Pomona, CA 91768
(909) 620-3665

Updated 08-22-24



NOTICE

DR# _____

RETRIEVAL OF PROPERTY

The property in this area was collected on:

_____, 2024 at _____:_____ a.m./p.m.

Notice of Collection was:

☐ Provided on _____, 2024 at _____:_____ a.m./p.m.

☐ **Not** provided due to fire/health/safety risk(s).

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