



City of Mt Shasta Police Department

Chief Parish D. Cross



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Dealing with the Homeless, Transients, and Private Property Issues

Homelessness is an extremely complex social problem that impacts the quality of life in our community. There are no easy solutions.

The MSPD and elected officials in the County and City recognize that there is a fine line between homelessness as a social issue and a criminal issue. Many homeless people are on the street because of substance abuse, mental illness or both.

While being homeless is not a crime, many kinds of public conduct are illegal and should be reported to the MSPD. These include being intoxicated, loitering, prowling, fighting, trespassing, aggressive panhandling, soliciting, urinating/defecating, consuming alcoholic beverages in certain public places, camping or sleeping in parks, littering, obstructing sidewalks, living in a vehicle parked on a public street, disturbing the peace by loud and unreasonable noises, using offensive words, behaving in a threatening manner and more.

Citizen's Arrest

Because many of the crimes involving homeless people are misdemeanors, a police officer can only arrest a person if the offense is committed in his presence. However, a person who witnesses the offense can make a citizen's arrest by doing the following:

- Call the MSPD and provide details of the offense. Call **911** if it is an emergency, i.e., if the crime is in progress or about to happen and involves serious personal injury, property damage or property loss. Otherwise call **(530)926-7540**, the MSPD non-emergency number.
- When an officer arrives to take physical custody of the suspect, sign the arrest form stating that the offense was committed in your presence and that the officer is lawfully making the arrest. You must also be willing to appear and testify in court. Depending on the crime, the suspect may be taken to jail, cited, or given a warning.
- You do *not* have to physically take the suspect into custody. For your safety, such action is discouraged by the MSPD.

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Avoiding Problems

The following tips will help you avoid problems with homeless people.

- Talk to the MSPD Officers about any problems with homeless people. If warranted, file a Letter with the department. This letter authorizes the MSPD to enter your property to investigate suspicious activity and to arrest people who are trespassing or committing a crime. A copy of this form can be picked up at the Department. The form must be renewed every six months.
- If you do file a Letter with the department, you should also post NO TRESPASSING signs stating that a Letter has been filed with the MSPD. Give the address of the property, the name and phone number of the property owner/ manager and the non-emergency MSPD phone number to report suspicious activities (530)926-7540. The signs should be at least 18 by 24 inches in size, have a font visible from the nearest public street, not be accessible to vandals and be posted at the entrances - spaced evenly on the boundaries of the property.
- Avoid confrontations and maintain a safe distance. Use caution is dealing with them.
- **Do not offer food or money. It may encourage more panhandling. If you are inclined to help the homeless, it is better to contribute to local charities, missions, food banks or social service organizations that assist the needy. Most homeless/transients receive public assistance, and a considerable amount of money they receive from panhandling is spent on drugs or alcohol.**
- **Do not permit anyone to camp or loiter on your property.**
- **Do not allow anyone to store shopping carts, bedding or other personal belongings on your property.**
- Restrict access to sidewalk overhangs, alcoves, or other areas protected from inclement weather.
- Lock or remove handles from water spigots.
- Keep trash dumpsters locked when not being filled or emptied.
- Secure outside storage sheds or containers.
- **Lock or turn off exterior power outlets.**
- Lock gates after hours.
- **Install motion-activated exterior lighting after hours.**
- **Trim landscaping to eliminate hiding places.**
- **Canopies of mature trees should be maintained at least 8 feet above the ground.**

- **Bushes should be trimmed to less than 3 feet except where privacy or environmental noise mitigation is a primary concern, or where higher plants would not block any views/ lighting/camera coverage or provide hiding places.**
- Keep property free of trash, litter, junk, etc.
- Use “graffiti-resistant” paint or anti-graffiti coatings on the sides of the building and any other design features that could be vandalized.
- Additional protection can be obtained by planting vines and bushes along the sides of the buildings. They help keep vandals away from the walls and cover areas that might otherwise be vandalized.
- **Report graffiti and other vandalism, and clean up promptly after the officers have taken pictures.**
- Design public amenities to discourage misuse. For example, shape benches and other seating to be comfortable for sitting but not for sleeping.
- **Have plants at sidewalk level. If raised planter boxes are used, the sides should be at least 4 feet high or their tops should be uncomfortable for seating. By making them very narrow and allowing plants to grow over them, it will make them less desirable.**
- Establish, post, and enforce rules of conduct for public use of private property. Include signs of nighttime curfews and prohibitions of loitering, illegal lodging, drinking alcoholic beverages, smoking and drug activities. The signs should state that persons engaged in prohibited conduct will be asked to leave the property and that failure to cease the behavior or leave the property will result in a call to the MSPD, and being trespassed from the property.
- **Install surveillance cameras to cover public areas.**
- If security personnel are not available or if it is not practical to monitor the cameras all the time, install video analytics or intelligent video software in your camera system. It will alert you when something suspicious occurs. Lights could be turned on at night when motion is detected, and audio announcements could warn trespassers that the police would be called if they do not leave the property immediately.

If you have additional questions contact the Mt. Shasta Police Department at (530)926-7540 or email mspd@mtshastaca.gov.

If you have an emergency, dial 9-1-1.

For 24-hour non-emergencies, dial (530)926-7540