



GUIDE TO ADDRESSING HOMELESS ENCAMPMENTS

When a person who is experiencing homelessness takes shelter in our hillsides, it presents a very sensitive public safety issue. While the City does not want to criminalize the conditions of poverty or mental illness that can lead to homelessness, we cannot allow illegal warming or cooking fires to endanger the individual and our community. With more than 21 miles of hillside to monitor in our City, we need everyone to play a part in reducing the threat.

What the Sheriff's Deputies Can Do:

- If you report an encampment on your property, Sheriff's Deputies can cite the inhabitants for trespassing and remove the individual(s).
- If your property is vacant or you do not live on your property full-time, you may file a "Letter of Agency" with the Sheriff's Department. This letter empowers Deputies to remove trespassers when they are reported by someone else and Deputies are unable to contact you.
- The City posted a Letter of Agency on its website at www.MalibuCity.org/LetterofAgency that can be downloaded or printed out, filled in, and submitted to the Malibu Lost Hills Sheriff's Station in person, by mail, or by email.
- If you report an encampment on someone else's property, the Sheriff's Department can work with the City to identify the property owner, check for a Letter of Agency on file, and/or contact the property owner to see if they want the encampment occupants removed.
- If a homeless individual has an illegal warming or cooking fire, the Sheriff's Department can cite the individual and the Fire Department will extinguish the fire. If a homeless individual has been arrested or cited for any offense, Sheriff's Deputies cannot prevent them from returning to Malibu once released from the court system.

What the City Can Do:

- When you report an encampment to the City, staff can verify who the property owner is, work with the Sheriff's Department to check for a Letter of Agency, and/or contact the property owner to obtain a Letter of Agency.



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- If the individual is on private property and the property owner has a Letter of Agency on file with the Sheriff's Department and wishes to have the individual removed, then the City can work with the Sheriff's Department to remove the individual(s) and their belongings.

What Residents and Business Owners Can Do:

- If you see an encampment on your property and you want it removed, contact the Sheriff's Department.
- If your property is vacant or you do not live on your property full-time, make sure you have a "Letter of Agency" on file with the Sheriff's Department. Sheriff's Deputies need this to enter your property and remove trespassing individuals. Clearly posted "No Trespassing" signs also facilitate the timely removal of trespassing individuals. For more information about Letters of Agency, please call the Malibu/Lost Hills Sheriff's Station Watch Deputy at 310-456-6652 or 818-878-1808.
- When Red Flag weather warnings are issued, scan the area around your property to check for encampments. If an encampment is on your property, call the Sheriff's Department. If it's not on your property, contact the Public Safety Office, who can determine who the property owner is and work with the Sheriff's Department to address it appropriately.
- If you see a campfire in the brush, call 911 immediately. Sheriff's Deputies can cite the individual for an illegal fire and the Fire Department will extinguish the fire.

What the Sheriff Deputies Cannot Do:

- A recent ruling by the 9th Circuit Court of Appeals states that people cannot be cited for camping, lodging, or sleeping overnight on public property such as parks, beaches and streets if there is no alternative shelter available. Therefore, if a homeless individual is sleeping on public property, Deputies cannot cite the individual solely for violating the City of Malibu's ordinance prohibiting camping, lodging, or sleeping overnight in public parks, beaches and streets if there is no alternative shelter available to the individual.
- Sheriff Deputies cannot remove a homeless individual camping on private property if the property owner is not interested in having them removed, unless the individual is causing a disturbance or committing a crime.