



Homelessness FAQ

In June 2024, the Supreme Court ruled in the case City of Grants Pass, Oregon vs. Johnson that the City’s ordinance prohibiting camping on public property was not unconstitutional. Does this change the City of Malibu’s approach to addressing homelessness in the City?

This ruling does not change the City's approach. The City will continue its proactive, service-driven approach that strategically bridges outreach and enforcement while considering its impacts on the community. Encampments on public property will continue to be immediately addressed in partnership with the LA County Sheriff’s Department and the City’s Outreach Team.

Does the Grants Pass ruling change the Sheriff’s Department’s response to homeless individuals who are camping illegally?

There will be no significant change in the Sheriff's Department response pending further direction from the Board of Supervisors, County Counsel, and Sheriff Robert Luna. While Deputies may be able to cite for illegal camping, this is a “cite and release” offense under Los Angeles County’s “Zero Bail” policy. For more information about the Zero Bail policy, visit <https://jcod.lacounty.gov/new-bail-schedule-information>. If individuals are found camping or sleeping in their car or elsewhere, they can be asked to move along, but they will most likely not be physically arrested or forcefully removed unless they are also committing another serious crime. The course of action always depends on the specific situation and is handled on a case-by-case basis.

Will Governor Newsom’s Executive Order directing state agencies to address encampments with urgency and dignity impact how homelessness is handled in Malibu?

Probably not. Governor Newsom’s order directs state agencies to move urgently to address dangerous encampments while supporting and assisting the individuals living in them. The order directs state agencies and departments to adopt policies and plans consistent with the California Department of Transportation’s (Caltrans) existing encampment policy. Caltrans’ policy prioritizes encampments that pose a threat to the life, health, and safety of the community, provides advance notice of clearance, works with local service providers to support those experiencing homelessness at the encampment, and stores personal property collected at the site for at least 60 days. The City of Malibu’s approach to encampments is consistent with the Caltrans policy. The City has a proactive, service-driven approach that strategically bridges outreach and enforcement while considering its impacts on the community. Encampments that pose a safety threat are immediately addressed in partnership with the LA County Sheriff’s Department and the City’s Outreach Team.

How does the City address encampments on public property?

City staff in coordination with the Sheriff's Department will post a notice at an encampment that allows people staying at that site 72 hours to vacate the area and engage in outreach services. Once that time lapses, an encampment clearance proceeds, and any belongings and debris left on the premises are disposed of. Anything deemed to be of great importance and to have confidential information (i.e., personal records, sleeping bags, medication) is held at Malibu City Hall for a specified time, allowing the owner to retrieve it later before being disposed of.

How does the City address encampments on private property?

Encampments on private property should be reported to the Malibu - Lost Hills Sheriff's Station at 818-878-1808. If you report an encampment on your property, Sheriff's Deputies can cite the people residing there for trespassing and remove them. Property owners may file a Letter of Agency, which permits the Sheriff's Department to remove trespassers from their private property when the owners are absent. City staff can further assist private property and business owners with addressing encampments on their property.

What can be done to address individuals living in RVs and vehicles along Pacific Coast Highway (PCH)?

With respect to RVs, the Sheriff's Department and the City's new parking enforcement services team, LAZ, can issue citations under the City's oversized vehicle ordinance. This leads to increasing fines for oversized vehicles parked on PCH for an extended period. However, this parking violation is not a towable offense, unless the vehicle is creating a clear safety hazard.

People who are living/sleeping in any vehicle (RV or car) can be cited for "illegal camping" and asked to move along. However, they will not be physically arrested or forcefully removed unless they are also committing another serious crime. The course of action depends on the specific situation and is handled on a case-by-case basis.

Why can't an RV that receives multiple tickets be towed away?

Law enforcement may not tow away a vehicle solely for having multiple unpaid parking tickets. Prior to July 2023, law enforcement was able to tow a vehicle that had five or more unpaid parking tickets. However, in July 2023, the California Court of Appeals ruled that law enforcement can no longer tow vehicles solely based on unpaid parking tickets.

What can the Sheriff's Department or the City do about a group of people experiencing homelessness who hang out at my local park, library, or shopping center?

If a person is not engaged in criminal activity that would necessitate a response from the Sheriff's Department, such as starting an open fire, setting up an encampment, threats or assault, they are allowed to use all public facilities. Sitting on benches or spending time in or around the park with personal belongings (including shopping carts) does not violate the City ordinances. However, any encampments seen in the park overnight will be addressed by the following morning.

Why does it sometimes take so long for an encampment to be cleared?

When there is a large encampment (with five or more people), the Sheriff's Homeless Outreach Services Team (HOST) can assist. HOST follows a 30-day protocol that allows people residing in encampments ample time to accept services and alternate shelter options that are offered.

However, the "protocol" must first be approved by the Los Angeles County Department of Public Works and the Los Angeles County Homeless Initiative before it can begin. Therefore, the whole process may take 45 days or longer. HOST has been very successful in clearing large encampments using this methodology.

What can the Sheriff's Department and City do to prevent wildfires caused by cooking and warming fires?

During periods of high risk for wildfires, the Sheriff's Department and the City can move quickly to remove encampments from the brush. The City has adopted several policies to support this action including:

- The City Council may declare a local emergency and implement a program for reducing the risk of fires associated with individuals engaged in unpermitted camping when the local live fuel moisture (a measure of fire risk) is 65% or less.
- The City Council adopted an ordinance that amended the Malibu Municipal Code to state that, "Any portion of public or private lands in any wildfire risk area or in a Very High Fire Hazard Severity Zone may be closed to the public by the fire code official at the request of the owners of such public or private lands, when in the opinion of the fire code official such closure is necessary for the prevention of fires."
- The City Council amended the Nuisance Code to include fire hazards in the definition of a nuisance and added procedures for the City Manager to quickly abate a nuisance that poses an immediate safety threat.

Is the homeless population in Malibu increasing?

No. The latest data from the Greater Los Angeles Homeless Count found 69 people experiencing homelessness, which is the lowest number since 2016, when the City began participating in the Homeless Count.

What should I do if I feel a homeless person is a threat to themselves or someone else?

If you have an immediate safety concern about yourself or anyone else, you should immediately call 911 or call the Malibu-Lost Hills Sheriff's Station directly at 818-878-1808.

Who should I call in the City to assist me with a homeless issue?

The City's Public Safety Coordinator can assist with homeless issues and can be reached at 310-456-2489, ext. 236.