

Law Enforcement Engagement in Supportive Housing

Introduction

The goal of this document is to help supportive housing providers improve their relationships with local law enforcement. Fostering positive relationships between supportive housing staff and law enforcement (LE) can lead to better outcomes for supportive housing tenants and the broader community. This includes reducing emergency response, addressing root causes around law enforcement engagement (e.g. mental health needs), enhancing public safety, and reducing criminalization of tenants. By working together, supportive housing providers and law enforcement can create a more compassionate and effective approach to addressing homelessness. Below are some strategies that supportive housing programs can use before, during, and after a crisis. By implementing these strategies, supportive housing staff can work more effectively with law enforcement to ensure the safety and well-being of all involved.

Proactive Strategies

Training and Education

- ▶ Train both law enforcement and supportive housing staff on each other's roles and how to most effectively work together.
- ▶ Encourage police departments to train their officers in best practices, including Crisis Intervention (CIT) and trauma informed approaches. This training offers an opportunity to educate law enforcement in how to effectively engage and work with people experiencing unsheltered homelessness and people living in supportive housing.
- ▶ Effective cross-training includes educating police departments on the services offered in supportive housing and how these services can support overall community safety (e.g. "good neighbor training" and mental health connections). This can also include educating them on the needs and challenges of the supportive housing community.
- ▶ Encourage ongoing education for supportive housing staff to stay updated on best practices. Especially around de-escalation techniques and crisis intervention. Practice scenarios based on previous crises to build muscle memory and identify areas that need refinement.

Utilize Community Resources

- Engage with local mental health professionals, social workers, outreach workers, and other community resources to provide comprehensive support during and after a crisis.
- Gather information on crisis and emergency services in your community. Does your community have a mobile behavioral health crisis team? Do local police precincts have response teams that include outreach or mental health professionals (e.g. a law enforcement-led Homeless Outreach Teams)?

Establish Clear Communication Channels and Opportunities to Build Trust

- Offer regularly scheduled times when law enforcement leaders and supportive housing leaders can communicate about issues affecting both their work.
- Have a designated point of contact within the law enforcement agency for ongoing communication.
- Ensure all supportive housing staff know who to contact within law enforcement in an emergency and how to reach them quickly.
- Invite law enforcement to community events to build trust and familiarity.

Develop Protocols for Law Enforcement Engagement

- Create detailed crisis response plans that include steps for involving law enforcement (when to escalate, who to call, details to include, etc.).
 - Staff should have a clear sense of what details they are able to share with law enforcement.
 - If you have surveillance footage, have an agency protocol around when to share, and who is authorized to provide footage.
- Ensure staff are educated on civil rights regarding law enforcement interactions. This will allow them to recognize and identify if someone's rights are being violated. Consider crafting language staff can use when advocating for tenants during law enforcement interactions. Also, you can contact your local ACLU affiliate for more information or educational opportunities/resources.
- Identify which staff person is going to engage law enforcement when they arrive.
- Ensure these protocols are regularly reviewed, updated, and communicated.

Empower Residents when Law Enforcement is or might be Involved

- Involve residents in decision-making processes when possible, giving them a sense of control.
- Clearly explain what is happening and why, to reduce feelings of helplessness.
- Be transparent and inform residents when law enforcement is going to be called if it doesn't create a safety risk or further escalate the situation.
 - **Tip:** the staff person with the greatest rapport with the tenant should take the lead in delivering this message.

During a Crisis: Guidance for Supportive Housing Providers

1. When to Call Law Enforcement:

- First, review any policies or procedures that address when to call 911 (e.g. staff manual, crisis management policy, etc.)
- If no policy exists, consider these questions to help decide:
 - Is anyone at risk of immediate harm (e.g. violent threat, physical aggressions, self-harm)?
 - Is there a mental health or crisis services provider that you can call first?
 - Is there an internal resource that staff can engage?
 - Is anyone requesting emergency services?
 - Is this solely a legal matter (e.g. not a medical or mental health emergency)?

2. What to Say when Calling 9-11:

- Use clear and calm communication:
 - Be clear on why you need support (law enforcement vs ambulance or fire)
 - When contacting law enforcement, provide clear, concise information about the situation.
- Inform them if it is a mental health crisis
 - Ask for specialized behavioral health support if available
- How to share key information while respecting a tenant's privacy:
 - Avoid Protected Health Information (PHI) when possible. Identify what information is needed that is not protected. For example, you could say someone has a "mental health need" instead of sharing a specific diagnosis.

- a. Focus on what you're observing in the moment rather than what you may know in your professional relationship with the resident.

3. What to Request when Law Enforcement Arrives Onsite:

- Name(s) and badge number(s)
- Responding unit number
- Case number (if applicable)
- Destination (if someone is being transported off site)

4. What Information to Give when They Respond

- Confidentiality and Privacy:
 - Protect the confidentiality and privacy of tenants during interactions with law enforcement.
 - Share only necessary information to ensure the safety and well-being of all involved.
 - Have authorization forms available at multiple system points. This provides the opportunity to quickly get permission to share needed information. Tablet computers may also be a way to quickly secure authorization on the scene.
 - Understand exceptions. Federal laws provide some exceptions for the usual privacy protections. Some examples include to prevent a threat to an individual or community or to locate a fugitive (see Additional Resources for more information and exceptions).

5. How to Support Tenants during Interactions with Law Enforcement

- Approach tenants with empathy and compassion, acknowledging their feelings and experiences.
- In a mental health crisis, engage mental health services resources or trauma-informed care providers first
- Offer immediate emotional support to tenants during and after the crisis.
- Inform the tenant about why you are calling 911/law enforcement
- Avoid practices that could re-traumatize tenants, such as unnecessary physical restraints or loud, authoritative commands.
- Encourage law enforcement to use de-escalation techniques that prioritize the tenant's emotional and psychological well-being.

6. How to Prepare

- ▶ Prioritize safety for everyone:
 - Make sure there is a designated staff to take the lead on interactions
 - Ensure the safety of all residents and staff by following established safety protocols.
 - If possible, remove individuals from the immediate area of the crisis to a safer location.
 - Ensure the physical environment is as calm and safe as possible.
 - Use soothing tones and body language to help tenants and staff feel secure
- ▶ Be prepared to share and collect needed information

7. Tips to Prevent Further Escalation

- ▶ Remain calm and composed to help de-escalate the situation.
- ▶ Be aware of common trauma triggers and how they might affect tenants during a crisis.
- ▶ Communicate these triggers to law enforcement to help them avoid actions that could escalate the situation.
- ▶ Avoid “crowding” the tenant in crisis. Use environmental management and have one or two staff to take the lead and serve as back up.

8. How to be Culturally Sensitive

- ▶ Be mindful of cultural differences and how they might impact a tenant’s response to law enforcement.
- ▶ Be aware of racial, ethnic, and gender dynamics.
 - Be considerate of Black, Indigenous, and People of Color’s (BIPOC) communities’ history with law enforcement.
 - Tenant and staff citizenship status
- ▶ Educate and advocate for tenants and staff
 - Whenever possible emphasizing the importance of understanding and patience.
 - Ensure that law enforcement is aware of and respects these cultural considerations (e.g. explicitly afraid of LE, language barriers, etc.).

During Crisis - Script Example

- ▶ Examples of when to call and when not to call
 - When to call:
 - Threat of harm to oneself or others
 - Extensive property damage
- ▶ When not to call:
 - Suspicion of criminal activity
 - Verbal threats or threatening behavior
- ▶ Examples of how to describe a mental health crisis
 - Describe observations of language and behavior
 - Avoid using subjective terms
 - Utilize non-emergency number
- ▶ What to say when law enforcement asks for more information than you can or want to share
 - E.g., names and information of individuals not involved
 - “Unfortunately, I am legally not allowed to share that information.”
 - Refer them to designated individuals who can discuss their request.
 - Share a copy of the statute and policy regarding confidentiality.
- ▶ Asking to enter a unit without tenant’s permission
 - Establish policies to describe specific reasons to provide access.
- ▶ If asked for surveillance footage, reference agency policy
 - “Unfortunately, I am not allowed to share that information without the permission of my leadership [or title/role referenced in agency policy]”
 - “Please contact [name of role/person] about accessing our security footage.”

Post-Crisis

Post-crisis or post law enforcement engagement is a great time to reflect on what went well, what can be improved, and how a Trauma Informed Approach can remain at the forefront of future interactions.

- ▶ Within 48 Hours:
 - After the crisis, debrief with law enforcement to discuss what went well and what could be improved
 - Consider discussing this at regular law enforcement/supportive housing leader check-ins if not urgent.
 - Provide support to tenants and staff affected by the crisis or incident.
- ▶ If appropriate, include law enforcement in the formal debrief with your program
 - Holding a debrief after a critical incident is an important component of a closed-loop incident management protocol. If you are holding a staff or community debrief, and your team determines there is added value in involving law enforcement, you should consider doing so. However, remember to ensure meeting members are made aware of law enforcement presence before the meeting takes place.
- ▶ Provide feedback to staff and local precinct/point of contact
 - It's important to raise awareness when there are concerns with conduct or communication regarding law enforcement engagement and how critical incidents are handled. Provide clear, concise feedback and offer solutions as to what you think could have gone better.
 - It's equally important to raise what went well – providing positive feedback can help reinforce more collaborative and trauma informed responses in the future.
- ▶ Invite feedback from law enforcement for staff/organization
 - Allow for feedback from law enforcement on how they experience engagements, communication, and interactions with staff.
- ▶ Close feedback loop on lessons learned and any updates to policies or procedures.
 - If there are actionable items that result from debriefs and conversations after incidents, be sure to follow up with all relevant parties and communicating any changes

➤ Document Incidents:

- Keep detailed records of all interactions with law enforcement, including the nature of the crisis and the response as well as any required follow up.
 - Consider tracking:
 - Names of staff involved/who responded
 - Names and addresses of tenants involved
 - Location of incident
 - Date and time of incident
 - Whether or not law enforcement was called
 - Length of response time for law enforcement
 - Whether or not other crisis systems were called and if they responded
 - Whether or not the event resulted in any fatalities or serious injuries
 - Whether or not property was damaged
 - Whether or not the incident resulted in a trespass
 - Whether or not there was a third-party disclosure without consent
 - If there was a third-party disclosure without consent than what was included and to whom it was disclosed
 - If a debrief was held or scheduled regarding the incident
 - Immediate follow up and who is responsible
 - Whether or not a supervisor was informed of the incident
- Use this documentation to review and improve crisis response protocols. A formal review of your critical incidents should occur once a quarter and any resulting changes to policy or protocol should be communicated to any relevant parties

➤ Follow-Up Care:

- Arrange for follow-up care and support for residents after the crisis. If this event happened after hours, make sure incoming staff are made aware of the incident.
- Monitor their well-being and provide additional resources as needed to aid in their recovery.
- Review or create safety plans with tenants involved.

Additional Resources

- [Police-mental health collaborations \(PMHCs\) Webinar](#)
- [National Survey of Police-Mental Health Collaboration Programs in Large U.S. City Police Departments - CSG Justice Center](#)
- [Know Your Rights | Stopped by Police | ACLU](#)
- [Disclosures for Law Enforcement Purposes | HHS.gov](#)
- [HIPPA in Emergency Situations](#)