



City of Albuquerque

Policy for Responding to Encampments on Public Property

October 2021

Revised October 2022

Contents

I. Guiding Principles.....2

II. Definitions4

III. Identifying an Encampment.....5

IV. Risk Assessment Analysis & Prioritization of Response 6

V. Initial Engagement of Encampment7

VI. Removal of Encampments – Immediate Hazard or Obstruction..... 9

VII. Notice Requirements for Encampment Removal.....10

VIII. Encampment Outreach.....9

IX. Encampment Removal & Site Clean-Up.....10

X. Lost or Abandoned Property13

XI. Coordination with APD 12

XII. Training14

XIII. Record Keeping13

XIV. Grievance Process14

I. Guiding Principles

Homelessness is a growing issue throughout the United States, including in Albuquerque. People without homes who live in encampments can be an uncomfortable reminder that while we live in the richest nation in the world, economic inequality and structural racism have created the conditions where thousands of people are without housing each year in Albuquerque. Homelessness impacts people from many walks of life, but there are particularly high rates among Native Americans, Black and Hispanic populations, people with disabilities, and people with mental health or substance use disorders. People experiencing homelessness are frequently victims of crime and certain populations are especially susceptible to human trafficking, sex crimes, and other crimes of violence.

The proliferation of encampments is a result of decades' worth of policy decisions at the federal, state, and local levels that have created structural inequities that will take time to reverse. This policy cannot by itself end homelessness; however, this policy can and should be interpreted to provide protections for people experiencing homelessness, to help guide coordination of resources, to set expectations for how City personnel are to treat people experiencing homelessness, and to provide guidance on fair procedures for encampment removal when necessary.

The City of Albuquerque recognizes that there are no "homeless people," but rather people who have lost their homes and deserve to be treated with dignity and respect. We believe deeply in the strengths and assets of people who are experiencing homelessness, believe in the value of having their voices at the planning table, and remain committed to supporting each and every individual in fulfilling their potential.

In order to formalize a policy on encampments, the City of Albuquerque must balance multiple, sometimes competing priorities from a diverse group of stakeholders. These include homeowners, business owners, public health and safety officials, and our unsheltered neighbors. In order to strike the right balance, the City must ensure that the rights of people who are unsheltered are given equal protection under the law. As cities struggle to accommodate rising numbers of unsheltered people and encampments, the courts have also weighed in on how to balance public safety and constitutional rights. While this is a rapidly evolving area of the law, courts have recognized that there are legitimate public safety reasons for removing or cleaning up encampments, such as the safety of unsheltered people, unsanitary conditions, and public health concerns. However, courts have also identified several constitutional concerns that must be addressed, including 1) adequate notice provisions prior to removal, 2) due process for retrieving personal property, 3) assessment of individual needs such as mental or physical disability, and 4) whether appropriate shelter beds exist in the community as a condition prior to removal of an encampment.

The City of Albuquerque has identified several guiding principles through which this policy is informed and should be interpreted, including:

- A. **Harm Reduction** - Refers to policies, programs, and practices that aim to minimize negative health, social, and legal impacts associated with drug use, drug policies, and drug laws. Harm reduction is grounded in justice and human rights – it focuses on

positive change and on with people without judgement, coercion, discrimination, or requiring that they stop using drugs as a precondition of support. [1]

- B. **Trauma-informed** - Trauma-informed approaches emphasize safety, trustworthiness, peer support, collaboration, empowerment, and a focus on cultural, historical and gender issues. Adopting a trauma-informed approach is not accomplished through any single particular technique or checklist. It requires constant attention, caring awareness, sensitivity, and possibly a cultural change at an organizational level. On-going internal organizational assessment and quality improvement, as well as engagement with community stakeholders, will help to imbed this approach which can be augmented with organizational development and practice improvement. [2]
- C. **Housing First** – The Housing First principle recognizes that the primary need of people experiencing homelessness is housing. This Housing First approach is based on the premise that people are best able to address their needs, such as substance abuse and mental health treatment and employment, once they have a home. Additionally, Housing First is based on the theory that client choice is valuable in housing selection and supportive service participation, and that exercising that choice is likely to make a client more successful in remaining housed and improving their life.[3]
- D. **Person-Centered Response** - We aim to provide person-centered, trauma-informed care that respects the dignity and ensures the safety of all individuals and families seeking assistance. Progressive engagement that is respectful of participant choice and attuned to participant safety and confidentiality needs will inform data collection efforts, level of services provided, and location/type of housing accessed.

[1] <https://www.hri.global/what-is-harm-reduction>

[2] https://www.cdc.gov/cpr/infographics/6_principles_trauma_info.htm

[3] <https://endhomelessness.org/resource/housing-first/>

II. **Definitions**

- A. “AVAILABLE EMERGENCY SHELTER BEDS” shall be shelter space:
 - i. Where an individual has not exceeded a shelter’s maximum stay rule;
 - ii. That can accommodate the individual’s gender identity and/or sexual orientation;
 - iii. That can reasonably accommodate the individual’s mental or physical needs or disabilities;
 - iv. That permits a minor child to be housed in the same facility with at least one parent or legal guardian, for families with minor children;
 - v. For which an individual is not required to attend or participate in religious activities or programs as a condition of utilizing the shelter space; and

- vi. Where an individual has not been banned or suspended from accessing shelter at the time that the encampment is being removed.
- B. "CAMP or CAMPING" means the erection of, residing or dwelling within, or maintaining of tents or simple dwellings for temporary shelter or residence.
- C. "CITY EMPLOYEE" means any employee of the City of Albuquerque acting during the scope of their employment.
- D. "ACS DESIGNEE" means the person or people designated by the Albuquerque Community Safety Department to respond to encampments on public property. This may include staff from an organization that is contracted with the City for this purpose.
- E. "ENCAMPMENT" means one or more tent, structure composed of any type of material, or assembly of equipment or personal property located upon an identifiable area of public property within the City of Albuquerque, which appears to a reasonable person as being used as a dwelling.
- F. "FCS DESIGNEE" means the person or people designated by the Family and Community Services Department to respond to encampments on public property. This may include staff from another City department or from an organization that is contracted with the City for this purpose.
- G. "IMMEDIATE HAZARD" means a situation where an encampment creates an immediate and articulable risk of serious injury or death to either the residents of the encampment or others. Immediate Hazard includes encampments within 10 feet of any public facility where children are present or children's programming occurs. Immediate Hazard also includes encampments within the Rio Grande Valley State Park, or any public property where fire restrictions have been imposed.
- H. "LOST OR ABANDONED PROPERTY" means property that has been physically relinquished or affirmatively disclaimed by encampment resident, when encampment resident is present; trash and debris left in a public area; and property deserted beyond a reasonable period of time, when considering the totality of the circumstances, is abandoned. Property left in someone else's care is not abandoned.
- I. "OBSTRUCTION" means people, tents, personal property, garbage, debris or other objects related to an encampment that interfere with areas that are necessary for or essential to the intended use of a public property or facility.
- J. "PERSONAL PROPERTY" means an item that: is reasonably recognizable as belonging to a person; has apparent utility in its present condition and circumstances; or is identified by an owner as personal property. Examples of personal property include but are not limited to tents, bicycles, radios and other electronic equipment, crutches, wheelchairs, and all items of Special Personal Property. Personal property does not include trash or refuse, including empty plastic or paper bags. The relevant City Employee or contracted entity shall determine whether an item is personal property, and in cases when the status of an item cannot be reasonably determined under the totality of the circumstances, the item shall be treated and handled as personal property.
- K. "PRIVATE PROPERTY" means any property that is not owned by a governmental entity, such as an individual, business, or non-profit organization, including but not limited to business parking lots and private residences.
- L. "PUBLIC PROPERTY" means any real property owned by any governmental entity within the municipal limits of the city, including but not limited to, the public way, right-of-way, roads, streets and public alleys.

- M. "SPECIAL PERSONAL PROPERTY" means personal property that is specifically identifiable or of readily identifiable unique value and would be difficult to replace, including, but not limited to, identification documents, birth certificates, photographs, address & phone number books, paperwork including notebooks with writing, mail, and any notices from governmental agencies, eyeglasses, or prescription medication. Special personal property does not include weapons, contraband or illegal items such as illicit drugs.
- N. "RISK ASSESSMENT ANALYSIS" means a standardized assessment of the risk that an encampment poses to encampment residents and other users of the public space in which the encampment is located in order to prioritize encampments for removal.
- O. "TRASH OR DEBRIS" includes property that appears to have been discarded by its owner, but the fact that property is unattended does not necessarily mean that it has been discarded. Reasonable doubt about whether property is "trash or debris" or valuable property should be resolved in favor of the conclusion that the property is valuable and has not been discarded.

III. Identifying an Encampment

- A. The preferred method for members of the community or City employees to report an encampment is through 311. However, this policy recognizes that members of the public and City employees also report encampments directly to other City departments.
- B. 311 shall send reports regarding encampments that appear to be on public property to the FCS Designee and shall send reports regarding encampments that appear to be on private property to the Code Enforcement Division of the Planning Department.
- C. 311 shall collect information from callers or via the 311 application so that the FCS Designee may determine the priority level of encampments reported through 311 as described in Section IV.
- D. After receiving a report of an encampment, the FCS Designee shall determine whether the encampment is located upon public or private property and conduct a Risk Assessment Analysis. In doing so, the FCS Designee may use the City's Geographic Information System, the records of the City's Planning Department, or obvious visual signs such as whether the encampment is located on a public sidewalk or road or in a City Park or conspicuously posted on the grounds of a City building or facility.
 - i. If the FCS Designee identifies the property on which the encampment is located as private property, they shall coordinate with the Code Enforcement Division, which will then address the encampment following their own protocol for addressing encampments on private property and will close the 311 ticket or follow up with the constituent or city employee reporting the encampment, as applicable.
 - ii. If the FCS Designee identifies the property upon which the encampment is located as public property, they shall take actions in accordance with this policy.

IV. Risk Assessment Analysis & Prioritization of Response

- A. The FCS designee shall conduct a Risk Assessment Analysis of each encampment located on public property based on the information reported about the encampment. The Risk Assessment Analysis will consider the location of the encampment, the risk

- to encampment occupants and other users of the public space in which the encampment is located, the number of encampment occupants and the presence of needles and/or human waste.
- B. Based on the risk analysis, encampments will be prioritized as a 1, 2, or 3 priority. FCS Designee will respond to encampments identified as “priority 1” first, then “priority 2” and so on.
 - C. Based on the risk assessment analysis, encampments on public property will be prioritized as described below:
 - i. Priority 1 encampments are those that appear to meet the definition of immediate hazard or obstruction or are:
 - a. Located in a public park where children's programming occurs; or
 - b. Located at or adjacent to a community center, senior center, multi-generational center and early childhood development center; or
 - c. Located adjacent to or in the median of a roadway or obstructing any street, sidewalk, bus stop, crosswalk, bicycle lane, bicycle path, foot path, areas of City-owned property within 10 feet of a street without sidewalks, or other public way; or
 - d. On a footbridge over a roadway.
 - e. Where an Albuquerque Police Department (“APD”) officer observes felony possession of narcotics or other felonious activity.
 - ii. Priority 2 encampments meets one or more of these criteria:
 - a. Located in an underpass near a roadway;
 - b. Five or more encampment residents and/or structures are present;
 - c. Human waste present;
 - d. Significant quantities of hypodermic needles present;
 - iii. Priority 3 encampments are all encampments that do not meet the criteria above.

V. Initial Engagement of Encampment

- A. The FCS or ACS Designee shall go the encampment location in person to attempt to engage the encampment residents according to the prioritization system established in Section IV.
- B. When contacting the residents of an encampment, the FCS or ACS Designee shall first identify themselves to the person or persons who appear to be residents of the encampment.
- C. The first priority of the FCS or ACS Designee is to engage encampment residents, assess their basic needs, and provide any notice required by this policy. The FCS or ACS Designee shall attempt to educate encampment residents regarding resources

and provide basic referral information to such resources, including but not limited to meals, showers and bathroom facilities, emergency shelter, medical services and supportive housing programs. If appropriate, the ACS Designee may transport individual(s) to shelter, provider, or location in which long term care can be provided.

- D. When an encampment resident requests medical assistance or has an injury that poses a risk of death or serious bodily harm, the FCS or ACS Designee shall contact 9-1-1 or contact dispatch directly via radio.
- E. If a resident requires an interpreter, the FCS or ACS Designee shall communicate through an interpreter or interpreter service, which may be telephonic. If there is a need for translation, FCS and ACS Designee will arrange to have material translated in appropriate language.
- F. If the FCS or ACS Designee observes any weapons at the encampment the FCS or ACS Designee may not engage the encampment residents at that time and may request APD assistance.

VI. Removal of Encampments – Immediate Hazard or Obstruction

- A. The City is not required to provide notice to remove an encampment constituting an immediate hazard or obstruction. However, the City shall document every instance where an encampment was deemed to be an immediate hazard or obstruction and what specific factors led to that determination. By nature, immediate hazards are not typical encampments because an encampment that is an immediate hazard must present an imminent risk of serious injury or death. Immediate hazards are an emergency exception to the general rule that notice is required before requiring the removal of an encampment.
- B. The FCS Designee shall make reasonable efforts to locate the resident(s) of an encampment that is an immediate hazard or obstruction. If the FCS Designee is able to locate the encampment resident(s), the FCS Designee shall instruct the individual(s) to immediately remove the encampment or obstruction.
- C. If persons are present at the encampment when the FCS Designee identifies that an encampment is an immediate hazard or obstruction:
 - i. City personnel shall work collaboratively with such persons to allow for them to collect and remove their own Personal Property, connect them to social services and shelter, identify and offer to store any Personal Property, identify where Personal Property will be stored if removed by the City, and explain how Personal Property may be claimed by its owner.
 - ii. All trash or debris that are in the immediate area of the encampment may be removed and disposed of. An FCS designee will ask the persons at the encampment to assist with the clean-up.
 - iii. If the resident has difficulty complying due to underlying behavioral health issues, the FCS Designee may request an ACS Behavioral Health Responder.
- D. If persons are not present at the encampment when City staff identify the encampment as an immediate hazard or obstruction:
 - i. The City shall take steps to identify and coordinate with the appropriate responsible entity to preserve Personal Property, provided that doing so does not pose a danger to the City Employees present. Lost or abandoned Personal Property shall be handled according to Section X of this policy.

- ii. All trash or debris that are in the immediate area of the encampment may be removed and disposed of immediately.
- E. The City will not attempt to collect or store, and may instead immediately remove and dispose of, Personal Property that exceeds any storage limits established by the City. In addition, the City will not attempt to collect or store, and may instead immediately remove and dispose of, the following items:
- i. any items that are not deemed to be Personal Property;
 - ii. any items that are deemed to be hazardous;
 - iii. shopping carts;
 - iv. large collections or items, including collections of bicycle parts;
 - v. large furniture items; or

building materials such as wood products, metal, pallets, or rigid plastic.

VII. Notice Requirements for Encampment Removal

- A. If individuals are not present and the encampment is not an immediate hazard or obstruction:
 - 8 i. The FCS Designee shall post a written notice, in English and Spanish, on or near the encampment stating: the date and time the notice was posted; the

date and time by which the individual is required to vacate the area, which shall be seventy-two hours at minimum after the date and time notice was posted; contact information for outreach providers and shelter alternatives; that the encampment is subject to removal and cleanup; where Personal Property will be stored if removed by the City; and how Personal Property may be claimed by its owner.

- ii. The FCS Designee shall make a record of such notice as described in Section XIII.
- B. If individuals are present and the encampment is not an immediate hazard or obstruction:
- i. The FCS Designee shall give verbal and written notice to the individuals that the encampment is subject to removal. The written notice shall contain the same information required in Section VIIA.
 - ii. The FCS Designee shall make a record of such notice as described in Section XIII.

VIII. Encampment Outreach

- A. At the time encampment residents are informed that an encampment is an immediate hazard or obstruction, or at the time notice is posted, the FCS Designee shall engage encampment residents and assess their basic needs. The FCS Designee shall attempt to educate encampment residents regarding resources and provide basic referral information to such resources, including but not limited to meals, showers and bathroom facilities, emergency shelter, medical services and supportive housing programs.
- B. Before the encampment is removed, the FCS or ACS Designee shall take reasonable steps to determine if there is shelter space available for the encampment resident(s) that meets the definition in Section IIA.
- C. For all encampments that are not an immediate hazard or obstruction, FCS shall refer the encampment to the ACS Designee or personnel using a shared database. The ACS Designee shall conduct outreach to the encampment residents in accordance with ACS protocol.
- D. The FCS or ACS Designee shall assess whether removing the encampment will disrupt the encampment resident's current connection to services. If so, the FCS or ACS Designee shall take steps to mitigate that impact.
- E. For the removal of encampments that constitute an immediate hazard or obstruction, the FCS Designee shall contact ACS Designee to see if an outreach specialist is immediately available to conduct outreach prior to the encampment removal. If an ACS Designee is not available, FCS Designee may proceed with the removal of the encampment after providing information about resources as described in Section VIIA.

- F. To effectively communicate with those experiencing homelessness and providers who assist with long term care, ACS will provide community outreach and provide updates on policy or personnel changes (i.e. new employees) Outreach and education efforts include:
 - i. Staff and leadership will regularly meet and work with local community organizations, providers and those experiencing homelessness.
 - ii. The Community Safety Department will also solicit input from community and its representatives through facilitations and surveys.

IX. Encampment Removal & Site Clean-Up

- A. Encampments that are not an immediate hazard or obstruction shall not be removed without the required notice provisions and verifying whether available emergency shelter beds exist in the community. After these steps have been completed, if the encampment is still present, the City may initiate removal of the encampment.
- B. Except for an immediate hazard or obstruction, the FCS or ACS Designee shall take reasonable steps to confirm whether available emergency shelter beds exist that meet the definition in Section IIA prior to any enforcement action, including removal of an encampment. The FCS or ACS Designee shall use their observations of the encampment resident(s) and information reported by the encampment resident(s) to make this determination, including to determine whether there is a shelter bed that can reasonably accommodate the individual's mental or physical needs or disabilities. If available emergency shelter beds do not exist, the FCS Designee may not require the removal of the encampment. If available emergency shelter beds do exist, FCS or ACS Designee shall inform the individuals where beds are available, provide contact information for facility and provide transportation to such facility if requested.
- C. If persons are present at the encampment when FCS Designee return to the site after the period specified in the written removal notice has expired:
 - i. FCS Designee shall work collaboratively with such persons to allow reasonable time for them to collect and remove their own Personal Property and to identify and offer to store any Personal Property;
 - ii. The FCS Designee shall educate encampment resident regarding resources, and provide basic referral information to such resources, including but not limited to meals, showers and bathroom facilities, emergency shelter, medical services and supportive housing programs;
 - iii. All trash or debris that are in the immediate area of the encampment, and any items that are deemed hazardous, may be removed and disposed of immediately;
 - iv. As part of the removal of any trash and/or debris, the City shall not destroy any materials of apparent value which appear to be the Personal Property of any individual, except that the City may immediate remove and destroy any items that cannot be stored by the City, including items that are deemed hazardous; any shopping carts; large collections of items, including collections of bicycle

parts; large furniture items; and building materials such as wood products, metal, pallets, or rigid plastic;

- v. Personal Property and Special Personal Property (other than the items identified above that cannot be stored by the City) shall be collected and stored as described in Section X;
 - vi. The FCS Designee shall be responsible for identifying what is Personal Property, Special Personal Property, trash or debris, hazardous items, or items that otherwise cannot be stored by the City; and
 - vii. If any Personal Property or Special Personal Property is stored, FCS designee shall provide written notice indicating where the property has been stored and how to retrieve the property.
- D. If persons are not present at the encampment when the FCS Designee returns to the site after the period specified in the written removal notice has expired:
- i. The City shall take reasonable steps to identify and coordinate with appropriate responsible agencies to preserve Personal Property, provided that doing so does not pose a danger to the City Employees present. Lost or abandoned Personal Property shall be handled according to Section X of this policy;
 - ii. All trash or debris that are in the immediate area of the encampment, and any items that are deemed hazardous, may be removed and disposed of immediately;
 - iii. As part of the removal of any trash and/or debris, the City shall not destroy any materials of apparent value which appear to be the Personal Property of any individual; except that the City may immediately remove and destroy any items that cannot be stored by the City, including items that are deemed hazardous; any shopping carts; large collections of items, including collections of bicycle parts; large furniture items; and building materials such as wood products, metal, pallets, or rigid plastic;
 - iv. Personal Property and Special Personal Property (other than items identified above that cannot be stored by the City) shall be collected and stored as described in Section X.
 - v. The FCS Designee shall be responsible for identifying what is Personal Property, Special Personal Property, trash or debris, hazardous items, or items that otherwise cannot be stored by the City
 - vi. If any Personal Property or Special Personal Property is stored, FCS designee shall provide written notice indicating where the property has been stored and how to retrieve the property.
- E. The FCS Designee shall work with the appropriate City department or other entity to clean the area where the encampment was located. When the Department of Solid Waste is the appropriate City department, the FCS Designee shall notify the Department of Solid Waste in writing with the location of the encampment prior to any

site cleanup as well as the time for notice.

- F. Whenever possible, City staff shall work collaboratively with residents of an encampment to clean up the area where an encampment is located.

X. Storage of Collected Personal Property

- A. Personal Property collected by the City shall be stored for ninety (90) days without charge, during which time said property shall be available to be reclaimed by the subject owner. After the expiration of ninety (90) days, any unclaimed property will be destroyed.
- B. Special Personal Property shall be in a designated area, in order to make it easier for encampment residents to retrieve these items.
- C. The FCS Designee shall determine whether an item is Personal Property and whether it is lost or abandoned. In the case of lost or abandoned property, the FCS designee shall attach a written notice where the encampment was located indicating that Personal Property has been stored and how to retrieve the property.
- D. Written notice will be given to the individual instructing them how to claim their property.
- E. The Solid Waste Department shall dispose of any items that have been unclaimed for 90 days.
- F. This portion of the Encampment Policy regarding collected property shall not go into effect until the City has established a process for transporting, storing and returning Personal Property.

XI. Coordination with APD

- A. City Employees may request APD assistance at any point if they believe it is necessary. This may include, but is not limited to, situations in which the resident(s) of the encampment refuses to cooperate with the removal of the encampment after the appropriate notice period has passed or threatens the safety and security of the Designee.
- B. APD shall comply with all relevant standard operating procedures when responding to such requests.

XII. Training

- A. At minimum the FCS and ACS Designees who are City employees shall receive training in accordance with City policies, which as of the date of the adoption of this policy addresses the following areas:
 - i. Best practices for working with people experiencing homelessness, such as motivational interviewing, trauma informed care and harm reduction;
 - ii. Brain injury and dementia symptoms;

- iii. Crisis Intervention Training;
- iv. Cultural sensitivity;
- v. De-escalation training;
- vi. Encampment Policy, including how and when to apply the terms “immediate hazard” and “obstruction”;
- vii. Field safety, including situational awareness, traffic safety and safe handling/disposal of sharps;
- viii. CPR, first aid and responding to medical emergencies;
- ix. Mental health training, including mental health first aid and mental health laws;
- x. Substance abuse training, including overdose prevention/reversal and substance abuse symptoms;
- xi. Resources available to help people experiencing homelessness;
- xii. VI-SPDAT/Coordinated Entry System; and
- xiii. Wellness Check (Albuquerque Fire and Rescue)

B. ACS and FCS are committed to providing a variety of techniques and best practices for working with community and individuals experiencing homelessness. ACS and FCS Designees that address encampments and are City employees will receive training within six months of commencement of employment and annually as needed.

XIII. Record Keeping

- A. FCS and ACS Designees will use their best efforts to maintain a written record of every encounter with a homeless encampment by means of the following variables:
 - i. Priority level of the encampment as described in Section IV
 - ii. Location of the encampment;
 - iii. Approximate number of residents;
 - iv. Date initial contact was made;
 - v. Date notice was given and the date notice expired;
 - vi. Date the encampment was removed and the site was cleaned;
 - vii. Whether the encampment was an immediate hazard or obstruction;
 - viii. Why an encampment was deemed an immediate hazard or obstruction,
 - ix. What resources the encampment residents were referred to or received

information about.

- x. Whether outreach has occurred at the encampment
 - xi. Whether available shelter beds exist for encampment residents
- B. The City shall utilize a common database to record this information
- C. The City of Albuquerque will periodically assess the need for changes to this Policy. Every year, FCS and ACS will evaluate the Policy for completeness and effectiveness and recommend updates as necessary. The evaluation will include identification of any problem areas and development of corrective action strategies. Elements of the evaluation will include:
- i. Number of encampments reported;
 - ii. Assessment of personnel needs to determine if additional services or materials or supplies should be provided;
 - iii. Solicitation and review of feedback from City employees and community stakeholders;
 - iv. Assessment of whether FCS and ACS staff adequately understand encampment policies and procedures and how to carry them out;
 - v. Assessment of whether encampment residents were connected to resources and services; and
 - vi. Assessment of whether priority 1 immediate hazards or obstructions were properly identified.
- D. FCS and ACS will provide an annual report of the data required to be gathered under this Policy to the Chief Administrative Officer and make the report publicly available on the City's website.

XIV. Grievance Process

- A. If an encampment occupant believes that an FCS Designee, ACS Designee or other City employee did not adhere to this policy when addressing an encampment, the occupant and/or his/her representative may submit a grievance.
- B. Grievances may be submitted in writing to: Deputy Director of Homelessness, Department of Family & Community Services, PO Box 1293, Albuquerque, NM 87103.
- C. The grievance should contain contact information, date of incident and description of the problem.
- D. The formal complaint should be submitted by the grievant and/or his/her representative as soon as possible but no later than 45 days after the alleged violation.
- E. The Deputy Director of Homelessness or their designee shall respond to grievances

in writing within 45 days. The Deputy Director of Homelessness may refer the grievance to one or more other departments, including without limitation ACS or APD, whose shall respond to any referred grievance within 14 days of receiving the referral. The written response shall indicate whether, after an investigation, the grievance has been substantiated, dismissed, or if more time is needed to complete the investigation. Regardless of the findings, a written explanation as to why or why not the grievance was substantiated should be included in the response.

- F. All written grievances received by the Deputy Director of Homelessness and responses will be retained by the City of Albuquerque for at least one year.