




frequently asked questions

about anti-social behavior and homelessness
at your business

This resource answers the Santa Monica business community's most frequently asked questions with practical information about what to do and what to say.

 **a person walks into my business and starts displaying disruptive, anti-social behavior. what should I do?**

Keep a safe distance. Remain calm and assess what the individual wants or needs by asking direct, non-judgmental questions like “I can see you’re upset. What can I help you with?” If possible, while you’re talking to them, move them outside by walking while talking.

If you are unable to help them, or you have attempted to help and their behavior continues to be disruptive, you can politely direct them to leave your business, explaining “I have answered you the best that I can. Your behavior is disrupting our business so I have to ask you to leave now.”

If they refuse, inform them that they must either leave or you will be forced to call the police. If needed, step away or have someone else call dispatch. Do not call police in the presence of the agitated person, as it can escalate the situation.



what should I do if the individual becomes aggressive and violent?

If the individual refuses to leave and becomes aggressive, call the police. The **Santa Monica Police Department** (SMPD) suggests having a plan in place for dealing with unruly customers, as well as a code word for calling the police so you do not alert the subject and further exacerbate the situation. For example: Tell an associate “Can you please call the janitor?” The code word being “janitor”. If the subject continues to act violently or begins to threaten you or an associate, SMPD advises retreating to a safe and secure place, such as a break room, until officers arrive.



Be prepared to describe the specific threatening behavior to the dispatcher. For example, “He’s waving a pipe at people” is a better description than “he’s waving a pipe around.”

It is critical to have a safety plan in place for your business, and to practice that plan with staff. Just as you would in case of an earthquake or fire, you need a safety plan for dealing with patrons who cause a disturbance. For life-threatening emergencies, always dial **9-1-1**.

what if this isn't an isolated incident and they continue to display anti-social behavior at my place of business?

Have an open line of communication with fellow business owners or property owners. Share information with one another and SMPD officers – what time of day are these incidents happening and who is involved? Officers can come out and speak with these people who are creating the problems, and find out if they are doing something criminal, or if they are in need of some help and direction. There is a Neighborhood Resource Officer and a Crime Prevention Coordinator from SMPD assigned

to every area of our City. The goal is to quickly identify community issues, concerns, problems and crime trends that have long-term quality of life issues. These staff are trained professionals and can connect you to local resources.



➤ a person is panhandling outside of my property, and I'm worried this may affect my business. should I call authorities?

It depends. Panhandling itself is not illegal, as the First Amendment generally protects the right of one person to ask another for money in a public space. However, panhandling or solicitation in public places is subject to reasonable time, place, and manner restrictions under the law. It is unlawful for any person to engage in abusive solicitation by blocking passage, threatening physical harm, using offensive words, or touching without consent.



The Santa Monica Municipal Code also prohibits solicitation in certain locations, including outdoor dining areas of restaurants, within 80 feet of an ATM, or public parking structures. If you witness unruly behavior, you may call **Public Safety Dispatch at 310.458.8491** or **9-1-1** if it's a life-threatening emergency.

why can't homeless people be removed from the public?

People experiencing homelessness have the same rights as anyone else to be in a public place. The government has little power to “force” a homeless person to get help from a shelter or seek housing assistance. What tends to be forgotten by many is that most of our homeless population do not want to be living in public spaces. Over time, SMPD and the City’s social service partners have come to understand that working with people experiencing homelessness is the best way to get and keep them off the streets.

The City’s outreach teams figure out what works for each individual by getting to know them, creating better long-term outcomes. The City has made a commitment to invest the time to provide compassionate outreach to this extremely vulnerable population.



➤ is there a no sitting or lying ordinance?

Yes, Santa Monica has a couple of no sitting/lying ordinances – however, they do not apply citywide:

- SMMC 4.08.097 prohibits sitting/lying in Downtown/Main Street doorways between 11PM-7AM.
- SMMC 3.12.350 prohibits sitting/lying on the sidewalks on the Third Street Promenade or within the Bayside District (DTSM, Inc.) between 6AM-1AM.



In all other areas of the City, there are regulations specifically related to blocking the sidewalk (less than four feet available for pedestrians to pass), alleys, and the roadway.

what about trespassing?

Generally, the property owner or police must warn the offender that they are trespassing prior to the police taking enforcement action. Police may not enforce trespassing laws on private property without the permission or request of the property owner or manager.

You may submit a Trespass Arrest Authorization form online, which gives SMPD authorization to take action if you or your staff are not on the property. Complete the form at [santamonicapd.org/trespass](https://www.santamonicapd.org/trespass), then post a “no trespassing” sign. Make sure to renew your authorization every 30 days if the need still exists.

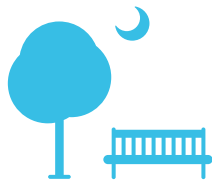


California Penal Code Section 602 prohibits entering or remaining on another’s property without permission or a right to do so. This seems straightforward; however, given the sheer multitude of situations that can be “trespassing” the law is extremely complicated. In order to have a criminal trespass the following elements are required:

- 1. The person willfully entered someone else’s property,
- 2. The person has the specific intent to interfere with the property owner’s rights, and
- 3. The person actually did interfere with the property owner’s rights.

↗ i often see people who seem to display signs of mental illness near my business, but I am not 100% sure. who should I call to seek potential help for this person?

We can't always be certain about the situation of the individual, but if you are concerned, submit a request for service through the City's Santa Monica Works portal at smgov.net/santamonicaworks. Please note, requests submitted online are NOT for emergencies. For non-emergency same-day response, call **Public Safety Dispatch at 310.458.8491**.



If the person does not appear to need immediate intervention, you can also submit a request for a county outreach response at la-hop.org.

how can my business help the homeless community?

We appreciate your partnership as a local business and we look forward to working together. You can start by becoming an active participant in your business improvement district and joining the **Santa Monica Homelessness Steering Committee** (SMHSC). The SMHSC works with community members to develop strategies that address the impact of homelessness and better assist those in need.

In addition, here are four ways to directly help homeless individuals in our community.

- 1) **Volunteer:** Support agencies that provide housing and services that get people off the streets for good. For a full list of volunteer opportunities, go to **weare.santamonica.gov/volunteer**.
- 2) **Donate:** Agencies that move people into housing need money, food, clothing, and furniture to make each house a home. For a full list of local service providers, visit **weare.santamonica.gov/donate**.
- 3) **Advocate:** Support local, regional, state, and federal efforts to increase the social safety net and the supply of affordable housing by contacting your representatives.
- 4) **Educate:** Many people are misinformed about people experiencing homelessness. Take time to educate them and share valuable resources.

important contacts:

- Emergency | 9-1-1**
Call in the case of a life-threatening emergency needing immediate assistance.
- Public Safety Dispatch**
(non-emergency) | **310.458.8491**
Call when you need to report a situation that isn't urgent, but requires same-day response.
- SMPD Homeless Liaison Program**
310.458.8953
Call if you would like SMPD Officers to provide outreach and mental health services to individuals (non-emergency).
- DTSM Ambassador Hotline**
Downtown Only | **310.877.7731**
Call if you feel unsafe and need assistance to and from your vehicle and business. DTSM ambassadors can escort you safely upon request (non-emergency).
- LA County Homeless Outreach Portal | la-hop.org**
Submit a request for a county outreach response if you'd like to help someone who does not appear to need immediate intervention. You can expect a response typically within 72 hours.
- Santa Monica Works**
smgov.net/santamonicaworks
Submit comments, complaints, and service requests (non-emergency).
- Mental Health First Aid | mentalhealthfirstaid.org**
An 8-hour course that teaches you how to identify, understand and respond to signs of mental illnesses and substance use disorders. The training gives you the skills you need to reach out and provide initial help and support to someone who may be developing a mental health or substance use problem or experiencing a crisis.



weare.santamonica.gov
homelessness@smgov.net