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Special Safety Bulletin

Defining the Predatory Homeless Patron
The difference between them and every other homeless patron is significant.

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Written by Dr. Steve Albrecht

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Perhaps your experience matches mine, based on how many homeless patrons you have served or observed in your library. The majority are cooperative, helpful, passive, and docile at best, or grouchy, noncommunicative, or demanding at their worst. But despite their personal demons and social deficiencies, they are not violent, threatening, or law-breaking. Most of them want to be at the library for the usual reasons, because it serves as a respite for bad weather, boredom, and limited bathroom access that comes with life on the streets. The library also serves their need to see other human beings in an environment where they don't have to worry about keeping body and soul and their possessions together, at least for a few hours.

But there is another category of homeless person, who is the opposite of most of the others. This person fits my working definition of predatory, which has four distinct elements:

1). **Untreated and raging substance abuse**, where the drug of choice is whatever is handy - alcohol, weed, meth, or fentanyl. This makes their behavior cyclical, meaning they may cooperate with library policies and staff and then they may not. They can develop a brain injury from all this drug/alcohol use, which certainly affects their behavior. This is especially prevalent when they are in withdrawal. Being in withdrawal from stimulant drugs, opiates, and alcohol makes them anxious, desperate, money-seeking, and willing to commit theft or violence to get back to a level of physical and psychological homeostasis (just high enough to function and not be drug-seeking and "dope sick").

2). **Untreated and raging mental illness**, especially those that have psychotic breaks with reality, schizophrenic paranoia, and the possibility of accompanying delusions (which are almost always about violence and never about kitties and puppies), and the most prevalent - antisocial personality disorder, which was better known as psychopathy, before it was redefined by clinicians in their DSM manuals.

3). **Longtime contact with the criminal justice system**, featuring multiple arrests and ongoing warrants for a variety of violent crimes (fights, robberies, weapons possession, domestic violence, sexual assaults, threats to harm); property crimes (stealing stuff or breaking stuff that belongs to others); drug sales; drug and alcohol-related crimes; and public order crimes (disturbing the peace, failure to disperse, loitering, trespassing, noise, indecent exposure). These people are either actively avoiding the police or actively resisting them when contacted.

4). **And longtime, chronic homelessness**. These men (and it's always men) have been on the streets for a decade or more. They cannot function within the walls and rules of a homeless shelter, so they have been kicked out of many. (They can't even follow the rules in jail, so they

get extended sentences.) Because of the previous three problems, they cannot get off the streets and into stable housing (they tear out the walls, burn the carpets, and overdose inside them anyway).

The combination of these four lifestyle choices can make some of them predatory, toward other homeless people, who will cross the street or leave the library to avoid contact with them; to other patrons, who might not recognize their predation activities until they are accosted; and by library staff, who may have had to deal with this type of homeless patron more times than they want to count. They make people feel collectively afraid inside the library and other homeless people fear them on the streets. They steal from, assault, rob, and threaten other homeless people. They sexually assault other homeless people, victimizing homeless men, women, and children, as equal targets, regardless of gender or age.

Their goal in the library is to actively and intentionally bother other patrons, staff, and even other homeless people, or prey upon anyone they encounter, in the worst case. Their behavior is both purposeful and planned.

When the predatory homeless person says, “You had better give me some money!” and you feel threatened physically, and you believe if you don’t at least give him some dollar bills, he will hit you, that is every state’s Penal Code definition of strong-armed robbery. You don’t have to use a gun or a knife to rob someone, simply using “force or fear” to take their money or property is enough to label it a felony crime.

The good news is their numbers are small, when compared to the rest of the homeless population in your community and inside your library. The bad news is that even one of these predators, who comes into your library on a regular or even occasional basis, can cause tremendous psychological damage. Staff may even quit, rather than having to deal with this person, and other patrons just stop coming into your branch.

Consider Italian economist Vilfred Paredo (1848 - 1923), who coined the 80-20 Rule, after discovering that 80 percent of the peas in his garden were derived from 20 percent of his peas. This 80-20 Rule covers a lot of ground in life and work: 80 percent of the work is done by 20 percent of the employees; 80 percent of a company’s sales come from 20 percent of its customers; 20 percent of the players on a football team make 80 percent of the big plays. (Consider this ratio in your own life and work; I’m betting it’s truer than you might first think.)

If we follow his rule and believe that 80 percent of the homeless patrons in your library create zero to few problems and therefore 20 percent do cause some issues (sleeping, arguing, bathroom messes, panhandlng) then let’s do some more math and say that 80 percent of the minor problematic homeless patrons are people we can deal with through reminders about the Code of Conduct, boundary-setting, de-escalation techniques, and even the occasional trespass warning or activation. The remaining 20 percent of that 80 percent represents the predators. So, 100 homeless people in a city, 80 are fine, 20 are challenging. Of that 20, 16 are fine and four are predators. But even that small number - four out-of-control, predatory people - can do significant harm to the patrons, staff, and property at the library.

So now that we have defined the Predatory Homeless Patrons, what do we do to keep our staff, patrons, and facility safe from them? To use a phrase from modern police work, we make them subject to Special Enforcement.

As an example, when the cops get many complaints from several neighbors about a drug house on a street in an otherwise quiet residential neighborhood, they will use Special Enforcement on that house. That means they will tow away cars parked on the street in front with registration tags expired over one year. They will stop and talk to every person that leaves that house and every car that drives away from that house, at all hours of the day or night. They will either do a Field Interview or look for ways to arrest people connected to that house for warrants, drug sales, drug use, gang violence, possession of weapons, possession of stolen property, and write a citation for every moving or equipment violation they can see on their cars.

They will contact the owner or landlord of the house, who may not ever realize they are renting it to drug dealers, and ask them to evict the tenants for violating the lease. If that doesn't work, they will ask a judge for an eviction notice for running a drug house. In short, they will use several legal methods to pay careful attention to the occupants of that house and enforce traffic, drug, and penal code laws, all done on a constant basis, to send one message: Leave Now or we will continue until you are sick and tired of being contacted, fined, cited, towed, or locked up.

In short, the cops raise the stakes on the occupants of the drug house by enforcing every possible behavioral consequence. This takes energy, action, patience, and especially perseverance. When confronted by concerning behaviors by a predatory homeless person in the library, we can address it similarly:

1). Identify the predator's collection of behaviors, ranging from Code of Conduct violations to illegal acts. Document these and/or make copies of previous Security Incident Reports.

2). Contact your local police department or sheriff's office and ask to speak with the Watch Sergeant, Watch Lieutenant, or Watch Commander. Explain this person's predatory behavior and ask to set a meeting with the officer or deputy who has your library on his or her beat/area of responsibility and set up an action plan.

(I will make an accurate guess that the cops who work in the neighborhood near your library may already know the names and actions of the predators you are concerned with. There is a magnetic connection between bad people and cops, because officers and deputies spend most of their days and nights talking to these people, looking for these people, and arresting these people. After all, how many times have you talked to a cop in your personal life, beyond getting a traffic ticket, making a crime report, or asking for directions? Almost never.)

3). If you have library security officers, brief them on the predatory person's name, description, and behaviors, if they don't already know them from previous contacts. Tell them our new approach will be to enforce all violations of our Code of Conduct, library use policies, and any violations of criminal law with that person.

4). All staff should know what to do as well: Call the Police or Sheriff. This means calling the Police or Sheriff's for behaviors like aggressive panhandling, making violence threats to patrons

or staff, damaging or stealing library, patron, or staff property, drug sales or use, fighting, or any threatening behaviors related to this person's substance use or mental health problems that a reasonable employee would see as a danger to others.

5). This also means your security officers and staff may have to sign citizen's arrest forms for misdemeanor crimes not committed in the officer's or deputy's presence. We should not be intimidated to do this process. Signing the form allows the police to take actions against the perpetrator, including putting him in jail or citing him and releasing him away from the library. If we don't sign the misdemeanor arrest citation, they may be limited as to what they can do.

6). If we can prove, with help from the Police or Sheriff, a pattern of criminal conduct, and potentially or actually violent behavior, and this person keeps returning to the library, even after being formally trespassed by the library director and officially by the police, we will need to get a civil restraining order, known as a Temporary Restraining Order (TRO) or a Stay Away Order. This can be done by getting help from any attorney associated with the library, who will show the person's history and criminal conduct to a judge in a hearing.

Let's agree that a TRO is not a perfect shield against this type of predatory person. These instruments work best for people who follow life's rules, which we know, the predatory homeless person does not. Still, it can serve as a way to create arrest leverage for the police, instead of them simply showing up and telling him to leave time after time. The value of a TRO is that it helps the police and the library enforce consequences after repeated rules and criminal code violations by this type of predatory homeless person, whose daily goals seem to be, "How do I ruin the library experience for others? How can I create fear in what is supposed to be a safe environment for other homeless people, who aren't predators, like me?"

We know these types of predatory homeless when we see them. They are completely different than the other homeless patrons we serve. We have a duty of care for all patrons and staff, to protect them from this type of homeless predator.

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548 Market Street PMB 72296, San Francisco, CA 94104