

Protocol: Responding to Individuals Searching Through Trash on Private Property

1. Purpose

To protect health, safety, sanitation, and property rights while responding to individuals—often unhoused—who search through trash receptacles on private property, in a manner that is lawful, non-confrontational, and humane.

2. Core Principles

- **Safety first:** No staff member should place themselves at risk.
 - **Non-engagement escalation:** Avoid confrontation whenever possible.
 - **Clear boundaries:** Compassion does not require tolerating unsafe or unlawful behavior.
 - **Consistency:** Apply the same response every time to avoid confusion or claims of discrimination.
 - **Documentation:** Incidents should be recorded factually.
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3. Preventive Measures (Best Practice)

Implement these steps to reduce incidents:

- Use **lockable or enclosed dumpsters** where permitted.
 - Keep trash areas **well-lit** and free of loose bags.
 - Post **clear signage**:
“Private Property – No Trespassing – No Dumpster Diving”
 - Schedule trash disposal to avoid overnight accumulation.
 - Avoid placing food waste in easily accessible bags when possible.
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4. Staff Response Protocol (Step-by-Step)

Step 1: Do Not Confront Physically

- Staff should **not touch**, block, threaten, or physically intervene.
- Maintain distance at all times.

Step 2: Verbal Boundary (If Safe)

If the individual is calm and staff feel safe, use a **single, neutral statement**:

“This is private property. You can’t go through the trash here. You need to move along.”

- Do **not** argue, explain, or justify.
- Do **not** use insulting or emotional language.
- Say it **once only**.

If the person complies → **No further action**.

5. If the Individual Refuses to Leave or Returns

- **Disengage immediately**
- Notify:
 - Property management, or
 - Security (if applicable)

If behavior includes:

- Aggression
- Repeated trespass
- Scattering trash / creating a health hazard
- Harassment of staff or patrons
- Drug use, weapons, or threats

→ **Contact local non-emergency police** and report:

“An individual is trespassing on private property and refusing to leave.”

6. Emergency Situations

Call **911** immediately if there is:

- Violence or threats of violence
- Brandishing weapons
- Medical distress
- Fire hazards

- Destruction of property
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7. What Staff Should NOT Do

- Do not offer food, money, or personal items on-site
 - Do not negotiate access to trash
 - Do not allow “just this once”
 - Do not photograph or record unless instructed by management
 - Do not chase or follow the individual
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8. Optional Compassionate Referral (Management Only)

If management chooses, they may keep a **prepared resource card** (never handed during conflict) listing:

- Local shelters
- Food banks
- Outreach services

This should only be offered **after** the person has left the property or during calm, voluntary interactions—not during enforcement.

9. Documentation

After any incident:

- Record date, time, and location
- Briefly describe behavior (facts only)
- Note any verbal warnings given
- Record if authorities were contacted

This protects staff and the organization.

10. Legal Notes (General)

- Trash on **private property** is not public access.
- Repeated dumpster diving can constitute **trespass, littering, or health code violations**, depending on jurisdiction.

- Consistent enforcement reduces liability risk.
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