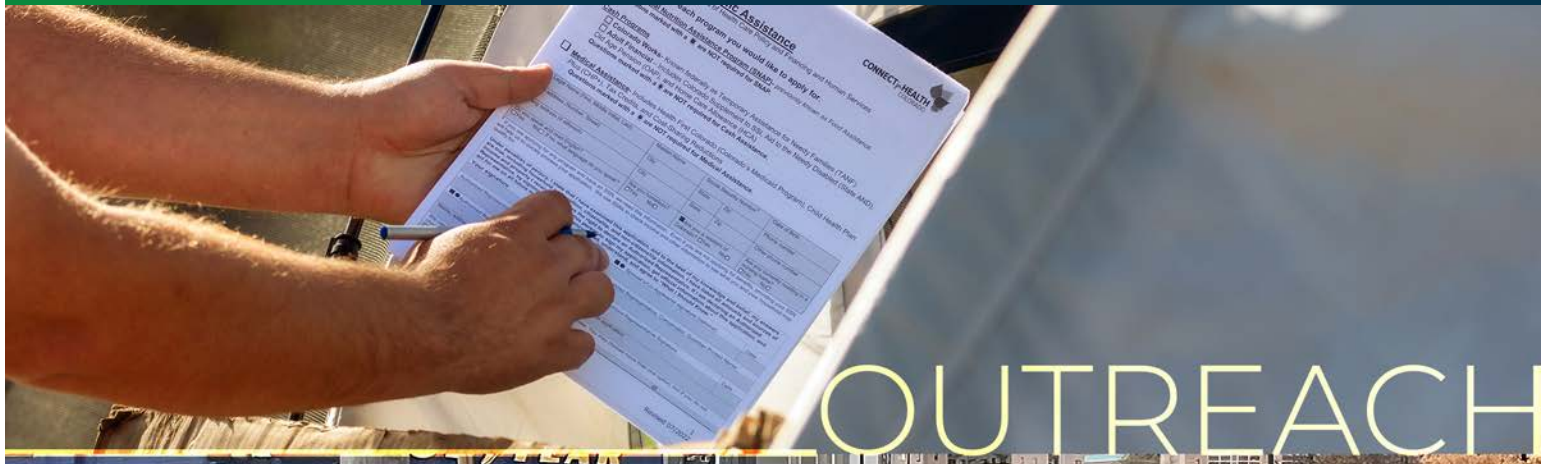


AUDIT REPORT

Multi-Agency **Homeless Encampments**

APRIL 2023



TIMOTHY M. O'BRIEN, CPA
DENVER AUDITOR

OFFICE OF THE AUDITOR
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City and County of Denver



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AUDITOR'S LETTER

April 20, 2023

We audited how city agencies respond to homeless encampments to determine whether the city's process for encampment response — including for enforcement, outreach, and cleanup — is effective, compliant, and equitable. We also assessed whether the city effectively designed its unauthorized homeless encampment response program to achieve its goals. Finally, we analyzed how the city tracks encampment-related spending and monitors contractors. I now present the results of this audit.

In our first multi-agency audit of the city's response to homeless encampments, we found the city was mostly, but not fully, compliant with laws and a legal settlement and appeared to equitably provide services, conduct assessments, and perform cleanups throughout the city. However, we determined the city needs to do more to ensure people experiencing homelessness have equitable access to stored personal belongings. The city also needs to document policies and procedures for data input and monitoring and responsibilities. And the city needs to identify a consistent way to track encampment-related spending.

By implementing recommendations for stronger policies and procedures and expense tracking, the city will be better able to ensure the encampment response program is helping people experiencing homelessness and conducting assessments and cleanups equitably and lawfully.

This performance audit is authorized pursuant to the City and County of Denver Charter, Article V, Part 2, Section 1, "General Powers and Duties of Auditor." We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We appreciate the leaders and team members who shared their time and knowledge with us during the audit — specifically those at the Mayor's Office, the City Attorney's Office, Transportation & Infrastructure, Public Health and Environment, Housing Stability, Parks and Recreation, Public Safety, the Denver Police and Fire Departments, and Denver Human Services, as well as those at Environmental Hazmat Services, Inc. Please contact me at 720-913-5000 with any questions.

Denver Auditor's Office

A handwritten signature in black ink, appearing to read "Timothy M. O'Brien".

Timothy M. O'Brien, CPA
Auditor



Homeless Encampments

APRIL 2023

Objective

- To determine how well the city's processes for encampment enforcement and the services it provides to people experiencing homelessness at encampments are effective, compliant with laws, and equitable.
- To assess whether the city effectively designed its homeless encampment response program to achieve its mission, goals, and responsibilities.
- To evaluate how well the city tracks spending related to encampments and monitors contractors.

Background

Several city agencies and contracted service providers are involved in responding to homeless encampments in the City and County of Denver. In addition to enforcing city laws and conducting health and safety assessments, the city provides outreach to connect people to services before the city cleans up an encampment site.

REPORT HIGHLIGHTS

The city lacks sufficient procedures and reliable data to ensure people experiencing homelessness who live in unauthorized encampments are treated equitably and lawfully

- While the city meets most requirements overall, it is not fully compliant with a recent settlement agreement that outlined requirements for encampment removal and cleanups.
- The city cannot ensure people experiencing homelessness have equitable access to services or their stored personal belongings.

The city is not tracking expenses related to homeless encampments or sufficiently monitoring invoices and contract performance

- The city does not have a formal process to track costs for homeless encampment-related efforts.
- The city lacks sufficient monitoring over homeless encampment-related contractors.

A draft city plan needs improvement to effectively guide city agencies in their responsibilities over unauthorized encampments

While the city met with stakeholders to discuss program needs, it did not conduct a formal assessment or develop policies and procedures for all agencies involved in encampment response, including for enforcement and outreach.

The city's encampment response program may not be appropriately staffed to achieve its goals and responsibilities

The Mayor's Office did not conduct an analysis to identify the resources needed for the Unauthorized Encampment Response Program.

WHY THIS MATTERS

If city leaders do not adequately track expenses and keep reliable data for the city's activities related to encampment response — including for enforcement, outreach, and cleanup — they cannot assess the effectiveness of their efforts, be transparent with Denver residents, or ensure cleanups are performed equitably and that services are provided to all people experiencing homelessness.

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BACKGROUND

The federal government defines homelessness as a person or family who “lacks a fixed, regular, and adequate nighttime residence.”¹ They may be sheltered and temporarily living in a publicly or privately operated shelter or in another facility such as a hotel. Or they may be unsheltered, living in areas not meant to be lived in — such as a car, a park, an abandoned building, or a bus station.

City managers said the sheltered status of a person can change quickly and often. For example, people can be both sheltered and unsheltered in a day, depending on their situation and where they are temporarily living. While the U.S. Department of Housing and Urban Development says “encampments” generally refers to groups of people living in tents or other temporary structures in public spaces, there is no common definition for an encampment across different cities. This has resulted in cities, including Denver, developing their own definitions.²

POINT-IN-TIME COUNT – Each January, the Metro Denver Homeless Initiative — along with other U.S. cities and counties — conducts a Point-in-Time count, which is an “annual, unduplicated count of people experiencing homelessness on a single night.”³ During the night of the count, trained staff and volunteers use data from the federal Homeless Information System for people experiencing homelessness who are in a shelter, conduct observations of people experiencing unsheltered homelessness, and interview people using a standard survey to collect additional information. Cities and communities use guidelines provided by the federal Department of Housing and Urban Development to conduct the count. The count is only a snapshot of homelessness and is subject to different variables such as weather, participation, and volunteer

SHELTERED VS. UNSHELTERED HOMELESSNESS

SHELTERED

Temporarily living in a publicly or privately operated shelter or in another facility such as a hotel.

UNSHELTERED

Living in areas not meant to be lived in — such as a car, a park, an abandoned building, or a bus station.

¹ U.S. Department of Housing and Urban Development, “Criteria for Defining Homeless,” accessed Jan. 23, 2023, https://files.hudexchange.info/resources/documents/HomelessDefinition_RecordkeepingRequirementsandCriteria.pdf.

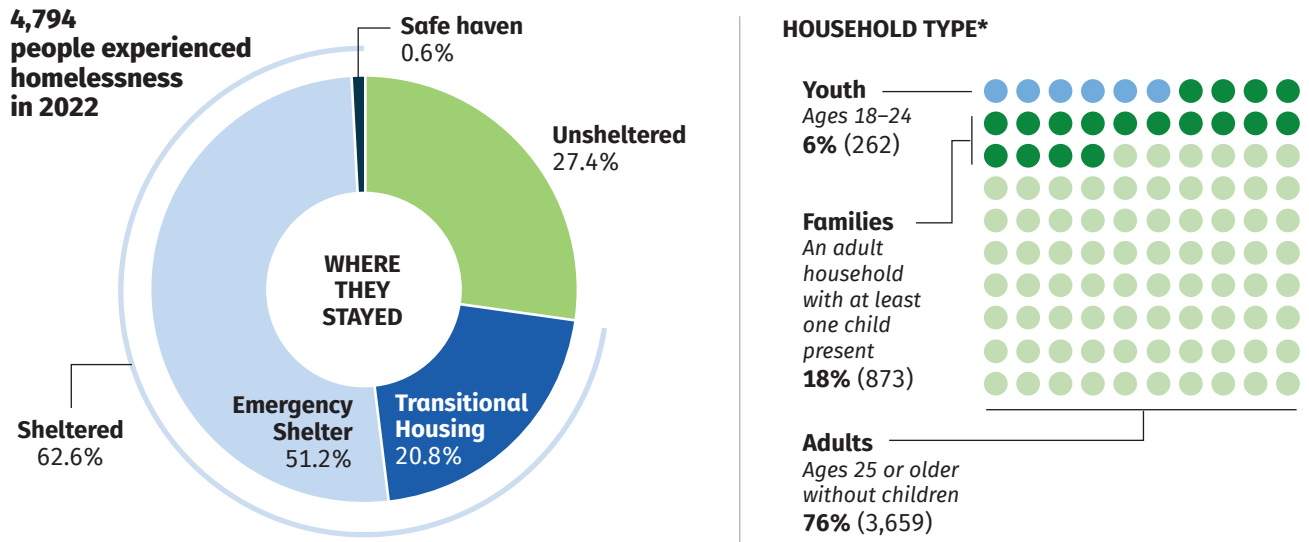
² U.S. Department of Housing and Urban Development, “Exploring Homelessness Among People Living in Encampments and Associated Cost,” accessed Aug. 29, 2022, <https://www.huduser.gov/portal/sites/default/files/pdf/Exploring-Homelessness-Among-People.pdf>.

³ “Point in Time Count,” Our Work tab, Metro Denver Homelessness Initiative, accessed July 16, 2022, <https://www.mdhi.org/pit>.

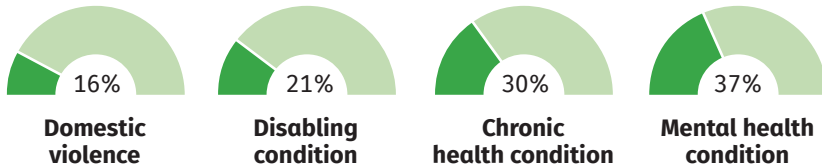
engagement.

The Metro Denver Homeless Initiative conducted its 2022 Point-in-Time count on Jan. 24, 2022, which was the most comprehensive count since 2020. As shown in Figure 1, 4,794 people experienced homelessness on the night of Jan. 24, 2022, in Denver County. Of those, 1,313 — or over 27% — were unsheltered and one in three people were experiencing homelessness for the first time. Most of the population were adults over 25 years old. Individuals also reported disabling conditions such as mental health conditions and chronic health conditions or having experienced domestic violence.⁴

FIGURE 1. Denver’s 2022 Point-in-Time results



CONDITIONS AND BARRIERS



1 IN 3 experienced homelessness for the first time

*“Family” represents an adult 25 years or older with at least one child present and “Adult” represents people 25 years or older without children.

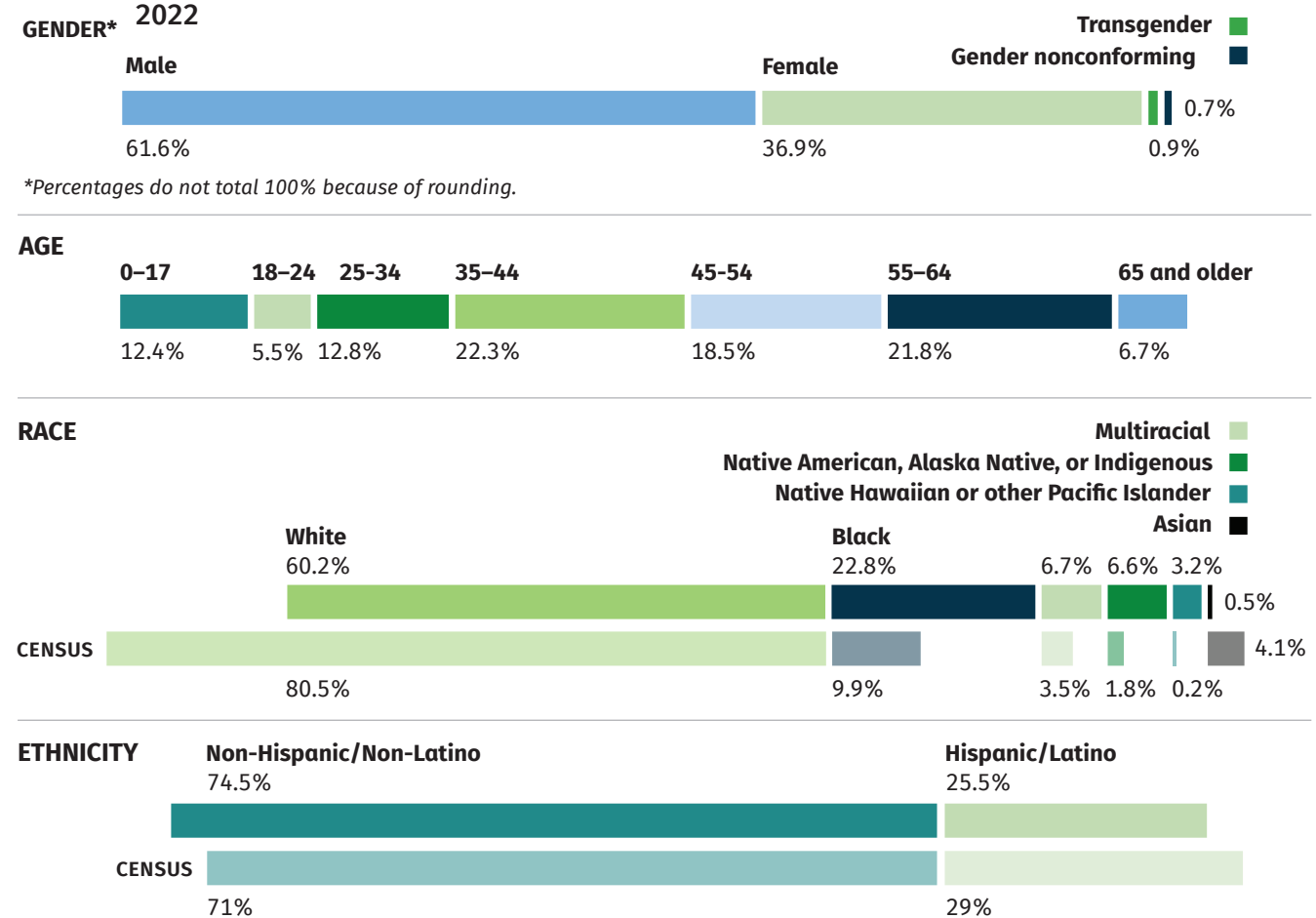
Source: Graphic created by Auditor’s Office using data from the Denver Metro Homeless Initiative’s 2022 Point-in-Time count.

Figure 2 on the next page shows a summary of genders and ages as well as the races and ethnicities of people experiencing homelessness, according

⁴ “Point in Time Count,” 2022 PIT Data Interactive Dashboard, Metro Denver Homelessness Initiative, accessed July 16, 2022, <https://public.tableau.com/app/profile/mdhi/viz/MDHI2022PointinTimeCount/Overview?%3Atabs=no>.

to the 2022 count.⁵ As shown, males experience homelessness more than females. Additionally, while most people experiencing homelessness are considered adults over age 25 without children in their household, nearly 18% of people are part of a family with at least one child, and 6% are youth between 18 and 24 years old. Data also shows more people of color experience homelessness than White people compared to census data.

FIGURE 2. Genders, ages, race, and ethnicities of people experiencing homelessness in Denver in 2022



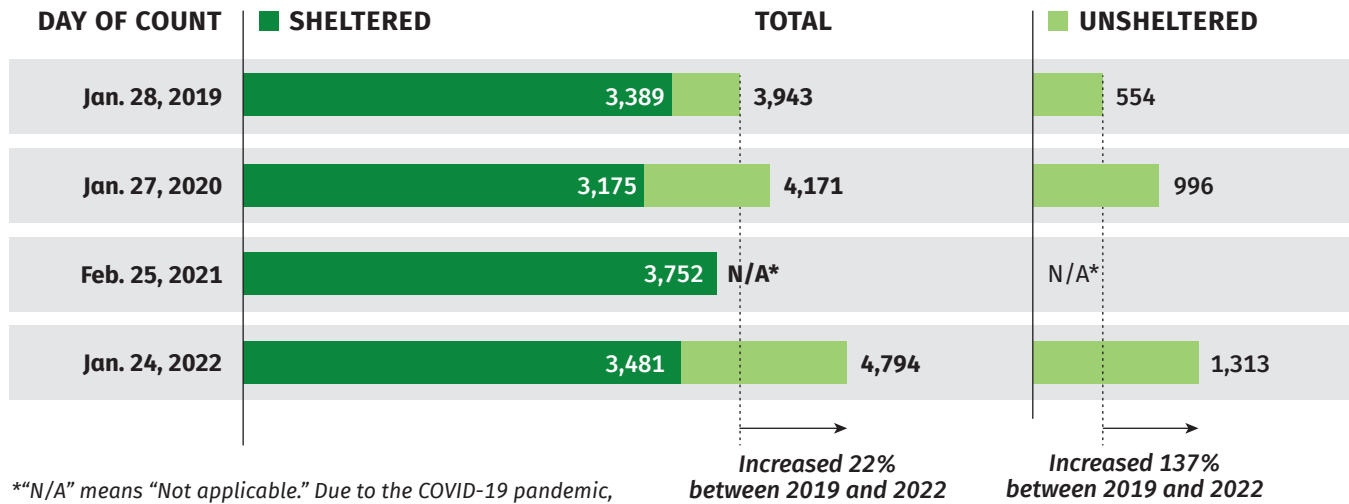
Source: Graphic created by Auditor’s Office using data from the Denver Metro Homeless Initiative’s 2022 Point-in-Time count. Census data is for Denver County from 2022.

As shown in Figure 3 on the next page, the Point-in-Time counts showed between 2019 and 2022, the number of people experiencing unsheltered homelessness has increased, while the number sheltered has remained relatively the same. According to the U.S. Department of Housing and Urban Development, many communities did not conduct a 2021 unsheltered Point-in-Time count because of the COVID-19 pandemic, the

⁵ “Point in Time Count,” 2022 PIT Data Interactive Dashboard, Metro Denver Homelessness Initiative.

lack of widespread vaccines at the time, and the increased risk of transmitting the disease among people experiencing homelessness, staff, and volunteers. As a result, most 2021 Point-in-Time counts, including Denver's, were of people experiencing only sheltered homelessness.⁶

FIGURE 3. Unsheltered and sheltered homelessness in Denver since 2019



Source: Graphic created by Auditor's Office using data from the Denver Metro Homeless Initiative's 2019-2022 Point-in-Time counts.

Overview of responsible agencies

Several agencies within Denver are responsible for responding to areas with encampments of people experiencing homelessness — from enforcing city ordinances, conducting public health and safety assessments, providing outreach and connecting people to services, and performing cleanups. Officials in the Department of Housing Stability said city agencies and programs adapt their approaches for responding to people experiencing homelessness based on many factors, including whether the person resides in an encampment.

Table 1 on the next page gives an overview of the many city agencies involved and their responsibilities.

Responding to encampments of people experiencing homelessness

ENFORCEMENT – The city has several ordinances that encampments may violate, including but not limited to, unauthorized camping. A senior official in the Mayor's Office said anything not considered a safe outdoor space or other sanctioned encampment is considered "unauthorized" by the city. City ordinance says unauthorized camping — residing or dwelling

⁶ U.S. Department of Housing and Urban Development, "The 2021 Annual Homeless Assessment Report to Congress, Part 1: Point-In-Time Estimates of Sheltered Homelessness," (February 2022), accessed July 24, 2022, <https://www.huduser.gov/portal/sites/default/files/pdf/2021-AHAR-Part-1.pdf>.

temporarily in place with shelter — on public or private property is prohibited unless a person has the property owner’s permission.⁷

City ordinance also bans people from knowingly blocking streets or other public passageways in ways that make them either impassable or hazardous.⁸ The city commonly refers to such obstructions as “encumbrances.”

TABLE 1. Agencies in the City and County of Denver responsible for encampment response

Agency	Responsibilities
Mayor’s Office	Acts as coordinating agency for all encampment-related activities.
City Attorney’s Office	Provides advice to agencies on compliance and attends cleanups to ensure the city is following laws and procedures.
Department of Public Health and Environment’s Division of Public Health Investigators	Conducts public health and safety assessments of areas with encampments and sends the substance use navigators to provide outreach to people experiencing homelessness.
Department of Transportation & Infrastructure’s Office of Encampment Management	Enforces city ordinances related to public rights of way and performs both regular cleanups and large-scale encampment cleanups with the assistance of Environmental Hazmat Services Inc.
Department of Parks and Recreation	Enforces park rules including those related to camping, connects people with resources, and disposes of or stores abandoned property according to legal requirements.
Department of Housing Stability	Provides outreach services through city-staffed and contracted programs.
Department of Public Safety’s street enforcement team	Contacts people who are violating specific laws, seeks compliance before issuing citations, and tries to connect people to services.
Police Department	Present at large-scale cleanups to ensure compliance, cooperation, and safety for city employees; offers services; collects weapons; makes arrests; and follows personal property storage procedures when arrests occur.
Fire Department	Assesses violations of and enforces the international and Denver fire codes and acts as an intermediary for public safety during cleanups.
Denver Human Services	Connects all people, not just those experiencing homelessness, to services they need.

Source: Auditor’s Office analysis of agencies’ information.

⁷ Denver Revised Municipal Code § 38-86.2.

⁸ Denver Revised Municipal Code § 38-86.

In Denver’s parks, city ordinance specifically bars people from camping or residing overnight and it prohibits them from constructing any temporary or permanent structures.⁹

Lastly, the city’s fire code gives the Denver Fire Department authority to inspect all land, buildings, structures, and other materials for fire and other emergency hazards in order to protect the public and property.¹⁰

In addition to staff from the fire department, the police department, and the Department of Parks and Recreation, members of the street enforcement team — a group made up of unarmed civilians — are authorized and empowered to enforce some city ordinances and issue citations. The Mayor’s Office and the Department of Public Safety say city agencies responsible for enforcement should always attempt to gain individuals’ voluntary compliance with laws and connect people experiencing homelessness with service providers before using enforcement tools.

PUBLIC HEALTH AND SAFETY ASSESSMENTS – The Department of Public Health and Environment inspects encampments to determine the conditions present, including whether public health, safety, or environmental emergencies exist that require immediate action. The department can learn about an encampment’s existence through the city’s 311 call center, emails, or direct observations. The department documents the location, date, and time of the assessment as well as identifying features of the encampment that could put people staying there, people passing through or located nearby, or surrounding areas at risk.

The following are examples of what public health staff look for:

- The number of structures, vehicles, and people in the area.
- The presence of trash and whether the right of way is blocked.
- Whether there are needles or other drug paraphernalia.
- Whether rodents or other pests are detected.
- The existence of fire hazards such as propane, open fires, and generators.
- Whether human waste is present.
- Symptoms of illnesses.

From Jan. 1, 2022, through June 30, 2022, Public Health and Environment completed 2,223 assessments, including 1,400 of encampments and 711 of recreational vehicles.¹¹ City ordinance bans people from parking recreational vehicles for periods longer than 24 hours if the vehicle is

⁹ Denver Revised Municipal Code § 39-1 through § 39-7.

¹⁰ City and County of Denver, “2019 Denver Building and Fire Code” (2019), accessed July 28, 2022, https://www.denvergov.org/content/dam/denvergov/Portals/696/documents/Denver_Building_Code/2019-code-update/2019_final_amendments.pdf.

¹¹ We requested data for all five outreach teams from Jan. 1, 2019, through June 30, 2022. Because of the varying time periods of available data for each team, we analyzed data for outreach, assessments, and clean-up activities from Jan. 1, 2022, through June 30, 2022. See [Appendix B](#) for more information.

over 22 feet. It also prohibits people from parking a vehicle, including those that do not operate or are excessively damaged, on a public street continuously for more than 72 hours.¹² Public Health and Environment managers said the recreational vehicle encampment issue is relatively new and differs from tents in the sense that a recreational vehicle — especially one that does not run — is not mobile and harder to move.

OUTREACH AND SERVICES – The city’s process to address an encampment typically starts with outreach, and outreach teams are sent to help people experiencing homelessness before a cleanup occurs. Mayor’s Office and Housing Stability managers said the city focuses on solutions for preventing homelessness before it happens, to resolve it quickly when it does, and to provide services before a cleanup occurs.

These are examples of the teams that provide outreach and connect people to services:

- **EARLY INTERVENTION TEAM** – This team responds to outreach requests provided from people in Denver and through the Denver 311 system, PocketGov, and referral requests. It provides initial contact, housing, and service-focused case management to people experiencing unsheltered homelessness living in encampments that typically have 10 or fewer structures. The team does not enforce city ordinances or take part in clean-up activities but works to build relationships with people, focusing on housing solutions. The early intervention team was formally created in the spring of 2021 by both the Department of Public Safety and Denver Human Services. It was moved to Public Health and Environment later in 2021, and finally transitioned to the Department of Housing Stability in January 2022.
- **THE DENVER STREET OUTREACH COLLABORATIVE AND STRATEGIC OUTREACH TO LARGE ENCAMPMENTS PROGRAMS** – Established through a contract with the Colorado Coalition for the Homeless, these programs provide street outreach that focuses on building consistent, long-term, and trusting relationships between service providers and people experiencing homelessness. The Denver Street Outreach Collaborative provides outreach and engagement services, including services that are housing-focused, to people experiencing homelessness with a focus on those who are chronically homeless and in encampments. The Strategic Outreach to Large Encampments team contacts people experiencing homelessness as soon as clean-up notices have been posted in encampment areas to provide initial assessments, identify service needs, and refer people to help.
- **SUBSTANCE USE NAVIGATORS** – This team is funded through money the city received from the Colorado Department of Human Services. The navigators are part of a co-responder program in the city to respond to police calls that involve people with behavioral health needs and substance use disorders. Substance use navigators offer assessments

¹² Denver Revised Municipal Code § 54-464.2 and 54-465.

During the first six months of 2022, outreach teams went to encampment sites about 2,140 times to provide outreach services to people experiencing homelessness.

and intervention services for people with opioid, methamphetamine, alcohol, and other substance use disorders. Navigators may attend a cleanup if the police officer they respond with is also there.

- **THE HOMELESS OUTREACH TEAM** – This is a small group of police officers focused on addressing issues related to people experiencing homelessness, including encampments within Police District 6 in the downtown, Capitol Hill, and Cheesman Park areas of the city. Although these officers make arrests when necessary, their aim is to offer services to people and they seek voluntary compliance instead of enforcement.
- **STREET ENFORCEMENT TEAM** – In addition to enforcing city ordinances, this team of unarmed civilians also strives to inform people experiencing homelessness of available resources and connect them to such resources.

From Jan. 1, 2022, through June 30, 2022, these five outreach teams went to active encampment sites about 2,140 times to provide outreach services to people experiencing homelessness. According to the Department of Housing Stability: The early intervention team, Denver Street Outreach Collaborative team, and Strategic Outreach to Large Encampments team had 12,664 encounters with people experiencing homelessness during this time.

LARGE-SCALE CLEANUPS – The Mayor’s Office uses information from the departments of Public Health and Environment, Transportation & Infrastructure, and Public Safety, including its police and fire departments, to decide when to remove large obstructions and clean up encampments of people experiencing homelessness. A cleanup may be scheduled for several reasons – such as whether the encampment poses public health hazards or safety risks, blocks public rights of way, or is situated near sensitive locations such as schools.

When Transportation & Infrastructure determines an area cannot be properly cleaned because of the amount of trash and obstruction through its regular work, a coordinated multi-agency cleanup takes place. Typically, the city posts notices in the area scheduled for cleanup seven days in advance.

Before both preplanned and emergency cleanups, the city coordinates with hired contractors. It uses Colorado Barricade Co. to rent traffic control devices and develop traffic control plans. And Environmental Hazmat Services Inc. disposes of hazardous waste during cleanups and stores personal property at a storage facility for people experiencing homelessness.

The city can throw away items that present an immediate risk to public health and safety, such as used syringes, medical waste, perishable items, and mattresses. If individuals cannot take their belongings with them or the items are left unattended, the city collects and stores items – such as backpacks and tents – that do not present a health or safety risk. If

personal property is found to not pose such a risk, staff are required to take care to identify, collect, and store certain items such as wallets, prescription drugs, and personal identification. Staff are not required to go through belongings — such as bags or backpacks — to identify these items if the bag or backpack poses a health or safety risk.

The city is required to store individuals' personal property for at least 60 days before discarding. After 30 days, the city may move items from its main storage facility to off-site storage.

From Jan. 1, 2022, through June 30, 2022, the city completed 58 cleanups and canceled seven, according to its database. Some cleanup dates listed several locations, so the city recorded 74 total locations cleaned during this period. Data also showed about 1,070 instances of personal property being stored from Jan. 1, 2019, through June 30, 2022.

The Lyall Settlement

In August 2016, the City and County of Denver was sued over an alleged city practice of clearing an encampment of multiple people experiencing homelessness by immediately seizing and discarding the property found.¹³ The plaintiffs — including Raymond Lyall — argued the city violated the constitution in several ways including taking away personal property without due process in 2019.¹⁴

The agreement requires the city to:

- Give at least seven days' notice of a large-scale obstruction cleanup unless the city determines a cleanup is needed earlier due to public health or safety risks.
- Provide 48-hours' written notice before removing personal property that does not pose a public health or safety risk and that is not in an area regularly cleaned by the Department of Transportation & Infrastructure or within a city park.
- Continue following existing written processes for how employees or contractors determine whether personal property poses a public health or safety risk and should be disposed of or stored.
- Include specific information in its regular and large-scale clean-up notices: where people can pick up their belongings at no cost and without fear of arrest, a phone number for people to call, the location and hours of the property storage facility, and details on how property will be stored for at least 60 days as long as it does not pose a public health or safety risk.
- Operate the property storage facility according to the hours set in the agreement, but the city can reduce the storage facility hours if there is a documented need showing property is not being picked up during those hours.

¹³ Raymond Lyall et al. v. City and County of Denver, Civil Action No. 1:16-cv-2155-WJW-CBS.

¹⁴ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019).

- Create a formal notification system, such as a webpage, to provide public notice when unattended personal property has been removed by the city and stored.
- Train employees and contractors on the settlement agreement and provide homeless sensitivity training for staff who regularly interact with people experiencing homelessness.

The agreement also says the city welcomes the opportunity for city officials to meet quarterly with an advisory group of people experiencing homelessness and other representatives to obtain feedback on programs, listen to concerns, and discuss proposed solutions. These group meetings include at least one person from the Mayor’s Office.¹⁵ City leadership said some agencies such as the Department of Housing Stability and the Mayor’s Office meet with external outreach groups or others more frequently than the settlement requires.

Encampment response challenges

AFFORDABLE HOUSING CRISIS AND THE PANDEMIC – The U.S. Department of Housing and Urban Development recently highlighted the complex factors – such as the country’s affordable housing crisis – that have contributed to the growth of encampments of people experiencing homelessness.¹⁶

Denver’s Department of Housing Stability noted that over the past decade, housing prices have nearly doubled and median rent has increased by 78%.¹⁷ The COVID-19 pandemic worsened the housing crisis, as unemployment rates quadrupled for a time and the city saw a 270% increase in requests for rent and utility assistance.¹⁸ Furthermore, while the COVID-19 pandemic prevented the 2021 Point-in-Time count from including all people experiencing unsheltered homelessness, the Metro Denver Homeless Initiative reported a 99% increase in people identifying as newly homeless.¹⁹

The federal Department of Housing and Urban Development said the pandemic also resulted in significant changes in services for people experiencing homelessness.

For example, to reduce the spread of COVID-19, shelters took measures to

¹⁵ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019), Exhibit A § A-F.

¹⁶ U.S. Department of Housing and Urban Development, “Exploring Homelessness Among People Living in Encampments and Associated Cost,” accessed Aug. 29, 2022, <https://www.huduser.gov/portal/sites/default/files/pdf/Exploring-Homelessness-Among-People.pdf>.

¹⁷ City and County of Denver’s Department of Housing Stability, “Five-Year Strategic Plan: A Guide for Action 2022-2026” (September 2021), accessed April 21, 2022, https://denvergov.org/files/assets/public/housing-stability/documents/housing/five_year_strategic_plan_final_091321.pdf, 1.

¹⁸ City and County of Denver’s Department of Housing Stability, 1.

¹⁹ City and County of Denver’s Department of Housing Stability, 5; Metro Denver Homeless Alliance, “State of Homelessness: Summary of Homelessness in Metro Denver, 2021-2022,” accessed July 17, 2022, <https://static1.squarespace.com/static/5fea50c73853910bc4679c13/t/61eaf51014758102851feb8/1642788119525/SoH-Final.pdf>.

increase physical distancing by reducing the number of available beds.²⁰ Many cities and shelters, including Denver, focused resources on other types of sanctioned outdoor shelters and smaller settings — such as hotel rooms — for housing people individually or with families.²¹ Denver also created auxiliary shelters in the National Western Complex and the Denver Coliseum when other area shelters and nonprofits reduced their capacity.²² Outreach workers and Denver Health staff offered coronavirus testing to people living in encampments as well, and the Department of Parks and Recreation added portable toilets in some places such as near Civic Center Park.²³

Denver, like other cities, briefly paused enforcement of its camping ordinance during the pandemic until mid-2020, resulting in an increased number of people experiencing unsheltered homelessness living in tents or other structures.²⁴ A 2020 article said advocates for people experiencing homelessness also recognized the situation, noting that increased human waste — particularly near schools — was a problem.²⁵

In the same article, city managers said issues around homelessness became worse and more complicated during the COVID-19 pandemic. The article also noted that as the number of encampments increased, city managers said other health concerns arose that were impossible to ignore — the accumulation of human waste, rat infestations, and hepatitis A outbreaks posed separate health risks in the city. Denver also saw instances of crime in large encampments, including at one that was in front of the state Capitol, as well as cases of trench fever — a rare disease transmitted by lice.²⁶

The COVID-19 pandemic also made it harder for outreach workers to connect with people in larger camps and provide supplies, like water or clothing.²⁷ While some caseworkers continued to work with people they already had connections with, walk-in services were paused for several weeks at places like the Colorado Coalition for the Homeless.²⁸

Despite these increased problems, the article says Mayor’s Office managers recognized that addressing the issue was not as simple as removing

²⁰ U.S. Department of Housing and Urban Development, “The 2021 Annual Homeless Assessment Report to Congress,” accessed July 24, 2022, <https://www.huduser.gov/portal/sites/default/files/pdf/2021-AHAR-Part-1.pdf>, 5.

²¹ Jennifer Brown, “Homeless Camps in Downtown Denver Are ‘Out of Control’ as the Pandemic Drags On. So What’s the Solution?” The Colorado Sun, July 28, 2020, accessed Jan. 27, 2023, <https://coloradosun.com/2020/07/28/denver-homeless-tent-cities/>.

²² Jennifer Brown.

²³ Jennifer Brown.

²⁴ Jennifer Brown.

²⁵ Jennifer Brown.

²⁶ Jennifer Brown; American Journal of Tropical Medicine and Hygiene, “Body Lice Among People Experiencing Homelessness and Access to Hygiene Services During the COVID-19 Pandemic – Preventing Trench Fever in Denver, Colorado, 2020” (August 2022), accessed Feb. 13, 2022, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9393458/>.

²⁷ Jennifer Brown.

²⁸ Jennifer Brown.

people — especially during a pandemic — and leaders of the Department of Housing Stability said the COVID-19 pandemic reinforced the city’s vision for solving homelessness.²⁹

SUBSTANCE MISUSE, MENTAL HEALTH, AND GAPS IN SERVICE – Mayor’s Office staff said the ongoing opioid epidemic has also complicated encampment response over the last few years and opioid misuse and deaths have impacted people experiencing homelessness.

Managers in the Department of Public Health and Environment also said it can be challenging to convince some people experiencing homelessness to accept help. They described the difficult conditions of living on the street — having to find food, struggling with physical health, and being separated from loved ones — as highly stressful, which could contribute to or worsen mental health conditions. In severe cases, people may not recognize they need help or that using substances is dangerous, which contributes to their resistance to accepting services.

A September 2022 article from Politico discussed rising homelessness in California and noted that outside poverty and a lack of affordable housing, addiction and mental health conditions not only drive people into homelessness but keep them there.³⁰ A federal report from the Department of Housing and Urban Development echoes this by saying today’s encampments reflect complex factors including a lack of affordable housing, a shortage of shelter beds, shelter rules, and substance use.³¹ It also says factors that may explain why people choose to stay in encampments could include addiction issues, lack of mental health treatment and knowledge of resources, past involvement with the justice system, and a greater sense of perceived safety and autonomy.

A May 2022 study of people experiencing unsheltered homelessness in Los Angeles found nearly half of the people surveyed had been offered housing in the past but were hesitant to get off the streets because of the housing intake process, desires for privacy, and safety concerns.³² The study found, however, that 80% of surveyed people experiencing unsheltered homelessness would accept private shelter accommodations, such as a hotel or motel, and half would accept interim housing with access to services, shared housing, or safe camping.³³

²⁹ Jennifer Brown.

³⁰ Lara Korte and Jeremy B. White, “Rising Homelessness is Tearing California Cities Apart,” Politico, Sept. 21, 2022, accessed Jan. 27, 2023, <https://www.politico.com/news/2022/09/21/california-authorities-uproot-homeless-people-00057868>.

³¹ U.S. Department of Housing and Urban Development, “Exploring Homelessness Among People Living in Encampments and Associated Cost,” accessed Aug. 29, 2022, <https://www.huduser.gov/portal/sites/default/files/pdf/Exploring-Homelessness-Among-People.pdf>.

³² RAND Corporation, “Study of Unhoused People in Los Angeles Finds Numbers Growing; Only One-Third Willing to Move into Group Shelters,” May 4, 2022, accessed Jan. 27, 2023, <https://www.rand.org/news/press/2022/05/04.html>.

³³ RAND Corporation.

The future of encampment response in Denver

UNAUTHORIZED ENCAMPMENT RESPONSE PROGRAM – In March 2021, the Mayor’s Office and other city leaders met to discuss strategies to reduce the number of people experiencing unsheltered homelessness. This was in response to public health and safety risks created by unauthorized camping and a desire to ensure health and safety for all people in Denver, including those experiencing homelessness.

As a result, the group developed the Denver Unauthorized Encampment Response Program – coordinated by the Mayor’s Office – and drafted a program management plan. We reviewed the draft version in place as of July 2022.

The plan is meant to provide a framework to help city agencies coordinate how they enforce city ordinances and address public health and safety risks. The draft includes a mission statement that says, “The City and County of Denver implements clear direction and coherent, effective strategies to reduce the number of people living unsheltered outdoors and eliminate unauthorized encampments.” The proposed plan lists goals and objectives for response and assigns responsibilities to various city agencies.

Mayor’s Office managers said the plan will remain a living document and will be updated as needed. They also said future versions of the plan will include additional policies and procedures to guide daily activities as well as guide enforcement and outreach.

ENCAMPMENT RESPONSE TEAM – In June 2022, the Department of Housing Stability established a new encampment response team. This small team works alongside other city agencies during encampment cleanups to provide transportation, case management services, and housing connections to people experiencing homelessness who are asked to leave an encampment area. The team also follows up with people after a cleanup to ensure continuity of services. Because this team was created at the beginning of our audit, we did not review it during our analyses of citywide encampment response.

FINDING 1 AND RECOMMENDATIONS

The city lacks sufficient procedures and reliable data to ensure people experiencing homelessness who live in unauthorized encampments are treated equitably and lawfully

The City and County of Denver enforces several city ordinances and, with respect to cleanups and unattended personal property, is required to comply with the terms of a settlement agreement approved in federal court in 2019.³⁴ While we found the city complied with requirements in most cases, we also noted the city is not fully complying with the Lyall Settlement in instances of property storage and disposal, homelessness sensitivity training, and the city’s property storage webpage.

Additionally, the data multiple city agencies use to track encampment enforcement, outreach services and connections, and cleanups was often unreliable. This hinders the city’s ability to ensure it complies with legal requirements and that services are offered equitably to people experiencing homelessness throughout the city.

Without full compliance with the Lyall Settlement and sufficiently reliable data, the city is at increased risk of further lawsuits on homeless encampments.³⁵

The city also cannot ensure it is equitably enforcing ordinances, providing services to people experiencing homelessness in encampments, and conducting cleanups throughout the city.

WHAT IS AN ‘ENCAMPMENT’?

The U.S. Department of Housing and Urban Development says researchers and journalists generally refer to “encampments” as meaning groups of people living in tents or other temporary structures in public spaces. However, there is no common definition for encampments across different cities, resulting in cities developing their own definitions.

The city is mostly, but not fully, compliant with the Lyall Settlement

In reviewing legal requirements, we found the city was mostly compliant with the Lyall Settlement from 2019 and the city’s unauthorized camping ordinance.³⁶ However, we also identified some instances when city

³⁴ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019); Denver Revised Municipal Code § 38-86.2.

³⁵ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019).

³⁶ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019); Denver Revised Municipal Code § 38-86.2.

agencies did not fully comply with the requirements of the settlement.³⁷

- The city threw away property from its storage facility before 60 days. The settlement requires the city to store personal property for at least 60 days that does not pose a public health or safety risk.
- During daily trash cleanups, Department of Transportation & Infrastructure staff and contractors threw away and stored property without providing the minimum 48-hour notice on unattended property. The settlement requires the city to post notices on unattended property at least 48 hours in advance of removing personal property that does not pose a public health or safety risk.
- One city employee did not take required homelessness sensitivity training. The settlement requires such training for all city employees who regularly interact with people experiencing homelessness.
- The city's property storage and removal webpage did not include all required information. The settlement says the webpage must have a phone number for individuals to call with questions on how to retrieve their property and it must have the location and hours of the property storage facility.

THE LYALL SETTLEMENT

In 2016, a group of plaintiffs led by Raymond Lyall sued the City and County of Denver for how it cleared a homeless encampment. The parties reached a settlement in 2019 — which outlines the city's minimum obligations before it can seize and throw away property at an encampment of people experiencing homelessness.

The city complied with legal requirements for large-scale encampment cleanups, unauthorized camping enforcement, and posting cleanup notices

Through in-person observations and a review of footage from police officers' body-worn cameras, we found the city complied with several aspects of the Lyall Settlement and the unauthorized camping ordinance — specifically those related to large-scale encampment cleanups — which require multiple agencies to respond, notices posted at encampments informing people of upcoming cleanups, and camping ban enforcement.³⁸

We cannot speak to the city's overall compliance because we were not able to review a representative sample of large-scale encampment cleanups, unauthorized camping enforcement, and notice postings between our

³⁷ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019), Exhibit A § 3-4 and Exhibit C § L.

³⁸ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019); Denver Revised Municipal Code § 38-86.2.

on-site observations and review of body-worn camera footage. But we can say we did not identify any issues with noncompliance for the following:

- All three large-scale cleanups we reviewed were compliant with Lyall Settlement requirements against throwing away uncontaminated personal property and property storage procedures.
- All 15 body-worn camera videos of unauthorized camping enforcement we reviewed were compliant with the ordinance’s requirements to provide a verbal warning, determine whether the person needs medical assistance or homeless services, and attempt to obtain needed assistance.
- All five notice postings we reviewed were compliant with Lyall Settlement requirements for notices to be provided in advance of cleanups and to include information on how and where personal property can be picked up.

MORE ON OUR ANALYSIS

See [Appendix A](#) for more on how we determined the city’s compliance with legal requirements.



LARGE-SCALE ENCAMPMENT CLEANUPS IN DENVER | We observed two encampment cleanups in October 2022, between Stout Street and Champa Street (left) and near 40th Avenue and York Street (right). PHOTOS BY AUDITOR’S OFFICE STAFF

While we did not identify any areas of noncompliance during our observations of large-scale encampment cleanups, without handling items ourselves, it was difficult to determine what personal property should be thrown away versus which property should be stored. We observed city staff throwing away personal property — such as sleeping bags, pillows, and clothes; however, city staff present at the cleanups said these items are often soiled or contaminated with human waste or needles and, therefore, cannot be stored. Managers on-site said staff rarely find clothing or tents that are not contaminated in some way.

We also saw people experiencing homelessness present during the cleanups separating their belongings into piles for storage versus disposal. Based on our observations, city staff present at the cleanups respected these decisions.

The city did not always comply with legal requirements for property storage, property disposal, or employee training

While the city complied with requirements for notifications and some cleanups, we found areas of noncompliance with property storage and disposal, the webpage, and training.

While the city was compliant with notifications and large-scale cleanups, it did not always comply with the Lyall Settlement's requirements for property storage and disposal, the city's property storage webpage, and city employee sensitivity training.³⁹

PROPERTY THROWN AWAY BEFORE 60 DAYS – Both the Department of Transportation & Infrastructure and the city's contractor for hazardous waste disposal and property storage – Environmental Hazmat Services Inc. – are present during large-scale encampment cleanups to throw away trash and collect and store unattended personal property. The city will also store personal property for people experiencing homelessness at their request if the property does not pose a health or safety risk, such as containing drugs, weapons, or items contaminated by human waste or needles.

The city's property storage facility also keeps items collected during other events, such as during police arrests or when park rangers find unattended property in city parks.

As mentioned, the Lyall Settlement requires the city to store personal property that does not pose a public health or safety risk for at least 60 days before throwing it away.⁴⁰ But in our review of property storage data from Environmental Hazmat Services between Jan. 1, 2019, and June 30, 2022, we found personal property was thrown away before the 60 days in 21 of 1,069 instances – or about 2% of the time. In these cases, the property was stored between 43 days and 59 days before either the contractor or Transportation & Infrastructure threw it away.

We also found the dates when staff had moved or discarded property were not consistently tracked – which impacts the city's ability to monitor compliance with the settlement. Specifically, 571 of 1,069 instances of property stored between Jan. 1, 2019, and June 30, 2022 – or 53% – were missing a date for when the property was moved to long-term storage. Forty-six instances of stored property – or 4% – did not have a date for when the property was thrown away, which means neither the city nor Environmental Hazmat Services know for sure that property was held the required amount of time.

Additionally, although the property collected at all encampments is stored at the same Environmental Hazmat Services facility, the city's dataset is missing information on:

- Stored property kept by the Department of Parks and Recreation.
- Property identified on Environmental Hazmat Services' inventory logs.
- Property we observed being stored when we reviewed the police body-worn camera footage.

³⁹ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019), Exhibit A § A.3-4 and L.

⁴⁰ Raymond Lyall et al. v. City and County of Denver, Exhibit A § A.3.d.

Neither Transportation & Infrastructure nor Environmental Hazmat Services has documented policies and procedures for property storage or disposal.

Neither Transportation & Infrastructure nor Environmental Hazmat Services has documented policies and procedures for property storage or disposal. And neither has policies and procedures for reviewing and monitoring manually entered property storage data to ensure it is accurate and compliant.

Environmental Hazmat Services began tracking data related to property storage and disposal without guidance from the city, and the city is not reviewing the data to ensure it is correct. The city's contract with Environmental Hazmat Services also does not clearly assign responsibility for property disposal.

Transportation & Infrastructure and Environmental Hazmat Services staff shared inconsistent understandings of which is responsible for disposing of personal property.

Transportation & Infrastructure staff said they schedule garbage trucks in advance to throw away property stored at the storage facility for more than 60 days and that Environmental Hazmat Services is primarily responsible for determining which property can be thrown away. They also said Environmental Hazmat Services is always on-site during disposal. Meanwhile, Environmental Hazmat Services staff said Transportation & Infrastructure decides when to discard property from the storage facility and does not do so on a regular basis. They also said city staff often do not inform them when they are coming to throw property away.

One incident serves as an example of the consequences of this miscommunication — and how Environmental Hazmat Services may not always be present when property is thrown away. The company once told Transportation & Infrastructure managers that the door to the storage facility was broken and could not be opened and that someone was picking up their property later that day. Because of the broken door, the person could not get their property that had been stored for just over 60 days so they arranged to pick up their property later in the week instead. Transportation & Infrastructure staff threw away that person's property four days later without consulting Environmental Hazmat Services.

Federal guidance says documentation is a necessary part of an effective internal control system, which is the “plans, methods, policies, and procedures used to fulfill the mission, strategic plans, goals, and objectives of the organization.”⁴¹ Leading practices say that managers should define responsibilities and assign them to key roles.⁴² While managers can use external parties — such as contractors — to perform some processes, managers retain responsibility for how a process is done and they need to understand the controls each organization has implemented to ensure the process is followed as intended.⁴³

⁴¹ U.S. Government Accountability Office, GAO-14-704G, “Standards for Internal Control in the Federal Government” (2014), accessed Aug. 4, 2022, <https://www.gao.gov/assets/670/665712.pdf>, para. OV1.03.

⁴² U.S. Government Accountability Office, paras. 10.02.

⁴³ U.S. Government Accountability Office, para. OV4.01.

Transportation & Infrastructure staff and Environmental Hazmat Services staff had differing understandings of who is responsible for disposing of personal property.

Other federal guidance recommends that departments have user manuals, data-entry policies, and data-quality assurance processes for all programs.⁴⁴ It says a key element of data reliability is considering internal controls such as policies and procedures.⁴⁵

Managers should also obtain their data from reliable sources in a timely manner and document control responsibilities in policies and day-to-day procedures.⁴⁶ Finally, managers should establish two-way reporting lines so external parties — like contractors — can help the entity achieve its objectives.⁴⁷

PROPERTY THROWN AWAY DURING DAILY TRASH CLEANUPS – In addition to large-scale encampment cleanups, Transportation & Infrastructure conducts daily trash cleanups throughout the city. If staff find unattended personal property during these cleanups, the Lyall Settlement requires the city to provide 48 hours’ written notice before removing or storing the personal property unless it poses a public health or safety risk.⁴⁸

For one of the two daily trash cleanups we observed on police body-worn camera footage, staff from both Transportation & Infrastructure and Environmental Hazmat Services threw away or stored unattended personal property without providing a 48-hour notice in an area without a notice permanently posted. Department staff threw away furniture items such as office and kitchen chairs and a table, and Environmental Hazmat Services staff began storing a tent and bedding. Police officers on-site asked people living in nearby tents whether the owner of the unattended tent was present and told them to let the owner know that their property was being stored. However, no written notice was visible on the property or provided during the video footage we reviewed.

A similar situation occurred in the other daily trash cleanup footage we reviewed, but because the video does not show whether an unattended tent was moved or thrown away, we cannot say whether this instance was noncompliant with the Lyall Settlement.⁴⁹

Transportation & Infrastructure does not provide advanced notice of its daily trash cleanups and does not have documented policies and procedures for handling unattended personal property during daily cleanups. Staff in the City Attorney’s Office said there are times when notices are posted and then removed, and staff could have posted the required 48-hour notice even though it was not shown in the video footage. They also said a notice could have possibly been removed before the cleanup occurred and confirmed Transportation & Infrastructure does

⁴⁴ U.S. Government Accountability Office, GAO-20-283G, “Assessing Data Reliability” (2019), accessed March 10, 2022, <https://www.gao.gov/assets/gao-20-283g.pdf>.

⁴⁵ U.S. Government Accountability Office, GAO-20-283G, “Assessing Data Reliability” (2019) § 4.

⁴⁶ U.S. Government Accountability Office, GAO-14-704G, “Standards for Internal Control in the Federal Government” (2014), accessed Sept. 20, 2021, <https://www.gao.gov/assets/670/665712.pdf>, paras. 12.02 to 12.04.

⁴⁷ U.S. Government Accountability Office, paras. 15.02 to 15.03.

⁴⁸ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019), Exhibit A § 4.

⁴⁹ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019).

not provide advanced notice of its daily trash cleanups.

In addition to the Lyall Settlement requiring 48 hours' written notice before property that does not pose a public health or safety risk is stored or thrown away, leading practices say managers should document responsibilities in policies and day-to-day procedures.⁵⁰

The National Care for the Homeless Council says it may not be possible for people experiencing homelessness to replace certain items needed for survival, such as tents, bedding, and clothing, if they are thrown away.⁵¹ If a person has to replace property needed for survival, they may not have as much time for other solutions, such as receiving mental health treatment.⁵² Personal property could also include necessary medications, medical equipment, and documentation such as Social Security cards. Managers in Transportation & Infrastructure said that property is looked through before being thrown away to ensure medication and documentation are not destroyed. We also did not observe city or Environmental Hazmat Services staff throwing these items away. However, if these are thrown away, a person may not be able to replace the medication quickly and could have difficulty managing an ongoing health condition.

NONCOMPLIANCE OF PROPERTY STORAGE WEBPAGE – The Lyall Settlement requires the city to create a formal system to notify the public when unattended personal property has been removed and stored by city employees or contractors.⁵³ The settlement says this formal notification can be online and must include:

- Language saying property can be retrieved at no cost and without fear of arrest.
- A phone number for people to call who have questions about property retrieval.
- The location and hours of the storage facility.
- Notice that property will be stored for 60 days before it is thrown away.

The city uses its property removal and storage webpage to communicate this information through the Department of Housing Stability. However, as of November 2022, the webpage did not include a phone number for people to call with questions on property retrieval as required in the settlement. By comparison, both the city's 48-hour and seven-day large-encampment cleanup notices inform people to contact Denver 311 with any questions on property storage or retrieval.

⁵⁰ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019), Exhibit A § 4; U.S. Government Accountability Office, GAO-14-704G, "Standards for Internal Control in the Federal Government" (2014), accessed Aug. 4, 2022, <https://www.gao.gov/assets/670/665712.pdf>, paras. 12.02 to 12.04.

⁵¹ National Health Care for the Homeless Council, "Impact of Encampment Sweeps on People Experiencing Homelessness" (December 2022), accessed March 6, 2023, <https://nhchc.org/wp-content/uploads/2022/12/NHCHC-encampment-sweeps-issue-brief-12-22.pdf>.

⁵² National Health Care for the Homeless Council.

⁵³ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019), Exhibit A § C.

While the city identified the webpage as the best way to communicate information about stored personal property to people experiencing homelessness, 311 call records show people still may not know who to call.

For example, we found Denver 311 received only 63 calls inquiring about stored personal property between Jan. 1, 2019, and June 30, 2022. Of the 346 calls provided to us from Denver 311 with a description containing the words “property storage” or “belonging,” only 179 calls were relevant to homelessness or inquiries about stored personal property. A summary of these calls is shown in Table 2.

TABLE 2. Property storage-related calls to Denver 311, January 2019 through June 2022

Call type	2019	2020	2021	through June 30	Total
Person experiencing homelessness inquiring about stored property.	6	7	6	5	24
Inquiry about stored property but unclear whether it was from a person experiencing homelessness.	2	5	4	1	12
Person who was arrested inquired about stored personal property.	9	3	6	9	27
Report of a homeless encampment or recreational vehicle.	42	47	19	8	116
Total	59	62	35	23	179

Source: Auditor analysis of 311 call data.

Additionally, the property removal and storage webpage listed the wrong address for the storage facility, as of July 2022. The city’s property storage facility has been at 1449 Galapago St. since 2018, but the address listed on the webpage in July 2022 was 2314 Broadway. The city corrected the error by November 2022. The webpage listed the wrong address because Housing Stability mistakenly changed it to a local nonprofit organization’s separate off-site storage facility after Denver 311 asked whether it had the correct address for the city’s storage facility. The Mayor’s Office said the incorrect address was displayed only from June 2022 through August 2022.

Meanwhile, we found the webpage also did not include a phone number. The City Attorney’s Office was unaware it was a requirement for the webpage without referring to the settlement agreement. The city did not know whether a webpage would be feasible at the time the Lyall Settlement was written.⁵⁴

A CITY EMPLOYEE DID NOT TAKE REQUIRED TRAINING – The Lyall Settlement also requires city employees who regularly interact with people

⁵⁴ Raymond Lyall et al. v. City and County of Denver.

experiencing homelessness to take annual sensitivity training on homelessness sensitivity.⁵⁵

Because of the time needed to develop the training and multiple delays — including resources being redirected to address the COVID-19 pandemic — the Department of Housing Stability did not roll out its “Informed, Compassionate, and Positive Interactions with Persons Experiencing Homelessness” training until May 2021. Employees needed to complete the training by Dec. 31, 2021.

Because of the training implementation date and the Lyall Settlement’s explicit mentions of Transportation & Infrastructure and Parks and Recreation, we reviewed 2021 training records only for these two departments. Of the 28 employees within Transportation & Infrastructure and Parks and Recreation who were required to take the training, only one employee from Transportation & Infrastructure did not take it in 2021.

We found Transportation & Infrastructure is not sufficiently monitoring its training records to verify staff compliance. Additionally, neither department was able to provide attendance records to show employees had taken other required trainings, such as those related to hazardous materials or trauma.

In addition to the requirements in the settlement, leading practices on training say staff managers should be involved with providing orientation to the organization and training related to program services.⁵⁶ Managers should also continually assess the knowledge, skills, and abilities needed to ensure the workforce can achieve organizational goals.⁵⁷ These responsibilities should be documented in policies and procedures.⁵⁸ Furthermore, the City and County of Denver’s general records retention schedule requires city agencies to keep training records, such as class rosters, for six years after an employee no longer works for the city.

While the City and County of Denver was generally compliant with the Lyall Settlement, these instances of noncompliance expose the city to potential future liabilities and lawsuits.⁵⁹ Additionally, people experiencing homelessness may not be able to retrieve their belongings if they are thrown away before the 60-day minimum storage requirement. And they may not have the information they need to know how to retrieve their belongings if the city’s website does not contain a phone number to call for information.

Lastly, city employees and contractors who interact with people experiencing homelessness may not have the knowledge and skills to have

⁵⁵ Raymond Lyall et al. v. City and County of Denver, Exhibit A § L.

⁵⁶ Raymond Lyall et al. v. City and County of Denver; United Way Greater Toronto, “Program Design & Development Resources” (2016), accessed Oct. 10, 2022, <https://www.unitedwaygt.org/document.doc?id=538>.

⁵⁷ U.S. Government Accountability Office, GAO-14-704G, “Standards for Internal Control in the Federal Government” (2014), accessed Aug. 4, 2022, <https://www.gao.gov/assets/670/665712.pdf>, 10.03.

⁵⁸ U.S. Government Accountability Office, paras. 12.01 to 12.04.

⁵⁹ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019).

positive interactions with people experiencing homelessness, understand effective ways to manage personal stress and emotional exhaustion, and be properly trained to achieve the city’s goals for the Unauthorized Encampment Response Program.

1.1

RECOMMENDATION

Establish and document roles and responsibilities

The Department of Transportation & Infrastructure should establish and document roles and responsibilities — either in a contract or elsewhere — for the department and its contractor to evaluate and dispose of property collected and stored in the city’s storage facility.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – JUNE 30, 2023
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

1.2

RECOMMENDATION

Develop and document policies and procedures for property storage compliance

The Department of Transportation & Infrastructure should work with its contractor to develop policies and procedures for ensuring compliance with the Lyall Settlement regarding property storage and disposal. Policies and procedures should include how and where the department and its contractor will consistently document collection and disposal dates for property as well as when and how property will be disposed of. Transportation & Infrastructure should document a City Attorney’s Office review of the policies and procedures to ensure they comply with legal requirements.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – JUNE 30, 2023
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

1.3

RECOMMENDATION

Develop and document policies and procedures for property storage data

The Department of Transportation & Infrastructure should work with its contractor to develop policies and procedures for inputting, tracking, and monitoring property storage data. Transportation & Infrastructure should document a City Attorney Office review of the policies and procedures to ensure they comply with legal requirements.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – JUNE 30, 2023
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

1.4**RECOMMENDATION****Monitor property storage data**

The Department of Transportation & Infrastructure should periodically monitor property storage data to ensure it supports compliance with legal requirements. It should document these periodic reviews and provide feedback to its contractor, as necessary.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – JUNE 30, 2023
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

1.5**RECOMMENDATION****Develop and document policies and procedures for providing notice at regular cleanups**

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should develop policies and procedures to provide the required 48 hours’ notice for unattended personal property found at its regular citywide cleanups in compliance with the Lyall Settlement. It should also document a City Attorney’s Office review of the policies and procedures to ensure they comply with legal requirements.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – JUNE 30, 2023
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

1.6**RECOMMENDATION****Develop and document policies and procedures for employee training**

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should work with all agencies responsible for homeless encampment cleanup and response to develop and document policies and procedures for ensuring staff complete required trainings, including those required by the Lyall Settlement.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – JULY 31, 2023
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

1.7**RECOMMENDATION****Monitor compliance with employee training**

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should work with all agencies responsible for homeless encampment cleanup and response to develop and document a process to monitor compliance with employee training requirements, including those required by the Lyall Settlement.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – JULY 31, 2023
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

1.8

RECOMMENDATION

Follow the city's records retention policy

The Denver Unauthorized Encampment Response Program coordinated by the Mayor's Office should work with city agencies responsible for providing and monitoring training to ensure compliance with the city's records retention policy related to preserving training documentation.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – JULY 31, 2023
SEE PAGE 69 TO READ THE AGENCY'S RESPONSES.

1.9

RECOMMENDATION

Update city webpage

The City Attorney's Office should work with responsible agencies to ensure the city's website contains, at a minimum, all information required by the Lyall Settlement and that the information is accurate so people experiencing homelessness can be easily informed of where and how to retrieve their personal belongings.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – APRIL 3, 2023
SEE PAGE 69 TO READ THE AGENCY'S RESPONSES.

The city cannot ensure equitable access to services or stored personal belongings for people experiencing homelessness

We requested data and locations for the six main encampment response teams providing outreach and for assessments and cleanups from Jan. 1, 2022, through June 30, 2022. While we received data for five of the teams, the types of information varied — making it difficult for us to compare where all teams providing outreach had been across the city and where assessments and cleanups had been done. Despite these data issues, the locations of the outreach teams, the sites assessed, and the cleanups appear to be equitably located throughout Denver.

But when we compared the locations, hours, and processes for the main property storage facility with where encampment sites were, we found people experiencing homelessness might face difficulty picking up their personal belongings, especially if their items were moved off-site to the city's long-term storage facility.

We also found the city's communications to let people experiencing homelessness know about the property storage facility's location and hours of operation — as well as how to retrieve their property — is provided only in written English. Therefore, it is not easily accessible to people whose primary language is not English or who may have a disability, such as a visual impairment.

While the city appears to provide access to services and equitably conducts assessments and cleanups across Denver, its data was unreliable

OUTREACH SERVICES – During our audit, the city had six main encampment teams that provided outreach to people experiencing homelessness: the early intervention team, the homeless outreach team, the substance use navigators, the Denver Street Outreach Collaborative and Strategic Outreach to Large Encampments teams, and the street enforcement team. These teams provide outreach – such as access to substance use treatment and mental health referrals or housing-focused case management services – to people experiencing homelessness, including those at encampment sites. The homeless outreach team and street enforcement team provide these services during contact with people experiencing homelessness and while enforcing city ordinance.

Because some teams did not exist or have data before 2022, we examined data from the teams for January 2022 through June 2022, looking for completeness and logical data fields. The Denver Street Outreach Collaborative team did not track the locations where they provided outreach services at encampments, so this team was not included in the analysis. Department of Housing Stability staff said the team’s data did not track addresses since their response is more person-centered. However, of the other encampment outreach teams, we found several did not have sufficiently reliable data to ensure they offer services equitably. Specifically, outreach teams were missing data in some fields.

Overall, we found consistency issues, missing data, and inaccurate locations across four of the teams.

Data was missing or tracked inconsistently for the street enforcement team, early intervention team, substance use navigators, and the Strategic Outreach to Large Encampments team. For example, 1% of the street enforcement team’s entries – or 12 of 1,023 – did not provide a location to indicate where the team had been. Some datasets contained typos. For example, one date in the substance use navigators’ spreadsheet read “12/07/2022” but we received the data in October so the December date was not plausible.

While all data for the homeless outreach team was complete, a Denver Police Department captain acknowledged that the team’s data is based on summarized information from 911 reports and understanding officer notes, so the data may not be fully accurate.

People experiencing homelessness might face difficulty picking up their personal belongings, especially if their items were moved to long-term storage.

EQUITY DEFINED

According to a 2021 presidential executive order, equity is “the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.”

Equity can relate to matters of race, ethnicity, religion, income, geography, gender identity, sexual orientation, disability, and more.

Meanwhile, the types of data being tracked were inconsistent within teams. For example, the Strategic Outreach to Large Encampments team began tracking reports between Jan. 1, 2022, and May 26, 2022, by date; however, between May 26, 2022, and June 30, 2022, the reports were then titled by location. Furthermore, the first five reports for 2022 had a data field called “Referral to Denver Street Outreach Collaborative for Case Management,” but the rest did not. Finally, the way the team tracked dates of outreach varied, with most reports listing each date separately but two reports providing a date range instead.

We also could not verify some of the locations where outreach teams reported that they had been. All outreach teams provided their locations as cross-streets, which we manually converted into latitude and longitude coordinates. After converting the addresses, we found all teams that provide outreach services — except for the homeless outreach team — provided at least one address that we could not identify because either the address did not exist or it was not specific enough. For example, one address was listed as “18th and Acoma” but these do not cross in Denver. We also encountered an address that was not specific enough; it was listed as “Downtown Corridor.”

MORE INFORMATION

See [Appendix B](#) for more information on our data reliability testing and conclusions.

Despite some inaccurate addresses, we were able to map most of the locations where the teams provided outreach from January 2022 through June 2022, as shown in Figure 4 on the next page.

We determined that during this six-month period, the teams visited at least 1,211 unique active encampments throughout Denver County to provide outreach.

The locations for outreach services show the teams visited encampments across the city and were not focused in one area. We also found they were providing more outreach and services than there were cleanups. Specifically, while there were cleanups at 74 encampments between Jan. 1, 2022, and June 30, 2022, the outreach teams provided services to at least 1,211 encampments during this time period.

MORE INFORMATION

See [Appendix B](#) for more information on our mapping methodology.

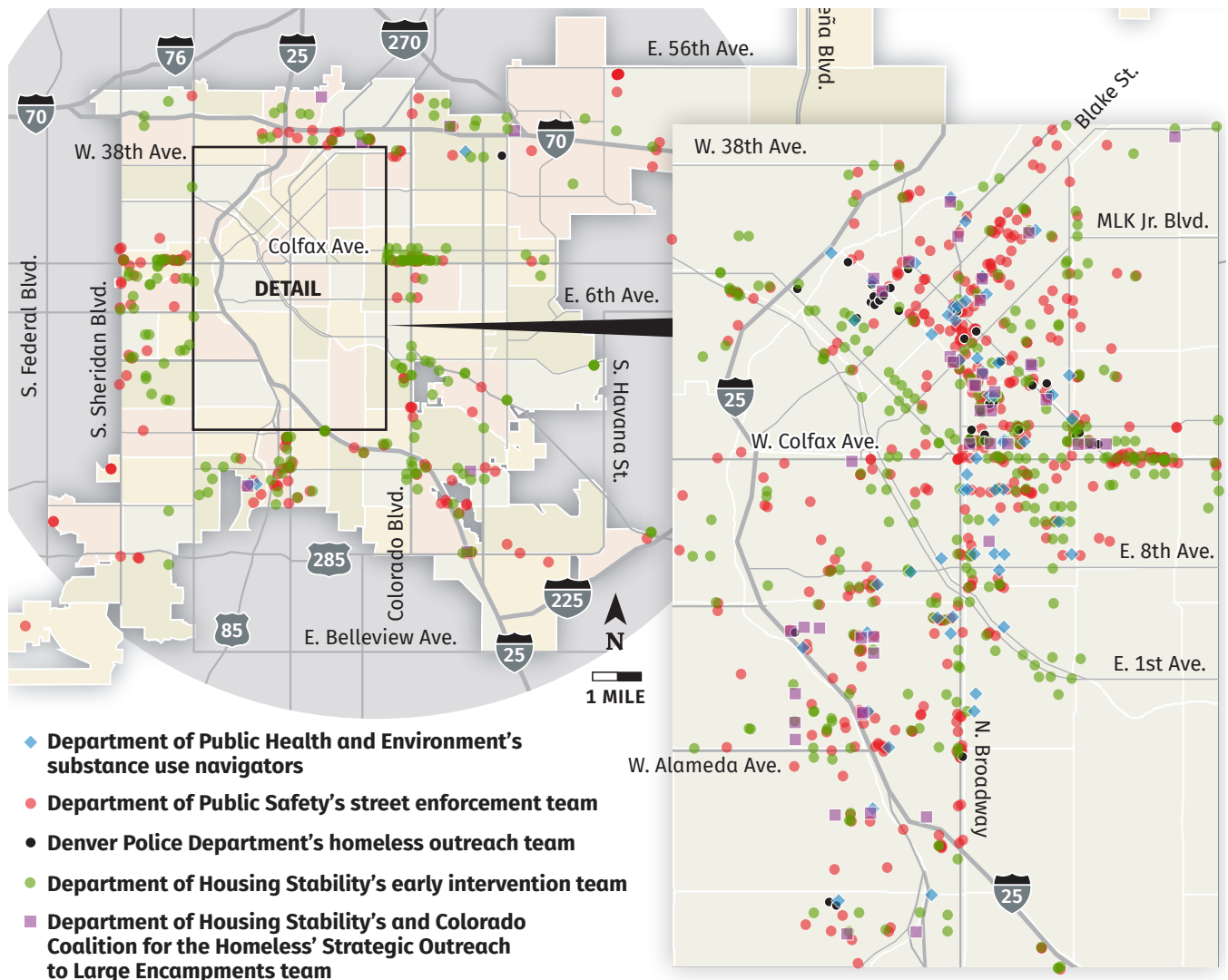
The teams visited at least 1,211 unique active encampments throughout Denver County from January 2022 through June 2022 to provide outreach.

ASSESSMENT AND CLEAN-UP ACTIVITIES

– According to the city’s Unauthorized Encampments Response Program coordinator in the Mayor’s Office, the city prioritizes cleaning up locations where encampments exist with public health, public safety, and environmental concerns. To help conduct site assessments, Public Health and Environment’s investigators assess areas with encampments and illegally parked recreational vehicles for public health or safety issues. The investigators use encampment assessment forms and track some of this data electronically in an Excel spreadsheet.

The Unauthorized Encampment Response Program, coordinated by the Mayor’s Office, also considers complaints about encampments when prioritizing cleanup sites. The city mostly receives complaints about encampments through online submissions, calls to Denver 311, and dispatch reports from nonemergency 911 calls. Mayor’s Office staff said they review complaint data twice a day.

FIGURE 4. Visits by teams to active encampment sites to provide outreach services, January 2022 through June 2022



Note: We relied on the addresses as written by the agency; therefore, given the limitations discussed in [Appendix B](#), we used our professional judgment to identify the latitude and longitude coordinates and location counts. The street enforcement team and homeless outreach teams conduct enforcement activities in addition to outreach, but we could not separate these functions based on the data we received.

Source: Auditor’s Office analysis of data from the Department of Public Health and Environment, the Department of Housing Stability, the Department of Public Safety, and the Denver Police Department.

To track cleanup sites, the Unauthorized Encampment Response Program keeps a schedule of posted seven-day notices and large-scale encampment cleanups. Similarly, Parks and Recreation’s park rangers track data about abandoned property, structure violations and warnings, and sites that need small or large cleanups.

We reviewed the city’s data from the cleanup schedule, public health assessments, park rangers, and encampment-related complaints from January 2022 through June 2022. The park rangers’ data and some of the complaints were the only datasets that provided latitude and longitude coordinates instead of cross-streets for the addresses. We manually converted the other address data into latitude and longitude coordinates.

As shown in Table 3, we compared the six encampment sites the city cleaned up the most with the public health assessments and complaints data and found each of these encampments had been assessed by Public Health and Environment at least twice during this six-month period. Additionally, all locations had at least one nonemergency public health complaint in this time.

From January 2022 through June 2022, individuals also submitted 117 nonemergency, public health complaints about an encampment at Glenarm Place and 21st Street and 97 complaints about an encampment at 20th Street and Chestnut Street. The data we reviewed showed the city cleaned up both sites twice during this time.

TABLE 3. Top six encampment sites cleaned up compared to the number of assessments and complaints, January 2022 through June 2022

Location	Number of times location had a large-scale cleanup	Number of times location had a public health assessment	Number of nonemergent public health complaints about location
“29th & Arkins”	5	10	11
“Kalamath & Wesley / Iliff & Navajo”	4	14	1
“20th & Stout”	3	10	44
“6th & Osage / 6th & Quivas / Raritan Way”	3	16	18
“Irvington & Raritan/Bayaud & Pecos/Cedar & Pecos/Byers & Pecos/Byers & Raritan/Maple & Raritan”	3	26	5
“19th & Colfax (Park Ave Corridor)”	3	2	14

Note: Location names are written exactly as they appeared in the data. For the public health assessments, we excluded those that indicated the encampment site was cleared of activity. For the complaints, we included only complaints that indicated the encampment site had human waste, needles, and trash, and we excluded complaints that indicated there was a police, fire, or medical emergency. We relied on the address as written by city agencies; therefore, given the limitations discussed in [Appendix B](#), we used our professional judgment to identify the latitude and longitude coordinates and location counts.

Source: Auditor’s Office analysis of data from the Mayor’s Office, the Department of Public Health and Environment, and the city’s Technology Services agency.

However, like the outreach teams' data, there were locations in the cleanups, assessments, and complaints data that we could not identify. Specifically, we could not determine two of 60 cleanup locations — or 3% — and we could not determine 31 of 529 active encampment or recreational vehicle site-assessment locations — or 6% — based on the information we were given.

The cleanups and assessments address data is also not standardized. For example, misspellings and uses of "Avenue" versus "Ave." were present in the data. Additionally, the data often contained multiple distinct locations within one location entry, such as "Lipan and Louisiana, Nevada and Pecos, Arizona and Huron" and "20th and Stout/Champa," making our attempts at counting the number of cleanups or assessments challenging. This also impacts the agencies' ability to assess their own data.

The outreach teams and other city staff manually entered the outreach, assessments, and cleanup data, especially the addresses — which led to these data-quality issues.

Furthermore, several departments and outreach teams lack policies and procedures for data input, tracking, and monitoring. Specifically, Public Health and Environment, the Unauthorized Encampments Response Program coordinated by the Mayor's Office, the street enforcement team, the homeless outreach team, and the early intervention team did not have policies and procedures for all encampment response-related activities. Public Health and Environment's substance use navigators and the Denver Street Outreach Collaborative and Strategic Outreach to Large Encampments teams did have policies and procedures outlining their services and data reporting processes.

Mayor's Office leaders said the process for determining the cleanup schedule is provided in their program management plan and operations guide. But we found these documents did not specify the process for using or reviewing the scheduling data or a consistent format for how staff should document locations.

Housing Stability managers said they had started drafting policies and procedures for the early intervention team but they were not complete because the team was new to the department in 2022.

Leading practices say quality control is an ongoing process that should be in place from the beginning of a program to ensure services provided by staff align with program standards and any legal requirements.⁶⁰

Some departments said they do not track information about people at encampments in case it is personally identifiable information that must be protected. Additionally, because some teams — such as the street enforcement team and homeless outreach team — provide both outreach and enforcement, managers were worried that tracking data may affect

⁶⁰ United Way Greater Toronto, "Program Design & Development Resources," (May 2016), accessed Oct. 10, 2022, <https://www.unitedwaygt.org/wp-content/uploads/2021/06/Program-Desig-Development-Resources.pdf>.

The U.S. Interagency Council on Homelessness recommends that homeless outreach teams document their interactions with people experiencing homelessness by using a central database to determine whether resources are effective at reducing homelessness.

their relationships with people staying at encampments.

Federal guidance recommends organizations have user manuals, data-entry policies, and data-quality assurance processes for all programs.⁶¹ Additionally, guidance says a key element of data reliability is considering internal controls, which can include policies and procedures.⁶² Guidance also says managers should obtain their data from reliable sources in a timely manner.⁶³

The U.S. Interagency Council on Homelessness recommends homeless outreach teams document their interactions with people experiencing homelessness by using a central database, such as the Homeless Management Information System, which includes a list of people, by name.⁶⁴ This list — updated at least monthly — would track every known person in the community experiencing homelessness. With the person’s consent, the list would record their name, history of homelessness, and health and housing needs. The purpose is to regularly observe the change in homelessness and determine whether resources are effective at reducing homelessness. But according to Colorado Homeless Management Information System policies and procedures, law enforcement personnel are not allowed to have direct access to the Homeless Management Information System.

Meanwhile, the federal council also says outreach teams should be able to input data, look up previous interactions, and view available resources in this central data system.

Mayor’s Office staff said Denver is working to implement a centralized data-tracking application called NAVApp for encampment response teams and outreach teams to track their data for services, public health assessments, and clean-up schedules. They said the application may be able to track locations using real-time latitude and longitude coordinates.

The Mayor’s Office also plans to provide policies and procedures on how to use the application. However, as of January 2023, the application was not yet implemented. Additionally, the Mayor’s Office has not decided whether the city will track demographic information about people experiencing homelessness in this application. Staff said the NAVApp has security functions built in, so personally identifiable information would be secured. Tracking and analyzing this information would help the city diversify staff, target outreach efforts, train staff in issues of equity, and change policies and procedures to ensure equity is reached and people most impacted by

⁶¹ U.S. Government Accountability Office, GAO-20-283G, “Assessing Data Reliability” (2019), accessed March 10, 2022, <https://www.gao.gov/assets/gao-20-283g.pdf>.

⁶² U.S. Government Accountability Office, GAO-20-283G, “Assessing Data Reliability” (2019) § 4.

⁶³ U.S. Government Accountability Office, GAO-14-704G, “Standards for Internal Control in the Federal Government” (2014), accessed Sept. 20, 2021, <https://www.gao.gov/assets/670/665712.pdf>.

⁶⁴ U.S. Interagency Council on Homelessness, “Core Elements of Effective Street Outreach to People Experiencing Homelessness” (2019), accessed Jan. 6, 2023, https://www.usich.gov/resources/uploads/asset_library/Core-Components-of-Outreach-2019.pdf.

homelessness are effectively helped.⁶⁵

We also reviewed city park rangers' data, which Parks and Recreation collected through Collector for ArcGIS, an application that allows rangers to plot points on a map to identify locations and note whether an encampment is occupied. Rangers can also track the number of needles collected, the amount of trash and debris cleaned up, and any items stored. Parks and Recreation has a comprehensive procedural manual on how to use Collector for ArcGIS. It describes how to collect data and specifies that rangers must fill out the information for the ranger's name, the status of the site (e.g., abandoned belongings), and the cleanup type.

Overall, the ranger data was complete, but there were some blank values for required data fields. Specifically, in the data from January 2022 through June 2022, we found four instances of 761 — or 1% — where the field was blank for the ranger's name, nine instances — or 1% — with blank fields for status, and 17 instances — or 2% — that were blank for the cleanup type. Additionally, the application defaults the date to the year 1899, which was not changed to the correct year in 25 of the 761 instances — or 3%.

Parks and Recreation staff acknowledged human error is possible and said they have not been able to set up safeguards for all data fields. However, they said they are switching to NAVApp, which should resolve the data-entry issues associated with Collector for ArcGIS.

The park rangers did provide all locations as latitude and longitude coordinates, which allowed us to map those sites accurately. The only limitation to this data was that it did not include park names and there were several locations within one park. However, the data did include the ranger districts where the coordinates were. Additionally, park names can be found by using the latitude and longitude coordinates. The park district with the most encampment activity was the Trails district — which generally runs next to the South Platte River and Cherry Creek — with 417 of 761 entries in this area — or 55%.

While our analysis shows the city appears to be providing outreach and conducting assessments and cleanups equitably throughout the city, if the city does not track data consistently and accurately, it cannot know whether it is performing these activities equitably around the city and that programs are meeting their intended objectives.

The practices, location, and hours for the city's property storage facility may not allow equitable access for people living in encampments to retrieve their belongings

The city's property storage facility has been at 1449 Galapago St. since

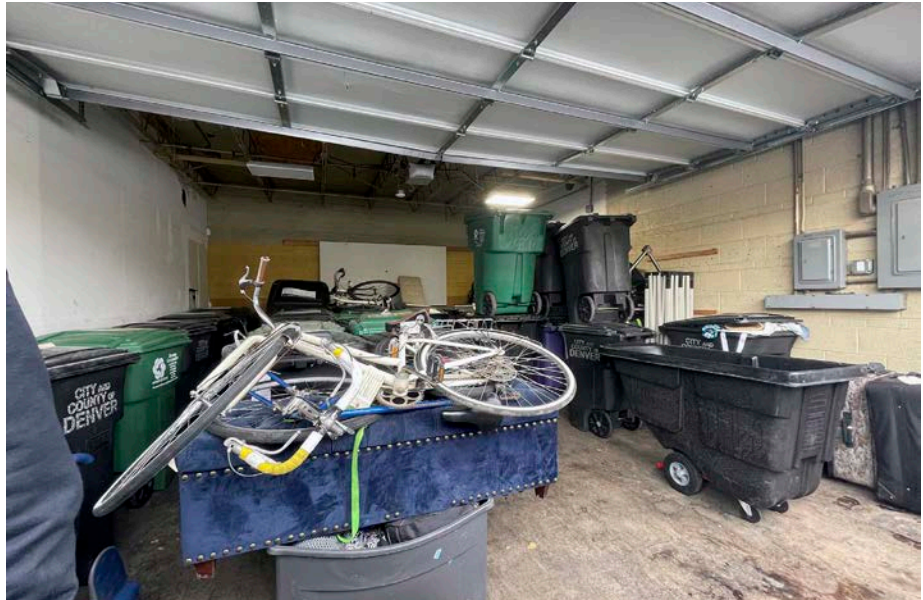
⁶⁵ U.S. Department of Justice, "Responding to Homelessness," accessed Dec. 17, 2022, <https://www.ojp.gov/program/pmhc/responding-homelessness#leaders>; U.S. Interagency Council on Homelessness, "Core Elements of Effective Street Outreach to People Experiencing Homelessness" (May 2019), accessed Jan. 6, 2023, https://www.usich.gov/resources/uploads/asset_library/Core-Components-of-Outreach-2019.pdf.

The city's storage facility is open during limited hours during the week, often closing at 8:30 a.m.

2018. The facility stores personal property collected during large-scale encampment cleanups, excess personal property belonging to people who have been arrested, and unattended personal property found in city parks.

As specified in the settlement agreement, the storage facility is open for two and a half hours four days a week — from 6 a.m. to 8:30 a.m. Mondays through Wednesdays and on Fridays — and for only six hours on Thursdays, from noon to 6 p.m.

We toured the storage facility and saw that belongings were mostly stored in various bins, each of which had a tag attached. Environmental Hazmat Services staff said the garages are often more crowded and disorderly than what we saw at that time.



GALAPAGO STREET STORAGE FACILITY | When we toured the city's property storage facility on Galapago Street, we observed three garages housing individuals' personal belongings. PHOTO BY AUDITOR'S OFFICE STAFF

The Lyall Settlement requires the city to store personal property for at least 60 days. However, the city's practice is to keep property in the main storage facility on Galapago Street only for 30 days before transferring it to a separate long-term storage facility — that is not available to the public — for the remaining 30 days.⁶⁶ This is communicated to people experiencing homelessness through the notices posted seven days before a large-scale encampment cleanup. But the city's 48-hour notices say property will be stored at the Galapago Street storage facility for 60 days, which does not align with the city's practice of moving peoples' property after 30 days.

We analyzed property storage data from the city's contractor, Environmental Hazmat Services Inc., from January 2019 through June 2022. We found 141 of 1,069 instances — or 13% — of property being moved to long-term storage before the 30 days communicated in the seven-day clean-up notices. Environmental Hazmat Services staff said property is moved to long-term storage before 30 days because there is often no more

⁶⁶ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019), Exhibit A § A.3.d.

room in the main storage facility. They said storage limitations, available labor, and garbage truck services from the city all determine when property is moved to long-term storage.

PROPERTY STORAGE LOCATION AND HOURS – Adding to the barriers people may have in being able to retrieve their belongings, we found the Galapago Street storage facility is not near many encampment sites. Additionally, people experiencing homelessness may not have access to transportation to get to the storage facility.

Our analysis of homeless encampment cleanup data showed the average distance to the storage facility from encampment sites was over 2 miles and the maximum distance between an encampment site and the storage facility was just over 13 miles. Figure 5 on the next page shows the location of encampment sites throughout the city from January 2022 through June 2022, in relation to the property storage facility off Galapago Street.

Mayor’s Office staff said people experiencing homelessness who live in encampments may not have access to transportation to travel to the storage facility in downtown Denver. And while the city is compliant with the hours of operation for the storage facility as listed in the Lyall Settlement, Environmental Hazmat Services staff – who operate the facility – said very few people try to pick up their property on days other than Thursday, the day the facility opens later and is open the longest.⁶⁷

For the other days, Environmental Hazmat Services staff said the short time windows and early time of day – combined with a lack of access to transportation – are likely prohibiting factors preventing people from picking up their belongings.

The property storage facility may not be optimally located or open during convenient hours for people experiencing homelessness because the city did not conduct a formal needs assessment to determine the best place and hours of operation for the facility.

Compared to other locations they considered, Transportation & Infrastructure managers decided the 1449 Galapago St. location was “more central” to city agencies, contractors, and nonprofits providing services to people experiencing homelessness with a minimal amount of travel required. But this decision-making process was not documented.

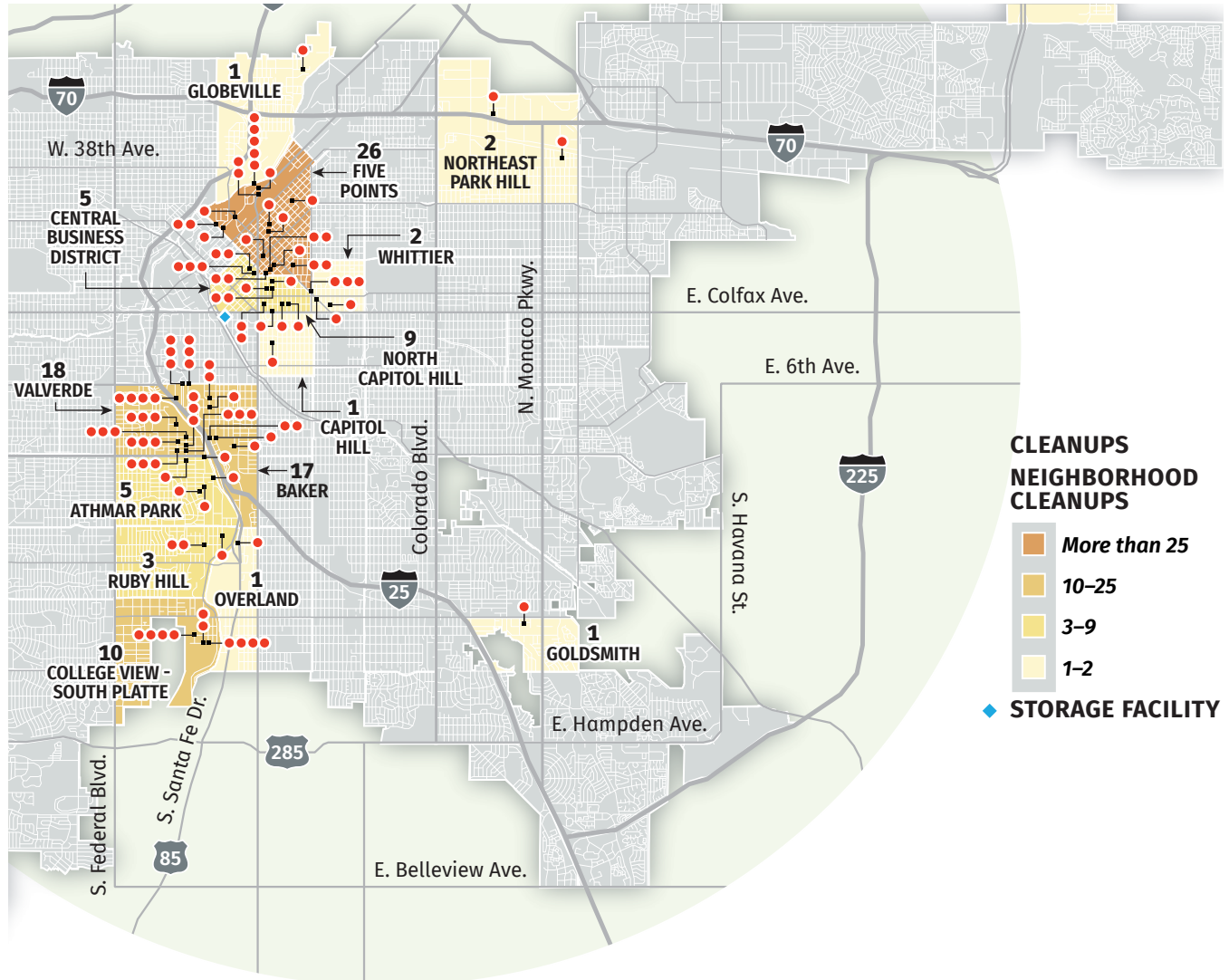
The city has not changed the storage facility’s hours of operation from those agreed upon in the Lyall Settlement.⁶⁸ However, the settlement allows the city to reduce the hours if property is not being picked up during hours established by the agreement, if the city documents the reason for its decision and consults the settlement-required advisory group. The City Attorney’s Office said it chose not to reduce the hours because the COVID-19 pandemic did not allow for a fair assessment of the storage facility hours and although very few people were retrieving their

⁶⁷ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019), Exhibit A § A.6.

⁶⁸ Raymond Lyall et al. v. City and County of Denver, Exhibit A § A.6.

property, some were.

FIGURE 5. Encampment sites versus property storage facility, January 2022 through June 2022



Note: We relied on the address as written by the agency; therefore, given the limitations discussed in [Appendix B](#), we used our professional judgment to identify the latitude and longitude coordinates and location counts.

Source: Auditor's Office analysis based on data from the Mayor's Office.

Our analysis of Environmental Hazmat Services' property storage data shows only 8.7% of property stored at the facility was picked up from January 2019 through June 2022. One Mayor's Office staff member said the lack of transportation for people experiencing homelessness may contribute to the low percentage of property retrieved.

Leading practices on program design say an assessment should be

Only 8.7% of property stored at the facility was picked up from Jan. 1, 2019, through June 30, 2022.

conducted to determine the needs of a specific target population.⁶⁹ A needs assessment includes gathering and analyzing data from different sources in a systematic way and looking at the needs of the population and existing programs to determine any gaps. While both Transportation & Infrastructure and the City Attorney's Office did consider the needs of people experiencing homelessness when determining the storage facility's location, this work was informal and did not include analyzing data in a systematic way. A formal needs assessment was not conducted to determine the hours of the facility because they were outlined in the settlement agreement.⁷⁰

We reviewed how other cities throughout the country ensure people experiencing homelessness can retrieve their belongings and learned that they offer transportation to people and have more centrally located property storage buildings near public transit. For example, Portland, Oregon, located its storage facility so it is accessible by train, and Las Vegas provides a regularly scheduled, no-cost shuttle to transport people experiencing homelessness to essential services. This shuttle cost the city around \$427,000 in 2022.

As an example of how Denver city agencies have made services more accessible to people throughout the city, Denver Human Services created neighborhood sites throughout the city to increase access to services for people, including those experiencing homelessness. The department now has five community sites, two satellite offices, and a welcome center where people can receive services. The city could potentially use this same strategy to make the storage facility, or multiple facilities, more easily accessible to people living in encampments throughout the city.

Even though the property storage hours were agreed to in the settlement, the city's property storage practices and the location and limited hours for the Galapago storage facility may make it difficult for people experiencing homelessness to easily retrieve their belongings.

Additionally, if someone tries to collect their property when it has already been moved to long-term storage, Environmental Hazmat Services will have to retrieve their belongings, bring it back to the Galapago Street storage facility, and reschedule a time for the person to pick up their belongings. This process places an excessive burden on people experiencing homelessness to travel to the storage facility a second time.

WHAT SOME OTHER CITIES DO

See [Appendix C](#) for more information about our comparison with other cities, including Las Vegas; Philadelphia; Chicago; Seattle; Minneapolis; Portland, Oregon; and Houston.

⁶⁹ United Way Greater Toronto, "Program Design & Development Resources" (2016), accessed Oct. 10, 2022, <https://www.unitedwaygt.org/document.doc?id=538>.

⁷⁰ Raymond Lyall et al. v. City and County of Denver, Exhibit A § A.6.

While compliant with the Lyall Settlement, the city’s practices for communicating with people experiencing homelessness may not provide equal access to information about services or retrieving personal belongings

The city does not have a documented process to communicate with people experiencing homelessness who speak languages other than English or who have a disability. While some city agencies rely on bilingual staff or the city’s translation services to communicate in these situations, there are no formalized processes to guide city employees to effectively communicate with all people experiencing homelessness.

INFORMATION COMMUNICATED – The Lyall Settlement says the city, “to the extent reasonably possible,” must provide at least seven days’ notice before conducting a large-scale encampment cleanup.⁷¹

The settlement also says, for regular cleanups that occur in a specific area three times a week or more, the city must post permanent, written notices in the area where the regular cleanups will take place.⁷² The written notices for regular or large-scale cleanups must include:

- Language indicating that stored property may be retrieved at no cost without fear of arrest.
- A phone number for individuals to call who may have questions regarding property retrieval.
- The location and hours of the storage facility.
- The length of time – 60 days – that property that does not pose a public health or safety risk shall be stored at the facility before it is thrown away.⁷³

To remove items that violate city ordinance and do not pose a public health or safety risk outside a designated regular cleanup area or a large-scale encampment cleanup, the city must:

- Provide 48 hours’ written notice before removing personal property that does not pose a public health or safety risk.
- Post a written notice to the property and include the information identified above.
- Indicate on the notice the date that it was attached to the personal property.⁷⁴

Finally, the settlement says the city must work with people providing services and advocates of people experiencing homelessness to create a formal system to communicate to people when their unattended personal property has been removed and stored by city staff. The city should

⁷¹ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019), Exhibit A § A.1.

⁷² Raymond Lyall et al. v. City and County of Denver, Exhibit A § A.2.

⁷³ Raymond Lyall et al. v. City and County of Denver, Exhibit A § 3.

⁷⁴ Raymond Lyall et al. v. City and County of Denver, Exhibit A § 4.

also determine whether it is possible to create a webpage on the city's website with this information. All communication must contain the same information in the physical notifications.⁷⁵

We requested copies of the 48-hour and seven-day notices that are posted at encampments and we observed postings at three encampment sites in the city during our audit. While compliant with the Lyall Settlement, we saw the information on these notices was only in English. Additionally, because of the way the notices are sometimes physically posted, the backs of the notices were difficult to read.



POSTING OF A SEVEN-DAY CLEANUP NOTICE | While visiting an encampment site, we observed a seven-day notice posted to the pole of a street sign. The front of the notice was visible (at left), but the back of it was difficult to fully see because of how the notice was secured to the pole (at right). PHOTOS BY AUDITOR'S OFFICE STAFF

To determine the best way to communicate information about stored personal property to people experiencing homelessness, city managers said they reviewed other cities' practices and found most use property storage websites to communicate. They also learned from homeless advocacy groups that most people experiencing homelessness have cell phones where they can access the internet. That is why the city developed its own property removal and storage webpage on the city website.

But this review was not documented and the city did not conduct a formal needs assessment to ensure it had found the best way to communicate stored property information to people experiencing homelessness.

LANGUAGES USED FOR COMMUNICATION – The city does not provide 48-hour and seven-day cleanup notices in languages other than English. Neither the Lyall Settlement nor city ordinance specifies that the city must do this – but people in Denver speak many languages other than English. In

⁷⁵ Raymond Lyall et al. v. City and County of Denver, Exhibit A § 5C.

particular, the city has a sizable Spanish-speaking population.

As shown in Table 4, we used U.S. Census Bureau data to determine the top languages between 2017 and 2021 spoken by more than 1,000 Denver residents who had low English proficiency. Since we could not quantify the languages spoken by people experiencing homelessness, we looked at data from Denver Human Services. Specifically, some residents who speak these languages used Denver Human Services for financial assistance, Colorado’s Temporary Assistance for Needy Families program, the Supplemental Nutrition Assistance Program, or medical assistance during this time. While the U.S. Census Bureau did not quantify the number of Denver residents who communicate using American Sign Language, Denver Human Services reported that 37 Denver residents who use this language also accessed their services in 2020.

TABLE 4. Languages in the City and County of Denver

Note: The services provided by Denver Human Services included financial assistance, Colorado’s Temporary Assistance for Needy Families program, Supplemental Nutrition Assistance Program, or medical assistance.

Source: Created by Auditor’s Office staff using information from the from the U.S. Census Bureau’s 2017-2021 American Community Survey and 2020 Denver Human Services data.

When we asked the City Attorney’s Office and the Mayor’s Office why postings did not include languages other than English, they said the COVID-19 pandemic, staffing shortages, and cost considerations were impacting factors. They also said determining what languages are needed and accommodating the physical size of the notices posted at

encampments makes it difficult to include multiple languages.

We found all seven of the other cities we researched have a procedure or practice for communicating cleanup or service information to people experiencing unsheltered homelessness who might speak a language other than English.

Six of the seven — or 86% — said they post notices in at least English and Spanish. Furthermore, Seattle created policies regarding notice requirements that say their notices must “be printed in English, Spanish, and any other language the city determines would further the purpose of the notice.” Similarly, the Oregon Legislature codified in a camping law that written notices must be provided in English and Spanish.⁷⁶ Minneapolis also created a language access plan that outlines how it calculates the primary languages used by residents each year.

Mayor’s Office staff said Denver plans to include the information in Spanish but they do not have a timeline for when that will happen. Some agencies said they have bilingual staff on their outreach teams who could provide translation services.

However, according to Denver’s Office of Immigrant & Refugee Affairs, agencies should have a language access policy in place and should not rely on bilingual employees for translation services. The city is committed to making services and information about those services available to everyone, and a language access policy would help ensure the city meets this goal. The office recommends all agencies identify what populations speak languages other than English who could benefit from their services as well as the number and prevalence of languages spoken.

We also asked agencies involved with homeless encampments whether they had a policy or procedure for communicating cleanup or property storage information to people with disabilities. The Unauthorized Encampment Response Program does not have a policy, but staff pointed to the city’s sign language interpreter request protocol and translation services contract as resources staff could use. Additionally, the mayor’s Executive Order No. 147 says to ensure compliance with the Americans with Disabilities Act, each city agency must designate a staff member as its liaison to report to the Division of Disability Rights.⁷⁷

We confirmed the departments of Parks and Recreation, Housing Stability, Public Health and Environment, and Transportation & Infrastructure had liaisons — but the Mayor’s Office did not. Technically, however, city executive orders apply to agencies under the mayor’s purview and do not explicitly include the Mayor’s Office.⁷⁸

⁷⁶ Oregon Rev. Stat. § 195.505(3).

⁷⁷ Exec. Order No. 147, City and County of Denver (2020), accessed Nov. 22, 2022, https://www.denvergov.org/files/assets/public/finance/documents/xo_147_ada_final-fully-executed.pdf.

⁷⁸ Exec. Order No. 8, City and County of Denver (2020), accessed Aug. 11, 2022, <https://www.denvergov.org/content/dam/denvergov/Portals/executiveorders/8-Contracts-Other-Written-Instruments-CCD.pdf>.

In our comparison with other cities we researched, we found a few have a policy or practice for providing accommodations to people with disabilities. For example, Houston makes accommodations — like using interpreters — to communicate with individuals about the clean-up process and provide access for housing. Similarly, Portland, Oregon, connects individuals with disabilities to organizations in the community.

As mentioned, leading practices on program design say an assessment should be conducted to determine the needs of a specific target population.⁷⁹ A needs assessment includes gathering and analyzing data from different sources in a systematic way and looking at the needs of the population and existing programs to determine any gaps.

Without a citywide policy in Denver, people experiencing homelessness whose primary language is not English or who have a disability may not be informed of clean-up activities or how to retrieve their belongings. This creates an additional barrier to people experiencing homelessness who may also have other concerns, such as physical and mental health conditions or substance use disorders.

1.10

RECOMMENDATION

Continue developing centralized data tracking

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should continue developing a centralized database for the encampment response teams to help provide consistent and centralized data tracking at encampment sites.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

1.11

RECOMMENDATION

Identify consistent method for location tracking

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should work with agencies to identify and adopt a consistent method for tracking location data, such as latitude and longitude coordinates.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

⁷⁹ United Way Greater Toronto, “Program Design & Development Resources” (2016), accessed Oct. 10, 2022, <https://www.unitedwaygt.org/document.doc?id=538>.

1.12

RECOMMENDATION

Develop and document policies and procedures for outreach data

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should develop policies and procedures for data input, tracking, and monitoring for outreach data. The policies should include what data should be tracked, such as location, services provided, and demographic information.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY’S RESPONSES.

1.13

RECOMMENDATION

Monitor outreach data

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should periodically monitor outreach data to ensure accuracy and identify trends. It should document these periodic reviews and revise policies and procedures as necessary.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY’S RESPONSES.

1.14

RECOMMENDATION

Develop and document policies and procedures for cleanup and assessments data

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should develop policies and procedures for data input, tracking, and monitoring of its cleanup and assessments data.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY’S RESPONSES.

1.15

RECOMMENDATION

Monitor cleanup and assessments data

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should periodically monitor cleanup and assessments data to ensure accuracy. It should document these periodic reviews and revise policies and procedures as necessary.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY’S RESPONSES.

1.16**RECOMMENDATION****Conduct a needs assessment**

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should conduct a needs assessment to determine the most appropriate location for one or more property storage facilities as well as appropriate hours of operation to ensure equitable access by people experiencing homelessness. The city should consider transportation needs and options as part of its assessment. The contract with the city’s property storage service provider should be amended as necessary to align with changes to property storage hours and location.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – APRIL 1, 2024
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

1.17**RECOMMENDATION****Document long-term property storage process**

The Department of Transportation & Infrastructure should work with its contractor to document the process for when property can be moved from the main storage facility to long-term storage. Transportation & Infrastructure should document a City Attorney Office’s review of the policies and procedures to ensure they comply with legal requirements.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – JUNE 30, 2023
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

1.18**RECOMMENDATION****Provide equitable access to information**

The city should go above and beyond the Lyall Settlement’s requirements by providing information related to cleanups and property storage equitably to people who have limited English proficiency or who have a disability. The city can conduct a language assessment, create a language access plan, or perform a comparison with other cities to identify an appropriate way to determine which languages it should use for communication. This process should be documented in policy and procedure.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

1.19**RECOMMENDATION****Provide consistent communication**

The Department of Transportation & Infrastructure should work with the City Attorney’s Office to revise notices at encampment sites to clearly state how long property will be

kept at both the main storage facility as well as long-term storage. Notices should clarify that a person may have to visit the main storage facility more than once to retrieve any belongings being held off-site.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – APRIL 20, 2023
SEE [PAGE 69](#) TO READ THE AGENCY'S RESPONSES.

FINDING 2 AND RECOMMENDATIONS

The city is not tracking expenses related to homeless encampments or sufficiently monitoring invoices and contract performance

The City and County of Denver conducts enforcement, outreach, and clean-up activities through a coordinated effort involving multiple city agencies and contracted service providers. But the city does not track expenses related to those efforts — so the city cannot know how much it is truly spending or whether its efforts are cost-effective.

Additionally, the city is not sufficiently overseeing invoices for contracted services, including the amounts it pays. This hinders the city's ability to ensure all contract deliverables are met, that contractors are providing agreed-upon services, that the city is not overpaying, and that taxpayers' dollars are being used effectively, efficiently, and for their intended purpose.

The city does not have a formal process to track costs for homeless encampment-related efforts

Because the city does not track how much it spends on homeless encampments, we sought to quantify it ourselves. To estimate costs related to the city's encampment response from January 2019 through June 2022, we asked the 10 city agencies involved in addressing homeless encampments — as detailed in [Table 1 on page 5](#) — to provide us with a summary of encampment-related spending during this time.

We requested details and documentation related to costs for enforcement, outreach, and clean-up efforts — including costs for personnel, contractors, equipment, information systems, and any additional or miscellaneous expenses agencies determined were relevant. To assist agencies, we provided a spreadsheet template for them to complete as well as instructions on how to identify expenses.

Table 5 on the next page illustrates reported expenses, broken down by agency, by year.

The 10 agencies responsible provided a combined total of \$13.65 million worth of expenses, which we categorized among enforcement, outreach, and clean-up costs, as shown in [Figure 6 on page 47](#). This is only an estimate, and we cannot provide assurance over the accuracy or completeness of this amount.

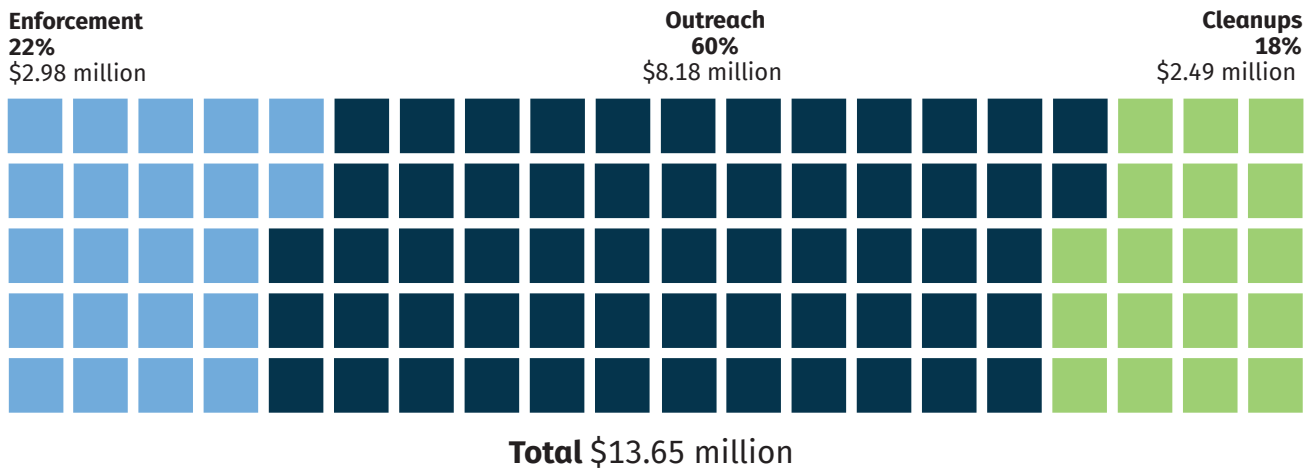
to people experiencing homelessness and not just those living in encampments.

Furthermore, our estimate of how much was spent specifically on enforcement, outreach, or cleanups may be more or less because of the limitations in the agencies' self-reported data.

We used our understanding of each agency's involvement in the encampment process to determine each expense's type. For example, because Denver Human Services connects people to services they need, we attributed the entirety of its self-reported expenses to outreach. Alternatively, because the Department of Parks and Recreation enforces park rules, connects people with services, and disposes of or stores abandoned property, we split that department's self-reported expenses evenly between enforcement, outreach, and cleanups.

FIGURE 6. Estimate of citywide spending on encampment-related expenses, January 2019 through June 2022

This is only an estimate; we cannot provide assurance over the accuracy or completeness of this amount. Because of the limitations in the agencies' self-reported financial information, it is possible the city spent more or less on each effort than what we estimate here.



Source: Auditor's Office analysis of agencies' self-reported expenses as provided by each agency.

Neither the city nor individual agencies have guidance — such as policies and procedures — on what expenses they should track related to encampment response efforts.

Managers in some agencies said time-tracking challenges — and thus expense-tracking challenges — exist because staff provide services to any person experiencing homelessness, not just those in encampments. Additionally, people experiencing homelessness can be both sheltered and unsheltered during a given day, which can make it difficult to track expenses.

Agencies that provide emergency services, such as the fire and police departments, do not track calls related to encampment response separately from other calls. Similarly, park rangers do not break down time or expenses based on the type of enforcement. They may enforce multiple different ordinances on the same day while out on patrol.

Regardless, federal guidance says cities should define the scope of a cost estimate, record activities involved in responding to encampments, list stakeholders and activities, gather costs from each stakeholder, and analyze the cost data.⁸⁰ As we discussed in Finding 1, other federal guidance also says governments should maintain documentation to create an effective system of internal controls, which comprise the plans, methods, policies, and procedures to carry out a plan effectively.⁸¹

In our research of other cities like Denver, we learned how some track expenses related to encampments. For example, Seattle tracks expenses for services and health care, trash pickup, hygiene, housing, encampment and recreational vehicle removal, and personnel. Seattle also details expenses in the city's budget and publishes them online.

Meanwhile, Portland, Oregon, uses billing codes to track costs related to encampments. These include, at minimum, the total cost for cleanups, property storage, trash hauling, syringe drop boxes, technology, and personnel costs. Chicago tracks expenses related to outreach and engagement, housing navigation, shelters, cleanups, and financial assistance.

The city cannot ensure its encampment-related spending is efficient, effective, and meeting goals.

Despite not using them for encampment-related expenses, the City and County of Denver does use specific tags within its financial system, Workday, for other multi-agency programs and efforts — such as shelter services and support for migrants and pandemic relief. Staff from the Department of Finance confirmed that agencies can request the creation of such tags.

The 2022 city budget emphasizes the critical role the government plays in its stewardship of taxpayer dollars.⁸² By not implementing processes to track encampment-related expenses by agency and citywide, the city cannot ensure its spending is efficient and effective and meeting goals of the Unauthorized Encampment Response Program. Without this knowledge, the city also cannot compare encampment-related expenses with those for other homelessness initiatives, such as housing, or ensure that existing efforts are effective and meeting program goals.

Finally, the city cannot be transparent with residents about how it spends money on responding to homeless encampments — including specifically

⁸⁰ U.S. Department of Housing and Urban Development, "Criteria for Defining Homeless," accessed Jan. 23, 2023, https://files.hudexchange.info/resources/documents/HomelessDefinition_RecordskeepingRequirementsandCriteria.pdf.

⁸¹ U.S. Government Accountability Office, "Standards for Internal Control in the Federal Government," accessed Jan. 29, 2023, <https://www.gao.gov/assets/gao-14-704g.pdf>.

⁸² City and County of Denver, "Mayor's Budget 2022," accessed April 14, 2022, <https://denvergov.org/files/assets/public/finance/documents/budget/2022mayorbudgetfinalada.pdf>.

its expenses for enforcement, outreach, and clean-up activities.

2.1

RECOMMENDATION

Identify expenses to track

The Denver Unauthorized Encampment Response Program coordinated by the Mayor's Office should work with city agencies to determine how encampment-response expenses should be calculated and should identify which expenses should be included.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY'S RESPONSES

2.2

RECOMMENDATION

Develop an expense tracking method

The Denver Unauthorized Encampment Response Program coordinated by the Mayor's Office should develop a method for tracking homeless encampment expenses, such as, but not limited to, using Workday tags.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY'S RESPONSES.

2.3

RECOMMENDATION

Develop and document expense-tracking policies and procedures

The Denver Unauthorized Encampment Response Program coordinated by the Mayor's Office should develop and document policies and procedures for calculating annual encampment response-related expenses to ensure consistency across city agencies. Policies and procedures should be included in the program management plan.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY'S RESPONSES.

The city insufficiently monitors contractors who provide services related to homeless encampment response

As mentioned, the city's response to homeless encampments is a coordinated effort among 10 city agencies. As part of these efforts, these agencies hire contractors to perform services. While the agencies conduct some reviews of contractors' invoices, we found they are not adequately overseeing the approval and payment of invoices. This hinders the city's ability to ensure contract deliverables are met and that taxpayer dollars and other funding are being used to provide services effectively and efficiently to those experiencing homelessness in Denver.

City agencies are also tasked with monitoring contractors' performance and ensuring they meet contract requirements, including reporting on program successes and challenges as well as the number of people served by programs. But while some agencies provide sufficient oversight of contractors' performance, others do not.

Insufficient contract monitoring has led to unallowed expenses and noncompliance with contracts

To determine the effectiveness of the city's contract monitoring efforts for homeless encampment-related contracts, we reviewed invoice payments and monitoring efforts for three contracts based on their levels of risk. We evaluated dollar amounts, previously identified issues, and the presence of policies and procedures for contract monitoring. Specifically, we analyzed invoices and monitoring for:

- The Environmental Hazmat Services Inc. contract for \$6 million to conduct hazardous waste cleanup at encampment sites and operate the city's property storage facility.
- The Colorado Coalition for the Homeless contract for over \$5.5 million to run the Denver Street Outreach Collaborative and Strategic Outreach to Large Encampments programs to deliver outreach services to people experiencing homelessness.
- The master purchase order for \$2.5 million with Colorado Barricade Co. to provide various barricades and traffic-control devices during encampment cleanups.

INVOICE ANALYSIS

See Appendix D for more information on our methodology and results for invoice sampling.

Overall, our review of these contracts found various issues of unallowed expenses, a lack of supporting documentation, and insufficient contract monitoring processes.

ENVIRONMENTAL HAZMAT SERVICES – The city — with the Department of Public Health and Environment as the primary contract owner — pays Environmental Hazmat Services to clean up waste at encampment sites and collect, transport, and store personal items from homeless encampment cleanups. Multiple other agencies, such as the departments of Transportation & Infrastructure and Parks and Recreation, also request services from this contractor.

We randomly sampled 5% of Environmental Hazmat Services invoices — or 22 of 438 — from January 2019 through June 2022 and we then reviewed supporting documentation related to the sampled invoices. We found several examples of unallowable expenses and instances where the city was overcharged.

For example, the contract requires that personal protective equipment and waste containers sold to the city be marked up by 8% of what Environmental

Both Public Health and Environment and Transportation & Infrastructure staff confirmed invoice discrepancies were not caught during their review process.

Hazmat Services paid. However, 17 of the 22 sampled invoices — or 77% — did not include a markup for these products on the invoice.

Six of the 22 sampled invoices — or 27% — lacked sufficient supporting documentation for the services provided. All six were invoices approved by Parks and Recreation.

Meanwhile, three of the 22 sampled invoices — or 13.5% — billed more for security services than was supported by documentation. This resulted in the city overpaying Environmental Hazmat Services for 30 additional hours at a cost of \$2,040.

When we asked Transportation & Infrastructure about these overcharges, staff were initially unaware this occurred and did not know why it happened. However, they eventually said Environmental Hazmat Services bills for more security hours worked because it uses off-duty Denver police officers as security to work shifts of a minimum of four hours. With most security shifts at the storage facility being only two hours, the contractor bills for more hours to pay for the off-duty officers' minimum shift requirement.

Lastly, we found one of the 22 sampled invoices billed Public Health and Environment using the wrong contract the city has with the same contractor. Environmental Hazmat Services submitted the invoice under a hazardous materials contract — not related to encampment response — and not the appropriate solid waste removal contract.

Monitoring the Environmental Hazmat Services contract and its related invoices is complicated by the fact that multiple city agencies use the company's services and are responsible for different aspects of monitoring the contract and invoices. The different agencies that use Environmental Hazmat Services were unaware of agency-specific responsibilities for tracking spending or monitoring performance. Public Health and Environment staff believe each agency tracks its own spending for services requested under the contract. However, both Public Health and Environment and Transportation & Infrastructure staff confirmed these invoice discrepancies were not caught during their review process.

In addition to the unallowable expenses, we found Environmental Hazmat Services did not always fully comply with the performance requirements of the contract. Specifically, the company did not provide required security during all hours it operated the property storage facility. Of the three invoices for security services we reviewed, none of them showed that security services were provided on Thursdays between noon and 2 p.m. when the facility was open to the public.

When we asked Transportation & Infrastructure staff why security was not provided during these times as required by the contract, they directed us to Environmental Hazmat Services. The company said because of the Denver Police Department's staffing issues, it was unable to cover all shifts at the storage facility. Environmental Hazmat Services also confirmed that neither the city nor the company itself has considered a different source

for security services.

We determined neither Transportation & Infrastructure nor Public Health and Environment has sufficiently detailed policies and procedures for contract monitoring. For example, Public Health and Environment's monitoring procedures lack steps to address noncompliant performance from contractors as required by the city's Executive Order No. 8 and the department lacks specific guidelines to monitor contractor performance beyond monitoring for ineligible costs.⁸³ Similarly, Transportation & Infrastructure's contract monitoring policies and procedures do not provide specific guidelines or day-to-day procedures for monitoring contractors' performance or approving invoice payments.

COLORADO COALITION FOR THE HOMELESS – The Strategic Outreach to Large Encampments team was formed in 2020 to bring trauma-informed outreach to large encampments of people experiencing homelessness in response to the COVID-19 pandemic. This work is done in coordination with the Denver Street Outreach Collaborative's housing-focused outreach efforts. The city's Department of Housing Stability contracted with Colorado Coalition for the Homeless to provide these services on behalf of the city.

We reviewed all 18 invoices related to the contract and found several several issues:

- All of them were submitted later than the contract allowed.
- Sixteen — or 89% — included expenses from months other than the month to which the invoice related.
- Fifteen — or 83% — were not signed by the required person.
- Five — or 28% — were submitted in the same month despite being related to five different months.
- Five contained inaccurate budgets from month to month.
- Five were approved and paid by Housing Stability without complete supporting documentation.
- Two — or 11% — contained an expense charged to the wrong cost category.
- One — or 5.5% — contained an expense that inappropriately included tax.
- One contained incorrectly calculated totals for allowed costs.

While Housing Stability had well-documented policies and procedures for monitoring contract performance, these invoice issues occurred because the department does not have documented policies and procedures for how to review invoices. Housing Stability does have procedures to receive and submit invoices for approval, but these procedures say that they take effect "after" review of the payment request has been completed. The

⁸³ Exec. Order No. 8, City and County of Denver (2020), accessed Aug. 11, 2022, <https://www.denvergov.org/content/dam/denvergov/Portals/executiveorders/8-Contracts-Other-Written-Instruments-CCD.pdf>.

procedures say only that payment request review consists of ensuring documentation is present and invoice totals match the reimbursement request, but it does not say how to do this or what to look for.

Additionally, Housing Stability has not formally monitored this contract. Staff said the contract did not rise to a risk level that would require annual contract monitoring based on a contract risk assessment they performed and the department’s monitoring policies. However, invoice review should be a standard process regardless of the department using a risk-based approach for contract monitoring.

COLORADO BARRICADE CO. – The city has a master purchase order with Colorado Barricade Co. to provide physical barriers, like fencing, as well as certified traffic control personnel to help city agencies during cleanups. Transportation & Infrastructure mostly uses Colorado Barricade to provide traffic control during large-scale encampment cleanups – but multiple other agencies such as Parks and Recreation and the Denver Police Department also request services through the city’s master purchase order with the company.

We randomly sampled 22 of 1,374 invoices related to this purchase order – or 1.6% – from January 2019 through June 2022. We found multiple cases where approved expenses were not included in the original master purchase order or subsequent amendments.

For example, three of the 22 sampled invoices – or 13.5% – contained a line item titled “Laborer,” and one of the 22 sampled invoices – or 4.5% – contained a line item titled “Port to Port.” But neither of these line items are in the purchase order agreement.

We also discovered a discrepancy between the descriptions of items and services in the original master purchase order compared with the invoices. Specifically, the original purchase order did not expressly state “Barricade Removal” as an allowable expense, although “Pick up of Barricades” is listed as an allowable expense. We found 18 of the 22 sampled invoices – or 82% – contained line items for “Barricade Removal.” Parks and Recreation staff said the two terms were used interchangeably but we found instances where the same invoice had both included as separate expense line items with different rates.

There is not any one agency responsible for monitoring the master purchase order with Colorado Barricade Co. Of the 22 invoices we reviewed, 11 were for services requested by Parks and Recreation, five were for services for the Police Department, and six were for services requested by Transportation & Infrastructure. When we asked Department of Public

CONTRACTS VS. MASTER PURCHASE ORDERS

A contract is a legally enforceable and binding agreement between two or more parties. According to city rules, a master purchase order is “an agreement between the city and a vendor to provide goods and services related to goods” such as supplies and equipment.

The city cannot ensure it is spending money efficiently and effectively for encampment response or track program outcomes to determine the quality of services provided to people experiencing homelessness.

Safety staff about the Police Department's invoice discrepancies, they said the employees who had approved those invoices had left the department, so they could not confirm why the invoices were approved. Transportation & Infrastructure staff similarly could not identify who was responsible for reviewing and approving their invoices or why they were paid.

These invoice approval and monitoring issues happened because of a lack of sufficiently detailed contract monitoring policies and procedures. For example, Transportation & Infrastructure's contract monitoring policies and procedures include details only on how to set up a new contract for monitoring in the department's system of record, but they do not include specific guidance on how to monitor a contract itself.

For example, a city fiscal rule requires that all transactions in the City and County of Denver include adequate supporting documentation to provide a clear picture of a transaction.⁸⁴ Supporting documentation can include reports, spreadsheets, required approvals, and original or faxed copies of receipts that itemize the goods or services purchased. The city's general records retention schedule also requires agencies to keep documentation related to invoices and expense reimbursement for seven years.

The state of Colorado's procurement manual says contract monitors should be concerned if services cost more than were agreed upon, if money is spent on unallowable costs, if vendors waste money, or if vendors inaccurately report progress.⁸⁵ Additionally, supporting documentation should be present for reviews of contractors' invoices and it should adequately support the request for payment.

Meanwhile, the city's Executive Order No. 8 says it is each department's responsibility to monitor performance throughout the life of a contract, ensure the terms of the contract are met, and document contract monitoring deliverables.⁸⁶ The executive order also says agencies must implement and establish policies and procedures for contract monitoring that identify responsible parties for monitoring contracts and include steps to address noncompliant contractors.

Finally, the state's procurement manual says the person monitoring contracts should have specific guidelines to ensure monitoring is consistent and effective and that problems or issues are identified in a timely manner.⁸⁷ Federal guidance further supports that managers should assign responsibilities and document them in policies and day-to-day

⁸⁴ City and County of Denver Fiscal Accountability Rule 2.5, accessed Sept. 7, 2022, [https://www.denvergov.org/content/dam/denvergov/Portals/344/documents/Fiscal_Rules/chapter_2_Internal Controls/Rules/Rule_2_5_Spt_Documentation.pdf](https://www.denvergov.org/content/dam/denvergov/Portals/344/documents/Fiscal_Rules/chapter_2_Internal%20Controls/Rules/Rule_2_5_Spt_Documentation.pdf).

⁸⁵ State of Colorado, "Procurement Manual," accessed Sept. 7, 2022, https://www.colorado.gov/pacific/sites/default/files/Procurement_Manual.pdf.

⁸⁶ Exec. Order No. 8, City and County of Denver (2020), accessed Aug. 11, 2022, <https://www.denvergov.org/content/dam/denvergov/Portals/executiveorders/8-Contracts-Other-Written-Instruments-CCD.pdf>.

⁸⁷ State of Colorado, "Procurement Manual," accessed Sept. 7, 2022, https://www.colorado.gov/pacific/sites/default/files/procurement_Manual.pdf.

procedures.⁸⁸

Without adequate oversight of the invoice process, the city risks overpaying for services, paying for services not provided, or paying for expenses not allowed by the contract. Furthermore, the city cannot ensure it is spending money on homeless encampment efforts — including for outreach and cleanup — efficiently and effectively.

And without sufficient policies and procedures related to contract monitoring, including having a designated agency assigned to monitor a multi-agency contract and approve related invoices, the city cannot ensure contract terms are being met nor can it track program outcomes and determine the quality of services being provided to the city and specifically people experiencing homelessness.

2.4

RECOMMENDATION

Establish oversight of invoices

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should work with agencies involved with encampment response to identify a person within each agency to be responsible for reviewing and approving invoice payments — including reviewing supporting documentation — for encampment-related contracts used by multiple city agencies to ensure expenses are allowable and that the contractor fulfills contractual requirements.

**AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY’S RESPONSES.**

2.5

RECOMMENDATION

Develop and document invoice policies and procedures

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should work with city agencies with encampment-related contracts to develop policies and procedures for requesting, reviewing, and maintaining supporting documentation for invoice payments to ensure invoices are paid according to contract requirements.

**AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY’S RESPONSES.**

⁸⁸ U.S. Government Accountability Office, GAO-14-704G, “Standards for Internal Control in the Federal Government” (2014), accessed Aug. 4, 2022, <https://www.gao.gov/assets/670/665712.pdf>, para. 3.06 and 12.03 to 12.04.

2.6**RECOMMENDATION****Establish contract and master purchase order oversight**

The Denver Unauthorized Encampment Response Program coordinated by the Mayor's Office should work with city agencies involved with encampment response to identify a person within each agency to be responsible for monitoring contract and master purchase order compliance and performance of contractors for encampment-related contracts and purchase orders used by multiple city agencies.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE [PAGE 69](#) TO READ THE AGENCY'S RESPONSES.

2.7**RECOMMENDATION****Develop and document contract monitoring policies and procedures**

The Denver Unauthorized Encampment Response Program coordinated by the Mayor's Office should work with city agencies with encampment-related contracts and master purchase orders to develop policies and procedures for monitoring compliance and performance.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
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2.8**RECOMMENDATION****Follow the city's records retention policy**

City agencies responsible for invoice payment and contract monitoring should comply with the city's records retention policy related to invoice supporting documentation.

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SEE [PAGE 69](#) TO READ THE AGENCY'S RESPONSES.

2.9**RECOMMENDATION****Ensure security services are provided**

The Department of Transportation & Infrastructure and the Department of Public Health and Environment should identify and implement a method to ensure adequate security services are provided during all hours the property storage facility is open to the public in compliance with the Environmental Hazmat Services contract.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – MARCH 1, 2023
SEE [PAGE 69](#) TO READ THE AGENCY'S RESPONSES.

FINDING 3 AND RECOMMENDATIONS

A draft city plan needs improvements to effectively guide city agencies in their responsibilities for unauthorized encampments

The Mayor's Office and a group of city leaders created a draft program management plan for the Denver Unauthorized Encampment Response Program in March 2021. Their goal is to reduce the number of people experiencing unsheltered homelessness and ultimately eliminate unauthorized encampments, while also addressing adverse health and safety risks in public spaces.

The plan is meant to assist city agencies in activities related to unauthorized encampments by ensuring all agencies are well coordinated, that they use leading management practices, that they meet legal requirements and obligations, and that they track progress against program goals using quantifiable metrics when possible.

The program management plan was still in draft form as of July 2022.

While the city's draft plan does align with some elements of leading practices for program design, we also found areas for improvement.

For example, the draft plan says meetings and regular communication to coordinate and share information should happen regularly among city agencies involved in encampment response — and we found this is happening. The Mayor's Office and several other city agencies involved in responding to homeless encampments meet twice a day. The morning meetings mainly focus on outreach and engagement with enforcement teams on the streets to identify and prioritize efforts in certain locations. The afternoon meetings debrief on daily activities and complaints received and identify which encampments will get a clean-up notification and where upcoming cleanups will be.

Additionally, Mayor's Office managers said a group made up of people experiencing homelessness and their representatives meets quarterly to discuss the needs of people experiencing homelessness and to address concerns.⁸⁹ Leaders from the Mayor's Office coordinate activities for unauthorized encampment response in the city.

Leading practices highlight the importance of interagency collaboration and meetings. Interagency communication encourages a common framework where all parties are aware of and work together to achieve shared goals.⁹⁰

Leaders from the Mayor's Office coordinate activities for unauthorized encampment response.

⁸⁹ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019).

⁹⁰ Interorganizational Corporation "Insight and Best Practices Focus paper 5th Edition" (April 2018), accessed Oct. 31, 2022, https://www.jcs.mil/Portals/36/Documents/Doctrine/fp/interorgan_coop_fp.pdf?ver=2018-05-01-101754-133, 4.

Developing a computerized information-sharing system is another method of communicating when meetings are missed or information is needed for reference.⁹¹ Managers should also take leading roles in communication to streamline efforts.⁹²

Among the areas we found that need improvement:

- The program management plan is still in draft form.
- The city examined risks and consulted stakeholders but did not conduct a formal needs assessment to develop the Unauthorized Encampment Response Program.
- The proposed goals for the program do not include specific time frames for completing metrics.
- The draft plan lacks documented policies and procedures for all elements of encampment response.
- The city did not formalize and document criteria for prioritizing cleanups.

Without a formal needs assessment, the city cannot ensure the Denver Unauthorized Encampment Response Program is addressing the needs of the people it is intended to help.

Without a formal and documented needs assessment, the city cannot ensure the Denver Unauthorized Encampment Response Program is addressing the needs of the people it is intended to help. Additionally, while the draft program management plan includes objectives and goals, there is no deadline so managers have no incentive to ensure program goals are met.

Without documented policies and procedures for all positions involved in encampment response and documented criteria for prioritizing cleanups, the city risks processes being completed inconsistently and losing institutional knowledge when staff leave.

The program management plan is still in draft form

City leaders from the Mayor’s Office say the draft program management plan will never be “finalized” — it will always be a living document. The plan says it may be updated as necessary to address changes in the Denver Unauthorized Encampment Response Program’s organizational structure, policies, procedures, and anything else deemed important to include. Managers said the plan is expected to develop over time.

Leading practices say once a program plan is set, it is important for managers to resist making continual changes. Effective evaluations need several years of data to show patterns of success. Continual revisions and changes “restart the clock on the evaluation” and delay outcomes. Before making changes to a program, managers should be aware of the

⁹¹ U.S. Department of Justice, “Establishing and Maintaining Interagency Information Sharing” (March 2000), accessed Nov. 3, 2022, <http://www.ojp.gov/pdffiles1/ojdp/178281.pdf>.

⁹² “Interagency Collaboration” (September 2008), accessed Nov. 1, 2022, <https://www.childwelfare.gov/pubs/acloserlook/interagency/interagency3/>.

consequences of those changes.⁹³

If managers continually revise the draft program management plan, people responsible for unauthorized encampment response may not know about or follow correct policies and procedures or understand responsibilities. Additionally, managers will not be able to accurately measure program success, inhibiting their ability to identify gaps and make program changes.

The city did not conduct a formal needs assessment for its Unauthorized Encampment Response Program

Managers in the Mayor’s Office said that while the Denver Unauthorized Encampment Response Program was designed with input from stakeholders – including an advisory group consisting of people experiencing homelessness and their representatives – the city did not conduct a formal assessment or situational analysis to identify program needs or whether the program was needed.

We were told by staff who worked on the draft program management plan that the purpose for the plan arose out of the COVID-19 pandemic and a significant rise in issues regarding unauthorized encampments. Managers told us the plan was meant to provide written policies and procedures to preserve institutional knowledge when staff or mayoral administrations change.

Managers said they did not do a needs assessment because they met with the advisory group and staff who had previous experiences in similar work to identify risks. These identified risks, according to managers, served as an informal needs assessment.

Leading practices emphasize the importance of analyzing the need for a program because that ensures managers understand the problem as well as current assets and strengths and that there is no duplication of efforts with another program that might be expanded in lieu of the organization creating a new one.⁹⁴ A

NEEDS ASSESSMENTS AND SITUATIONAL ANALYSES

A “needs assessment” collects data and information from different sources to identify the needs of a specific population. A “situational analysis” is a comprehensive review of current conditions surrounding a program idea or concept that could affect its design, implementation, or outcome.

⁹³ U.S. Department of Health and Human Services, “Implementation Resource Guide for Social Services Programs: An Introduction to Evidence-Based Programming,” accessed Feb. 13, 2023, <https://www.jbassoc.com/wp-content/uploads/2018/03/Implementation-Resources-Guide-Evidence-Based-Programming.pdf>.

⁹⁴ United Way Greater Toronto, “Program Design & Development Resources” (May 2016), accessed Oct. 10, 2022, <https://www.unitedwaygt.org/wp-content/uploads/2021/06/Program-Desig-Development-Resources.pdf>, 8; U.S. Department of State, “Program Design And Performance Management Toolkit,” accessed Oct. 10, 2022, <https://www.state.gov/wp-content/uploads/2018/12/Program-Design-and-Performance-Management-Toolkit.pdf>, 25.

needs assessment includes information related to physical environments, community diversity and culture, demographic and socioeconomic profiles of the community, community readiness, and the organization's own structure and capacity — meaning whether the organization has the infrastructure and expertise to support a new program.⁹⁵ Leading practices also highlight the importance of consulting with stakeholders to get different viewpoints and building collaborative partnerships toward a shared goal.⁹⁶

If the city is relying only on identified risks and initial meetings with the advisory group instead of a formal needs assessment, the program will not benefit from an all-encompassing and documented review of what is needed from multiple perspectives — including the people affected by the program.

The draft program management plan's goals and objectives lack time frames and specific performance metrics

While the draft program management plan and program charter outline goals and objectives, most did not include a timeline for when these goals should be met nor did they have defined metrics for measuring success. Additionally, there is no time frame for evaluating the program or target dates for when the goals should be achieved.

We also found the plan lacks defined monitoring and evaluation tools — such as key performance indicators or other metrics to track progress. Managers in the Mayor's Office say these will be developed and documented in the future.

Managers said the encampment response team is developing performance metrics for the plan, but they were not complete as of November 2022. Since that time, we learned some key performance indicators were developed to include specific measurements such as a count of total encampments and the volume of waste removal. But these proposed metrics still lack set time frames for completion and they do not include detail on how often they should be measured. Table 6 on the next page gives examples of some key performance indicators proposed for the program's goals and objectives.

Federal guidelines outline the importance of developing program goals and objectives. Goals should explain the overall intent of the program. They should be broad and long term, they should not rely on resources, and they should align with strategies.⁹⁷ Objectives are the highest-level result a program might achieve and should be specific, measurable, achievable, relevant, and time-bound.⁹⁸

⁹⁵ United Way Greater Toronto, 20..

⁹⁶ United Way Greater Toronto, 8.

⁹⁷ U.S. Department of State, "Program Design and Performance Management Toolkit," accessed Oct. 10, 2022, <https://www.state.gov/wp-content/uploads/2018/12/Program-Design-and-Performance-Management-Toolkit.pdf>.

⁹⁸ U.S. Department of State, 28.

TABLE 6. Examples of proposed key performance indicators for the Denver Unauthorized Encampment Response Program

Note: These key performance indicators were given to us in November 2022 after we asked about updates regarding the development of key performance indicators or metrics.

Source: The Unauthorized Encampment Response Program coordinated by the Mayor’s Office.

Other leading practices point to the importance of building monitoring or evaluation tools – such as metrics – into a program from its beginning.⁹⁹ “Monitoring” involves data collection to determine whether program activities are effective and whether program implementation is on track. “Evaluation” involves analyzing information to help guide decisions for improving a program’s effectiveness and informing decision-makers about program activities.¹⁰⁰ Monitoring and evaluation efforts are ways to ensure whether defined goals and objectives are effective and successfully guiding the program.¹⁰¹

⁹⁹ United Way Greater Toronto, “Program Design & Development Resources,” (May 2016), accessed Oct. 10, 2022, <https://www.unitedwaygt.org/wp-content/uploads/2021/06/Program-Desig-Development-Resources.pdf>.

¹⁰⁰ U.S. Department of State, “Program Design and Performance Management Toolkit” accessed Oct. 10, 2022, <https://www.state.gov/wp-content/uploads/2018/12/Program-Design-and-Performance-Management-Toolkit.pdf>, 40.

¹⁰¹ U.S. Department of State, 40.

Federal guidance says managers should monitor internal controls through ongoing and separate evaluations. Ongoing monitoring should be built into operations, performed continually, and responsive to change.¹⁰² Additionally, managers should evaluate and document the results of ongoing monitoring and evaluations to identify issues.¹⁰³

Without performance metrics, monitoring, or evaluation tools, managers cannot determine whether they are successfully or efficiently meeting program goals — that is, to ultimately reduce the number of people living unsheltered outdoors and to respond to public health and safety risks created by unauthorized encampment sites throughout the city. Without clear dates or timelines on when to complete goals, the city may not be proactively working to achieve them.

Policies and procedures, especially related to enforcement and outreach, were not included in the draft plan

Policies and procedures and clearly defined responsibilities for some agencies and teams — such as those providing enforcement and outreach — were not included in the July 2022 version of the draft program management plan that we reviewed.

The draft plan did include clean-up policies and procedures for the Department of Transportation & Infrastructure. For example, the plan says the department's site lead should conduct a final review of encampment sites, document work hours, and note any equipment and property stored as well as hazardous materials thrown away after removal activities are completed. Transportation & Infrastructure should also oversee the removal of fencing and barricades.

Similarly, policies and procedures are included for Parks and Recreation to coordinate and manage encampment removals in parks, recreational areas, or other areas within its jurisdiction.

We reviewed whether agencies had any internal policies and procedures in place for responding to encampments before the draft management plan was developed for the Unauthorized Encampment Response Program. We found that while some agencies did have policies and procedures to guide daily processes for enforcement, outreach, and cleanup, others did not. For example, the Department of Public Health and Environment had policies and procedures related to identifying public health hazards and complaints investigations. And Parks and Recreation had detailed procedures for entering data into its Collector for ArcGIS application. But the Department of Public Safety did not have policies and procedures for its street enforcement team and only provided a document outlining the team's authority.

¹⁰² U.S. Government Accountability Office, GAO-14-704G, "Standards for Internal Control in the Federal Government" (2014), accessed Nov. 15, 2022, <https://www.gao.gov/assets/gao-14-704g.pdf>, 16.04 and 16.05.

¹⁰³ U.S. Government Accountability Office, 16.09.

We compared seven existing policies and procedures for encampment response with leading practices and found that five — or 71% — did align with best practices. The remaining two fell short because either parts of the document were still being drafted or because the policy did not align with current processes.

All seven documents outlined roles and responsibilities for staff. Of the two related to contractors, both included documented procedures for monitoring. Additionally, six of the seven documents we looked at — or 86% — either had a defined process for reviewing the policy and procedure or had clearly been revised as indicated by revision dates. Four — or 57% — had procedures documented for monitoring progress toward goals.

The person in charge of the Unauthorized Encampment Response Program coordinated by the Mayor’s Office said policies, procedures, and responsibilities for enforcement and for some outreach teams were not included in the draft plan because their responsibilities were not yet set or because the team was new. They said this would be documented in the next version of the draft plan.

Federal guidelines say managers should implement control activities, including by documenting responsibilities, through policies.¹⁰⁴ Leading practices also say quality control is an ongoing process that should be in place from the beginning of a program to ensure services provided by staff align with program standards and any legal requirements.¹⁰⁵ Managers should periodically review policies and procedures and related control activities for continued relevance and effectiveness in achieving objectives or addressing risks. If there is a significant change in processes, managers should review them in a timely manner to determine whether the control activities are designed and implemented appropriately.¹⁰⁶

Lacking documented policies and procedures, which clearly define responsibilities means staff may not successfully perform daily tasks, potentially leading to an ineffective program, and the city risks losing knowledge when key staff members leave the city.

The criteria used to prioritize cleanups is not documented in the draft program management plan

City staff responsible for conducting assessments and prioritizing cleanups say they use public health, environmental, and public safety data to prioritize cleanups, but this criteria is not documented in the program management plan and is still being developed.

Federal guidance says priorities may shift in response to the different interests and viewpoints of people involved. In this case, that could mean

¹⁰⁴ U.S. Government Accountability Office, 12.01.

¹⁰⁵ United Way Greater Toronto, “Program Design & Development Resources,” (May 2016), accessed Oct. 10, 2022, <https://www.unitedwaygt.org/wp-content/uploads/2021/06/Program-Desig-Development-Resources.pdf>.

¹⁰⁶ U.S. Government Accountability Office, 12.05.

In a comparison to other similar cities, we found six of seven — or 85% — have processes to prioritize encampment visits or cleanups.

concerns about encampments' impact on downtown businesses or residential neighborhoods, environmental harms, or health hazards.¹⁰⁷

When comparing Denver to similar cities we researched, we found six of seven — or 85% — have documented processes for prioritizing encampment visits or cleanups. For example, Portland, Oregon conducts assessments on a first-come, first-served basis but it prioritizes cleanups based on risk levels. Assessments look at drug use and paraphernalia, the impact on a neighborhood or environment, proximity to schools or businesses, the size of the encampment, any violence or crime reported, whether the site is blocking public access or access for people with disabilities, and whether it is restricting maintenance work. Categories are weighted based on high or low priority.

If Denver does not have defined criteria for prioritizing cleanups, it cannot ensure cleanups are being completed in an equitable manner based on risks.

While the city took steps to formalize a more coordinated effort to address unauthorized encampments, such as identifying risks and outlining communication expectations and some procedures, the city has more work to do.

3.1

RECOMMENDATION

Document program need

The Denver Unauthorized Encampment Response Program coordinated by the Mayor's Office should document the need for the Denver Unauthorized Encampment Response Program, including a formal assessment of risks and stakeholder input, to inform the draft program management plan.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – JULY 1, 2022
SEE [PAGE 69](#) TO READ THE AGENCY'S RESPONSES.

3.2

RECOMMENDATION

Establish timeline for goals

The Denver Unauthorized Encampment Response Program coordinated by the Mayor's Office should develop a timeline for achieving all program goals.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – OCT. 31, 2023
SEE [PAGE 69](#) TO READ THE AGENCY'S RESPONSES.

¹⁰⁷ U.S. Department of Housing and Urban Development, "Exploring Homelessness Among People Living in Encampments and Associated Cost," accessed Aug. 29, 2022, <https://www.huduser.gov/portal/sites/default/files/pdf/Exploring-Homelessness-Among-People.pdf>.

3.3

RECOMMENDATION

Develop performance metrics for goals

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should develop performance metrics for all program goals.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – OCT. 31, 2023
SEE PAGE 69 TO READ THE AGENCY’S RESPONSES.

3.4

RECOMMENDATION

Develop and document cleanup prioritization criteria

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should develop and document criteria for systematically determining how to prioritize encampment cleanups.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY’S RESPONSES.

3.5

RECOMMENDATION

Update and finalize the draft program management plan

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should update its draft program management plan to identify all responsible parties, document policies and procedures for all agencies and teams involved in encampment response efforts – including enforcement, outreach, and cleanup – and establish a process for ongoing program monitoring. Once the draft plan is revised, the coordinator with the Mayor’s Office should finalize the plan.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY’S RESPONSES.

3.6

RECOMMENDATION

Monitor program effectiveness

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should use quality data to monitor program effectiveness and progress toward meeting the defined goals and objectives of the program.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY’S RESPONSES.

The Denver Unauthorized Encampment Response Program coordinated by the Mayor's Office should revise the Denver Unauthorized Encampment Response Program plan in line with leading practices and after reviewing the results of program monitoring, as necessary.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2023
SEE PAGE 69 TO READ THE AGENCY'S RESPONSES.

FINDING 4 AND RECOMMENDATION

The city’s encampment response program may not be appropriately staffed to achieve its goals and responsibilities

While the draft Unauthorized Encampment Response Program management plan outlines agency responsibilities for responding to encampments, the Mayor’s Office and Unauthorized Encampment Response Program coordinator did not conduct a workforce analysis to identify staff needed to ensure program goals are met.

WORKFORCE PLANNING – The city agencies involved in encampment response may not be appropriately staffed to achieve the Unauthorized Encampment Response Program’s goals and responsibilities. Managers said they may not have enough staff to meet program goals and objectives because they may have underestimated the staff resources needed. At the same time, competing city priorities may lead to staff shortages. Managers also identified staff burnout — especially for overwhelmed cleanup staff — as a risk for increased staff turnover.

While both the draft program management plan and program managers themselves acknowledge the Unauthorized Encampments Response Program is understaffed and has the potential for staff burnout, the city has not conducted a formal workforce analysis to identify gaps. Managers involved in creating the plan assumed staffing would always be a risk because it is a citywide issue; however, they could not say why a formal workforce analysis was never done.

Managers said reduced staff would have a significant impact on the program and its ability to deliver services. Affected departments — such as Transportation & Infrastructure and Housing Stability — plan to increase their staff and provide mental health support to staff as needed. Further, managers identified the need to better quantify and ensure the availability of program resources, such as staff.

Leading practices say organizations need to have the internal infrastructure — such as staff — and expertise to support any new plan or program.¹⁰⁸ Part of a strong infrastructure is ensuring resources are allocated correctly and that staffing is sufficient for operations.¹⁰⁹ Agencies need to recruit and hire staff and should develop job descriptions, post jobs in appropriate areas to attract the correct talent, interview, and ensure diversity in hiring.¹¹⁰

Managers have not conducted a formal workforce analysis to determine whether the Unauthorized Encampment Response Program is staffed appropriately.

¹⁰⁸ United Way Greater Toronto, “Program Design & Development Resources,” (May 2016), accessed Oct. 10, 2022, <https://www.unitedwaygt.org/wp-content/uploads/2021/06/Program-Desig-Development-Resources.pdf>, 15.

¹⁰⁹ United Way Greater Toronto, 27.

¹¹⁰ United Way Greater Toronto, 27.

Federal guidelines say workforce planning serves as the foundation for managing staff resources. It ensures positions are filled by the right employees with necessary competencies and that staff meet organizational goals and objectives.¹¹¹ Managers should establish expectations of competence for key roles to help achieve objectives. Hiring qualified people, as well as providing adequate training, also helps agencies ensure competency – that is, ensuring responsibilities can be carried out effectively.¹¹² Additionally, managers should define responsibilities, assign key roles, and delegate authority.¹¹³

Overall, internal controls comprise the plans, methods, policies, and procedures to carry out a plan effectively. Internal controls serve as the “first line of defense in safeguarding assets ... through effective stewardship of public resources.”¹¹⁴

Staffing issues and burnout will continue to be a concern as homelessness remains an issue. But without a completed workforce analysis, managers cannot ensure the city has adequate staff to achieve program objectives to respond to encampments, provide services, and reduce the number of people experiencing unsheltered homelessness.

4.1

RECOMMENDATION

Conduct a staffing analysis

The Denver Unauthorized Encampment Response Program coordinated by the Mayor’s Office should conduct a formal staffing or workforce analysis to identify existing staffing levels across agencies involved in encampment response and determine needs to meet program objectives and goals.

AGENCY RESPONSE – AGREE, IMPLEMENTATION DATE – DEC. 31, 2024
SEE [PAGE 69](#) TO READ THE AGENCY’S RESPONSES.

¹¹¹ U.S. Office of Personnel Management, “Migration Planning Guidance Information Documents, Work Force Planning Best Practices,” accessed Nov. 7, 2022, <https://www.opm.gov/wiki/uploads/docs/Wiki/OPM/training/TMSP%20wiki%20page/workforce-planning-best-practices.pdf>.

¹¹² U.S. Government Accountability Office, GAO-14-704G, “Standards for Internal Control in the Federal Government” (2014), accessed Nov. 15, 2022, <https://www.gao.gov/assets/gao-14-704g.pdf>, 4.02.

¹¹³ U.S. Government Accountability Office, 10.02.

¹¹⁴ U.S. Government Accountability Office, OV1.03.

AGENCY RESPONSE TO AUDIT RECOMMENDATIONS

The following agency narratives are reprinted verbatim from the agency's response letter.



RECOMMENDATION 1.1

AGENCY RESPONSE:
AGREE

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:**
JUNE 30, 2023

The Department of Transportation and Infrastructure will formally document existing policies and procedures utilized for the evaluation and disposal of property not claimed after 60 days and ensure continued compliance with the Lyall Settlement.

RECOMMENDATION 1.2

AGENCY RESPONSE:
AGREE

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:**
JUNE 30, 2023

The Department of Transportation and Infrastructure will formally document policies and procedures utilized for property not claimed after 60 days and ensure continued compliance with the Lyall Settlement.

RECOMMENDATION 1.3

AGENCY RESPONSE:
AGREE

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:**
JUNE 30, 2023

The Department of Transportation and Infrastructure will formally document policies and procedures utilized for property storage and ensure continued compliance with the Lyall Settlement.

RECOMMENDATION 1.4

AGENCY RESPONSE:
AGREE

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:**
JUNE 30, 2023

The Department of Transportation and Infrastructure will formally document policies and procedures utilized for property storage and ensure continued compliance with the Lyall Settlement. The review and feedback process will be formalized in those policies and procedures.

RECOMMENDATION 1.5

**AGENCY RESPONSE:
AGREE**

**AGENCY’S TARGET DATE
FOR IMPLEMENTATION:
JUNE 30, 2023**

The Unauthorized Encampment Response Program will formally document existing policies and procedures pertaining to 48-hour postings. Per the Lyall Settlement routinely referenced in the Auditor’s report, unattended items that pose a public health risk may be disposed of immediately. 48-hour postings are not required in permanently posted regular clean up area and large-scale cleanup posted areas.

RECOMMENDATION 1.6

**AGENCY RESPONSE:
AGREE**

**AGENCY’S TARGET DATE
FOR IMPLEMENTATION:
JULY 31, 2023**

All citywide required trainings and their completion status for employees is tracked within Workday. This includes the Lyall Settlement required training. The city has made the Informed, Compassionate, and Positive Interactions with People Experiencing Homelessness course required training for all city employees. City agencies also organize supplemental training for all staff included in encampment response.

The Unauthorized Encampment Response Program, agency supervisors, and agency managers with staff directly involved in encampment response will utilize existing completion tracking in Workday to confirm completion of required trainings and formalize the tracking of supplemental trainings attended by staff.

RECOMMENDATION 1.7

**AGENCY RESPONSE:
AGREE**

**AGENCY’S TARGET DATE
FOR IMPLEMENTATION:
JULY 31, 2023**

This correlates directly to recommendation 1.6.

The Unauthorized Encampment Response Program, agency supervisors, and agency managers with staff directly involved in encampment response will utilize existing completion tracking in Workday to confirm completion of required trainings and formalize the tracking of supplemental trainings attended by staff.

RECOMMENDATION 1.8

**AGENCY RESPONSE:
AGREE**

**AGENCY’S TARGET DATE
FOR IMPLEMENTATION:
JULY 31, 2023**

The city will continue to follow the records retention policy and ensure compliant documentation of training documentation.

RECOMMENDATION 1.9

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
APRIL 3, 2023

A miscommunication led to changing the address on the storage website to 2314 Broadway (Saint Francis Offsite Storage) in early June of 2022. The website was corrected to the accurate address, 1449 Galapago, on August 26th, 2022. The incorrect address was only displayed from June 2022 to August 26th, 2022.

The directions for individuals to contact 311 for information on stored property was added to the website on 04/03/2023.

RECOMMENDATION 1.10

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

The city continues the development of its centralized database and program management tool NAVapp. This application will allow all agencies to track their efforts in a uniform and consistent manner.

RECOMMENDATION 1.11

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

The database and program management tool NAVapp will convert all location information into latitude and longitude coordinates.

RECOMMENDATION 1.12

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

The encampment audit considers traditional street outreach teams and hybrid outreach teams (where the teams enforce laws as well as outreach) to be in the same category when it comes to data collection and monitoring.

However, these types of outreach (traditional street outreach vs. hybrid outreach) face an important difference with regard to data collection and monitoring. Traditional street outreach teams in Denver, in alignment with best practices as indicated in the audit, utilize the Colorado Homeless Management Information System (COHMIS) to do this work. Data collection policies and procedures for COHMIS are established at the state-level, and Metro Denver Homeless Initiative (MDHI), which implements COHMIS for the 7-County Metro Denver region, determines who in the metro Denver area can obtain direct access to HMIS in alignment with Statewide COHMIS Policies and Procedures they are required to follow.

Those policies and procedures prohibit law enforcement personnel from accessing COHMIS (see section 9.10). Thus, developing and document policies and procedures for outreach team data as defined in the audit is not feasible without all teams being in the same software, which is not currently

allowable.

HOST will continue to use our policies and procedures that are already in place to monitor the existing contracts that we have and follow the HMIS policies and procedures that are in place with our COC for data input, tracking and monitoring of HOST's internal outreach teams.

The Unauthorized Encampment Response Program will work with DPD's Homeless Outreach Team and the Street Enforcement Team to identify the data that should be tracked and how that data will be monitored relating to their outreach efforts. This will occur alongside the development of NAVapp.

RECOMMENDATION 1.13

**AGENCY RESPONSE:
AGREE**

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023**

Please reference response to recommendation 1.12.

RECOMMENDATION 1.14

**AGENCY RESPONSE:
AGREE**

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023**

Data pertaining to large encumbrance removals, cleanup efforts, and assessments is currently tracked and maintained by the Department of Transportation and Infrastructure and Department of Public Health and Environment respectively. One role of the Unauthorized Encampment Response Program is to be the steward of this data, which it has been doing since its creation in June of 2022.

The Unauthorized Encampment Response Program will be utilizing the database and program management tool NAVapp to centralize data and provide a consistent format for the input, tracking, and monitoring of data. Policies and procedures will be developed and finalized along the application and will be ready as agencies begin using the application. These policies and procedures will be documented in the program management plan.

RECOMMENDATION 1.15

**AGENCY RESPONSE:
AGREE**

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023**

The Unauthorized Encampment Response Program has been the steward of this data since its creation in June of 2022. This data is routinely updated and reviewed for accuracy. The review of this information is not formally documented but is done with regularity due to the importance of having this information accurate and available.

The policies and procedures outlining this review will be established alongside the development of NAVapp. These policies and procedures will be documented in the program management plan.

RECOMMENDATION 1.16

**AGENCY RESPONSE:
AGREE**

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
APRIL 1, 2024**

The Department of Transportation and Infrastructure will conduct a needs assessment to determine if a change in location and/or hours for the storage facility or facilities is necessary.

RECOMMENDATION 1.17

**AGENCY RESPONSE:
AGREE**

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
JUNE 30, 2023**

This will be completed along with recommendations 1.1, 1.2, 1.3, and 1.4.

RECOMMENDATION 1.18

**AGENCY RESPONSE:
AGREE**

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023**

The Unauthorized Encampment Response Program will continue with plans to translate notices and storage information to Spanish. The program will work alongside city agencies to identify the methodology of determining appropriate information translation needs.

RECOMMENDATION 1.19

**AGENCY RESPONSE:
AGREE**

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
APRIL 20, 2023**

The notices the city currently has in use clearly state that items being stored at 1449 Galapago are moved offsite after 30 days for an additional 30 days of storage. The current postings also clearly highlight that individuals may contact 311 for more information and/or to arrange for the pickup of their belongings. Anyone looking to retrieve their belongings after 30 days can call 311 to arrange a time to do so, and those belongings will be brought back to 1449 Galapago for them.

The 48-hour notice referenced in the Auditor's report was updated on 12.05.2022 to clarify items stored at 1449 Galapago are moved offsite for an additional 30 days of storage.

To the extent possible, the city will amend the current language on the postings to reiterate the importance of contacting 311 to retrieve items stored over 30 days.

RECOMMENDATION 2.1

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

The Unauthorized Encampment Response Program will work alongside city agencies to identify which expenses should be included, the methodology, and calculations that need to be used when tracking encampment response expenses.

RECOMMENDATION 2.2

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

This will be part of the methodology that is referenced in recommendation 2.1.

RECOMMENDATION 2.3

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

As recommendations 2.1 and 2.2 are completed by the city, the Unauthorized Encampment Response Program will formalize and document these policies and procedures in the program management plan.

RECOMMENDATION 2.4

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

The Unauthorized Encampment Response Program will work alongside agencies to determine the appropriate procedures for invoice processing and review for the respective agency.

RECOMMENDATION 2.5

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

Reference response of recommendation 2.4..

RECOMMENDATION 2.6

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

Reference response of recommendation 2.4.

RECOMMENDATION 2.7

AGENCY RESPONSE:
AGREE

AGENCY’S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

Reference response of recommendation 2.4.

RECOMMENDATION 2.8

AGENCY RESPONSE:
AGREE

AGENCY’S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

The city will continue to follow the records retention policy. While we already abide by this policy, the completion date aligns with the implementation of recommendation 2.4, 2.5, 2.6, and 2.7.

RECOMMENDATION 2.9

AGENCY RESPONSE:
AGREE

AGENCY’S TARGET DATE
FOR IMPLEMENTATION:
MARCH 1, 2023

The Environmental Hazmat Services contract is held by the Department of Public Health and Environment, but they are not the only agency that utilizes the contractor. The storage facility and its operation by Environmental Hazmat Services is overseen exclusively by the Department of Transportation and Infrastructure. The city continues to ensure the storage facility operates at the agreed upon hours in the Lyall Settlement and will ensure that security is and will be present when the facility is open.

RECOMMENDATION 3.1

AGENCY RESPONSE:
AGREE

AGENCY’S TARGET DATE
FOR IMPLEMENTATION:
JULY 1, 2022

While the process of conducting a programmatic risk assessment, gathering/analyzing data, and meeting with stakeholders was not formally documented, they were done in line with leading best practices mentioned by the Auditor’s report with the results recorded in the draft program management plan.

The Unauthorized Encampment Response Program was created to formalize coordination of such a complex citywide response. The 2022 Point-in-Time Count identified 1,313 individuals living unsheltered in Denver. The city continues to expand the personnel and teams dedicated to connecting people to the services they need. The city also has a continued need to address the public health and safety concerns that unauthorized encampments may present. Citizens of Denver filed 20,317 encampment related reports through 311 in 2021. That number jumped to 26,506 in 2022. The city has expanded the number of teams involved in this response, adding additional levels of coordination and communication needed to efficiently and equitably use the resources the city has available to address the

needs of Denver's housed and unhoused residents.

From March of 2022 to July of 2022, the city held working sessions consisting of all agencies involved in the encampment response to build out a formal risk register, identifying programmatic risks and contingencies that the program could experience as it was developed and implemented. The risk register was provided to the Auditor's office on 07.25.2022.

As outlined in the draft of the program management plan provided to the Auditor office, the plan was developed with input from many stakeholders including city agencies, service providers, people experiencing homelessness, and people with lived experience of homelessness.

RECOMMENDATION 3.2

AGENCY RESPONSE:
AGREE

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:**
OCT. 31, 2023

Some goals of the Unauthorized Encampment Response Program are designed to address complex issues with no end date such as compliance with applicable laws, addressing public health and safety concerns unauthorized encampments may present, and the elimination of the need for unauthorized camping. For goals such as this, the program will identify metrics to document progress and outcomes. The program will identify appropriate timelines for the other programmatic goals.

RECOMMENDATION 3.3

AGENCY RESPONSE:
AGREE

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:**
OCT. 31, 2023

The Unauthorized Encampment Response Program will identify the appropriate metrics to monitor for program goals. These metrics will be documented in the program management plan.

RECOMMENDATION 3.4

AGENCY RESPONSE:
AGREE

**AGENCY'S TARGET DATE
FOR IMPLEMENTATION:**
DEC. 31, 2023

The Unauthorized Encampment Response Program currently utilizes public and environmental health assessments from the Department of Public Health and Environment and information provided by the Department of Safety to identify the locations that pose the greatest risk to not only those who may be around an encampment, but for those within the encampment as well. Criteria used includes trash and debris accumulation, right of way/ADA impediment, rodent/pest activity, improperly discarded sharps, biological waste, fire hazards, calls for service numbers, and proximity to sensitive locations such as schools.

The Unauthorized Encampment Response Program will continue to use and further refine the criteria documented as NAVapp continues to be developed. The application will collect this

information for a specific location and provide a numerical score summarizing the severity of risks documented in the encampment. The city will use this score as a guide in the prioritization of large-scale encumbrance removals. Emergency public health or safety concerns will still need to be addressed regardless of the current numerical score a location may have.

RECOMMENDATION 3.5

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

To the extent reasonably possible and in compliance with applicable laws and policies governing this information, the Unauthorized Encampment Response Program will update the program management plan to identify city agencies and teams involved with encampment response and document applicable policies and procedures.

The Unauthorized Encampment Response Program will determine when this version of the program management plan is complete. Recommendation 3.7 also indicates the need to revise the plan after reviewing leading best practices for program management. This recommendation and recommendation 3.7 will be done in conjunction.

RECOMMENDATION 3.6

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

In compliance with applicable law and the Lyall Settlement, the Unauthorized Encampment Response Program will utilize its centralized database and program management tool NAVapp to monitor necessary metrics as identified by the program with the understanding that certain data points and information are protected by policy governing other data systems, such as HMIS.

RECOMMENDATION 3.7

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2023

The Unauthorized Encampment Response Program was created to coordinate the citywide response to an ever changing and increasingly complex issue, and that response requires flexibility and adaptability. The Unauthorized Encampment Program will identify applicable revisions to the program management plan and ensure current versions of the plan are available to all teams involved in encampment response.

RECOMMENDATION 4.1

AGENCY RESPONSE:
AGREE

AGENCY'S TARGET DATE
FOR IMPLEMENTATION:
DEC. 31, 2024

The Unauthorized Encampment Response Program will work with the Peak Team and Office of Human Resources to identify the best process to conduct an analysis.

OBJECTIVE

- To determine how well the City and County of Denver’s processes for encampment enforcement and providing related services are effective, compliant with laws, and equitable.
- To assess whether the city effectively designed its homeless encampment response program to achieve its mission, goals, and responsibilities.
- To evaluate how well the city tracks expenses related to encampments and monitoring contractors.

SCOPE

We reviewed documentation and data related to the city’s response to homeless encampments from Jan. 1, 2019, through June 30, 2022, to determine how well the City and County of Denver was complying with laws, rules, regulations, training requirements, and a 2019 legal settlement. We also looked at city services and communications related to homeless encampments to determine whether the city was providing services equitably across the city to people living in encampments as well as collecting reliable data to allow the city to conduct meaningful analyses on the effectiveness of its programs.

We compared the city’s homeless encampment response program with leading practices to determine whether it was adequately designed to achieve the program’s missions, goals, and responsibilities. And we analyzed how well the city was tracking funding related to encampments and monitoring contractors.

METHODOLOGY

We used several methodologies to gather and analyze information related to the audit objectives. The methodologies included but were not limited to:

- Interviewing:
 - Personnel from the Mayor’s Office, the City Attorney’s Office, the Department of Public Health and Environment, the Department of Housing Stability, the Department of Public Safety, Denver Human Services, the Department of Transportation & Infrastructure, the Denver Fire Department, the Denver Police Department, the Department of Parks and Recreation, and the Department of Finance.
 - Staff from Environmental Hazmat Services Inc.

- Reviewing and analyzing:
 - Amendments 4, 8, and 14 of the U.S. Constitution.
 - The U.S. Department of Housing and Urban Development’s “Point-in-Time” reports from 2019, 2020, 2021, and 2022.
 - The U.S. Department of Housing and Urban Development’s “2021 Annual Homeless Assessment Report to Congress.”
 - The U.S. Department of Justice’s 2008 bulletin, “Establishing and Maintaining Interagency Information Sharing.”
 - The U.S. Department of State’s “Program Design and Performance Management Toolkit.”
 - Guidance from the U.S. Government Accountability Office, such as:
 - “Government Auditing Standards: 2018 Revision.”
 - “Standards for Internal Control in the Federal Government.”
 - “Internal Control Management and Evaluation Tool.”
 - “Designing Evaluations.”
 - “Assessing Data Reliability.”
 - The U.S. Office of Personnel Management’s “Workforce Planning Best Practices.”
 - The federal Bureau of Justice Assistance’s “Responding to Homelessness: Strategies for Law Enforcement and Partners.”
 - United Way of Calgary and Area’s “Program Design: A Literature Review of Best Practices.”
 - The U.S. military’s Deployable Training Division’s insights and best practices paper on “Interorganizational Cooperation” from April 2018.
 - The U.S. Department of Health and Human Services’ 2008 paper on interagency collaboration.
 - The Association of Local Government Auditors’ definition of diversity, equity, and inclusion.
 - The Maryland Department of Information Technology’s staffing plan template.
 - Title 39-28.8-501 of Colorado law.
 - Colorado Senate Bill 21-242.
 - The state of Colorado’s “Procurement Manual.”
 - The Metro Denver Homeless Initiative’s “State of Homelessness: Summary of Homelessness in Metro Denver 2021-2022.”
 - The settlement agreement associated with Raymond Lyall et al. v. City and County of Denver, Civil Action No. 1:16-cv-2155-WJM-CBS.
 - Court documents and news articles related to the case of Denver Homeless Out Loud et al. v. Denver, Colorado et. al., District Court No. 1:20-CV-02985-WJW-SKC.
 - The City and County of Denver’s ordinances.
 - The city’s executive orders No. 8, No. 147, and No. 148.
 - The city’s “Limited Delegation of Authority to Enforce Specific Ordinances of the City and County of Denver” for the street enforcement team.
 - The city’s Fiscal Accountability Rule 2.5.
 - The city’s general records retention policy.
 - The 2019 Denver Building and Fire Code.

- The city's 2020, 2021, and 2022 budgets.
- The city's 311 data related to encampments, personal property storage, cleanups, and homelessness.
- The contracts and associated amendments between the City and County of Denver and Environmental Hazmat Services Inc., Colorado Barricade Co., the Colorado Department of Human Services' Office of Behavioral Health, Denver Health and Hospital Authority, Colorado Village Collaborative, United Language Group Inc., and the Colorado Coalition for the Homeless.
- The city's "Comprehensive Plan 2040."
- The "Denver Unauthorized Encampment Response Program Draft Program Management Plan" as of July 2022.
- Organizational charts and mission statements for the Mayor's Office, the City Attorney's Office, Denver Human Services, the Denver Police Department, the Denver Fire Department, and the departments of Public Health and Environment, Housing Stability, Parks and Recreation, Public Safety, and Transportation & Infrastructure.
- Training materials created by the City Attorney's Office related to the Lyall Settlement, as well as applicable ordinances and property storage.
- Forty-eight-hour and seven-day notices posted by the city related to unattended property and clean-up efforts.
- An example of a written warning for unlawful camping and a personal property storage notice.
- An example of a shelter and services information letter provided to people experiencing homelessness.
- An example of traffic control plans for a scheduled cleanup.
- The city's process document for unauthorized large encampments that was in effect before the city developed the draft program management plan.
- Emails from the Mayor's Office regarding removal and hotspots priorities from June 24, 2022, through July 12, 2022, and a corresponding spreadsheet, protocols for requesting a sign language interpreter, and the office's priorities around equity.
- The Denver Department of Public Health and Environment's 2021 encampment list, 2018 annual report, "Strategic Plan for 2022-2024," contract and invoicing policies and procedures, substance use navigator policies and procedures, and encampment assessment form.
- The Denver Department of Housing Stability's "Five-Year Strategic Plan: A Guide for Action 2022-2026," "2022 Action Plan" and its 2019 and 2020 annual reports.
- The Denver Fire Department's 2019 and 2020 annual reports, "Strategic Plan: 2021-2025," and internal data related to encampment visits.
- The Denver Department of Parks and Recreation's 2019, 2020, and 2021 annual reports; the "Game Plan for a Healthy City"; documented procedures for abandoned material removal and storage; sensitivity training records for employees; and its abandoned property inventory log from 2019 through 2022.
- The Denver Department of Public Safety's 2019 and 2020 annual reports, "2022 Public Safety Action Plan," and the street enforcement team's daily log and procedure document.
- The Denver Department of Transportation & Infrastructure's 2019, 2020, and 2021 annual reports; a list of training provided to staff involved in encampment response; documented procedures for contract monitoring; records of sensitivity training for employees; and a sample of end-of-day reports for tracking information on encampments (e.g., property collected, needles disposed of, tonnage of debris).

- Denver Human Services' draft "Strategic Plan: 2022-2024."
- The Denver Police Department's daily encampment report.
- Environmental Hazmat Services' procedures for property storage, documentation of property collection and disposal dates, and records of sensitivity training for staff.
- A summary of expenses from the city's accounting system, Workday, for the Homeless Resolution Fund from Jan. 31, 2021, through May 31, 2022.
- A summary of expenses from Workday for the Environmental Hazmat Services contract from Nov. 30, 2018, through July 30, 2021.
- Denver Auditor's Office prior audits on Denver's Road Home and homelessness services.
- The city's 2020 single audit report.
- The Portland, Oregon, city auditor's 2019 report, "Cleanups of Homeless Camps: Improved Communications and Data Needed."
- The San Diego Office of the City Auditor's 2020 performance audit of the city's efforts to address homelessness.
- Oakland, California's 2021 report, "Performance Audit of the City of Oakland's Homeless Encampment Interventions & Activities: Fiscal Years 2018-2019 and 2019-2020."
- The Los Angeles city controller's 2017 report on homeless encampments.
- Houston's 2020 "Community Encampment Report."
- News articles related to contract procurement, clothing banks, and housing fraud.
- Observing a walk-through of the Collector for ArcGIS.
- Observing two large-scale encampment cleanups on Oct. 25, 2022, and Oct. 27, 2022, as discussed in [Appendix A](#).
- Observing a notification posting on Nov. 8, 2022, for scheduled large-scale encampment cleanups, as discussed in [Appendix A](#).
- Touring the city's main property storage facility at 1449 Galapago St.
- Comparing the Denver Unauthorized Encampment Response Program's draft program management plan with leading practices on program design and evaluation.
- Requesting and reviewing self-reported financial information for city agencies' encampment response from January 2019 through June 2022.
- Performing a data reliability test, as discussed in [Appendix B](#).
- Analyzing other comparable cities' and counties' encampment response operations, as discussed in [Appendix C](#).
- Sampling and testing selected invoices against reviewed criteria, as discussed in [Appendix D](#).
- Reviewing a judgmental sample of contracts and supporting documentation to identify compliance and performance monitoring, as discussed in [Appendix D](#).
- Reviewing a sample of body-worn camera footage to test compliance with legal requirements, as discussed in [Appendix A](#).
- Analyzing property storage data to test compliance with legal requirements, as discussed in [Appendix A](#).

APPENDICES

Appendix A – Determining whether the city complied with legal requirements

To determine how well the city is complying with the Lyall Settlement and its unauthorized camping ordinance, we:

- Observed large-scale encampment cleanups and notice postings.
- Reviewed police officers' body-worn camera footage for large-scale encampment cleanups, notice postings, unauthorized camping enforcement, and daily trash cleanups.
- Analyzed property storage data from Environmental Hazmat Services Inc.
- Reviewed the city's property removal and storage webpage.
- Reviewed city agencies' records for homeless sensitivity training.¹¹⁵

Encampment cleanups and notice postings

We reviewed the requirements of the Lyall Settlement and pinpointed those specific to large-scale encampment cleanups and posting notices.¹¹⁶

We then attended two large-scale encampment cleanups — on Oct. 25, 2022, at 20th Street between Stout Street and Champa Street and on Oct. 27, 2022, near 40th Avenue and York Street. We also attended the city's posting of an upcoming large-scale encampment cleanup on Nov. 8, 2022, at Sherman Street between 18th Avenue and 19th Avenue. We recorded our observations and took photos to support our observations.

Body-worn camera footage

We reviewed the requirements of the Lyall Settlement and the city's unauthorized camping ordinance and identified relevant sections related to large-scale encampments, posting notices, unauthorized camping enforcement, and daily trash cleanups.¹¹⁷

We requested records of all body-worn camera footage from the Denver Police Department for Jan. 1, 2019, through June 30, 2022, that were tagged "Legal Hold – Homeless Outreach." We analyzed the data to remove duplicate unique identifiers and we determined how many videos were associated with each unique identifier. There were 4,213 unique identifiers in our population.

We randomized the unique identifiers and selected the first 40 to review a sample of videos. We could not select a representative sample because the Denver Police Department's system did not specifically classify videos by our topic areas.

¹¹⁵ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019); Denver Revised Municipal Code § 38-86.2.

¹¹⁶ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019), Exhibit A § A.1, 3, and 5.

¹¹⁷ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019), Exhibit A § A.1 through 5; Denver Revised Municipal Code § 38-86.2.

We reviewed all 103 videos for the 40 unique identifiers and classified whether they were videos for large-scale encampment cleanups, notice postings, unauthorized camping enforcement, or something else. We identified footage for four notice postings, one large-scale encampment cleanup, 15 unauthorized camping enforcements, and 23 miscellaneous videos. The miscellaneous footage contained instances of two daily trash cleanups, and the remaining footage was related to trespassing, performing outreach to people experiencing homelessness, welfare checks, and recreational vehicles parked for too long on the side of the road. These numbers do not add up to 103 as some videos contained footage that applied to multiple categories.

After categorizing the videos, we compared the appropriate sections of the Lyall Settlement to each and recorded our observations.¹¹⁸ We also met with the City Attorney's Office to discuss areas where we observed noncompliance.

¹¹⁸ Raymond Lyall et al. v. City and County of Denver, Settlement Agreement (February 2019).

Appendix B – Analyzing data reliability and locations related to cleanups, site assessments, outreach, and complaints

For all data, we looked at information between Jan. 1, 2022 and June 30, 2022:

- The Mayor’s Office provided an Excel document with 76 entries related to the encampment response team’s cleanup schedule.
- The Department of Public Health and Environment provided an Excel spreadsheet with 2,223 entries related to its assessments of encampment and recreational vehicles sites.
- Public Health and Environment also gave us an Excel spreadsheet with 104 entries related to its substance use navigators’ outreach.
- The Department of Public Safety provided an Excel spreadsheet with 1,023 entries for its street enforcement team.
- The Denver Police Department provided an Excel spreadsheet with 2,361 entries regarding homeless encampment tracking information.
- The Department of Housing Stability provided 47 Word documents – which we converted into one Excel spreadsheet – based on information it received from Strategic Outreach to Large Encampments teams.
- Housing Stability also gave us an Excel spreadsheet with 1,037 entries for its early intervention team’s outreach.
- The Department of Parks & Recreation provided an Excel spreadsheet with 761 entries related to its park rangers.
- The city’s Technology Services agency provided an Excel spreadsheet with 12,832 entries related to complaints the city received about encampment sites through PocketGov.org, Denver 311 calls, and computer-aided dispatch reports.

To test whether the data was reliable and accurate, we checked for:

- Any blank values in each field.
- Logical data fields – such as whether date fields only included dates.
- Inconsistencies – such as whether each entry should be formatted the same way.

Summary of data analysis

CLEANUP SCHEDULE – All fields, except for the notes field, were complete. Seven of the entries in this spreadsheet were cleanups that were canceled. Five of these seven entries – or 71% – included a note on why it was cancelled, but two of the seven – or 29% – did.

We found all data fields were logical. For example, all values in the date field were dates within the period we requested.

We found the data was inconsistent. The data was presented by date, with a list of all locations the encampment response team visited on each date for a cleanup and notice posting. In some cases, the locations were a single cross-street, such as “29th and Arkins.” Others provided multiple cross-streets in the same line, such as “Irvington and Raritan/Bayaud and Pecos/Cedar and Pecos/Byers and Pecos/Byers and Raritan/Maple and Raritan.” The formatting of multiple addresses also varied, with some using a slash mark in between locations and some using commas. Additionally, in some cases, the street or avenue qualifiers were not included, such as in the case with “29th and Arkins.”

Nine of the 76 entries — or 12% — had “not applicable,” “none,” or “no postings” for the cleanup address.

Mayor’s Office staff said these values were interchangeable to indicate that no cleanup was performed.

ENCAMPMENT ASSESSMENTS – The original data from the Department of Public Health and Environment included all assessments, such as those unrelated to homeless encampments. We filtered out an assessment if it indicated it was not related to an encampment or recreational vehicle. This left us with a population of 2,223 assessments. Almost two-thirds of these — about 1,400 — were of encampments, while the remaining 711 were of recreational vehicles. One hundred and twelve assessments — or 5% — did not list whether the assessment was of an encampment or another location we filtered out of our analysis, such as an alley.

All data fields were missing values for at least one entry. For example, 39 of the 2,223 entries — or 2% — were blank for the date, 15 — or 1% — did not list a location, 114 — or 5% — did not list an assessment type, and 83 — or 4% — did not list the public health investigator’s name.

Additionally, some data fields like “Upload Assessment” had the option for “Yes” or “Not Applicable,” but 65 entries — or 3% — were blank.

Department staff said blank values can occur when the entry is following up on a previous assessment. However, if the data is sorted, it is unclear what fields should be grouped.

The dates that were provided appeared to be logical, as all dates were within the calendar year and were formatted in a standard date form. Similar to the cleanup schedule data, locations were inconsistent. Some locations were provided as addresses while some were provided as cross-streets.

SUBSTANCE USE NAVIGATORS – The only blank values we identified were in the field for “Critical Incident.” Thirteen of 104 entries — or 12.5% — were blank. All other data fields had values for this period.

All entries had a date, but one of the dates appeared to be a typo as it was “12/7/2022” and we received the data in October 2022.

Most addresses were provided as cross-streets but a few were non-specific, such as “Denver Library” or “With Park Rangers.” Additionally, some of the locations had only one street, such as “Stout Street,” instead of an intersection.

STREET ENFORCEMENT TEAM – Twelve of 1,023 entries — or 1% — did not list a location. Two hundred and eighty-three entries — or 28% — did not provide the police district number. Additionally, several data fields were blank for at least 90% of all entries — such as those for the street enforcement team number, whether a verbal or written warning or citation was given, whether resources were offered and provided, and a computer-aided dispatch number.

All 1,023 entries had a date. They appeared to be normal and within the time period requested.

Managers said the team may not offer resources to people if the visit is for a follow-up. The team has the option to input whether they offered resources as “none” or “not applicable” when this happens. Instead, 937 of 1,023 entries — or 92% — were blank for this field.

Most locations were written as either exact addresses or cross-streets. However, some locations were not specific, such as “Downtown Corridor.”

HOMELESS OUTREACH TEAM ENCAMPMENT DATA – The Denver Police Department uses a spreadsheet as one of the ways it tracks if its teams were present at encampments and conducted enforcement. This data is tracked through a manual process in which a police captain reads through 911 reports and officer notes and assesses whether these teams were present. Because of this process, the data may have contained mistakes due to human error.

We focused on the data indicating the homeless outreach team was present. We identified 77 relevant entries out of 2,361— or 3%. These 77 entries had data in all relevant fields, including the date, source, location, and police district number. The locations were either listed as an exact address or a cross-street and they were specific enough for us to determine where the team had been.

STRATEGIC OUTREACH TO LARGE ENCAMPMENTS – There were no blank values, but the types of data tracked and the formatting was inconsistent. For example, the first five reports for 2022 had a data field called “Referral to DSOC for Case Management,” but the rest did not. Similarly, the first six reports have a data field for “VI-SPDATS Completed/OneHome Enrollment,” but the rest did not.

While there were 47 reports in our dataset for analysis, the reports note that there may have been multiple days of outreach. Most reports listed dates separately, but two reports indicated the dates as being over a period of several weeks. Therefore, we cannot definitively calculate how many days of outreach the team provided.

Regarding the locations, in some cases, the locations were a single cross-street, such as “20th and Chestnut,” while others provided multiple cross-streets in the same line, such as “Bayaud & Kalamath/Santa Fe/3rd & 4th.”

EARLY INTERVENTION TEAM – Overall, the data was mostly complete, with only one data field missing values. This data field was “Is anyone here?” — which had 29 of 1,037 entries, or 3%, missing values. This field also had several different iterations of values, with “Yes” and “No” responses being among the least popular. There was also one entry that said, “Other services were offered,” which could potentially be an error.

Most locations were provided as cross-streets. Two addresses were written as “Phone Call” and did not provide a location. Managers acknowledged that data fields like the street names may be subject to human error because they are manually typed.

There may also have been additional data fields for us to evaluate. However, the Housing Stability manager omitted some fields from the copy provided to us citing the sensitive nature of this data.

PARK RANGERS – According to their user manual, four data fields require information: the ranger’s name, the date of contact or posting, the status, and the type of cleanup. In the dataset we reviewed:

- Four of 761 instances — or 1% — were missing the ranger’s name.
- Nine — also 1% — were missing the status.
- Seventeen — or 2% — did not specify the cleanup type.

The date was the only required field that did not have any data missing. However, 25 entries — or 3% — contained an error and had the year as “1899” or “1900.”

We asked the Department of Parks and Recreation whether the four required fields would prevent a ranger from continuing to enter data without completing these fields. Department staff said the system is not supposed to allow a ranger to complete the information unless each detail is filled in. However, our analysis indicates this control failed, as staff were able to bypass this mechanism.

The department provided the locations as latitude and longitude coordinates, and the format was consistent.

POCKETGOV, DENVER 311, AND COMPUTER-AIDED DISPATCH COMPLAINTS – The original format of the data we received varied. About 10,500 of the 12,832 entries — or 98% — had most of the data within one description column, while the rest of the data were separated out based on the data field it corresponded with. We used Python, a programming language, to separate the data into discrete data fields.

We focused on entries that indicated a public health emergency either because of human waste, trash, or

needles; had a location listed; and were not a police, fire, or medical emergency. This narrowed the population to 7,961 entries. Nearly 4,700 — or 59% — had latitude and longitude coordinates, and the remaining 3,267 — or 41% — did not.

Among the 7,961 complaints, all entries had data for the case number; whether needles, human waste, or trash was present; and the date and time of the complaint. Seventy-seven entries — or 1% — were blank for whether there was an active police, fire, or medical emergency. Ninety three — also 1% — were blank for whether children were present. Another 1% — or 68 — were blank for how long the encampment had been there, and 113 — also 1% — which were blank for the size of the encampment.

We acknowledged when evaluating this complaints data that it was submitted from the general public. Therefore, the reliability of the data values themselves were only as reliable as the source reporting them. However, the way the data was formatted inconsistently made it difficult for us to identify patterns in the complaints.

Mapping locations

As we discussed, most of the locations from our datasets were provided as cross-streets. The Department of Parks and Recreation’s park rangers’ data and over half of the complaints data provided the locations as latitude and longitude coordinates.

To compare locations and create maps for analysis, we had to convert every reported cross-street address into latitude and longitude coordinates. To create a usable set of addresses that we could map, we first inspected each address to ensure it corresponded to an exact location.

- If the address included multiple locations, we treated each location separately.
- If the address was not specific but instead referred to a general location, we used our professional judgment to identify a point in the center of that general location.
- If the address was unclear, we marked the location as “not applicable.”

We then obtained latitude and longitude coordinates for each location by Google Maps for each known address. In cases where an address did not signify north, south, east, or west or where it did not have the street type, such street, boulevard, or avenue, we used the suggested address from Google Maps. If an address did not include these navigational details or had multiple possible locations, we marked the address as “not applicable.”

We selected latitude and longitude coordinates at the exact waypoint created by Google Maps. In cases where Google Maps could not find an address, we marked the location as “not applicable.”

In cases where a well-known street was marked incorrectly, we used our professional judgment to select the correct address. For example, there were several instances where an address was provided as “15th Avenue” when it should have said “East Colfax Avenue.” In this case, we selected the location along East Colfax Avenue instead of marking the address as “not applicable” because 15th Avenue does not exist, and East Colfax Avenue is located between 14th and 16th Avenue.

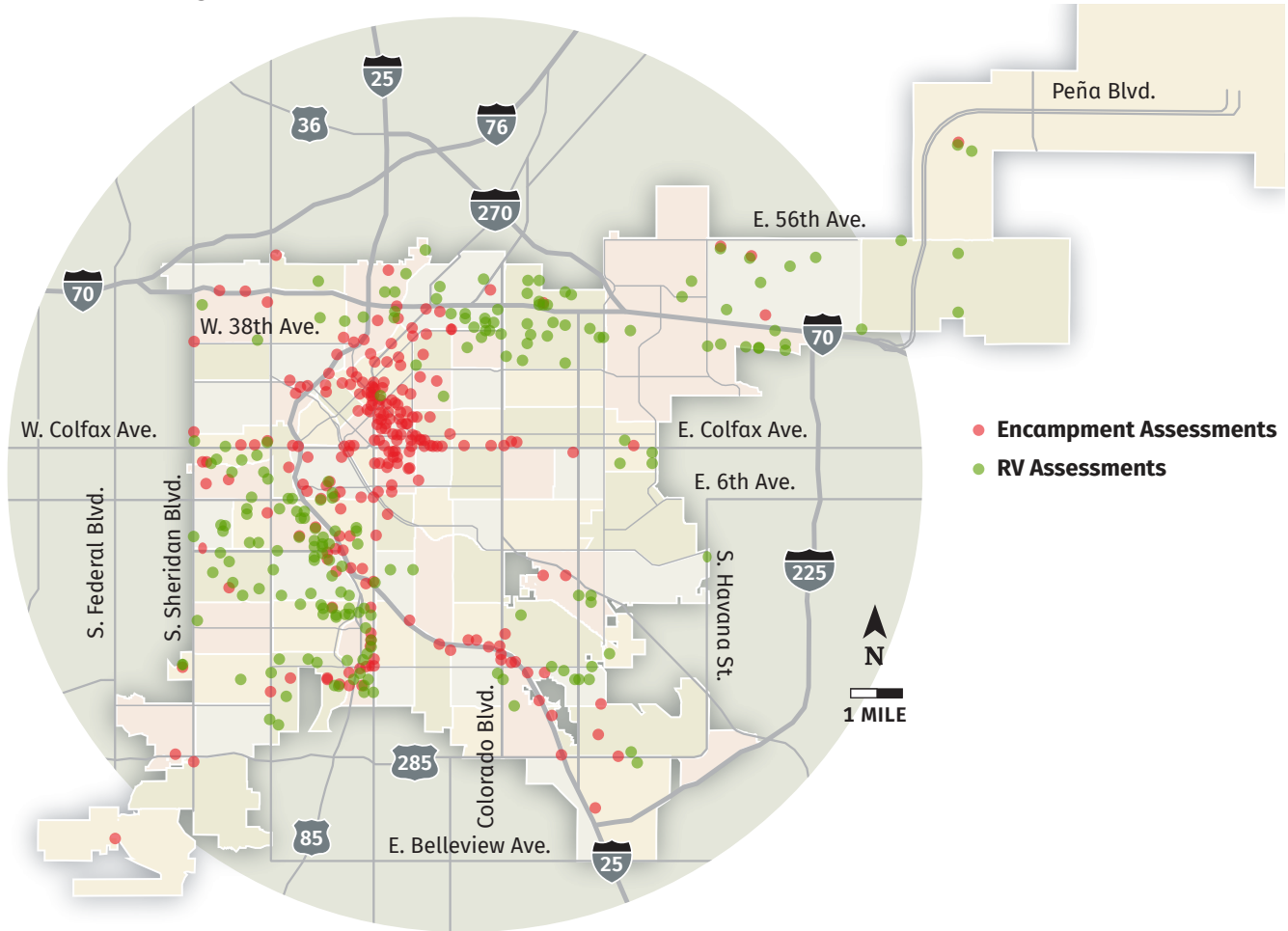
For each of the datasets on the following pages, there was at least one address we could not determine so we did not plot them on the maps: the cleanup schedule; encampment assessments; substance use navigators; street enforcement team; Strategic Outreach to Large Encampments teams; early intervention team; and the PocketGov.org, Denver 311 calls, and computer-aided dispatch complaints.

Furthermore, given the format of the addresses we were provided, we had to rely on our professional judgment to obtain sets of coordinates. For example, one address in the dataset was written as “647 N Lipan”

which is in Westminster, Colorado. However, we assumed the agency meant “647 Lipan Street,” which is in downtown Denver – so we used that to obtain a specific latitude and longitude coordinates.

Figures 7 through 9 show the distribution of public health assessments, encampment sites at Denver’s parks, and complaints about encampments.

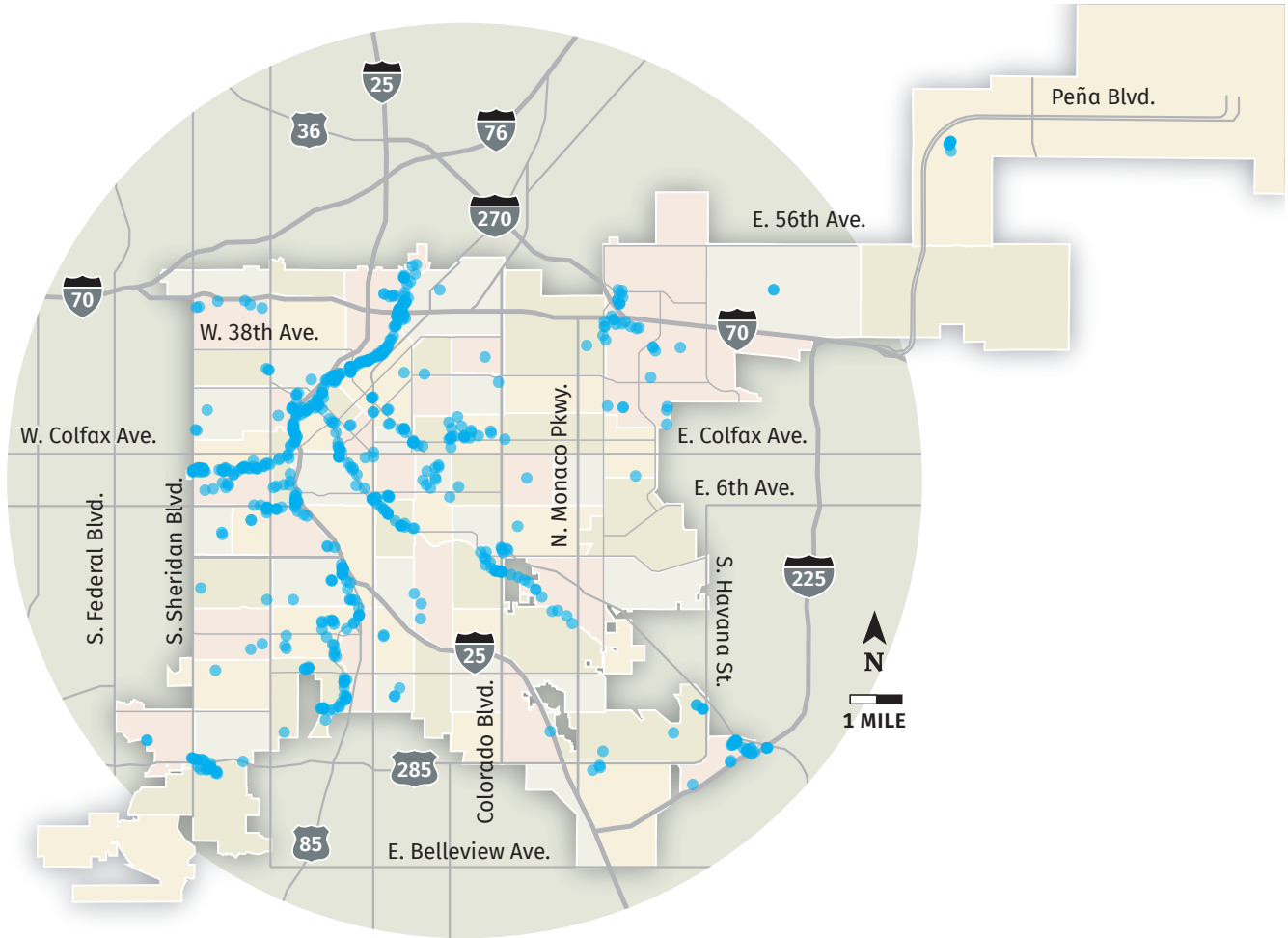
FIGURE 7. Public health assessments of encampment and recreational vehicle sites, January 2022 through June 2022



Note: This map included only active sites and not those that said “cleared of activity.” We relied on the addresses as written by the agency; therefore, given the limitations, we used our professional judgment to identify the latitude and longitude coordinates and location counts.

Source: Auditor’s Office analysis of data from the Department of Public Health and Environment.

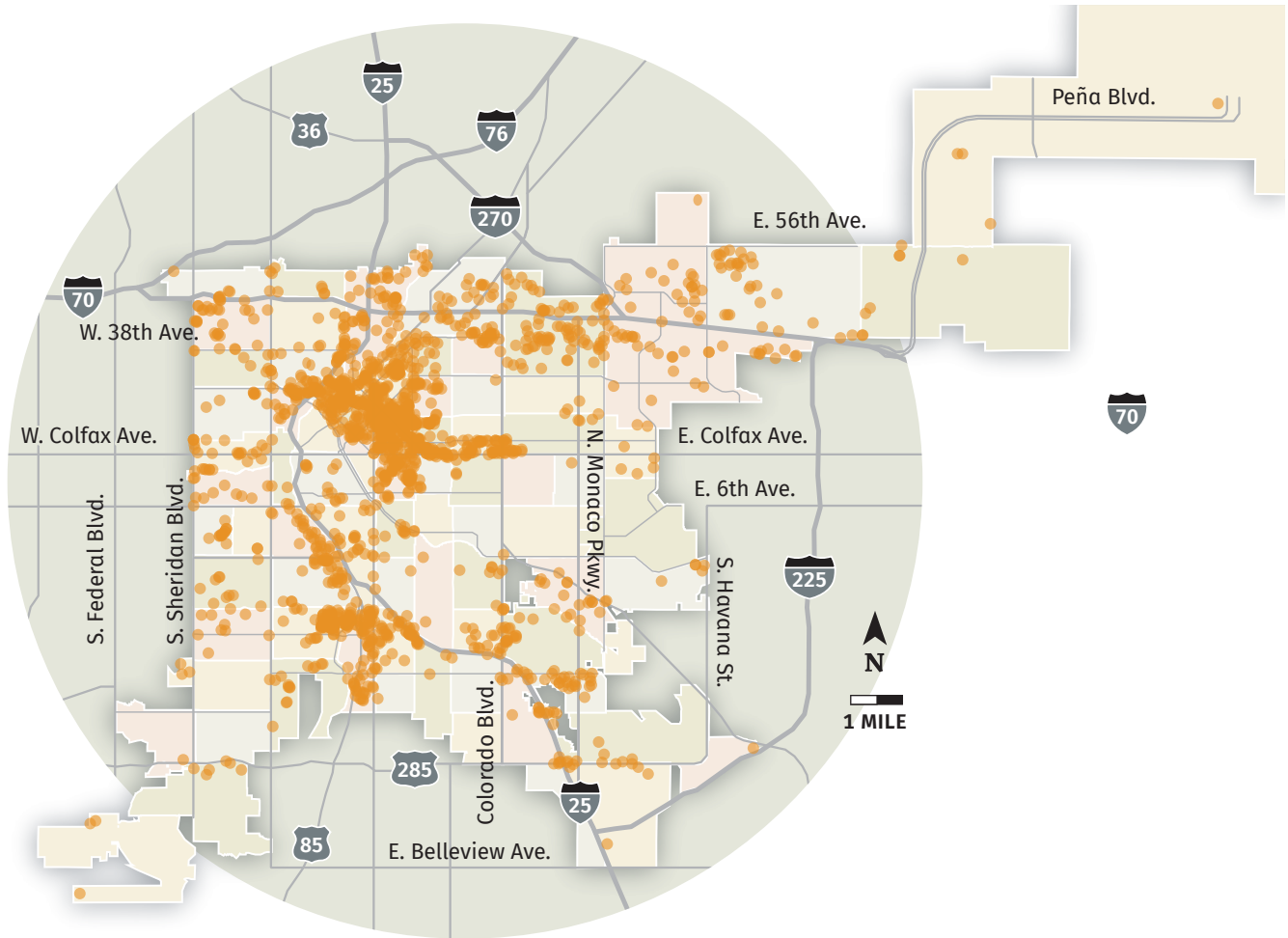
FIGURE 8. Encampment sites at Denver Parks, January 2022 through June 2022



Note: We relied on the addresses as written by the agency; therefore, given the limitations, we used our professional judgment to identify the latitude and longitude coordinates and location counts.

Source: Auditor's Office analysis of data from the Department of Parks and Recreation.

FIGURE 9. Complaints about encampments, January 2022 through June 2022



Note: We relied on the addresses as written by the agency; therefore, given the limitations, we used our professional judgment to identify the latitude and longitude coordinates and location counts.

Source: Auditor's Office analysis of data from Technology Services.

Appendix C – Researching other cities’ responses to homeless encampments

We researched seven U.S. cities similar to the City and County of Denver to identify best practices in homeless encampment response. We focused on unauthorized camping bans and related laws, agency involvement, cleanups, data and expense tracking, and contracted services.

The cities we compared Denver to were:

- Las Vegas.
- Philadelphia.
- Chicago.
- Seattle.
- Minneapolis.
- Portland, Oregon.
- Houston.

We interviewed staff in Philadelphia, Minneapolis, Houston, and Portland who responded to our request. We used online research to gather information for Las Vegas, Chicago, and Seattle.

We chose these cities by comparing population sizes, their percentage of population in poverty, the size of their population that is experiencing homelessness, and whether the city — or its county or state — had laws banning homeless encampments. We also consulted a 2020 report from the U.S. Department of Housing and Urban Development that discussed homeless encampments and the cost to cities, and we searched for local government audit reports on homeless encampments.¹¹⁹

While each city we looked at provided their definition for a homeless encampment, a few responses stood out. For example, in Seattle, an encampment means one or more tents or structures or an assembly of camping equipment or private property, which appears to a reasonable person as being used for camping.

Houston breaks down the definition of encampments into “large” encampments, “small” encampments, and “hot spots”:

- Large encampments would include a concentration of 10 or more people, the use of structures for sustained habitation — such as cardboard boxes, tents, non-permanent structures — and evidence of sustained presence, including trash piles, cooking fires, and shopping carts.
- Small encampments are made up of three to nine people in a definable location. Similarly, they are defined by the use of structures for sustained habitation and evidence of sustained presence — though the degree and visibility may be less than a large encampment.
- Hot spots are areas with up to three people in a definable location, with evidence of bedding but not a sustained presence in the same location for sustained periods of time, such as longer than one week.

Conversely, Denver relies on city ordinance to define encampment and definitions do not include specific numbers of people or tents.

Cities also identified the presence of homeless encampments in different ways. For example, individuals in

¹¹⁹ U.S. Department of Housing and Urban Development, “Exploring Homelessness Among People Living in Encampments and Associated Cost” (February 2020), accessed Aug. 29, 2022, <https://www.huduser.gov/portal/sites/default/files/pdf/Exploring-Homelessness-Among-People.pdf>.

both Las Vegas and Seattle can submit location information and complaints about unauthorized encampments online or through their mobile device. The Las Vegas application is location-based and allows users to report a concern using an address or pin drop based on the user's location. People can also upload pictures and descriptions of concerns through these platforms.

Like Denver, six of the seven cities — or 86% — have a law, regulation, or policy that bans unauthorized camping or homeless encampments. Only Philadelphia does not prohibit camping on public property. It bans camping only on private property when the site blocks a passageway.

All cities except Minneapolis have a lead agency in charge of coordinating encampment response, and all cities said multiple agencies are involved in response efforts.

All seven cities also provide services to people living in encampments. For example:

- Las Vegas has a free shuttle service that regularly transports people experiencing homelessness to and from organizations that provide essential services — such as benefits, health care, meals, shelter, and social services.
- In Chicago, during certain encampment responses, multiple city agencies and service organizations provide 10 consecutive days of on-site services. These services include coordinated assessments, medical care screenings and treatment, mental health and substance use treatment, and transportation to more specialized treatment providers. The city also provides residents with hygiene kits, access to showers, and bus fare cards. Chicago also offers everyone living at an encampment the opportunity to enter a shelter.
- Before removing an encampment, Seattle offers alternative locations for people in an encampment or identifies available housing or other shelter options. These alternatives are available to people living in an encampment starting on the date an encampment removal notice is posted until the encampment removal is completed. The city keeps a daily list of these alternatives for outreach staff.
- In Houston, outreach teams create a list of individuals to be housed, collect documents to satisfy federal eligibility criteria, complete housing assessments and referrals, and coordinate upcoming activities with city and community partners. The city also transports people from encampment sites to housing, and it has a medical clinic at its Housing Navigation Center for people experiencing unsheltered homelessness.

All seven cities conduct cleanups of homeless encampments, ranging from daily to weekly. As of September 2022, Houston reported not having a cleanup for several months.

Six of the seven cities prioritize encampment cleanups but we could not locate information online to support that Las Vegas does. Examples of the criteria these cities commonly use include: the presence of conspicuous drug use, the impact on the neighborhood and environment, the proximity to schools or parks, the size of the encampment, reports of violence and crime, if the encampment is blocking public access or access for people with disabilities, the difficulty in sending emergency services to the location, and the presence of waste or vermin, such as rats.

Portland assigns a rating from zero to five — with zero meaning no issues — to each of its 10 criteria. Some categories are weighted, and the city uses a spreadsheet to calculate the total assessment risk based on scores between zero and 100. Scores greater than 76 require expedited removal, whereas scores below 26 are considered low priority.

All seven cities track data related to the presence of encampments. The type of data they track varies. For example, Portland tracks information to prioritize cleanups, such as the size and presence of needles or drug use. It is also starting to track response times for cleaning up encampments deemed high risk. Minneapolis tracks similar information but also has coordinators complete forms on the number of interactions they have with people. The city also takes pictures and keeps a timeline of site visits for comparison.

Five of the seven cities — or 74% — track information related to the people living in encampments. The data includes the number of people, the number of people who accepted or refused services, the names of individuals, their demographic information, and the types of engagement “tactics” or resources used.

Cities use different platforms to track information, including ArcGIS and Smartsheet. Minneapolis does not track information on people yet because the data is available to the public. Meanwhile, Chicago publishes its data online, too — aggregating data on ethnicity, primary race, age, family composition, gender, veteran status, and status of chronic homelessness. The city also tracks the amount of time between referral to housing among different demographic groups. Most cities in our survey said they use the federal government’s Homeless Management Information System and annual Point-in-Time counts to gather data on people experiencing homelessness, regardless of being sheltered or unsheltered.

The cities tracked different types and categories of expenses related to their encampment response. Seattle tracks expenses for services and health care, trash pickup, hygiene, housing, encampment and recreational vehicle removal, and personnel. Chicago tracks outreach and engagement, housing navigation, shelters, cleanups, and financial assistance as part of its expenses. The cities use spreadsheets and billing codes to identify homeless encampment-related expenses. Seattle publishes these expenses online and in the city’s annual budget.

All cities hire contractors to provide some services related to encampment response. Portland has contracts for encampment cleanups, trash removal, and assessments. All assessments and cleanups are through a vendor that typically completes assessments within two to four days of receiving a complaint. The city is divided into different zones based on incident volume, with one vendor truck per zone, so that each zone has an equal number of assessments and cleanups to be performed. Philadelphia, Seattle, Las Vegas, and Chicago all contract out various outreach services for people experiencing homelessness, such as housing and transportation.

The cities’ self-reported expenses for encampment response varied. Portland reported spending \$7.94 million per year on encampment response, while Las Vegas reported \$2.7 million per year in clean-up efforts. Seattle said it spent \$172 million in 2022 for all homelessness efforts — including \$9.8 million on removing encampments and recreational vehicles, \$10 million on providing access to services and health care, and \$14.7 million for picking up garbage and providing hygiene services.

We also looked into whether each city had policies, procedures, or processes for communicating cleanups or service information to people experiencing unsheltered homelessness who speak a language other than English or who may have a visual or hearing impairment or disability. All seven cities said they do — and all seven post notices in at least both English and Spanish. Portland’s webpage allows users to translate the information into any language they need, and city staff there plan on printing flyers in 10 languages to serve the community. Staff in Houston said they learn of people who speak languages other than English or Spanish or who may require more assistance because outreach is so heavily engaged in all processes. Minneapolis has a language access plan to guide staff in ensuring programs, services, and activities are accessible to people requiring information in alternate languages and formats.

Appendix D – Analyzing invoices and contracts for services related to homeless encampment response efforts

We were interested in the contracts the city directly used to respond to homeless encampments in Denver from Jan. 1, 2019, through Jun. 30, 2022. We identified eight contracts the city had and one grant — all of which directly provided services or paid for services related to addressing homeless encampments in this time. Using our professional judgment, we chose three contracts to analyze:

- The Department of Housing Stability’s contract with the Colorado Coalition for the Homeless.
- The Department of Transportation & Infrastructure’s master purchase order with Colorado Barricades Co.
- The Department of Public Health and Environment’s contract with Environmental Hazmat Services Inc.

We chose these contracts based on largest dollar amounts, the presence of specific contract monitoring deliverables, and the length of the contract being in line with our audit. We then reviewed the three contracts to identify any deliverables, reporting or data requirements, or other types of monitoring.

We requested documentation supporting contract compliance and performance monitoring, as well as invoices related to the contracts. The respective departments provided documentation when available.

Contracts

We reviewed the departments’ responses and their documentation to determine the level of performance and contract monitoring performed by each department.

We found that while the Department of Public Health and Environment and the Department of Transportation & Infrastructure had both assigned roles and responsibilities for contract monitoring, both departments’ procedures were missing key components.

Public Health and Environment does not have procedures for how staff should execute their responsibilities beyond reviewing invoices for unallowed expenses. It had no procedures for monitoring performance. Transportation & Infrastructure did not have defined procedures to monitor a contract.

Public Health and Environment’s policies and procedures did not outline steps to address noncompliance by a contractor and lacked requirements that contracts be monitored using electronic contracting systems, as required by Executive Order No. 8.¹²⁰ Transportation & Infrastructure’s policies and procedures did not outline procedures to monitor contracts other than setting up a new contract for monitoring in its monitoring software.

We also found that departments responsible for monitoring the Environmental Hazmat Services contract did not ensure all terms of the contract were met when they reviewed invoices, as we will discuss next.

Meanwhile, the Department of Housing Stability’s contract monitoring policies and procedures aligned with all legal requirements and leading practices for contract monitoring.

Housing Stability has been receiving required contract deliverables, such as reports, as required from the Colorado Coalition for the Homeless even though the department does not require annual monitoring based on its risk assessment. However, the department has not yet conducted any formal monitoring of the Strategic Outreach to Large Encampments contract because a risk assessment Housing Stability conducted determined it did not need to be monitored annually.

¹²⁰ Exec. Order No. 8, City and County of Denver (2020), accessed Aug. 11, 2022, <https://www.denvergov.org/content/dam/denvergov/Portals/executiveorders/8-Contracts-Other-Written-Instruments-CCD.pdf>.

Invoices

For the same three contracts, we generated a list of every invoice for each contract using the city's financial system, Workday. This resulted in a population of:

- 438 invoices for the Environmental Hazmat Services contract.
- 1,374 invoices for the Colorado Barricade Co. master purchase order.
- 18 invoices for the Colorado Coalition for the Homeless contract.

We then created sample populations to test the invoice expenses against criteria in the contracts. We used the EZ-Quant sampling tool to calculate the sample size based on:

- A critical error rate of 10%.
- A confidence level of 90%.

This yielded sample sizes of:

- 22 invoices for the Environmental Hazmat Services contract.
- 22 invoices for the Colorado Barricade Co. master purchase order.

Because there were only 18 invoices for the Colorado Coalition for the Homeless contract, we looked at all of them. For the other two contracts, we used a random-number generator to sort and select 22 invoices for analysis.

For each invoice, we looked at whether:

- It was billed in the correct amount or at the correct rate according to contract terms or master purchase order agreements.
- The expense was allowable according to contract terms or master purchase order agreements.
- It was paid within 30 days of the date received.
- It was supported by proper documentation, as specified in city fiscal rules.¹²¹

For the sample of 22 invoices related to the Environmental Hazmat Services contract, we found:

- Seventeen of the 22 invoices did not charge an 8% markup on personal protective equipment and waste containers. Based on our sample size, we can say with 90% confidence that at least 58% of all 438 invoices contain this same error.
- One invoice was for work on a separate contract the city holds with the same company. Based on our sample size, we can say with 90% confidence that at most 16% of all 438 invoices contain this same error.
- Six invoices lacked supporting documentation for services. Based on our sample size, we can say with 90% confidence that at least 13% of all 438 invoices have this same error.
- Three invoices billed more hours for security guard services than supporting documentation shows was worked. Based on our sample size, we can say with 90% confidence that at least 4% of all 438 invoices have this same error.

For the sample of 22 invoices related to the Colorado Barricade Co. master purchase order, we found:

- Three invoices contained a "Laborer" line item that was not present in the master purchase order. Based on our sample size, we can say with 90% confidence that at least 3.9% of all 1,374 invoices contain this

¹²¹ City and County of Denver, Rule 2.5 – Supporting Documentation, Fiscal Accountability Rules (revised 2013), accessed March 15, 2022, https://www.denvergov.org/content/dam/denvergov/Portals/344/documents/Fiscal_Rules/chapter_2_Internal_Controls/Rules/Rule_2_5_Spt_Documentation.pdf.

same error.

- One invoice contained a “Port to Port” line item that is not in the master purchase order. Based on our sample size, we can say with 90% confidence that at most 19% of the entire population of all 1,374 invoices contain this same error.
- Eighteen invoices contained a “Barricade Removal” line item that was not present in the master purchase order. Based on our sample size, we can say with 90% confidence that at least 63% of all 1,374 invoices contain this same error.

For the 18 invoices related to the Colorado Coalition for the Homeless contract, we found:

- Two contained an expense charged to the wrong cost category.
- One contained incorrectly calculated cost category totals.
- Five were submitted in the same month, despite being related to five separate months.
- All 18 were submitted later than the contract allowed.
- Five contained inaccurate rolling budgets.
- Fifteen were not signed by the required person.
- Sixteen included expenses from months other than the month to which the contract relates.
- Five were approved and paid by the Department of Housing Stability despite incomplete supporting documentation.
- One contained an expense that inappropriately included tax.

Because we tested the entire population of invoices for the Colorado Coalition for the Homeless contract, we did not need to identify a likely error rate for the entire population.

Office of the Auditor

The **Auditor** of the City and County of Denver is independently elected by the residents of Denver. He is responsible for examining and evaluating the operations of city agencies and contractors for the purpose of ensuring the proper and efficient use of city resources. He also provides other audit services and information to City Council, the mayor, and the public to improve all aspects of Denver's government.

The **Audit Committee** is chaired by the Auditor and consists of seven members. The Audit Committee assists the Auditor in his oversight responsibilities regarding the integrity of the city's finances and operations, including the reliability of the city's financial statements. The Audit Committee is structured in a manner that ensures the independent oversight of city operations, thereby enhancing residents' confidence and avoiding any appearance of a conflict of interest.



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Our Mission

We deliver independent, transparent, and professional oversight in order to safeguard and improve the public's investment in the City and County of Denver. Our work is performed on behalf of everyone who cares about the city, including its residents, workers, and decision-makers.
