

Encampment sweeps and reasonable accommodations

Author

Northwest Justice Project

Last Review Date

August 12, 2025

Read this if you live at an encampment site inside any kind of structure or sleeping set up including in a tent, DIY shelter, vehicle, or any other type of structure within the site. This can also help you if you were recently living in an encampment that was swept.

What is a sweep?

A “Sweep” is when government officials (or agencies hired by the government) forcibly remove an encampment of unhoused people. During a sweep, the officials may remove tents, bedding, belongings, other items and structures from the encampment.

Government officials may:

- require people to move
- cite people with an infraction or ticket for unauthorized camping
- even arrest some people for unauthorized camping.

If you have a disability, **you can ask for a reasonable accommodation for more time to move**, or for other accommodations you may need because of your disability.

What can happen to my stuff during a sweep?

Government officials should offer to store belongings gathered in a sweep, **except for:**

- illegal materials
- hazardous materials
- trash

Law enforcement, government officials, and/or the agencies hired by the government could take or destroy your belongings.

Unfortunately, people's belongings are sometimes destroyed during and after a sweep. That may be a violation of your constitutional rights against government seizure.

Will I get notice that a sweep is going to happen?

Yes, you should. Officials **must give notice** to the encampment residents before a sweep. Usually, notices provide **3 or more days to move out** of the encampment. But technically, there is no specific type of notice or specific time frame required- just some kind of notice before the sweep.

Can I be arrested during a sweep?

Police **can arrest you** for interfering with their activities if you somehow prevent them from entering the encampment. In many Washington cities, camping on public property is a misdemeanor crime. If you are arrested during a sweep, you have the right to remain silent and the right to ask for an attorney (a public defender).

What did the recent executive order about homelessness do?

An Executive Order (<https://www.whitehouse.gov/fact-sheets/2025/07/fact-sheet-president-donald-j-trump-takes-action-to-end-crime-and-disorder-on-americas-streets/>) issued in July 2025, may **increase the criminalization** of camping and houseless related activities depending on your situation. It is unclear what the impact of this executive order will be for Washington state sweeps. It could increase enforcement related to living in encampments or living out of a vehicle.

You could be at risk for **civil commitment** or other detainment if law enforcement or encampment sweep officials believe that you:

- are a danger or risk to yourself or others including causing "public disorder"

- have a serious mental illness
- have a substance abuse disorder or addiction
- can't care for yourself
- are causing public disorder, risks or danger to yourself or others while camping or living on the streets **because** you have a serious mental illness or addiction.

If you are committed against your will, get legal help right away. While you are committed, you have specific rights (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.217>) under state law. When you are released, you are supposed to be released from involuntary treatment with clothing assistance and some limited financial help (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.350>).

What if I am forced into civil commitment because of being homeless?

If you are forced into a civil commitment for a behavioral health issue in Washington, state laws must be followed (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.030>). If state law is being followed, you shouldn't have been committed unless your condition causes (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.040>) you to be "gravely disabled or to present a likelihood of **serious** harm". After 5 days, you should have a hearing about your commitment. You have a right to have a lawyer at that hearing even if you can't afford one (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.110>).

Even if you pose a risk to others, state law favors less restrictive alternatives to commitment (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.145>) including long-term outpatient behavioral health care (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.148>) instead of commitment. There should be an evaluation and treatment period (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.150>) for you before you are committed unless you were committed because of "emergency detention."

If you are committed because of an emergency detention (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.153>) or otherwise forcibly committed, you can't be committed for more than 5 days from the day you were

accepted (120 hours) but this **doesn't** include Saturdays, Sundays or holidays (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.180>). You are supposed to have a hearing (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.240>) on the commitment petition (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.290>) that would have been filed or be released (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.210>) by the 5th **business** day. At the hearing, you should have a lawyer appointed for you (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.300>). Tell your lawyer and the court if you don't think it's the right treatment for you to be detained or committed. The judge can decline to issue an order to detain or commit you. The court can **deny** the petition to commit you and you will be released.

- You **can** be committed for an additional 14 days of “involuntary intensive treatment” if the requirements are followed (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.230>) and the court orders it. Your hearing shouldn't be delayed unfairly (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.236>). After the 14 days, you should be released (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.260>).
- If you are ordered to be committed for **more** than the additional 14 days (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.280>), you have a right to a jury trial or a full hearing (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.310>). You could be ordered into treatment for up to 180 days (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.320>).
- If you have been committed for 30 days from when the commitment petition was filed (not including extensions (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.236>)), and there **hasn't** been a hearing, you are supposed to be released (<https://app.leg.wa.gov/RCW/default.aspx?cite=71.05.240>).

How can I prepare for a sweep?

It could help you get ready for a sweep to do the following:

- Move out as much of your property as you can **before** the sweep
- **Label your property** with your name and contact information
- **Make a list** of your property (See the “Property List” form on the brochure)
- Take a photo of the **property list** and email it to a trusted source or yourself
- Take photos of your property **itself** and email the them to a trusted source or yourself

Can I ask the officials for help before the sweep happens?

Yes. You can ask government officials (or the agencies they hired) for help with:

- Referrals to available services
- More information about what will happen before, during, and after the sweep
- How your property will be stored and where it will be stored
- How to make sure your property is easily identifiable and labeled for storage
- How to get your property back after the sweep and when you can get it back
- How to notify officials if you have property that needs special handling (like medications that require refrigeration or medical equipment you need)

If you have a disability that affects your ability to move from the encampment or impacts your ability to manage the sweep, **you can ask for a Reasonable Accommodation** under the Americans with Disabilities Act.

Can I ask for an ADA accommodation for a sweep that is about to happen?

Yes, you can ask for reasonable accommodations related to your disability.

An encampment sweep is a service of the local government and so it is **covered under the Americans with Disabilities Act (ADA)**. This means that the government has a responsibility to give you the **reasonable accommodations** you request.

What kind of reasonable accommodations can I ask for?

You can ask for various reasonable accommodations related to your disability that could help you respond to the sweep. For an accommodation to be reasonable, your requests should be **related** to your disability.

Here are some examples:

- More time to move because:
 - You live in a wheelchair
 - You have trouble processing and it takes extra time for you to organize yourself to be able to move your belongings
 - You have limited mobility that will slow down your ability to move in time

- Help with moving your items and/or allowing you someone to help you move
- Changes in the way your things are moved or stored
- Special care for your medical equipment and medication
- Allowing you to keep your items instead of the government storing them
- Allowing you to decline offers to stay in a shelter
- Allowing you to keep your service animal(s)
- Allowing you to stay in a relocation place that is near your doctor, hospital, treatment center, food, family, toilets, or other living essentials
- Other exceptions or changes to how the laws are applied when needed based on your disability, like PTSD friendly interactions that limit yelling or bodily touching

How do I ask for a reasonable accommodation related to a planned sweep?

Make your request to the officials who gave you notice about the planned sweep. If you don't know who to ask, start with the agency or officials that are listed on the notice of the sweep.

Make your requests verbally or in writing, but writing is best because it is easier to prove you made the request.

Make the request **as soon as you can** after you receive the notice of the upcoming sweep.

You can also ask for accommodations while the sweep is happening, if you need to. You can handwrite your requests on the fillable brochure that is included with this resource. Your local library may help you with printing copies of the brochure.

You can also find the fillable brochure for making a reasonable accommodation request as a stand-alone file for easier printing using this QR Code:



What information do I need to include in my request?

You should include this type of information in request:

- Your name
- How to contact you (phone, email, location of tent, friend's phone)
- You don't have to share your exact medical diagnosis of your disability
- Describe the accommodation(s) you need
- Describe how your disability and the accommodation are connected
- Give a specific date that you need a response by

What can I do to help the request process?

There are helpful things you can do when you request accommodations verbally or in writing. Be specific in your requests and give examples of the help you need.

For example:

- **Don't say this:** "I need more time to move my camp."
- **Do say this:** "I need until December 3rd at 5pm to move my camp."

Other helpful things you can do:

- Make the request **as soon as you know** that a sweep is planned
- Keep records of your accommodation request. Keep all emails and writings about the request, names of witnesses who saw you make the request, etc.
- Post your written accommodation request on your tent or other visible place in the encampment.

Take a photo of your written request and your camp/property and email/text it to yourself or otherwise **save it permanently**.

- If you made your request verbally, write down notes about the communication:
 - Note the name of the official you made the request to, what you said, and, when you made the request.
 - Note the name of who responded to your request, what they said, and when they responded.
- Keep track of deadlines you set for yourself.

What if shelter options don't work for me and my disabilities?

As part of a sweep, you may be offered a shelter bed. You **do** have to move your camp during an encampment sweep but you **don't** have to consent to staying at a shelter. **You can say no to being offered shelter.** If the local shelter can't meet your needs, you can say why the shelter doesn't work for you when you say no to being moved into a shelter.

What do I during a sweep?

Try to move out of the encampment before a sweep if you can. You should try **not** to be present at your camp during the sweep. If you are unable to leave during a sweep, you should:

- **Not interfere** with the sweep, but you can ask for more information about what is going to happen, where your items will be taken and stored, etc.
- **Collect your belongings and leave** the site, if you can.
- Ask the city **for more time** if you need it related to a disability.
 - Be specific and exact when you say how much time you need to move.
- Ask the city to store your property **instead of destroying it** or throwing it away.
- Ask **where** your property will be stored.
- Ask **how long** your property will be stored.
- Ask **who** to contact to retrieve your property.

If you are arrested during an encampment sweep, you have the right to remain silent and can ask for a lawyer (a public defender).

What do I do after a sweep?

After a sweep, you should:

- Go to the place designated as storage to collect your items **as soon as you can**
- Contact the City if you need more time to pick up your property
- Print extra copies of the fillable reasonable accommodation brochure so you are ready for when the next sweep happens

Form attached:

Encampment sweeps and reasonable accommodations fillable brochure
(NJP Housing 692)

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our Get legal help page.

ADA Reasonable Accommodation Request

Dear ADA Coordinator,

My name is _____.

I live at the _____
campsite in a _____ (color
& brand) tent near _____.

My disability is _____
_____.

Because of my disability, I need to
keep ☐ medication ☐ a wheelchair
☐ _____
_____.

Because of my disability, I ask for
ADA reasonable accommodations:

☐ time to move by ____/____/____

☐ to keep my personal items.

☐ _____.

Please respond by ____/____/____.

Contact my cell # _____.

Thank you, _____.

Camp Resident

Property List

My property includes:

Instructions

Fill out this Reasonable Accommodation Request and Property List.

Take photos of both the request and list.

Give the request and list to the government official. Ask the official

1. **Where** will you store my property?
2. **How long** will you store my property?
3. **Who** do I contact to get my property?

Scan the QR code
to learn more



Know Your Rights

Encampment Sweeps & the Americans with Disabilities Act (ADA)

Name _____

Phone # _____

Get Legal Help:

Call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am and 12:15 pm



Northwest Justice Project

WashingtonLawHelp.org

Created in partnership with the
Disability Rights Education & Defense Fund dredf.org

What is a sweep?

A “Sweep” is when government officials forcibly remove an encampment of unhoused people. During a sweep, the officials may remove tents, bedding, belongings, other items and structures from the encampment.

People should not be arrested for sleeping outside if they have nowhere to go, but it can happen. Government officials may also make people move.

If you have a disability, you can ask for a reasonable accommodation for more time to move or for other accommodations you may need.

Officials must give notice before a sweep. Usually, notices are for 3 or more days before a sweep for people to prepare.

Police may arrest people for obstructing them or stopping them from entering the encampment. In many cities, camping on public property is a misdemeanor crime.

You have the right to remain silent and the right to a lawyer (public defender) if you are arrested.

Government officials should offer to store belongings gathered in a sweep, except for hazardous materials, debris or trash.

But often people's belongings are taken or destroyed even when it is obviously not trash.

How to prepare for a sweep

Before the sweep:

- ☐ Move as much of your belongings as possible
- ☐ Make a Property List (see other side).
- ☐ Take a photo of the list.
- ☐ Take photos of your property.

Ask the officials for:

- ☐ Referrals for services.
- ☐ More information about what is going to happen
- ☐ How/where your property will be stored.
- ☐ How long your property will be stored.
- ☐ Who to contact about your property.

If you have a disability that affects your ability to prepare for the sweep in time, you can ask for an ADA Reasonable Accommodation. (Use the form on the back.)

An encampment sweep is a service of the local government and so it is covered under the ADA. This means that the government has a responsibility to give you the reasonable accommodations you request. These are some examples of the types of accommodations you can ask for:

- More time to move
- Help with moving your items and camp
- Changes in the way things are moved
- Special care for medical equipment and medication
- Allowing you to keep your items instead of storing them
- Allowing you to stay in place near a hospital, treatment center, family, etc.

How to make an ADA Request

ADA reasonable accommodation Requests can be verbal or in writing, **but writing is best.** Make the request **as soon as you can** if possible. But you can still make the request at any time including during the sweep itself.

Include this information in your request:

1. Your name
2. How to contact you (phone, email, location of tent, friend's phone).
3. Say that you are a person with a disability. You don't need to tell your exact diagnosis.
4. Describe the accommodation(s) you need.
5. Describe how your disability and the accommodation(s) are connected.
6. Give a specific date that you need a response by.

Tips when making the request:

- Keep records of your accommodation request. Keep all emails, writings, names of witnesses, etc.
- Write down who you made the request to and who responded.
- Post your request on your tent or other visible place in the encampment.
- Make the request as soon as you know an accommodation is needed!

Be specific in your requests. Give specific dates and examples of the help you need.

For example:

Don't say : “I need time to move my camp.”

Do say: “I need until December 3rd at 5pm to move my camp.”

What if shelter options don't work for me and my disabilities? Describe in detail why the shelter or its policies don't meet your needs or would cause you harm. You don't need to make the request yourself. Someone can help you or can make the request for you.