

BLAINE POLICE DEPARTMENT

GENERAL ORDER: XXX.X

EFFECTIVE DATE:

SUBJECT: PANHANDLING

PURPOSE:

The purpose of the General Order is to set forth, in written form, the practices of the Blaine Police Department when dealing with panhandlers within our city. For the purpose of this General Order “panhandling” means a person who begs or solicits for money, services, or items. The intent of these guidelines is not to demean or humiliate, but to provide social services assistance when needed.

312.01 OBSERVING OR RESPONDING TO A PANHANDLER COMPLAINT

- A. Officers should attempt to obtain the panhandler’s name, date of birth, address, and current phone number. If the panhandler has minor children with them officers should attempt to obtain their name and date of birth should also. The purpose is to forward the information to social services to help obtain assistance.
- B. Officers should determine what type of assistance may be needed based on the individual circumstances of the panhandler. If the panhandler is homeless and in need of shelter the officer should attempt to contact the nearest shelter for availability and arrangements.
- C. Officers can also offer the phone number (763-324-1215) for, HeadingHome, a housing resource line that assists in housing for people that are homeless. This resource also has contacts with the Salvation Army and other Anoka County services such as Stepping Stone.
- D. If it appears that the panhandler cannot care for themselves or are under the influence, then arrangements should be made with an Allina ambulance for transport if appropriate. Detox may also be appropriate if they’re under the influence of alcohol.
- E. In general, a citation or arrest of a panhandler may be considered for aggressive panhandling that violates Minnesota Statute(s).

312.01.1 AGGRESSIVE PANHANDLING DEFINED

A. In a public area by:

- (a) Intentionally, knowingly or recklessly making any physical contact with or touching another person in the course of the solicitation without the person's consent.
- (b) Approaching or following the person being solicited in a manner that is intended or is likely to cause a reasonable person to fear imminent bodily harm to oneself or another or damage to or loss of property or that is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation.
- (c) Continuing to solicit the person after the person being solicited has clearly communicated a request that the solicitation stop.
- (d) Intentionally, knowingly or recklessly obstructing the safe or free passage of the person being solicited or requiring the person to take evasive action to avoid physical contact with the person making the solicitation. This subdivision does not apply to acts that are authorized as an exercise of one's constitutional right to picket or protest.
- (e) Intentionally, knowingly or recklessly using obscene or abusive language or gestures that are intended or likely to cause a reasonable person to fear imminent bodily harm or that are reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation.

312.01.2 STATUTORY CONSIDERATIONS

- A. The following is a list of possible citations that may be given in the event the issue at hand rises to that level with the officer's discretion. This list is not all inclusive nor does it prohibit consideration of other potential criminal charges.
- a. 169.22 Sub.2. Solicitation of business: Soliciting employment, business, or contributions. No person shall stand on a roadway for the purpose of soliciting employment, business, or contributions from the occupant of any vehicle.
 - b. 609.74 (2) Public Nuisance: Whoever interferes with, obstructs, or renders dangerous for passage, any public highway or right-of-way, or waters used by the public.
 - c. 169.72 (3) Disorderly Conduct: Whoever engages in offensive, obscene, abusive, boisterous, or noisy conduct or in offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, or resentment in others.