

KNOW YOUR RIGHTS

Rights of People Experiencing Homelessness During Seattle Encampment Sweeps

YOU HAVE RIGHTS DURING ENCAMPMENT SWEEPS

When the City sweeps an encampment, **you have rights** (with some exceptions):

- You have the right to **notice** of when the sweep will happen
- You have the right to be **offered shelter** during most sweeps
- You have the right to have the City briefly **store your personal belongings**
- You have the right to know **where your belongings are stored** and **how to get them back**
- You have the right to **get these belongings back** from the City within 70 days
- You have the right to **accommodation** if you have a disability
- You have the right to **speak with a lawyer or advocate** if something seems wrong

We can help. This handout explains what the City's rules are, the exceptions to those rules, and what to do if your rights are violated.

BEFORE A SWEEP

1. Watch for notices

The City is supposed to post a “notice” telling you when the sweep will happen.

Sweep Notice — What It Must Include

- the date the notice was posted;
- the date of the sweep;
- the time range of the sweep;
- how to get back property taken during the sweep; and
- contact info to help you find other shelter. (FAS 6.1; FAS 4.2)

If the City does not start the sweep during the posted date and time range, it must post a **new** notice. (FAS 6.1; FAS 6.3)

2. Avoid accidentally creating an “obstruction” or “hazard”

If the City calls an encampment an “obstruction” or “hazard,” **they can skip notice.**

“Obstruction” Sweeps	“Hazard” Sweeps
<p>The City is more likely to call a camp an “obstruction” if:</p> <ul style="list-style-type: none">• It is near a sidewalk or busy public spot;• It is near water; or• It is near a freeway. <p>An obstruction could be people, tents, personal belongings, garbage, debris, or other objects that block public sidewalks, paths, or roads OR block public property or facilities (like city parks). (FAS UE-01)</p>	<p>A camp is more likely to be called a “hazard” if the City says it:</p> <ul style="list-style-type: none">• is wet;• could cause serious injury or death;• could cause a landslide; or• has contraband (illegal items, like drugs without a prescription). <p>Hazardous items can be swept immediately, without any notice. (FAS 3.3)</p>

NOTE: Even in an “obstruction” sweep, the City will only store your belongings (instead of throwing them away) if they are **not hazardous**, are **reasonably recognized as belonging to a person**, and **still appear useful** (not trash).

3. Protect your belongings

The City might store things like tents, bikes, electronics, eyeglasses, prescription medicine, photos, jewelry, crutches, and wheelchairs.

In general, the City has a duty to collect and store personal items that are not dangerous to the public or city staff. (MDAR 9.4)

More Likely to Be Removed & Destroyed

Your things are more likely to be removed and destroyed if the City calls them:

- garbage;
- hazardous;
- building materials — like wood, metal, pallets, or hard plastic (FAS 11.1);
- contraband (illegal items);
- evidence of a crime (MDAR 8.2); or
- “abandoned.” (MDAR 3.1)

To Keep Your Things Safe

- **Make a list, put your name on everything, and take photos.** Keep these records somewhere safe, away from your other things. (MDAR 3.1c; FAS 12.2)
- Don't leave your things on sidewalks or roads. (MDAR 3.1b)
- Keep your things inside a tent or shelter, out of the weather. (MDAR 3.1b)
- If you have to leave, stay close and come back fast. (MDAR 3.1b)
- Don't leave your things with someone you don't know. (MDAR 3.1c)
- Keep everything dry. The City treats wet things as dangerous. (See *Hooper v. City of Seattle*)
- Keep valuables away from illegal items. The City treats things near contraband as dangerous. (See *Hooper v. City of Seattle*)

4. Avoid camping on city property

If you camp on land run by the Seattle Department of Transportation (SDOT), **different rules** can be used to sweep you and your things. (MDAR 5.3.2.2; SMC 15.04.012)

It is against the law to be on city land or in a park when it is closed. (MDAR 5)

- Parks are usually open 4 AM to 11:30 PM, but a park can post different hours — check the signs. (MDAR 5)
- Some park areas are closed to everyone, all the time. These should be marked — stay out of them to avoid trouble. (MDAR 5.1.1)

These materials are based on the City of Seattle's rules (called MDAR and FAS) and were last verified and updated September 20, 2026. *These materials were developed by students at Seattle University School of Law. These materials are for educational use only and do not create an attorney-client relationship or constitute legal advice.*

Property Justice Project | Seattle
University School of Law HRAP Legal Clinic
Phone: 206-398-4727 or 206-398-HRAP
Email: HRAP@seattleu.edu

- If you break a park rule, the City can order you to leave — and can even ban you from coming back. (MDAR 7.1.1)

DURING A SWEEP

If you're told to leave:

If the police, park staff, or a property owner tells you to leave, **leave or you could be arrested.** (MDAR 6.1.1; MDAR 6.2)

If you have a disability:

If you have a disability and need more time during a sweep, this guide can help: washingtonlawhelp.org/en/encampment-sweeps-and-reasonable-accommodations

Shelter offers:

During a sweep, the City must offer shelter to each person at the encampment **unless** it is an “obstruction” or “hazard” sweep. (FAS 8.1; FAS 8.2)

AFTER A SWEEP

Consider whether your rights were violated

- If anything happened that doesn't match this handout, contact a lawyer; you can also contact us below.
- The notice should stay posted for **10 days after the removal.** (FAS 10.2 / 11.4). Check the notice and whether it complies with the requirements above.
- If your things were taken and you need help getting them back, contact an outreach worker, a lawyer, or the **Property Justice Project at Seattle U School of Law:**

**Property Justice Project
Seattle University School of Law
HRAP Legal Clinic**

Phone: 206-398-4727 or 206-398-HRAP | Email: HRAP@seattleu.edu

If You Want to Advocate for Someone Subject to a Sweep

Stay safe first: do what the sweep crew says, and don't argue with them. Take notes as proof and talk to a lawyer later.

- Take notes on everything, including every demand the officials make.
- If you never saw a notice, ask if they gave one. If they say yes, ask to see proof.
- If they don't offer shelter, ask for shelter info. If they won't give it, you can ask why.
- If you hear some people weren't offered shelter, write down who was left out.
- If someone is there with important items they can't move but don't want to lose: show the crew a **copy** of a list of those items (keep the original yourself). Tell them the items belong to someone who can't move them, that the crew shouldn't destroy them, and that the owner wants the City to store them. Write down how the crew treats the items.
- After the sweep, talk to an attorney. Bring any notes and documentation with you.

Contact the Property Justice Project. We may be able to help get property back from the City or get compensation for lost items.

Phone: 206-398-4727 or 206-398-HRAP | Email: HRAP@seattleu.edu