

HOMELESSNESS

# Is Winter Haven the new battleground for Florida's treatment of homeless?



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Lakeland Ledger

Updated Jan. 13, 2026, 4:27 p.m. ET

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## Key Points AI-assisted summary ⓘ

Winter Haven officials and Florida's attorney general disagree on whether the city is violating the state's public camping law.

City officials argue that homelessness has declined and that police actively clear unlawful campsites.

Florida's attorney general insists the city must do more to prevent individuals from sleeping in public parks.

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*(This article was revised to include details on Winter Haven's local ordinances regarding camping and sidewalks use, correct the origin of a photo and add a gallery and video.)*

Winter Haven officials say the city's parks have not become a campground for individuals without housing, while Florida's attorney general insists the city has work to do.

City Attorney Fred Murphy rebutted the state's claim that Winter Haven has violated the state's public camping and sleeping law by allowing individuals to sleep along Central Avenue and Kiwanis Park in a Jan. 9 response to [the Attorney General's Office](#). Attorney General James Uthmeier had sent a letter to the city on Jan. 6 and posted it on the social media platform X.

"To begin, Winter Haven expressly denies that it has allowed its parks, sidewalks and public spaces to be taken over by homeless individuals," the city's response

says.

Uthmeier made clear that he doesn't think the city's actions go far enough and that it is not an isolated issue in Central Florida.

"We passed a law here recently here in Florida: Homelessness is not permitted. Law enforcement has a job to do," Uthmeier said at an unrelated news conference Jan. 12 at the Polk County Sheriff's Office.

## **How Winter Haven views homelessness**

Murphy's letter cites that homelessness is on the decline in Winter Haven, as the number of homeless individuals dropped by 38% from 2024 to 2025, according to numbers from the Florida Department of Children and Families.

Murphy said the Winter Haven Police Department [fully enforces the city, county and state laws](#), having cleared out 25 unlawful overnight campsites where two or more people were unauthorized to stay on private property or illegally camping overnight.

Murphy's letter provided a detailed list of these 25 sites, which includes Central Park, Kiwanis Park and several spots along the Chain of Lakes Trail.

Winter Haven police officers take immediate action to remove the person or individuals from the property, Murphy said, clearing any litter left behind and sanitizing the site for the health safety of the general public.

However, the city denies that the photos provided to the State Attorney's Office demonstrate a breach of the state's public camping and sleeping laws. The city said seven of the 11 photos provided to Uthmeier's office were taken during daylight hours, and three of the 11 photos taken depict individuals on private property.

Winter Haven's response indicates city officials believe citizens fundamentally misunderstand what state law prohibits.

"The public camping and sleeping law, adopted in 2024, prohibits counties and cities from authorizing or allowing individuals to engage in overnight camping and sleeping on public property or to camp and sleep on public property with intent to remain overnight," read the city's response. "Contrary to the complainant's understanding of the law, which ignores the Legislature's express statutory definition, it is not illegal for a person to simply fall asleep in public..."

Winter Haven has two relevant local ordinances: one which prevents individuals from setting up tents, shacks or any other temporary shelters for the purpose of overnight camping; and a sidewalk ordinance which prohibits individuals from sitting or lying on a publicly owned sidewalk or doors to a publicly-owned buildings during daylight hours in a way that obstructs pedestrian use.

## **Winter Haven will come into compliance, AG says**

Uthmeier called his Jan. 6 letter a "stern but kind" warning, as he expected further dialogue between his office and the city.

Uthmeier indicated he doesn't accept Winter Haven's position that individuals who fall asleep in public are not violating state law, or the law's intention. Rather, the state attorney said individuals sleeping along Central Avenue or Kiwanis Park, even during daylight hours, still create a public safety issue.

"Part of having a safe environment for families is you don't have people sleeping in parks where children might be playing. You don't want to have people who might be inebriated, suffering from mental health issues or other dangerous violent tendencies. We don't want them near our kids," he said.

Uthmeier indicated his office expects further dialogue with Winter Haven to bring the city into compliance and is willing to offer its assistance.