



Changing Laws



Changing Lives



Lawyers Working to End Homelessness

2006 Annual Report
**NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY**

Changing Laws & Changing Lives

The National Law Center on Homelessness & Poverty (NLCHP) is the only national legal advocacy organization solely dedicated to ending and preventing homelessness. For 18 years, NLCHP has made a crucial difference in the lives of the millions of men, women, and children who experience homelessness annually.

Our attorneys go into courtrooms and the halls of our legislatures to protect the needs of society's most vulnerable members.

Through impact litigation, policy advocacy, and public education NLCHP addresses the root causes of homelessness at the local, state, and national levels. To amplify the work of its small staff the organization relies on volunteers, interns, and the pro bono assistance of the private bar to make a big impact.

For nearly two decades, NLCHP has helped communities build new housing; move families out of shelters and into homes; guarantee that children do not face barriers to school because they are homeless; prevent the eviction of domestic violence survivors based on a history of abuse; ensure those living in public spaces are not subject to unlawful or discriminatory actions; and guarantee the recognition of the human right to housing.

NLCHP works to end and prevent – not just alleviate – homelessness.

The Facts

Between 2.5 and 3.5 million people experience homelessness every year, including over 1.35 million children.

According to national estimates, families now represent 41% of the total homeless population.

Over 40% of homeless adults have, at least, part-time employment.

According to the U.S. Census Bureau, 36.5 million people lived in poverty in 2006.

Over 5 million people live in extremely substandard housing conditions.

Message from the Chairman of the Board and the Executive Director

Dear Friends of NLCHP:

With over 3.5 million children, women and men experiencing homelessness each year, and many facing discrimination, arrest, and physical harm simply because they have no permanent home, our mission of ending homelessness may seem daunting.

But it is the injustices confronting homeless Americans that compel us to keep advocating so that they can be empowered to lead lives of dignity and self-sufficiency – the most fundamental of our human rights.

This past year NLCHP continued its leadership to prevent and end homelessness by tackling its root causes. Some of our achievements include:

- Winning a landmark case against FEMA for its improper termination of housing assistance to thousands of Hurricane Katrina evacuees, requiring the agency to provide long-term assistance to those who faced the immediate threat of homelessness.
- Creating an innovative Toolkit to help non-profits get free property at closed military bases—and use it for housing, food and service programs for homeless and poor people.
- Successfully challenging laws that criminalize homelessness in two federal cases in Las Vegas and Fresno, CA, and spurring several other cities—among twenty that were named “meanest” in our national report, *A Dream Denied*—to take positive steps to fight homelessness instead of homeless people.
- Presenting a Shadow Report on U.S. homelessness to the UN Human Rights Committee (HRC) which the HRC quoted directly from in questioning the U.S. on compliance with its human rights obligations and drew on in its Concluding Observations condemning the disparate racial impact of homelessness.

Throughout 2006, NLCHP’s work drew attention in national and local media, helping to increase public awareness of homelessness and poverty, including stories in the New York Times, Redbook, the San Francisco Chronicle, and National Public Radio. NLCHP staff also published a wide range of articles and book chapters.

As we celebrate our successes of the past year, we also know we have much more to do. We value the ongoing commitment of the many individuals, law firms, corporations, foundations and other supporters who make our work possible. We are profoundly grateful for that support.

Homeless Americans are entitled to the same dignity and respect that we all enjoy. We look forward to making greater strides in the coming year towards protecting these rights and ultimately making homelessness obsolete.

Thank you for all your support.

Sincerely,

William R. Breakey, M.D.
Chairman of the Board

Maria Foscarinis
Founder & Executive Director

NLCHP History

NLCHP was founded in 1989 by Maria Foscarinis. For twenty years, Foscarinis has been a leader in the movement to end homelessness by combining her legal expertise with a passion to end America's housing crisis.

As a litigation associate at the prestigious law firm of Sullivan & Cromwell in New York, Maria witnessed the growing lack of adequate and affordable housing through her pro bono representation of homeless families. The families she represented lived in cars, in homes without doors, and in single rooms.

As a result of her pro bono work, Maria decided to give up her career as a Wall Street lawyer and to dedicate herself to the issue of homelessness.

After moving to Washington, D.C., Maria harnessed the resources of the legal and housing rights communities to push for a federal response to the national crisis of homelessness. She led a successful campaign to enact the 1987 McKinney-Vento Homeless Assistance Act, the first — and still only — comprehensive federal legislation addressing homelessness.

Maria founded NLCHP to continue advocating for housing rights and ensuring that adequate and affordable housing is a reality for all. Broadening the context in which homelessness is viewed, NLCHP works to prevent homelessness at its roots to ensure that shelters and the streets need not be the only places available to house America's poorest and most vulnerable citizens.



Protecting the Rights of Homeless Children and Youth

Enforcing the Legal Right to Education for Homeless Children

NLCHP and pro bono partner Goodwin Procter successfully resolved a federal lawsuit against the Long Island, New York school system that ensures access to school and school services for approximately 2,000 homeless and at-risk children in Suffolk County and countless others throughout the state. As part of the settlement, NLCHP conducted trainings for educators in the affected regions on homeless and at-risk children's rights.

Improving Access to Special Education Services

NLCHP advocated for provisions, included in the reauthorized Individuals with Disabilities Education Act (IDEA). The act encourages expedited assessments for homeless and at-risk children and facilitates immediate access to special education services for homeless students transferring schools. After the bill passed, NLCHP conducted substantial outreach to educators and parents about changes in the new legislation.

Ensuring Displaced Children and Youth Stay in School

NLCHP released an updated manual on the rights of homeless and at-risk children and youth written for advocates, parents, and school systems working with students displaced by the Gulf Coast Hurricanes.





NLCHP Board Member Ed McNicholas and Brandon Haynes catch up at the 2006 McKinney-Vento Awards Ceremony

Meet Brandon Haynes

Brandon was a bright student with his whole life ahead of him. He had plans to go to college. He never thought that his future might be in jeopardy.

That all changed when Brandon's family became homeless during his second year of high school.

Brandon's family lost their home and they were forced to move in with a relative outside his school district.

Despite federal protections allowing homeless children to remain enrolled in the school they attended before becoming homeless, Brandon's high school kicked him out against his family's wishes.

With the help of a local legal advocacy organization and NLCHP Brandon successfully challenged his school's decision. After missing seven months of school, Brandon re-enrolled because of a court order.

When Brandon returned to school he maintained a 3.14 GPA. He worked hard to make up the time he missed from school. Brandon took night and Saturday school classes and he held down a part-time job.

During that time, Brandon took a course in entrepreneurship and he discovered a talent for business. He went on to earn a B.A. in Business from Montgomery College and he now owns an event planning business.

Increasing Housing Resources for Homeless and Poor Families

Helping Local Service Providers Obtain Surplus Federal Property

In 2005, the Department of Defense finalized a decision to close over 200 military bases nationwide. According to government studies, 5.1 million acres of federal land are left vacant. Under a 1994 law that NLCHP was instrumental in passing, consideration must be given to the needs of the local homeless population when redeveloping the properties. In 2006, NLCHP continued its efforts to make federal surplus property available to groups that assist homeless persons. NLCHP created a Base Closure Toolkit and provided technical assistance to help local advocates apply for and obtain surplus federal property.

Protecting the Housing Rights of Hurricane Evacuees

NLCHP and allies successfully secured long-term assistance for several thousand evacuees. The organizations challenged the Federal Emergency Management Agency's (FEMA) improper termination of housing assistance payments to Hurricane Katrina evacuees. A federal court ordered FEMA to restore assistance. As a result, the evacuees received assistance rather than becoming homeless.

Increasing Federal Aid to Low-Income Disaster Victims

NLCHP succeeded in getting a provision enacted into federal law that will create a pilot program to allow FEMA to provide loans to landlords to quickly rehabilitate rental housing following a natural disaster.





Melanie Williams accepts NLCHP's 2006 Personal Achievement Award from Maria Foscarinis

Meet Melanie Williams

Melanie and her family were homeless when they moved in to the Treasure Island Homeless Development Initiative (TIHDI), a former military base converted in to 375 multi-bedroom housing units for homeless people in San Francisco Bay.

Thanks to the opportunity the program offered, and her own initiative and hard work, Melanie is no longer homeless—and she is now a tireless advocate for others. She has established support networks and advocated for community-wide services.

More importantly, she is a very active parent for all three of her children.

Treasure Island's creation was, in part, the result of NLCHP's work. Under a law that NLCHP was instrumental in passing, the redevelopment of surplus military property must consider the needs of the local homeless population.

When local service providers were applying for the Treasure Island property they turned to NLCHP for policy questions and legal assistance. Thanks to the work of NLCHP and TIHDI, thousands of homeless people have access to opportunities to exit homelessness.

Promoting the Human Right to Housing

Training Advocates on the Human Right to Housing

In September 2006, NLCHP and the Centre on Housing Rights and Evictions (COHRE) held a National Forum on the Human Right to Housing in Washington, D.C. Over 100 participants from 13 states attended the Forum. The day's outcomes included plans for litigation on the forced separation of indigent families, the creation of a policy analysis tool and resource manual, and plans for greater collaboration through NLCHP's network.

Holding the U.S. Accountable for Right-to-Housing Violations

In July 2006 in Geneva, Switzerland, NLCHP presented a Shadow Report to the UN Human Rights Committee (HRC) on the status of housing rights in the U.S. The HRC quoted directly from NLCHP's Shadow Report while questioning the U.S. on housing issues and drew on the organization's assistance when it issued their Concluding Observations. NLCHP is working with the U.S. Government on implementing the Concluding Observations and is coordinating the production of another shadow report on housing issues to the Committee on the Elimination of Racial Discrimination.



Expanding Housing Rights for Domestic Violence Victims and their Children

Passing Federal Legislation to Prevent Homelessness for Domestic Violence Survivors

In January 2006, the Violence Against Women Act of 2005 was signed into law. NLCHP played a leading role in drafting and winning enactment of new Public and Section 8 housing protections and housing programs to assist homeless and near-homeless domestic violence survivors. NLCHP is currently working to ensure prompt implementation of the new law.

Passing Local Legislation to Prevent Homelessness for Domestic Violence Survivors

In December 2006, the D.C. Council unanimously passed legislation to establish new housing rights for survivors of domestic violence. The bill complements and strengthens federal protections from evictions and housing discrimination and permits them to terminate a lease early to flee abuse. NLCHP convened the D.C. Working Group on Domestic Violence and Housing which educated the D.C. Council and others on the housing needs of homeless and low-income domestic violence survivors and their families.



Protecting the Civil Rights of Homeless and Poor People

Holding Cities Accountable for Civil Rights Violations

NLCHP and the National Coalition for the Homeless released "A Dream Denied," a report on the criminalization of homelessness. The report provided a national overview of the problem, named the U.S.'s "meanest cities," and continued to serve as a valuable tool for advocates across the country. The report was widely publicized in the media and spurred constructive community-wide discussions in many of the cities featured in the report.

Advocating for Homeless and Poor Persons' Rights

Courts granted preliminary injunctions in two important cases. NLCHP filed an amicus brief in a federal case challenging a Las Vegas law that prohibited sharing food with "indigent" individuals. In the other case, from Fresno, California, the court cited an NLCHP affidavit while enjoining the city from destroying homeless persons' property during police "sweeps."



LEAP Program

Many of NLCHP's most significant and high-profile legal victories were made possible through extensive pro bono service from the private bar.

In 2004 NLCHP decided to strengthen its ties with its pro bono partners and recognize their vital contributions to its work. The Lawyers Executive Advisory Partners (LEAP) was formed.

LEAP is a national philanthropic effort of the legal community to help homeless and poor Americans achieve self-sufficiency. LEAP members work to prevent and end homelessness by providing NLCHP with financial support as well as pro bono legal services. The members form a network of key influential leaders that realize significant positive social change.

In return for their efforts, LEAP members enjoy a powerful camaraderie and opportunities to do rewarding and career enhancing pro bono work.

To join LEAP, contact NLCHP at (202) 638-2535 or by e-mail at LEAP@nlchp.org today.

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Pro Bono Work

Lawyers at LEAP firms say that their work with NLCHP is some of the most rewarding of their career. For associates, it's a chance to gain valuable work experience while helping others. For partners, it's an opportunity to defend the basic values of justice and equality that led them to choose law as a profession.

Pro bono opportunities for LEAP partners include work in all of our program areas. Pro bono opportunities include litigation, legislative work, research, and transactional assistance.

Children and Youth Program

- Protect homeless children's right to a free public education and social services.
- Assist with federal legislative and administrative advocacy to increase funding for programs serving homeless children.
- Represent individual homeless students whose educational rights have been violated.

Civil Rights Program

- Defend homeless persons who have been charged with criminal misdemeanors for performing life-sustaining acts such as sleeping or standing in public spaces.
- Help local advocacy groups prevent passage and enforcement of local ordinances that criminalize homelessness.
- Protect the voting rights of homeless persons.

Income Program

- Represent homeless or other low income persons in SSI administrative hearings and appeals.
- Challenge benefit programs that fail to accommodate people with disabilities.

Human Rights Program

- Help NLCHP develop new legal strategies for using international human rights laws and treaties to advocate for a right to housing in the United States.
- Prepare briefs to present to United Nations human rights committees.

Domestic Violence Program

- Protect domestic violence survivors from eviction due to the violence against them.
- Research and advocate for implementation of new housing provisions in the Violence Against Women Act of 2005.

Housing Program

- Ensure that funding for homeless and low-income housing programs is maintained and increased.
- Work to combat NIMBY-ism that threatens the quality and effectiveness of homeless services.
- Advocate for increased availability of surplus federal property to serve homeless people, including base closure property.
- Help local service providers obtain surplus federal and military property to serve homeless people.

Hurricane Katrina Program

- Help victims of the Gulf Coast hurricanes get the federal assistance they need.
- Help people who were homeless before the hurricanes receive assistance.

McKinney-Vento Awards

On October 3, 2006 NLCHP held the 8th Annual McKinney-Vento Awards Ceremony at the Hotel Monaco in Washington, D.C. The night celebrated organizations and leaders who have made a significant impact in the lives of homeless people.

The event raised over \$150,000 for the work of NLCHP, shattering last year's all-time record by over \$30,000!

McCormack Baron Salazar received the Stewart B. McKinney Award for their leadership in making affordable housing available and for creating innovative housing solutions for homeless people and the HIV/AIDS community.

The Bruce F. Vento Award went to mortgage investor Freddie Mac for marshalling all of its resources to help lenders get families back into homes and communities on the path of recovery following last year's terrible trio of hurricanes—Katrina, Rita and Wilma.

Schulte Roth & Zabel LLP received the Pro Bono Counsel Award winner because they devoted more than 8,000 hours to the class action suit, *McWaters v. FEMA*, requiring the Federal Emergency Management Agency (FEMA) to provide shelter to more than 150,000 people lost in red tape.

Melanie Williams was the 2006 Personal Achievement Award winner. She was homeless when she moved into TIHDI, a redeveloped military property. Since then, she has established support networks and advocated for community-wide services that assist others.

Over 160 people attended the ceremony. Special guests included: Mistress of Ceremonies Susan Kidd, Susan Vento, wife of the late Congressman Bruce F. Vento, and past Personal Achievement Award winners Brandon Haynes, Cary Martin and Angela Ward. Martin and Ward are both current NLCHP Board members.



NLCHP In Print

Reports & Manuals

- *Utilizing the Base Closure Community Redevelopment and Homeless Assistance Act A Toolkit for Nonprofits: Part One.* This toolkit is designed to guide homeless assistance providers through the process of obtaining surplus base properties to serve homeless adults, families, and children.
- *Safe at Home Public Housing Authorities Respond to Victims of Domestic Violence.* This publication outlines steps taken by PHAs, law enforcement, and social service agencies through three case studies. The examples of Seattle, New York City, and Milwaukee demonstrate ways that PHAs can meet the needs of victims of domestic violence in their communities.
- *Housing Rights for All: Promoting and Defending Housing Rights in the U.S.* A background and history of the right to adequate housing and practical guide to strategies that housing rights activists and others can employ to ensure access to adequate housing for people in the United States.
- *Connecting Homeless Students to Special Education Services.* A resource booklet designed to effectively promote access to student services for homeless children and youth.
- *The 100 Most Frequently Asked Questions on the Education Rights of Children and Youth in Homeless Situations.*

Articles

- Maria Foscarinis, *Advocating for the Human Right to Housing: Notes from the United States*, 30 N.Y.U. Rev. of Law and Social Change, 447 (2006).
- Maria Foscarinis, *Finding a Way: A Firm Lawyer Changes Careers and Creates a Law Center Dedicated to Ending Homelessness*, in the ABA Commission on Homelessness and Poverty's Lawyers Working to End Homelessness (Amy Horton-Newell ed., 2006). In this article, Maria Foscarinis shares her story of the founding of National Law Center on Homelessness & Poverty.
- Maria Foscarinis, *The National Law Center on Homelessness & Poverty*, in the ABA Commission on Homelessness and Poverty's Lawyers Working to End Homelessness (Amy Horton-Newell ed., 2006). This article provides an overview of the current initiatives and programs of the National Law Center on Homelessness & Poverty.
- Maria Foscarinis, *The National Law Center on Homelessness & Poverty: Partnering with Law Firms to Help End Homelessness*, in the ABA Commission on Homelessness and Poverty's Lawyers Working to End Homelessness (Amy Horton-Newell ed., 2006). How law firms partner through the Lawyers Executive Advisory Program (LEAP) is detailed in this article.
- Maria Foscarinis & Rob Rosenthal, *Responses to Homelessness: Past Policies, Future Directions, and a Right to Housing in A Right to Housing: Foundation for a New Social Agenda* (Rachel Bratt, Michael Stone, Chester Hartman eds., 2006). This article explains the history of homeless activism in the U.S. and the steps the country should take to guarantee the human right to housing.
- Tulin Ozdeger, *Don't Feed the Homeless*. TomPaine.com. August 30, 2006. This article outlines the efforts of various cities to outlaw sharing food with homeless people.
- Jeffrey A. Simes, *Private Firms Tackling a Public Problem: How Law Firms Can Help Fight Homelessness*, in the ABA Commission on Homelessness and Poverty's Lawyers Working to End Homelessness (Amy Horton-Newell ed., 2006). In this article, Jeff Simes shares his story of partnering with National Law Center on Homelessness & Poverty and becoming a LEAP and board member.
- Eric Tars, *Affordable Housing: A Legal Right, Not Charity*, Twelve Ten. Fall 2006. This article explains how providing affordable housing is a duty of the federal government and not charitable organizations.
- Eric Tars, *Shadow Reporting: Holding the U.S. Accountable for Human Rights Violations*, Twelve Ten. Summer 2006. This article outlines important role that non-governmental organizations can play an important role in holding the U.S. government accountable to human rights violations.

NLCHP In the News

- "Las Vegas Bans Feeding the Poor in its City Parks". New York Times. July 28, 2006.
- "Appeals Court Bars Arrest of Homeless in Los Angeles". New York Times. April 14, 2006.
- "Post-Katrina Dialogue on Poverty Fizzles". San Francisco Chronicle. January 26, 2006.
- "Anti-Poverty Groups Set to Work with Democrats". National Public Radio. December 31, 2006.
- "D.C.'s Not So Mean Streets". Washington Post. Jan. 12, 2006.
- "Fresno Ordered to Stop Destroying Homeless People's Property". Associated Press. Nov. 23, 2006.
- "Groups Survey 20 Meanest Cities for Homeless". MSNBC.com. Jan. 14, 2006.
- "Justices Hand L.A.'s Homeless a Victory". Los Angeles Times. April 15, 2007.
- "NYC and Patchogue 'Unfriendly to Homeless". Newsday. Jan. 11, 2006.
- "It's Time to Talk. About Domestic Violence, That Is". Redbook. www.redbookmag.com.
- "Unconstitutional Ordinance: Homeless Feeding Ban Rejected". Las Vegas Review-Journal. Oct. 27, 2007.
- "Talk to America: Homelessness". Voice of America. June 22, 2006.
- "At Library, it's Shelter vs. Safety". The Wichita Eagle. Sept. 24, 2006.
- "Cracking Down on Panhandling". Minneapolis Downtown Journal. Nov. 27, 2006.
- "Fresno Ordered to Stop Destroying Homeless People's Property". Associated Press. Nov. 23, 2006.
- "Groups: End Crime Checks on Homeless". The State. Dec. 20, 2006.
- "Homeless in St. Petersburg: As City Rises, Their Prospects Fall". St. Petersburg Times. Feb. 6, 2006.
- "Cities Change Rules on Feeding Homeless People". KXAN.com. Sept. 5, 2006.
- "Homeless Kids Caught in School Upheaval". Tucson Citizen. Dec. 25, 2006.
- "Cold Hearts of Texas? Houston Ranked Mean to Homeless". Houston Chronicle. Jan. 12, 2006.
- "Nashville Gets Off Mean City List". Nashville City Paper. Jan. 12, 2006.
- "Athens Laws Don't Make Homeless Feel at Home". Athens Banner-Herald. Jan. 12, 2006.
- "Homeless Planet: Lawrence Panhandle". The Kansas City Star. Jan. 12, 2006.
- "Las Vegas Ranked Fifth on List of 'Meanest' Cities to Homeless". Las Vegas Sun. Jan. 12, 2006.

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Founder & Executive Director

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Lucy Martin
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Jason Corum
Communications Assistant

Marion Manheimer
Volunteer



Cary Martin accepts the 2005 Personal Achievement Award at the 7th McKinney-Vento Awards

Meet Cary Martin

When Cary was only 10 years old, she became homeless with her mother. For a year, she lived in an office with no bathroom or kitchen, and for two years after that she and her family moved in and out of hotels. When Cary turned 13, she became a ward of the state and shuffled between emergency shelter care, a group home, and foster care placements. When she learned that the state would pay for her college education, her life changed.

With renewed hope, Cary improved her grades and enrolled in college. In 2003, Cary received a B.S. in Finance with honors from the University of Illinois Champaign-Urbana. Later that year, she entered law school at Northwestern University.

In the summer of 2004, Cary interned at the Chicago Coalition for the Homeless where she mobilized community support for litigation to protect public housing from demolition and she spoke to youth and educators about her experience with homelessness and about the education rights of homeless youth under the McKinney-Vento Act.

While at Northwestern University, Cary received the Women's Bar Foundation Public Interest Scholarship and the Public Interest Law Initiative Grant. She also served as the Academic Chair of the Black Students Association and a member of the Northwestern Journal of International Law and Business.

Following graduation, she joined the firm of Sidley Austin LLP and became a NLCHP Board Member.

20 NLCHP's 2006 Financial Statement

Expenses for 2006 are greater than revenue because the organization carried over revenue from 2005.

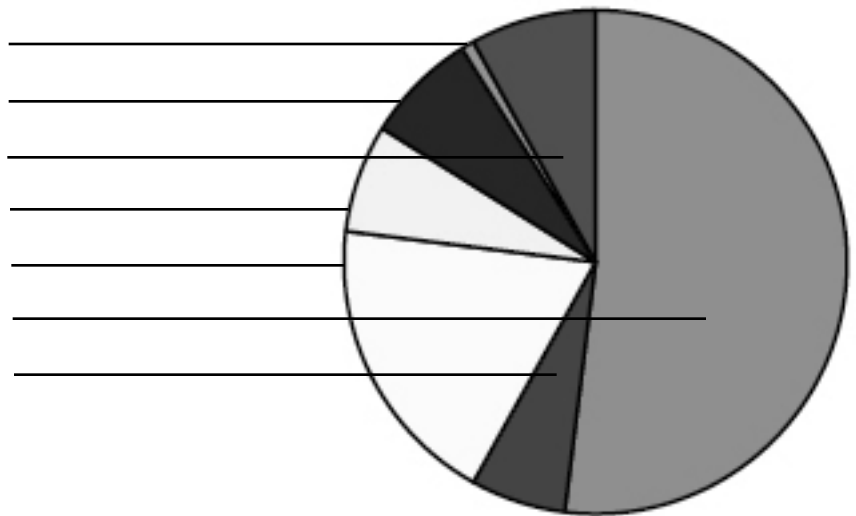
Statement of Financial Position

Statement of activities and change in net assets for the year ended December 31, 2006 with summarized financial information for 2005.

January - December 2006

Revenue \$1.411 million

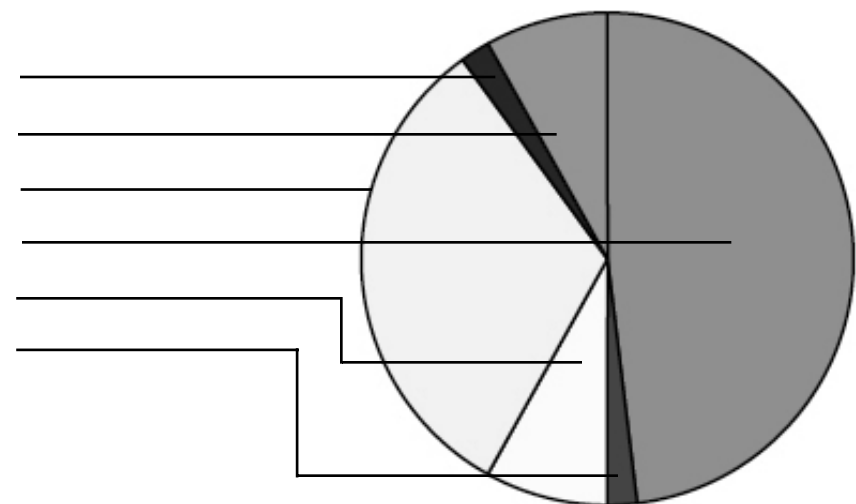
Corporate Contributions	1%
Fees for Services	7%
Other	8%
LEAP	7%
Events	19%
Foundations	52%
Individuals	6%



January - December 2006

Expenses \$1.572 million

Consultants	2%
Office Operations	8%
Pro Bono Legal Services	32%
Personnel	48%
Rent	8%
Travel and Meals	2%



NLCHP 2006 Supporters

NLCHP deeply thanks all of our sponsors and donor for their commitment to ending homelessness and poverty. Throughout the year, we received contributions from individuals, foundations, corporations and organizations whose support helped us improve the lives of the most vulnerable members of our society.

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