

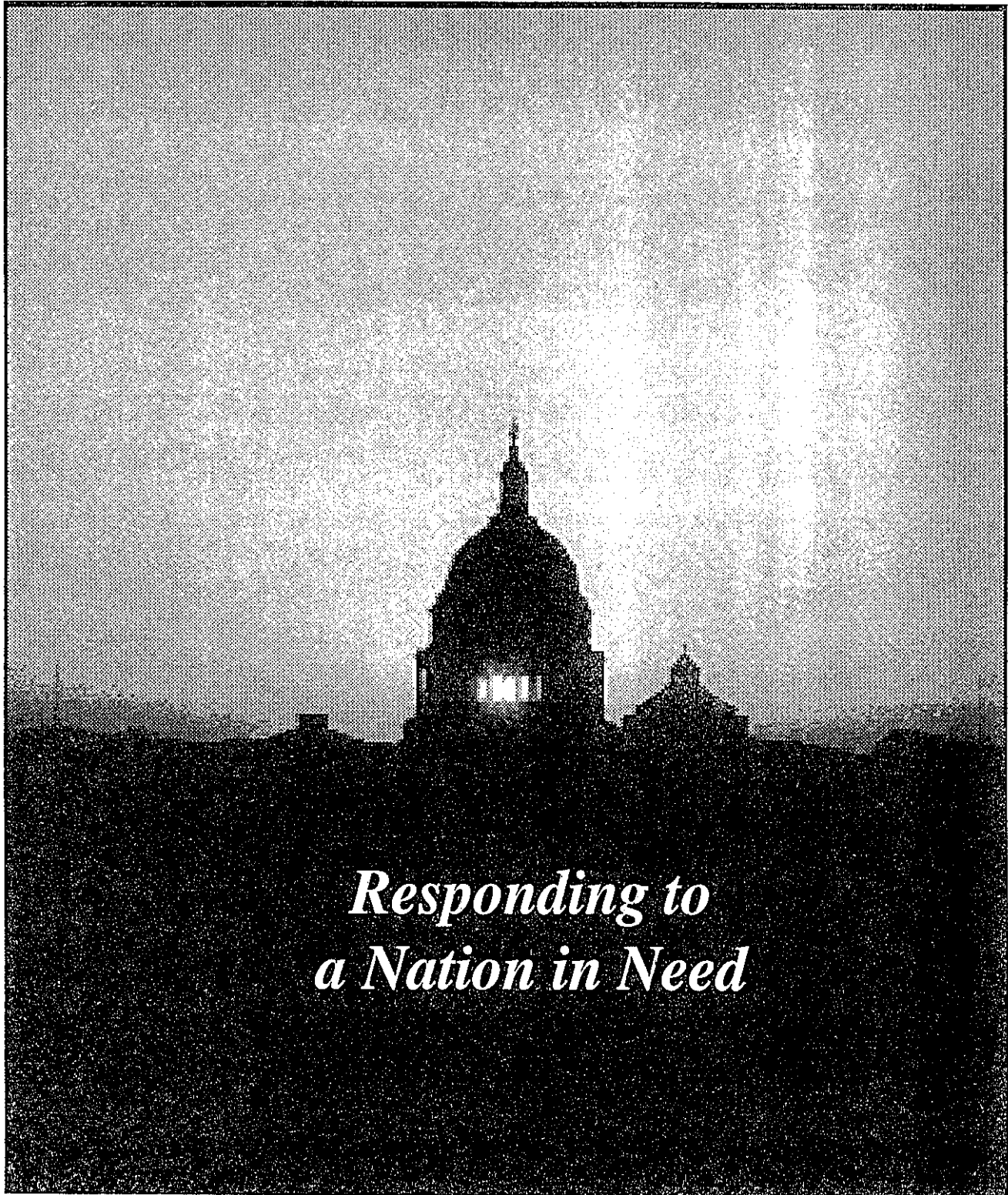
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*Responding to
a Nation in Need*

Basic Human Needs

End Homelessness Now

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Despite its stark visibility, homelessness was virtually ignored during the presidential campaigns. It should not be an afterthought or a special problem to be tackled once the needs of the middle class are addressed. Rather, it should be an integral part of President Clinton's economic strategy. This means increasing the availability of affordable housing, ensuring adequate incomes and social services for all people, and safeguarding the civil rights of homeless people.

By conservative estimates, on any given night more than 700,000 Americans,¹ including approximately 140,000 children, sleep on the streets or in shelters.² In any given year, two million men, women, and children are homeless in urban, suburban, and rural areas across the country.³ Millions more are at risk of homelessness.

According to the latest government data, the number of people living in poverty increased from 13.5 percent in 1990 to 14.2 percent in 1991.⁴ Over 35 million people now live below the poverty line.⁵ About 40 percent of those people spend 70 percent or more of their income on housing.⁶ This means that for growing millions of Americans, a missed paycheck, a health crisis, or a high utility bill could bring the threat of homelessness.

Ending homelessness requires more than building more shelters and soup kitchens. Such emergency measures provide critical survival aid: a meal for the day and a bed for the night. But shelters and soup kitchens do nothing to address factors which lead to homelessness: the lack of housing, jobs, and social services. Thus, they are not the answer. Ending homelessness means going beyond emergency relief to long-term solutions. Together with many others, the National Law Center on Homelessness and Poverty is currently working on national policies to implement such solutions.⁷ The Clinton administration can help.

Housing

The national shortage of affordable housing is a leading cause of homelessness.⁸ Currently, only one-third of those eligible for housing assistance from any level of government actually receive it.⁹ New policies are needed to make more affordable housing available. Supportive housing options which include social services should be made available for people with mental disabilities or substance dependencies.

Specific policies should depend on local needs. In areas where housing units exist but are not affordable to low-income people, subsidies such as housing vouchers should be provided to make those units affordable. In areas of the country where there is a shortage of decent housing, new units should be developed through a combination of federal incentives such as tax credits and direct federal funding. Federal subsidies should be coupled with measures to control costs, such as limiting rents to actual landlord expenses plus a reasonable rate of profit. New units

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created through direct federal aid should be held by public or private nonprofit entities.

Using vacant property should be a top priority. Property in a reasonable state of repair is the quickest and most cost-effective way to create new housing units. Moreover, federal law requires that unused and underused federal buildings and land, including office buildings, hospitals and military housing, be used as facilities to help homeless people.¹⁰ Successful projects that provide assistance, including housing, job training and day care, are underway in cities around the country. An executive order to implement existing law vigorously and expansively could make a substantial difference.

Income

Adequate income is another part of housing affordability. Of the total adult homeless population, 17 percent currently have steady or part-time jobs, but do not earn enough to pay for housing.¹¹ In a 1989 survey, 55 percent of homeless individuals surveyed reported that they had looked for work in the past month.¹² And of the total poor population — over 35 million people — approximately 40 percent are paying over 70 percent of their income for housing.¹³ As a result, many people are at risk of becoming homeless. In order to ensure adequate income, earned income should be supplemented to make work pay, job programs should be created for homeless people who are able to work, income assistance should be provided for people who cannot work, and priority should be given to making sure that homeless people receive existing assistance for which they are eligible.

The recently passed expansion of the Earned Income Tax Credit was an important first step. In addition, a special refundable credit should be created for working homeless people. It should be made available immediately and it should be sufficient to cover the costs of a security deposit and one month's rent.

Job training programs should be created for homeless people who are able to work. They should be coupled with job referral or job creation programs, focusing primarily on critical public needs such as housing renova-

tion and construction and infrastructure repair. These programs should include support services to provide transportation, access to telephones, bathing facilities, clothes, and child care.

Income assistance should be provided to homeless people who are not working. Such assistance should be tied to local housing costs; currently, income assistance programs fall well below such costs. Assistance should be extended to cover all who need it, including two parent families and single individuals.

Finally, priority should be given to ensure that homeless people receive existing assistance for which they are eligible. According to numerous studies, 25 to 30 percent of homeless people are eligible for federal disability benefits, but only four percent actually receive assistance.¹⁴ An aggressive outreach program, which could be implemented by executive order, should be instituted to help homeless people sign up for these benefits and to use them to find housing.

Services

Social services must be available for homeless people and people at risk of homelessness. They should include medical and mental health care, substance abuse treatment, and education for homeless children. All social services should be coordinated with housing and income assistance. The government should provide health care which includes preventive care, it should help people who are institutionalized apply for federal disability benefits and food stamps before they are discharged, and make sure that homeless children are given access to public schools.

According to recent studies, about 25 percent of homeless people are mentally disabled¹⁵ and about 17 percent have significant health problems.¹⁶ Preventive health care should be provided, and mental health and drug abuse treatment should include access to residential care, if needed.

Current federal law provides that people who are institutionalized may apply for federal disability benefits and food stamps before discharge.¹⁷ But this policy, designed to prevent homelessness, is not being imple-

Ending homelessness means going beyond emergency relief to long-term solutions.

mented. An executive order requiring vigorous and immediate implementation could help prevent indigent institutionalized persons from being discharged onto the streets.

Similarly, current law requires public schools to educate homeless children.¹⁸ However, according to the U.S. Department of Education, 28 percent of all homeless children are not attending school.¹⁹ An executive order requiring vigorous federal monitoring of the law could help ensure that homeless children get the education they need to avoid becoming homeless adults.

Civil Rights

Finally, homeless people's civil rights must be safeguarded. Laws that criminalize conduct in which homeless people must engage, such as public sleeping, are cruel and have been held unconstitutional.²⁰ Moreover, attempts to sweep homeless people away do nothing to solve the problem. Federal regulations that criminalize homeless people's conduct should not be enforced and cities receiving federal funds should be prohibited from enforcing such laws. Further, rules that prevent homeless people from voting, such as permanent address requirements, should not be enforced. Homeless people must be guaranteed the right to vote, so they gain access to the political process.

Conclusion

Homelessness bears terrible human, social and economic costs. Unless the new administration acts quickly to end homelessness, there is the risk that these costs will be accepted as tolerable. A vigorous, fast-track strategy is needed to implement the solutions we have outlined. President Clinton, we call on you to join us and to end homelessness now.

NOTES

*The authors would like to thank Teresa Hinze for her assistance.

¹ This is a conservative estimate based on current population figures; MARTHA R. BURT & BARBARA E. COHEN, URBAN INSTITUTE REPORT 89-3, AMERICA'S HOMELESS: NUMBERS, CHARACTERISTICS AND PROGRAMS

THAT SERVE THEM 31-32 (1989); JAMES D. WRIGHT, ADDRESS UNKNOWN: THE HOMELESS IN AMERICA 24-25 (1989).

² This is a conservative estimate based on current population figures; WRIGHT, *supra* note 1, at 57, 59; MARTHA BURT, OVER THE EDGE: THE GROWTH OF HOMELESSNESS IN THE 1980'S 16 (1992); U.S. CONF. OF MAYORS, A STATUS REPORT ON HUNGER AND HOMELESSNESS IN AMERICA'S CITIES: 1992 38 (1992).

³ JOEL BLAU, THE VISIBLE POOR 21 (1992).

⁴ BUREAU OF THE CENSUS, U.S. DEP'T OF COM., CURRENT POPULATION REPORTS: CONSUMER INCOME, SER. P-60, NO. 181, POVERTY IN THE UNITED STATES 1991, vii (1992).

⁵ *Id.*

⁶ CUSHING N. DOLBEARE, OUT OF REACH: WHY EVERYDAY PEOPLE CAN'T FIND AFFORDABLE HOUSING 3 (1989).

⁷ NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY, BEYOND MCKINNEY: POLICIES TO END HOMELESSNESS (1992). This document contains detailed proposals along the recommendations outlined in this article and is based on the work and recommendations of many different groups. Its purpose is to propose long-term solutions to homelessness beyond the primarily emergency relief provided by the Stewart B. McKinney Homeless Housing Assistance Act, currently the primary federal response to homelessness.

⁸ BURT, *supra* note 2, at 196, 213; WRIGHT, *supra* note 1, at 37-42; U.S. CONF. OF MAYORS, *supra* note 2, at 2.

⁹ CENTER ON BUDGET & POL'Y PRIORITIES, A PLACE TO CALL HOME: THE LOW INCOME HOUSING CRISIS IN 44 METROPOLITAN AREAS xviii (1992).

¹⁰ Stewart B. McKinney Homeless Housing Assistance Act, 42 U.S.C. § 11431 (Supp. IV 1992).

¹¹ U.S. CONF. OF MAYORS, *supra* note 2, at 38.

¹² Nat'l Comm'n for Employment Pol'y, Helping the Homeless Be Choosers: The Role of the Job Training Partnership Act in Improving Prospects 26 (1990).

¹³ DOLBEARE, *supra* note 6, at 3.

¹⁴ BURT & COHEN, *supra* note 1, at 90.

¹⁵ *Id.* at 109; RICHARD C. TESSLER & DEBORAH L. DENNIS, A SYNTHESIS OF NIMH-FUNDED RESEARCH CONCERNING PERSONS WHO ARE HOMELESS AND MENTALLY ILL 28 (1989); WRIGHT, *supra* note 1, at 105.

¹⁶ WRIGHT, *supra* note 1, at 111.

¹⁷ 42 U.S.C. § 1383(n) (Supp. IV 1992).

¹⁸ Stewart B. McKinney Homeless Housing Assistance Act, *supra* note 10.

¹⁹ U.S. DEP'T OF EDUC., 1989 STATUS REPORT ON HOMELESS FROM STATE COORDINATOR, in DEPARTMENT OF EDUCATION REPORT TO CONGRESS 8 (1990).

²⁰ See *Pottinger v. Miami*, No. 88-2406, (S.D. Fla. Nov. 16, 1992); *Blair v. San Francisco*, No. C-89-4176, (N.D. Cal. Sept. 20, 1991).