

IN JUST TIMES

a publication of the

NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY



Changing Laws, Changing Lives

October 2018



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Dear friend,

November is approaching and with it elections, [Hunger and Homelessness Awareness week](#), the second anniversary of the Housing Not Handcuffs Campaign, and the 20th Annual McKinney Vento Awards event.

The affordable housing crisis—and resulting homelessness—are emerging as critical issues in public discourse and we welcome this attention after decades of neglect. After many years of advocacy, our message that that housing is a human right is beginning to enter the policy mainstream.



Maria Foscarinis
Executive Director

It's long overdue. As the crisis deepens, unsheltered homelessness is on the rise and [encampments are growing explosively across the country](#). Despite a growing body of evidence that [housing is more effective and cost effective](#), criminalizing homelessness remains the dominant response in many communities.

But there are also signs of change. The Housing Not Handcuffs Campaign is winning in the courts, in city councils, and in policy debates. Our recent victory in *Martin v. Boise* is affecting laws and policies in cities across the west. [Our panhandling campaign](#) is knocking down bans on asking for help in scores of cities. Campaign members have won victories in [places ranging from Lincoln City, OR to Hollywood, FL](#). More city and [law enforcement officials are signing on to our campaign](#) and speaking out to support its message.

The private sector is starting to step up. At this year's [McKinney-Vento Awards event](#), we will honor Kaiser Permanente for its commitment of \$200 million to fund housing and services for homeless people in communities across the country. We will also honor the Goldman Sachs Pro Bono Committee for its pro bono work with us, including surveying homeless New Yorkers on their experiences with criminalization, amplifying their voices.

Government is essential to ending and preventing homelessness, and we are thrilled to also honor Congressman Elijah Cummings for his longstanding support and in particular his work to defend and support Title V of the McKinney-Vento Homeless Assistance Act.

And our new [DC Homeless Youth Handbook](#), developed with pro bono support from Baker McKenzie and Disney, is just hitting the streets!

Ending and preventing homelessness takes the engagement and commitment of all of us. Please join us by [endorsing the campaign](#) and [supporting the McKinney-Vento Awards](#).



Maria Foscarinis
Founder & Executive Director

20th Annual McKinney-Vento Awards

Do you have your tickets to the 20th Annual McKinney-Vento Awards? The National Law Center on Homelessness & Poverty will be honoring Kaiser Permanente, Congressman Elijah Cummings, and the Goldman Sachs Pro Bono Committee for their commitment to ending homelessness and housing insecurity. Purchase tickets or become a sponsor at www.nlchp.org/mvawards.

NEWS from the LAW CENTER

DC Fare Evasion

Advocates in Washington, DC are pushing a bill to decriminalize fare evasion in the District. As it stands, evading fare on public transit in the District can land you in jail with massive fines. In surrounding states like Virginia, the punishment is a ticket. The bill would lower the punishment for fare evasion to a fine, not an arrest-able offense. [Read what advocates are saying on Twitter](#). The bill has passed out of committee and will go to a full council vote on November 13.



NLCHP 
@NLCHPhomeless



#ItsNotFare that a parking violation=ticket, but accessing Metro without paying fare can land you in jail & a criminal record.
@CMCharlesAllen @marych eh @cmdgrosso
@AnitaBondsDC @VinceGrayWard7, please vote YES on the Fare Evasion Decriminalization Act!

12:26 PM - 4 Oct 2018

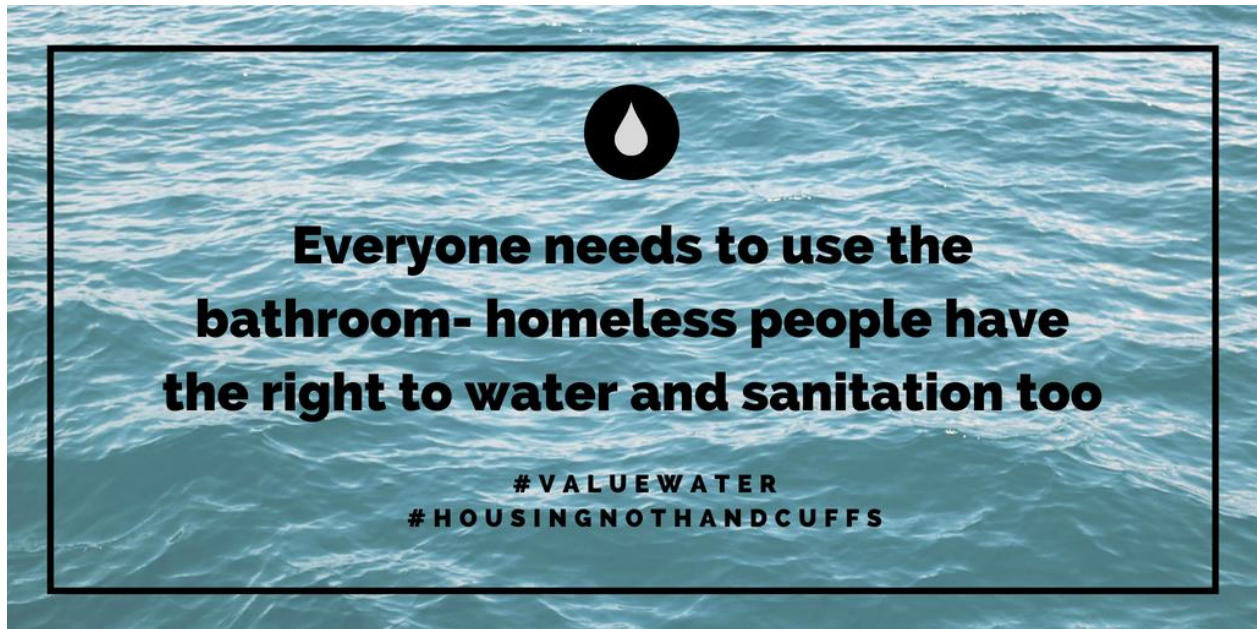
Update on Boise

The 9th Circuit Court decision in *Martin v. Boise* continues to make waves across the west. The ruling stated that “as long as there is no option of sleeping indoors, the government cannot criminalize indigent, homeless people for sleeping outdoors, on public property, on the false premise that they had a choice in the matter.” We have already seen policy reforms in response in [Berkeley, CA](#), [Modesto, CA](#), [Sacramento, CA](#), [San Francisco, CA](#), [Portland, OR](#), [Roseburg, OR](#), [Moses Lake, WA](#), and [Olympia, WA](#). Law Center Senior Attorney Eric Tars provides insight on what advocates should do to inform cities of constructive solutions available [in this blog](#). Also, [don't miss this infographic](#) from the [Housing Not Handcuffs Campaign](#) outlining the impact of *Martin v. Boise* on communities.

Imagine a Day Without Water Recap

On October 10th, the Housing Not Handcuffs Campaign (HNH Campaign) participated in *Imagine a Day Without Water*, a national education campaign to engage stakeholders, public officials, and the general public about how water is essential, invaluable, and needs investment. The HNH Campaign took this opportunity to draw attention to the connection between lack of access to water and the criminalization of homelessness.

Many people who are experiencing homelessness lack access to clean water for drinking and basic hygiene. Local policies that criminalize people who need to take care of their biological needs by restricting access to public restrooms and water fountains can result in medical emergencies and unwanted interaction with law enforcement. Several organizations and individuals took part in the campaign by sharing informational images and tweets using the hashtags #ValueWater and #HousingNotHandcuffs. We were able to engage many people on an issue that most do not often think about and appeal to members of fields that are usually not directly involved in issues of homelessness.



Panhandling Campaign

Less than two months ago, the Law Center along with 18 partners in 12 states launched a nationwide effort to strike down bans on panhandling as part of the Housing Not Handcuffs Campaign. The 2015 Supreme Court decision in *Reed v. Gilbert* held that if an ordinance regulates speech differently based on its content—like whether it asks for a donation versus asking for directions—it is subject to the strictest level of review, and is unlikely to be found constitutional. The Law Center and partners sent letters to more than 240 communities with panhandling ordinances similar to the ones that have been found unconstitutional demanding those laws be repealed. Since the campaign launched, 10 cities have repealed their ordinances and 26 cities have committed to review and amend or repeal their ordinances. Ultimately the goal is to make sure that people don't have to ask for donations in the first place.

Housing Not Handcuffs Update

The Housing Not Handcuffs Campaign now has over 750 endorsements! The Campaign's two-year anniversary is coming up on November 15th and we will hold a web convening on the same day to celebrate the progress it has made as well as to look at next steps going forward. The web convening will be November 15th at 1pm ET and you can register for the event [here](#).

Homeless Youth Handbook Release

The Law Center partnered with Baker McKenzie and the Walt Disney Company to launch a new tool for children and youth experiencing homelessness in Washington, DC. [The Homeless Youth Handbook – Options for Safety and Stability](#) was released on Tuesday, October 23. It is a legal guide for homeless kids and youth made available on mobile phones, tablets and computers. The handbook will be available by hard copy at a later date. It outlines the rights of homeless youth. The Law Center partnered with Baker McKenzie and the Walt Disney Company to launch a new tool for children and youth experiencing homelessness in Washington, DC.

Fort Morgan Times (October 15, 2018): [Brush Council could repeal law prohibiting panhandling](#)

Courthouse News Service (October 12): [Homeless San Diegans Lead National Fight of Vehicle-Camping Laws](#)

Denverite (Oct 1): [Homeless Out Loud delivers more than 9,000 signatures for “right to survive” ballot question](#)

Herald & Review (Oct 2): [Citing ACLU pressure, Decatur council repeals panhandling ordinance](#)

UPI (September 28): [Homeless advocates sue officials over property lost in camp sweeps](#)

KBJA (September 27): [Kansas City Council Committee Advances Panhandling Proposal Despite Concerns](#)

The News Tribune (September 26): [Costly lawsuits could follow restrictions on homeless, attorney warns Puyallup, other cities](#)

USA Today (September 26): [6 homeless people say, 'No more,' sue Washington city, county for lost property](#)

East Bay Express (September 26): [Oakland and Berkeley Homeless Sweeps May be Unconstitutional](#)

New York Daily News (September 25): [Homeless Washington residents sue city, county after belongings thrown out](#)

Chillicothe Gazette (September 25): [American Civil Liberties Union asks Chillicothe to repeal panhandling law](#)

Fox News (September 25): [Washington city faces lawsuit over homeless encampment clearing](#)

The News Tribune (September 21): [Homeless camp sweeps in Puyallup illegally trashed personal belongings, lawsuit says](#)

KJZZ (September 19): [Flagstaff Considers 'Safe Parking Program' For People Who Are Homeless](#)

Real Change (September 19): [Homelessness advocates believe panhandling is protected speech — and they're putting Washington cities on notice](#)

Idaho Statesman (September 18): [Boise appeals ruling on when cities can ban sleeping on the streets](#)

Boise Weekly (September 12): [Camping Out in the Courts](#)

Ending Homelessness Today (September 13): [Court Says Cities Can't Criminalize Sleeping Outside Absent Other Housing or Shelter Options](#)

WUNC (September 11): [The Debate Over Panhandling And The Criminalization Of Poverty](#)

Events

2018 Florida Institute on Homelessness and Supportive Housing

Executive Director Maria Foscarinis will make a keynote speech at the 2018 Florida Institute on Homelessness and Supportive Housing. The conference will take place from October 31st to November 2nd in Orlando. More information can be found at <http://fchonline.org/fihsh/>.

Free webinar: What Housing and Homelessness Advocates Should Know about the Public Charge Rule

Thursday, November 8, 2018 3:30 PM ET- 5:00 PM ET

Law Center Senior Attorney Eric Tars will join other leading advocates from the National Housing Law Project and National Immigration Law Center to discuss the proposed public charge rule and what it means for immigrant families facing homelessness or housing insecurity. [Register now](#).

20th Annual McKinney-Vento Awards | November 13th, 2018

Join the National Law Center on Homelessness & Poverty in honoring leaders in the fight to end and prevent homelessness. The 20th Annual McKinney-Vento Awards Reception will be held Tuesday, November 13th, 2018, from 6:00pm-9:00pm in Washington, D.C. at the Liaison Capitol Hill Hotel. We're pleased to announce that year's recipient of the Stewart B. McKinney Award will be healthcare company **Kaiser Permanente**, the Bruce F. Vento Award will be presented to **Congressman Elijah Cummings**, and the Pro Bono Counsel Awardee will be **Goldman Sachs Pro Bono Committee**. The Personal Achievement Awardee will be announced soon. More information, including sponsorship opportunities and ticket sales, is available at nlchp.org/mvawards.

Changing Laws. Changing Lives.

The National Law Center on Homelessness & Poverty (the Law Center) is the only national organization dedicated solely to using the power of the law to end and prevent homelessness. With the support of a large network of pro bono lawyers, we address the immediate and long-term needs of people who are homeless or at risk through outreach and training, advocacy, impact litigation, and public education.

www.nlchp.org