

**National Law Center on Homelessness & Poverty**  
**Three Year Strategic Plan: January 1, 2016 to December 31, 2018**

**Vision**

Our vision is for an end to homelessness in America. A home for every family and individual will be the norm and not the exception; a right and not a privilege.

**Mission**

The National Law Center on Homelessness & Poverty is the only national legal advocacy organization dedicated solely to preventing and ending homelessness. We carry out work in communities across the country to serve America's more than 3.5 million homeless people. With the support of a large network of pro bono lawyers, we use our legal expertise to help pass, implement and enforce laws addressing the immediate and long-term needs of those who are homeless or at risk. In partnership with state and local advocates, we work towards strengthening the social safety net through advocacy and advocacy training, public education, and impact litigation.

**Values**

The Law Center is founded on the belief that in a society that has enough for all, no one should have to go without the basic necessities of life. Everyone should have equal access to justice and opportunity. Specifically:

- We believe in the inherent value and dignity of all human beings.
- We believe that housing is a human right.
- We believe it is possible to end homelessness and poverty in the United States. We are committed to that goal as well as to reducing the harmful effects of homelessness on those who experience it until our ultimate goal is met.
- We strive to reflect the voices and experiences of homeless and poor people in our work and to support their own advocacy.
- We believe that our advocacy is most powerful in collaboration with others, and we partner with pro bono attorneys and firms, other national and local organizations, grass roots advocates, and people who are homeless to amplify our capacity and leverage each contributor's unique ideas, skills, and resources.

**Background: The 2011 to 2015 plan**

Over the past five years, the Law Center made great strides forward, making major breakthroughs on critical issues. Among its most notable accomplishments: Moving the federal government to take a strong stance against the criminalization of homelessness, positively affecting city laws and policies across the country and setting the stage for greater future impact; winning new federal and state housing rights to protect vulnerable tenants including domestic violence survivors from homelessness; winning federal court cases striking down laws criminalizing homeless people and service providers trying to help them, and requiring federal agencies to make unused property available for homeless service providers; ensuring access to school and school services for hundreds of thousands of homeless young people.

At the same time, the organization made strides in strengthening its own capacity, expanding its board with dynamic new members, retaining and bringing on highly qualified staff, and developing improved messaging and communications tools. The Law Center overhauled its website, moved to new offices, and built a new donor and constituent database. From 2011 through 2014, the Law Center marshaled over \$16 million in donated legal support (the 2015 data are not yet available) significantly augmenting its programmatic capacity. Media mentions increased more than five-fold from 2011 through 2014, shining a light on the struggles of homeless Americans and on our work. This included major national coverage in outlets such as the New York Times, Washington Post, USA Today, Newsweek, CNN, the Wall Street Journal; these included positive editorials in the Times and in the Post. This upward trend has continued into 2015. Website downloads, and social media followers all increased significantly.

### **Current context: Challenges and opportunities**

Homelessness continues to be a national crisis, affecting millions of people each year. But at the same time, recent victories by the Law Center and its allies are beginning to shift the landscape, presenting opportunities for positive change moving forward.

Challenges. Homelessness is driven primarily by the severe shortage of affordable housing. According to the Joint Center on Housing at Harvard University, fewer than 25% of Americans poor enough to qualify for federal housing assistance actually receive it, there are just 29 affordable and available units for every 100 of the poorest households, and the gap is growing. Emergency housing is also in short supply: According to the US Department of Housing and Urban Development, more than 30% of homeless people are unsheltered, with no choice but to struggle for survival in public places.

Yet, in communities across the nation, necessary human activities such as sleeping and sitting down in public places are punished as crimes; some cities even prevent private groups from sharing food with homeless and other poor people in public places. This trend is on the rise. According to a 2014 national survey of 187 cities by the Law Center, citywide bans on “camping” increased by 60% and prohibitions on sleeping in vehicles increased by 119% since the organization’s last survey in 2011.

Communities of color, mentally and physically disabled persons, and LGBT youth are disproportionately affected. The increasing reliance on the criminal justice system in impoverished, largely minority communities can lead to violence, as in the recent case of an unarmed African-American homeless man who was killed by police on Los Angeles’s skid row. And criminalization further marginalizes already disadvantaged communities: getting a job, housing or public benefits is even more challenging with an arrest record.

Homeless children and youth—including unaccompanied youth—face additional, special challenges. Access to school and school services—including meals, basic health care, special education and gifted programs, and extracurricular activities such as sports—is essential to meeting the immediate needs of these young people as well as ensuring their longer term prospects, including preventing their future homelessness. Research indicates that increasing school access and stability significantly contributes to improved academic outcomes for homeless children; school can also serve as a critical link to other resources, such as housing, for

them and for their families. But despite strong legal protections, access to stable education remains elusive for many homeless children and youth; moreover, many communities fail to coordinate housing with school, leading to long commutes or multiple school transfers.

While the immediate and long-term needs of those currently homeless must be addressed, it is also critical to prevent those at risk from falling into homelessness. As the foreclosure crisis continues to affect low income Americans, tenants living in foreclosed properties are especially vulnerable to eviction and potential homelessness. Domestic violence survivors are another group that is especially vulnerable, with domestic violence the leading cause of homelessness for women and their children.

Opportunities. Along with its allies, the Law Center has won court rulings striking down laws and policies criminalizing homelessness as unconstitutional, including victories in Dallas, Texas and Boise, Idaho. We have garnered national attention and critical support, including a recent editorial in the New York Times, through our comprehensive national reports documenting the criminalization of homelessness. With local partners, we have advocated in cities across the country to prevent such laws from being enacted, with increasing success in cities such as Gainesville, Miami and Minneapolis. The Law Center has also supported and spurred new state and local advocacy for homeless bills of rights, with the first bill enacted in Rhode Island in 2012, followed by similar laws in Connecticut, Illinois and Duluth, Minnesota.

Most recently, following years of advocacy, the Law Center has won a shift in position in key federal agencies. In 2012, as a result of our advocacy, the U.S. Interagency Council on Homelessness and the U.S. Department of Justice published a joint report condemning criminalization on constitutional and human rights grounds. Then in 2015, at our urging, DOJ filed a strongly worded brief in our challenge to an anti-sleeping law in Boise, Idaho, garnering major media attention—including an editorial in the Washington Post—and influencing cities around the country. Also at our urging, the USICH issued guidance to communities urging them not to forcibly evict homeless people from encampments but to connect them to housing and services. Finally, and again at our urging, HUD began harnessing the power of over \$2.9 billion in federal homeless assistance to incentivize communities to reduce criminalization.

At the same time, the Law Center and our partners are building support for the human right to housing at the federal, state and local levels. Starting with our first National Forum on the Human Right to Housing in 2003, and continuing with its successors, we have worked with local level advocates to win victories across the country, such as enactment of a right to housing resolution by Cook County, Illinois; inclusion of the right to housing in the Los Angeles plan to end homelessness; and enactment of right to housing resolutions in Madison, Wisconsin and Dane County, Wisconsin, leading to new affordable housing funding.

### **The 2016 – 2018 Plan: A bold agenda and a new Campaign**

The Law Center's 2016-18 plan sets a forth a bold agenda to build on these successes. Six overarching programmatic goals frame the plan:

- 1) Decrease the criminalization of homelessness;
- 2) increase support for and implementation of the human right to housing;

- 3) prevent people at risk from becoming homeless;
- 4) protect and implement homeless children's right to education;
- 5) sustain, strengthen and build partnerships to carry out these goals; and
- 6) build public awareness and support to move these goals forward.

A new Campaign is a central strategy to carrying out much of the plan. The Law Center will help develop and support a Campaign to capitalize on our recent successes to push forward an agenda to redirect law and policy away from criminalization and towards the human right to housing. The Campaign will push for law and policy reform at the federal, state and local level; it will include a litigation strategy, policy advocacy, outreach and communications. Key Campaign goals are policy change away from criminalization and towards housing in at least 30 communities nationally.

Two new networks of local level advocates will support the plan. The Campaign will be carried out in collaboration with the network of local level partners that we are developing in targeted communities; initial network members will consist of participants in the Law Center's June 2015 invitation-only National Forum on the Human Right to Housing in Washington, D.C. and participants in the Criminalization Summit organized by the National Coalition for the Homeless in April 2015 in Denver. The second network, Project LEARN, will bring together local legal and other advocates working on issues affecting homeless children and youth to support and inform the Law Center's work on these issues; a particular focus will be to increase coordination of education and housing.

### **Three-year priorities to end and prevent homelessness**

Major goals over the next three years are to:

- Decrease the criminalization of homelessness: Building on our recent successes, we will work to strike down or prevent enactment of harmful local laws, through policy advocacy or litigation, working with local partners both within and outside of the Campaign. We will also build on our momentum at the federal level by monitoring implementation of the HUD NOFA change to ensure and promote impact in communities, and working to secure additional federal actions to dis-incentivize criminalization at the local level.
- Increase support for the human right to housing: We will promote and support advocacy for the human right to housing at all levels of government. We will engage and support communities in promoting the right to housing through new local laws and policies that implement some aspect of it. We will advocate for additional funding for housing, including Housing First, at all levels of government, as appropriate. We will also develop and file court cases to advance the right to housing, with the goal of achieving at least one court ruling recognizing an aspect of it.

We will also work to increase real property resources for housing. Federal law requires federal agencies to make available their unused real property at no cost to providers serving homeless people. Currently, over 2.4 million people are helped each year at these sites, but agency noncompliance and a burdensome, inefficient process is preventing more properties from being used; restrictive agency rules prevent properties from being

used for housing without supportive services. Following up on our successful litigation we will work to secure increased compliance and an improved process.

- Prevent at risk people from becoming homeless. We will work to prevent homelessness, focusing on those who are particularly vulnerable. The federal Protecting Tenants at Foreclosure Act, which the Law Center won enactment of in 2009, protected tenants in good standing from summary eviction due to foreclosure on the landlord—and from homelessness. But the law expired at the end of 2014, and we will advocate in Congress for its reinstatement; at the same time, we will advocate to secure enactment of laws in high need states to protect renters at foreclosure, and work to implement effectively a Florida law protecting renters' rights that we recently won enactment of with our state partners.

Domestic violence is a leading cause of homelessness for women and their children, and we will work to secure full implementation of expanded housing rights for domestic violence survivors we won as part of the 2013 reauthorization of the Violence Against Women Act, focusing on advocacy with the three federal agencies—HUD, the U.S. Department of Health and Human Services, and the U.S. Treasury Department—charged with carrying out the law.

- Protect and implement homeless children's right to education and ensure its coordination with housing. Education is critical to ensuring the well-being of homeless children and youth, as well as to offering a chance for a better future that breaks the cycle of homelessness and poverty. Schools also can serve as a point of connection for other services, including housing. Data show that access to school and school stability leads to better outcomes for these children. Federal law provides strong protections for homeless children and requires coordination with housing and other services. However, these laws are often violated or not fully implemented, sometimes simply due to ignorance.

Through outreach to and training of educators, legal services lawyers and service providers, we will help homeless children assert their right to education. We will also work to reform systems: Through advocacy and/or litigation, we will work to improve policies or practices at the state and/or local levels, including increased coordination of housing and education.

- Sustain, strengthen and build partnerships to carry out these goals. We will build two networks of local level partners in priority locations to support these goals. One of these networks will support the Campaign; the other, Project LEARN, will focus on ensuring education for homeless children. We will also actively engage national level partners, building on the Homeless Advocates Group, a network of national level advocates that we initiated and convene to coordinate strategy.

Pro bono partnerships are critical to the Law Center's work and ability to leverage its modest resources for high, national level impact. We will build these partnerships and focus especially on also increasing partnerships with corporate legal departments.

- Build public support for these goals. The Law Center has been increasingly visible in the media and successful in gaining media attention. We plan to build on these successes by further increasing media visibility and also developing a more focused communications strategy to further target our messages to better support our advocacy goals.

### **The Campaign: A strategic opportunity**

There is now a unique opportunity—and a clear need—to build on the recent successes in the fight against criminalization. Increased federal action has brought increased public attention and pressure on cities to stop adopting such laws. But a fundamental difficulty in focusing only on fighting criminalization is that the remedy—ceasing to criminalize—still leaves people without a safe, permanent, decent place to live. It doesn’t solve the problem. Housing, along with any needed services, does solve the problem.

Moreover, a growing body of research demonstrates that housing is more cost-effective than criminalization. For example:

- In its 2013 Comprehensive Report on Homelessness, the Utah Housing and Community Development Division reported that the annual cost of emergency room visits and jail stays for an average homeless person was \$16,670, while providing an apartment and a social worker cost only \$11,000.
- A 2013 analysis by the University of New Mexico Institute for Social Research of the Heading Home Initiative in Albuquerque, New Mexico showed that, by providing housing, the city reduced spending on homelessness-related jail costs by 64%.
- A 2014 economic-impact analysis by Creative Housing Solutions evaluating the cost of homelessness in Central Florida found that providing chronically homeless people with permanent housing and case managers would save taxpayers \$149 million in reduced law enforcement and medical care costs over the next decade.

“Housing first” programs are now in place in communities across the country, and they successfully house homeless people—ending their homelessness, *and* saving taxpayers money. But these programs are not nearly at the scale necessary to meet current need and to prevent future homelessness. Shifting funds that are now being expended on harmful, ineffective efforts to criminalize homelessness to instead support housing can help expand these models. Developing legal frameworks that protect and advance housing rights can help ensure that resources are adequate to the need.

Human rights law, which recognizes housing as a basic right, can inform and help support this advocacy, just as it is advancing growing recognition that criminalization is a human rights violation. Thanks to the advocacy of the Law Center, as well as allied groups working on other issue areas, human rights norms are finding increasing acceptance in U.S. policy debates and even courts, including the U.S. Supreme Court. In appropriate venues, they can be part of an overall strategy to strengthen rights and protections for homeless and vulnerable Americans.

The time is right for a Campaign to turn the energy and resources currently focused on criminalizing homelessness *away* from these destructive measures and *towards* laws and policies that advance the human right to housing. Drawing on human rights frameworks and existing best

practices, the campaign will develop model laws and policies that strengthen and protect housing rights and increase resources for them. Building on research and programmatic knowledge, the Campaign will develop and advance specific goals for law and policy reform at the federal, state, and local level, and support a network of advocates to join this effort. The Law Center will seek resources to develop a communications strategy to support the Campaign goals.

The Law Center will develop and launch this Campaign with a core set of advocates, to which it will then add. It will advance and support the Campaign through four main strategies:

- 1) developing and disseminating model laws and policies to implement the right to housing, providing legal and policy support to its local level partners to promote them;
- 2) spearheading a parallel right to housing litigation strategy and working with its local level partners to identify, develop and file appropriate test cases;
- 3) working at the federal level to achieve and implement changes in agency policies to move local level law and policy away from criminalization and towards housing; and
- 4) working at the international level to further these goals, exerting pressure on the federal government as well as local governments, and further developing the body of human rights laws that can be marshaled in domestic litigation.

### **Three year Campaign goals**

- Local level partners in 30 communities are actively promoting laws and policies that protect the rights of homeless people, endorse the right to housing and implement some aspect of it, with Law Center support.
- The Law Center and local partners are litigating strategically selected cases that will move us towards judicial recognition of the right to housing.
- Federal funding policies discourage local governments from criminalizing and encourage them to house homeless people.
- The Law Center and partners build on our successes to achieve greater U.S. acceptance of human rights norms condemning the criminalization of homelessness and supporting homeless peoples' housing rights.
- Awareness of the right to housing is elevated as evidenced by its use in advocacy agendas, by policy makers and increased media mentions.

### **Building our internal capacity to carry out this bold agenda**

The recession challenged the capacity of the Law Center (and many organizations) to carry out its work, even as it drove increased need for that work. We worked to address these challenges and, as the 2011-2015 plan comes to a close, the Law Center is in a strong position, with new partnerships, deepened relationships with our supporters, and dynamic new Board and staff members on our team. Going forward, the Law Center will build on this positive momentum to strengthen the organization and build its capacity:

- Communications. We plan to raise resources specifically to partner with communications experts to develop messages and outreach strategies to support our Campaign and its goals, building support among policymakers and key audiences for its goals. We plan a Campaign website that will link to ours; and we plan to assess and update our website and to substantially increase the resources and tools we make available to advocates and

policymakers through it. We plan to build our program database to better track program impact, and to increase our use of social media.

- Growth budget and plan to reach it. We plan an aggressive growth budget, with significant revenue growth over the three years of the plan. We also plan to budget current year surpluses in each of the three years of the plan, in order to replenish and further build the Law Center's cash reserve.
- Pro bono partnerships. These partnerships are integral to the Law Center, and we plan to strengthen our pro bono law firm partnerships and build our partnerships with corporate legal departments.
- Board. The Law Center will continue to build its Board, prioritizing members who bring strength in fundraising and communications, as well as through the lived experience of homelessness; the Law Center will also prioritize increased diversity on its Board.
- Staffing. The Law Center was recently approved to host three VISTAs; these positions will support our work with local partner organizations, our development and communications work, and our pro bono program. We plan to hire a Campaign director to support that work and serve as a liaison to our local partners. In 2017, we plan to add a development and communications assistant. We plan also to add an attorney to better support our programs.

### **Conclusion**

This is an exciting and critical time for the Law Center, its work, and its mission. Major strides forward, made under the prior plan, set the stage for greater progress and for a new direction in national policy. The Law Center has a bold vision for systemic change that can truly end and prevent homelessness in America, and by building a network to add to and support this vision, and strengthening its own capacity, the Law Center can achieve this vision.