

IN JUST TIMES

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NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY



Changing Laws, Changing Lives

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Dear Friends,

Housing is a basic human right. And when housing is considered a privilege rather than a right, the result is housing insecurity and homelessness. The Trump Administration and Congress are debating how much to cut resources for housing instead of engaging in the discussion we need to have: how to dramatically increase resources for, and availability of, affordable housing. The Law Center has long taken a human rights approach to our work—holding the U.S. government accountable to international standards and promoting human dignity and holistic policy solutions.



Janet Hosteller
Deputy Director

Recently, former [President Jimmy Carter stated](#), “A lot of people don’t look at housing as a human right, but it is.” He went on to explain how necessary housing is to the enjoyment of other rights, like freedom of speech or the right to vote as well as how determinative housing is for education and other access to opportunity.

Here at the Law Center, we couldn’t agree more! Congress is out of session, and our executive director Maria Foscarnis is on a much-deserved break, but it’s more important than ever to keep up the fight for what our country needs.

What does the right to housing actually mean? According to international standards, the government can choose its own methods but is ultimately accountable for ensuring every individual has access to housing with these seven common sense elements:

1. Security of tenure: everyone needs legal protection (and legal representation) against forced eviction and harassment, including sweeps of homeless encampments;
2. Availability of services, materials, and infrastructure: adequate housing includes access to sanitation and emergency services, plumbing and electricity, etc.;
3. Affordability: housing costs should not force people to choose between paying rent and paying for other basic needs;
4. Habitability: housing must provide adequate space to protect against internal dangers (overcrowding) and external ones (weather, insects, hazards like lead paint, etc.);
5. Accessibility: physically accessible (for those facing disabilities) and practically accessible (no discriminatory barriers for marginalized groups);
6. Location: housing is more than four walls and a roof, but must exist in an environment with access to jobs, medical care, schools, etc., as well as not be threatened by pollution
7. Cultural adequacy: housing and land use must respect the cultural traditions of inhabitants (indigenous persons, for example).

Join us in insisting on basic human rights for all!

Janet Hostetler
Deputy Director

Statement from the Law Center on Charlottesville: *Racism and white supremacy have no place in an equal and just society. As an organization dedicated to civil and human rights for all, the National Law Center on Homelessness & Poverty denounces all forms of bigotry and discrimination, and we stand in solidarity with individuals and organizations in Charlottesville and across the country working for justice. Our thoughts, words, and actions are with the family and friends of activist Heather Heyer and the victims of the violence that occurred that weekend.*

Judge Rules in Favor of Title V, Halts Sale of Federal Land

By Tristia Bauman

Surplus federal property is a vastly underused resource that can be used to prevent and end homelessness. Yet, the federal government has consistently failed to fully implement the federal law (Title V) that grants homeless service providers a right of first refusal to property that the federal government no longer needs.

The Colorado Coalition for the Homeless (CCH), with the technical assistance of the Law Center, filed a federal lawsuit to hold the government accountable to the Title V program

requirements. The lawsuit challenged the federal government's determination that the property was "unsuitable" for homeless services due to the presence of a former landfill site—particularly when the federal government is now attempting to sell the property for residential and retail use. Only properties that are determined to be suitable are available to homeless service providers under Title V.

"We are pleased that Judge Martinez agreed with us that HUD's original determination and subsequent affirmation about the property's 'unsuitability' for homelessness assistance had been arbitrary and capricious," Coalition CEO John Parvensky [said in a news release](#).

The sale has been delayed until October 16 to give HUD an opportunity to reevaluate suitability.

Pennsylvania Introduces Homeless Bill of Rights

By Eric Tars

On July 25, Pennsylvania State Reps. Thomas Murt (R) and Isabella Fitzgerald (D) announced their bi-partisan introduction of PA House Bill 1664, a Homeless Bill of Rights to protect fundamental civil and human rights of homeless people.

"Homelessness continues to be an issue in many communities across the Commonwealth. Local codes that outlaw loitering, vagrancy, sitting or lying on the sidewalk, begging, eating in public, and other behaviors disproportionately affect homeless people," Fitzgerald [said in a news release](#).

The bill is in the style of the existing Homeless Bills of Rights discussed in the Law Center's 2014 report [From Wrongs to Rights](#) and would protect the homeless population's equal rights to move freely in public spaces and receive equal treatment by all government agencies, employers, and health care providers. The legislation would also shield their right to vote and the confidentiality of personal records and information, as well as provide an expectation of privacy in their belongings equal to a person in a regularly housed residence. The Law Center is working with the sponsors to provide education about the need for such legislation to other members of the PA legislature.



FROM WRONGS TO RIGHTS:
The Case for Homeless Bill of Rights Legislation



Homeless Students Face Uncertainty as New School Year Starts

By Michael Santos

It's been nearly two years since the Every Student Succeeds Act (ESSA) of 2015 passed, strengthening protections for students experiencing homelessness. But even before ESSA became law, many states and school districts already struggled to [ensure the legal rights of homeless students were guaranteed](#). States are in the process right now of submitting required ESSA state plans to the U.S. Department of Education. These state plans are supposed to contain information on how states implement and comply with different federal education laws, including McKinney-Vento. Among other things, these plans provide an overview of how states will address the educational needs of homeless children and youth for the years to come.

With recent changes to the law, the importance of attorneys advocating on behalf of the education rights of homeless students is more important than ever. Many homeless students, their families, and stakeholders that provide supports and services to them are unaware of the law. The Law Center's Lawyers Education Access Resource Network (Project LEARN) and its partnership with the American Bar Association's [Homeless Youth Legal Network](#) seek to remedy this access to justice issue and aim to increase homeless students' access to attorneys and legal resources. The Law Center is working with its national, state, and local partners to develop resources that would hold states accountable as they implement ESSA's promise of educational continuity and stability.

NEWS from the LAW CENTER

Law Center Advocates for Passage of DC Human Rights Act

On July 11, D.C. Councilmember David Grosso introduced the [Michael A. Stoops Anti-Discrimination Amendment Act of 2017](#) to protect the rights of individuals experiencing homelessness in Washington, D.C. The [National Coalition for the Homeless](#) (NCH), the National Law Center on Homelessness & Poverty, and others have been fighting for this legislation for several years. Discrimination based on apparent homelessness status can be found in areas of law enforcement, private businesses, medical, and social services. Adding homelessness as a protected class in D.C. will help address barriers to those experiencing homelessness in finding public accommodation, employment, housing, and other resources. The bill was aptly named in honor of the late Michael A. Stoops in celebration and remembrance of his dedication to advocating for those surviving without a home. The Law Center is working with NCH, Grosso's office, and other advocates to encourage passage of the bill.

Law Center Attorney Michael Santos Appointed to ABA Commission on Homelessness

Michael Santos, staff attorney for the Law Center, will begin a one-year term on the [American Bar Association's Commission on Homelessness and Poverty](#) in September. Michael specializes in education and youth homelessness at the Law Center. Congratulations, Michael!

New Documentary by *Under the Bridge* Filmmakers Features Coverage of 2017 Right to Housing Forum

Don Sawyer and Tim Hashko from A Bigger Vision Production Company, which produced the award-winning documentary *Under the Bridge: The Criminalization of Homelessness*, recently announced the launch of an Indiegogo campaign to support their next film, tentatively titled *Beyond the Bridge*. *Beyond the Bridge* will dive into the "[housing first](#)" method as a solution to homelessness, showing what has already been done and what hope there is for the future.



The [four-minute promotional video](#) for the film includes shots taken at the recent [2017 Right to Housing Forum](#) in Washington, DC and quotes by Law Center Executive Director Maria Foscarnis and Director of Development and Communications Maggie Ardiente. We encourage you to [watch the video](#), share it widely, and support the making of the film however you can. Use hashtag #BeyondTheBridge when promoting on Facebook and Twitter.

Endorse the Housing Not Handcuffs Campaign

Our Housing Not Handcuffs Campaign continues to grow! The campaign currently has over 500 endorsements, including from former U.S. Attorney General Eric Holder and NYC Council Member Stephen Levin. [Endorse the campaign](#) if you haven't already, and encourage others to join you in supporting an end to the criminalization of homelessness!

HOUSING
NOT HANDCUFFS

Volunteer Pro Bono!

The Law Center has begun posting some of its pro bono opportunities on [We The Action](#), an online portal that connects volunteer lawyers with nonprofit organizations to advocate for a more equitable, inclusive, and just society. If you are an attorney who wants to help out, you can sign up on [We The Action's website](#) or contact us directly at hr@nlchp.org.



Law Center Seeks Fall Interns

We are currently accepting intern applications for Fall 2017. Internships are available year-round for students in semester-based or quarter-based programs. Applications are

accepted on a rolling basis. Current openings include Legal Internships (available to second- and third-year law students), Program Internships (available to undergraduate students, graduate students, or recent graduates), and Development & Communication Internships (available to undergraduate students, graduate students, or recent graduates). To apply, email a cover letter, resume, short writing sample, and three references to hr@nlchp.org.

NLCHP in the Media

Wall Street Journal (August 8): As Panhandling Laws Are Overturned, Cities Change Policies

Truthout (July 31): As Rents Rise, the Struggle Against the Criminalization of Homeless Intensifies

US Interagency Council on Homelessness (July 27): True Colors Fund and National Law Center on Homelessness & Poverty State Scorecards on Youth Homelessness

Politico (July 25): Advocates Argue Florida's Public Schools Are Failing Homeless Students

Governing Magazine (July 25): The Unexpected Reason Panhandling Bans Are Being Struck Down Across the Country

Tacoma News Tribune (July 22): Tacoma's Ban on Public Camping Might Be Illegal and Do More Harm Than Good

CBS Local (July 19): Homeless Sue City of San Diego Over 'Unconstitutional' Violations

The Guardian (July 17): Journalist Under Fire for Calling It 'Crazy' Not to Be Disgusted by Homeless People

Events

Honoring 30 Years of the McKinney-Vento Act

Mark your calendars for the **2017 McKinney-Vento Awards**, to be held **Tuesday, October 24, 2017, at the Liaison Capitol Hill Hotel in Washington, D.C.** This year's honorees include NFL player Vernon Davis, U.S. Senator Cory Booker, the law firm of



Simpson Thacher & Bartlett LLC, and advocate Juanita Rocha. Sponsorship opportunities are now available at www.nlchp.org/mvawards.



Vernon Davis
Washington Redskins



The Honorable Cory Booker
United States Senate

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