

# IN JUST TIMES

*a publication of the*

NATIONAL LAW CENTER  
ON HOMELESSNESS & POVERTY



*Changing Laws, Changing Lives*

February 2018



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Dear Friends—

As I write, major policy and legal issues are up for debate that will have a big impact on homeless and poor Americans.

The President's proposed 2019 budget seeks drastic cuts to already threadbare safety net programs. Cuts to housing, food assistance, and healthcare would devastate homeless and poor families and individuals. Further slashing the safety net will decrease the potential for economic mobility and inhibit efforts to end and prevent homelessness. The proposal is not expected to be enacted as is; however, it shows with disturbing clarity [the Administration's priorities](#) and sets an extremely low bar for negotiations, increasing the likelihood of a lower "compromise." This makes our collective advocacy even more critical.



Maria Foscarinis  
Executive Director

This proposed budget also contradicts the recent spending deal, which included increases for domestic spending and raised the budget "caps." However, even that deal leaves spending [below 2010 levels](#)—and certainly below need.

Meanwhile, the impact of a frayed federal safety net means more people are struggling to survive on the streets, as documented in our [recent report on the explosive growth of encampments](#). Too many cities respond by criminalizing homelessness—including "sweeping" tent communities without regard to where their inhabitants will go or what will happen to their meager possessions. The Law Center and our allies are mounting important

court challenges; our goal is to turn cities away from criminalizing homelessness and toward finding ways to house homeless people.

Thank you for your support. [It's needed now more than ever.](#)



Maria Foscarinis

Founder & Executive Director

## Law Center Partners with Goldman Sachs, Fried Frank to Conduct Criminalization Survey in NYC

By Maggie Ardiente

On January 26 in New York City, the Law Center partnered with **Goldman Sachs** (LEAP Member) and attorneys from **Fried Frank Harris Shriver & Jacobson** (LEAP Champion), and **Cleary Gottlieb Steen & Hamilton LLP** to conduct a volunteer survey project to examine how homeless people are criminalized by law enforcement for conducting life-sustaining activities such as sleeping, eating, or resting. A one-hour training session took place at the headquarters of Goldman Sachs, where 20 volunteer attorneys from the firms learned how to conduct the survey and approach people experiencing homelessness with compassion from NLCHP Senior Attorney Eric Tars and Care for the Homeless Policy Associate Nathalie Interiano. The survey was conducted at [Holy Apostles Soup Kitchen](#), the largest food emergency program in NYC, where over 90 people participated in the survey, receiving free subway cards and candy bars (donated by the law firms) for their time and participation. Photos from the event can be viewed on the [Law Center's Facebook page](#). Special thanks to Goldman Sachs, Fried Frank, and Cleary Gottlieb for their participation!

## Homelessness, Criminalization, and the School-to-Prison Pipeline in DC

By Michael Santos

Harsh zero-tolerance school discipline policies criminalize young students experiencing homelessness. In the 2016-2017 school year, homeless students in DC received out-of-school suspensions at more than twice the rate of their housed peers. To disrupt the school-to-prison pipeline, DC Councilmember David Grosso introduced the Student Fair Access to School Act in November 2017. The bill limits schools' use of suspensions and expulsions, promotes trauma-informed educational settings, and requires reporting of certain discipline data.

The Law Center, along with DC Alliance for Youth Advocates and other local partners, recently [submitted a letter](#) expressing support of the bill and urging the DC Council to amend the bill to report disaggregated data on homeless students. Doing so would increase

transparency, provide more information about the impact of school disciplinary policies on students experiencing homelessness, and complement DC's efforts to implement federal requirements under the Every Student Succeeds Act of 2015. This includes identifying and removing barriers to the education of homeless students under the Education for Homeless Children and Youth Program of the McKinney-Vento Homeless Assistance Act.

If you are aware of other existing efforts in other jurisdictions or if you would like to introduce similar legislation in your state, please contact me at [msantos@nlchp.org](mailto:msantos@nlchp.org).

## **Book Review: *Not a Crime to Be Poor***

By Maria Foscarinis

Peter Edelman's *Not a Crime to be Poor* is a critical and searing look at the criminalization of poverty in America. Edelman recounts the stories of horrible suffering endured by poor Americans who are being punished for their poverty. Jails and prisons are filling with low-income people simply because they cannot afford bail for minor crimes like driving with a suspended license. Domestic violence survivors are victimized again—some rendered homeless—when they are evicted for calling 911 for help. And homeless people are cited, fined and incarcerated for harmless, life-sustaining activities such as sleeping in public.

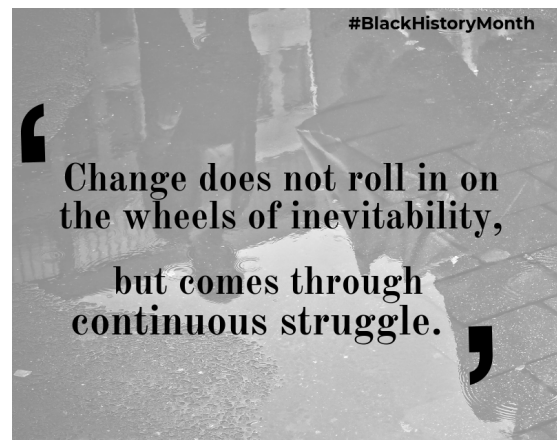
The book, which includes multiple citations to our *Housing Not Handcuffs* report, recounts the story of Jerome Murdough, a homeless veteran, who was arrested for trespassing when he sought refuge in a public housing stairwell on a frigid NYC night. Murdough was imprisoned at Riker's Island where he died due to negligence when the temperature in his cell exceeded 100 degrees.

Peter Edelman has written a powerful and important book, and we are proud to call him a friend and to have his support.

## **NEWS from the LAW CENTER**

### **Celebrating Black History Month**

In honor of Black History Month, the Law Center is featuring quotes from Black leaders in history who have made a significant impact on reducing homelessness and poverty in the United States. Celebrate Black History Month and your commitment to ending homelessness by sharing these images on Facebook and Twitter, and [follow the National Law Center on Homelessness & Poverty](#) for daily news and updates!





### Welcome New LEAP Firms

Special thanks to three new law firms that have joined our Lawyers' Executive Advisory Partners (LEAP) program: Kirkland & Ellis, Baker Donelson, and McCarter & English! We are proud to partner with these and other LEAP firms to conduct pro bono projects that work to end homelessness in America.

#### Kirkland & Ellis (LEAP Partner)

is providing tax law expertise to help victims of Hurricanes Harvey and Irma secure recovery funding with the U.S. Human Rights Network and worked on a survey of barriers

homeless student athletes experience in accessing varsity sports and extracurricular activities.



**Baker Donelson** (LEAP Member) is partnering with the Law Center in a case enforcing the rights of homeless students to high quality, safe, secure, uniform, and efficient public education provisions under the Florida constitution; the firm wrote and submitted an amicus brief in the case.



**McCarter & English** (LEAP Member) is providing expertise in legislative and budget analysis to help the Law Center examine the new federal budget proposal, assess implications, and consider plans for addressing concerns that affect Americans experiencing homelessness and poverty.



If your law firm would like to make an impact and become a LEAP member in 2018, visit <http://www.nlchp.org/leap> for more information or contact Development & Communications Director Maggie Ardiente at [mardiente@nlchp.org](mailto:mardiente@nlchp.org). LEAP members get priority access to our best pro bono projects, special recognition throughout the year, invitations to LEAP-only events, and tickets to our annual McKinney-Vento Awards. Thank you for your consideration!

#### New Intern

We're pleased to welcome **Burhan Abdi**, who is interning at the Law Center for the Spring 2018 semester. Burhan is a third-year student at Cornell University studying economics and

government with a minor in law and society. Having been raised by a father who overcame poverty through education, Burhan has become passionate about access to education laws. In the future, he hopes to earn a law degree and fight to give the poor a voice in society.

## NLCHP in the Media

**Los Angeles Times (Feb. 14): [Frustrated Judge Demands O.C. Find Shelter for Homeless Being Evicted From Camps](#)**

**Associated Press (Reprinted in the New York Times, U.S. News and World Report, FOX, and ABC News) (Feb. 13): [Judge Intends to Visit Giant Homeless Camp in California](#)**

**Seattle Times (Jan. 29): [Puget Sound's Homeless Crisis Pushes 911 Beyond Its Design](#)**

**Kokomo Tribune—IN (Jan. 29): [Homeless in Kokomo: Annual Survey Draws Attention to Community's Most Vulnerable](#)**

**Joplin Globe—MO (Jan. 25): [Our View: Begging Law Bad Idea](#)**

**Business Insider (Jan. 23): [The Company Behind the Crime-Fighting Robot That's Been Used to Keep Away Homeless People in San Francisco Has Raised \\$25 Million](#)**

**San Diego Union-Tribune (Jan. 22): [El Cajon Not Alone in Laws Targeting Homeless](#)**

**Center for Research on Globalization (Jan. 20): [Feed the Homeless in America, Get Fined or Arrested](#)**

**Mill Valley Herald—CA (Jan. 19): [Public Begging in Marin](#)**

**The Legal Intelligencer (Jan. 19): [Working to Protect Evicted Domestic Abuse Victims](#)**

**Baltimore Sun (Jan. 17): [Baltimore Officials to Clear Downtown Homeless Encampment, House People in Dormitory-Style Facility](#)**

**Courthouse News (Jan. 17): [A Dozen People Arrested for Feeding the Homeless](#)**

## Events

Senior Attorney **Eric Tars** guest lectured on “Lawyer as International Advocate” for [Drexel Law School’s Community Lawyering Seminar](#) on February 12 in Philadelphia, PA.

Attorney **Michael Santos** is speaking on the McKinney-Vento dispute resolution process at the [National Center for Homeless Education’s Annual State Coordinators’ Meeting](#) on February 23 in Washington, DC, and the [Summit on Homelessness & Poverty](#) on “Addressing the Legal Needs of Homeless Students” on February 25 at Brown University in Providence, RI.

Deputy Director **Janet Hostetler** will be speaking at the [Pro Bono Institute Conference](#) on “Housing Matters: Pro Bono in Practice” on February 22 in Washington, DC. The Law Center will also have an informational table at the event.

## **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](http://www.nlchp.org)