

Constructive Alternatives to Criminalizing Homelessness



NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY



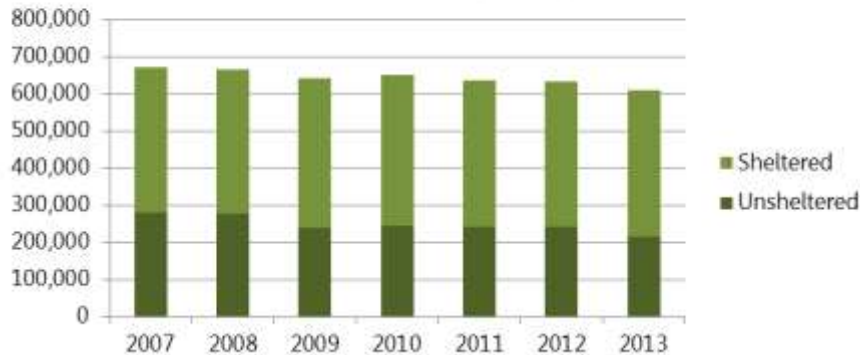
Topics

- Overview of Homelessness in America
- Costs of Criminalizing Homeless Individuals and Benefits of Constructive Alternatives
- Types of Criminalization Laws
- Types of Constructive Alternatives

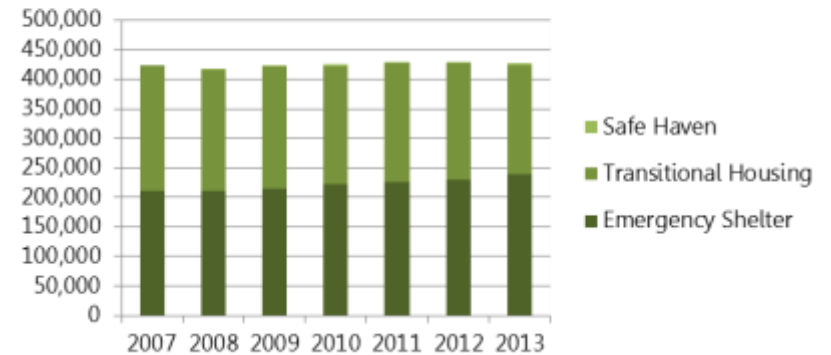


Homelessness in America

Estimated Number of Homeless Persons on an Average Night



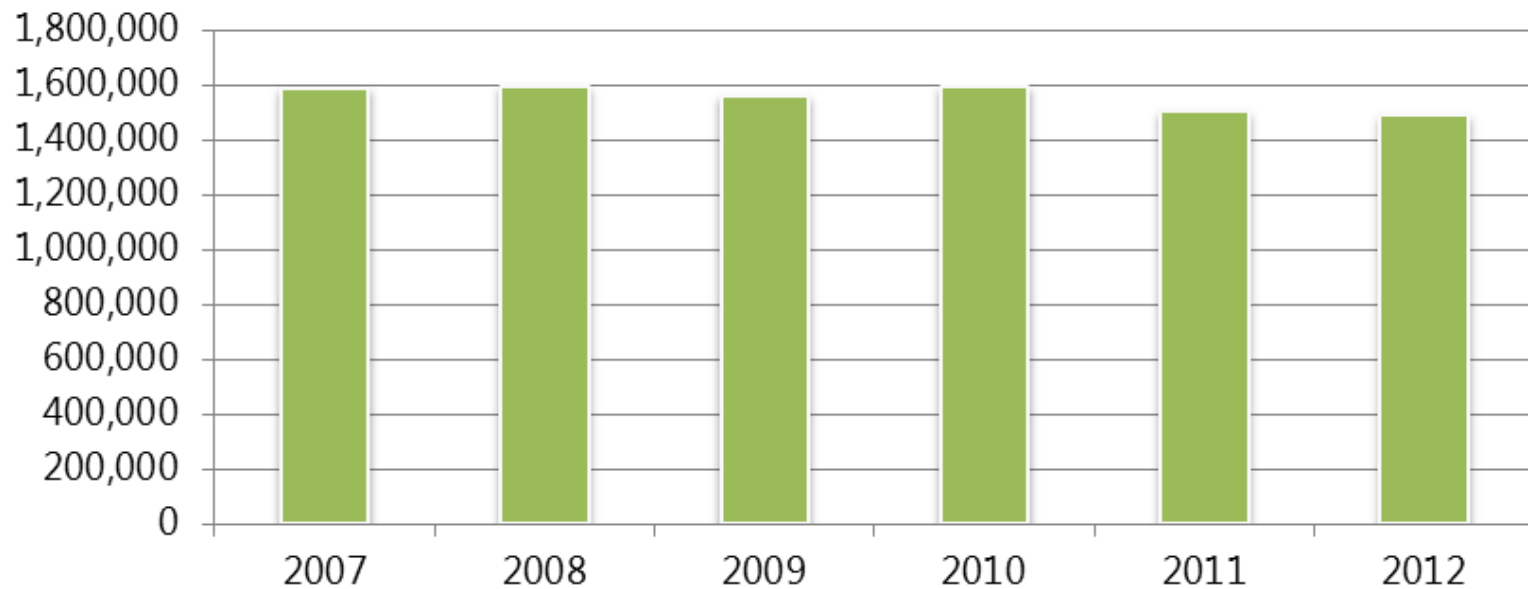
Number of Total Year-Round Shelter Beds Available



Sources: NLCHP Analysis of HUD, The 2013 Annual Assessment Report (AHAR) to Congress, Part I Point-in-Time Estimates of Homelessness (2013), available at <http://bit.ly/1e4GxDW>; HUD, PIT and HIC Data Since 2007, Dec. 2012, <http://bit.ly/1h5Rnhp>.

Homelessness in America

Estimates of Sheltered* Homelessness During a One-Year Period

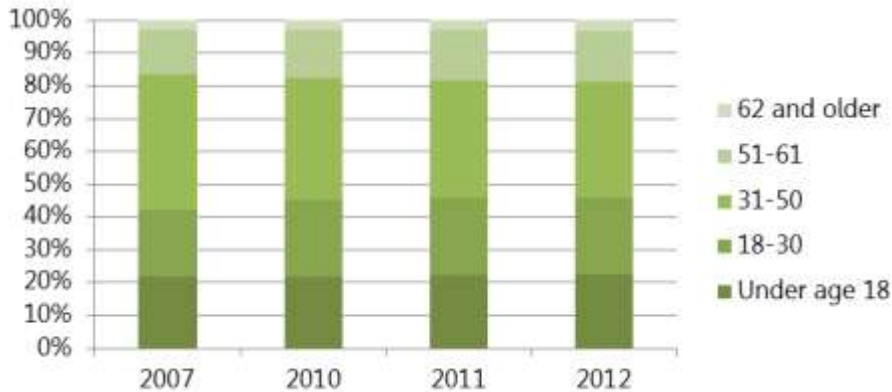


Source: HUD, The 2012 Annual Homeless Assessment Report to Congress, Volume II Estimates of Homelessness in the United States, Sep. 2013, available at <http://bit.ly/1bprCRI>.

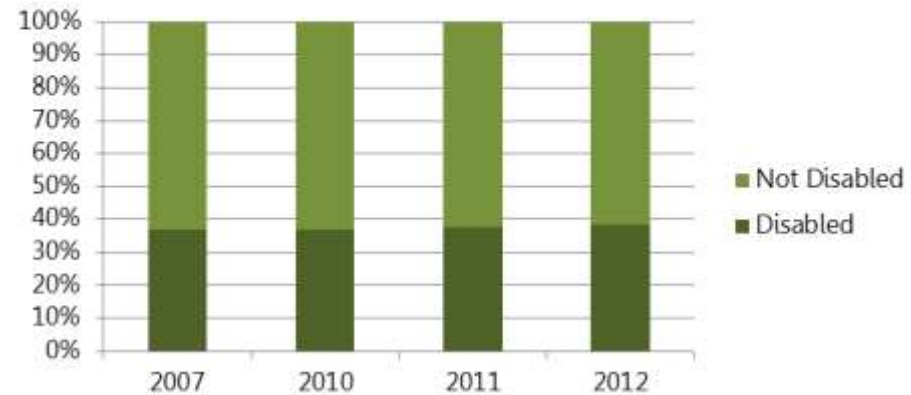
* The sheltered number comprises persons in emergency shelters, transitional housing, and safe havens.

Homelessness in America

Age Distribution of All Sheltered* Homeless People



Disability Status of All Sheltered* Homeless People

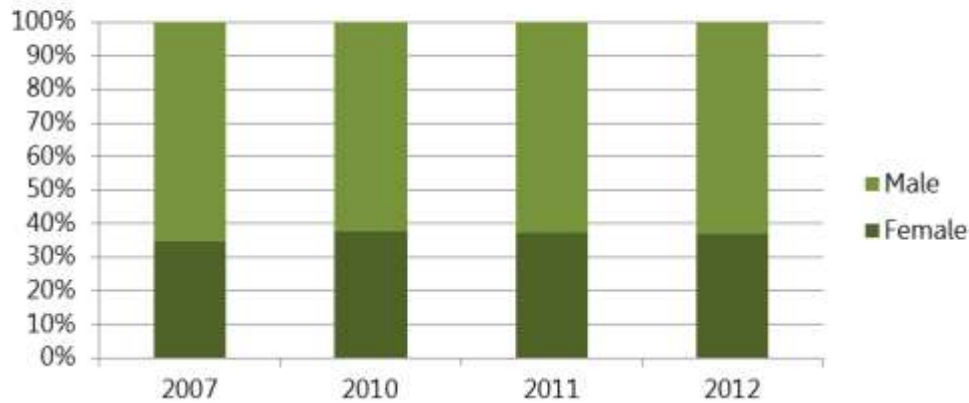


Sources: HUD, The 2012 Annual Homeless Assessment Report to Congress, Volume II Estimates of Homelessness in the United States, Sep. 2013, available at <http://bit.ly/1bprCRI>; HUD, The 2011 Annual Homeless Assessment Report to Congress, revised Nov. 2012, available at <http://bit.ly/1bxmDnX>

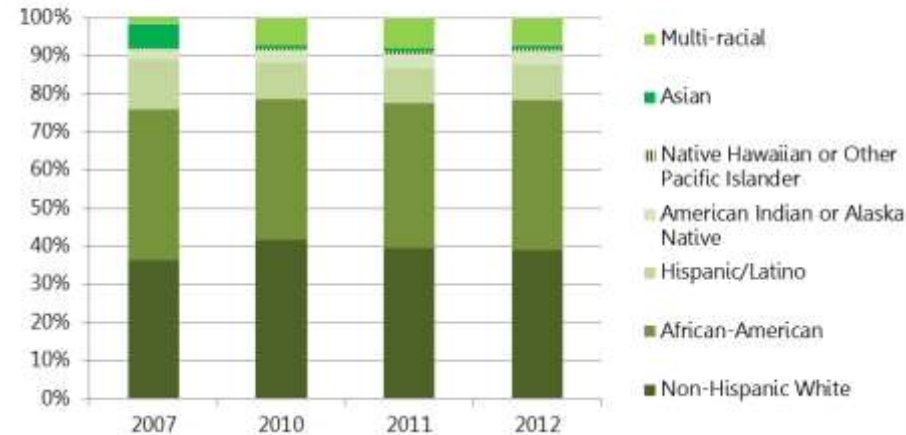
* The sheltered number comprises persons in emergency shelters, transitional housing, and safe havens.

Homelessness in America

Gender of All Sheltered* Homeless People



Race/Ethnicity of All Sheltered* Homeless People

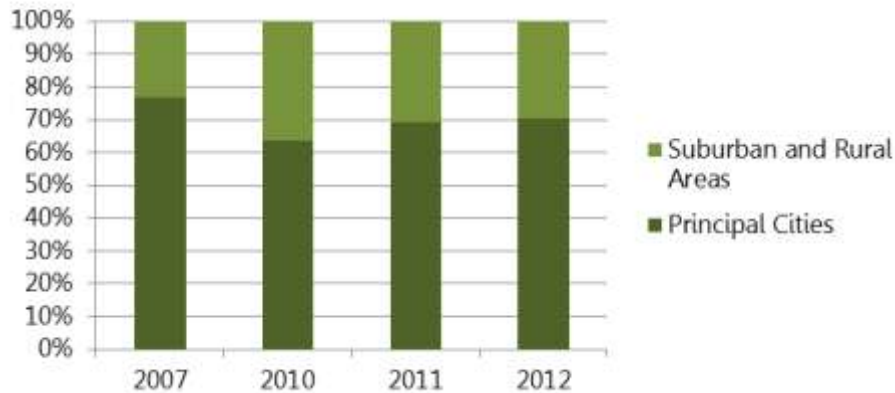


Sources: HUD, The 2012 Annual Homeless Assessment Report to Congress, Volume II Estimates of Homelessness in the United States, Sep. 2013, available at <http://bit.ly/1bprCRI>; The 2011 Annual Homeless Assessment Report to Congress, revised Nov. 2012, available at <http://bit.ly/1bxmDnX>; HUD, The 2010 Annual Homeless Assessment Report to Congress, app'x D-4, available at <https://www.onecpd.info/resources/documents/2010homelessassessmentreport.pdf>; HUD, The Third Annual Homeless Assessment Report to Congress, July 2008, app'x D-4, available at <https://www.onecpd.info/resources/documents/3rdhomelessassessmentreport.pdf>.

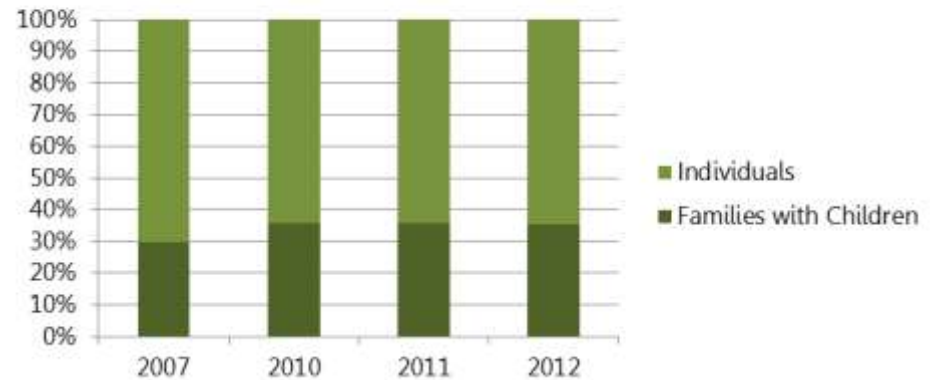
* The sheltered number comprises persons in emergency shelters, transitional housing, and safe havens.

Homelessness in America

Geographic Distribution of All Sheltered* Homeless People



Family Status of All Sheltered* Homeless People



Sources: HUD, The 2012 Annual Homeless Assessment Report to Congress, Volume II Estimates of Homelessness in the United States, Sep. 2013, available at <http://bit.ly/1bprCRI>; HUD, The 2011 Annual Homeless Assessment Report to Congress, revised Nov. 2012, available at <http://bit.ly/1bxmDnX>.

* The sheltered number comprises persons in emergency shelters, transitional housing, and safe havens.

Costs of Criminalization: Harming Homeless Individuals and States' and Cities' Own Pocketbooks

City	Shelter	Supportive Housing	Mental Hospital	Hospital	Jail	Prison
Atlanta	\$11	\$33	\$335	\$1,637	\$53	\$47
Boston	\$40	\$33	\$541	\$1,770	\$92	\$117
Chicago	\$22	\$21	\$437	\$1,201	\$60	\$62
Columbus	\$25	\$30	\$451	\$1,590	\$70	\$59
Los Angeles	\$38	\$30	\$607	\$1,474	\$64	\$85
New York	\$54	\$42	\$467	\$1,185	\$165	\$74
Phoenix	\$22	\$21	\$280	\$1,671	\$46	\$87
San Francisco	\$28	\$42	\$1,278	\$2,031	\$94	\$85
Seattle	\$17	\$26	\$555	\$2,184	\$88	\$96

Source: The Lewin Group, Costs of Serving Homeless Individuals in Nine Cities: Chart Book, Nov. 19, 2004, available at http://www.lewin.com/~media/Lewin/Site_Sections/Publications/2991.pdf.

Types of Criminalization Laws

- Prohibit or restrict sleeping, sitting, or lying on public property
- Prohibit or restrict soliciting or loitering in certain locations and at specific times or at all
- Prohibit or restrict storing personal belongings on public property
- Prohibit or restrict parking or sleeping in motor vehicles in certain areas
- Prohibit or restrict working as a vender, musician, or performance artist in certain areas or without a permit



Number of Criminalization Laws

Prohibited Conduct	Number of Cities with Law	Percent of Cities with Law
Sleeping or Camping in Public (City-Wide)	59	25.2%
Sleeping or Camping in Public (Specific Places)	119	50.9%
Sitting or Lying in Particular Public Places	77	32.9%
Obstruction of Sidewalks/Public Places	189	80.8%
Loitering/Loafing Vagrancy (City-Wide)	47	21.8%
Loitering/Loafing Vagrancy (Specific Places)	126	56.0%
Begging in Public Places (City-Wide)	51	23.9%
Begging in Public Places (Specific Places)	114	53.4%
Aggressive Panhandling	115	53.0%
Prohibition on Panhandling Without a Permit	14	6.0%
Street Performer	17	9.0%
Washing Cars or Windshield	25	12.0%
Prohibition on Helping Park a Car or Watching Over Cars	29	13.7%
Improper or Inopportune Kind of Begging	5	3.4%
Vehicular Residence	37	15.8%

Source: National Law Center on Homelessness & Poverty, *Criminalizing Crisis: Advocacy Manual*, Nov. 2011, available at http://www.nlchp.org/Criminalizing_Crisis_Advocacy_Manual.

Enforcement of Criminalization Laws

Arrests and Citations Reported by Homeless Service Providers, Advocates, and Homeless People	
Prohibited Conduct	Percent of Respondents Reporting Arrests, Citations, or Both
Sleeping or Camping in Public	55%
Loitering	55%
Panhandling	53%
Public Storage of Belongings	20%
Sidewalk-Sitting	19%

Source: National Law Center on Homelessness & Poverty, *Criminalizing Crisis: The Criminalization of Homelessness in U.S. Cities*, Nov. 2011, available at http://www.nlchp.org/Criminalizing_Crisis.

Types of Constructive Alternatives

- Housing First and Rapid Re-housing
- Keep and Open More Shelters
- Develop Service Provider-Business Partnerships
- Provide Access to Health Care and Other Services
- Provide Job Training & Assistance
- Establish Police Initiatives & Partnerships
- Develop Homeless Courts and Other Alternative Resolutions
- Enact Homeless Bill of Rights

Constructive Alternative 1: Housing First and Rapid Re-housing

Location	Housing First Initiative	Details of the Housing First Initiative
Denver	Housing First in Denver	<ul style="list-style-type: none"> • provides housing (rent and project-based subsidies) emergency room treatment, detox center admission and hospital visits to 150 homeless people • saved taxpayers more than \$4.7 million in emergency care services
National	100,000 Homes Campaign	<ul style="list-style-type: none"> • campaign of 229 communities to find permanent homes for 100,000 chronically and medically vulnerable homeless individuals by July 2014 • moved more than 72,768 individuals have found housing • Participating communities are measuring progress: <ul style="list-style-type: none"> • Know All Homeless By Name: Communities complete a Registry Week or have employed some other method of knowing all of their homeless neighbors by name with enough information to triage each one into an appropriate housing option. • Housing 2.5% of Chronic and Vulnerable Homeless Neighbors Each Month (3-month rolling average): Housing at this rate puts a community ahead of the growth curve in homelessness and places it on a sustainable path to end homelessness locally within four years. It also puts the entire movement on track to reach 100,000 by July of 2014. (Note: Once a community reaches 2.5%, the Campaign continues to work aggressively with that community toward reaching its goals under Opening Doors, the federal plan to end homelessness.)
National	CoC, Emergency Shelter Grants	<ul style="list-style-type: none"> • rapid re-housing is one of only two allowable types of new projects created through reallocation in the CoC Program competition for FY2013 • data from HPRP indicate that as high as 90 percent of families that receive rapid re-housing assistance exited the program to permanent housing

Constructive Alternative 2: Keep and Open More Shelters

Location	Shelter and Development and Services Provided
Colorado	<ul style="list-style-type: none"> • Fort Lyon Correctional Facility will be converted into a homeless shelter that offers housing, health services, substance abuse treatment, counseling and job training • expected to have 200 people in 2013 and could potentially reach 300 by July 2015
Dickson County, TN	<ul style="list-style-type: none"> • annual fundraiser aimed at getting a homeless shelter for county that lacks one
Franklin County, ME	<ul style="list-style-type: none"> • hosting a fundraiser to help purchase mattresses and pay startup costs for the shelter, expected to open Oct. 1, 2013 • group is a small start, developed by local churches, various programs, and services and housed at a church
Lawrence County, KS	<ul style="list-style-type: none"> • city commissioners will consider approving a \$725,000 loan out of city reserve funds in order for the homeless shelter to stabilize the financing of its new facility and to replace the roof • shelter leaders want to replace its bank loan with a 5 percent interest rate with a 15-year loan from the city at a 2 percent interest rate



Constructive Alternative 2: Keep and Open More Shelters

Location	Shelter and Development and Services Provided
Marshfield, WI	<ul style="list-style-type: none"> • Habitat for Humanity volunteers will help build the shelter • there are facilities in the city for homeless adults and women, but none shelter families • the shelter will provide families with assistance to become self-reliant by offering shelter and obtain skills or services
Saranac Lake, NY	<ul style="list-style-type: none"> • multi-church group is starting to ask for donations to buy a house and establish it as a home for homeless people in two counties • currently there is no homeless shelter in Essex County and one in Franklin County. When homeless people ask for help from churches and county social services, they are usually set up at local hotels • a shelter would be cheaper for the counties; they would reimburse the shelter \$10 per person per night • the shelter would give homeless people a place to live for up to 60 days • it would have a day supervisor and be overseen at night by another person who would live rent-free in an upstairs apartment in the building. • shelter residents would have to leave the house during the day and work on things they need to do to improve their situations. • during the day, the shelter's front office would refer people to other local charities and services

Constructive Alternative 3: Develop Service Provider-Business Partnerships

- Service providers and business associations have teamed up across the country in an effort to address problems associated with homelessness that arise in their communities
- Service providers have utilized the business community to streamline and expand services and provide more comprehensive programs
- Business associations have benefited by gaining expertise in addressing homelessness in their communities, working with homeless individuals, and addressing their own concerns
- Thus, both service providers and business associations have benefited from the alliances, as has the community as a whole.



Constructive Alternative 3: Develop Service Provider-Business Partnerships

Location	Service Provider-Business Partnerships
Madison, WI	<ul style="list-style-type: none"> • Road Home Dane County, a nonprofit organization, buys apartment buildings and renovates them through a partnership with property manager Meridian Group • rents apartments to people who otherwise can't get leases because they have a history of evictions or bad credit or do not earn enough money • provides an on-site case manager who helps families learn how to better manage their money, apply for work, and find support for other barriers they face • church donations help to furnish the apartments
Nashville, TN	<ul style="list-style-type: none"> • launched during the summer of 2013 with the goal of moving 200 people off the streets and into homes in 100 days • officially linked several government agencies and homeless advocacy groups together • service providers like Operation Stand Down, Open Table, Mental Health Cooperative and the Nashville Rescue Mission, met weekly to discuss progress • private landlords offered subsidized rents for some of the people placed in housing • 172 people have been placed in housing
Winston-Salem, NC	<ul style="list-style-type: none"> • Whole Man Ministries partnered with Veterans Helping Veterans and local businesses, like Home Depot, Whole Man Ministries purchased (with funding efforts) five foreclosure homes • Home Depot donated floors, kitchen cabinets, interior paint, landscaping tools, and manpower to assist in the revitalization of the homes • local company pledged to remove all of the lead inside the homes • each home will cost between \$75,000 and \$100,000 to revitalize; Whole Man Ministries is asking for continued support and funding from the community • the organization has begun looking at other properties to purchase

Constructive Alternative 3: Develop Service Provider-Business Partnerships

Location	Service Provider-Business Partnerships
New York, NY	<ul style="list-style-type: none"> • homeless people participate in a Times Square Business Improvement District program called "Sweep Up" and attend group treatment through Project Renewal • Times Square Consortium for the Homeless proposed a center in the area to provide homeless individuals a place to stay, a warm meal and medical care
New York, NY	<ul style="list-style-type: none"> • Harlem BID is hoping to employ some of the 700 to 900 homeless people who ride the M35 bus to help clean up garbage overflowing from trash cans at a bus stop • Harlem BID is recruiting local property owners to contribute \$3000 each to a fund to pay them to keep the area clean so they can raise \$75,000 to employ eight people to clean the area five days a week • They have raised almost \$16,000 with an online fundraiser and from businesses

Constructive Alternative 4: Provide Access to Health Care and Other Services

Location	Event or Program	Healthcare and Services Access
Detroit, MI	Southeastern Michigan Veterans Stand Down Inc. and the John D. Dingell VA Medical Center	<ul style="list-style-type: none"> • two-day one-stop program at shelter with help of almost 200 volunteers • veterans are provided with a hot lunch and a bag lunch to go, haircuts, health care, dental and eye care, VA benefit counseling, information on general benefits like Social Security, substance abuse and mental health counseling, picture ID services, and housing assistance • shuttle service is provided from the VA center or places where veterans go for assistance • stand downs have been held since 1997 (in 2012, helped 698 veterans who were homeless or at risk of being homeless) • promotes the event through fliers placed at VA centers, in transitional housing, and at bus stations
Lincoln County, OR	Project Homeless Connect	<ul style="list-style-type: none"> • provides a hot meal, non-perishable food items, tarps, personal care items, socks and underwear, haircuts, legal services, Medicaid and food stamp enrollment, assistance in obtaining legal ID, immunizations, urgent dental care, pet care and more • seventh annual program (the first event served 125 people; 223 attended last year) • cash donations are used to provide additional items for homeless individuals or identification papers
Prescott, AZ	Tim's Toyota Center	<ul style="list-style-type: none"> • overnight StandDown event aiding homeless and at-risk veterans • provided services include VA enrollment for medical and mental health treatment, Social Security, disability, and DES assistance, legal assistance (pre-registration required), military records, family assistance, public health and dental services, HIV/AIDS screening, treatment and counseling, veteran services, female services, support groups, pet assistance, showers and haircuts, clothing, hygiene supplies, and food • transit authority offered two routes of shuttle services on continuous loops

Constructive Alternative 4: Provide Access to Health Care and Other Services

Location	Event or Program	Healthcare and Services Access
Seattle, WA	The Seattle Stand Down	<ul style="list-style-type: none"> • third annual event • expected to provide 400 veterans with information about housing, employment, medical, dental, and addiction services, legal advice, and local, state, and federal outreach services • services specifically for female veterans include access to sexual trauma counselors, domestic violence advocates, breast cancer screenings, and self-care services • limited shuttle transportation from downtown by the King County Emergency Service Patrol
Riverside and San Bernardino Counties, CA	Full Bellies, Warm Hearts	<ul style="list-style-type: none"> • third annual event at two shelters provides food, hairstyling, family photos, and funds to purchase back-to-school items for children • housing facility for pregnant women provides housing as well as education and counseling to transition families into self sufficiency, such as GED preparation, drug and alcohol rehabilitation, and child development education that emphasize growth and wellness for mothers and children
Lawton, OK	"I Count" Homeless Survey	<ul style="list-style-type: none"> • second annual survey held in September 2013 • homeless individuals are identified in 24-hour count and volunteers tell them about the various locations they have set up to help them get food, clothing, and information about other services and veterans benefits
Vancouver, Canada	Compass Card	<ul style="list-style-type: none"> • social agencies buy transit passes and distribute them to homeless individuals

Constructive Alternative 4: Provide Access to Health Care and Other Services

Location	Event or Program	Healthcare and Services Access
Chicago, IL	Good Neighbors	<ul style="list-style-type: none"> • new community partnership provides resources and builds relationships with individuals experiencing homelessness in the Streeterville neighborhood • Northwestern University medical students provide outreach about services • students interested in volunteering started training in late March and the first group of students began meeting with homeless individuals at the end of April • training included lectures, role playing exercises, and motivational interviewing techniques • on Fridays from noon to 2 p.m., students hit the streets with duffle bags of provisions containing nonperishable food and drink, toiletries, resource information cards, and other necessities such as ponchos, socks, and reusable containers • starting in the fall of 2013, students will work on building case reports on the people they meet, recording stories, needs, and long term goals to provide continuity for the volunteers • eventually, as the group establishes relationships, they hope to connect the individuals with counseling and resources to help them accomplish their goals, such as finding housing and jobs
San Antonio, TX	John and Rita Feik School of Pharmacy	<ul style="list-style-type: none"> • assists the members of Haven for Hope by improving medication reconciliation, adherence, and education to prevent or minimize drug-related problems for homeless individuals • fulfills the “ambulatory care” rotation requirement for pharmacy school fourth-year students • offers pill organizers and lock boxes for use by members so they do not have to worry about forgetting their medications or having them stolen • conduct free health screenings such as blood pressure, blood glucose, total cholesterol and HgA1c (for diabetics) • offers annual health fair at Haven for Hope with help from the Nursing School, and in the future, other UIW medical schools



**NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY**



Constructive Alternative 5: Provide Job Training & Assistance

Location	Program	Job Training and Assistance
Springfield, MA	Dress for Success	<ul style="list-style-type: none"> • provides dress clothes for homeless and disadvantaged women for job interviews and several sets of dress clothes once hired • run by volunteers • since 1997, the organization has served more than 700,000 women around the world
New Britain, CT	Veterans Inc.	<ul style="list-style-type: none"> • received a separate recurring federal grant for \$125,000 for veterans to be trained at local businesses
Santa Cruz, CA	Homeless Garden Project	<ul style="list-style-type: none"> • since its founding in 1990, it has used sustainable farming as a means to alleviate homelessness and provide a safe transitional environment • aims to prepare people to re-enter the workforce by providing transitional employment, advocacy, and access to resources • food produced by the farm goes to a CSA program, which currently has around 70 recipients



NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY

Constructive Alternative 6: Establish Police Initiatives & Partnerships

Location	Police Initiative/Response	Types of Police Training and Responses
Memphis, TN	Crisis Intervention Team	<ul style="list-style-type: none"> • police joined with the local Alliance for the Mentally Ill to form a team of specially trained police officers to respond immediately to every call involving a mentally ill person • when the police encounter persons experiencing mental illness they should take them to a psychiatric emergency room instead of jail • the Memphis Police Department has approximately 225 CIT officers who participate in specialized training under the instructional supervision of mental health providers, family advocates, and mental health consumer groups and maintain 24-hour, seven day a week coverage
Hamilton County, OH	Police Response to Homelessness on County Courthouse steps	<ul style="list-style-type: none"> • working with social services to first determine the needs of homeless individuals sleeping in or near the courthouse before moving them • the initiative will happen in phases • deputies will first talk to homeless individuals about their situations and connect them with social service agencies that can help them
Seattle, WA	Law Enforcement Assisted Diversion (LEAD) and Crisis Intervention Team	<ul style="list-style-type: none"> • LEAD connects low-level offenders with human services • mayor announced city budget package with \$1.7 million for expansion of LEAD and \$776,000 for the crisis intervention team



Constructive Alternative 7: Develop Homeless Courts and Other Alternative Resolutions

Location	Event or Program	Homeless Courts and Other Alternative Resolutions
Nationally	American Bar Association Commission on Homelessness and Poverty Homeless Courts program	<ul style="list-style-type: none"> • the Commission has developed a number of educational resources and routinely provides technical assistance • homeless courts are presently operating in Alameda County, CA; Ann Arbor, MI; Bakersfield, CA; Bernalillo County, Albuquerque, NM; Contra Costa, CA; Denver, CO; Fresno County, CA; Houston, TX; Humboldt, CA; Kern County, CA; Los Angeles, CA; Maricopa County, AZ; Orange County, CA; Phoenix, AZ; Pima County/Tuscon, AZ; Sacramento, CA; Salt Lake City, UT; San Bernardino, CA; San Diego, CA; San Joaquin, CA; Santa Clara, CA; Santa Maria, CA; Sonoma County, CA; Vancouver, WA; Ventura County, CA • for information or technical assistance contact: Amy Horton-Newell at the ABA Washington Office at 202-662-1693 or via e-mail at homeless@americanbar.org
San Diego, CA	Homeless Court Program	<ul style="list-style-type: none"> • special monthly Superior Court sessions are held at local shelters for homeless defendants to resolve misdemeanor criminal cases • combines a progressive plea bargain system, an alternative sentencing structure, assurance of "no custody," and proof shelter program activities to address a range of misdemeanor offenses • alternative sentencing structure includes the following activities <i>in lieu of fines and custody</i>: life-skills, chemical dependency or AA/NA meetings, computer or English literacy classes, training or search for employment, counseling, or volunteer work • participants sign up voluntarily • prospective participants work with a shelter caseworker to design a plan to move towards self-sufficiency

Constructive Alternative 7: Develop Homeless Courts and Other Alternative Resolutions

Location	Event or Program	Homeless Courts and Other Alternative Resolutions
California	AB 1111 and AB 508	<ul style="list-style-type: none">• prohibit the garnishment of wages from persons under the age of 25 and veterans who have been issued a citation for quality of life offenses if the court obtains information that the person is homeless• youths and veterans have to eventually pay the fines after 5 years, or once they become permanently housed
Cumberland, RI	Operation Stand Down Rhode Island	<ul style="list-style-type: none">• among other services, lawyers were available to offer legal advice• district court and traffic tribunal proceedings were held at the park on Saturday



Constructive Alternative 8: Enact Homeless Bill of Rights

Provisions in Homeless Bill of Rights That States Have Enacted								
State	Equal Treatment by Agencies	Equal Opportunity for Employment	Emergency Medical Care	Register to Vote/Vote	Protect Personal Information	Reasonable Expectation of Privacy in Personal Property	To move about freely	Remedies Available
Connecticut	X	X	X	X	X	X	X	
Illinois	X	X	X	X	X	X	X	Injunctive and Declaratory Relief, Actual Damages, and Reasonable Attorney's Fees and Costs
Rhode Island	X	X	X	X	X	X	X	Injunctive and Declaratory Relief, Actual Damages, and Reasonable Attorney's Fees and Costs

Contact Information

- **National Law Center on Homelessness & Poverty**

2000 M Street, NW, Suite 210

Washington, DC 20036

202-638-2535

Website: www.nlchp.org

Twitter: [@nlchphomeless](https://twitter.com/nlchphomeless)

NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY

- **National Coalition for the Homeless**

2201 P St, NW

Washington, DC 20037

202-462-4822

Website: <http://nationalhomeless.org/>

Twitter: [@Ntl Homeless](https://twitter.com/NtlHomeless)



- **United States Interagency Council on Homelessness**

1275 First Street NE, Suite 227

Washington, DC 20417

202-708-4663

Website: <http://usich.gov/>

Twitter: [@USICHgov](https://twitter.com/USICHgov)

