

# IN JUST TIMES

a publication of the

NATIONAL LAW CENTER  
ON HOMELESSNESS & POVERTY



Changing Laws,  
Changing Lives

News and Commentary for  
January 2014

POVERTY  
AWARENESS  
MONTH

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Dear Friends,

Happy 2014! Last year was a one of [many accomplishments](#) for the Law Center; and, as you'll see in this issue we are off to a strong start in our ambitious goals for 2014.

And as we start the year, and mark January as National Poverty Awareness month, it's an especially appropriate moment to note the connection between homelessness and increasing income inequality, [which is at historic highs](#).

To me and many advocates, homelessness is clearly part of this trend, despite a recent government report to the contrary, as I discuss in a [recent opinion piece in USA Today](#). Making this connection is not only true to reality, it is essential to



Maria Foscarinis  
Executive Director

Manatt, Phelps, and  
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"In a land of great  
wealth, families  
must not live in  
hopeless poverty."  
- Lyndon B. Johnson

Let's commit to this  
vision in 2014 and  
fight to end poverty  
in America!

pressing for real solutions, which must include increased affordable housing and strengthened rights to protect people from losing their homes. As Harvard's Joint Center for Housing Studies recently found, there is an [affordability crisis in rental housing](#).

Linking homelessness to these larger trends is also essential to building the public support and political will to press political leaders for those solutions. I was recently asked by a journalist-who seemed otherwise well-informed-what foreclosures and unemployment have to do with homelessness. Isn't that something more relevant to middle and lower income people? he asked.

I think it's pretty clear that poverty is a continuum and that homelessness is an extreme form of it. As I pointed out to the journalist, homeless people come from somewhere. Something causes people to lose their homes-whether it's a lost job, a health crisis, an unexpected bill-something leads to the eviction or foreclosure notice. People typically double up with friends or family first-becoming homeless by some definitions-and if and when that is no longer sustainable, they seek shelter or find a public place to live.

We know homelessness is solvable. It's become fairly commonplace to say that what is lacking is the political will to put those solutions in place. But claiming that homelessness can be solved without addressing the large and growing [gap in housing affordable to low income people](#) does nothing to help build that support.

Thankfully, inequality is getting increased attention now, and we have an opening to push for policies to address it. It's important that ending homelessness-and pushing for the [basic human right to housing](#)-be part of this discussion.

## **Law Center and Local Partner Victorious in Lawsuit Challenging Boise's New Anti-Solicitation Ordinance**

Following a lawsuit filed by the Law Center and [ACLU of Idaho](#), on January 2nd, U.S District Federal Court Judge Edward J. Lodge enjoined the City of Boise from enforcing its new Anti-Solicitation Ordinance (ORD-34-13) which otherwise would have taken effect that day.



"We thank the Court for affirming what numerous other courts and the federal government have said numerous times," said Eric Tars, Director of Human Rights and Children's Rights Programs at the Law Center. "Although they may have lost their home, homeless persons do not lose their constitutional and human right to freedom of expression when they are on the streets."

The Law Center is already involved in another ongoing lawsuit against the City of Boise to protect persons experiencing homelessness from being harassed for sleeping in public when they have no alternative.

In [ACLU of Idaho v. City of Boise](#), Judge Lodge noted that the case "is not about whether being asked for a donation of money on a sidewalk makes a person feel uncomfortable," but instead "about whether under our Constitution a person has a First Amendment right to ask for money" in public. "Business owners and residents simply not liking panhandlers in acknowledged public areas does not rise to a significant governmental interest," the court concluded.

"We are grateful that the Court validated the concerns of the plaintiffs and upheld the constitutional right to free speech," said Richard Eppink, Legal Director for the ACLU of Idaho. "I don't know why, when it comes to protecting the rights of those struggling with poverty and homelessness in Boise, it keeps taking a federal court to force City leaders to follow the constitution and laws they swore they'd uphold."

Enforcement of the law will remain enjoined while the Law Center and ACLU proceed with the litigation.

**USICH Blog Features Posts by the Law Center's Staff and Board**

The U.S. Interagency Council on Homelessness (USICH) celebrated International Human Rights Day, December 10th, by launching a blog series focused on human rights. The Law Center has been pressing with the USICH to hold itself and its members agencies accountable to human rights standards in addressing homelessness, and we were glad to participate in the series, with several posts:

**G.W. Rolle**, a Board member at the Law Center, candidly [shares pieces of his past](#) as a homeless man and how these experiences have shaped his view of the criminalization of homelessness in America.

#### **12/30/2013 - I Believe in Human Rights: A Pressing Problem**

When I was homeless, I had to think about things strategically. I did not want to sleep too far away from the soup kitchens, or the day labor pick up point, or the bathrooms.

**Maria Foscarinis**, Founder & Executive Director of the Law Center, shares her family's story and how it has motivated her to use the law as a force for positive change. She also assesses criminalization in her [blog post](#), a practice which she views as exacerbating the issue of homelessness.

#### **01/15/2014 - I Believe in Human Rights: Homelessness is Criminal—People Experiencing Homelessness Are Not**

My family suffered terribly during the German occupation of Greece during World War II. Growing up in New York City, I heard my parents' stories of starvation, deprivation and loss—as well as courageous resistance. I

**Eric Tars**, the Director of Human Rights and Children's Rights Programs at the Law Center, shares his vision for America in his [blog post](#): "I want to apply the universal standards that say housing is a

#### **01/16/2014 - I Believe in Human Rights: Homelessness- Torture on the Streets of America**

**Eric Tars, Director of Human Rights & Children's Rights Programs at the National Law Center on Homelessness & Poverty**

human right here at home, just as we promote them abroad."

## **Senator Murphy Shadows a Homeless Man**

During the holidays in New Haven, Connecticut, 40-year old Senator Chris Murphy spends a day with "Nick," a 40-year old homeless man who preferred that his real name not be printed. The two men began their day at 7:30AM, around the time the shelter Nick stays in begins asking residents to vacate.



Sen. Chris Murphy (D-CT) speaks with constituents during a bus tour of Connecticut. Credit: Murphy's Twitter Feed

As the two men spend the day together, Sen. Murphy learns a great deal about Nick. Nick had a troubling childhood. His father was a drug addict, a habit Nick picked up at the age of thirteen. Unwilling to be crippled by such a dangerous habit, Nick is now working hard to turn his life around. He takes Sen. Murphy to a clinic, where he receives treatment for his drug addiction.

Another stop on their itinerary is the library Nick goes to, where he spends the next hour and a half filling out sales job applications. Nick's resume is impressive and his past work experience can speak for itself. Unfortunately, as Sen. Murphy discovers, Nick's lack of a permanent address is inhibiting Nick's ability to rise out of poverty. Nick has put down the shelter's address on job applications, but employers could be prejudiced against this detail.

To make matters worse, Nick's only source of income - \$100 in unemployment benefits - wasn't renewed by Congress. "If we don't extend unemployment benefits...you're going to see a lot more homeless people here in Connecticut and across the country," Murphy says.

As the two men continue to spend the day together, Sen. Murphy gets a glimpse of the reality of homelessness, a reality he describes as difficult to picture "when you're just sitting at a conference table."

In the evening, the pair return to Nick's shelter. Even though they arrive thirty minutes before the shelter's doors open, there is already a long line and not everyone gets a bed that day.

From his day with Nick, Sen. Murphy has gained a critical understanding of how important stable housing is, not only as a means of shelter, but as a base for tackling other problems. "Without a place to live, Nick can't find a job," Sen. Murphy says, "without a house, it's much harder for him to kick his drug habit."

[Click here](#) to read the full ThinkProgress story.

## Meet Our Board - G.W. Rolle

G.W. Rolle, an ordained minister since 2008, has been a Board member at the Law Center since 2009. Once homeless himself, his past experiences have driven his passion to end homelessness in America. As a tireless advocate for human dignity, G.W. Rolle often cooks for homeless people in his area and is briefed on issues of justice by the same homeless people he serves.

In an e-mail interview with G.W. Rolle, he shares his commitment to the Law Center's mission:

### What first drew you to the Law Center?

I was first attracted to the Law Center because I was nominated for the Personal Achievement Award at 2009's McKinney-Vento Event. It was a deep honor for me to be selected for this award. Subsequently, I was nominated to the Board of Directors, which was another honor, and I've been involved in Law Center activities ever since.

### Do you have an example of a part of the Law Center's work that is particularly meaningful to you?

I really like the Law Center's commitment to homeless children and education. I also admire Eric Tars' work with the human rights of homeless people. I do a lot of work with the criminalization of homelessness and various aspects of trespassing and "move on" ordinances. The Law Center's commitment to ensuring the dignity of all, regardless of one's social economic level, makes me proud of my association, and teaches me to be humble.

### Tell us about your vision for the organization?

My vision is for a day, not too long from now, when homelessness ends. I think that my colleagues at the Law Center would agree that we are not trying to placate homelessness, but to make it disappear. The Law Center's role in ending homelessness is an ever changing task and we must be open to changes in legislation and public attitude. I think that we should be humble enough to change, and bold enough to stay the course no matter how difficult and controversial.



G.W. Rolle Speaking at the Law Center's 2013 McKinney-Vento Event

## From the Law Center's Story Bank

### *Larry Shanks and Troy Minton: Their Right to Free Speech*

Larry Shanks, a homeless man in Boise, Idaho is a street musician learning how to play for donations. Troy Minton is a homeless man who solicits money on the streets of Boise to pay for gas so that he can travel to and from the jobs he gets through temp agencies.

Boise's new anti-solicitation ordinance was going to take Larry's and Troy's ability to become financially stable. But the Law Center, in partnership with the ACLU of Idaho, challenged the ordinance - and won.

"I'm relieved," said Larry Shanks. "It's a huge weight off my shoulders. Every night I would go to bed thinking about what would happen if this passed. I am relieved for my family and the common citizens as their rights were also in trouble."

*"I am relieved for my family and the common citizens as their rights were also in trouble."*

- Larry Shanks



The criminalization of homelessness is on the rise in America, where many people are treated as criminals for begging on the streets. While panhandling is not a long-term solution for survival, in the short-run, it's the only means of survival for many homeless and poor people across the country. "The truth is, I don't like to panhandle, but it's something I have to do in between jobs to survive," said Troy Minton. "People yell at me. They tell me to get a job and frequently shout insults at me." The key to ending homelessness is not to criminalize it, but to implement effective policies that can ensure homeless people can get stable housing and employment.

When cities criminalize homelessness, they are essentially exacerbating the problem and making it more difficult for homeless people to escape it. For example, if Troy Minton is arrested for panhandling, he could lose his job from the temp agency for having not shown up, he could also lose credibility with the temp agency, and his ability to find another job after being arrested would become even more difficult.

## The Law Center Teams Up With Manatt, Phelps, and Phillips

The Law Center has been hard at work opposing laws that criminalize the harmless, life-sustaining activities of homeless people, such as sitting or lying down in public places. As part of that work, we will be releasing an updated criminalization report - our 11th such report on the issue - highlighting the alarming increase of laws that turn innocent acts, such as sharing food, into crimes.

The logo for Manatt, Phelps, and Phillips, featuring the word "manatt" in a white, lowercase, sans-serif font on a solid orange rectangular background.

The law firm, [Manatt, Phelps, and Phillips](#), a member of our Lawyers Executive Advisory Partners (LEAP) program, is providing critical pro bono assistance in developing that report. Led by associate Tara Kaushik, the research for the report has already proven to be highly useful, assisting our ability to provide expeditious assistance to locally focused homeless advocacy groups and helping to guide our efforts to combat these ineffective, costly, and unconstitutional laws.

We are deeply grateful for the pro bono support of wonderful partners like Manatt, Phelps, and Phillips. With their invaluable help, the Law Center will release, in 2014, its most comprehensive report yet on the criminalizing crisis that is sweeping America to the detriment of homeless people and our communities alike. The Law Center offers its sincerest thanks to Manatt, Phelps, and Phillips, and we look forward to working with you in 2014.

## Changing Laws. Changing Lives.

The Law Center is the only national legal advocacy organization dedicated to ending and preventing homelessness in America. It fights in the halls of power for laws and policies that protect homeless people's rights and help them rise out of poverty.

[www.nlchp.org](http://www.nlchp.org)