

IN JUST TIMES

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NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY



Changing Laws, Changing Lives

January 2015 Newsletter

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Dear Friends,

Happy 2015! My wish for the New Year is for more justice - and more successes in all of our work - for our homeless neighbors across the country. And speaking of successes, the Law Center had some major victories in 2014 - thanks to your support. Some highlights:



Maria Foscarnis
Executive Director

- Through our litigation we struck down harmful laws in Boise, ID; Wisconsin; and won a favorable settlement in Dallas.
- Our human rights work resulted in three [U.N. human rights reviews](#) of the criminalization of homelessness in the US-and reports adopting our recommendations, giving us greater leverage in our collective advocacy.
- Our federal agency outreach bore fruit with strengthened partnerships with USICH, HUD and DOJ to help fight criminalization-and promote instead [human rights strategies such as housing and services](#).
- Through eight new reports and two resource manuals, we offered critical legal and policy tools to advocates, providers and policy makers across the country. All told, our reports and other resource materials were downloaded 81,930 times. [No Safe Place: The Criminalization of Homelessness in U.S. Cities](#), broke the record with over 20,000 downloads since its July release. Through our webinar series, we hosted 6 trainings on our

Check out our latest resources:

[The 2014 Human Right to Housing Report Card & A 10 Step Guide to Strategic Human Rights Advocacy](#)

Last month, the Law Center was featured in 18 different news pieces, [click here](#) to see how we are creating change through awareness!

newest resources - helping to better inform 1,259 advocates.

- Through our reports and outreach, we galvanized record media attention with 129 mentions - including a [New York Times editorial](#) quoting us and supporting our position and an [op-ed in USA Today](#) - bringing greater public attention to homelessness.

In 2015, we'll be building on these successes. Some upcoming highlights:

- A new initiative to challenge communities to divert their resources away from criminalization policies that punish homeless people and towards laws and policies to end homelessness.
- Work to ensure that homeless children and youth have access to education and other resources they need for a chance at a better future.
- Work to strengthen housing rights and increase resources for those at risk of homelessness - tenants at foreclosure, domestic violence survivors, and other vulnerable tenants. And we'll be monitoring [our court victory requiring federal agencies to make their vacant properties available to providers at no cost to serve homeless people.](#)

Stay tuned as we move forward - and please join us.

As always, thank you for your support.

Supreme Court Asked to Review Wisconsin Voter ID Case



Picture by [Columbia City Blog \(CC BY-NC-SA 2.0\)](#)

On January 7, 2015, the National Law Center on Homelessness & Poverty (Law Center) [asked the U.S. Supreme Court to review last fall's 7th Circuit Court of Appeals decision in Frank v. Walker](#), our challenge to the Wisconsin voter ID statute. In our petition to the Court, the Law Center argued that the appeals court decision mischaracterized facts found at trial, and applied a flawed legal standard in analyzing both equal protection and Voting Rights Act (VRA) claims.

The petition argues that the Supreme Court should decide the important voting rights question posed by this case - whether voter ID laws are constitutional when they burden the voting rights of hundreds of thousands of state residents and do not advance a legitimate state interest. With respect to the equal protection claim, the petition argues that the 7th Circuit erred in finding that it was obligated to uphold the Wisconsin voter ID law under the Supreme Court's decision in [Crawford v. Marion County Election Board](#), because unlike in [Crawford](#) substantial evidence was presented at trial to demonstrate the significant burdens of the law. In addition, the petition argues that the 7th Circuit improperly analyzed this case under the VRA. Specifically, the 7th Circuit improperly determined that a VRA plaintiff is required to prove intentional discrimination, as opposed to demonstrating a discriminatory impact - and that such a plaintiff must prove a denial of the right to vote, although the statute only requires proof of an abridgement of the right to vote.

[Frank v. Walker](#) was filed by the Law Center and our co-counsel at the ACLU, the ACLU of Wisconsin, and Dechert LLP. The Supreme Court petition was jointly filed with the League of United Latin American Citizens, represented by Arnold & Porter and the Advancement Project. The suit seeks to protect the voting rights of all Wisconsin voters, including approximately 300,000 registered voters who lack the necessary ID to vote under the voter ID law; a significant number are low income or homeless individuals.

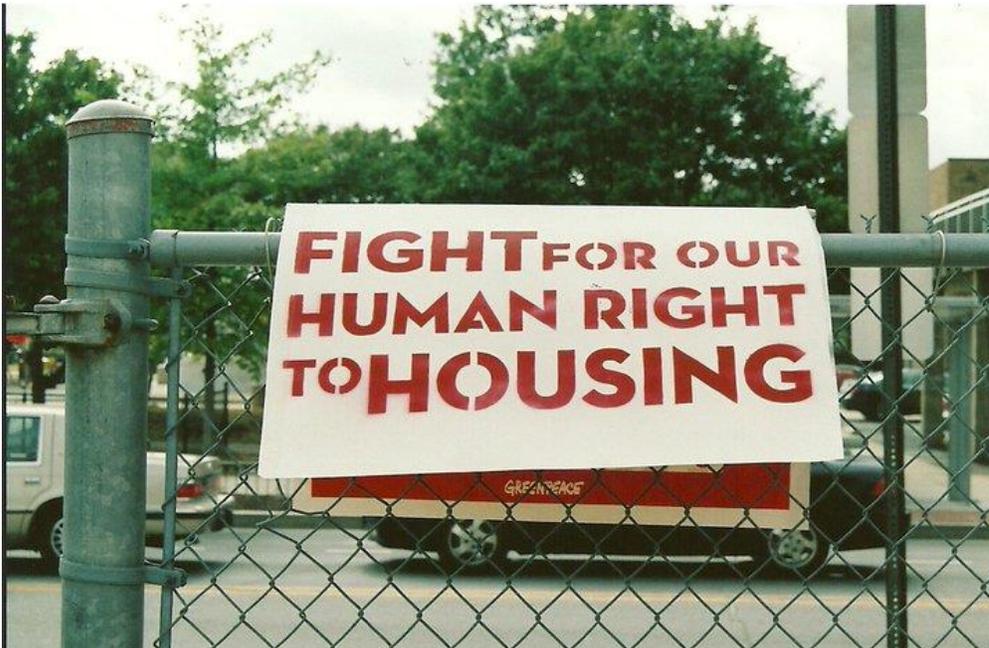
A copy of the filed petition can be found at: [http://nlchp.org/documents/Frank v Walker SC petition 20150107](http://nlchp.org/documents/Frank_v_Walker_SC_petition_20150107)

National Housing Trust Fund to Start Receiving and Distributing

Funds

After more than a decade of work by advocates including the Law Center, the [National Housing Trust Fund](#) (NHTF) became law in 2008. The funding source for the NHTF was to be a percentage of the profits from Fannie Mae and Freddie Mac. Unfortunately, due to the recession and foreclosure crisis, these entities failed to turn a profit in 2008 and subsequent years, and contributions to the NHTF were suspended. Despite returning to profitability, this suspension remained in effect, and has been among the reasons the Law Center has consistently given the federal government a D or F grade on 'Affordability' in its annual [Human Right to Housing Report Card](#).

However, on December 11, 2014, after significant additional advocacy, the Federal Housing Finance Administration Director notified both Fannie and Freddie that by his determination both agencies are once again profitable, and therefore must contribute to the NHTF going forward. The contribution will be based on 2015 profits and will be made at the end of the year, so funds will not be available through the NHTF until early 2016. Despite the gap in time before the NHTF will begin to distribute funds, we are pleased by this important decision and excited to see the NHTF finally move closer to operation.



Picture taken by [ONE DC \(CC BY 2.0\)](#)

The Law Center will continue to work with the [United for Homes](#) Campaign to increase the contributions to the NHTF through [reform of the mortgage income tax deduction](#) to ensure all Americans are able to enjoy the human right to housing.

The Law Center Works to Uphold the Human Right to Food

As the country marked Homeless Persons Memorial Day in late December, the Law Center was hard at work upholding the human right to food, by combatting local ordinances designed to prevent volunteers from religious and nonprofit organizations from providing food to homeless people living outdoors in public spaces. These restrictions, detailed in the Law Center's No Safe Place report from July, are becoming more prevalent across the country, as cities adopt flawed measures that seek to criminalize homelessness.

The 2014 Washington D.C. Homeless Persons' Memorial Day event featured a rousing speech from Arnold Abbott, a 90 year old man recently arrested for violating Fort Lauderdale, Florida's new food sharing ordinance. In his speech, Abbott explained why he shares food with homeless persons, and indicated his determination to keep feeding homeless persons while challenging the law in court. Abbott made similar remarks in front of Congressional staff, at a [Law Center sponsored press conference](#) one day earlier.



Picture taken by [U.S. Department of Agriculture \(CC BY 2.0\)](#)

The Law Center is fighting these food sharing laws. In March 2013, the Law Center secured a favorable decision in the U.S. District Court for the Northern District of Texas, in Dallas. The decision found that significant portions of the ordinance violated the Texas Religious Freedom Act - imposing undue burdens on our clients, religious organizations sharing food with homeless persons out of their spiritual beliefs and convictions. In December 2014, we reached a final settlement with the City of Dallas, in which the food sharing ordinance was revised based on the court decision.

The settlement and revised ordinance:

- Eliminate the need for organizations to provide advance notice of food sharing, unless more than 75 people will be fed.
- Remove the requirement that organizations sharing food provide restroom facilities.
- Allow people sharing food to sanitize their hands with liquid sanitizer, rather than requiring them to provide access to soap and running water.
- Apply to all organizations sharing food with homeless persons, not just religious groups.

Good Bye to Our Director of Advocacy, Jeremy Rosen

It is with equal parts gratitude and sadness that this month we say good bye to our Director of Advocacy, Jeremy Rosen. Though he will be sorely missed, we know he will continue to make the world a better place from Iowa, in his new position as an Executive Director with the ACLU.

Thank you Jeremy for all your hard work, dedication, and unfaltering commitment to justice. You have left the Law Center a stronger organization and we are happy to have called you more than a colleague - you are a fellow friend in the fight for everything that the Law center stands for. We look forward to hearing of all your new successes - if your history at the Law Center has been any indication, we know there will be many!



Learn more about the open [Director of Advocacy position](#) and being part of the Law Center team.

Can Your Law Firm or Corporation Help Us Stand Up for Justice?



The Law Center would like to thank everyone who has made possible our many successes in 2014. We could not do this without our pro bono support. Each year we leverage 4-6 million dollars in pro bono services from law firms and corporations to help tens of thousands of homeless families and individuals.

There are many ways that law firms, corporations, offices of corporate counsel, and individual practitioners can partner with us, and make the lives of the men, women, and children experiencing homelessness safer, healthier, and happier. There are opportunities for law firms and corporations to:

- Become a member of [LEAP \(Lawyers Executive Advisory Partners\)](#), the core of the Law Center's pro bono work. LEAP members, [among other benefits](#), have priority selection of pro bono cases and projects through the Law Center - these have historically set precedent by addressing systemic injustices relating to the issues of homelessness.
- Sponsor events such as our Right to Housing Forum, an opportunity for organizations and advocates to meet, participate in trainings, learn about new resources, and strategize about ending homelessness; and the [McKinney-Vento Awards](#), recognizing those who have advanced solutions to ending homelessness and poverty.
- Sponsor a legal fellow, a prudent investment in talented lawyers working to make a difference and provide the Law Center with the resources it needs to carry out our critical work.

In 2014, LEAP members produced some impressive results for the Law Center. A few highlights include:

- Dechert LLP was instrumental in a recent [WI voter ID case protecting approximately 300,000 voters from losing their constitutional rights](#)
- Akin Gump Strauss Hauer & Feld LLP and the Law Center [successfully challenged food-sharing ordinances in Dallas](#), and the case was settled in 2014
- Latham & Watkins helped the Law Center and the ACLU to [reverse a panhandling ordinance in Boise, ID](#)
- The offices of WilmerHale compiled a [comprehensive state-by-state review of McKinney-Vento dispute resolution procedures for advocates use](#)

Using the power of the law to fight for justice, many law firms and corporations have given their time and resources to help those experiencing homelessness maintain their rights and escape the cycle of homelessness. Join us as we continue to fight for those who often cannot fight for themselves.

To join LEAP or to learn more, contact Tristia Bauman: tbauman@nlchp.org or 202-638-2535 x102.

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