

# IN JUST TIMES

a publication of the

**NATIONAL LAW CENTER  
ON HOMELESSNESS & POVERTY**



*Changing Laws,  
Changing Lives*

*News and Commentary for  
November 2014*

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Dear Friends,

While most of the country marked Veterans Day last week, the Law Center was in Geneva, focusing world attention on the growing criminalization of homelessness in American cities. You can read about our work in Geneva below.

The timing was coincidental but important. Veterans make up at least 11% of the adult homeless population, and many of them are represented in people living in public places, where they are subject to arrest and incarceration simply because of their homelessness. Criminalizing any homeless person adds insult to the injury of homelessness itself; for homeless veterans who have already risked their lives for their country and often suffered severe physical or emotional harm, it is even more unfair.

We highlighted this injustice in our [report](#) to the Committee Against Torture, which was reviewing the U.S. compliance with this human rights treaty that we have signed and ratified, through the story of Jerome Murdough, a homeless veteran who died of dehydration in an overheated jail cell on Rikers Island in New York City on February 15, 2014. Arrested for trespassing in a public housing stairwell where he sought shelter from sub-freezing temperatures, he was still in jail five days after his arrest for the "crime" of simply trying to survive.



Maria Foscarinis  
Executive Director

[Annual Report and Scorecard](#). See how we did!

[No Safe Place & CERD Housing Report](#)

Instead of allowing these policies to continue, we can take action to ensure that all veterans are treated with the dignity and respect they deserve-and that homeless veterans are housed, not criminalized. We know that funding housing and any needed supportive services in communities works. It's time to bring those resources to scale to ensure the human right to housing for all homeless veterans.

## New Resources for our Advocates!

The Law Center will be releasing new resources for advocates and anyone who wants to be current on critical issues affecting the lives of homeless people and how to help address them.

In the coming weeks, we will be releasing a new **Criminalization Advocacy Manual** that will provide practical tools for lawyers and other advocates to fight criminalization and to advocate for constructive alternatives - such as housing - instead.

December 10, 2014, the Law Center will mark Human Rights Day by releasing our third annual **Human Right to Housing Report Card**, evaluating U.S. performance against international human rights standards.

The Law Center will also be hosting a **webinar** on **December 10, 2014**. A registration invitation will be going out to our mailing list soon. Please watch for it, and join us to learn how to make the most of these new resources!

## The U.N. Committee Against Torture Asks U.S. about Criminalization of Homelessness

On November 12 and 13, after intense advocacy by Law Center Senior Attorney Eric Tars, the U.N. Committee Against Torture twice asked the U.S. government to clarify the steps it is taking to combat criminalization of homelessness, receiving no answer from the delegation.

The Committee specifically [asked](#) whether the government had implemented the recommendations of two other human rights monitoring bodies, the [Human Rights Committee](#) and the [Committee on the Elimination of Racial Discrimination](#), to create incentives in their grant programs to reward communities that reduce criminalization and promote constructive alternatives.

The government's silence on the issue is particularly disappointing because in a consultation with the government delegation earlier in the week, the Law Center actually provided a number of positive steps the government had taken, including [recognizing criminalization as a violation of the Torture](#)

[treaty](#), developing a [website on human rights and alternatives to criminalization](#), and [issuing guidance to homeless service grantees citing criminalization as a human rights violation](#). We also called for the delegation to make an official commitment at the hearings to implementing the funding incentives, and though they did not do so at the U.N. review, the Law Center will continue to work with them to do so.



United Nations Photo

"The U.S. government began its testimony by emphasizing it shares the Committee's goal of eradicating torture and cruel, inhuman, and degrading treatment everywhere," said Tars, "We are pleased the Committee emphasized that this means not just at Guantanamo, but on the streets of America, where millions of homeless Americans face the daily cruelty of being criminalized just for trying to survive. Whether caused by guards in prison or police harassment on the streets, sleep deprivation, hunger, thirst, and other degrading treatment are against our own values and the federal government needs to step up its commitment if it really wants to end torture everywhere."

The Law Center has produced a series of short video blogs highlighting the events in Geneva. Click here to follow along: [Day 1](#), [Day 2](#), [Day 3](#), and [Day 4](#).

The Committee will make its final findings and recommendations at the end of its session on November 28.

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## The 2014 Election and the Law Center

The 2014 election saw Republicans retain control of the U.S. House of Representatives for the next two years. More significantly, Republicans took control of the U.S. Senate. It is hard to say at this early stage what this will mean for the Law Center's policy agenda. However, the anticipated changes may not be significant, recognizing that the current Congress had largely been paralyzed in trying to deal with homelessness issues.

We expect that we will continue to see challenges in getting new funding for important federal programs at HUD and other agencies. As long as this is true, real progress towards a permanent end to homelessness will remain stalled. But it's also true that homelessness has been and should continue to be a bipartisan issue, one where we work well with members of both parties. So, we can continue to expect a focus on homeless veterans, and from Republicans we may see a new focus on creative housing solutions to serve more homeless children and youth - and their families. This could include efforts to allow more of the "hidden homeless" children who live doubled up or in motels to receive housing assistance.

With respect to committee leadership, Reps. Jeb Hensarling of Texas and Maxine Waters of California are expected to remain as the Chair and Ranking Member of the House Financial Services Committee. The Senate Banking Committee, however, will see new leadership, as Senator Richard Shelby of Alabama is likely to take over as Chair from current Republican Ranking Member Mike Crapo of Idaho. And on the Democratic side, current Chair Tim Johnson of South Dakota did not run for re-election. His successor as the Ranking Member has not yet been chosen. Depending on who is selected for this role, committee Democrats may pay more or less attention to affordable housing issues.

Finally, it is important to remember that the Law Center's policy agenda extends well beyond Congress to the Obama Administration. Regardless of how Congress chooses to address homelessness, we will continue our efforts to ensure that the federal government offers incentives to avoid criminalization of homelessness, that tenant protection laws are properly implemented, that the education rights of homeless students are upheld, and that our government lives up to its human rights treaty obligations.

- Jeremy Rosen, Director of Advocacy

## Let's Start the Conversation for National Hunger & Homelessness Awareness Week

This year's National Hunger & Homelessness Awareness Week began November 15th and ends November 23rd. The week is sponsored by our fellow advocates, the National Coalition for the Homeless and the National Student Campaign against Hunger and Homelessness.

It is poised before Thanksgiving as a reminder to be thankful for all the things that we often take for granted. As the weather starts to cool down in preparation for the winter, we bundle up and briskly walk from inside our homes to inside our offices and other buildings, until at the end of the day when we can go home again and lay our head down in a bed with a roof over our heads. This week is a

time when we should be especially thoughtful, and happy, for all that we have. At the Law Center, we hope that the impact of Hunger & Homelessness Awareness Week long survives its conclusion.

During this week our Executive Director, Maria Foscarinis, will be giving the 2014 Heyward E. McDonald Lecture on Peace and Justice sponsored by the Presbyterian Student Association, held in connection with the University of South Carolina's Hunger and Homelessness Week, on Tuesday evening, November 18, 2014.

Past speakers of the conference include former North Carolina Senator John Edwards, South Carolina State Superintendent of Education Inez Tenenbaum, and NASA Administrator Charles Bolden, among others.



Photo by Len Matthews

The Law Center's commitment to these underrepresented individuals is unwavering, and we hope that you will join us, and our fellow organizations, in raising awareness in your own communities, your family, and even your work place. Great change happens when individuals are empowered to educate themselves and others about the realities of homelessness, and how it is becoming more difficult every day for homeless people to survive.

We hope to continue the conversation by providing the [resources](#) necessary for everyone to be informed about what is happening to their brothers and sisters who are living without a home, without shelter, and with few, if any other, places to turn.

Our goal this week is to help people understand that this is a problem that cannot be ignored. Often,



people want to forget about homelessness and its hardships. We want to start the conversation, will you join us?

Photo by [Len Matthews](#) ([CC BY-NC-SA 2.0](#))

## 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)