

IN JUST TIMES

a publication of the

NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY



Changing Laws, Changing Lives

March 2016

Stay Connected

[National Law Center on Homelessness & Poverty](#)



♥ DONATE NOW >>

Table of Contents

[Victory in IN](#)

[Free Webinar](#)

[Monthly Donors](#)

[Boise, ID](#)

Dear Friends,

After years of advocacy, we are seeing progress in communities' treatment of homeless encampments. As you'll read below, just last month hard fought protections became law in Indianapolis.

Less noticed but no less important was a [new UN report on homelessness globally](#). To view the report, select the letter that corresponds with your preferred language to the right under the "Documents" cell.



Maria Foscarinis
Executive Director

As I've noted before in this space, over the [past few years](#), the Law Center has brought the criminalization of homelessness to the attention of numerous international human rights officials and committees. We've obtained recommendations calling for its abolition at the local level and for increased federal action, including funding incentives and enforcement action to discourage it. We took those recommendations to key federal agencies to encourage and shape their policy responses to these human rights reports, and that work is now yielding

results.

This summer, the Department of Justice filed [a groundbreaking statement of interest brief](#) in our case against Boise’s anti-sleeping ordinance, [putting enforcement teeth](#) into federal policy against criminalization. The U.S. Interagency Council on Homelessness issued [guidance on encampments](#), urging communities not to forcibly evict residents but to offer housing and services instead. The Department of Housing and Urban Development issued its funding application for \$1.9 billion in homeless assistance funds, for the first time [asking applicants what they are doing to reduce criminalization](#).

Cities are taking notice - and modifying their policies. [Indianapolis went further](#) and adopted its own law. Read the article below to learn more about this critical ordinance.

Federal officials have acknowledged that our human rights advocacy was [instrumental in spurring agency action](#). Now, that advocacy is coming full circle. The [new report](#) on global homelessness adopts the policy changes we have won from our federal agencies, making them international recommendations for the rest of the world.

We still have miles to go. But we are moving forward.



Law Center Helps Pass Indianapolis Law Protecting Homeless Encampments from Eviction to Nowhere

On February 25, Indianapolis, IN Mayor Joe Hogsett signed into law a new ordinance requiring transitional or permanent housing be provided to homeless camp residents before evictions can take place, consistent with the civil and human rights of the homeless campers, and key [guidance](#) provided by the U.S. Interagency Council on Homelessness (USICH) last summer.

Think Progress [quoted the Law Center](#) in covering the story: “This ordinance reaffirms what we’ve known for many years: by approaching homelessness with social systems, not criminal justice systems, both communities and homeless individuals win,” National Law Center on

Homelessness & Poverty Executive Director Maria Foscarinis said. **“Communities across the country should take note of Indianapolis’ model, because ensuring housing, as well as any needed services, will be critical to the successful implementation of any strategy to address encampments.”**

The Indianapolis ordinance now requires a minimum of 15 days' notice before a proposed eviction, and provides that “If there is insufficient available housing and services... to meet the needs of all displaced homeless persons in a camp scheduled to be closed by the city, the city must wait until there is sufficient available housing and services before it can close the camp, and in the interim the city will give priority to long-term residents of the camp.” It also provides for protection and storage of homeless persons belongings. The ordinance does add that if the city makes a written determination that an emergency exists, it does not need to await the existence of adequate alternative housing before the eviction.

Indianapolis’ previous approach to evicting encampments was documented in the film “[Under the Bridge: The Criminalization of Homelessness](#)” by A Bigger Vision Productions. The Law Center helped facilitate a [screening and discussion](#) of the film by HUD and DOJ in November. Local advocate and the film’s director/producer, **Don Sawyer, stated, “This exposure of homeless policy in Indianapolis has motivated its city officials and influencers to sprint toward developing homeless solutions, including efforts to acquire affordable housing, development of an engagement center and correcting emergency shelter options. What the National Law Center has done for the homeless community of Indianapolis is immeasurable in the fight to decriminalize homelessness and improve homeless conditions.”**

See more here: <https://goo.gl/4Ovm6B>.



[REGISTER HERE](#) for a FREE WEBINAR on March 30th 11am PST/2pm EST.

- Learn proven strategies for reducing chronic homelessness
- Learn how to comply with laws and policies protecting the rights of homeless people in your city
- Learn how to save money by investing in effective solutions to homelessness
- Learn about innovative programs and policies addressing homeless encampments across the country

Why Become a Monthly Donor? Because It Adds Up!



When you become a [monthly donor](#) for the National Law Center on Homelessness & Poverty, **you become a reliable partner and a critical part of our community. By making regular gifts - you can make a big difference. We invite you to learn more about our work and how your recurring gift will create constructive, big picture solutions to end and prevent homelessness.**

Each month, on a day you have selected, a previously designated amount will be donated to the Law Center. You never have to remember to do this and you can pause your giving at any time.

Please [sign up](#) as a monthly donor today!

Critical Work in Boise, ID

Our national advocacy for federal efforts to fight the criminalization of homelessness is having local impact. Just in recent weeks we have seen a number of small, but important, effects - illustrating how the federal interventions we fought for can help turn the tide on criminalization of homelessness across the nation.

1. Washington State Courts threw out two different criminalization ordinances. [Two cases in Washington State](#), *Everett v. Bluhm* and *North Bend v. Bradshaw*, **both threw out anti-camping convictions based on the reasoning in the [Department of Justice's filing in the Boise case](#).**

2. At the 2016 annual National League of Cities conference, the Executive Director of the International Municipal Lawyers Association, **Chuck Thompson, highlighted the DOJ Boise filing to a packed room of more than 100 mayors, city councilors, and other city officials.** He recommended modifying anti-camping ordinances to prevent enforcement when shelter is not available - either because shelters are full or because available beds are not accessible due to disability, religion, or other basis and instead providing housing, shelter, and services. He also cited the U.S. Supreme Court's First Amendment decision in *Reed v. Town of Gilbert*, and in the Law Center's *Norton v. Springfield*, the first case to apply *Reed's* protections to anti-panhandling laws. The Law Center's Senior Attorney Eric Tars was at the conference, reinforcing and strengthening Mr. Thompson's recommendations.

3. **Continued Federal support and advocacy:** The Law Center's senior attorney Tristia Bauman was recently speaking at a University of Michigan Law School conference entitled "Innocent Until Proven Poor." At the conference, **Vanita Gupta, the DOJ's highest ranking civil rights officer**, gave [opening remarks](#) highlighting the Justice Department's work in the Law Center's Boise case. After describing the case and the injuries suffered by plaintiff Janet Bell, Gupta stated:

"Last summer, the Justice Department filed a statement of interest in the case. We made a simple argument. Because every human being must sleep at some time and in some place, punishing a person for sleeping in public – when they have nowhere else to go – criminalizes homelessness. It violates the Eighth Amendment. **As Janet [Bell] said in a VICE News interview last year, "Of course, everybody wants to move the homeless, but they got to be somewhere, don't they?" Beyond the constitutional issues, criminalizing homelessness also constitutes poor public policy. It fails to give homeless people the resources they need to get on their feet and find stable housing. And it does nothing to break the cycle of poverty."**

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