Policing, Incarceration, & COVID-19
Today’s Panelists

**Marc Dones** (they/them/their), Executive Director of the National Innovation Service (NIS)

**Joshua Tom** (he/him/his), Interim Executive Director/Legal Director of ACLU of Mississippi

**Melissa Anoh** (she/her/hers), Program and Networks VISTA Fellow of the Law Center

**Carlton Martin** (he/him/his), Pro Bono Manager of the Law Center
Webinar Housekeeping

Your Participation

- Please submit your text questions and comments using the Questions panel.
- Please raise your hand to be unmuted for verbal questions.

Note: Today’s presentation is being recorded and may be posted as a resource.

@nlchphomeless
Topics Covered

• Connection between Race, Poverty, Policing, and Mass Incarceration
• Criminalization of Homelessness
• What is happening now, and how can we Defund the Police in favor of Housing, Not Handcuffs
A Story to Tell

The 1 in 3?
Connection Between Race, Homelessness, Policing, and Mass Incarceration

- **Birth of Policing:** The concept of modern day policing in the United States derived from the institution of slavery through slave patrol and Night Watches designed to control behaviors of minorities (Native Americans and Blacks).

- **Legacy of Slavery:** Why Black Americans at the bottom of almost every statistical category when it comes to wealth, academic achievement, incarceration rates?
  - Middle passage and chattel slavery
  - Unfulfilled promises of re-construction period
  - Early 1900 scientific assault on intellectual capacity
  - Domestic terror of Jim Crow (20’s -60’s)
  - War on Drugs and Mass Incarceration (70’s-Present)
Connection Between Race, Homelessness, Policing, and Mass Incarceration

• **Wealth Gap:** A recent study by the Institute for Policy Studies for Economic Development notes that it would take 228 years for the average black family to amass the same level of wealth the average white family holds today.

• **NO WEALTH** → Low Resources for Essentials → Vulnerable to interruptions (COVID) → at greater risk for experiencing homelessness → Jail/Incarceration = Cycle continues.

• End point of aggressive and improper policing is NOT mass incarceration—it’s the near-permanent locking into a bottom caste of society
Black People, Incarceration, and Homelessness

• Long history of housing/zoning policies, and real estate/lending practices created racial and socioeconomic segregation that lead to disproportionate representation of Black people among nations homeless and in concentrated poverty.

• Black people make up 40% of the homeless population, yet only 13% of the general population
  • Latinx, Native American, and Pacific Islanders make up another 20% of our nations homeless population.
  • Over 60% of Nation’s homeless are people of color.

• Black people make up 33% of U.S. adult prison population.
  • Latinx 23% → 16% of U.S. Population
  • Whites make up 30% despite being roughly 64% of U.S population
What is Criminalization?

• **Law Center Definition:** Laws that restrict or prohibit different categories of conduct performed by people experiencing homelessness, including *sleeping, sitting or lying down,* and *living* in vehicles within public space, as well as asking for donations, and other forms of targeting people experiencing homelessness for enforcement of generally applicable laws.

• In other words survival activities we all have to do:
  • Sleep
  • Sit
  • And exist in a space (*we have private spaces to go to, but when you have no private place, you must exist in public*)
Criminalization & Mass Incarceration

- Most people incarcerated than any other nation
- $ for prisons up; $ for housing down
- Complaint-driven policing
- Arrests
  - 11x more likely to be arrested
    - Examples: Los Angeles, Portland
- Citations
- Stop and frisk
- Racial disproportionality in enforcement
- Collateral Consequences
  - Lose benefits in custody
  - Lose “chronic” status
  - Homelessness 10x more likely after release
It is illegal to be homeless.

- Growing criminalization of homelessness
  - 187 cities nationwide
- 60% ban **loitering and/or vagrancy**
  - 103% increase since 2006
  - “Black codes”
- 72% ban **camping** in public
  - 70% increase since 2006
- 55% ban **storing property**
- 50% ban **living in vehicles**
  - 213% increase
- 83% ban **begging** in public
Fines and Fees

- Billions in criminal justice debt
- Harmful effects
  - Extreme financial hardship
  - Driver’s license suspension
  - Poor credit
  - Warrants
  - Incarceration
  - Exclusion from rental housing
Banishment

- Warrants
- “Move-on” Orders
- Stay Away Orders
- Trespass Bans
- Sweeps & Confiscation of Property
Defunding Police

Study: Charlotte's apartments for homeless save money

A first-year impact report by UNC Charlotte shows the homeless apartment complex known as Moore Place has succeeded in fulfilling its many promises to the community, particularly in saving tax dollars.

By Mark Price - mprice@charlotteobserver.com

The idea of building apartments to house Charlotte’s most troubled women – including those with addictions and mental disabilities – was ridiculed, when first proposed by the Urban Ministry Center in 2012.

Reductions in service utilization extend to the criminal justice system, specifically arrests by the Charlotte-Mecklenburg Police Department and incarcerations at the Mecklenburg County jail. Most tenants were not involved with the criminal justice system either before or after their move to Moore Place. However, of the tenants arrested or jailed in the two years preceding (n=21) or following (n=10) their move to Moore Place, there were 90 fewer arrests (an 82% reduction) and 1,050 fewer nights in jail (an 89% reduction). The decrease in the average number of arrests and jail stays was statistically significant (p<.05 and p<.01, respectively). See Figure 9.
America at Crossroads

• “At several historic moments the trajectory of racial inequality could have been altered dramatically, but, at each juncture, the road chosen did not lead to a just and fair America.”
  William A. Darity Jr

• COVID-19 Crises has exposed the fact that we (especially Government) is capable of making major changes, quickly.

• The problems stemming from racial inequality, poverty and homelessness is an epidemic requiring the same need for rapid change.
Current Policy Responses

• Justice in Policing Act
  • Collect data...“the national origin, sex, race, ethnicity, age, disability, English language proficiency, and housing status of each civilian against whom a local law enforcement officer or tribal law enforcement officer used force”

• Trump Executive Order
  • It is the policy of the United States to promote the use of appropriate social services as the primary response to individuals who suffer from impaired mental health, homelessness, and addiction...all officers should be properly trained for such encounters.
  • The Attorney General shall... identify and develop opportunities to train law enforcement officers... to increase the capacity of social workers working directly with law enforcement agencies; and to provide guidance ...
  • The Secretary of Health and Human Services shall, in coordination with the Attorney General and the Director of the Office of Management and Budget, prioritize resources, as appropriate and consistent with applicable law, to implement community-support models as recommended in the report described in subsection (c) of this section.
ALTERNATIVES TO POLICING

Melissa Anoh, MSW
Program Networks & Events VISTA Fellow
National Law Center on Homelessness & Poverty
Police are NOT...

Social Workers
Medical Professionals
Educational Specialist
Mental Health Counselors

Police should not be responsible for everything and are not trained to address everything.

Mubarak Soulemane
Diagnosed with schizophrenia at 19 years old.
Shot 7 times and killed by a state trooper.
Good Samaritan

- Got out his car and served as a barrier between the man & police.
  - De-escalates the situation
  - Crisis Intervention
The White Bird Clinic CAHOOTS Program

- Implemented in Eugene, Oregon as an alternative to improve public safety.
- Engaged in direct and meaningful prolonged training.
- Crisis intervention program supports the Eugene Police Department by responding to crisis situations, de-escalations, behavioral and mental health, intoxication calls, and even welfare checks.
Repercussions

- Housing
  - Criminal Background checks
  - Stigma w/ housing vouchers - leads to denying housing.
Housing Is A Human Right

“We have moved from an era of civil rights to an era of human rights...”
-MLK Jr., May 4, 1967
Josh Tom

Interim Executive Director/Legal Director
ACLU of Mississippi
Marc Dones

Executive Director, National Innovation Service
Poll

Will you use what you learned today in your advocacy on behalf of people experiencing homelessness during COVID-19 and beyond?
Housing Not Handcuffs Campaign

- Endorse
- [www.housingnothandcuffs.org](http://www.housingnothandcuffs.org)
  - Resources
    - Talking points
    - Sample legislation
    - Research
  - Connect with allies
    - Housing Not Handcuffs listserv

@nlchphomeless
#HousingNotHandcuffs
Support the Work

Housing is Public Health. Housing is a Right.

This crisis presents tremendous challenges, but is bringing necessary attention to housing as healthcare.

Your support, no matter how large or small, protects and aids our most vulnerable neighbors.

nlchp.org/donate
Contact Information

Eric Tars
etars@nlchp.org
202-638-2535
www.nlchp.org
@nlchphomeless
@erictars
#HousingNotHandcuffs