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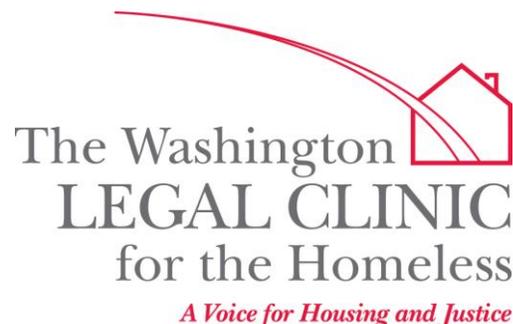
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DC Council Committee on Human Services Oversight Hearing on Department of Human Services March 15, 2017 Amber W. Harding

Good morning Chairperson Nadeau and Council members. My name is Amber Harding and I'm an attorney at the Washington Legal Clinic for the Homeless. The Legal Clinic envisions – and since 1987 has worked towards – a just and inclusive community for all residents of the District of Columbia, where housing is a human right and where every individual and family has equal access to the resources they need to thrive.

DC is in the midst of a severe family homelessness crisis, one that's been getting worse every year for almost 10 years. Family homelessness has increased 34.2% since 2015 and 191.1% since 2007. Family homelessness in DC is almost exclusively the result of a failure to preserve and produce sufficient affordable family units. There are over 1000 families in emergency shelter at any given time, a few hundred more in transitional housing, and around 1300 families in Rapid Re-housing.

So far, we would give the Bowser Administration a mixed report card on family homelessness. Her team deserves much praise for reinstating year round access to shelter for families after the Gray Administration's practice of only admitting families on hypothermic nights. That is been a life changing if not lifesaving policy change for DC families in crisis. They also deserve kudos for complying with the law as far as where families are placed—as compared to the Gray Administration's placement of families in gyms and the Fenty Administration's overcrowding of DC General. And the Mayor and her team have spent much political capital and resources to take significant steps towards the closure of DC General and replacement with smaller, better sites. These are all welcome improvements in policy and practice.

It's not all roses, of course. My colleagues have testified to how Rapid Re-Housing works, or rather doesn't work, for most homeless families we encounter. And the family shelter eligibility process is an unnecessarily high barrier process that remains plagued by inconsistent policy direction and erratic decision-making.

When families reach us, they have already told their story to an intake worker at the Virginia Williams Family Resource Center (FRC) or through a prevention program and have been denied a shelter placement. Nearly every time, we tell that same story to senior management and get a completely different outcome. That's a sign of a



broken system. Here are a few examples, out of dozens, from the last few months:

- Family denied shelter because they couldn't get verification from stranger who paid for a hotel room that he wouldn't be paying for another night in the hotel.
- Mom and 1 year old son had DC food stamps and TANF but ESA advised her not to terminate Maryland Medicaid benefits yet to avoid a gap in services. Denied shelter repeatedly by FRC for residency even though another part of DHS had already determined DC residency in order to provide other public benefits.
- Mom and 3 children had to leave Rapid Re-housing unit due to domestic violence. Denied after placement in Interim Eligibility due to being on a lease, even though she couldn't return to the unit due to the abuse. (Attorneys represented family successfully at an administrative review.)
- Family of 6 (several with significant disabilities) slept in car for a week after an eviction despite connection to a prevention provider because no one would return their calls or refer them into shelter.
- Family staying in a condemned building with no heat or electricity denied shelter 3 times for having somewhere to stay.
- Father denied shelter with his child and partner because FRC claimed they didn't have significant enough history together as a family.
- Family denied because they had another place to go, even though the host had received an eviction notice for having unauthorized guests. Family told they needed to call landlord to get verification that they couldn't stay (which would have increased chances of eviction for host) and also to "sneak out" early in the morning so landlord wouldn't see them.
- Family denied placement because FRC said they needed to confirm with a security guard that the family was sleeping in the hallway of the building.

No one doubts Director Zeilinger's stated commitment to ensuring that homeless families have safe shelter when they have nowhere else to go. Time and time again, when we have raised individual client matters to her attention, she chooses safety over bureaucracy—not letting the absence of paperwork or certainty about eligibility risk the safety of homeless families. The same goes for her senior management—nearly every single case we've brought to their attention has resulted in a reversal of an intake worker's decision to deny eligibility, meaning that we rarely have to litigate shelter denial cases and, more importantly, that the safety of families is a critical factor in decision making at high levels of DHS.

But the overwhelming majority of applicants denied shelter do not reach high levels of DHS to have their denials reversed, nor do they get a lawyer to advocate for them. No one knows where these families go when they walk out of FRC without shelter, whether a mistake has been made or whether the denial was the right decision. When I talk to families in shelter, though, most tell me that they were denied multiple times before they got in, and that they slept in cars, laundromats, with abusers, etc. while they tried and tried again to get into shelter, spending days in the FRC waiting room, losing hours at work or opportunities to find housing. They tell me they get treated like liars, that

they feel they have to beg for help, that the level of documentation required of them can be an impossible burden. No other public benefit eligibility process in DC operates with such a high level of subjectivity and low level of formal guidance, and no other public benefit is as erratically and inconsistently provided to applicants.

A stated commitment to the safety of all homeless families is not enough. That value must be embedded in the institution; in laws, policies, and operations. That means not proposing legislation that would increase the bureaucratic burdens put on families to prove eligibility prior to admission to shelter. It means providing written guidance to intake workers to help them interpret the law consistently and fairly and to encourage them to prioritize safety over bureaucracy, i.e. via use of Interim Eligibility placements. It means standardizing and streamlining intake processes to remove subjective, arbitrary and inconsistent decision making factors—helping mitigate the implicit racism and classism that colors decisions and judgments made about homeless families. It means committing to effective, appropriately staffed, and independent monitoring and oversight of services.

Thank you for the opportunity to testify and I'm happy to answer any questions you may have.