

**TESTIMONY OF SCOTT MCNEILLY
WASHINGTON LEGAL CLINIC FOR THE HOMELESS
BEFORE THE COUNCIL OF THE DISTRICT OF COLUMBIA
HUMAN SERVICES COMMITTEE
OVERSIGHT ON THE 2013-2014 WINTER PLAN
OCTOBER 29, 2013**

Good morning Councilmember Graham and members of the Committee. My name is Scott McNeilly and I am a Staff Attorney with the Washington Legal Clinic for the Homeless. I am also a member of the Interagency Council on Homelessness (ICH) and a member of the ICH's Operations and Logistics Committee and Capacity Subcommittee both of which were involved in developing the Winter Plan.

Our Winter Plan process has continued to evolve and this year's Plan contains some significant improvements in the way alerts are called and communicated and some additional resources to address some significant needs. Because this is an oversight hearing, I wanted to highlight some of the concerns that were discussed during the development of the Plan and some of the areas that we'll need to monitor closely during the course of the season.

For the past few years, the ICH Capacity Subcommittee has been responsible for developing the number of beds or placements needed for the Winter Plan. For the past couple of years, the Capacity Subcommittee has been concerned about a shortage of beds for women on non-hypothermia nights. We've been quite accurate in identifying and providing enough beds for women on peak usage hypothermia nights but we've consistently had turnaways on non-hypothermia nights when it can still be dangerous to sleep outside. Although it's not reflected in the current version of the Winter Plan, the 10 alert-night beds at the Open Door shelter will be converted to seasonal beds on November 1st, which should be enough to meet the need.

For single men, there are two primary concerns. First, last winter the Sacred Heart and St. Luke's shelters were regularly over their stated capacities, often by significant margins. The understanding of the Committee is that this reflects, at least in part, an unwillingness of some men to leave the Northwest area and travel all the way across town for overnight shelter. The Committee and the Community Partnership tried unsuccessfully to identify an additional site in Northwest to relieve this stress on those facilities. We'll need to carefully monitor the usage of these two facilities to ensure they aren't becoming dangerously overcrowded.

Second, one of the church sites for men identified in the version of the Plan voted on by the ICH has since fallen through. That has resulted in a loss of 25 beds. That means that the first identified overflow site, Kennedy Recreation Center, will be converted from overflow to an alert-night facility. However, the capacity stated in the Plan for Kennedy is incorrect and is in fact 25 not 40. In total, that means that we are 45 beds short of the total beds the Capacity Subcommittee determined we would need to meet the anticipated peak demand this winter. Last winter for the first time in many years, the demand for beds by men exceeded the number identified in the Winter Plan. Given the turnaway data the Capacity Subcommittee has tracked through the summer, the demand this winter is likely to be comparable to last winter and, therefore, it's essential that the District identify the additional overflow capacity for men before the anticipated peak usage in January. An additional cause for concern is our increased reliance on District recreation centers which are usually unavailable until 9 p.m.

You'll hear from a number of people today about the concerns and issues related to serving families. This year, the Capacity Subcommittee and the Operations and Logistics Committee decided to focus on the anticipated need for family placements through the course of the hypothermia season without specifying how those placements would be made. This reflects an acknowledgement that past projections of placements through the various anticipated housing resources have consistently been inaccurate – we've never placed as many families as past Winter Plans have promised. Rather than furthering our preparation, including these unrealistic housing goals in the Winter Plan has distracted from focusing on the real anticipated need. This also reflects the unfortunate reality that the ongoing family shelter crisis means that we will have to rely extensively on motels again this winter.

That leads to a major concern this winter for families - the possibility that we may run out of motel rooms. Last winter, 421 priority-one families were placed in shelter between November and March, an average of 84 per month. The Capacity Subcommittee could identify nothing that would indicate that we can expect this winter to be better. Over the past five months, the District has managed to exit an average of just 22 families per month to transitional or permanent housing. If those numbers hold, we may be adding approximately sixty families per month to the system. The Department of Human Services has indicated that the maximum number of available motel rooms may be between 225 and 250. We're starting the season with approximately 20 families in motels who were placed last year and some unknown number placed by the Child and Family Services Administration. If we place sixty families per month in motels, we may exhaust the existing supply by sometime in February. As far as I know, there is no plan in place for that possibility but it might require the District to procure motel space outside of the District with all of the logistical challenges that would entail.

It is also important to note that because of the District's ongoing affordable housing crisis and the disproportionate impact that crisis is having on families, the District has essentially no emergency shelter response for families in need outside of hypothermia. We need a Spring, Summer and Fall Plan that can keep pace with the need.

Finally, you are probably aware that the Interagency Council on Homelessness rejected the draft Winter Plan's language addressing unaccompanied minor children. I was among those voting no on that language and my primary reason was that the proposed language did not answer basic questions about who someone concerned about a minor should call and who is responsible for responding. I understand that there are a variety of complicated assessment and referral issues involved with unaccompanied minors but the Winter Plan should be able to describe in simple terms the plan for preventing a youth from freezing to death during an alert. The Winter Plan should be able to answer the question: if someone comes across a youth in a doorway at 1 a.m. on a freezing night, what happens? Who does what to make sure that child doesn't freeze in that doorway? DHS has focused on the various assessments and interventions that may need to occur the next day or later but we don't have a clear answer to what happens that night. Although I think the law is clear that the child must be sheltered by the District during the alert, the law can't be that we leave the child in the doorway, so what happens? That and nothing more is what we need to answer for the Winter Plan.