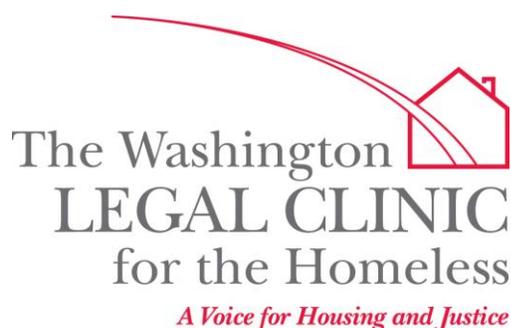


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**Testimony before the DC Council
Committee on Human Services
DHS Performance Oversight Hearing
Presented by Marta Beresin
Washington Legal Clinic for the Homeless
February 26, 2014**

Good Morning Councilmember Graham and members of the Committee. My name is Marta Beresin and I am a Staff Attorney at the Washington Legal Clinic for the Homeless. I appreciate the opportunity to testify today. I have worked at the Legal Clinic directly with homeless families for 14 years. 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. My testimony will address the current challenges facing DHS with regard to homeless families and how to solve this crisis humanely and effectively.

This winter, DC has seen more than a twofold increase in the number of homeless families in shelter. Many factors may be contributing to this increase, including the continuing loss of affordable housing units in the city, the unusually cold temperatures this winter, closing the front door to family shelter six months of the year, and increasing reliance on short-term rental subsidies that can recycle families back into the system. The city has responded to the crisis in several ways.

First, the good: We support DHS' plan to intensify services to families in shelter to speed up shelter exits and commend DHS for working closely with advocates to figure out ways to improve the Rapid Rehousing Program. Families clearly are spending too much time in shelter and need intensive support to find affordable housing and move out. On the singles side, we believe that the Mayor's/DHS' cold weather plan and additional resources brought on line during the "polar vortex" such as the warming buses, have been successful in saving lives.

We do not, however, support the city's use of recreation centers as shelter for homeless families or the provisional placement legislation sent to the Council as solutions to the crisis.

REC CENTERS: Not since the mid-1990's have homeless families with minor children been sheltered like our single adult population: in communal settings, only from 9 pm to 8 am, and only on freezing nights. In the nearly twenty years since that time, our

community acknowledged the problems with that approach and embraced better solutions to protect homeless children and meet the needs of their families.

A recent court decision from OAH found the rec centers to violate DC law that requires families to be sheltered in apartment-style units and, when they are not available, in “private rooms.” This law exists because protecting the health and safety of children is a significant public policy concern.

Here are some reasons why the use of rec centers for families with minor children is not legal under DC law. There is a significant safety risk to children when they are placed in a communal setting with other adults who are strangers to them. To a child, privacy – including having a door to shut and lock at night – equals safety and not having that leaves you open to all kind of dangers. Especially for children with histories of trauma – as so many of the children in shelter do because their families have fled domestic violence—this type of setting can feel very unsafe.

Moreover, it is developmentally harmful for young children to be sheltered this way – to not know where they’ll be sleeping each night and to not get to sleep until 10 or 11 pm, causing difficulties in school.

Some people have compared our treatment of homeless families to the treatment of flood victims, but it is in fact worse. Katrina victims were not tossed out of shelter every morning and told to fend for themselves the following night if the temperature was over 32 degrees.

Another problem with the rec center placements is that families are required to return every day to the Family Resource Center to be authorized for another night of placement. Our clients tell us that sitting down at the intake center every day means they miss other important appointments and opportunities – they can’t go to work, can’t apply for jobs, can’t apply for housing opportunities, can’t comply with TANF job training requirements. In other words, the daily hustle for your cot is taking a lot of physical energy and time of parents that could be spent finding jobs and housing.

DHS testified last month that since the city began relying on rec centers, there has been a decrease in the number of families staying in shelter.¹ They conclude that the families that don’t return to the rec centers must have other safe places to stay, but they have offered no actual data on where these families end up. Our clients tell us they don’t return because they don’t feel safe at the rec centers. Families are being forced to make choices between a rec center or returning to an abuser; between a rec center and staying with a friend in a dangerously overcrowded unit or unit with no electricity or running water. One client who had stage 4 sarcoma contacted us because she had been told by both the shelter hotline and FRC staff that the rec centers were the only placement available. She didn’t go into a rec center but she didn’t have a safe alternative placement either.

PROVISIONAL PLACEMENT BILL: The Mayor’s second regressive response to the crisis has been the resurrection of provisional placement legislation unanimously rejected by the Council last year. The legislation would allow DHS to terminate families from shelter with only 24 hours’ notice if DHS determined they had a place to stay with family

or friends, even for just one night. While we understand that the Mayor has asked that this not be voted on as emergency legislation next week, he has not yet withdrawn the proposal. The bill violates the due process rights of homeless families by denying them the opportunity to challenge the safety or viability of a placement before being forced to leave their shelter unit. The bill is not an appropriate, effective, or necessary response to the crisis. Current law already allows DHS the flexibility to divert any family from shelter who has another safe option. (DHS exercises its diversion authority every day; during the months of November, December and January of this winter DHS diverted 15% of families that applied for shelter to another safe place with family or friends.)

The solution to this crisis is dependent on how we define the crisis. Is the crisis that too many families are relying on government-funded shelter or that too many families in one of the wealthiest cities in the world are without safe housing? The administration would have us believe the former. In doing so they cast blame on the Council and on the families themselves, portraying the parents as overly dependent women who just need to be more self-reliant “like immigrants.”

If we instead accurately define the crisis as too many families unable to provide safe and affordable housing for their children, we’re able to focus on real solutions. The real solutions are:

- 1) Ensuring families have access to safe, secure shelter that allows them the stability necessary for parents to reconnect with employment and housing quickly and for children to thrive both at school and at home;
- 2) Urging the Mayor to devote the funds necessary to DHS to address this crisis via legal and safe housing or shelter placements for newly homeless families who have no safe place to stay. If he can find \$9 million for super cans for every home owner, he can ensure families have safe housing or emergency shelter. DHS should be provided with the resources necessary to address the current crisis without cutting other critical services for singles or families. Estimates have this at \$11 million; and
- 3) Increasing funding for housing programs like LRSP that serve families immediately and inexpensively. The cost of housing a family is far cheaper than the cost of sheltering them. LRSP vouchers cost \$15,000/year, PSH and RRH cost \$30,000/year. We spend \$50,000/year per family on shelter.

We hope the Council will encourage the Mayor to give the good people of DHS who have been unfairly saddled with bearing the full burden of DC’s affordable housing crisis, the resources necessary to react to this crisis humanely and effectively rather than with regressive policies that blame the very families at the heart of the crisis.

ⁱ To us it appears clear that the purpose of this policy is to send a message to homeless families that they shouldn’t seek assistance because they aren’t going to get the kind of help that the city used to provide.