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The Washington
LEGAL CLINIC
for the Homeless

A Voice for Housing and Justice

**Testimony before Mayor-Elect Bowser's
Health, Homelessness and Human Services Transition Committee
December 2, 2014**

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My name is Amber Harding and I am an attorney at the Washington Legal Clinic for the Homeless. Thank you for inviting me to share my thoughts about homeless services with the transition team. I will be focusing primarily on what needs to be done to develop a more humane and effective approach to ending family homelessness.

The Bowser Administration will inherit a crisis of family homelessness—one that should be her highest priority to resolve. While other homeless populations have seen their numbers decrease in the last few year, family homelessness in the District continues to rise dramatically, and has done so since the 2008 recession. Just this past winter there were twice as many families in emergency shelter as the year before. This inherited crisis is both a poverty and an affordable housing crisis—and it is a crisis that will reverberate for years to come as homeless children struggle to excel in school, in health and in life. Preventing and ending homelessness, already a tremendous challenge, has been made far more difficult by years of masking the true scope of the problem and of formulating policy based on faulty assumptions about the motivations and needs of poor families.

Below are our recommendations to end family homelessness:

1. Return the District to its former commitment to shelter and house homeless families year-round.

During the Gray Administration, the District ended its decades long commitment to serving high priority families year-round. Instead, the District only placed families in emergency shelters when it was legally required to do so—on days where the temperature fell below freezing. As a result, hundreds of families spent nights in cars, Laundromats, abusers' homes, parks or other unsafe locations *with* their children, because they had nowhere else to go. We believe that this placed families in danger's way and made it much harder for those families to seek or maintain employment and get back on their feet.

In addition, the primary service provided to families on non-freezing days has been "diversion," where friends or family members were asked to allow the applicant family to stay with them. Some of these homes are not appropriate placements due to overcrowding, illegal activity, or history of abuse. Other "host families" must choose between helping a needy family or risking their own eviction or affordable housing loss—as the applicant family was not on their lease. While diversion can be a valuable tool for some families, most families do not seek shelter until they have already



exhausted all of their personal resources. The primary response to family homelessness should not be one that, in our clients' experiences, either risks the safety of the applicant family or risks *increasing* the number of homeless households.

2. When there is a legal right to shelter, make sure that it is upheld.

In early 2013, we released a report detailing the many violations of the right to shelter in freezing weather for homeless families. From the shelter hotline denying that they even work with families to the Virginia Williams Family Resource Center regularly and consistently denying shelter to eligible families, we saw clear patterns that risked serious harm to hundreds of DC children and their parents. We have not seen much improvement since that report was released. In fact, last winter families had to file a class action against the District to assert their rights to minimally safe placements during hypothermia. We ask the Bowser Administration to do the following:

- a. Acknowledge there is a problem with family intake and placements, and that families deserve more than the massively flawed bureaucracy they are subject to now.
- b. Take strong actions against contractors who violate the law and risk DC residents' lives.
- c. Increase monitoring and oversight to ensure that no DC resident gets left out in the cold.
- d. Devote adequate funding to implement the Dignity Act to ensure that families are placed in settings with minimal health and safety protections.

3. Family shelters must provide privacy, safety, and appropriate services.

We agree that DC General should be closed, because it is an old run-down building that was never meant to host so many families and because communal settings are inappropriate for families, particularly those with health problems. Replacement units should be habitable, apartment-style and accessible to persons with disabilities. The District also needs to improve the services that families receive in shelter so that they are given greater assistance in finding jobs, housing, and other services.

Before DC General is closed, however, the District must have sufficient apartment-style units to ensure that families are able to access emergency shelter year-round. Even with DC General open, the District does not have enough shelter to meet its legal requirements to shelter families in freezing weather, much less year-round. This means that the District would have to infuse a significant amount of money into affordable housing and replacement emergency shelter before DC General can be closed.

4. To end family homelessness, the District must have a wide range of effective affordable housing options in its portfolio.

The smartest way to end family homelessness is to invest in affordable housing programs that end homelessness quickly and meet the needs of the populations, while sustaining commitments to other affordable housing programs. The best affordable housing programs to end family homelessness quickly are Housing First, rapid rehousing (if significantly improved), and Local Rent Supplement Program tenant vouchers. The emphasis in the Gray Administration was on rapid rehousing, but the program has suffered from unclear or unwise policy development, a lack of transparency to both landlords and participants, and a lack of safety net for folks who time out of the subsidy and still need more assistance. As a result, the reputation of the program has suffered and homeless families and potential landlords are wary of participating. The Bowser Administration should reform rapid rehousing through new regulations and policies as well as ensure that LRSP vouchers and Housing First are available so that the right family is placed in the right program at any given time.