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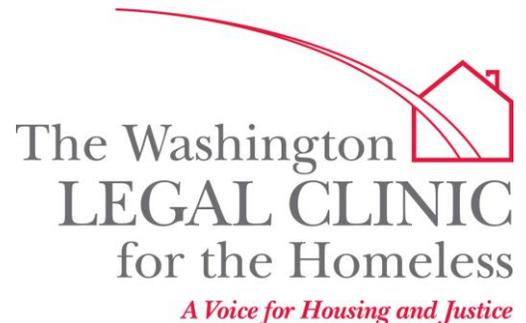
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Testimony before the DC Council Committee on Health and Human Services Oversight Hearing on Department of Human Services Performance for 2014 Presented by Amber W. Harding March 12, 2015

Thank you for the opportunity to testify before you today. As you know, 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. While DC has a long road ahead, we are very excited that the Bowser Administration is committing leadership and energy to substantially improving access to and quality of services for people experiencing homelessness.

Hypothermia Season

DHS has shown some improvements this winter with respect to complying with the right to shelter in severe weather. Last winter, the Gray Administration placed families in one-night stays in recreation centers, but a class action lawsuit, and later this Council's legislation, stopped that practice. This winter, despite unprecedented numbers of homeless families applying for and entering shelters, DHS has managed to meet the need with lawful placements. DHS also dramatically improved the calling of hypothermia alerts in response to community concerns. DHS' use of cold weather alerts and warming buses also helped to increase the safety of individuals experiencing homelessness this winter. **DHS needs, however, to undertake a drastic overhaul of its approach to assessing family eligibility on winter nights, as too many families are wrongfully denied shelter on freezing nights.**

Homeless Individuals

The two biggest concerns for homeless individuals are the conditions of the shelter buildings they must sleep in and the poor quality of services offered to them. **We recommend that the ICH strategic plan details how to move towards smaller, more humane shelters with more accessible and appropriate services for the population. In the meantime, we recommend that DHS develop a better complaint and response system, with a strict, short turn-around for problems that affect the health or safety of shelter residents.**

We urge that the Bowser Administration adhere to the principles developed last year by the CCNV Task Force as it moves forward with any redevelopment plans for the Federal City Shelter property. Many of those principles (build-first; adequate capacity to meet current need; emphasis on housing options; maintenance of some 24 hour shelter capacity) should guide planning for the replacement of other singles shelters threatened by economic development, such as 801 East, as well.

Homeless Families

While many factors led to a 50% increase in homeless families in DC over the last 4 years (Point in Time found 800 families in 2010 and 1231 in 2014), such as continuing high unemployment rates for certain segments of the population, generational poverty and the severe lack of affordable housing, DHS does not control these factors. The agency does, however, control its response to family homelessness.

First, we would be remiss not to mention that the large volume of homeless families in the DC shelter system is objectively and conclusively *not* a result of families from other jurisdictions coming into DC. FRC regularly denies placement to applicants who are not eligible because they do not qualify as District residents under the Homeless Services Reform Act. In fact, we've had multiple cases this winter of *longtime DC residents* being denied shelter placement based on erroneous application of the residency requirement. **DHS has agreed to develop guidance and regulations to assist intake workers in appropriately applying the residency standard.**

Despite the perception that homeless families are flooding through a wide open door into shelter, the experience of our clients is quite different. Not only is the front door to shelter completely closed for most of the year, i.e. any day the temperature fails to fall below freezing, but even on the days in which there is a legal right to shelter, FRC operates an extremely high barrier intake system. Families must affirmatively prove, with documentation and third party verification, that they have absolutely nowhere else to go and are DC residents. Many families don't make it through that system the first several times they apply, and dozens of families each winter are not admitted into shelter until one of our lawyers appeals their denial to DHS and The Community Partnership (TCP). Yet, while DHS and TCP are excellent at resolving individual cases and admitting the families that we bring to their attention, little has been done to improve the performance of the contractor that is, on a weekly if not daily basis, wrongfully denying homeless families shelter during hypothermic conditions. **We strongly recommend that DHS reexamine its family intake system and reduce the barriers that are keeping out vulnerable, eligible homeless families. We also recommend that DHS cease subcontracting for this critical government function and instead determine eligibility themselves.**

Because families have only been admitted to shelter when it's below freezing for the past four years, FRC gets hit by a rush of more than 100 families a day during the winter. This makes it difficult for staff to assess families or provide meaningful services. Placing so many families in such a short period of time also wreaks havoc on shelter capacity, necessitating a *greater* number of units at peak than if the *same number* of families were served throughout the year—so DC pays more to serve fewer families. **We strongly recommend that DHS return to a system where families are served year-round.** We are heartened that DHS not only has begun conversations about how to do just this, but also has actually placed a family in shelter this week on a non-hypothermic night when the family had been staying in a car. **We pledge to work with DHS to develop a protocol to ratchet up access, prioritizing the most vulnerable families until there is space to serve all families with no safe place to sleep at night, regardless of the temperature.** DC needs a **significant infusion of housing resources** to clear out the system before it can regain equilibrium.

Oversight and Accountability

DHS must both increase its oversight and improve the oversight and accountability efforts it currently employs. For example:

1. The Office of Shelter Monitoring (OSM) did an annual inspection of DC General in July of 2013, just a few months before Relisha Rudd disappeared, which cited TCP for failing to conduct criminal background checks on its employees. There is no evidence that TCP then complied with the corrective action recommendations, and no further action was taken by OSM prior to Relisha's disappearance.
2. OSM fielded numerous client complaints on its hotline with negligible follow-up, including one complaint about a staff member stealing from a resident that was "resolved" by talking to the staff member and reporting back to the resident that "the staff member denies stealing the money."

DHS must vastly improve its oversight of TCP and its efforts at oversight via OSM in order to avoid waste, ensure more effective and higher quality of services and protect vulnerable residents from abuse.