

Committee on Human Services
PUBLIC OVERSIGHT ROUNDTABLE
ON THE WINTER PLAN 2012-2013
Wednesday, October 10, 2012

Testimony of Amber W. Harding
Washington Legal Clinic for the Homeless

Thank you for the opportunity to testify before you today.

As you know, DC used to have a right to shelter year-round. For years after that law was repealed, DC had a *legal* right to shelter only in the winter, but a *policy* commitment to provide adequate shelter the rest of the year. Then, in 2010, not only was the legal right restricted further only to those who could prove they had no safe place to sleep and were DC residents, but also the policy commitment to serve people in need year-round disappeared. Now, most families can only access shelter on hypothermic nights and DC intends to close shelters for men and women this spring because the Mayor has yet to fill a federal funding gap with local dollars.

DC has badly lost its mooring on serving those who are homeless. The legal right to shelter was once the floor for homeless services. Now it is the floor AND the ceiling, particularly for families. Because DHS doesn't "budget" separately for the Winter Plan (in part because the Winter Plan is developed months after the budget is finalized), every dollar that DHS spends to fulfill its legal obligation during the winter is a dollar it argues must be taken away from services the rest of the year, and every dollar it spend on families is a dollar it argues it cannot then spend on those without kids. But let's be perfectly clear. In a year when DC is expected to have more than \$250 million in excess funds, the choice not to provide lifesaving emergency shelter or housing year-round was not a budget restriction, it was a policy choice.

Because Councilmembers understand that hypothermia isn't the only danger that exists for children if they are forced to live in parks and bus stations, the DC Council has made several attempts to force DHS to serve families in crisis throughout the year. Those attempts failed—largely because, unlike the right to shelter in the winter, DC residents had no ability to enforce the laws. Since the Gray Administration has shown it will only provide these basic safety net

services to DC residents when there is a threat of court enforcement, it is time to create an enforceable right to shelter or housing year-round.

Here is a sampling of what our community risks if it fails to ensure that every DC resident has a safe place to sleep at night:

- More kids in foster care. Mary Brown, like many others, was threatened with losing her kids many times because she had to sleep in a park. Foster care is more expensive than shelter and housing, and creates unnecessary trauma for kids and families when the sole reason for intervention is lack of housing.
- More DC residents at risk of homelessness. When families stay doubled up with another family with no end in sight, they put the host family at risk of eviction. Jessica's sister was kicked out of the place she was staying when the FRC worker called to ask if Jessica and her kids could stay with the sister again-- because Jessica was never supposed to be staying there.
- Permanent health consequences. My client, Lorraine, risked losing her fingers from sleeping in her car because she had a medical condition that caused her to be extremely sensitive to cold. If shelters close this spring, hundreds of men and women with serious health conditions will struggle to take their medication and maintain their health while sleeping on the street.
- Loss of job opportunities. Many of our clients could get back on their feet quickly if they had been placed into shelter or housing when the crisis struck, but now they've lost their jobs or haven't been able to get new jobs because they spend all day every day just trying to find a place to sleep at night.
- Poor education outcomes for kids. Lorraine had to choose between sleeping in her car where she risked losing her fingers and sleeping in a relative's apartment where she couldn't get her kids to school in the morning because she couldn't carry her son in his wheelchair down the stairs.
- Violence and abuse increases. Frances left FRC without any options and met a man outside who told her she and her child could stay with him. That night he beat her. She fled with her two year old child. Others return to the home of a boyfriend or parent who is abusing them or their kids when they are told there is no shelter.

Do we really live in a city where it is an acceptable public policy decision to leave kids on the street when there are empty beds in shelter? Where basic emergency shelter beds get placed on a "wish list" for the future instead of being securely funded? Where death by freezing is the only unacceptable outcome DC seeks to avoid in its provision of homeless services?

If your answer is no, then I look forward to working with you to develop a more humane response to those experiencing housing crises.