



**Searching Out Solutions
Alternatives to the Criminalization of Homelessness**
Webinar
May 7, 2012



Welcome

Anthony Love

Deputy Director

U.S. Interagency Council on Homelessness

Purpose:

- To introduce the recently released report: *Searching Out Solutions: Constructive Alternatives to Criminalization*
- To promote and encourage the implementation of the solutions contained in the report.



Proposed Solutions

- Creation of comprehensive and seamless systems of care
- Collaboration between law enforcement and behavioral health and social service providers
- Alternative justice system solutions



Agenda

1. Alternatives to criminalization makes sense for communities
2. Access to Housing and Services is a better solution
3. The benefits of alternative/specialty courts and how you can get started setting them up where you live



U.S. Department of Justice Panelists

- Melanca Clark: Senior Counsel, Access to Justice Initiative
- Robert Koch: Trial Attorney for the Special Litigation Section of the Civil Rights Division
- Karen Bachar: Program Manager for the Office of Juvenile Justice and Delinquency Prevention
- Vonda Matthews: Research Analyst for the Office of Community Oriented Policing Services



Webinar Format

- Call will last approximately 1 hour
- We have reserved time at the end of the webinar for Q&A
- **Audience members who would like to pose a question can do so at any time through the “questions” function found in the “GoToWebinar” toolbar.**
- Call audience members are “muted” due to the high number of participants.
- Call will be recorded.

Searching out Solutions

US Department of Justice/US Interagency Council on Homelessness Webinar on
Alternatives to the Criminalization of Homelessness: Department of Justice
Resources for Law Enforcement
May 7, 2012

Melanca Clark
Senior Counsel, Access to Justice Initiative
U.S. Department of Justice



Homelessness Persists

On a single night in January 2011:

636,017 people were homeless in the United States, including 399,836 homeless individuals and 236,181 persons in families.

107,148 people were chronically homeless in the United States, or about 17 percent of all homeless people.

Source: HUD's 2011 Point-in-Time Estimates of Homelessness

Criminalization Measures are Proliferating

- Legislation that makes it illegal to sleep, sit, or store personal belongings in public spaces
- Ordinances that punish people for begging or panhandling in order to move people who are poor or homeless out of a city or downtown area
- Local measures which ban or limit food distribution in public places in an attempt to curb the congregation of individuals who are homeless
- Sweeps of areas in which people who are homeless are living in order to drive them out of those areas
- Selective enforcement of neutral laws such as jaywalking, loitering, and open container laws against people who are homeless
- Public health ordinances related to public activities and hygiene regardless of whether public facilities are available

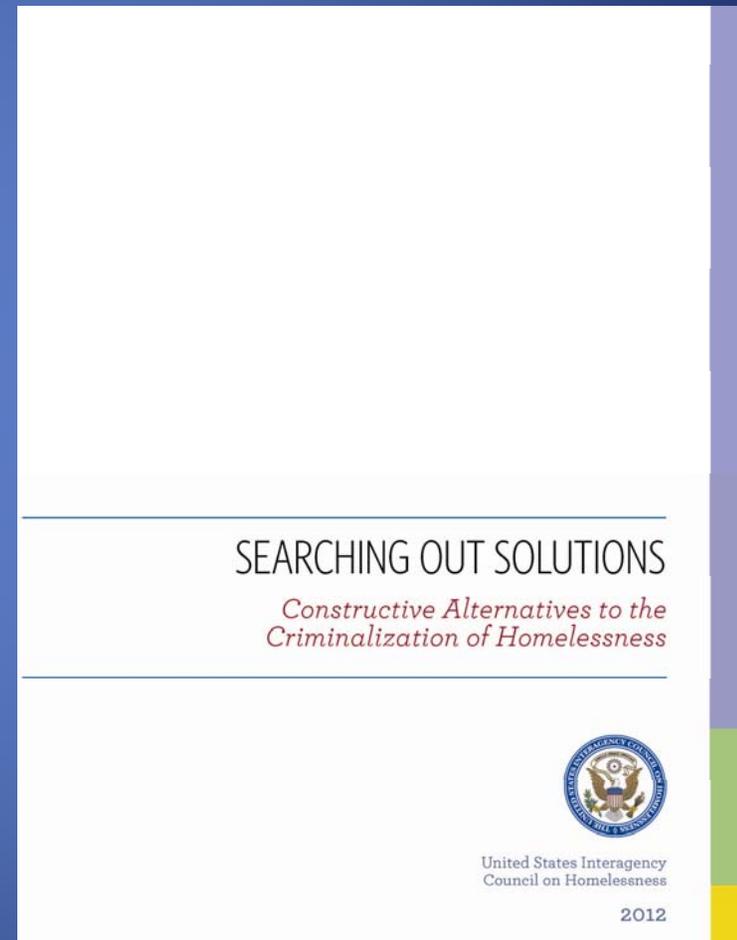
Criminalization Undermines Real Solutions

- Criminalization Policies:
 - Can further marginalize men and women experiencing homelessness.
 - Are often costly and consume substantial state and local resources.
 - Do not address underlying problem.

Convening & Report

Report Link

www.usich.gov/issue/alternatives_to_criminalization



Constructive Solutions: Creation of Comprehensive and Seamless Systems of Care

1. Develop and Implement Communitywide Plans to End Homelessness
2. Develop “Housing First” Permanent Supportive Housing
3. Ensure 24-hour Access to Emergency Shelter
4. Create Street Outreach Teams and Provide Safe Havens
5. Communitywide Collaboration through Education, Volunteerism and Donations
6. Communitywide Coordination of Food Sharing
7. Improve Access to Mainstream Benefits for Persons Experience Homelessness



Constructive Solutions: Collaboration between Law Enforcement and Behavioral Health and Social Service Providers

1. Outreach and Engagement
2. Cross-Training of Police Officers and Service Providers
3. Crisis Intervention Teams



Constructive Solutions: Alternative Justice System Strategies

1. Problem-Solving Courts
2. Citation Dismissal Programs
3. Holistic Public Defender Offices
4. Volunteer Legal Services Project and Pro Bono Attorneys
5. Reentry or Transition Planning
6. Reentry Housing
7. Reentry Employment



Federal Interagency Reentry Council

- ✓ Actions the federal government can take to better coordinate/leverage resources for reentry
- ✓ Actions the federal government can take to remove barriers to reentry
- ✓ Bully pulpit opportunities to advance the reentry agenda, dispel myths/clarify policies, and signal to the field the importance of the issue

Federal Interagency Reentry Council Website:
<http://www.nationalreentryresourcecenter.org/reentry-council>



“As President Obama recently made clear, this is an Administration that believes in the importance of second chances – that people who have paid their debt to society deserve the opportunity to become productive citizens and caring parents, to set the past aside and embrace the future. Part of that support means helping ex-offenders gain access to one of the most fundamental building blocks of a stable life – a place to live.”

Letter from Secretary Shaun Donovan and Assistant Secretary Sandra B. Henriquez to public housing authority directors, June 17, 2011.



U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D.C. 20410-0001

THE SECRETARY

June 17, 2011

Dear PHA Executive Director:

Each year, more than half a million people are released from prisons in the United States, and an additional seven million are released from jails. Research shows that ex-offenders who do not find stable housing in the community are more likely to recidivate than those who do, yet people returning to their communities from prison often face significant barriers to obtaining housing. Studies have also found that the majority of people released from prison intend to return to their families, many of whom live in public or other subsidized housing.

The Department is engaged in several initiatives that seek a balance between allowing ex-offenders to reunite with families that live in HUD subsidized housing, and ensuring the safety of all residents of its programs. To that end, we would like to remind you of the discretion given to public housing agencies (PHAs) when considering housing people leaving the criminal justice system. The Department encourages you to allow ex-offenders to rejoin their families in the Public Housing or Housing Choice Voucher programs, when appropriate.

Within HUD statute and regulations, there are only two explicit bans on occupancy based on criminal activity. PHAs must establish a lifetime ban on admission to the Public Housing and Housing Choice Voucher programs for:

1. Individuals found to have manufactured or produced methamphetamine on the premises of federally assisted housing (24 CFR 960.204, 24 CFR 982.553); and
2. Sex offenders subject to a lifetime registration requirement under a State sex offender registration program (24 CFR 960.204, 24 CFR 982.553).

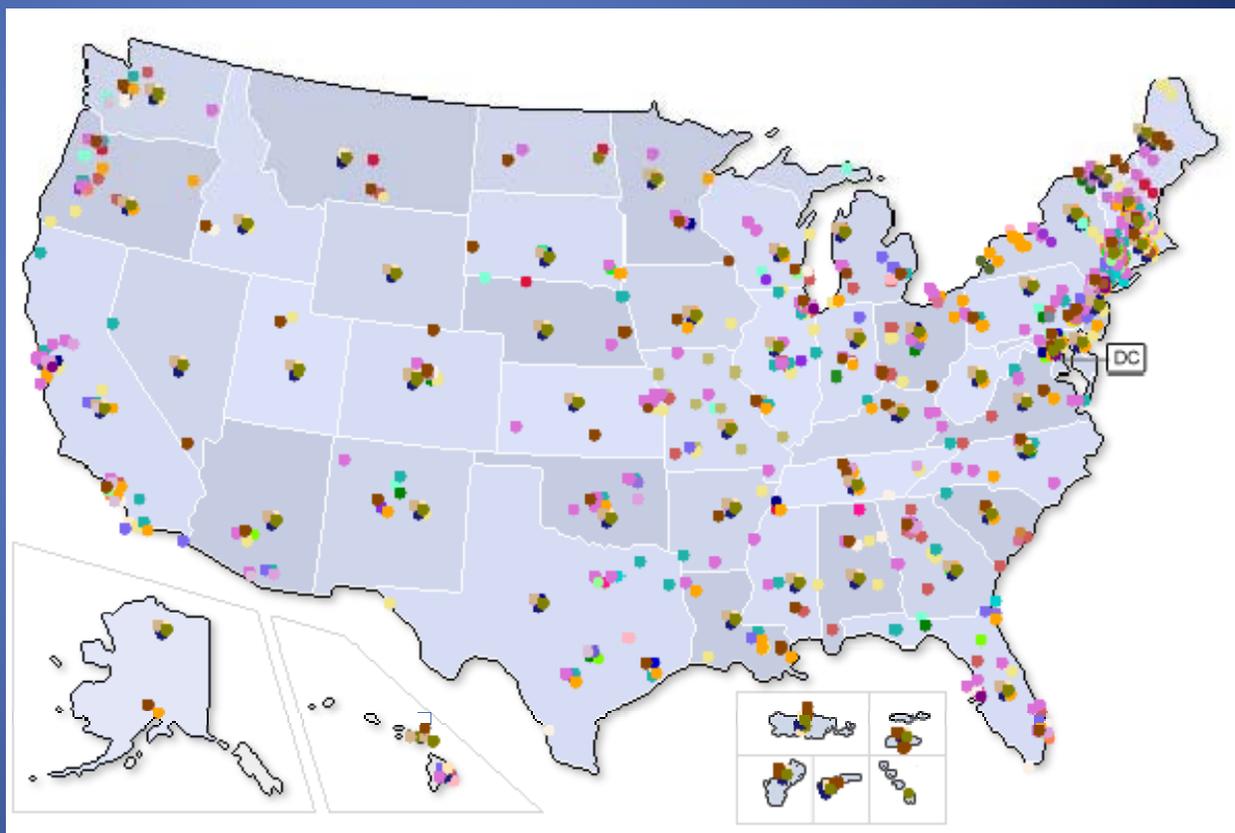
Additionally, PHAs must establish standards that prohibit admission if the PHA determines that any household member is currently engaged in illegal use of a drug, or the PHA has reasonable cause to believe that a household member's illegal drug use, alcohol use, or pattern of drug or alcohol abuse may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. PHAs must also prohibit admission of an applicant for 3 years from the date of eviction if a household member has been evicted from federally assisted housing for drug-related criminal activity. In this case, however, PHAs retain discretion to consider the circumstances and may admit households if the PHA determines that the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program, including those supervised by drug courts, or that the circumstances leading to eviction no longer exist (24 CFR 960.204, 24 CFR 966.4, 24 CFR 982.553).

www.hud.gov

espanol.hud.gov

Reentry Council Resources

National Reentry Resource Center mapped major federal reentry resources going to states and localities



www.nationalreentryresourcecenter.org

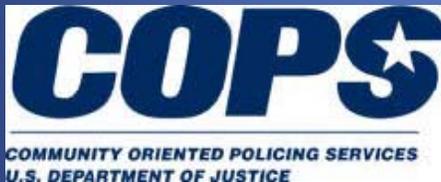
Department of Justice Stakeholders



OFFICE OF JUSTICE PROGRAMS

Innovation • Partnerships • Safer Neighborhoods

www.ojp.usdoj.gov/



www.cops.usdoj.gov/



U.S. Department of Justice
Civil Rights Division

www.justice.gov/crt/index.php



www.justice.gov/atj/

Searching out Solutions

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Bob Koch
Trial Attorney
Special Litigation Section of the Civil Rights Division



U.S. Department of Justice

Civil Rights Division

Special Litigation Section

Preventing the criminalization of homelessness

- We investigate and litigate cases against States whose mental health systems fail to serve people in the most integrated setting appropriate to their needs, in violation of Title II of the Americans with Disabilities Act. Too often, individuals in these systems find themselves facing homelessness, incarceration, and unnecessary institutionalization.
- Our settlement agreements focus on developing:
 - Community-based mental health services to support individuals in integrated settings
 - Supported housing to keep individuals in stable housing
 - Crisis response systems to provide individuals in crisis (and law enforcement responding to a crisis) alternatives to emergency rooms and jails
- Recent examples:
 - United States v. Georgia, No. 10-cv-249 (N.D. Ga.)
 - United States v. Delaware, No. 11-cv-591 (D. Del.)

<http://www.justice.gov/crt/about/spl/>

U.S. Department of Justice

Civil Rights Division

Special Litigation Section

Preventing the criminalization of homelessness

- We also investigate and litigate cases against police departments that use unnecessary and unreasonable force, the victims of which often are homeless and/or mentally ill, in violation of the U.S. Constitution.
- Our findings letters about police departments have focused on developing policies, training, and accountability measures regarding:
 - De-escalation techniques
 - Appropriate uses of force
 - Crisis intervention
- Recent examples
 - New Orleans Police Department
 - Seattle Police Department
 - Puerto Rico Police Department

<http://www.justice.gov/crt/about/spl/>

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Vonda Matthews

Research Analyst

Office of Community Oriented Policing Services



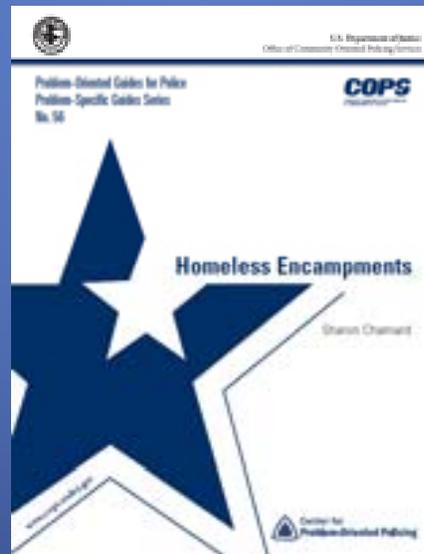
U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
Building Relationships and Solving Problems

Homelessness is a problem that can often present as a law enforcement issue, but law enforcement is simply the responder to the symptoms, events, and consequences of homelessness.

<http://www.cops.usdoj.gov>

U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
Building Relationships and Solving Problems

Problem Oriented Policing guides help officers deal more effectively with symptoms of homelessness issues.



<http://www.cops.usdoj.gov>

U.S. Department of Justice

Office of Community Oriented Policing Services (COPS)

Building Relationships and Solving Problems

- There are many common responses to homelessness.
- Most responses are to reduce the nuisance to society that homelessness causes.
- We need a collaborative effort to eliminate homelessness, not just its symptoms.

<http://www.cops.usdoj.gov>

U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
Building Relationships and Solving Problems

- The Director of the COPS Office, Bernard Melekian, former Chief of Police in Pasadena, CA, created the

- **H**omeless
Outreach
Psychiatric
Evaluation
Team



<http://www.cops.usdoj.gov>

U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
Building Relationships and Solving Problems

Constructive Alternatives to Criminalization of Homelessness:

- Outreach and Engagement
- Cross-training of Police Officers and Service Providers
- Crisis Intervention Teams (CIT)

<http://www.cops.usdoj.gov>

U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
Building Relationships and Solving Problems

Effective Alternatives to Incarceration: Police Collaborations with Corrections and Communities



<http://www.cops.usdoj.gov>

U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
Building Relationships and Solving Problems

Community Policing Development – Solicitation is Open

- Community Policing Development (CPD) funds are used to advance the practice of community policing in law enforcement agencies through training and technical assistance, the development of innovative community policing strategies, applied research, guidebooks, and best practices that are national in scope.
- All applications must be submitted by **May 21, 2012, 5:00 PM EDT.**

<http://www.cops.usdoj.gov>

U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
Building Relationships and Solving Problems

Law Enforcement Micro Grants

for Community Policing Incubation

- Up to ten awards, up to \$50,000 each
- All applications must be submitted by May 21, 2012, 5:00 PM EDT.
- Apply on *<http://www.cops.usdoj.gov>*

<http://www.cops.usdoj.gov>

U.S. Department of Justice

Office of Community Oriented Policing Services (COPS)

Building Relationships and Solving Problems

Ultimately, community policing, in its simplest terms, is about building relationships and solving community problems. When police, communities, and service providers work together to create solutions, we will ultimately be more effective.

<http://www.cops.usdoj.gov>

U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
Building Relationships and Solving Problems

- Guides or Questions - COPS Response Center 1-800-421-6700
- COPS Community Policing Development Funding - <http://www.cops.usdoj.gov>
- Problem Oriented Policing Guides - <http://www.popcenter.org/>
- Crisis Intervention Teams (CIT)
 - National Alliance on Mental Illness - CIT Tool Kit
 - Council of State Governments – (Funded by OJP/BJA) <http://consensusproject.org/>
 - University of Memphis CIT Founders – Technical Assistance
 - Major Sam Cochran, Retired
sam.cochran@memphis.edu
Office Phone: (901) 678-1146
 - Randolph T. Dupont, Ph.D
rdupont@memphis.edu
Office Phone: (901) 678-2737

<http://www.cops.usdoj.gov>

U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
Building Relationships and Solving Problems

Having a true impact on the problem of homelessness requires collaborative efforts that allow communities, the police, and service providers to engage in a collective problem solving process.

<http://www.cops.usdoj.gov>

Searching out Solutions

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Karen Bachar
Program Manager
Office of Juvenile Justice and Delinquency Prevention



U.S. Department of Justice

Office of Justice Programs

Working in partnership with communities

- We provide innovative leadership to federal, state, local, and tribal justice systems, by disseminating state-of-the-art knowledge and practices across America, and providing grants for the implementation of these crime fighting strategies.
- Our efforts focus on:
 - Improving the juvenile justice system and its policies so that the public is better protected, youth and their families are better served, and offenders are held accountable.
 - Reducing and preventing crime, violence, and drug abuse to improve the way in which the criminal justice system functions.
 - Improving the Nation's ability to help victims of crime and to transform attitudes, policies, and practices that encourage justice and healing for victims.
 - Collecting, analyzing, publishing, and disseminating information on crime, criminal offenders, victims of crime, and the operation of justice systems.
 - Improving knowledge and understanding of crime and justice issues through science.

<http://www.ojp.usdoj.gov>

U.S. Department of Justice
Office of Justice Programs
Working in partnership with communities

- Current and recently funded efforts that address homelessness as a part of the overall program focus.:
- **Chicago Safe Place Youth in Crisis Campaign**



I WANTED TO GET OFF THE STREETS

TXT "SAFE" + UR LOCATION TO **69 8 66** FOR HELP

SafePlace

It's hard enough being a teenager.
You need a safe place to sleep? A way out of a bad situation? You want to get off the streets?
Chicago Safe Place is where youth in crisis can get immediate help.

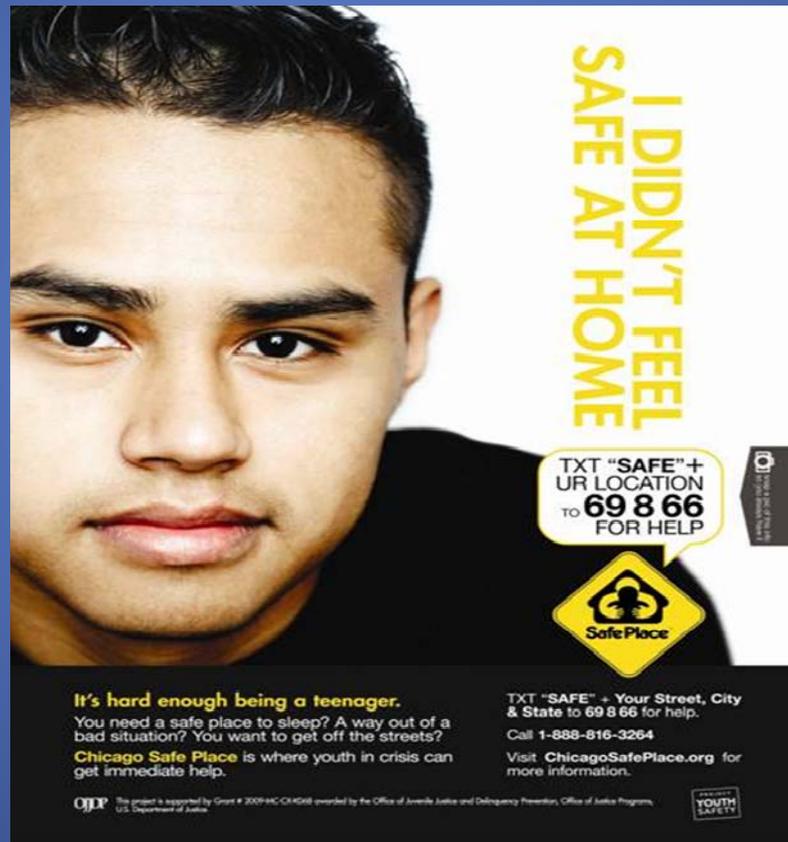
TXT "SAFE" + Your Street, City & State to 69 8 66 for help.
Call 1-888-816-3264
Visit ChicagoSafePlace.org for more information.

OJP This project is supported by Grant # 2009-MC-014088 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.

YOUTH SAFETY

<http://www.ojp.usdoj.gov>

U.S. Department of Justice
Office of Justice Programs
Working in partnership with communities



**I DIDN'T FEEL
SAFE AT HOME**

TXT "SAFE" +
UR LOCATION
TO **69 8 66**
FOR HELP

Safe Place

It's hard enough being a teenager.
You need a safe place to sleep? A way out of a
bad situation? You want to get off the streets?
Chicago Safe Place is where youth in crisis can
get immediate help.

TXT "SAFE" + Your Street, City
& State to 69 8 66 for help.
Call 1-888-816-3264
Visit ChicagoSafePlace.org
for more information.

OJP This project is supported by Grant # 2007-MC-044086 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs,
U.S. Department of Justice

**YOUTH
SAFETY**

<http://www.ojp.usdoj.gov>

U.S. Department of Justice
Office of Justice Programs
Working in partnership with communities

- **Child Victims of Commercial Sexual Exploitation Initiative.**
- **Characteristics and needs of the Lesbian, Gay, Bi-Sexual, Transgender, and Questioning (LGBTQ) youth.**
- **National Incidence Studies of Missing, Abducted, Runaway and Thrown Away Children**

<http://www.ojp.usdoj.gov>

U.S. Department of Justice
Office of Justice Programs
Working in partnership with communities

- Current and upcoming grant programs through which homelessness might be addressed as part of a larger program focus.
 - General Focus
 - Judicial System Focus
 - Second Chance Act
 - Victims of Crime
 - Tribal Justice Systems

<http://www.ojp.usdoj.gov>



Resources

Learn more about the report and solutions on our website:
<http://www.usich.gov/criminalization>

Department of Justice Resources

Office of Justice Programs: www.ojp.usdoj.gov

Access to Justice: www.justice.gov/atj/

Civil Rights Division: www.justice.gov/crt/index.php

Community Oriented Policing Services:
www.cops.usdoj.gov

www.nationalreentryresourcecenter.org



Conclusion

Sign up for our newsletter at www.usich.gov

Join us on



No one should experience homelessness—No one should be without a safe, stable place to call home.