

# HOUSING NOT HANDCUFFS

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## e-news update

September 2018

Dear Supporters and Endorsers of the Housing Not Handcuffs Campaign,

Follow on social media

#HNH  

This has been an extremely exciting month for the Housing Not Handcuffs Campaign, with multiple court victories and many communities stopping enforcement of criminalization laws and beginning to explore shelter, housing, and other alternatives! See stories below. Also, the Campaign continues to grow, over 730 endorsements so far! [Keep encouraging your friends, colleagues, and elected officials to endorse.](#)

If you have submissions for the next newsletter, please fill out [this Google form](#) by **October 5**.

## Campaign Updates

### 9th Circuit Victory

On September 4, 2018, the 9th Circuit Court of Appeals affirmed that the state may not “criminalize conduct that is an unavoidable consequence of being homeless—namely sitting, lying, or sleeping on the streets” when there are more homeless persons than available shelter beds or in the absence of other adequate alternatives. The impact of this case is already making waves across the nation. “Among others, [Portland, OR](#) and [Sacramento, CA](#) have already stopped enforcing their anti-camping ordinances, [Olympia, WA](#) stopped a planned eviction of an encampment, and [Modesto, CA](#) designated a park for safe camping.” Click [here](#) to access an infographic explaining the decision and its impacts.

### Housing Not Handcuffs Panhandling Campaign

On August 28, the National Law Center on Homelessness and Poverty and partners of the Housing Not Handcuffs Campaign launched a nationwide effort to strike down bans on panhandling. Advocates in a dozen states are demanding more than 240 cities repeal panhandling bans and redirect resources to housing. “In response, several cities have already repealed their ordinances, and many more have put them on the agenda for their next council

meeting for repeal! Keep the effort going by downloading our materials and sharing #IAskForHelpBecause." Learn more about the campaign [here](#).

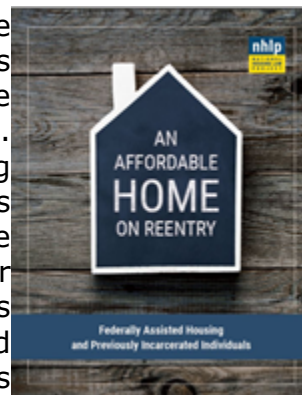
## An Affordable Home on Reentry

[National Housing Law Project \(NHLP\)](#) just released an update to its comprehensive manual on access to federally assisted housing for people with a criminal record, [An Affordable Home on Reentry](#). It is an essential tool for advocates working with people who have criminal records and are seeking access to federally assisted housing. It describes the admissions process for the major housing programs and the steps to challenge an application denial. It also provides important guidance on how advocates can impact local policies and practices to expand housing opportunities for people impacted by the criminal justice system.

## Michigan Coalition Against Homelessness Hosts Community Conversations and Webinars

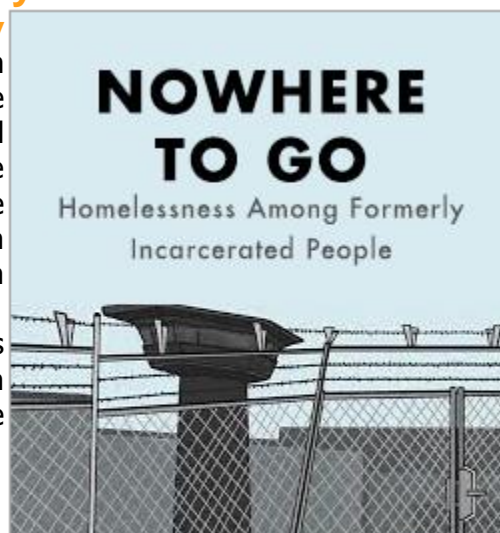
[Michigan Coalition Against Homelessness \(MCAH\)](#) will be hosting a series of webinars for homeless service providers to learn about ways to engage with police to improve interactions with homeless people in their community. MCAH will bring in local presenters, but is also seeking interested presenters from outside of Michigan to discuss what you have done in your community, what you have learned in the process, and what outcomes or improvements have resulted from your efforts. MCAH is specifically interested in crisis intervention training and formalized relationships between police and agencies through police liaisons, homeless outreach teams, etc.

Please contact Laurel Burchfield at [lurchfield@mihomeless.org](mailto:lurchfield@mihomeless.org) if you are interested in contributing.



## New Report from the Prison Policy Initiative

A new report from the [Prison Policy Initiative](#) explores the link between homelessness and incarceration. The research shows that formerly incarcerated people are nearly ten times more likely to be homeless than the general population. The risk is even higher for people who have been incarcerated more than once, and for women and people of color. The report includes [recommendations](#) for how different sectors can work together to break the link between incarceration and homelessness. Read the full report [here](#).





## Greensboro Panhandling Ordinance Repealed



*Marcus Hyde, an organizer for the Homeless Union of Greensboro, speaks at a City Council meeting*

In response to advocacy by the [Homeless Union of Greensboro](#) and a lawsuit filed by three people who have experienced homelessness along with the [ACLU of North Carolina](#), [Legal Aid of North Carolina](#), and the [National Law Center on Homelessness and Poverty](#), a Greensboro ordinance that criminalized “aggressive” panhandling and many activities protected by the First Amendment was repealed. Unfortunately, the city passed a new, narrower panhandling ordinance to replace the previous one. It remains to be seen whether this will infringe on the rights of the Greensboro homeless population and we will be monitoring this closely.

## 11th Circuit Ruling

The U.S. Court of Appeals for the 11<sup>th</sup> Circuit ruled against Fort Lauderdale’s controversial food sharing ban, citing that outdoor food sharing is protected as “expressive conduct” under the First Amendment. This decision is the first pronouncement on this issue by any federal appeals court in the country. According to Kirsten Anderson, director of litigation for [Southern Legal Counsel](#) and the lead attorney for Fort Lauderdale Food Not Bombs in the case, “The court’s opinion recognized sharing food with another human being is one of the oldest forms of human expression. We think this decision strengthens our message to cities across the country that they need to invest in constructive solutions to homelessness instead of wasting government resources on punishing people who seek to offer aid.” Read the full opinion [here](#).

## Settlement Finalized with the City of Fort Lauderdale in Homeless Encampment Raid Case

[Southern Legal Counsel](#) (SLC) and the [American Civil Liberties Union \(ACLU\) of Florida](#) have finalized a settlement in a lawsuit against the City of Fort

Lauderdale on behalf of 10 individuals whose property was unlawfully seized and destroyed by city workers in a homeless encampment raid in a downtown park. In May 2017, city workers and police officers arrived at the homeless encampment near Stranahan Park in downtown Fort Lauderdale with front-end loaders and dumpsters to throw away personal belongings of homeless persons. Settlement terms include damages in the amount of \$40,120 to be divided among the ten individuals whose property was unlawfully seized and destroyed by the City, ending a year-long litigation.

Read the press release [here](#). A video featuring interviews with many of the plaintiffs describing what they lost in the city's raid is available on YouTube [here](#). A blog post written by the lawyers is available [here](#).

## Message from Bigger Vision Films

Hello Everyone, Greetings from a Bigger Vision films!

For those of you who don't know us, we are the makers of [UNDER THE BRIDGE: The Criminalization of Homelessness](#). We pointed out the problem with UNDER THE BRIDGE - now we are making a film about the solution. BEYOND THE BRIDGE: A Solution to Homelessness is our latest project, and we've made great progress so far.

Please watch [this short video](#): And please click [here](#) to partner with us on this important film. Together, we are going to make a difference in a lot of people's lives!

## Housing Not Handcuffs Web Convening

On September 13<sup>th</sup>, we held our Quarterly Web Convening to review campaign goals, share victories and challenges, and give local and national updates. Law Center Senior Attorney Eric Tars, spoke about the 9<sup>th</sup> Circuit victory and the impact it will have on individuals, communities, advocates, and service providers. He also shared updates from the recent Panhandling Campaign which involved 18 organizations from 12 different states demanding that more than 240 cities repeal panhandling bans and redirect resources to housing. HNH Campaign participants from [Southern Legal Counsel](#), [Western Regional Advocacy Project](#), [Michigan Coalition Against Homelessness](#), [Sacramento Regional Coalition to End Homelessness](#), [National Healthcare for the Homeless Council](#), a [Bigger Vision](#), and [National Housing Law Project](#) all spoke about the work they have been doing across the nation. If you would like to get involved in the Housing Not Handcuffs Campaign, visit [www.housingnothandcuffs.org](http://www.housingnothandcuffs.org) to learn more and endorse!

## Shout Outs

**A shout out from one of our campaign members, [Think Dignity](#):**

Congratulations to our Homeless Youth Legal and Advocacy Project (HYLAP) client, Mayah, who will be transferring to Humboldt State University for the fall semester! After going through the foster care system and going in and out of community college, Mayah's drive and determination are taking her right into her dream school! She will be majoring in communications and hopes to work in the field of public relations. Her dream career is one where she gets to travel often because she loves seeing new places, meeting new people and learning about different cultures. We wish her the best of luck but we are sure she will not need it.

## Use of Campaign Branding

We encourage campaign endorsers to link relevant events to the national Housing Not Handcuffs campaign. Please see the guidelines for branding your materials [here](#).

**HOUSING**  
**NOT HANDCUFFS**

## In the News

WFAE, August 8, 2018

[Lawsuit Challenges Greensboro City Panhandling Ordinance](#)

WHYY, August 17, 2018

[To Prevent Chronic Homelessness, Philly Nonprofit Offers Some Young Adults More than Shelter](#)

Slate, August 20, 2018

[Living Behind the Wheel](#)

San Diego Union-Tribune, August 12, 2018

[Homelessness not a Crime, but can Lead to Tickets, Jail](#)

South Florida Sun Sentinel, August 23, 2018

[Federal Court Backs Activists who Feed Homeless in Fort Lauderdale](#)

Chicago Tribune, August 29, 2018

[Groups Target Panhandling Law in Aurora as Part of National Effort](#)

Governing, August 29, 2018

['Section 8 Need Not Apply': States and Cities Outlaw Housing Discrimination](#)

LA Times, Septmeber 4, 2018

[Homeless people in California, Western states cannot be prosecuted for sleeping outside if shelter access is lacking, court rules.](#)

New York Times, Septmeber 5, 2018

[Laws Punishing Homeless People for Sleeping in Public Are Cruel and Unusual, Court Rules](#)

Kuer, Septmeber 6, 2018

[It Isn't A Crime To Be Homeless In Boise, Court Says](#)

Endhomeless, Septmeber 13, 2018

[Court Says Cities Can't Criminalize Sleeping Outside Absent Other Housing Options](#)

**NATIONAL LAW CENTER  
ON HOMELESSNESS & POVERTY**

This newsletter was designed, drafted, and distributed by the  
National Law Center on Homelessness & Poverty  
[nlchp.org](http://nlchp.org)

on behalf of the Housing Not Handcuffs Campaign  
[housingnohandcuffs.org](http://housingnohandcuffs.org)