

HOUSING NOT HANDCUFFS

e-news update

March 2020

Dear Supporters and Endorsers of the Housing Not Handcuffs Campaign,

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#HNH  

Thank you for your continued support during these trying times. During this past month, the entire world has been combating the COVID-19 pandemic. We have seen unprecedented social distancing, widespread shut-down of schools and non-essential businesses, and significant uncertainty. Due to the Law Center's recommendations, the Centers for Disease Control issued guidelines regarding people experiencing unsheltered homelessness during the COVID-19 pandemic. The federal government is introducing a two-trillion dollar emergency assistance bill for people affected by COVID-19. [Keep encouraging your friends, colleagues, and elected officials to endorse.](#) Please check out our new COVID-19 page at nlchp.org/coronavirus for recommendations and resources. Be on the look out for future communications from the campaign.

If you have submissions for the next newsletter, please fill out [this Google form](#) **by April 22nd.**

Campaign Updates

Coronavirus Resources and Recommendations

As a response to the COVID-19 pandemic, the Law Center created a [hub](#) for resources and recommendations that communities should implement to promote the health and well-being of people experiencing homelessness. In a [statement](#), the Law Center emphasizes that people experiencing homelessness are particularly vulnerable to the COVID-19 epidemic. Factors the CDC stated make people more vulnerable to COVID-19, including people with compromised immune systems and other chronic health conditions, are present in people experiencing homelessness. Furthermore, people experiencing homelessness

are vulnerable to the effects of COVID-19 due to a lack of access to housing and sanitation services. As has been noted previously in statements by the [American Medical Association](#) and the [American Public Health Association](#), access to housing is an essential public health issue.

The Law Center has developed a template letter HNH members can use to notify their elected officials of the CDC recommendations and call for individual housing units to be provided immediately. Contact rbal@nlchp.org for details. The Law Center's resources also include practices being implemented by cities across the country that can be emulated, and has produced its list of recommendations for communities to adopt to promote people experiencing homelessness—available in the Law Center's [statement](#) on COVID-19. These recommendations include housing people during the duration of the crisis, putting a moratorium on sweeps of homeless encampments, and emphasizing students experiencing homelessness in policies associated with school and university closures.

The Law Center will continue to update its hub and website with news and available resources for the duration of this pandemic. Please continue to refer back to these pages. We are tracking best and worst practices being implemented across the nation during this time. If you are seeing best or worst practices being implemented in your communities, please let me know at rbal@nlchp.org so that we can showcase best practices, or consider litigation for worst practices.

Centers for Disease Control Recommends Housing, Not Handcuffs for People Experiencing Unsheltered Homelessness

Due to the Law Center's involvement, on March 22 the CDC published [recommendations](#) to specifically advise communities how to protect people experiencing homelessness during the COVID-19 pandemic. The CDC has previously issued [recommendations](#) how to protect yourself from COVID-19. According to the CDC, COVID-19 primarily spreads from person-to-person, between people within six feet of each other and droplets that are expelled when a person infected with COVID-19 coughs or sneezes. To reduce the transmission of COVID-19, people are recommended to wash their hands frequently, clean and disinfect commonly used surfaces, and to distance yourself from other people. To reduce transmission of COVID-19, we have seen nationwide calls for social distancing, businesses closing, and schools shutting down.

For people experiencing homelessness, these are difficult recommendations to follow. The CDC acknowledges that "lack of housing contributes to poor health outcomes, and linkage to permanent housing should continue to be a priority." While people sleeping outdoors do not retain the same access to sanitation services or healthcare, sleeping outside does allow people experiencing homelessness to create distance between themselves and other people.

The CDC recommends “coordination across local sectors” to prevent negative outcomes for people experiencing homelessness due to lack of services and housing. The CDC emphasizes coordination among homeless outreach teams, local health departments, local housing authorities, local hospitals and health care facilities, law enforcement, and people experiencing homelessness. Local communities should continue to provide services and to emphasize “linkages to permanent housing.”

Most importantly, the CDC calls for all communities to cease clearing homeless encampments during the COVID-19 pandemic. By clearing encampments, people experiencing homelessness are forced to disperse through the community or to congregate in facilities and lose access to service providers. Instead, the CDC recommends providing restroom and handwashing services to homeless encampments and to make sure these services remain well stocked. The CDC also recommends tents be far enough apart to provide “at least 12 feet x 12 feet of space per individual.” Additionally, communities should take steps to provide updated information on COVID-19 to people sleeping outside, including the current spread within the community and sanitation instructions. These measures reduce the spread of COVID-19.

Finally, the CDC recommends identifying places for people experiencing unsheltered homelessness can stay in isolation if they have contracted or are suspected to have contracted COVID-19. “We thank the CDC for emphasizing that from a public health perspective, stopping sweeps of homeless encampments and providing housing, or at least sanitation for encampments, is a necessary immediate step in addressing the COVID-19 crisis,” [said Maria Foscarinis](#), Executive Director at the Law Center. “But now Congress and our communities need to do their part to ensure housing and other aid make it to people experiencing homelessness and those who are caring for them.”

The Law Center Speaks at National League of Cities Congressional City Conference

The National League of Cities hosted its annual legislative [Congressional City Conference](#) on March 8 - 11. Eric Tars, Legal Director at the Law Center, and Kelly Miller, a volunteer with the Law Center who is currently experiencing homelessness, both spoke at a packed workshop titled “Homelessness and the Justice System: Challenges and Innovations.”

Eric Tars, Legal Director at the Law Center, spoke at the conference to a packed room of local legislators from across the country. Eric’s spoke at a workshop titled “Homelessness and the Justice System: Challenges and Innovations.” During this conversation, Eric spoke about strategies city officials could use to actually address homelessness in their communities, instead of just disrupting and displacing the problem.

During this presentation, Eric spoke about strategies city officials could use to actually address homelessness in their communities, instead of just disrupting and displacing the problem. Eric described a hypothetical concerned legislator

who wanted to create positive change in the community. However, when working to address homelessness in the community, citizens might be dissatisfied with the rate of progress and think that nothing is being done to address homelessness in the community. Eric acknowledged that legislators might feel tempted to succumb to community pressure and forsake long-term positive policy changes in exchange for short-term fixes that receive more political points.

To prevent this, Eric suggested relying on [Martin v. Boise](#), a 9th Circuit case recently denied review by the Supreme Court that prevents communities from criminalizing a person for sleeping outside in the absence of adequate alternatives. Instead of placating community members that want “the homelessness problem” in their community quickly resolved, lawmakers can rely on Martin as “the bad cop” prohibiting that course of action.

Additionally, Kelly Miller, a fierce advocate and volunteer at the Law Center, shared her experiences as a homeless woman at the workshop. She discussed how poorly she has been treated by local law enforcement and organizations, and why people experiencing homelessness could be resistant to shelter admission.

Announcements

House and Senate Pass Two-Trillion Dollar Emergency Assistance Bill

On March 25, 2020, the Senate passed a stimulus package to provide emergency aid for people affected by COVID-19 in a 96-0 vote. On March 27, 2020, the House passed the emergency aid package by voice vote. Be on the lookout for communications from the Housing Not Handcuffs Campaign about this Bill as more details emerge, and how people experiencing homelessness obtain relief.

Representative Jayapal Introduces Housing is a Human Right Act of 2020

On March 19, 2020, Representative Jayapal introduced a [bill](#), co-sponsored by Representative Grace Meng, intended to "address and end root causes of homelessness; transition communities towards providing housing for all; and ensure full democratic participation of persons experiencing homelessness." The Law Center is proud to have worked with Representative Jayapal's office to develop the *Housing is a Human Right Act*.

NLCHP Submits Comment in Response to Proposed HUD Rule

On March 16, 2020, Tristia Bauman, Senior Attorney at the Law Center, submitted a [comment](#) on behalf of the Law Center in response to changes to a 2015 rule regarding the duty to affirmatively further fair housing. In this comment, the Law Center opposed the proposed HUD rule and supported the continued implementation of the 2015 rule.

Annual Forum Indefinitely Postponed

Unfortunately, due to COVID-19 concerns, the Law Center is indefinitely postponing its National Forum on the Human Right to Housing. We are looking to determine alternative events and will let you know soon as we have more information.

HNH One Pager

This [one pager](#) provides an overview of the HNH Campaign and outlines concrete ways for people to get involved. It also includes a fact sheet on the criminalization of homelessness. This tool is useful to share with people who are already familiar with homelessness issues and are looking for more information about the HNH Campaign.

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

KQED (2/12/2020) [What Would 'Housing is a Human Right' Look Like in California?](#)

Politico (3/1/2020) [Trump's Jabs on Homelessness Singe Local Efforts](#)

Gainesville.com (3/6/2020) [Deborah Bowie and Jon DeCarmine: Dignity Village Closure Sees Initial Success](#)

CityLab (3/11/2020) [An Emerging Coronavirus Concern: Eviction](#)

Washington Post (3/15/2020) [Fears Mount About Impact of Coronavirus on Homeless](#)

The Denver Post (3/16/2020) [Denver is Preparing People Experiencing Homelessness for Coronavirus](#)

The Hill (3/17/2020) [Cities Worry About Homeless Populations as Coronavirus Surges](#)

The Appeal (3/18/2020) [As the Coronavirus Pandemic Continues, Homeless Communities are Particularly Vulnerable](#)

The Charleston Chronicle (3/20/2020) [Housing is the Next Step to Mitigating Coronavirus](#)

WGNO (3/23/2020) [CDC: Housing, Not Handcuffs is the Way to Stop COVID-19 Amongst Homeless Populations](#)

**NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY**

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