

### Forum focuses on criminalization of the homeless

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Advocates for Maryland's homeless gathered at a forum last week to discuss the history of major cities trying to curb their street populations by arresting and jailing them for petty crimes — and why that approach doesn't work.

"I think this is basically leaf-blower justice," said Sharon Cole, supervising attorney at the Office of the Public Defender, and one of the four panelists. "They just move [people] from one place to another."

Peter Sabonis, founder of the Homeless Persons Representation Project and the panel's moderator, opened up the discussion by detailing Baltimore's own history of clearing Inner Harbor areas known to be hangouts for the homeless to make room for business interests.

"It's a simple phenomenon that is at the heart of the criminalization of the homeless," he said, adding that "there are certain areas in certain places that become so valuable that only certain people can be there."

Wednesday's panel discussion, held at the University of Maryland School of Law and organized by Health Care for the Homeless Inc., focused on the negative outcomes of targeting the homeless for prosecution. It drew an audience of about 40 people, including students, service providers and people who have been cited or jailed for a crime related to homelessness.

The talk was the second in a series of four leading up to National Homeless Persons' Memorial Day on Dec. 21, which is the first day of winter and the longest night of the year. An early evening service at the Washington Monument in Mount Vernon will be organized by SHARP, a coalition of advocates and service providers working to "Stop Homelessness and Reduce Poverty," to commemorate homeless people who have died this year — about 60 so far in Baltimore according to HCH.

SHARP is encouraging the city to prohibit "sweeps" through public areas known to be hangouts for the homeless, and to stop arresting and citing the homeless for nuisance crimes that stem from living without a permanent shelter.

"This is not a productive way to deal with the homeless, it just makes the problem worse," said panelist Tulin Ozdeger, staff attorney at the National Law Center of Homelessness and Poverty. She said the law center had achieved success in other parts of the country through human rights lawsuits based on unfair arrests. For example, the center won a suit in Los Angeles that was filed after police arrested those sleeping on the streets when there was no shelter space available.

Ozdeger added that sweeps also result in people losing precious belongings, like birth certificates or other identification, and that they drive people away from services and make it more difficult to find housing or employment.

She implored government officials to look at the economics of such tactics.

"It is more expensive to prosecute and jail someone than to house them," she said.

Panelist Carolyn P. Johnson, managing attorney at the Homeless Persons Representation Project, stressed that any criminal record, even an arrest without conviction, is a huge hurdle in applying for affordable housing. She noted that while her organization had achieved a victory in getting Baltimore's Housing Authority to screen applicants only for conviction records, "there are many different owners on many different projects in the city," some of which screen as far as 15 years back.

"You kind of have to convince them one by one," she said.

As the season's first snow fell outside the windows, the group emphasized that the coming months can be the deadliest for those without shelter and, with the dwindling shelters in the Baltimore area, this year may prove to be the hardest yet for those with no place to go.

"It's an added reminder of the real challenges of people who are living on the streets," HCH spokesman Adam F. Schneider said before the discussion. "As the temperature drops and shelters have eroded, we see that life on the street can quickly turn into death on the street."

According to the organization, Baltimore has seen a rise in the number of people living on the streets at a time when housing prices are increasing, subsidized housing has decreased and shelters have closed down.

Last year, Baltimore shelters provided 3,167 fewer "bednights" than the year before and, according to the HCH, turned people away more than 11,000 times for lack of space.

The Baltimore area averages about 3,000 homeless each night, the HCH reports, and had 31 shelters — with a little over 2,200 beds — open at the beginning of this year. But the closure of four homeless shelters in the past six months has meant the city lost at least 400 beds, according to Schneider, who added that the opening of the city's winter emergency shelter will not cover the added needs.

HPRP's director Antonia Fasanelli was in the audience and told the crowd that the "criminalization of the homeless" distracts governments from the larger issue of finding affordable housing.

“When jurisdictions decide they don’t want to think about housing, they want to think about cleaning the streets ... it makes it much harder on us to work on changing what has become a horrific trend,” she said.

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