

# Health Care for the Homeless Mobilizer

The National Health Care for the Homeless Council

P.O. Box 60427

Nashville, TN 37206-0427

Vol. XII No. 11

E-mail: [council@nhchc.org](mailto:council@nhchc.org)

Website: [www.nhchc.org](http://www.nhchc.org)

Telephone 615/226-2292

Fax 615/226-1656

9/20/07

## Civil Rights Jeopardized As Homelessness Grows

*The continuing demand on HCH providers and our observations of our communities suggest that homelessness continues to grow, despite some bold claims to the contrary. The core causes of homelessness – dire shortages of affordable housing, accessible health care and livable incomes – steadily worsen, as witnessed most recently by the sharp increase in uninsurance last year (now 47 million of us). As the ranks of homeless people swell on our streets, understandable frustration on the part of powerful interests is resulting in negative and reactionary measures, such as “sweeps” of public areas, the passage of “public nuisance” laws, the enforcement of local curfews, and requiring the provision of an address as a prerequisite for services. The civil rights of people without homes are more and more frequently violated. The National Health Care for the Homeless Council calls upon advocates to react vigorously to reverse such developments.*

### **Sweep Dust Bunnies, Not People.**

The practice of “sweeping” away homeless encampments constructed in out-of-the-way areas is a growing and disquieting trend. Recently, the American Civil Liberties Union (ACLU) sued the town of Elkton following a high profile 2006 case in rural Maryland in which town leaders bulldozed an occupied homeless encampment in wooded public land as residents attempted, unsuccessfully, to retain their belongings. A similar lawsuit was filed by the ACLU in 2003 when the Pittsburgh Department of Public Works entered an encampment to confiscate and destroy personal property including medications, identification, family photographs, clothing, and blankets. The ACLU and others have investigated similar “sweeps” in Atlanta, Chicago Cleveland, Miami, Los Angeles, San Francisco and other communities.

Clients of HCH projects commonly report routine “sweeps” (of lower profile though no less damaging) at the hands of law enforcement organizations or business groups. Last month in Baltimore, employees of a downtown business association discarded personal property at an encampment under a highway overpass while being videotaped by the local media. Hardly a new experience for the individuals asked to “move along,” many recounted being relocated from place to place throughout the City. One individual’s asthma medications were thrown away, resulting in a three-day stay in the hospital. Aside from damaging the relationships being established by local outreach workers, such practices seriously prolong homelessness. The loss of ID alone can disrupt for months the process of obtaining public benefits, health care, employment, and housing.

## **A Crime to be Homeless?**

Service providers observe that people experiencing homelessness more often are the victims of serious crime than they are the perpetrators of it. According to *Hate, Violence, and Death on Main Street USA*, a report from the National Coalition for the Homeless (NCH), 26 states reported assaults or murders of homeless people in 2006. Unfortunately, recent experience suggests that when individuals without stable addresses voluntarily come forward with information about crimes they've witnessed, they may themselves face incarceration solely because of their homelessness. In Medford, Oregon where three individuals without stable housing went to the police with eyewitness information regarding a homicide. They were not charged with any crime, but they were jailed after a prosecutor argued that because they lacked stable housing, they might prove difficult to locate at the time of the trial. As a result of the advocacy of committed court appointed local defense attorneys with help from WRAP two of the three were released but required to report to the probation department everyday. In Scranton PA a homeless man witnessed a brutal murder and called police to provide a statement, only to be incarcerated for four weeks before being placed on a house arrest program. In both cases, justice system officials violated the civil rights of witnesses who simply lacked a regular place to stay.

### **Homelessness: It's Criminal**

The examples above only hint at the extent to which the experience of homelessness is criminalized in contemporary society. Removing homeless individuals from public spaces, incarcerating homeless witnesses, the passage of "sidewalk" or "no panhandling" legislation, and other similar discriminatory measures are ineffective and inappropriate responses to the problem of homelessness; ultimately, such actions remain counterproductive to the goal of ending and preventing homelessness. As housing becomes less affordable, health care less available, and incomes less livable, we will continue to see an increase in the number of our neighbors who sleep on the streets. Unfortunately, continuing increases in homelessness will prompt ongoing reactionary responses. *Mobilizer* readers have an opportunity to redirect public attention toward the social crime of homelessness itself and the underlying conditions that cause it.

### **ACTION**

- **Write a letter to the Editor.** Contact your local paper's news desk or editorial board to inform them of the injustices experienced by individuals without homes. Write a letter to the editor in response to the criminalization of homelessness in your community and to discuss the ultimate solutions to homelessness.
- **Contact your local American Civil Liberties Union** to inquire about active cases in your community involving the violation of the civil rights of homeless individuals. Begin a dialogue about the ACLU's interest in investigating local violations. To identify the ACLU chapter representing your community, visit <http://www.aclu.org/affiliates/>.
- **Attend the 2007 National Forum on the Human Right to Housing.** Over the next two months, the National Law Center on Homelessness & Poverty offers two audio and video opportunities for advocates to explore issues of homelessness and criminalization within a human rights context. For details and registration information, visit <http://www.nlchp.org>.

### **SUBSCRIBE TO THE HEALTH CARE FOR THE HOMELESS MOBILIZER**

Free by e-mail; request subscription at [council@nhhc.org](mailto:council@nhhc.org)

Please pass this on to your colleagues, clients, and Board of Directors.