

# IN JUST TIMES

a publication of the

NATIONAL LAW CENTER  
ON HOMELESSNESS & POVERTY



Changing Laws, Changing Lives

September 2018



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Dear Friend,

This month, the Law Center won a major court victory for homeless Americans—one that will directly affect nine states and influence the entire country. It's a testament to the importance of legal advocacy and the courts.

In *Martin v. Boise*, six city residents experiencing homelessness, the Law Center, Idaho Legal Aid, and a pro bono team at Latham & Watkins challenged a city law that criminalized sleeping in public—even when there were no alternatives. The federal appeals court agreed with us and said the law is “cruel and unusual punishment” that violates the U.S. Constitution.



Maria Foscarinis  
Executive Director

The ruling binds nine states—AK, AZ, CA, HI, ID, MT, NV, OR, WA—a large swath of the country. It sets important precedent that advocates can point to as persuasive authority in courts across the country. First filed by the Law Center and our partners in 2009, it's the case that attracted a supportive Friend of Court brief from the Obama Justice Department.

The appeals court win is persuasive for policy advocacy. Some cities are already reviewing **and changing their laws in response** (such as [Santa Cruz](#), [Los Angeles](#), and [Berkeley](#).) Now that the court has ruled this approach unconstitutional, cities have extra incentive to look for constructive, housing-based solutions—and advocates have a new opportunity to demand change.

Meanwhile, our [panhandling campaign](#) launched in August is also making waves. We are in partnership with many local ACLUs to challenge anti-panhandling laws, building on case law that establishes panhandling as protected free speech. **So far,**

**five cities have repealed and nine cities are working on repealing panhandling ordinances in response to the letters we sent.**

We're on a roll. The courts really matter—as the current battle over the Supreme Court nominee reminds us. We need to make sure they stand as fair arbiters of basic constitutional—and human—rights for all of us.

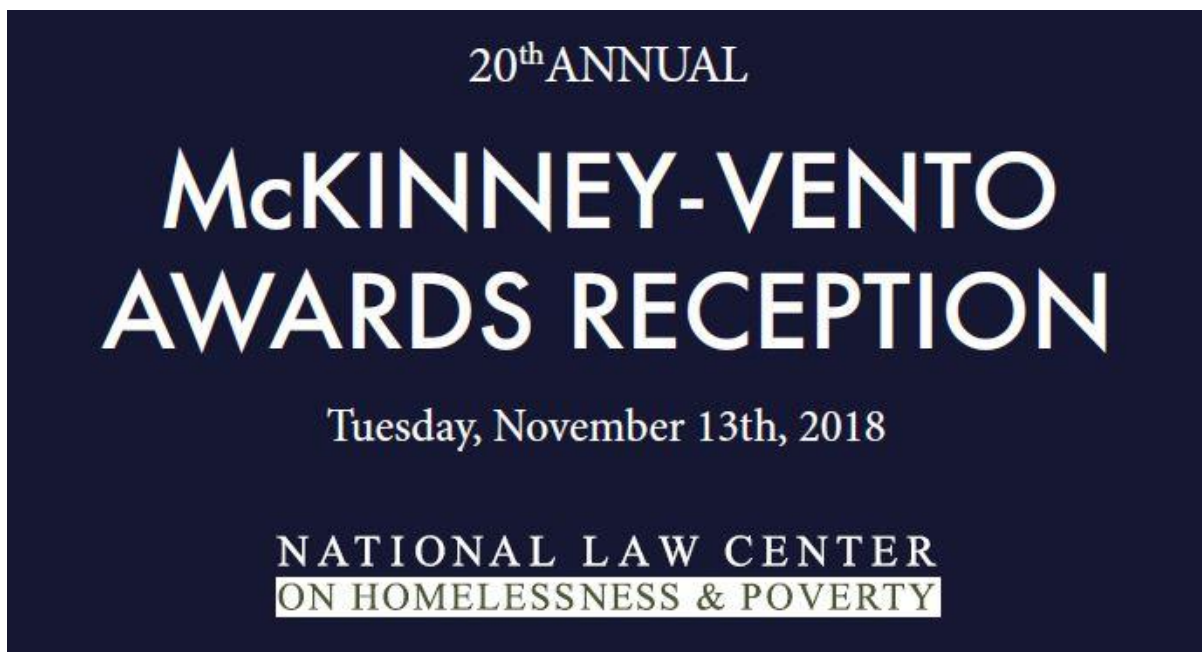
Your support makes our success possible! To help us build on the ninth circuit victory, pitch in with \$9, \$90, \$900—or any amount you are able to give.



Maria Foscarinis  
Founder & Executive Director

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## 20th Annual McKinney-Vento Awards



The Law Center is delighted to honor leaders in the fight to end and prevent homelessness at the 20<sup>th</sup> Annual McKinney-Vento Awards on November 13<sup>th</sup>, 2018, at the Liaison Capitol Hill. Become a sponsor and purchase tickets at [www.nlchp.org/mvawards](http://www.nlchp.org/mvawards).

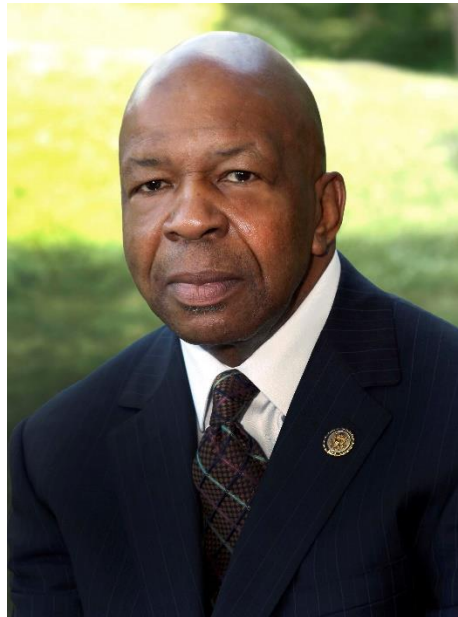
# The Stewart B. McKinney Award



## KAISER PERMANENTE®

Kaiser Permanente committed a \$200 million investment to end homelessness across the country. This investment displays leadership in the private sector to spearhead solutions to homelessness. The Law Center applauds the efforts of Kaiser Permanente and looks forward to formally recognizing its commitment.

## Bruce F. Vento Award



Congressman Elijah Cummings  
U.S. Representative, Maryland's 7<sup>th</sup> District

Congressman Elijah Cummings has spent his career in public service advocating for economic justice for America's most vulnerable people. The Law Center is eager to recognize the Congressman's leadership in advancing solutions to homelessness and poverty, especially for his longstanding support as ranking member of the House Oversight Committee in protecting and improving Title V of the McKinney Vento Homeless Assistance Act, which helps some two million homeless Americans annually.

# Pro Bono Counsel Award



Goldman Sachs has been a valued partner of the Law Center since 2015, contributing many pro bono hours to tracking civil rights legislation, providing legal support on education issues to homeless families and children, and gathering survey data to examine the interactions between people experiencing homelessness and law enforcement.

## NEWS from the LAW CENTER

### **Homeless People and Law Center Sue City of Puyallup Over Unconstitutional Destruction of Property**

Six homeless people whose property was destroyed when they were evicted from their outdoor homes filed a lawsuit against the City of Puyallup and Pierce County, Washington. They are alleging that the city and county violated their constitutional rights when they destroyed or threw away their shelters and other needed property on little or no notice, and without any opportunity to challenge the destruction. One plaintiff, a U.S. military veteran, lost the tools he uses for work, and paperwork that he needs to receive services through Veterans Affairs. His wife, a certified nursing assistant who had to stop working when her health declined, lost her birth certificate and other identification papers, medications, and irreplaceable pictures of her family. The Law Center and pro bono firm Perkins Coie LLC filed the complaint on September 19, 2018. [Read more about the case.](#)

### **Housing Not Handcuffs Quarterly Web Convening**

The Housing Not Handcuffs Campaign held its Quarterly Web Convening on September 13th to review campaign goals, share victories and challenges, and give local and national updates. The Law Center's Senior Attorney, Eric Tars, spoke about the 9th Circuit victory and the impacts 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.housingnohandcuffs.org](http://www.housingnohandcuffs.org) to learn more and endorse!

## NLCHP in the Media

**Endhomeless (September 13):** [Court Says Cities Can't Criminalize Sleeping Outside Absent Other Housing Options](#)

**Kuer (September 6):** [It Isn't A Crime To Be Homeless In Boise, Court Says](#)

**New York Times (September 5):** [Laws Punishing Homeless People for Sleeping in Public Are Cruel and Unusual, Court Rules](#)

**LA Times (September 4):** [Homeless people in California, Western states cannot be prosecuted for sleeping outside if shelter access is lacking, court rules.](#)

**Governing (August 29):** ['Section 8 Need Not Apply': States and Cities Outlaw Housing Discrimination](#)

**The Herald News (August 29):** [Groups challenging Joliet's, others' panhandling ordinances](#)

**Herald & Review (August 29):** [Decatur reviewing panhandling ordinance after ACLU challenge](#)

**KRQE (August 29):** [ACLU tries to keep 10 NM cities from citing panhandlers](#)

**Peoria Star (August 29):** [Groups challenge panhandling ordinances in Peoria and 21 other Illinois cities](#)

**Chicago Tribune (August 29):** [ACLU, homelessness advocates call on Illinois cities to repeal laws prohibiting panhandling, citing First Amendment](#)

**US News (August 29):** [Civil Liberties Group Challenges Anti-Panhandling Ordinances](#)

**Infosurhoy (August 29):** [Civil liberties group challenges anti-panhandling](#)

**The Gazette (August 29):** [ACLU of Iowa targets panhandling ordinances](#)

**WTOP (August 29):** [Civil liberties group challenges anti-panhandling ordinances](#)

**Leader Telegram (August 29):** [ACLU targets begging law in Altoona, other state cities](#)

**Des Moines Register (Aug 28):** [ACLU: Panhandling ordinances in three Iowa cities are unconstitutional](#)

## Events

**20<sup>th</sup> Annual McKinney-Vento Awards | November 13th, 2018**

20th ANNUAL

# McKINNEY-VENTO AWARDS RECEPTION

Tuesday, November 13th, 2018  
The Liaison Capitol Hill  
Washington, DC

Join the National Law Center on Homelessness & Poverty in honoring leaders in the fight to end and prevent homelessness. The 20<sup>th</sup> Annual McKinney-Vento Awards Reception will be held Tuesday, November 13th, 2018, from 6:00pm-9:00pm in Washington, D.C. at the Liaison Capitol Hill Hotel. We're pleased to announce that year's recipient of the Stewart B. McKinney Award will be healthcare company **Kaiser Permanente**, the Bruce F. Vento Award will be presented to **Congressman Elijah Cummings**, and the Pro Bono Counsel Awardee will be **Goldman Sachs Pro Bono Committee**. The Personal Achievement Awardee will be announced soon. More information, including sponsorship opportunities and ticket sales, is available at [nlchp.org/mvawards](http://nlchp.org/mvawards).

## Changing Laws. Changing Lives.

The National Law Center on Homelessness & Poverty (the Law Center) is the only national organization dedicated solely to using the power of the law to end and prevent homelessness.

With the support of a large network of pro bono lawyers, we address the immediate and long-term needs of people who are homeless or at risk through outreach and training, advocacy, impact litigation, and public education.

[www.nlchp.org](http://www.nlchp.org)