

The Power to End Homelessness



NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY

2018 ANNUAL
REPORT



OUR MISSION

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

We carry out work in communities across the country to serve America's more than 3.5 million homeless people.

With the support of an extensive network of pro bono lawyers, we use our legal expertise to help pass, implement, and enforce laws addressing the immediate and long-term needs of those who are homeless or at risk of becoming homeless.

In partnership with state and local advocates, we work toward strengthening the social safety net through advocacy and advocacy training, public education, and impact litigation.

OUR HISTORY

The Law Center was founded in 1989 by Maria Foscarinis.

Early in her legal career at the law firm of Sullivan & Cromwell LLP, she recognized how the power of the law could be brought to bear to prevent and end homelessness.

After Maria and her colleagues won a federal court class action suit on behalf of homeless families, she devoted herself full-time in 1985 to end homelessness.

Ultimately, the efforts put forth by Maria and others resulted in the 1987 McKinney-Vento Homeless Assistance Act, the first major federal legislation to address the crisis of homelessness.

In 1989, Maria founded the Law Center to catalyze the efforts of homelessness advocates and allies at the national, state, and local levels.

Message from the Executive Director & 2018 Chair of the Board of Directors

Dear Friends:

We at the National Law Center on Homelessness & Poverty are pleased to share the many victories 2018 has brought. This year marked a positive shift in both attitudes toward and actions to address the human right to housing.

While we recognize that legal advocacy is a process that takes time, when changes occur, the significance of the impact cannot be overstated.

For example, the Law Center and others celebrated the 2018 decision in *Martin v. Boise* (Idaho), in which the 9th Circuit Court of Appeals struck down a city law that criminalized sleeping in public. Mincing no words, the Court deemed the law “cruel and unusual punishment” and in violation of the U.S. Constitution.

Significantly, this ruling affects the nine states comprising the 9th Circuit, providing the opportunity for the Law Center to leverage this precedent in Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, and Washington — and beyond.

While we celebrate each victory, it’s with the knowledge that we still have challenges ahead of us. Stopping the criminalization of homelessness is not enough—our goal is to end and prevent it. Housing is a basic human right—along with health care and living wages—and that is our goal. So while we fight against criminalization, we also fight for the human right to housing.

2018 marked the third year of our Housing Not Handcuffs Campaign. The Law Center has been joined by hundreds of organizations, governments, and legal advocates in working to end the criminalization of homelessness and to put housing first.

With the growth of the Housing Not Handcuffs Campaign, the Law Center’s media profile has risen. We have been gratified by coverage in over 200 outlets such as the Associated Press, Huffington Post, the Los Angeles Times, National Public Radio, the New York Times, Newsweek, Reuters, and the Washington Post. This exposure has attracted more allies to our cause and raised awareness of the injustice of punishing those in need.

We thank those whose dedication, brilliant minds, and shared values have helped to make our work a success: our Board of Directors, staff, legal advocates, nonprofit organizations, government agencies, and donors. We count the contributions of each and every one as crucial to our work and all that we have achieved.

We look forward to sharing with you the changes and challenges of 2019. Knowing that you are with us strengthens our resolve to work tirelessly on behalf of homeless children, individuals, and families.



Maria Foscarinis

Maria Foscarinis
Founder & Executive Director




Edward R. McNicholas

Ed McNicholas
Chairman, Board of Directors

P.S. To stay updated on our work, please consider connecting with us at:

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 linkedin.com/company/national-law-center-on-homelessness-and-poverty; and

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18 legal organizations
in 12 states joined with the Law Center to
challenge unconstitutional ordinances in
more than 240 communities.



200+ articles
featured the Law Center.



170 allies attended the June
National Forum on the Human
Right to Housing.

HOUSING NOT HANDCUFFS

300 organizations
joined the
Housing Not Handcuffs Campaign.

800 organizations
or individuals endorsed the
Housing Not Handcuffs Campaign.

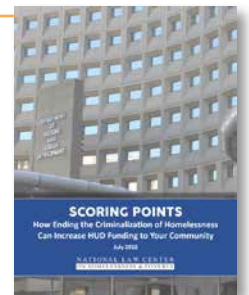
3.5 million homeless families,
children and individuals benefitted from
the Law Center's work.



39 law firms and corporate legal departments donated pro
bono legal services valued at more than **\$5.1 million** for more
than **8,600 hours** to assist in more than **85 projects.**

PUBLICATIONS AND WEBINARS | The 2018 Timeline

- MARCH 6 ○ **"Family Homelessness & the Law: Identifying Legal Issues and Removing Legal Barriers"** Webinar with Michael Santos and Burhan Abdi
- MARCH 20 ○ **"Protect Tenants, Prevent Homelessness"** Report
- APRIL 12 ○ **"Law Enforcement and Homelessness"** Webinar with Eric Tars
- MAY 17 ○ **"What Housing Advocates Should Know about the Trump Administration's Public Charge Rule"** Webinar hosted with The National Housing Law Project
- JUNE 20 ○ Webinar for the U.S. Human Rights Network on Special Rapporteur on Extreme Poverty with Eric Tars
- JUNE 28 ○ State Index on Youth Homelessness, published with True Colors United (formerly the True Colors Fund)
- JULY 18 ○ **"Scoring Points: How Ending the Criminalization of Homelessness Can Increase HUD Funding to Your Community"** Report
- JULY 18 ○ HUD NOFA Toolkit Webinar
- SEPTEMBER 13 ○ Housing Not Handcuffs Quarterly Web Convening with Eric Tars
- OCTOBER ○ **"Homeless Youth Handbook"** Publication, created in coordination with The Walt Disney Company and Baker McKenzie
- NOVEMBER ○ **"Serving and Protecting? Survey Results on Homeless New Yorkers' Experience with Law Enforcement"** Report
- NOVEMBER 8 ○ **"What Housing and Homelessness Advocates Should Know about the Public Charge Rule"** Webinar with Eric Tars
- NOVEMBER 15 ○ Housing Not Handcuffs 2-Year Anniversary Webinar
- DECEMBER 6 ○ Washington Low Income Housing Alliance Webinar on *Martin v. Boise* with Tristia Bauman with Sara Rankin



THE POWER OF THE LAW

Pursuing Justice Through the Courts

At the city, state, and regional levels, the courts not only provide access to justice for individual plaintiffs, but also implement systems-level change. The Law Center and our many legal and nonprofit partners join forces to tip the scales in favor of the rights of homeless individuals through lawsuits. Below are just a few of the many cases to which we contributed our expertise during 2018.

IDAHO

The result of the Law Center's lawsuit filed in 2009, the court's decision in *Martin v. Boise* (formerly *Bell v. Boise*) marked a major victory for homeless Americans — one that will directly affect nine western states and influence the entire country. In September 2018, the 9th Circuit Court of Appeals affirmed that homeless persons cannot be punished for sleeping outside in the absence of adequate alternatives. This case, filed with pro bono support from Latham & Watkins and local partner Idaho Legal Aid Services, sets important precedent - and with our advocacy has prompted a dozen cities including Santa Cruz, Los Angeles, and Berkeley to look instead for housing-based solutions to homelessness.

NORTH CAROLINA

Greensboro, North Carolina is one of the many municipalities criminalizing "aggressive" panhandling, rather than addressing the root causes of why individuals are unhoused and unemployed in the first place. Last August, the Law Center, the American Civil Liberties Union, and Legal Aid of North Carolina filed a federal lawsuit on behalf of three people experiencing homelessness, arguing that Greensboro's ordinance violates the free speech, equal protection, and due process rights of people who ask for contributions in public places.

WASHINGTON

In September, the Law Center and Perkins Coie LLC filed a suit to uphold the constitutional rights of six homeless people whose property was destroyed by the City of Puyallup and Pierce County, Washington. This destruction of property negatively impacted plaintiffs' ability to work as well as their mental and physical health. A U.S. military veteran lost tools used for his work and his Veterans Affairs paperwork. His wife, a certified nursing assistant with declining health, lost her birth certificate, other identification papers, medications, and irreplaceable family pictures. Without year-round emergency shelter available in the city to those in need, the destruction of property and outdoor shelters threatens livelihoods.



THE POWER OF ADVOCACY

Changing Laws to Prevent and End Homelessness

Changing laws can take time. But when change happens, these shifts impact – positively or negatively – the lives of millions of people. The Law Center is instigating movement on behalf of our most vulnerable neighbors at the uppermost echelons of the government. While we cannot relax our vigilance even for a moment, we are pleased to share a few of our victories.

FEDERAL ADVOCACY

PREVENTING HOMELESSNESS BY PROTECTING VULNERABLE RENTERS

Many working people who are squeezed between rising rents, limited affordable housing, and stagnant wages are just a few short steps away from becoming homeless. In fact, 21 million renter households pay more than half of their total household income on housing, a record high.

The Protecting Tenants at Foreclosure Act (PTFA) of 2009—first enacted with our advocacy—was permanently reinstated, requiring 90 days’ notice for tenants living in foreclosed housing. The Law Center, along with our allies, had been striving for PTFA’s reinstatement since it expired in 2014.

The Law Center’s March 2018 report, *Renters’ Rights, Eviction Protections: Key to Preventing Homelessness*, highlights issues faced by low income renters and outlines how strengthened laws and policies will prohibit housing discrimination and keep vulnerable individuals housed.

PROTECTING DOMESTIC VIOLENCE SURVIVORS

The Law Center participated in a working group with domestic violence service providers and policy experts to rewrite the housing provisions of the Violence Against Women Act. Among other changes, these provisions increase housing protections for victims of domestic violence, ensuring that they can obtain and keep government subsidized housing regardless of whether their abuser is the leaseholder or is responsible for activities that would otherwise disqualify the victim from housing, or if the victim is in imminent danger and needs to find new housing quickly.

INCENTIVES TO REDUCE CRIMINALIZATION

For the fourth year in a row, the U.S. Department of Housing and Urban Development’s (HUD) Continuums of Care funding guidelines encouraged applicants to detail how their community discourages the criminalization of homelessness—a victory first won by the Law Center in 2015. Responding applications can be awarded additional scoring points—potentially worth millions of dollars out of this highly competitive \$2.2 billion funding pool—a powerful incentive to reduce criminalization.

The Law Center’s complementary July 2018 report, *SCORING POINTS: How Ending the Criminalization of Homelessness Can Increase HUD Funding to Your Community*, documents responses to this area of the HUD application form during 2015-17, presenting trends, emerging models, and tools for communities to do more.



ENVIRONMENTAL JUSTICE

As a result of the Law Center's advocacy with the Environmental Protection Agency (EPA), this organization's Environmental Justice Small Grants now offer funding for projects affecting homeless populations.

TITLE V

In 2018, the Law Center supported the efforts of homeless service providers to secure surplus federal property for free under Title V of the McKinney-Vento Homeless Assistance Act. We provided legal assistance to the Colorado Coalition for the Homeless in its application for a 59-acre parcel of undeveloped land in Lakewood, Colorado, including by recruiting research and advisory support from our pro bono partners, Ballard Spahr LLP and Morrison & Foerster LLP. We also provided support to the San Francisco Mayor's Office of Housing and Community Development to obtain a former federal courthouse parking lot to develop 125 units of permanent supportive housing.

The Law Center also monitored federal agency compliance with the requirements of the Title V program, including by requesting public records from key implementing agencies like the U.S. Department of Health and Human Services and the General Services Administration (GSA). When we did not receive complete records from GSA, we filed a lawsuit against the agency under the Freedom of Information Act, which is ongoing. The Law Center is represented in that lawsuit by our pro bono partner, Sidley Austin LLP.

The Law Center also advocated for improvements to the Title V law, drawing support from our pro bono partner, Covington & Burling LLP.

STATE AND LOCAL ADVOCACY

Decriminalizing fare evasion in Washington, D.C.: Until December 2018, those in Washington, D.C. who were unable to pay for a Metrorail or bus ride could be arrested, jailed, and fined up to \$300 for fare evasion, although both Virginia and Maryland made fare evasion only a civil offense. This policy disparately impacted people in poverty, including homeless persons, and people of color. People living close to the edge could all too easily end up with a criminal record that could threaten their ability to secure employment and access social services – a domino effect that could end in homelessness. The Law Center joined a broad coalition of local organizations, submitting letters, testimony, and conducting social media outreach to not only pass an ordinance to decriminalize fare evasion and lower the fine to \$50, but also to pass it a second time to override a mayoral veto. While not fully solving the problem of unaffordable public transit, removing the threat of an arrest, a criminal record and a debilitating fine is an important step in significant harm reduction to highly vulnerable populations.

Reflecting the voices of homeless New Yorkers: The Law Center's report, *Serving and Protecting? Survey Results on Homeless New Yorkers' Experience with Law Enforcement*, documents the ongoing conflicts between homeless individuals and police officers. The report is prompting a dialogue on policies that criminalize life-sustaining activities such as resting, eating, and sleeping in favor of policies striving to end homelessness altogether.

Repealing unconstitutional laws criminalizing begging for help: The Law Center's June 2018 National Forum on the Human Right to Housing created momentum for a nationwide effort to strike down bans on public requests for help. In August, the Law Center coordinated with 18 legal organizations in 12 states to send letters to more than 240 communities, seeking repeal of unconstitutional panhandling ordinances. The U.S. Supreme Court has found that ordinances such as these violate the constitutional right to freedom of expression. In the first month of the campaign, 27 cities repealed and 37 cities committed to review, amend or repeal their ordinances. With our advocacy, some are pursuing more constructive, employment-based approaches.

THE POWER OF EDUCATION

Keeping Homeless Children and Youth in School

With over 4.2 million children and youth experiencing homelessness, staying in school is one of the critical factors both in keeping their lives stable and offering them a path toward a brighter future.

The Law Center's *State Index on Youth Homelessness*, published in July in conjunction with True Colors United, provides a state-by-state analysis of how laws, policies, and systems, including those related to access to education, are contributing to preventing and ending youth homelessness. With our support, homeless and youth advocates are using the Index to work with their states to provide an environment and systems that will support ending the cycle of homelessness.

The Index points clearly to room for improvement. Only 17 states met over half of the Index's criteria and recommendations while six states failed to meet even a third of the criteria.

“ The State Index on Youth Homelessness has been tremendously beneficial ... This tool has given us the ability to see, in one place, how several different systems and policies are impacting the vital work being done to get our youth off the streets and into stable, long-term housing.

Additionally, it has given us a reliable gauge to assess the advocacy needed to improve the state's response to homeless youth and a solid source of information to learn from states that are currently more successful than Ohio at meeting the needs of young people. ”

—**Douglas Argue**, Managing Director at the Coalition on Housing and Homelessness in Ohio



THE POWER OF ORGANIZING

Strength in Numbers to Leverage Impact

The Law Center's Housing Not Handcuffs Campaign is a national catalyst to stop the criminalization of homelessness – and to push for effective housing policies to end homelessness.

The Law Center is joined in this movement by the National Coalition for the Homeless, 300 organizations that share our concern for criminal justice reform, children, smart government, and civil rights, as well as 800 endorsers (including law enforcement and other city officials).

The June 2018 National Forum on the Human Right to Housing gathered 170 allies to prioritize housing over the criminalization of homelessness. Breakout sessions on panhandling, tenants' rights, encampments, and youth homelessness rallied grassroots activists, legal advocates, and those with lived experiences of homelessness.

The National Forum served as a springboard for the effort to end anti-panhandling ordinances in more than 240 communities and instead to devote resources for ending homelessness. (See p. 4 for details.)



"The value of housing is home, not equity. Where people, not capital, are the primary investment."

– **Leilani Farha**, United Nations Special Rapporteur on the Human Right to Housing and Keynote Speaker at the National Forum



THE POWER OF LEADERSHIP

Honoring Leaders Committed to Ending Homelessness

MCKINNEY-VENTO AWARDS

The Law Center's annual McKinney-Vento Awards dinner honors individuals and entities who have provided inspiration and outstanding leadership in the fight against homelessness.

In 2018, we honored:

Kaiser Permanente, which received the *Stewart B. McKinney Award* for its \$200 million commitment to end homelessness across the country.

Congressman Elijah Cummings (D-MD), who received the *Bruce F. Vento Award* for leadership in advancing solutions to homelessness and poverty.



Congressman Elijah Cummings speaking at the 2018 McKinney-Vento Awards

Goldman Sachs Legal Department Pro Bono Program, which received the *Pro Bono Counsel Award* for tracking civil rights legislation, providing legal support on education issues to homeless families and children, and surveying homeless individuals about their interactions with law enforcement.

Valerie Grischy, who accepted the *Personal Achievement Award* on behalf of plaintiffs of *Bloom v. City of San Diego*. After a car accident injury left her unable to continue her career as a chiropractor, Ms. Grischy resorted to living in her vehicle. When that home was threatened by the city's ticketing and impounding policies, the Law Center and others filed a class action suit. In August 2018, a federal judge issued a preliminary injunction to stop police from ticketing homeless people with disabilities living in recreational vehicles.

The 2018 McKinney-Vento Awards event raised more than \$260,000 for our nationally-focused efforts to serve America's more than 3.5 million homeless families, children and individuals, as well as the millions more who are at risk of becoming homeless.

ANNUAL LEAP LUNCHEON

Peter Edelman, author of *Not a Crime to be Poor*, honored the Law Center and our pro bono partners with the keynote speech at our LEAP (Lawyers' Executive Advisory Partners) luncheon in May.

"The National Law Center on Homelessness & Poverty, along with everyone here, is making it possible to imagine a future where homelessness in America no longer exists."

—Valerie Grischy



LEAP Lunch Keynote Speaker Peter Edelman, Partner at Simpson Thacher & Bartlett LLP, Peter Thompson, and Karen Grisez from Fried Frank



Maria Foscarinis with Simpson Thacher & Bartlett LLP associate and LEAP Lunch speaker Rustin Brown

THE POWER OF PARTNERSHIPS

Building Networks to Expand Capacity and Leverage Resources

The Law Center’s effectiveness is due in no small part to the highly-respected and talented law firms, firm partners, corporate legal departments, legal organizations, and attorneys whose pro bono expertise and financial support is critical to our work.

LEAP (LAWYERS’ EXECUTIVE ADVISORY PARTNERS)

These dedicated volunteers are collectively known as the Law Center’s LEAP (Lawyers’ Executive Advisory Partners). This “brain trust” far extended the reach of the Law Center’s lean staff, conducting legal research, crafting litigation strategies and legal briefs, and providing direct legal assistance to individuals and families.

In 2018, pro bono legal services from 39 law firms were valued at more than \$5.1 million – assisting on more than 85 projects to keep homeless children in school, house the homeless, and fight the criminalization of homelessness.

PROJECT LEARN

In 2015, the Law Center created Project LEARN to respond to the increased demand for assistance for families and students experiencing homelessness. Under Project LEARN, volunteer attorneys and paralegals work with the Law Center to provide guidance to homeless liaisons, service providers, advocates, and homeless parents and students to protect and enforce homeless children’s right to free public education.

Project LEARN attorneys assist advocates, homeless children, and families on a range of McKinney-Vento compliance issues, including determining whether a youth is homeless; developing outreach materials and toolkits; providing guidance on transportation issues; advising on best practices in the reassessment of homeless youth; and conducting know-your-rights trainings or informational sessions in your community. The Law Center currently has Project LEARN partners in 27 states.

HOMELESS ADVOCATES GROUP

For 20 years, the Law Center has facilitated a network of 33 allies who share our priority of preventing and ending homelessness. In recognition that this problem crosses issue lines of poverty, hunger, education, mental health, social services, domestic violence, veterans, and health, this diverse group pools knowledge and networks. The resulting focus on national level policy means that our work collectively is greater than what we could achieve alone.

- | | |
|---|---|
| American Bar Association | National Coalition for Homeless Veterans |
| American Psychological Association | National Coalition for the Homeless |
| Catholic Charities USA | National Health Care for the Homeless Council |
| Center for American Progress | National Law Center on Homelessness & Poverty |
| Center for Social Innovation | National Low Income Housing Coalition |
| Community Solutions | National Network for Youth |
| Corporation for Supportive Housing | National Network to End Domestic Violence |
| Family Homelessness | Partnering for Change |
| Family Promise | The Raben Group |
| Feed the Children | True Colors Fund |
| First Focus | United States Conference of Catholic Bishops |
| Full Frame Initiative | University of Massachusetts Boston |
| Healthcare for the Homeless-Baltimore | Western Center on Law & Poverty |
| Horizons for Homeless Children | Western Regional Advocacy Project |
| National AIDS Housing Coalition | National Center on Housing and Child Welfare |
| National Alliance on Mental Illness | |
| National Alliance to End Homelessness | |
| National Association for the Education of Homeless Children and Youth | |



MAKING A DIFFERENCE

2018 Supporters

The Law Center extends its warmest gratitude to the law firms, corporations, foundations, and individuals whose stalwart support has made possible our achievements during 2018.

\$100,000+

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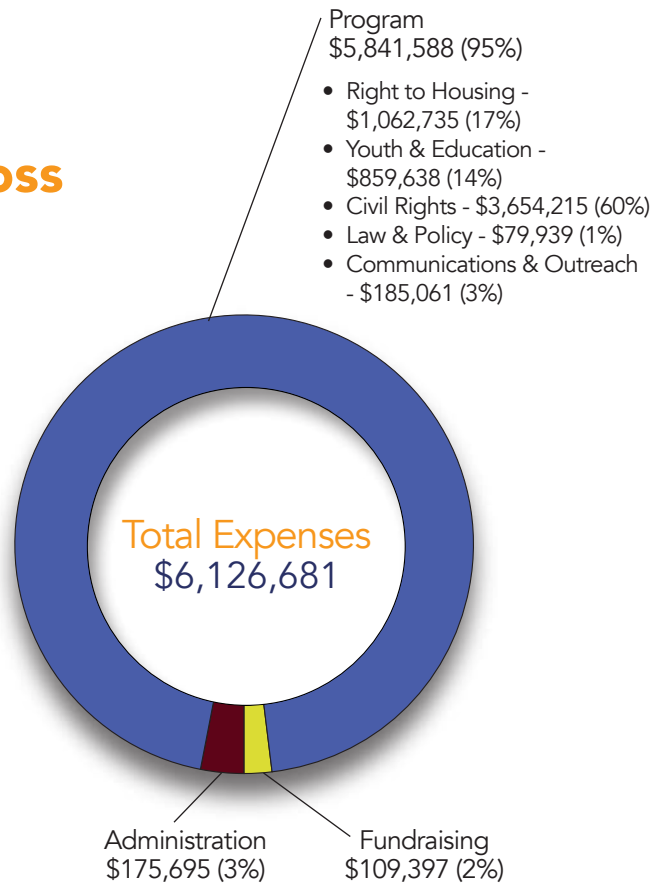
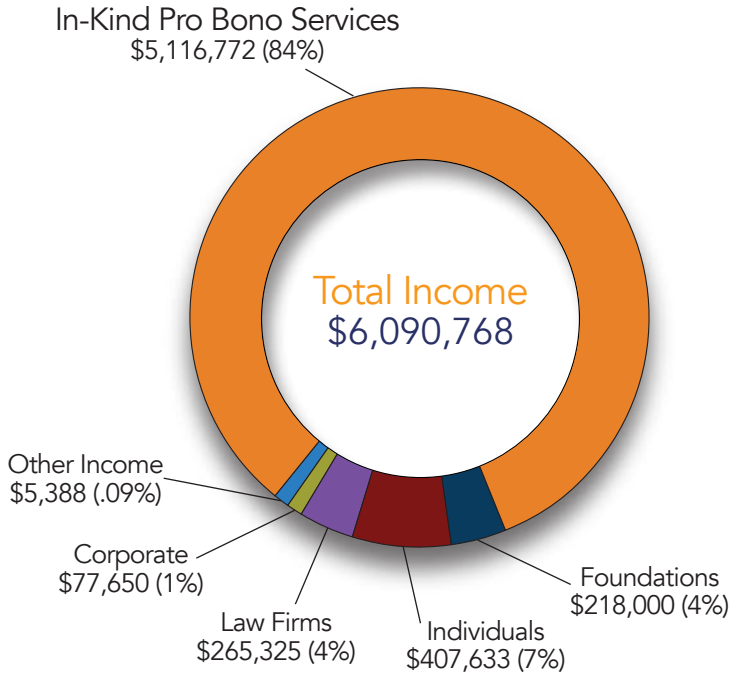
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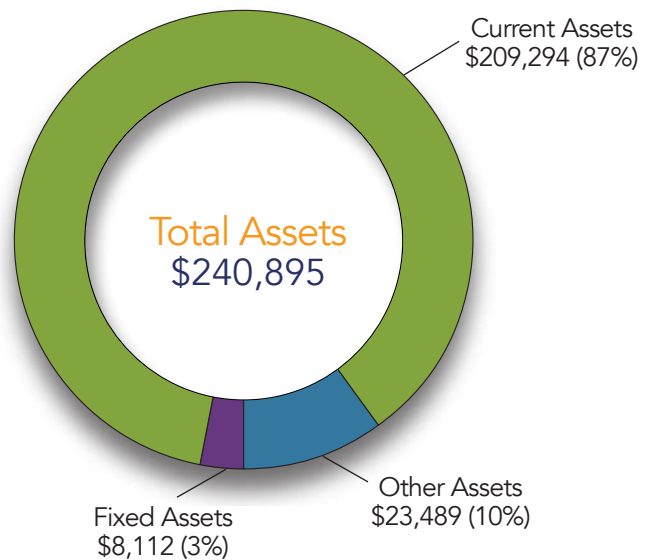
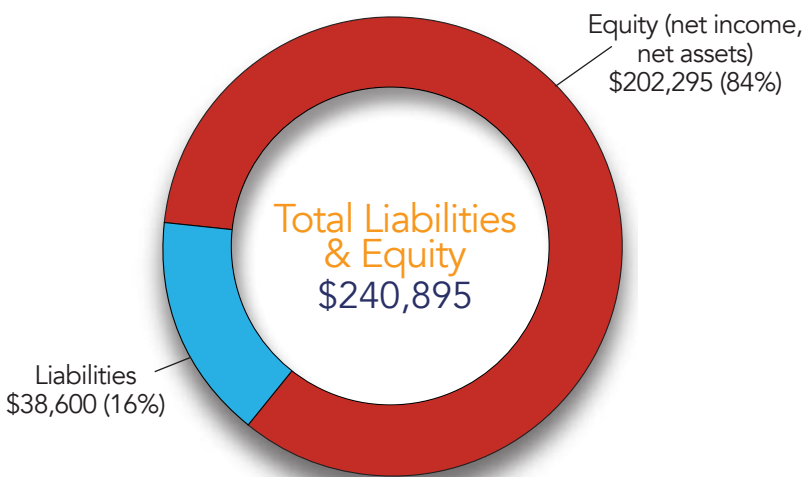
We regret that due to space limitations we could not publish the complete list of our donors. If your name is missing or in error, or if you prefer not to be listed in the future, please contact Jolie Steinert at jsteinert@nlchp.org.

2018 FINANCIALS

Profit & Loss



Balance Sheet



For the most updated financial information, visit nlchp.org or view our financial and accountability ratings at Charity Navigator and GuideStar.

WAYS TO SUPPORT THE LAW CENTER

We could not accomplish all we did in 2018 without the generosity of our supporters. Please consider ways you can support our work to end homelessness:

- **Donate:** The Law Center relies on the support of private institutions and individuals across the country. We do not receive government funding. Gifts of any amount make a difference in our work—and every dollar allows us to leverage donated legal support, multiplying your gift many times over. <https://nlchp.org/donate/>.
- **Law Firm and Corporate Giving:** Our partnering law firms and corporate legal departments are as committed as the Law Center to ending homelessness. If you know of or are affiliated with a law firm or corporation that you think would like to explore partnering opportunities, please contact us.
- **Planned Giving:** Contact us for more information about how you can ensure the future of the Law Center's work by including the Law Center in your will or other estate plan.

Please consider making a monthly gift to help provide a stable foundation throughout the year.

OTHER WAYS TO GIVE

- Government employees can give through the Combined Federal Campaign (CFC #11947).
- Shop online through AmazonSmile and list the Law Center as a beneficiary of a percentage of your everyday purchases.
- Launch a personal fundraiser through Facebook Causes and raise money from your friends and family.


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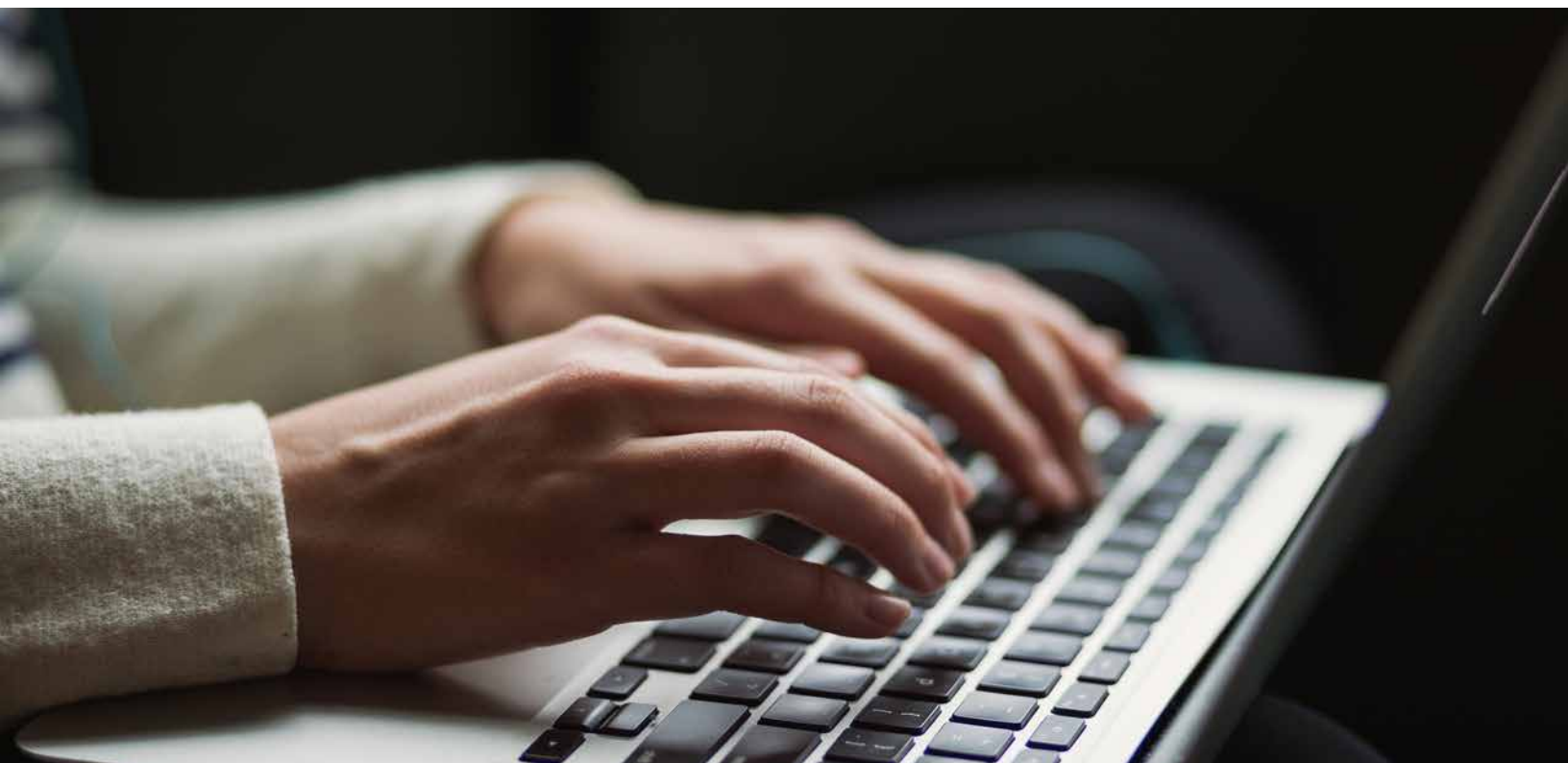
- In Just Times, The Law Center's monthly e-newsletter, provides updates on current issues and news from the organization.
- Follow the Law Center on social media for regular updates on our work:

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Georgia Kazakis
Covington & Burling LLP

Pamela Malester
U.S. Department of Health and
Human Services (retired)

Tashena Middleton
Attorney

G.W. Rolle
Missio Dei Church

Jeffrey A. Simes
Goodwin Procter LLP

Vasiliki Tsaganos
Attorney

Robert Warren
People for Fairness Coalition

Khadijah Williams
DC Office of the Ombudsman
for Public Education

Maria Foscarinis
President
Executive Director

**Affiliations for identification purposes only*

2018 STAFF, FELLOWS, AND INTERNS

Burhan Abdi
Law & Policy Intern

Driss Amara
Policy Intern

Maggie Ardiente
Development &
Communications Director

Tristia Bauman
Senior Attorney

Dejah Craddock
Development &
Communications VISTA

Nicole Davies
Database VISTA

Lisa DeBone
Development &
Communications Associate

Janna Driskell
Policy Intern

Janelle Fernandez
Law & Policy Program
Coordinator

Tynesia Fields
Policy Intern

Maria Foscarinis
Executive Director

Amirio Freeman
Emerson Hunger Fellow

Vincenza Githens
Operations Manager

Janet Hostetler
Deputy Director

Rachel Lee
Networks VISTA

LaTissia Mitchell
Executive & Development
Specialist

LeGrand Northcutt
Legal Intern

Brandy Ryan
Legal Intern

Heidi Sahmel
Operations Manager

Michael Angelo M. Santos
Attorney

Charlotte Schwebel
Policy Intern

Harry Seavey
Policy Intern

Weiran Shang
Policy Intern

Fina Short
Development &
Communications Intern

Jolie Steinert
Executive Assistant

Eric Tars
Senior Attorney

Cassidy Waskowicz
Pro Bono Counsel

Alisha Zhao
Policy Intern

Back row, L to R: Janna Driskell, Janet Hostetler, Brandy Ryan, LeGrand Northcutt, Harry Seavey, Fina Short, Amirio Freeman, Nathaniel Pettit, and Cassidy Waskowicz.

Front row, L to R: Lisa DeBone, Heidi Sahmel, Michael Santos, Eric Tars, Maria Foscarinis, Alisha Zhao, Charlotte Schwebel, Rachel Lee, Nicole Davies, Tristia Bauman and Maggie Ardiente.





Our vision is for an end to homelessness in America. A home for every family and individual will be the norm and not the exception – a right and not a privilege.

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2000 M Street NW, Suite 210 | Washington, DC 20036 | 202-638-2535 | nlchp.org