

City Takes a Stand Against Treating Homeless Camps Like Crime Rings

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When homeless people cluster and set up stable tent camps, most American cities eventually send garbage men, cops, and social workers to tear the camps down, kick out the occupants, and even destroy their belongings. But in Indianapolis, such encampments are now protected from the sudden, destructive approach that so many other cities use to break up unsightly homeless communities.

Such camps are now shielded there by a bill passed in February on an overwhelming 23-2 vote. City officials must give a full 15 days' notice to residents of any planned dismantling of a camp, a far longer lead time than is typical in such efforts. The city is never allowed to destroy residents' personal property, as is common when local leaders opt for a crackdown. And the city can't tear down a camp at all unless there are enough open housing units and sufficient resources for social services organizations to immediately absorb all its residents — a provision that can be suspended if Indianapolis declares a homelessness emergency.

Homelessness advocates praised the package after it went into effect this week. "This ordinance reaffirms what we've known for many years: by approaching homelessness with social systems, not criminal justice systems, both communities and homeless individuals win," National Law Center on Homelessness & Poverty executive director Maria Foscarinis said in a statement Wednesday. "Communities across the country should take note of Indianapolis' model, because ensuring housing, as well as any needed services, will be critical to the successful implementation of any strategy to address encampments."

Indianapolis' move comes roughly six months after the first hints of a major shift in federal homelessness policy that was designed to encourage steps like this, and a year after the city council debated but ultimately declined to pass a full-on Homeless Bill of Rights.

The Department of Housing and Urban Development (HUD) uses a complex formula to determine how federal dollars for the homeless get apportioned to local agencies. The money doled out by that formula is the primary public funding stream for addressing homelessness nationwide, which means HUD's decisions about how to divvy up the money carry extraordinary weight. The booming popularity of permanent supportive housing, for example, is in part a reflection of earlier HUD moves to reward cities for adapting such policies.

In September, HUD officially announced that cities would lose points in the funding formula if they enact or enforce laws that treat the daily realities of homelessness as criminal offenses. Ordinances against sleeping in public, asking for change, providing food to the homeless in the open air, and other such criminalization measures can now cost a town federal money.

Such policies are always far more expensive than it would be to provide free housing and support services to those same residents. But those costs are abstract and cities rarely keep track of them. The federal funding decision helps focus decisionmakers' attention on the issue.

Other government agencies have added their verbal backing to the hard power of HUD's funding formula. The U.S. Interagency Council on Homelessness issued formal guidance on homeless encampments last summer, urging cities to break from the pattern of aggressive interdictions. "Arresting people for performing basic life-sustaining activities like sleeping in public takes law enforcement professionals away from what they are trained to do: fight crime," the Department of Justice noted in the December edition of its newsletter to local law enforcement groups.

But even in Indianapolis, progress in combating the anti-homeless mindset driving criminal ordinances is fragile. After the encampments measure passed, city Republicans said they may yet revive a ban on panhandling in the city's downtown areas — exactly the sort of policy HUD's formula is now designed to punish.