Introduction

SUPPORTERS ARGUE
Providing housing and the support of social workers to the chronically homeless is the best way to help these people get off the street permanently. Housing first saves communities money, because once the homeless have housing, they will be less likely to rack up medical bills at emergency rooms, use shelters, or commit crimes to feed untreated addictions. Laws that prohibit activities like panhandling or sleeping in public places, furthermore, protect neighborhoods and businesses. They also encourage homeless people to get off the street and into rehabilitation or work programs.

OPPONENTS ARGUE
Strategies for fighting homelessness must attempt to help all homeless people, not just the chronically homeless. Many homeless people, particularly families, are just temporarily homeless because they have fallen on hard financial times, and it is crucial that these people have shelters and resources to use. Criminalizing activities like panhandling or sleeping in public places, furthermore, violates the right to free speech and assembly guaranteed by the First Amendment to the U.S. Constitution. It also stigmatizes the homeless further without addressing any of the root causes of homelessness.

Homelessness has been a widespread and chronic problem in the United States for decades. The sight of people living and begging on the streets has become a familiar one in many American cities, and the struggle to help homeless individuals and families has been a frustratingly complex and persistent problem for policy makers in Congress and across the country.

A recent economic downturn has worsened the United States' homeless problem. A recession that started in 2007 was exacerbated by a financial crisis the following year that shook the global economy and led to a rise in unemployment and a slowdown in economic growth that has yet to abate. Many families, unable to afford their rent or mortgages, have found themselves living on the streets.

In 2009, the U.S. Department of Housing and Urban Development (HUD) released its annual homeless assessment report and found that the number of homeless families in the United States had increased by about 9 percent from October 2007 to September 2008. The report also found that homelessness...
in rural and suburban areas had increased by 56 percent, though urban adult males constituted the largest group of homeless individuals. A HUD report released in 2010 found that the number of homeless families had jumped by 20 percent from 2007 to 2010. The homelessness rate has decreased slightly since then, but being without a home remains a threat for thousands of people living near the poverty line.

Though the economic troubles of recent years have brought attention to the newly homeless, most discussion surrounding the issue has historically concentrated on eradicating the most visible and persistent form of homelessness—people referred to as the "chronically homeless." According to HUD, a chronically homeless person is someone who has either been homeless for a year or more or has been homeless at least four times in the last three years, and who struggles with a "disabling" physical or mental condition, often including drug or alcohol abuse. The chronically homeless tend to be the most visible segment of the homeless population, and the hardest for outreach workers to help find permanent housing.

Additionally, a significant share of the chronically homeless are veterans. As of 2013, the government estimated that there are an estimated 57,000 homeless veterans, many of whom fought in the Vietnam War (1959–75). Many of these veterans suffer from post-traumatic stress disorder (PTSD), a psychological condition that can make it difficult to hold a job or function normally in society. Rates of PTSD have been even higher for veterans of combat in the recent wars in Afghanistan and Iraq than for those in previous conflicts, and officials worry that increasingly large numbers of younger veterans could become homeless in the coming years. Thousands of veterans of the wars in Afghanistan and Iraq are homeless already.

Homelessness in the United States substantially increased following a mid-20th-century movement to transfer people with mental illnesses from large institutions, which were considered substandard and inhumane, to the care of smaller, local facilities. Deinstitutionalization, as the process was called, was intended to replace mental hospitals with community-based psychiatric care. Not enough facilities to provide this care existed or were built, however, and large numbers of people with mental illness ended up living on the streets.

Since 2009, the number of chronically homeless and homeless veterans has dropped, though the number of homeless families and children remains troublingly high. Indeed, chronically homeless people are a small fraction of the overall U.S. homeless population; the majority of homeless people stay on the streets and in the shelter system for only a brief period of time before finding housing.

Some jurisdictions have passed laws intended to combat the problems stemming from homelessness, such as banning sleeping on sidewalks, panhandling, and giving food to homeless people in public places. Many critics have challenged these laws, characterizing them as the "criminalization" of homelessness, and claiming that they aim not to help the homeless but to simply discourage them from gathering in public areas. Groups such as the American Civil Liberties Union (ACLU) have filed lawsuits against cities that enact such laws, arguing that prohibiting panhandling and loitering violate the rights of free speech and assembly guaranteed by the First Amendment to the U.S. Constitution, as well as the Eighth Amendment's ban on cruel and unusual punishment.

Is the "housing first" approach the best way to fight homelessness? Are laws criminalizing behavior like panhandling fair?

Supporters of the housing first approach argue that once homeless people have a safe, stable place to live, it is easier to get well and look for work. Anti-homelessness laws, other proponents argue, are necessary to protect businesses and consumers in downtown areas.

Opponents of the housing first approach argue that it ignores problems like mental illness and drug addiction, as well as the short-term homeless. Critics of anti-homelessness laws argue that such measures are cruel and ineffective.

**Policymakers Attempt "Housing First" Approach**

Homelessness became a notable problem in the United States in the late 19th century, when a series of economic crises and panics caused many people to lose their jobs. Known as "tramps" or "hobos," these people often wandered the country, sometimes by stowing away on freight trains, looking for work or a place to live.

The Great Depression—an economic downturn that devastated the U.S. economy throughout the 1930s—contributed to a rise in homelessness. As the Depression worsened, many Americans lost their jobs and homes and gathered in "Hoovervilles"—makeshift encampments on the outskirts of major cities named after President Herbert Hoover (R, 1929–33), under whose presidency the Depression began, and whose policies were seen as doing little to alleviate the economic destruction.

Homelessness in the United States substantially increased following a mid-20th-century movement to transfer people with mental illnesses from large institutions, which were considered substandard and inhumane, to the care of smaller, local facilities. Deinstitutionalization, as the process was called, was intended to replace mental hospitals with community-based psychiatric care. Not enough facilities to provide this care existed or were built, however, and large numbers of people with mental illness ended up living on the streets.

In the 1980s, several other factors, including the increased proliferation of addictive drugs, such as crack cocaine, caused the number of homeless people to further rise. People sleeping openly on the street, living in cardboard boxes, and panhandling became commonplace in many American cities. Local governments and private charities responded by establishing homeless shelters, but these shelters could not meet the demand. They were often
underfunded and unable to provide enough beds. Furthermore, some homeless people avoided shelters—and still do—for fear that they are unsafe or because of their restrictions on substance use.

Urban renewal projects across the United States further aggravated the homeless problem in the late 1980s and 1990s, as developers tore down or converted many formerly dilapidated buildings—some of which had provided shelter to low-income families or homeless squatters—and replaced them with upscale apartment buildings, hotels, and restaurants. The influx of wealthy residents in such redeveloped areas drove up housing costs, and many low-income workers found themselves unable to afford rent. In some cities, the working poor became an increasing presence in homeless shelters that had once been inhabited almost entirely by the unemployed.

In 1987, President Ronald Reagan (R, 1981–89) signed the McKinney Homeless Assistance Act into law. The act was the first federal attempt to address the problem of homelessness in the United States. Among other things, the law created the Emergency Food and Shelter program, which provides funding to local cities and jurisdictions to assist the homeless by building and maintaining shelters, soup kitchens, and other facilities.

In 1989, confronted with overwhelming levels of homelessness in New York City, New York governor Mario Cuomo (D) and New York City mayor David Dinkins (D) launched a joint initiative in 1989 to build "supportive housing" for homeless people with mental illnesses. The program, known as the New York/New York Agreement, funded the development of 3,600 individual units of housing for homeless people by 1995, and served as a model for similar projects throughout the United States. Supportive housing provided mentally ill homeless people with places to live as well as access to on-site mental health professionals.

In 2001, Dennis Culhane, a professor of social work at the University of Pennsylvania in Philadelphia, and his associates conducted a study on the New York/New York Agreement to determine whether it cost the government more or less than previous approaches to homelessness. Culhane found that once he factored in the cost of social services for chronically homeless people—including the costs of hospitalizations, jailing, and shelters—the net cost of the New York/New York program was only around $1,000 per unit of housing each year, making it an extremely affordable solution for most governments.

President George W. Bush (R, 2001–09) and U.S. Housing and Urban Development (HUD) Secretary Mel Martinez adopted the housing first approach after learning about Culhane’s research. In 2002, Bush appointed activist Philip Mangano, a strong supporter of the housing first approach, to head the U.S. Interagency Council on Homelessness. Mangano referred to himself as a "homeless abolitionist" who sought to end chronic homelessness altogether, rather than simply manage it.

According to HUD, the housing first approach reduced the chronically homeless population nationwide during Bush’s presidency. An increase in the number of homeless families and children during the economic slowdown that began in 2007, however, has prompted some observers to call for a more comprehensive approach to homelessness, including initiatives to improve affordable housing opportunities for low-income families and augment funding for homeless shelters.

In 2013, the Obama administration announced that it would provide more than $2 billion in grants to cities and states to help fund homeless programs. Initiatives receiving assistance included programs supplying shelters and food support, as well as funding for direct housing. In a press release announcing the grants, HUD stated that it would "continue offering permanent and transitional housing to homeless persons as well as services including job training, health care, mental health counseling, substance abuse treatment and child care."

Cities Crack Down on Panhandling, Homelessness

Until the 1980s, most policies toward the homeless were designed to coax people off the streets by offering health care and help in finding jobs and housing. A consensus had developed that by providing compassion and financial assistance, homeless people could readily assimilate into general society.
More recently, policymakers in cities across the country have questioned the efficacy of such strategies and turned to stricter methods of dealing with the homeless. Many observers have used the term “compassion fatigue” to explain the move toward penalty-oriented approaches to homelessness. They argue that Americans have grown disillusioned with programs to rehabilitate or provide aid to the homeless, in part because these programs appear to have had little effect.

In recent decades, several cities have authorized police roundups of homeless people in public areas, while dozens of others have passed “sidewalk-behavior” laws regulating what people can do in certain places. Some municipal officials insist that such actions are necessary to make cities safer and improve the quality of life. Pedestrians often steer clear of areas frequented by homeless people, these leaders point out, in order to avoid panhandling or confronting a person who may be mentally ill. As a result, businesses in such areas can suffer and neighborhoods deteriorate.

Despite these concerns, homeless advocates have challenged sidewalk behavior laws. Two homeless advocacy groups, the National Coalition for the Homeless and the National Law Center on Homelessness and Poverty, periodically release a list of the “meanest” cities in terms of policies toward the homeless. The list—most recently topped by Los Angeles, in 2009—is based on a survey of hundreds of American cities. According to the National Coalition for the Homeless, the cities on the list are “chosen based on the number of anti-homeless laws a city has, the enforcement of those laws and severity of penalties related to them, as well as the general political climate toward homeless people.”

One of the most high-profile flash points in anti-homeless policies is a downtown Los Angeles neighborhood known as Skid Row, which has one of the highest concentrations of homeless people in the country. Skid Row has become a well-known center of drug use and prostitution, and the neighborhood’s homeless encampments are considered breeding grounds for disease and violent crime. Neighborhood business owners have long complained about these conditions.

Quality-of-life grievances came to a head in the early 2000s, when developers who had built upscale stores and residences in other areas in downtown Los Angeles expressed an interest in similarly transforming Skid Row. Los Angeles police chief William Bratton, who had made enforcement of quality-of-life offenses a major part of his crime-reduction strategy when he headed the New York City Police Department in the 1990s, began to take a more aggressive approach toward the homeless. Bratton endorsed the so-called broken windows theory of policing, which holds that allowing minor offenses, like panhandling or loitering, to go unchecked will only encourage more serious crimes. The police also noted that homeless people themselves were being victimized in the area as a result of lawless conditions.

In 2003, the American Civil Liberties Union (ACLU) sued Los Angeles for arresting people for sleeping on the sidewalk. In 2006, the U.S. Ninth Circuit Court of Appeals ruled that since Los Angeles did not have enough beds in its shelters to accommodate the homeless population, arrests of people sleeping on the sidewalk violated the Eighth Amendment to the U.S. Constitution, which bans cruel and unusual punishment. In a compromise with the ACLU, the city agreed to ban sleeping on the sidewalk only during the day and within 10 feet of businesses and residences. [See Court Rules Los Angeles Homeless Measure Unconstitutional (sidebar)]

Also in 2006, the ACLU sued the city of Las Vegas, Nevada, over a policy that banned giving food to homeless people in city parks. The city had argued that mobile soup kitchens in city parks infringed on the right of the rest of the community to enjoy those areas. The U.S. District Court of Nevada in 2007 sided with the ACLU, ruling that language in the law defining the homeless as people “whom a reasonable ordinary person would believe to be entitled to apply for or receive assistance” unconstitutionally discriminated against people on the basis of their appearance.

The ACLU and homeless rights advocacy groups have continued to protest local government and police policies in recent years. In 2013, the ACLU targeted police action against the homeless in Detroit. The organization accused city police of gathering homeless people in vans, driving them miles outside of town, and then deserting them. After a year-long investigation, the ACLU sent a letter to the police department demanding it stop the practice. The same year, the organization filed a lawsuit against the city of Flagstaff, Arizona, for arresting a homeless woman for panhandling.

Some cities, including Portland, Maine, and Baltimore, Maryland, enacted panhandling bans in 2013 even as courts in other states struck down similar measures as unconstitutional. In August, for example, a federal appeals court in Michigan overturned a law that banned asking for money in public places.

"Begging, or the soliciting of alms," the court ruled, "is a form of solicitation that the First Amendment protects."

Supporters Argue: Housing First and Anti-Homelessness Laws Are Effective Approaches to Homelessness

Supporters of the housing first approach argue that it has been extremely effective in enabling people who are chronically homeless to lead safe, productive lives. Housing first, they contend, has demonstrated that chronically homeless people are not beyond help but just require permanent housing before they can properly address mental or physical disabilities. "I'm coming up on nine months sober," U.S. Navy Veteran Robert Stone, who had been homeless, told the New York Times in January 2014, "and a big part of it is because I have a roof over my head." Stone received housing under a housing first program in Phoenix, Arizona.

Proponents of housing first note that the cost of providing homeless people with apartments is far less than the cost of letting them remain on the street. “The thing we finally figured out is that it's actually not only better for people, but cheaper to solve homelessness than it is to put a band-aid on it,” HUD secretary Shaun Donovan claimed during a March 2012 appearance on the Daily Show. "[A]t the end of the day, it costs, between shelters and emergency rooms and jails...about $40,000 a year for a homeless person to be on the street."

Supporters argue that the housing first approach not only suits chronically homeless individuals struggling with mental illness or substance abuse issues but also helps working families temporarily displaced from their homes. "The vast majority of homeless individuals and families fall into homelessness after a housing or personal crisis that led them to seek help from the homeless assistance system," the National Alliance to End Homelessness notes on its website.
website. "For these families and individuals, the Housing First approach is ideal, as it provides them with assistance to find permanent housing quickly and without conditions. In turn, such clients of the homeless assistance networks need surprisingly little support or assistance to achieve independence, saving the system considerable costs."

Supporters of strict laws barring behavior associated with the homeless argue that allowing large numbers of homeless people to commit quality-of-life offenses in urban neighborhoods is unfair to those who work, live, and play in those neighborhoods. "You can’t tell whether a homeless person is drunk, whether he’s on drugs or whether he’s mentally ill," Gary Reese, a city councilman in Las Vegas, which passed a law banning feeding homeless people in city parks that was later struck down, argued in 2008 on the PBS program Religion & Ethics Newsweekly. "If you’re…with your kids and they kick a soccer ball and it rolls over there and hits this guy on the foot, wouldn’t that scare you if you went over there to get your soccer ball and you didn’t know what the guy was going to do to you?"

Advocates of policies that limit the activities of the homeless deny that they are "criminalizing" homelessness. Bob Buckhorn, the mayor of Tampa, Florida, which in 2013 passed ordinances limiting behaviors typically associated with the homeless, such as panhandling and sleeping in public parks, insisted that such policies were intended to help the homeless by forcing them to go to shelters. "We will not arrest them," Buckhorn told the website Creative Loafing. "We think there will be enough beds available on a given night that we can give them the choice of either [going] to bed in a shelter, or go to jail….And hopefully those who are smart will make that call of going into a shelter."

Supporters argue that keeping the homeless from public areas benefits local economies. Businesses in areas frequented by the homeless, they note, complain that potential shoppers are deterred by crowds of homeless people lying or standing outside the entrance. This loss of shoppers, they argue, forces many stores to close or relocate. "[T]here’s a huge homeless problem on Liberty Street and let’s be honest, it’s driving customers away and affects my business," Wendy Batiste-Johnson, an Ann Arbor, Michigan, business owner, told the Ann Arbor News in 2011. "I have customers who have been customers for years, and now some of them are terrified of coming downtown because they’re scared of getting chased by panhandlers and scared to park in the parking garages."

Opponents Argue: Housing First and Anti-Homelessness Laws Are Not an Effective Approach to Homelessness

Opponents of the housing first approach argue that it often focuses so intensively on the chronically homeless that it neglects the needs of the vast majority of the homeless population. The federal and state governments, they maintain, have not allocated adequate funding to emergency shelters and soup kitchens, leading to a shortage of beds, food, and other resources for the non-chronically homeless. "We should be focused on ending homelessness for everybody," Michael Stoops, acting director of the homeless advocacy group the National Coalition for the Homeless, told the New York Times in 2008, "not just a small segment of the homeless population."

Critics argue that the housing first approach often ignores the complexity of homelessness. "The problem is that the ‘Housing First’ movement gained so much favor, that many have begun to tout it as the only solution to homelessness of all stripes, mentally ill or not, employed or not," Steve Peck, president of U.S. Vets, a nonprofit organization that provides assistance to homeless veterans, wrote for the Huffington Post in November 2013. He argued:
But if housing were the solution, given the money, we could simply build our way out of the problem... [I]t ignores that long line of events which led to their homelessness. Addressing those issues is how we heal the wounds that caused their homelessness, and is how we empower people with the skills to lift themselves out of homelessness. To hand everyone who is homeless a house not only disempowers them, it will break the national budget.

Opponents, further, contend that housing first can result in merely warehousing the homeless rather than actually addressing the causes of their situation. The "stream of people" falling into homelessness, Peck wrote, "has been subjected to a life story that a roof over their heads will not completely solve."

Opponents argue that the criminalization of homeless behavior is cruel and ineffective. In a report issued in 2011, the National Law Center on Homelessness and Poverty stated:

Even while the criminalization of homelessness is on the rise, the results of our research and that of others indicate that criminalizing homelessness does nothing to solve the problem of homelessness. Not only is criminalizing homelessness an affront to the human rights and dignity of homeless persons, these measures can also make it substantially more difficult for homeless persons to secure permanent housing and employment. Criminalizing homelessness also wastes scarce public resources.

Critics argue that policies banning panhandling and sleeping on sidewalks are unconstitutional. Sidewalk-behavior laws, they contend, criminalize activity that is protected by the First Amendment to the U.S. Constitution, which guarantees the rights of free speech and assembly. Government officials, civil liberties advocates insist, have no right to restrict homeless people from congregating in public spaces such as sidewalks and parks. These spaces belong to everyone, they assert, including the homeless. "Begging is not a crime," American Civil Liberties Union (ACLU) Arizona legal director Dan Pochoda argued in 2013 after Flagstaff, Arizona, implemented a panhandling ban. "To appease local business interests, Flagstaff has sacrificed the fundamental rights of individuals and is throwing people in jail simply for asking for a dollar or two for food. Numerous courts throughout the country have ruled that peacefully asking for a donation in a public area is protected speech under the First Amendment."

Opponents argue that aggressively using law enforcement to fight homelessness only causes additional problems. Most homeless people who are forced into shelters or prisons, they contend, wind up wandering the streets as soon as they are released, creating a "revolving door" effect. "To violate the constitutional rights of this marginalized population by imposing harsh treatment would only exacerbate the problem, not diminish it," columnist Daniel Shoer Roth argued in April 2013 in the Miami Herald. "That's because it would...overload the judicial system with people who are not reckless criminals. Rather, the majority are people suffering from mental illness and, or, substance abuse in need of appropriate treatment."

**Slow Economic Growth, Aging Population Complicate Homeless Problem**

Social scientists and policymakers have attempted to anticipate future developments in homelessness. Dennis Culhane of the University of Pennsylvania has noted that the chronically homeless largely consist of baby boomers—the generation of Americans born in the decades after World War II (1939–45). He predicts that as these homeless people grow older, their health problems will compound, further complicating the homeless problem.

Experts are also concerned about the more immediate future. They worry that the recent economic crisis, as well as stagnant wages and rising housing and food costs, will continue to contribute to an increase in homeless families. Lower tax revenue has led many local and state governments to slash their budgets, trimming welfare programs in the process. In the past, some policymakers have suggested that private charities and religious organizations could make up for reductions in government programs for the homeless. Many others involved in the debate, however, deride such possibilities as naive, claiming that such groups lack the vast resources necessary to alleviate the problem.

How the nation will work toward a solution to homelessness will continue to be a topic of debate.

**Bibliography**


Additional Sources

Additional information about homelessness can be found in the following sources:


Contact Information

Information on how to contact organizations that either are mentioned in the discussion of homelessness or can provide additional information on the subject is listed below:

National Coalition for the Homeless
2201 P St. N.W.
Washington, D.C. 20037
Telephone: (202) 462-4822
Internet: www.nationalhomeless.org

National Law Center on Homelessness & Poverty
2000 M St. N.W., Suite 210
Washington, D.C. 20036
Telephone: (202) 638-2535
Internet: www.nlchp.org

U.S. Department of Housing and Urban Development
451 7th St. S.W.
Washington, D.C. 20410
Telephone: (202) 708-1112
Internet: www.hud.gov

Keywords

For further information about the ongoing debate over homelessness, search for the following words and terms in electronic databases and other publications:

Counting the homeless
Criminalizing homelessness
Homeless shelters

http://icof.infobaselearning.com/icofprintarticle.aspx?articleID=14184%20%20aa&citation=mla
Homeless veterans
Housing first

Citation Information