NLIHC’s HoUSed Campaign for Long-Term Housing Solutions

January 16, 2024
Agenda

Welcome & Updates
• Sarah Saadian, NLIHC

SCOTUS Homelessness Case
• Jesse Rabinowitz, NHLC

Legislative & Administrative Outlook for 2024
• Kim Johnson, NLIHC

Disaster Housing Recovery Update for 2024
• Noah Patton, NLIHC

Field Update
• Will White, Hawai‘i Appleseed

Next Steps
Welcome & Updates

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SCOTUS Homelessness Case

Jesse Rabinowitz

Housing Not Handcuffs Campaign & Communications Coordinator

National Homelessness Law Center

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Johnson v Grants Pass
The Homeless Cruelty Case

January 16, 2024
How did we get here?

ORDER LIST: 601 U.S.

FRIDAY, JANUARY 12, 2024

CERTIORARI GRANTED

22-1218 SMITH, WENDY, ET AL. V. SPIZZIRRI, KEITH, ET AL.

23-175 GRANTS PASS, OR V. JOHNSON, GLORIA, ET AL.

23-191 WILLIAMS, NANCY, ET AL. V. WASHINGTON, AL SEC. OF LABOR

The petitions for writs of certiorari are granted.

23-334 DEPT. OF STATE, ET AL. V. MUNOZ, SANDRA, ET AL.

The petition for a writ of certiorari is granted limited to Questions 1 and 2 presented by the petition.

23-367 STARBUCKS CORP. V. MCKINNEY, M. KATHLEEN

The petition for a writ of certiorari is granted.
This is literally about pillows and blankets

The City of Grants Pass maintains ordinances that preclude homeless persons from using a blanket, a pillow, or a cardboard box for protection from the elements while sleeping within the City’s limits. Three homeless individuals filed a putative class action complaint against the City, arguing a number of City ordinances were unconstitutional. The district court certified a class of “involuntarily homeless” persons and later granted partial summary judgment in favor of the class. The district court issued a permanent injunction prohibiting enforcement against the class members of some City ordinances, at certain times, in certain places. The City appealed.
Check out the opposition

“The Supreme Court can now correct course and end the costly delays from lawsuits that have plagued our efforts to clear encampments and deliver services to those in need.” - California Governor Gavin Newsome

- California State Association of Counties
- Goldwater Institute
- District Attorney of Sacramento County
- Speaker of the Arizona House of Representatives Ben Toma
- Pacific Legal Foundation and California Business Properties Association
- California State Sheriffs’ Association
- San Diego County District Attorney

- League of Oregon Cities
- City and County of San Francisco
- Los Angeles Area Chamber of Commerce
- City of Phoenix
- City of Los Angeles
- Washington State Association of Sheriffs and Police Chiefs
- Ten California Cities and The County of Orange
How you can support

• Join the Housing not Handcuffs Campaign
• Visit johnsonvgrantspass.com for updates and details
• Follow @homeless_law on twitter
• Connect us with elected officials who do not support criminalization
• Help us with our video collection and storytelling project
• Advocate that their communities, at minimum, do not sign on to harmful briefs
• Email jrabinowitz@homelesslaw.org to get more involved
Top Line Talking Points

- Johnson v Grants Pass is a court case that determined it is cruel and unusual punishment to arrest or ticket people for sleeping outside when they have no other safe place to go.

- This case will decide whether cities are allowed to punish people for things like sleeping outside with a pillow or blanket, even when there are no safe shelter options.

- All this case says is that, unless everybody has access to shelter that meets their needs, they cannot be arrested, ticketed, or otherwise punished for sleeping outside.

- If politicians were truly focused on ending homelessness, they would focus on proven solutions like housing and services.

- Grants Pass, Oregon, like many cities in America, is thousands of housing units short of what is needed. The lack of housing and resulting homelessness will not be solved by putting more people in jail or issuing more fines. The solution to homelessness is safe, decent, and affordable housing for everybody.
This is part of a national push to criminalize homelessness.
2024 Legislative & Administrative Outlook

Kim Johnson
Policy Manager
National Low Income Housing Coalition
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2024 Legislative & Administrative Outlook

Federal Action to Watch in (Early) 2024:

• Final FY24 spending bill for HUD
• Tax package
Final FY24 Appropriations Deal

- Congress working today on CR to move THUD deadline to March 1
- Current CR still expires January 19, but no appetite for a shutdown
2024 Legislative & Administrative Outlook

Final FY24 Appropriations Deal

By March 1 CR deadline:

• Decide on topline spending for THUD - “302(b) allocation”
• Reconcile differences in House and Senate draft bills
• Draft and pass final FY24 agreement
2024 Legislative & Administrative Outlook

<table>
<thead>
<tr>
<th>House FY24 THUD Spending Bill</th>
<th>Senate FY24 THUD Spending Bill</th>
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<tr>
<td>• Overall HUD funding: $68.2 billion</td>
<td>• Overall HUD funding: $70.06 billion</td>
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<tr>
<td>• $6.4 billion (~10%) increase from FY23</td>
<td>• $8.26 billion (~13%) increase from FY23</td>
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<td>• Proposes deep cuts or elimination of some programs</td>
<td>• Few funding cuts under Senate draft, although Public Housing Capital Funds included in proposed cuts</td>
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At current levels, neither bill is expected to provide sufficient funding for HCVs
Proposed Funding Levels Come Up Short

**House:** 112,000 vouchers lost upon turnover

**Senate:** 80,000 vouchers lost upon turnover
Join CHCDF’s National Day of Action
January 25

• Urge your members of Congress to fund housing and homelessness programs at the highest level possible in FY24

• Support NLIHC’s top priorities, including:
  o Full funding to renew all existing HCV contracts
  o Full funding for public housing operations and repairs
  o The Senate’s proposed funding for Homeless Assistance Grants
  o Protecting $20 million in funding for legal assistance to prevent evictions in the Senate bill
  o The House’s proposed funding for Native housing

Take action with NLIHC: https://p2a.co/nliqghj
Tax Package

Final deal struck on bipartisan tax proposal

• Expands Child Tax Credit (CTC) and some corporate tax breaks, plus certain LIHTC provisions

Does not include key reforms to LIHTC to ensure the credit better serves people with the lowest incomes
“By failing to include critically needed reforms to our nation’s largest source of financing for affordable rental housing, Congress continues to neglect the housing needs of those experiencing or at risk of homelessness. Increased homelessness is the tragic, yet predictable, consequence of underinvesting in the resources and protections that help people find and maintain safe, affordable housing.”

Read Diane’s full statement: https://p2a.co/nliqghj
2024 Legislative & Administrative Outlook

Looking ahead

• Expanding and preserving affordable, accessible housing
• Expanding housing vouchers and other rental assistance
• Creating a permanent emergency rental assistance program
• Strengthening and enforcing renter protections

Take Action with NLIHC in 2024: nlihc.org/take-action
2024 Disaster Housing Recovery Outlook

Noah Patton
Manager of Disaster Recovery
National Low Income Housing Coalition

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Disaster Housing Recovery

2023 Legislative Reform Efforts
Trends in Disaster Recovery Reform for 2023

1. Focus on Equity
2. “Customer Experience”
3. Easing Application Burdens
4. Data Sharing Issues
5. Pushing for Funding
Authorize CDBG-DR Program: Reforming Disaster Recovery Act of 2023

Bipartisan support:

- S. 1686 Sponsors: Senators Schatz (D-HI), Collins (R-ME), Wicker (R-MS), Young (R-IN), Cassidy (R-LA), Ron Wyden (D-OR), Van Hollen (D-MD), Tillis (R-NC), Tester (D-MT), Hyde-Smith (R-MS), Lujan (D-NM), Booker (D-N), Padilla (D-CA), Murkowski (R-AK)

- H.R. 5940 Sponsors: Representatives Al Green (D-TX)

Permanently authorizes the CDBG-DR program

- Targets resources to those with greatest need
- Prioritizes data transparency and oversight
- Protects civil rights and fair housing
- Encourages mitigation and resiliency
Disaster Learning and Life Saving Act/National Disaster Safety Board Act of 2023

Bipartisan support:
- H.R. 6450 Sponsors: Representatives Katie Porter (D-CA) and Nancy Mace (R-SC)
- S. 3338 Sponsors: Senators Brian Schatz (D-HI) and Bill Cassidy (R-LA)

Creates National Disaster Safety Board
- Reviews of Disasters would look at underlying causes of lost lives and property
- Collaborative process to find facts, not assign blame
- Independent Board selected from academia, federal, state, and local governments

Streamlines Data Collection and After-Action Review Process

Prioritizes data transparency and oversight

Creates an Office for the Protection of Disproportionately Impacted Communities

Facilitates Technical Assistance and Implementation Recommendations
“Stay Cool” Act of 2021

Bipartisan support:
- H.R. 4314 Sponsors: Representatives Bonnie Watson Coleman (D-NJ)
- 14 Democratic Cosponsors

Incentives for Cooling Centers
Temperature Regulations for Subsidized Housing
Expansion of Utility Subsidy to Include Cooling
Studies of Heat Wave Response
Senior Check-In Pilot Program
Disaster Assistance Simplification Act

Bipartisan support:

• S.4599 – Introduced by HSGAC Chairman Senator Gary Peters (D-MI) and Senator James Lankford (R-OK)
• Passed by the Senate

Creates Universal Application for Disaster Assistance

Streamlines Data Sharing Between Agencies
Federal Disaster Housing Stability Act

Bipartisan support:

• H.R. 3219 – Introduced by Representative Cherfilus-McCormick (D-FL)

Post-Disaster Eviction Moratorium (120 Days)

Post-Disaster Moratorium on Rent Increases (120 Days)

Post-Disaster Foreclosure Moratorium (6 Months)
Contact

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Field Update

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Next Steps

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Resources

NLIHC’s HoUSed Campaign (nlihc.org/housed): Campaign Updates