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April 30, 2018



20 Complete Annotations

PUBLIC POLICY QUESTION: Should the City of McMinnville adopt a “Homeless Bill of Rights”?

PREVIOUS QUESTION: Should the City of McMinnville’s laws be amended to allow otherwise homeless individuals to live in their vehicles in a designated area?

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## Book

Edelman, P. (2017). *Not a crime to be poor: The criminalization of poverty in America*. New York, NY: The New Press.

Paul Edelman makes two main assertions. First, he says that the United States criminalizes poverty. Edelman cites individual cases to illustrate how the poor are criminalized. One of those is the story of Vera Cheeks. Cheeks received a \$135 fine for a minor driving infraction. She did not have money to pay the fine, so she went to court and explained to the judge that she was taking care of her dying father and was unemployed. The judge gave her 90 days of “probation” to pay her fine. However, she would need to pay an additional \$132 to cover special fees levied against those receiving probation. She could sign a paper and agree to the new fine amount or go to jail for five days. Edelman says this is an example of how the poor are cited for minor violations and face fines they cannot afford to pay. The author also faults an increase in municipal policies that target the poor as a major contributor to this. He reports the National Center on Homelessness & Poverty’s finding that loitering, loafing and vagrancy charges have increased by 88 percent in the last 10 years. He says another way this happens is by imprisoning people with mental illness, rather than providing mental health services in communities. He also points to the criminalization of poor fathers who cannot pay their child support payments. Due to lack of mental health care or the inability to pay fines, people often must pay added fines like Cheeks did. Edelman says this can lead to the loss of a person’s driver’s license and eventual imprisonment. Further, Edelman cites NPR’s “State-by-State Court Fees” story that reported 43 states require those facing charges to pay for a public defender. Edelman also cites the United States Interagency Council’s 2012 report that says such criminalization creates a “revolving door” because it repeatedly cycles homeless individuals from the street to jail. Edelman’s second

main assertion is that the way to end this cycle of injustice begins with reforming the criminal justice system. He says one of the first steps in that direction is to expunge, or “erase” people’s criminal records. This makes it easier for those with a criminal past to find employment.

Edelman says another step is releasing people from jail, prison and mental institutions and redirecting money formerly spent on incarceration to services that can help people get out of poverty. He says these services include education, employment, mental health services and low-income housing. Edelman lists four places—Connecticut, New York, California and New Jersey—that have made progress in that direction by reducing the number of people imprisoned in their states.

Edelman grew up in Minneapolis. He received his bachelor’s degree in 1958 at Harvard University and later, his law degree at Harvard Law School. He is a law professor at Georgetown University Law Center. The university, founded in 1789, is the oldest Jesuit and Catholic college in the U.S. The college’s website says it is one of the leading academic and research institutions in the U.S. The website also says the college challenges students to engage the world and serve others, particularly those who are vulnerable and disadvantaged. The challenge is one Edelman appears to embrace. Besides teaching constitutional and poverty law, he serves as the faculty director of the college’s Center on Poverty and Inequality. Edelman wrote two other books besides the one cited: “Searching for America’s Heart: RFK and the Renewal of Hope;” and “So Rich, So Poor: Why It’s So Hard to End Poverty in America.” He has also written or contributed to 20 law reviews and other scholarly articles on the topic of poverty. From 1964 to 1968, Edelman was an adviser to U.S. Sen. Robert F. Kennedy, a Democrat from New York. He later filled several roles in President Bill Clinton’s administration. When Clinton signed welfare reform legislation in 1996 that removed the guarantee of federal cash for the nation’s poorest

children, Edelman resigned in protest. He was assistant secretary at the Department of Health and Services at the time. This could be a sign of how strongly he feels about serving the poor.

The New Press is the publisher of this book. The New Press website says it is a nonprofit public-interest publisher that serves as a platform for underrepresented voices, ideas and viewpoints. Its mission is to promote social change through public discussion of issues that are important to our democracy. Edelman's writing fits within the publisher's mission because the book promotes a reform of the criminal justice system to help end poverty. The stated mission of the publisher may have influenced the author to write freely and fully about the criminalization of the poor.

The author uses many case studies to strengthen his assertion that U.S. laws criminalize the poor. Chapters in the first part of the book open with stories about poor people and how they were criminalized. The first story, about Vera Cheeks, is an example. The story is brief but gives enough information to answer readers' questions about what happened. A few chapters later, Edelman uses Walter Scott's story as evidence that poor fathers who cannot pay required child support are criminalized. The author follows the story with a thorough explanation of what happens when a man is incarcerated for falling behind on child support payments and how the amount of back support owed continues to grow while he is in lockup. This strengthens the author's assertion because it breaks the stereotype that men who fall behind on court-ordered child support are just deadbeats. While case studies like Cheek's and Scott's strengthen the author's argument, they also may serve to weaken it because the author presents the stories in a way that may tug and stir up the emotions of the reader. The emotional appeals may weaken the book's assertions. Also, the author writes from the "victims" perspective. It would have strengthened the author's assertion if he had provided an opposing point of view as well. A major strength of the book is that the author uses solid sources. For instance, he cites The

National Center on Homelessness & Poverty and uses the organization's findings to document an 88 percent increase in laws targeting the homeless in the last 10 years. Also, the author cites an NPR story that reported many states require the poor who are charged with a crime to pay for a public defender. This further strengthens the book's message because NPR is a respected news source. Lastly, Edelman uses information from the United States Interagency Council to illustrate how criminalization traps the poor in a repeating jail to the street cycle. Again, using information from a credible source strengthens the author's argument. The author's second assertion is that states need to reform their criminal justice system by reducing the number of people who are incarcerated. He said that doing so will free up money for services and programs to help the poor rise out of poverty. The author supports his assertion by giving examples of four states that are in the process of such reform. Overall, the author's reliance on facts from dependable sources make his argument strong. A weakness is that he does not make much attempt to be objective when discussing opposing points of view.

Edelman says that society treats the poor like criminals. As evidence of this, he presents the stories of individuals who received unfair treatment from the legal system because of their poverty. In contrast, Ed Doughty (2018) says that the homeless are treated the way they are, not because they are poor, but because of their poor behavior. Doughty, who is chronically homeless, uses himself as an example. He said years ago, before he quit drinking, he walked down McMinnville's main street talking too loudly and running into people. He said the city made him account for his behavior. He said that is as it should be. He said looking at the local jail roster reveals homeless people are incarcerated because of unacceptable behavior intensified by drug and alcohol use. Kaye Sawyer, the executive director of the Yamhill County Gospel Rescue Mission, works daily with homeless people at the shelter. Sawyer (2018) said that she has not

heard complaints about unfair treatment by the legal system or anyone else. She said those staying at the mission are working hard to get their lives in order and trying to do all the right things. She did say, however, if people try to sleep in a city park at night, police officers may tell them to leave—but not because they are homeless—because the parks close each day at dusk. In contrast to Edelman’s assertion, Sawyer said the biggest problem the homeless face is that they do not want to take advantage of programs and services that can help them turn their lives around. So then, the three sources mentioned, Edelman, Doughty and Sawyer have three different perspectives. Edelman, an attorney, looks at the homeless problem from a legal point of view, while Doughty looks at it from his perspective after many years of living on the streets himself and Sawyer sees it from the vantage point of her work with those who are working to rise out of poverty.

While this book does not specifically mention the Homeless Bill of Rights movement, it does have background information about the history of homelessness that I can use in my essay. Also, there is a statement from Edelman I plan to use on page 153 where he says, “The opposite of criminalizing poverty is ending homelessness.” I am leaning toward answering my proposed question in the negative, that is, arguing that the city should not adopt a bill of rights for the homeless. Edelman’s statement is a concise way to explain that a bill of rights is not the solution to the problem of homelessness. Another quote in the book I plan to use is by Steve Berg at the National Alliance to End Homelessness. Berg said in an interview with Medina (2015), “What we’ve learned about homelessness over many, many years is that you have to provide housing, and criminalizing the homeless doesn’t keep people off the streets at all.”



## Book

Wakin, M. (2014). *Otherwise homeless: Vehicle living and the culture of homelessness*. Boulder, CO: First Forum Press.

In this book, Michele Wakin analyzes homelessness and vehicle living in Santa Barbara, California. She asserts that living in an RV or other vehicle is a practical housing solution for some people who would be “otherwise homeless.” Her analysis includes a variety of sources. For example, she examines data from the U.S. Department of Housing and Urban Development, which counts those who live in RVs or other vehicles as homeless. She also cites Santa Barbara’s Safe Parking program, which provides parking lots where people can safely park and safely sleep. She said the program also provides case management and can help people transition to more permanent housing. In addition, Wakin uses information from surveys she conducted in Santa Barbara. She said that she employed a crew of people who live in their vehicles to find out how many others were living in cars, trucks, vans, buses and RVs. The study included nine counts that took place from 2002 to 2004. Overall, she found that the average number of vehicles used as living quarters each of those three years was 148. The author also investigated what housing was available for the homeless. She cited numbers from the City of Santa Barbara’s 2003 Draft Housing Element, which found there were 343 beds, 103 mats and 21 units of transitional housing available for the homeless at the time of the study. In a discussion of the homeless culture, the author included the stories of homeless people. Louie was one of them. He grew up in foster care and was in jail repeatedly by the time he was 27. He ended up in prison. She said that after his release, he applied for government Supplemental Security Income, or SSI. When his application was approved, he received a lump sum of back pay, which he used to buy a small motor home. The author explained what life was like for him in his RV. She said police

harassed and ticketed him on a regular basis. His story and others support Wakin's assertion that some people prefer to live in a vehicle, rather than stay at a shelter—or on the streets. In her analysis of vehicular living, Wakin also cited information from the Sonoma County's 2007 Point-in-Time Count to explain how many people end up homeless, including those living in vehicles. She said that some of the causes of homelessness and barriers to more permanent housing include lack of money, substance abuse, divorce, poor credit, illness and domestic violence.

Wakin graduated from Clark University in 1992 with a bachelor's degree in psychology. In 1994, she received her master's degree in education at Boston University. In 2005, she earned a doctoral degree in sociology at the University of California, Santa Barbara. Since that time, she has been teaching sociology at Bridgewater State University in Massachusetts. She also oversees the college's Center for Urban Poverty, which was formerly known as the president's Task Force to End Homelessness. The center's primary purpose is to promote equality in housing, resources and services for the poor. From 2010 to 2012, Wakin was an executive assistant to the college's president. The job's responsibilities included oversight of the college's diversity and affirmative action office and assuring the college's equal opportunity and disability compliance. From 2012 to 2015, she was executive director of the college's Institute for Social Justice, now known as the Martin Richard Institute for Social Justice. Bridgewater's website says the college's mission is to educate people about social justice and help them develop the skills needed to promote social justice. Since 2014, Wakin has served as a lead evaluator for the Centers for Disease Control and Prevention at the Old Colony YMCA's Racial and Ethnic Approaches to Community Health Project in Brockton, Massachusetts. The project works on reducing differences in racial and ethnic health in the low income and black population in Brockton and Stoughton. Wakin's

education and awareness of the housing struggles of the poor may have influenced her to present her topic from the homeless point of view, in addition to her scholarly perspective. This book was published by First Forum Press, which is a division of Lynne Rienner Publishers Inc. Rienner's website says it is an independent scholarly and textbook publishing company that can print materials with new ways of looking at the world because it is free from corporate or lender requirements. This may have had an influence on the amount of freedom the author had in writing this book—the first of its kind on vehicular living. True to the mission of Bridgewater's Center for Urban Poverty, this book promotes equality in housing for the poor—even if they choose to live in a vehicle.

This author relied on solid sources in her analysis of homelessness and vehicle living and provided plenty of evidence to support her assertion that some people prefer to live in a vehicle rather than stay at a shelter. She cites many sources including: the U.S. Department of Housing and Development; Santa Barbara's Safe Parking Program; Santa Barbara County's Housing Element; and Sonoma County's 2007 Point-in-Time Count. Referring to these quality sources strengthens her report. For example, the housing element report provides the number of available beds in the county and gives demographic information about the homeless in the county. This helps put some perspective on the problem of homelessness in the Santa Barbara area. A major strength in the author's work is that she relied on facts throughout, not on gut opinion. For example, she based what she said on not just one study, but on nine studies conducted among those living in vehicles in Santa Barbara. Citing the repeated studies strengthens her findings. Another way she reinforced her assertion is by including the homeless community's point of view. Stories about people who live in vehicles are sprinkled throughout the book. Louie's story is one of them. Besides reporting on his living conditions now, she also told about his childhood

and what led to him living in an RV. His story and others like it, put a “face” on the subject of vehicle living. Since the stories are consistent with the author’s charts and graphs they strengthen the book’s assertion. Moreover, Louie’s story, government sources and the author’s study combined provide important background information that shows the book is well-researched. The author fully answers readers’ questions about what vehicle living is and why some prefer it over other housing. Wakin’s findings are mostly in line with articles on the topic of vehicle living—except that she presents it as a practical alternative to living in a shelter or on the streets. This does not weaken her report though, because she provided enough information to show her opinion was well-reasoned.

Wakin gives an extensive analysis on vehicle living in this book and asserts that living in a vehicle can be a practical and preferred housing solution for some people who would be “otherwise homeless.” She uses Santa Barbara, California, as a reference point. She bases her finding on facts. The book presents a scholarly point of view but also includes the homeless perspective by telling the story of people who live in RVs and other vehicles. The author discusses Santa Barbara’s parking program, which provides a safe and legal place for those living in vehicles to park. In contrast, Ed Doughty (2018) does not report on vehicle living—he lives it. He uses knowledge and experience gained by living in a Jeep as his reference point for what he says. Like Wakin, he bases his comments on his observations in just one city, in this case, McMinnville. Unlike, Wakin, Doughty talks a lot about why homeless people are treated poorly; Wakin’s focus is not on how homeless people are treated, but on how they live. Like Wakin, police Chief Matt Scales and Capt. Tim Symons report on RV camping on city streets (City of McMinnville, 2018). Similar to Doughty (2018) and Wakin, their focus is on one city. However, the officers present a different point of view than the other two sources. They provide

the police department's and housed population's perspectives. Like Wakin, Scales and Symons (2018) rely heavily on government sources. However, in contrast to Wakin, they do not consider RV living a practical option for the homeless and say that the city needs to create an ordinance to prevent people from living in their vehicles. The two officers do lightly touch on the possibility of the city eventually creating a parking program similar to what Wakin mentions, but the main point in their report is that the city needs to ban vehicular living at once.

There are several pieces of information in this book that will be helpful in my essay. First, Wakin's definition that says a home can be an RV, or another vehicle will help me define homelessness. Also, she said that in the early 1900s, people thought of homeless as an adventurous way to live and that there was a special name for them: hobos. I plan to use this lighter information in a brief history of homelessness before I transition into the more serious part of the discussion.

## General Periodical

Chen, W., & Dorantes, J. (2015, December 17). 'Homeless Jesus' statue invites debate. *Argus Leader*. Retrieved from ProQuest Central.

The authors of this article assert that a statue of the biblical character Jesus, portrayed as a homeless man lying on a bench, has caused debate in Indianapolis. The article said because of the \$40,000 price tag some people consider it a poor use of money. They say the money could have been better spent on providing services for the homeless. The statue was paid for with private donations and is on the property of Roberts Park United Methodist Church. A church official admits the sculpture is controversial but said the statue is meant to promote discussion about homelessness. The statue is in a part of town both young urban professionals and beggars frequent. It is a place where services like homeless outreach centers meet upscale apartment buildings. However, some people are concerned that it might draw even more homeless to the city, which passed a "Homeless Bill of Rights" in March 2015. The bill was passed to insure homeless people's right to "to move freely," the article said. The authors said that according to the Indiana University Center for Health Policy, the number of people who are homeless throughout the year may be as high as 10,000 in Indianapolis. And they estimate 1,600 of those are children. While some oppose the statue, the authors reported it makes others, like Ricky Damrell feel safer. Damrell said that for those who sleep on the streets, the statue of Jesus as a homeless man is a sign of solidarity. He is among those who hope debate about the statue will promote change. He said, for example, there are abandoned buildings in the city that could be turned into shelters. The creator of the statue, Timothy Schmalz, said duplicates of the statue have stirred up discussion in other cities as well. He said the piece has spread more shock than the photograph "Piss Christ" and the Chocolate Jesus sculpture.

The Argus Leader is one of over 100 publications in Gannett Co.'s USA Today network. The media company's website says it is the host of the American conversation. Articles published in one newspaper often appear in others in the network. Wei-Huan Chen and Jorge Dorantes, two writers at the Indianapolis Star, wrote this article. Chen earned his bachelor's degree in 2012 at Brandeis University, a private research college in Waltham, Massachusetts. Chen studied arts, English and journalism and was the arts editor of the Brandeis student newspaper. Before he joined The Indianapolis Star, he wrote for the Journal and Courier in Lafayette, Indiana; the Needham Times in Massachusetts; and the Boston Phoenix, an alternative newspaper that is no longer in publication. Since 2016, Chen has also been a theater and classical opera writer for the Houston Chronicle. Jorge Dorantes was a journalism and media relations student at Indiana University-Purdue in Indianapolis at the time he contributed to this article. The public university's website says its mission is to transform the lives of its students and community and change the world around it. Dorantes received his bachelor's degree in journalism and media relations in 2017 and followed it with second bachelor's degree in visual media aesthetics and theory in 2018. The bulk of Dorantes' work experience is not in writing. His work history includes employment as a community engagement manager at Arts for Lawrence in Indianapolis, marketing and events manager at the Indianapolis City Market and marketing and communications coordinator at the Arts Council of Indianapolis. The six-month period that Dorantes was with The Indianapolis Star he was part of the Arts Journalism Fellowship Program. The newspaper's website says the program works in collaboration with the Arts Council of Indianapolis and the Indianapolis Star. Its purpose is to promote arts coverage. Dorantes and Chen's shared art background may have influenced their approach to this story, that is, making it more of a soft feature story rather than a hard news report. Also, writing for a

publication that is part of USA Today's media network may have influenced the authors to write in a way that would appeal to a greater cross section of readers than just The Indianapolis Star. USA Today published the story nationwide, which indicates the article aligns with the media network's mission to host the nation's conversations.

In their report on the replica of the Homeless Jesus sculpture the authors show great attention to detail. They include how much the statue cost, how it was paid for and why supporters thought it important to bring a copy of the sculpture to the town. They also explain why people were upset about the \$40,000 price tag, even though it was paid for with private donations—not city money. Chen and Dorantes provide the name of the street corner where the statue is placed and describe the two distinct parts of the town and the wide range of people and viewpoints that area represents. The authors' inclusion of these details makes for a solid article and answers readers' questions about the statue. The authors use quotes from the statue's creator, Timothy Schmalz, which reveals his thoughts about his work and the impact the Homeless Jesus pieces have had in the U.S. and across the world. In addition to what Schmalz says, the story includes comments from the pastor of the church where the sculpture sits, as well as comments from homeless people. This shows the authors talked to many people as they researched the story. The inclusion of multiple points of view strengthens the article. Another element that contributes to the strength of this article is that, in addition to reporting that the city has a Homeless Bill of Rights, the authors succinctly explain what that it is. Strong statements about the statue's presence are in the form of quotes. This shows that the authors relied on facts in reporting the story, not on propaganda or their own opinions. In reporting the number of homeless people in Indianapolis, the authors cite a solid source, the Indiana University Center for



Health Policy. A possible perceived weakness of the article is that it is just a little over 1,100 words long. However, the authors' pith makes up for that.

Chen and Dorantes' story reports on the debate about a statue that portrays the biblical character Jesus as a homeless man in Indianapolis, which has a Homeless Bill of Rights. The authors report the statue's placement is purposeful. It is meant to encourage people to talk about homelessness. The sculpture, paid for with private donations, has caused quite a stir in the city for two reasons. The first reason is that people say the money could have been spent on services to help the homeless. The second objection is the concern it may attract more homeless people to the city that has a Homeless Bill of Rights. Paul Boden and Terry Messman (2015) assert in their article about homeless rights that more cities need to pass such rights' legislation. Boden and Messman base their assertion on a survey of 1298 homeless people conducted by the Western Regional Advocacy Project. The project is an organization whose mission, in part, is to empower communities to take steps to protect the civil rights of the homeless. The group's study found that many cities treat homelessness as a crime. Both the Jesus statue article and the right to rest article serve to make readers more aware of homeless issues in the U.S. However, the first article's point of view is that of an outsider observing the effects of a piece of art on a community while the second article's perspective is that of an advocate for the homeless. In a third article, "Where Do People Go When They're Told to Leave?" Ashley Archibald (2018) asserts that groups need to come together to fight for homeless individuals' rights. To support her assertion, she cites the example of an advocacy group, Denver Out Loud, and private attorney, Jason Flores-Williams, who have successfully joined forces to file suit against the city for violating a homeless person's rights. Archibald tells her story from her point of view, which is that of an advocate and one who works at the street level with the homeless. Her article is

published in a street newspaper that serves as a self-help group for the homeless. The newspaper is the way the advocacy group Real Change puts money in the hands of its homeless vendors. The language used in the Real Change article is rough. For example, the author quotes someone using the “f” word and other coarse language. The publication’s style is in stark contrast with that of Chen and Dorantes. Their article adheres to The Associated Press guidelines. Boden and Messman’s (2015) right to rest article differs from the other two in that it is in a scholarly journal. Of the three articles, Chen and Dorantes’ story about the statue is the only one that provides more than one point of view.

I plan to use information about the community’s reaction to the Jesus statue in the introduction of my paper. Talking about the statue will put a “face” on the topic of homelessness and the debate about rights that surround it. This will lay the first part of the groundwork for my essay and hopefully make for a smooth transition into the history of homelessness that will follow.

Healy, J. (2017, January 10). Rights battles emerge in cities where homelessness can be a crime.

*New York Times*. Retrieved from <https://tinyurl.com/z3xa8e2>

In this article, J. Healy asserts there is a battle in cities about whether public spaces should be open to homeless residents or closed and the encampments cleared away. He said the National Law Center on Homelessness and Poverty reports half the cities in the U.S. have anti-camping laws, but when enforced they leave individuals with no place to sleep. Randy Russell in Denver experienced this. He was cited by a police officer when city workers came to clear out the homeless encampment he lived in. This left Russell and others without a place to sleep. Healy reported activists are campaigning against anti-camping, or “urban camping,” laws that target the homeless. He said in Denver, and elsewhere in the U.S., activists and homeless individuals are challenging misdemeanor charges in court and wearing buttons reading, “Move Along to Where?” Healy cited a 2015 statement of interest the Justice Department issued concerning a law in Boise, Idaho. The statement warned laws that criminalize homelessness may violate the Constitution as cruel and unusual punishment. The Department of Housing and Urban Development said such laws will be taken into consideration when awarding grants. Healy said policies under the Obama administration strengthened homeless advocates’ cause, but there is concern that may change under President Donald J. Trump. Founder and director of the National Law on Homelessness and poverty, Maria Foscarinis, is concerned. She said about half the cities in the U.S. have anti-camping laws. She said for every proposed law that is defeated, more arise elsewhere. In Seattle, there was a loud response from the community when city council member, Mike O’Brien proposed 3,000 homeless residents in the city be allowed to camp in specific parks and on public land that was not developed. Healy reported residents shouted for a recall of

O'Brian at the October 2016 city hall meeting. O'Brian said outlawing homelessness does not solve the problem.

Jack Healy earned his bachelor's degree from School of Journalism at the University of Missouri in 2003. While there, he wrote for the college's newspaper and tutored other students. The journalism school's website says that it is the first journalism school of its type because it not only provides a liberal arts' education, but also provides hands on professional training in the media world. In an email, Healy said that most of his writing experience has been at The New York Times, where he is a Denver-based national correspondent. The newspaper's website said that he writes about life "outside America's city limits," though at one time he was one of their foreign correspondents based in Baghdad. The New York Times has been in print since 1851 and has won over 100 Pulitzer Prizes. It is one of the most widely circulated newspapers in the United States. A Pew Research Center Study conducted in 2014 reported that 62 percent of those with liberal values trust The New York Times. This makes it one of the nation's most trusted news sources for those who lean left politically. In 2017, CNN reported that the newspaper had 2.2 million digital edition subscribers. In addition, Forbes reported in February 2018 that the NYT gained 157,000 online subscribers the last quarter of 2017. The newspaper's website says it is a worldwide media company devoted to informing and helping readers understand what is happening in the world and this article is in line with that goal. The article fits well within the author's beat, because he is writing about life "outside America's city limits" in that homelessness is somewhat "outside" the norms of city life. Writing for a newspaper favored by liberal readers may have influenced Healy to question aloud whether the Trump administration will be as supportive of homeless advocates' causes as Obama's administration was. Also, the newspaper has a large readership outside of New York, so the author may have written the article

with that in mind. For example, he writes about homeless rights' battles on both sides of the country, which makes the article more appealing to readers all over the U.S.

This author presented quality evidence to support his assertion that cities are facing battles concerning homeless rights. Healy relied on facts from solid sources including the Justice Department, the Department of Housing and Urban Development and the National Law Center on Homelessness and Poverty. Though the article's evidence gave weight to the homeless point of view, the author also included some of the perspective of citizens who object to homeless camps by reporting on what happened in Seattle when Mike O'Brien, a city council member suggested that homeless residents be allowed to camp on public land. He said citizens threatened to recall O'Brien. The inclusion of the event also provided important background information about the rights battle because it shows how strongly people feel about the issue. Further, the author did not answer, but raised the question of whether President Donald Trump's administration will be as supportive of homeless advocates as the previous administration was. This weakens the story because it leaves readers with an unanswered question. Another weakness in the article is that Randy Russell is the only homeless person mentioned. It would have strengthened the author's assertion if a few other people's stories had been included as well. Overall, the article seems well-reasoned; It is in line with other works on the topic of homeless rights. Another strength of this article is that the author weaved in several sources throughout the article to support his assertion, instead of frontloading it as some other works have done. This showed that he researched his topic well and was relying on facts, not just giving some evidence and then filling the rest of the story with his opinion.

Healy asserted that cities and the homeless are engaged in a battle over whether the unhoused should be allowed to camp on public property. He said that half of the cities in the U.S.

have anti-camping laws and that those laws leave people with nowhere to sleep. The article includes the story of a homeless man who said he has watched police throw away blankets that belonged to homeless people. Healy also said that in response to being awakened when they sleep in city parks and told to move on, homeless people, as well as their advocates, are wearing buttons that ask, "Move Along to Where?" Howie Harkema (2018) also mentioned that it is difficult for homeless people to find a place to sleep. He said that people with mental health or substance abuse problems that prevent them from staying at the local shelter have no choice but to sleep in public places. He said that they are doing nothing wrong because everyone needs to sleep. He said he has talked to people who have been woken up by police and told to move on. In contrast, Kaye Sawyer (2018) did not mention anything about the struggle people have to find a place to sleep. She said has not heard anyone complain about being harassed or move on when they are sleeping in public. She said that there are beds available at the shelter but people do not want to stay there because they must be sober and consent to drug and alcohol tests. She said the biggest problem facing the homeless is not finding a place to sleep. She said that the biggest problem is that the homeless do not take advantage of the shelter and other services and programs in the community. She based this assertion on her perspective as the director of a homeless shelter. Her assertions are dependent on her work there. Harkema (2018), who sees the situation differently, speaks from his experience as a soup kitchen manager and as a homeless advocate involved in many different programs in the community. While Harkema's and Sawyer's (2018) focus is on the homeless in McMinnville, Healy (2017) addressed the homeless situation in more than one city.

In my essay, I plan to use the story about Randy Russell, who was cited when the camp he was living in was cleared out. His story will support my assertion that cities criminalize

homelessness. I also plan to use the story about the townspeople in Seattle who shouted for a recall of council member Mike O'Brien because he proposed allowing a homeless camp in the city. The will illustrate how the housed in a community often have a "not in my backyard, or NIMBY, approach to the homeless.

## General Periodical

Lee, William. (2018, February 7). In test of state law, Chicago homeless couple sue city, alleging property rights violated. *Chicago Tribune*. Retrieved from <https://tinyurl.com/ycptzcl2>

William Lee asserted that the rights of a homeless couple, Amie Smith and Shawn Moore, were violated when their tents were repeatedly taken down by police and their private property was thrown away by city workers. He said that they filed suit against the city of Chicago based on the 2013 Illinois Bill of Rights for the Homeless Act after the city threw away their tents, their ID and photographs of Smith's dead son. The author said that the city violated the couple's right to privacy by the action. Lee asserted that the state's homeless rights bill provides the basis for such suits. To support this, he quoted from the bill and said that homeless people are entitled to the reasonable expectation of privacy about their belongings, just the same as those who live in a permanent residence. He reported that a senior staff attorney at the American Civil Liberties Union of Illinois said that, in general, if a homeowner invites the police into his or her home without a search warrant, the officers cannot search or look through the owner's belongings. The attorney said that the same expectation of privacy applies to a person whose possessions are outside. Other evidence that supports the author's assertion is the author's conversation with Smith and Moore's attorney. The article also includes information from an interview with Carole Aldape, who experienced a situation similar to Smith and Moore's. The city forced her and over a dozen other people to move from their camp. She said that the city forced them to move so it could narrow the sidewalk they were living near in order to create a bike path. She said that the path's creation was meant to keep people from setting up tents in the area, which she said is a violation of the homeless rights law. As more supporting evidence, the author said that the Chicago Coalition for the Homeless has filed two other lawsuits like Smith



and Moore's case. Lastly, Lee said Steven Schwinn, a law professor at John Marshall Law School, acknowledged that if the couple's complaint goes to trial it seems to be on "secure legal footing."

William Lee graduated from Western Illinois University, a public college in Macomb. He has been writing for the Chicago Tribune since 2009. The Tribune's website says that he covers crime, politics and entertainment. He has also written reviews of video games and interviewed celebrities. The website also says that he formerly worked as a leg-man, gathering information for the newspaper's award-winning columnist John Kass. Lee, too, is an award-winning writer. In 2017, he was one six journalists who received a Peter Lisagor Award for the feature series, "Cubs Mania." Muck Rack's website says that Lee's work has been published by CNN, the Los Angeles Times, Newsweek, MSN and about fifty other news sources. Prior to his work at the Tribune, Lee wrote for the now defunct SouthtownStar, once known as the Daily Southtown. The Chicago Tribune Media Group purchased the SouthtownStar in 2014 and changed the name to the Daily Southtown. The publication, as well as the Chicago Tribune, are now owned by Tronc Inc. The newspaper is one of the largest in the nation. The Tribune's website says it is committed to "informing and leading public opinion." It also says that it embraces diversity and stands with the people in its city. This article is about a minority group in the city—homeless people—and the battle for their rights, so the story fits well with the newspaper's principles. Since Lee's work has been published by many news organizations, his ability to write for diverse audiences may have influenced him to write a story that would appeal to the widest possible range of readers. Also, since he formerly worked as a leg-man, he has a lot of experience doing research. This may be an indication that his story was well-researched.

This article presented the case of Amie Smith and Shawn Moore, a homeless couple who say their rights were violated when city workers threw away their personal belongings. He said that Chicago has a bill to protect the rights of the homeless from such actions. The story starts out strong, providing relevant background information about the couple and the event that violated their rights. From there, Lee's argument weakened a little because he does not immediately provide much background information about the bill. This leaves readers with questions that are not answered until later in the story. The major weakness in the article is that Lee did not talk directly with the homeless couple that the story is about. However, he reported what their attorney, Kate Schwartz, had to say, which provided the legal counsel's point of view. Other than a few brief statements from a representative for the city's law department, the city's point of view is omitted. Including it would have strengthened the article. The author includes a four-paragraph story from his interview of another homeless individual who filed suit against the city but does not provide the outcome of that case. The story seems like a red herring, meant to distract readers from the fact that the subjects of the story were not interviewed. Interviewing Moore and Smith would have strengthened the article. The article is heavily weighted on the side of the couple filing suit. Additional evidence the author included to support his assertion is information about two other cases that the Chicago Coalition for the Homeless has filed since the state's Homeless Bill of Rights for the Homeless Act was approved in 2013. He also included information from the Chicago Coalition for the Homeless about a similar case in Chicago that was settled a week before the article was published. These cases provide evidence that the city has violated homeless people's rights before and that the rights bill provides the basis for such suits.

Lee's news story focuses on the violation of a Chicago couple's rights. He said that Amie Smith and Shawn Moore, who are homeless, had their rights violated when their tents were taken down by Denver police and their belongings were thrown away by city workers. He reports the couple filed suit against the city and that the 2013 Illinois Bill of Rights for the Homeless Act provided the legal basis for their suit. Likewise, Sara Rankin (2015) discusses the rights of the homeless. While Lee's story takes place in a state that has already passed legislation to protect the rights of the homeless, Rankin's (2015) concern is states that do not have a Homeless Bill of Rights. She said that the housed population is prejudice against the homeless and that makes it hard to pass rights' legislation as Illinois has done. However, she said that it is important because it is the first step in defining the rights of the homeless. Lee's story about Smith and Moore is an example of why Rankin (2015) said states need such legislation. In a report to the city council in McMinnville, police Chief Matt Scales and Capt. Tim Symons (City of McMinnville, 2018) did not say anything about homeless people's rights. They said the city is receiving an increasing number of complaints about people living in vehicles on city streets and that the city needs to create an ordinance to deal with the problem. Scales and Symons said that the current law is unenforceable because it is outdated. To remedy that, the officers said that the city needs an ordinance that will allow them to address the problem. The officer's report is similar to Lee's story, in that both mention police officers and what they can or cannot do regarding the homeless. The officers' report (City of McMinnville, 2018) presented only the city's and law enforcement's points of view. Lee presented the homeless and legal perspective, while Rankin (2015) provided the homeless, their advocates and the legal points of view.

I will use Smith and Moore's story as evidence to back up my assertion that a Homeless Bill of Rights does more than protect people's rights—it provides a basis for civic and legal

action when their rights are violated. I will also include that Smith and Moore's suit is one of three filed since Illinois's Bills of Rights for the Homeless Act became law in 2013.

General Periodical – Magazine

Nathanson, R. (2017). Denver's crackdown on being homeless. *The Progressive*. Retrieved from <https://tinyurl.com/y9d9ma2m>

Author Rebecca Nathanson asserts that though there have been few citations given for violating Denver's camping ordinance in the last five years, the numbers do not tell the whole story. She asserts that there is a crackdown on being homeless. To support her assertion, the author weaves the story of Jerry Burton throughout the article. Burton is a chronically homeless man whose blankets were taken by the police. Nathanson said that Denver is often at the top of "Best Places to Live" lists, but it was also on the National Law Center on Homelessness and Poverty's "Hall of Shame" list in 2016. The list is comprised of three cities that the NLCHP says has "particularly bad laws or practices." The article reported the city has had laws against sitting or lying on public right-of-ways in its business district since 2005. The author also said the city banned camping on public or private property in 2012. Few people are cited for violating the laws. However, the results of a survey by Denver Homeless Out Loud, indicated a "worst case scenario." Questions they asked were about how safe people felt, how easy it was to get into shelters, how much sleep they were getting and how much police contact they were experiencing. The author said that Denver Homeless Out Loud has tried to get a Homeless Bill of Rights enacted in the past. They say the bill would protect people's right to sleep without fear of being woken up and told to move. One homeless man, who is part of the activist group, said that he has unsuccessfully tried to get arrested so he could go to court and fight what is going on in the city. Again, the number of citations written are small, but those living on the street said they are often told to "move along." But, they have no place to go. The author reported that in 2016 police removed homeless encampments that were along sidewalks. Jerry Burton's camp

was among them. The officers also took personal possessions when the owners refused to pick them up. The act of officers taking people's blankets away was caught on video and will be used in a class-action lawsuit. The suit says that Fourth and 14th Amendment rights were violated. It represents anyone who was homeless after 2014 and had their belongings taken by the police. It is thought to include 3,000 to 5,000 people.

Nathanson is a freelance journalist based in New York. Her LinkedIn page says that she covers everything from social movements to education and women's rights, both in the U.S. and France. Places her work has been published include: Al Jazeera America; The New Yorker and Rolling Stone websites; and the Village Voice, which lays claim to being the first alternative newsweekly in the United States. Nathanson received her bachelor's degree from the New York Gallatin School of Individual Study in 2014. The college's website said it has a unique philosophy, which allows students to design their course of study. Nathanson's fields of study were history and social movements, with a minor in French. She graduated with honors and received a dean's award which allowed her to spend the summer of 2014 in Paris researching housing and urban social movements. She is working on her master's degree in sociology at the University of Oxford with an expected graduation date of 2018. While still in college, she spent a summer as a web editorial intern with The Nation. The weekly magazine's website says that it is both "principled and progressive." In 2012 she interned with Verso Books, in Brooklyn, New York. Verso's website says that it is the "largest independent, radical publishing house" that prints in the English language. The article this story is in, The Progressive, is a liberal magazine in Madison, Wisconsin. The publication's tagline says it is "a voice for peace, social justice and the common good." The magazine's website says it speaks for those who are not well represented in the media, so this article on the homeless is a good match for the publication. This

story about the crackdown on the homeless in Denver embodies the magazine's tagline message and mission because the story reads like a cry for justice. The author has a lot of experience researching topics such as this. Her college study of social movements combined with the summer she spent researching housing and urban social movements may have influenced her choice of topic and the point of view presented in the story. Also, she has experience writing for liberal publications so the viewpoint she presents may be off to the left politically.

This article makes a compelling case for the author's assertion that Denver is cracking down on the homeless. First, Nathanson gives the example of Jerry Burton, a homeless man. This provides necessary background information. She weaves his story throughout the article to illustrate her points, which strengthens the article. It also makes for a well-reasoned story. Second, she cites the National Law Center on Homelessness and Poverty's list of the three cities that have the worst laws and practices regarding the homeless. The law center is actively involved in court cases dealing with homeless rights all over the country, so it is a good source of information. The author also included information about the city's laws that ban sitting or lying on public right-of-ways, as well as its ban on camping on private and public land. The author's inclusion of these facts provides additional background information that further strengthens her assertion. Though Nathanson's article focuses on the homeless and their advocates, she also includes some of the city's perspective as well. Because few people are being cited for sitting, sleeping or camping in the city, a look at the numbers of violations would not provide measurable proof that the city is cracking down on the homeless. Therefore, the author includes the results of a survey conducted among the city's homeless to answer readers' questions about what is happening in the city, at least, from the homeless population's point of view. Other evidence the author included is information about a 2016 incident in which police took people's

belongings after their owners refused to pick them up. She reported that the scene was caught on video and will be used as evidence in a lawsuit against the city. She said the suit is being filed because the action violated Fourth and 14th Amendment rights. The information contained in the article shows that there is an observable basis for the author's main assertion. Moreover, the article is in line with other works about the criminalization of the homeless.

Nathanson said that there is a crackdown on being homeless in Denver. She said that the city is issuing few citations, but that the small number of citations is misleading. To support her assertion, the author cites the National Law Center on Homelessness and Poverty's "Hall of Shame" list which includes Denver for its "particularly bad laws or practices" regarding the homeless. The author also mentioned specific bans Denver has, such as laws against sitting or lying on public right of way and camping. The author uses the personal story a homeless man to explain the crackdown's effect on the homeless. The article also cites a survey done by the activist group Denver Out Loud. Likewise, Jack Healy (2017) writes about the topic of homeless people standing up for their rights. Like Nathanson, he starts his story by looking at what is happening in Denver. He, too, cites the personal story of a homeless individual in that city. In contrast to Nathanson's story, Healy (2017) goes on to talk about other U.S. cities. His focus is not so much the battle for rights in one city, but on how homeless communities and their advocates are stepping up to fight against laws that violate their rights. Similar to Nathanson, Tori Richards' (2018) writes about a crackdown on the homeless. She also focuses on just one city, but it is Anaheim, California—not Denver. She asserts that a homeless encampment a few miles from Disneyland is a 'national disgrace' and she reports on the community's efforts to dismantle it. Unlike Nathanson, Richards does not cite organizations outside of her focus area to support her assertions. Her story also differs from Nathanson's in that she only mentions laws



when she reports that city officials blame the problems they are having on two changes in California law. While all three articles mention homeless encampments, they vary in perspective. Nathanson's article provides the perspective of the homeless and their advocates but also briefly touches on the cities' point of view as well. Healy (2017) also gives the homeless and advocates' perspective, but he also gives equal space to the city's point of view. Richard's (2018) article presents only the city's point of view.

Information in this article will be useful in the part of my essay where I present examples of criminalization. Fourth and 14th Amendment rights may have been violated when the police took away homeless people's blankets and because the event was captured on video, it provides rock-solid evidence of what is happening around the country. Other information I will use is what the author said about the city of Denver banning any kind of shelter, other than clothing, on public property. It is an extreme example but will be helpful in underscoring what criminalization of the homeless can look like.

Specialized Periodical -Scholarly

Boden, P., & Messman, T. (2015). The right to rest: Homeless coalition challenges criminalization of life on the street. *Race, Poverty & the Environment*, 20(1), 94-97.

Retrieved from JSTOR

In this article, Paul Boden and Terry Messman said homeless individuals have the right to be in public places to sit, sleep or rest without fear of harassment or arrest, but assert that is not happening. The authors said this affects a growing number of people. As a sign of the increase in the homeless population, the authors cited figures released by the U.S. Department of Education on Sept. 22, 2015. The report said there were 1,258,182 homeless students in the public schools during the 2012-2013 school year. The authors said the First Focus Campaign for Children reported that was an 85 percent increase since the start of the recession. The authors said that the civil and human rights of homeless individuals are not as fully protected as the rights of those who have a home. The authors cite a survey conducted by the Western Regional Advocacy Project (WRAP), which involved 1,298 homeless people. Results revealed 81 percent had been harassed, cited or arrested for sleeping, 77 percent for sitting or lying down in a public place, and 66 percent for loitering. Just 26 percent responded that they were aware of a safe place to sleep at night. Boden and Messman assert the "Right to Rest Act," included in the grassroots Homeless Bills of Rights campaign, would protect the rights of the homeless population. They said the act includes provisions to protect the right to use public space, does away with time limits and protects the right to sleep and protect oneself from the elements. The right to eat, share and accept food in any public place where food is allowed would be assured. And lastly, it would protect the right to occupy a legally parked motor vehicle in any public or private, with the property owner's permission.

This article was published in *Race, Poverty and Environment*, which is the scholarly online journal of the Urban Habitat Program. Ulrichsweb Global Serials Directory says that the publication gives voice to resources, reports and activities that look at the relationship between race, poverty and environment. This article falls within that scope. The first author of the article is Paul Boden. He is the organizing director of the Western Regional Advocacy Project headquartered in San Francisco. The advocacy's website says he became homeless when he was 16. In 1983, he started volunteering at a homeless shelter in San Francisco and eventually became a program director for the organization. After that, he was a case manager for a supportive hotel program serving the mentally ill. Boden was also the executive director of the Coalition on Homelessness for 16 years. He helped found and later served as president of the Community Housing Partnership, which helps the homeless find permanent housing. He has also served as a board member of the National Coalition for the Homeless and as a member of its committee that helps people form grassroots civil rights groups. Boden travels across the U.S. talking about homeless issues. He has had over 20 articles published in the Huffington Post. A few of those are: "I Ain't No Broken Window," "It's Madness: The Incarceration of Disabled Homeless People in the U.S.," and "It's Crazy to Criminalize the Homeless." The SFGATE, an online branch of the San Francisco Chronicle, says that Boden is an authoritative local and national spokesman for the homeless. The second author, Terry Messman, is also a homeless advocate. For 30 years, he served as the program coordinator for the American Friends Service Committee Homeless Organizing Project. The project was associated with the Religious Society of Friends, more commonly known as the "Quakers." The project closed in 2017. Messman is editor of the Street Spirit newspaper and oversees its website. The website says that the publication reports on issues like homelessness, economic inequality and the violation of poor

people's human rights. Over 100 homeless vendors sell the newspaper in Berkeley, Oakland and Santa Cruz, California. Because both Messman and Boden are advocates for the homeless, it may have influenced what they wrote. Most of the article is written from an advocate's point of view. However, because Boden has experienced homelessness himself, his views include some of the homeless population's perspective as well.

This journal article does not appear to be well researched. There is little information that supports Paul Boden's and Terry Messman's assertion that homeless people are being criminalized and deprived of their right to be in public places. Boden and Messman say that 120 organizations in five states have endorsed the Right to Rest campaign, but they do not supply the names of the groups or the states. If included that information would have strengthened the article. The authors say that several cities have enacted initiatives similar to the Right to Rest movement's recommendations, but they do not say which cities. They only say towns "throughout the country." This vague reference weakens their argument. Boden and Messman also say that there have been attempts to ban food sharing as well as aggressive efforts to force people out of public places, but again, no evidence is provided. The authors report figures from a solid source, the U.S. Department of Education, and that information confirms there are over a million homeless students enrolled in public schools. However, that is not evidence that homeless individual's rights are being infringed upon. The article says the number of homeless people dying on the streets continues to rise, but they do not support the claim. The authors say that judges have gone on record attributing the increase of homeless individuals in jail to "quality of life" regulations cities have enacted. However, the authors do not give proof of that. The article says the Homeless Bill of Rights campaign builds on previous social justice campaigns such as the Jim Crow laws in the segregated south, California's laws in the 1930s that outlawed

bringing poor people into the state, and laws several U.S. cities had in the 1970s that prohibited disabled people from being seen in public. Since the authors did not explain the contents of the bill of rights or give any details about the older social justice campaigns, the statement does not logically strengthen the authors' assertion. While the first half the article reads like propaganda meant to rally the troops, the last half gives evidence to support the authors' main assertion when it reports the results of a survey the Western Regional Advocacy Project conducted among 1,298 homeless individuals. Boden and Messman omit information about what the advocacy is and what it does, which weakens the article. The advocacy's survey results are the only source the authors used to support their main assertion, leaving readers with unanswered questions. Conflicting points of view are omitted from the article.

Boden and Messman say that homeless individuals are harassed and many of them fear being arrested for sitting, sleeping and resting in public places. The two say that this happens because the civil rights of the unhoused are not as fully protected as those of the housed. The authors assert the answer to the problem is the adoption of a "Right to Rest Act" promoted by the Homeless Bill of Rights movement. However, Ed Doughty (2018) disagrees. He says he has observed that homeless individuals are often treated the way they are due to their unacceptable behavior. He said that there is an acceptable way to behave in public. When homeless individuals exhibit poor behavior, he says someone needs to address it. As an example, he said that he used to stay at the local homeless shelter but is no longer welcome there because he lost his temper with another resident. He said, "That is as it should be." He says cities do not need homeless right's legislation because laws will not change people's behavior. Scales and Symons' report (City of McMinnville, 2018) takes a similar view on holding people accountable for their actions. The officers say that recently the police department is receiving an increasing number of

calls complaining about homeless people living in RVs. The calls say that campers are leaving garbage, feces and dirty needles lying around in residential neighborhoods. The officers' report says that because of this, the city needs to draft an ordinance to prohibit people from living in their vehicles. However, Boden and Messman say the right to live in a legally parked vehicle is one of the rights a Right to Rest Act would protect. So then, all three articles mentioned discuss homeless rights, but they do so from three different points of view. Boden and Messman present the point of view of advocates for the homeless, Doughty (2018) provides his perspective as a chronically homeless individual, and Scale and Symons' report (City of McMinnville, 2018) presents the police department's view.

This article concisely covers the major points of the Homeless Bill of Rights Campaign, so I will use it to explain the group's perspective. However, the article does not cite much supporting evidence for its assertions; I will need to use it alongside other sources that have that information.

Specialized Periodical - Trade

Fine, H. (2016). Firms feel heat from homeless. *Los Angeles Business Journal*, 38(24). Retrieved from Gale.

Howard Fine asserts that business owners in Los Angeles are frustrated at the growing number of homeless camps in the city's Skid Row area and beyond. He reported that business owners say crime is on the rise and they blame a 2014 court ruling that allows tents to stay up 24 hours a day. The author said that employees are being assaulted and the problems with the homeless are driving business away. He used several types of evidence to support his assertion. First, he gave the example of businessman Harry Tashdjian, who moved his business to the Skid Row area in 2014. Tashdjian told the author that his business has suffered because of the homeless camps. He said he has had to spend thousands of dollars repairing damage caused by tent fires right next to his building. Further, the author said that the area's business improvement district's director, Raquel Beard, reported that the city had to pick up 64,000 bags of trash in 2015. She said that was an increase of 9 percent from 2014. As more evidence, the author cites Hal Bastian, a revitalization consultant that the city is working with. Bastian said that the homeless problem is affecting all the downtown area. He said that with homeless people sleeping on the streets with open sores, it is not possible to rent 8,000 apartments and 2,000 condominium units. Fine also used crime statistics from the city's police department to support his assertions. He said that rapes, aggravated assaults and robberies increased over 70 percent since 2014. The author also quoted Deon Joseph, a senior lead police officer in the area, who said that allowing the homeless tents to stay up 24 hours a day makes it easy for criminals to hide and for people to prepare and sell drugs. Fine also cited Blair Besten, who is the executive director of the business improvement district in the city's historical area. Besten said that there has been an increase in

panhandling and in homeless people wandering into stores causing unpleasant interactions with both customers and employees.

In 1988, Howard Fine graduated from Bates College in Maine with a bachelor's degree in English. In 1989, he earned a master's degree in journalism at Medill School of Journalism at Northwestern University in Illinois. After graduation, he worked as a staff reporter at the Orange County Business Journal for seven years. In that position, he covered environment, government and economic development stories. In 1997, he became a staff writer at the Los Angeles Business Journal where, for over 20 years, he has reported on government, politics and the effect of both on local businesses. The Los Angeles Business Journal is a trade publication that focuses primarily on business and the economy in the second largest metropolitan area in the U.S. Its website says its mission is to examine the way the Los Angeles economy works. Its publisher is California Business Journals, which owns three other such journals in the state. All four report on the business community and its interests. Because Fine's reporting experience is limited to writing for business publications, and he is writing for a journal that is targeted to businesses, this article seems to lack objectivity. Fine writes in a manner consistent with the business journal's mission. He does not include the homeless population's perspective in the story but does a thorough job of explaining the issue from a business point of view.

The first weakness in this article is that it is one-sided. The author presents only the business and law enforcement perspectives. For example, the author said that the crime rate has increased in the Skid Row area and beyond. He cites the police department's statistics, which is a solid source of information. However, the author included just one sentence acknowledging that the homeless are the victims of most of the crimes—not businesspersons or their customers. This weakens the author's assertions. After that, the author continues with his story as if it is the



business people and shoppers that are the only victims of the crimes. For example, the author cited the executive director of the city's Historic Core Business Improvement District, who said that parking lot and business employers and customers are the target of violent crimes. This weakens the article because it reveals a flaw in the author's reasoning because he had already reported that the homeless themselves are the victims of most of the crimes. Another weakness in the article is that it mentions a "rash of fires" in the area but does not present statistics to back that up. The omission of this information indicates that the author may not have researched the fires well. Also, because the information about the crimes in the area were not presented in an accurate light, readers may question if there really was an increase in such fires, or if the author only presented the information in a way that made it sound like a new occurrence. This article is not in line with other works on the topic of homelessness because most articles written from the business point of view include at least a peek at the homeless perspective, even if only to point out why it is wrong. A strength in the article is that the author gave some background information near the beginning of the article, when he explained where the boundaries are for the 50-block area that formerly encompassed the homeless encampments. He said that most of the industrial, historical and fashion districts of the city have homeless tents set up. That information, combined with the number of bags of trash the city had to clean up in 2015, in comparison with 2014, strengthens the article's assertion because it shows the author researched it.

In this article, Howard Fine says that Los Angeles business owners are frustrated at the growing number of homeless encampments in the city and the effect they are having on their businesses. Fine says the area has suffered a series of tent fires, broken windows, thefts and assaults beyond the Skid Row area. He says the city collected 64,000 bags of trash from the camps in 2015 and that crime rates are increasing. The author reports business owners say

unsightly camps are discouraging new businesses from moving to the area. Fine says the business owners fault a 2014 court ruling that allows tents to stay up 24 hours a day. Similarly, in an article for Fox News, Tori Richards (2018) reported this is still an issue in Southern California two years later. Richards says that it took several months in court for officials to gain approval to remove a homeless camp a few miles from Disneyland. Like the first article, Richards reports on the amount of trash generated by the homeless. The author says public employees recently removed 1,100 pounds of human waste, 250 tons of garbage and 5,000 needles from a camp near Angel Stadium. A difference between the two articles is that Richards also reports about the services the county is offering to the homeless. Likewise, Joe Palazzola and Alejandra Lazo (2016) report cities are offering help to the homeless. However, they also report that business improvement districts in Denver, Berkeley, California and Portland, Oregon, are actively working with local officials to create laws targeting the homeless. Palazzola and Lazo report that in 2015 the Policy Advocacy Clinic at the University of California, Berkeley, School of Law conducted a survey and found California cities with business improvement districts had more ordinances targeting the homeless than those without such districts. The authors report the districts have sued to reverse ordinances that allow homeless encampments. A similarity among the three articles is that they are from a business point of view. None include the homeless population's perspective.

This article presents business and law enforcement's perspective that civil rights suits and allowing homeless people to leave their tents up day and night are the cause of mayhem in Los Angeles business. This will be useful in my essay as an example of how communities tend to look upon the problem of homelessness as disorder in need of a law. The article also explains the growth of homelessness in Los Angeles by telling where the old boundaries of the Skid Row area

were. I will include this information when I discuss the increase in the homeless population at large.

Specialized Periodical - Trade

Green, D., & Peterson, J. (2017, July 1). A coordinated approach to handling homeless encampments: How the city of Everett parks and recreation is addressing this issue in parks. *Parks and Recreation Magazine*. Retrieved from <https://tinyurl.com/ydflyfy>

Green and Peterson report that in Everett, Washington, city departments affected by homelessness are working together to address the growing problem of encampments in the community's parks. To support this assertion, the authors say that the 2017 Point-in-Time Count found there were 515 homeless individuals in the Everett area, which is a 60 percent increase since 2015. The authors said that in the past, city departments acted alone when they removed homeless encampments, but with the rising number of homeless they realized that they needed to work together to successfully address the problem. The authors said that the city is unique in that homeless individuals are free to sleep, rest and use the public property during the daytime hours. However, many people in the community do not know that. The authors say that is part of the reason the city created the Community Outreach and Enforcement Team. The article further explains how the team works. When people in the community see a homeless person in the park and are concerned about it, they can contact the team. If it is daytime and the homeless individual is within his or her rights, the team explains that to the concerned citizen. If there is something that needs to be addressed, the outreach team, which includes two social workers, will approach the person and offer to help him or her sign up for food stamps and connect them with services that help people find housing and work. They can also point people to mental health and substance abuse programs. In this way, the city is helping to address some of the problems that contribute to homelessness. As further evidence to support the authors' assertion, the article describes the process the city follows before they remove someone's campsite. It says that the

first step is for a park ranger, a police officer and a social worker to go to the encampment and put up a notice informing campers that they have 72 hours to clean up the area and move on. The article says that every step of the way, the team is mindful of the homeless individual's rights and follows a set protocol for determining whether a camp is active or abandoned. Either way, after 72 hours' notice, the city removes garbage and any belongings at the site. However, unlike other cities, the team stores any valuables they find for up to 60 days. This allows owners time to claim their belongings. The team's protocol defines "valuable" as anything that is "clean," meaning that it does not have damage from rodents or human waste and is not a tool for creating or using drugs.

National Parks and Recreation is a monthly trade magazine published by the National Recreation and Park Association. It is available online and in print. The organization's website says that the nonprofit's purpose is to promote parks, recreation and the conservation of natural resources. The site says that one of the ways it does this is by drawing attention to successes at the local level. The park association's vision is for parks to be accessible by everyone. David Green and John Peterson wrote this article, however, there was no information online about John Peterson, so this author analysis will focus on Green, who is a park ranger supervisor for the parks and recreation department in Everett, Washington. Green received his bachelor's degree in history and social studies at Western Washington University in 2008. His education also includes a Parks Law Enforcement Academy Certificate from Skagit Valley College in Mount Vernon, Washington. The certificate's 720-hour course prepares students to enforce laws at the national, state, county and city level. Before he became a supervisor, he worked as a park ranger assistant and then as a park ranger for Snohomish County in Washington. He also did conservation work with the Great Basin Institute in Reno, Nevada. Green's experience and

education in park law enforcement make him well-qualified to write about Everett's city parks. The article is written from the perspective of a park ranger and fits well with the publisher's goal of drawing attention to what is working well in local parks. Because this article is in a trade magazine for those who work for the parks systems, the article's authors may not have researched the homeless population's perspective on the 72 hours' notice the city gives before removing a campsite. The article explains that the homeless can use the park when it is open, which aligns with the parks association's vision that parks should be accessible to everyone. The mission may also have contributed to the authors' emphasis on the importance of considering the rights of the homeless.

This article reports how the city of Everett, Washington, is dealing with homeless camps in its city parks. The article is well researched. It provides adequate background information by describing typical active and abandoned encampments. It also discusses the impact of the encampments on the vegetation. D. Green and J. Peterson cite the January 2017 U.S. Housing and Urban Development's Point-in-Time homeless count when estimating how many chronically homeless individuals live in Everett. This adds credibility to the article. While the parks and recreation department's point of view is reported in the article, the homeless perspective is not. This is in line with other articles that report on how communities enforce bans on homeless encampments. The article provides history about how encampments were handled in the past. The authors include the name of the team that is now overseeing the problem and give enough information to answer any questions the reader may have about how the city's current program works. Criteria the agency uses to determine when they can legally remove homeless individual's belongings from a park are spelled out. This includes how the city determines if a campsite is currently occupied or abandoned and if belongings found there are valuable or not,

determining whether they need to be stored or thrown away. These specifics strengthen the article. The authors rely on facts for the story and provide enough information to fully inform the reader about how the parks department is handling the problem of homeless encampments in the city's parks.

Green and Peterson report that Everett's city departments are working together to address the growing problem of homeless camps in parks. The authors report that the city created the Community Outreach and Enforcement Team specifically for that purpose. Four people, which include a police officer, a park ranger and two social workers make up the team. The team's purpose is to address those living in homeless camps in the city's parks. In doing so, they are careful to respect the homeless individual's rights. The article is written from the city's parks department's point of view. In comparison, Howard Fine (2016) reported on the growing homeless situation in Los Angeles's business district, but he made no mention of city departments working together to remedy it. A similarity in the two articles is that both are stories about cities where homeless people can use public space. A difference is that the Los Angeles story says that homeless people's tents can stay up 24 hours a day, while the Everett story says that homeless people can only use its city parks during daytime hours. Another difference is that Fine reports from a business point of view and does not say anything about homeless people's rights. A third source, which is a police staff report (City of McMinnville, 2018), also makes no mention of homeless people's rights. The authors of the report, police Chief Matt Scales and Capt. Tim Symons, say that the city has been receiving an increasing number of complaints about people camping in their vehicles on city streets, so the officers propose that a law banning such activity is the answer to the problem. Unlike Green and Peterson's (2017) report, the officers' report (City of McMinnville, 2018) seems to say that just one agency, the police

department, can deal with the problem of homeless encampments. The city and police departments' point of view are provided in the story. The homeless perspective is not. Overall, Green and Peterson's report is the only one of the three sources that talks about the homeless as people with needs that city and local programs can help meet. The other two articles say nothing about connecting the homeless with available services.

This article reports on a unique approach to dealing with the problem of homelessness, so I plan to use a one or two sentence summary of it in my essay. Including it will show that there are cities that consider the rights of the homeless when they give notice that someone must remove their camp from city property. My hope is that this will show my readers that I have researched the topic well and am not saying that all cities ignore the rights of the homeless.



Specialized Periodical - Trade

Laird, L. (2014, November). Cities get mired in civil rights disputes in trying to deal with growing homeless populations. *ABA Journal*. Retrieved from <https://tinyurl.com/y7pecvwu>

In this article, Lorelei Laird asserts that cities across the U.S. are increasingly creating laws directed at the homeless population and, as a result, are facing civil rights suits. To support her assertion, Laird cited figures from a 2014 study by the National Law Center on Homelessness and Poverty that examined 187 cities in the U.S. The study found that since 2011 there had been a 25 percent increase in laws against begging, a 35 percent increase in laws directed at loitering and vagrancy, a 119 percent increase in bans against sleeping in vehicles and a 60 percent increase in bans preventing camping in cities. Laird also cited three California court cases and information from the National Coalition for the Homeless, and the Washington, D.C.-based National Law Center on Homelessness and Poverty as evidence of the civil rights issues that cities are facing. The first case she mentioned is the 2014 ruling in *Desertrain v. City of Los Angeles*, which struck down a city ordinance that prohibited living in a vehicle. The ordinance was declared “unconstitutionally vague” because it would prohibit a person from eating or carrying any personal belongings in a car. Another case cited was the 2012 circuit court ruling in *Lavan v. City of Los Angeles*. The ruling said removing and destroying personal property homeless people have left on the sidewalk while they attend to personal hygiene is a violation of the Fourth and 14th amendments. The third case mentioned is the 2006 ruling in *Jones v. City of Los Angeles* that said punishing people for sleeping or sitting on public roads at night is cruel and unusual. The court said the city must allow people to sleep on sidewalks at night until it builds 1,250 new units of affordable housing in the area. The article also quoted Michael Stoops,

from the National Coalition for the Homeless. He said that since 2004, five cities—Albuquerque, Dallas, Las Vegas, Orlando and Philadelphia—were sued after trying to enact restrictions on feeding the homeless. To show how civil rights disputes affect a community’s ability to combat problems that a homeless presence can bring to a neighborhood, the author interweaves the article with a conversation she had with property owner and resident Mark Ryavec.

Laird earned her bachelor’s degree at Carnegie Mellon University in Pittsburgh in 2001. She majored in professional writing. Laird’s website says that she has been a legal journalist since 2002. Her first writing job was as a technical writer for TimeSys Corporation in Pittsburgh. In 2001, she did freelance feature writing for Round Rock Leader in Texas. In 2002, she worked as a staff writer at Hill Country News in Cedar Park, Texas. The newspaper is only printed once a week but combined with its website has over 100,000 readers. Also, in 2002, she began writing stories for the legal community at the Metropolitan News-Enterprise, which is a small, legal newspaper in Los Angeles that is published daily. In 2003, she worked as a business reporter and editorial assistant at the Daily Journal Corporation in Los Angeles. The journal’s website says it publishes news and legal information for attorneys. After that, she worked as a freelance writer for nine years. She quit freelancing when she was hired as a legal affairs writer at the ABA Journal in 2013. The journal is a legal trade magazine published by the American Bar Association in Chicago. The magazine’s website says that it is the “most trusted and respected voice of the legal profession.” About 500,000 lawyers read it each month. Laird has over 15 years of experience writing about legal issues and the ABA Journal’s intended audience is those in the legal profession, so those two factors are likely the reason she reports the legal point of view, rather than the perspective of cities, businesses or homeless individuals. Further, the journal’s website says it covers trends in the legal profession. That makes this news story a good

fit for the publication, since it is about the trend of cities facing legal suits from the homeless over civil rights issues. The journal's website also says that its stories are of broad interest to those in the legal profession. Therefore, while the story focused on civil rights disputes in California, it addresses an issue that cities in other states are facing, which makes it a good fit for the legal magazine.

The high-quality evidence that Laird used in this article strengthens her assertion that cities are creating laws that target the homeless and, as a result, are coming up against civil rights issues. The author cites rock-solid sources to support her claim that the number of such laws is increasing. The first mentioned is the National Law Center on Homelessness and Poverty, which is a dependable source of information because, as its website says, part of what the organization does is impact litigation. That means that they file lawsuits to preserve the rights of the homeless population. In her article, Laird uses figures from the organization's extensive study of 187 cities, which found significant increases in laws against begging, loitering, sleeping in vehicles and camping. The author also discusses three different civil rights cases in California. In the first, the court struck down a city ordinance that banned people from living in vehicles, saying the law was "unconstitutionally vague." In the second, the court ruled that destroying a person's property that was left unattended while its owner attended to personal hygiene is a violation of that person's rights. In a third case, the courts said that it is cruel and unusual punishment to cite people for sleeping or resting on public roads at night. The author's inclusion of these three cases and their rulings answers readers' questions about what the courts have to say about homeless individual's civil rights. The author's reliance on these and other facts makes for a well-reasoned article. Further, the author's inclusion of her conversation with a typical property owner, whose neighborhood is directly affected by the court's ruling in homeless civil rights cases, provides

important background information and is another indication that the article was well-researched. The author included several points of view in the story: that of the courts, the cities and the residents, which make this article a strong source. There do not seem to be any flaws in the author's reasoning. Moreover, the ideas and arguments in the article are in line with other works about the civil rights of the homeless

Laird said that the number of laws directed at the homeless are on the rise. She said that as a result, cities are facing civil rights issues. She supports this assertion by citing numbers from a 2014 study that looked at laws that target the homeless in 187 cities. The study compared those numbers with the cities' 2011 laws. The numbers showed there had been a significant increase in laws against panhandling, loitering, camping and sleeping in vehicles. As an example of how such laws affect life on the streets, Laird tells a homeless man's story throughout the article. The author also includes information about class-action suits filed by the homeless and their attorneys. Jack Healy (2017) agrees that there are battles in cities about the rights of the homeless. He uses sources similar to Laird's to support his assertion. For example, he cites the study of 187 cities. He also cites the story of a homeless man in Denver, whereas Laird used the story of a man in California. However, Healy's (2017) article also discusses how the homeless are fighting back in Denver, not just in court but also on the streets. He reports that the homeless are wearing buttons that read, "Move Along to Where?" in response to being repeatedly told to "move on" by the police and others. In comparison, Eric Tars (2018) does not say much about the battle cities are facing, but he does assert that U.S. cities criminalize the homeless. He said that cities create laws targeting the homeless and use them as a crutch to avoid dealing with the problem of homelessness in their communities. He said that because of this, all 50 states should pass a Homeless Bill of Rights because such legislation would protect the homeless population's

rights. He said it would also force cities to address problems instead of creating more laws. Laird said nothing about a Homeless Bill of Rights. However, like Laird, Tars (2018) referenced a class-action lawsuit in California to support his assertions. As for points of view in the three articles, Laird's includes that of the courts, the cities and the housed population. While Tars (2018) and Healy (2017) present mostly the homeless perspective. The three sources differ in their intended audiences. Healy's article was published in The New York Times and its readers are the general public, while Laird's is in a journal that is read by lawyers. Tars (2018) audience is more difficult to determine because his comments were made during an interview, but he spoke as if addressing a cross section of the general population.

I will use Laird's example of two court cases in my essay as evidence that cities are trying to address homelessness by creating laws that target the unhoused population. The first is *Lavan v. City of Los Angeles*, which said that taking homeless people's belongings and destroying them is a violation of the Fourth and 14th Amendments. The second is the case of *Jones v. City of Los Angeles*, in which the court said that criminalizing people for sleeping on sidewalks at night is cruel and unusual punishment.

Specialized Periodical – Scholarly

Rankin, S. K. (2015). A Homeless Bill of Rights (revolution). *Seton Hall Law Review*, 45(2), 383-434. Retrieved from <https://tinyurl.com/yc3zs63h>

Sara Rankin examines the homeless rights movement in this scholarly journal. She concludes that states need to pass a Homeless Bill of Rights to protect the homeless. To support this assertion, she quotes part of *The New Colossus*, a poem by Emma Lazarus. The poem's words are inscribed, in part, on the pedestal of the Statue of Liberty, which says, "Give me your tired, your poor, your huddled masses... Send these, the homeless, tempest-tossed to me, I lift my lamp beside the golden door!" Rankin says that contrary to the landmark's message, the housed population in the U.S. is prejudiced against the homeless. In addition, she says the laws of the land often criminalize the poor. As evidence of this, she reports 73 percent of U.S. cities have ordinances that prohibit things like sleeping, eating, camping, sitting and begging in public. She also cites years of study done by psychologist Susan Fiske at Princeton University. Fiske's research found that housed people tend to look at the unhoused population as subhuman, not as fellow human beings. Rankin also cited the popularity of the *Bumfights* film series, which preys on homeless men. The film's producers pay homeless men with cash and alcohol to fight each other and perform dangerous stunts. Another example the author points to is the "Homelessness Tours" offered in Seattle. She said for \$2000, people can visit "homeless haunts" and try panhandling and sleeping on park benches. Rankin says that because of prejudices against the homeless, it is challenging to pass rights' legislation. As evidence of this, the author examines the approaches that Puerto Rico, Rhode Island, Illinois and Connecticut used to successfully pass their homeless rights' bills. Rankin acknowledges that the impact of such legislation is gradual—not instant. However, she says the passage of a Homeless Bill of Rights is an important first step

in defining rights. To support this, she quotes Rutgers University's law professor Philip Harvey. Harvey argues against those who say that the idea of social human rights is only lip service and does not make any changes in practices. He said that when the human rights of a group are first recognized it can be a key step in its development.

Sara Rankin graduated magna cum laude with a bachelor's degree in literature from the University of Oregon in 1992. She earned a master's degree in psychology at the Harvard Graduate School of Education in 1993. After that, she attended New York University School of Law and earned a law degree in 2000. She spent five years as an associate attorney with Sidley Austin Brown & Wood, now known as Sidley Austin. The worldwide corporate law firm is headquartered in Chicago. In 2005, she left for the international Kirkland & Ellis law firm. She worked as a senior associate for one year, and then as partner until her departure in 2009. In 2010, she joined the faculty of Seattle University School of Law. Besides teaching law, Rankin serves as director of the school's Homeless Rights Advocacy Project at the Fred T. Korematsu Center for Law & Equality. The college website says the center's purpose is to foster critical thinking about discrimination. One of the ways the center does that is through advocacy. Rankin has published many works. A partial list of her publications include: Homeless Rights Advocacy Project Report Series, published annually; Criminalizing Visual Poverty—the Effects of Making Homelessness a Crime, in 2016; Homeless Bills of Rights: An Advocate's Guide, which was a joint writing project with the National Law Center on Homelessness & Poverty in 2014; and Should Homelessness Be a Crime? Our State Grapples With its Answer, in 2004. She is involved in community service with the All Home Vehicle Residency Task Force and the National Law Center on Homelessness & Poverty's Planning and Criminalization Committees. The Seton Hall Law Review that Rankin's article appears in is a scholarly student-edited legal journal. The

journal's website says the publication is committed to the development and improvement of the law by publishing important timely manuscripts. Rankin's Homeless Bill of Rights (Revolution) article about legislation to protect the rights of the homeless fits well with the publication's mission to advance the law through vital conversations. Rankin is knowledgeable about homeless rights due to her experience as director of an advocacy project and as the author of over 40 published articles on the topic. These qualifications coupled with her community service on the homeless task force and committees make her well qualified to write about homeless rights.

Rankin's reliance on solid facts throughout her article make for a compelling argument. For example, she cites the text at the base of the Statue of Liberty, which speaks of welcoming the homeless. This background information underscores the nation's longstanding tradition of welcoming the homeless and strengthens the article's premise that states need to pass bills to protect homeless individual's rights. The author says that the public is prejudiced against the homeless and she gives solid evidence to back that up. For example, she mentions Hawaii State Representative Tom Brower who destroyed the possessions of homeless residents with a sledgehammer to show he was "cleaning up" homelessness. She also cited Bumfights' films and also "tours" of homeless camp areas in Seattle, which exploit the homeless. Further, she discusses "quality of life" laws that target the homeless in order to keep them hidden as much as possible from the housed population's view. Another important strength of the article is Rankin's inclusion of detailed charts listing the provisions included in nine states proposed or passed legislation. This shows the article was well-researched. Rankin says that homeless rights bills are not an instant answer to the criminalization of the homeless and that opinion differs from many other works. However, she backs the statement up with evidence gleaned from case studies about



the fight for homeless rights in Puerto Rico, Rhode Island and California. Using the case studies, rather than padding her article with tear-jerking personal stories about individual homeless people, strengthens her article. As do quotes from Philip Harvey, a law professor at Rutgers School of Law-Camden, who is well-schooled in human rights' issues. With the evidence provided, Rankin answers readers' questions about what is involved in creating rights laws and what kind of expectations are reasonable after the passage of such laws. Overall, the author cites credible sources and uses quality evidence making for a well-reasoned article.

The author says that states need to take steps to protect the rights of the homeless. She said passing a Homeless Bill of Rights in each state is the way to do it. She reports that the housed population is prejudiced against those who are homeless, making it difficult to pass rights legislation. Further, she said that even when passed, the legislation has a gradual, rather than immediate effect. However, she said that such bills are an important first step toward assuring the rights of one of the most vulnerable people groups in the U.S. In an article for the Chicago Tribune, William Lee (2018) said that the Illinois Bill of Rights for the Homeless Act, which became law in 2013, is already having an effect in Chicago. Lee reported that Amie Smith and Shawn Moore, a homeless couple, filed suit against the city in January after the city's police department repeatedly forced them to move their tent and directed city employees to throw away their personal possession. The couple's suit is one of three filed since the rights bill became law. Further, Lee reported that a similar suit filed in 2016 was settled in January. In contrast, Tori Richards (2018) reported that in February, officials in Orange County California began an aggressive sweep of a homeless camp along the Santa Ana River. However, Richards said this action is contrary to what other cities in Southern California are doing and it took months for the county to gain approval to clear the camps because the city had to fight the American Civil

Liberties Union and other advocates. Richards' report differs from Rankin's because the first reports the city's fight to take down a camp while the second reports on the battle to secure homeless rights. All three articles were written in the same three-year period. However, they contrast in that Rankin's provides the view point of homeless rights' advocates, Richards (2018) gives the city's point of view and Lee (2018) provides the homeless perspective.

I will collect facts from this article about the types of provisions that states have included in proposed, as well as passed legislation. I can also use some of the information and quotes to explain why such a bill is not a quick answer to the problems the City of McMinnville and the homeless community are facing right now.

## Government Document

City of McMinnville. (2018, February 21). Special Called City Council Meeting Agenda [Staff

Report: RVs and vehicular camping]. McMinnville, OR. <https://tinyurl.com/y755gzzz>

In this report, police Chief Matt Scales and Capt. Tim Symon said that the police department is receiving an increasing number of complaints about people living in RVs, campers, trailers and other vehicles on McMinnville's city streets. The two officers assert the city needs an ordinance to address the problem. To support their assertion, the officers presented data obtained from the Yamhill Communications Agency. They said it was difficult to gather information showing exact numbers of complaints because, until recently, there was not a specific code for vehicular camping complaints. Data Scales and Symons presented in the report are based on calls coded as abandoned vehicles. The data showed that from January 1, 2017 to February 8, 2018, there were 401 complaints about abandoned vehicles, RVs, campers and other vehicles. Of those, 13 were for locations where those living in vehicles are known to camp. Scales and Symons said that number may seem small, but they explained that the majority of complaints the department receives do not come through YCOM but through email or phone calls to employees who pass the information along to code enforcement. They said that the code enforcement department responded to about eight abandoned vehicle complaints during each week from January 2017 to February 2017. To support their proposal for a new ordinance, the officers explained that the existing one, which addresses "trailer houses," is over 50 years old and it uses language that does not apply to modern RV's. Therefore, it is unenforceable. The officers explained that the abandoned vehicle code these complaints are routed under allows a vehicle to park in one location for 72 hours. Then, if the vehicle is moved at least 350 feet, the clock starts over. They said that it is only after a vehicle has been in one place on a city street for

more than six days and ticketed twice that the police department can legally impound it. The officers said enforcing the abandoned vehicle code is time consuming and costs the city about \$40 for each complaint they receive, in addition to \$17,600 a year for a code enforcement officer and an undetermined amount for supervisors' time to oversee the officer. After they presented reasons the city needs a vehicular camping ordinance, Scales and Symons reported on enforceable codes that other cities in Oregon have. They suggested that the city council review the information and then let them know how to proceed if it decides in favor of creating a RV and vehicular camping ordinance.

The city's tourism department advertises McMinnville as "the heart of Oregon wine country." The city has dozens of wineries within its city limits. The U.S. Census bureau website reported McMinnville, which is the county seat and most populated city in Yamhill County, had a population of 34,690 in July 2016. The bureau also reports that 84.9 percent of the population have a high school education or higher. The city's median household income is \$47,460 and about one-fifth of the population's income is below the poverty level. McMinnville's Chief of Police Matt Scales and Capt. Tim Symons are the authors of this staff report. Scales studied criminal justice at the University of Portland where he received his bachelor's degree in 1993. After graduation, he joined McMinnville's law enforcement and served as a police officer until 2001. He took part in a leadership education for public safety management program at Mark O. Hatfield School of Government at Portland State University in 2005. At the time, he was a patrol sergeant. In 2007, he stepped into the role of detective sergeant and then two years later, the department promoted him to police captain. In 2012 he took part in the Oregon Executive Development Institute and studied organizational leadership. Then, in 2014, the city promoted him again, this time to police chief. Scales is involved in the community as a volunteer coach

with McMinnville Youth Football as well as the area's Junior Baseball Organization. Capt. Symons, the other author of the report, oversees investigations and is support captain for the department. No other public information is available about Symons. Both Symons and Scales were likely influenced by the fact the report was being written for the city council. Because it is a government document, the tone is professional and the perspective that of the police department rather than the personal views of the two officers. This may be why the report only included the city's perspective.

This report, prepared by McMinnville's Police Chief, Matt Scales and Capt. Tim Symons, uses quality evidence to support the proposal that the city needs an updated ordinance to deal with the problem of RVs and vehicular camping. The document is well researched. Authors give background information regarding the difficulty they had obtaining information about the exact number of calls the department has received concerning the issue. They note the number of calls the police department has been asked to follow up on that fall under the abandoned vehicle code, which is the closest thing the city has to an ordinance on RV and vehicular camping. That number is from a reliable source: the Yamhill Communications Agency. The report explains the city does not have a code dealing directly with the RV and vehicular camping problem. All of these give relevant background information about the topic. A weakness in the report is that, while it reports in detail the impact of the problem on the police department, it superficially discusses the plight of those who live in their vehicles. Omitting the homeless population's point of view weakens the report. Further, the report does not answer readers' questions about where people will go if a new ordinance makes it impossible for them to continue living in their vehicles. City cost of the problem is discussed in detail, right down to the dollar amount per hour the department spends on the problem per call. However, the source where they got those

numbers from is only identified by an acronym, leaving the reader to wonder what organization the authors are referring to. In another instance of this, Yamhill Communications Agency is only identified as YCOM. The document shows thorough research into the problem the police department has enforcing its 58-year-old trailer law because it is not designed to address the types of problems the city is now encountering. The entire text of the 1960 ordinance is included. This strengthens the argument for a new ordinance. By including RV and vehicular living codes of eight cities in Oregon, the report answers the question of how other communities are effectively dealing with the problem. The document provides specific information about those cities' parking time limits, consequences of violating the ordinances, and how much they fine those who do not voluntarily comply with requests to move their vehicle. Information about how many instances on average these other cities receive calls about RV violations is omitted. Including that information would further strengthen the report. Overall, the report is well-researched. The authors give solid facts that support their assertion that a new city ordinance is needed to address the problem of RV and vehicular camping in McMinnville.

Scales' and Symons' report provides the city council's and law enforcement's perspective of vehicular camping in McMinnville. Their report said that the city is receiving complaints about people living in vehicles on city streets. They said the city needs an ordinance banning vehicular camping to address the problem. They base this on information from Yamhill Communications agency and the police code enforcement department. In their report, the officers did not address the rights of the homeless. They wrote the report from the city's and law enforcement's perspective. In comparison, Harkema (2018) agreed that the city needs to draft new laws regarding the unhoused. However, he said what is needed is a Homeless Bill of Rights to protect their right to be in public and perform life sustaining activities such as sleeping,

urinating and defecating. He said that the homeless are treated unfairly in McMinnville. On the issue of sleeping in public, he said that the police department wakes people who are sleeping in public and tells them to move. Sometimes the department issues citations as well. He based this on his knowledge gained from working directly with the homeless. Harkema provided his point of view as an advocate and that of the homeless community. Sawyer (2018) had a much different point of view. She said what is needed are not new laws and ordinances, but for the homeless to take advantage of the mission's housing, as well as programs and services that are available to them in the community. She said that the solution to the problem of people living in their vehicles is for them to stay at Yamhill County Gospel Rescue Mission shelter. She said beds are available, but people do not want to stay sober and consent to drug and alcohol testing the shelter requires. Sawyer did not cite any type of data to support the reasons she gave for people not wanting to stay at the shelter; She based it on her observations as director of the shelter. During the interview, she spoke from her perspective as the director of the homeless shelter.

I plan to include the information about the city's newly passed RV and vehicular parking ordinance in the part of my essay where I talk about how the homeless are criminalized. Since the ban seems to be designed to make those who live in their RVs miserable, I can also use it as an example of what Eric Tars (2018) calls a city's "race to the bottom."

## Government Document

Oregon Housing and Community Services. (2017). *2017 point-in-time estimates of homelessness in Oregon*. Retrieved from <https://tinyurl.com/y9pe234m>

This document reports the findings of the U.S. Department of Housing and Urban Development's 2017 Point-in-Time Count of the homeless population in Oregon. HUD requires states to conduct the count every two years. The report says that the count provides a snapshot of homelessness in the U.S. In this document, Oregon Housing and Community Services examines the results of the 2017 count. The report asserts that Oregon's homeless population increased by about 400, or 6 percent, from 2015 to 2017. The remainder of the report provides evidence to support and explain the assertion. For example, the report provides HUD's definition of "housed," "unhoused" and "precariously housed." The department's definitions of the words differ from other articles and reports on homelessness. The report says, for its purposes, housed means are staying in shelters. Unhoused means people living on the streets. And precariously housed means homeless individuals who are staying with family or friends. After clarifying these terms, the report gives an overview of Oregon's homeless population. It reports 43 percent are sheltered, 57 percent are unsheltered, and 24 percent of all people counted are chronically homeless, which the report defines as individuals who have been homeless for one year or homeless at least four times in the previous four years. More evidence to support the report's assertion follows the definitions and overview. The report analyses count results by breaking down the data into sections. The sections include: an overview of the makeup of the homeless on a single night; homelessness by household type; estimates of the homeless by sheltered status, that is, whether they are in a shelter, staying with family or friends, or on the streets; selected demographics by race; veterans; homeless with mental health or substance abuse; youth who are



parenting; youth who are unaccompanied; and lastly, homelessness by county. Two graphs contribute to the report's picture of homelessness. One charts homelessness by types of households; those that include children, those without children, and unaccompanied youth under the age of 18. The other chart shows the estimate of the number of homeless people, both sheltered and unsheltered, for every year from 2007 to 2017.

The Oregon Housing and Community Service Department is a government agency that provides aid to middle-to-low income residents of the state. It manages programs that help people obtain housing and purchase homes. The agency also promotes new construction and the restoration of affordable multifamily housing. It uses grants and tax credits to encourage affordable housing. The housing department was created in 1991 when the Oregon legislature merged State Community Services with the State Housing Agency. The two departments combined to avoid duplicate costs. The merge helped the state coordinate finance and service programs that formerly operated separately. The United States Department of Housing and Urban Development requires states to perform a Point-in-Time count every two years during the last two weeks of January. The PIT count is an attempt to estimate the number of homeless people in each state. Some counties choose to do it every year. Yamhill County is one. The Oregon Housing and Community Service Department oversees the count, which is conducted by employees at agencies who serve the homeless, as well as city workers and volunteers. Workers collect data on city streets, in shelters and various other places that homeless people frequent. During the count, workers gather information about the person's age, gender, race, ethnicity, veteran and disability status. The mission of HUD's required count is to estimate the number of homeless individuals in the U.S. and this document aligns with that mission. Because this is a report about a HUD mandated count, it gives the government's point of view. The way the data

is broken down within the report may have been influenced by the types of information that the Oregon Housing and Community Service Department considers important.

This government document is based on thorough research. Information for the analysis was collected during the 2017 Point-in-Time (PIT) homeless count that the U.S. Housing and Urban Development require states to conduct every odd-numbered year. The document explains PIT results. It relies almost exclusively on information gathered from the PIT count to create a picture of who the homeless are. The report notes one instance where a percentage is based on self-reported data. The authors provide a clear definition of chronic homelessness and explain what the count measured right at the onset of the report, which adds to the credibility of the document. The document is free from opinion and propaganda. The authors provide background information including when and why the count was done and what type of information was collected. Including more detailed information about the groups that collected the data would strengthen the analysis. On the first page of the document the authors acknowledge the limits of the PIT results. A weakness in the report is it does not cite other sources or conflicting points of view. However, it is likely that other primary sources are unavailable since the PIT is often the baseline for other reports about the homeless population. Information presented in graphs and charts is based on raw data from the count. The analysis includes a disclaimer about the margin of error that is possible in such an extensive count. The disclaimers in the analysis speak to the high quality and credibility of the evidence in the document. Overall, the document answers readers' questions about the topic. The analysis is in line with trends noted in the 2015 count.

This report concerns the findings from a nationwide government survey of the sheltered and unsheltered homeless population. The authors use the results of the survey to estimate the number of homeless people in the United States. The report says it is a "snapshot," of

homelessness. It is a factual document. Wei-Huan Chen and Jorge Dorantes (2015) report on another kind of “picture” of homelessness—a “Homeless Jesus” statue in Indianapolis. The artwork portrays the biblical character Jesus wearing ragged clothes and huddling on a park bench. The authors say the statue is the topic of debate in the community. Unlike the government funded survey, the \$40,000 statue was paid for by private donors. It is located on church grounds, not public property, but some people in the community are upset at its price tag. They say the money could have been better spent helping the homeless. Chen and Dorantes say others are concerned the statue will attract more homeless to the community by making them feel more welcome. A similarity between the report on the government survey and the article on the statue is that both bring awareness to the growing number of homeless in the U.S. Lorelei Laird’s (2014) report differs from the first two in that she does not report on the growing population, but on the growing number of laws directed at the homeless. She says cities are becoming embroiled in civil rights disputes as they try to enforce those laws. Though Laird’s article was written in 2014, Chen and Dorantes in 2015 and the government survey in 2017, they are similar to what is reported in 2018 about the growth of homelessness and its effect on communities.

I will use information from this report’s charts and graphs to explain the demographics of Yamhill County’s homeless population. Also, since the PIT count is mentioned in other articles without much explanation, I can refer to this document to explain what the count is and what its limitations are.

## Government Document

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## Institutional Source

Archibald, A., (2018, February 28). Where do people go when they're told to leave? *Real*

*Change*. Retrieved from <https://tinyurl.com/y8ad9f6q>

Ashley Archibald said that U.S. cities are increasingly creating laws that target the homeless, citing “public health and safety” issues. Many of those laws are camping bans, which displace the homeless. As evidence of this, she said that the same month that the Colorado Office of Economic Development and International Trade was advertising the state’s growing high-wage industries and the area’s 300 days of sunshine—its sweeps of homeless camps increased 500 percent. Denver bans all camping on public property and the sweeps garnered nationwide attention. To further support her assertion that laws are displacing people, she cited The National Law Center on Homelessness and Poverty, which reported one-third of cities in the U.S. have banned camping on public property and half have banned it in specific places. Of those, only five cities require those breaking up the camps to offer another place for campers to go. She said in response to the growing number of laws, groups are joining together to file lawsuits against cities. She said they do so because the sweeps violate homeless people’s Fourth, Eighth and 14<sup>th</sup> Amendment rights. To support this, she said that two advocacy groups, Denver Out Loud and the Western Regional Advocacy Project, worked with Jason Flores-Williams, a private attorney to file suit against the city of Denver for its sweeps of homeless camps in 2016. She said that Denver Out Loud contributed its 2013 report which analyzed hundreds of surveys of homeless people. During the survey, the group asked people what impact the city’s camping ban had on them. Archibald said that Flores-Williams’ arguments in court must address the situation from a constitutional point of view, but he also works hard to include the moral argument as well, and that argument relies on the information that Denver Out Loud’s survey results provide.



Archibald earned her bachelor's degree magna cum laude, from the University of Southern California in 2009. During her time there, she double majored in journalism and international relations. She also wrote for the student newspaper, the Daily Trojan. In 2015, she earned a master's degree in local economic development at the London School of Economics and Political Science. Also, in the United Kingdom, she volunteered at an organization that fact checks statements made by politicians. In 2008, Archibald worked as an intern at the alternative weekly newspaper LA Citybeat, which is no longer in publication. In 2009, Archibald interned at Santa Monica Press, which is a free daily newspaper. From 2009 to 2011, she wrote for the Union Democrat in the small town of Sonora, California. She covered court proceedings and crime for the newspaper. After that, she returned to the Santa Monica Daily, where she wrote about culture, activities and politics in the area. Since 2016, Archibald has been covering local government, policy and equality for the Real Change's weekly newspaper. The nonprofit group advocates for the homeless. The organization's website says that over 300 homeless vendors sell the newspaper each month. The website also says that the group's purpose is to give a voice to the poor and homeless and to be a part of bringing about economic, social and racial justice. Because this article draws attention to how homeless people are criminalized, it fits with the organization's goals. The purpose of the organization may have a lot to do with why the author provided the homeless perspective rather than that of lawmakers or other groups in the city. Also, writing for the advocacy group's publication may be the reason that she only wrote about ways the homeless are criminalized—and not about positive actions the city and community may be taking to help them. The author's experience fact checking politician's statements could have influenced her to do thorough research for the story.

Though two quotes included in this article contain rough language, such as the f-word, it does not weaken the author's assertion because the source of the quotes is Paul Boden, who is the executive director of the Western Regional Advocacy Project. He is a well-known voice in the policy debate on homelessness making him a quality source of information. Boden, who became homeless at the age of 16, is known for his unconventional approach to persuasion, so the colorful language adds authenticity to the story and, therefore, strengthens the author's assertions. The article was well-researched and relies on quality sources including: the National Law Center on Homelessness and Poverty; Terese Howard, organizer of the homeless activist group Denver Out Loud; a report by the same group that analyzed hundreds of surveys done among the homeless population in Denver; and attorney Jason Flores-Williams. The author reported that Flores-Williams bases his argument for homeless rights on civil rights court cases from the past. The author answers the question in the story's headline by repeatedly reminding readers that the homeless do not have anywhere else to go. The article is in line with other works written from the point of view of the homeless and their advocates. A weakness in the story is that it omits all over perspectives. Including at least one other point of view would have made the article more well-rounded, thereby strengthening it. Despite the article's strong language at its beginning, the author's reliance on facts and solid sources make her assertions well-supported.

In this street newspaper article, Ashley Archibald says that many cities are criminalizing homelessness. Archibald says to fight against this trend, different groups are coming together to protect rights of the homeless. She reports they are doing this by using the court system, by working to get homeless "right to rest" legislation passed and by working to change the way society views the homeless. As an example of groups working together, Archibald points to Denver Out Loud, a homeless advocacy organization and private attorney Jason Flores-Williams,

who joined together to file a suit against the city of Denver for the sweeps of homeless camps in 2016. The language in the street magazine is rough and the author writes from the point of view of the homeless. In a journalistic style, David Green and John Peterson (2017) report on another type of team effort regarding the homeless. The authors report from the perspective of the parks and recreation department. Green and Peterson say park employees are working alongside the police department through a Community Outreach and Enforcement Team (COET) to clean up homeless encampments in the parks. The article says the team also includes two social workers. Their job is to help those who are displaced connect with services that are available to them. Dirk VanderHart (2017) says that Portland is also dealing with homeless encampments—but of a different type—RV camping on city streets. VanderHart reports Portland is using a “new” tool to deal with the problem. Citing state law, Portland is deeming police officers as “peace officers.” This gives them the authority to quickly impound vehicles they say may pose significant safety or health issues. The assertions of the three articles are similar in some respects. They all discuss homeless’ encampments. However, the articles differ in whether they see the camps as problematic. Of the three, Vanderhart’s article is the only one that gives the perspective of the city and the homeless.

I plan to use the headline, “Where do people go when they’re told to leave?” in my essay to solidify my point that homeless people are treated unfairly when they are told to “move along”—because they usually have nowhere else to move along to. Even though I will say it in other places in my essay, citing other sources, I will also use what Archibald said about how difficult it is for homeless people to do common activities such as sitting, resting and eating. That way there will be various sources cited throughout my essay to remind readers that laws targeting homeless people make life difficult for them. Additionally, I will also use what the

author said about standards for the homeless being different from the housed population's because it supports the argument that the homeless need a Homeless Bill of Rights.

## Institutional Source

American Civil Liberties Union. (2017). *Decriminalizing homelessness: Why right to rest legislation is the high road for Oregon*. Retrieved from <https://tinyurl.com/y7xjk2v8>

This publication asserts that Oregon law criminalizes homeless individuals for performing basic life sustaining activities. The organization supports its assertion with results from both their own research and findings from the Western Regional Advocacy Projects' interview of 565 homeless Oregonians. The ACLU report says its research focused on laws dealing with the activities of sleeping, resting, basic sanitation, surviving and helping. It reports 224 laws in Oregon's 75 most populated cities limit or prohibit those activities. The report gives details about each category of crimes and gives reasons why the laws are unfair. For example, the report says that findings show over half of the cities' laws they examined make it a crime for a person to urinate in public places. However, the cities do not make facilities available to accommodate that basic human need. Other evidence the report uses to support its assertion is personal stories like that of Ibrahim in Portland. He said when he became homeless he found it difficult to sleep because every hour someone woke him up and told him to move. Once he sat down on a curb to rest, exhausted from a lack of sleep and said police quickly came and questioned him about drug use. The report includes other stories about Cara in Eugene, Mel, also in Eugene and Dakota in Bend. The ACLU publication asserts that the way to protect the rights of homeless, like those four people, is the adoption of a Right to Rest Act as promoted by the Homeless Bill of Rights movement. The report says that such an act prohibits discrimination against a person in public places just because he or she is homeless. It would also protect homeless people's privacy rights and their right to sit, stand, sleep, eat and share food, as well as occupy a vehicle that is legally parked without being harassed, ticketed or arrested. Lastly, it

would assure the right to 24-hour access of public restrooms and showers. The report also said that a Right to Rest Act would provide a defense for the homeless when faced with criminal charges for expressing their rights. Also, under the act's provisions, private attorneys and the Bureau of Labor and Industries could take civil actions when needed.

The ACLU is a nonpartisan organization founded in 1920 by civil liberty activists. Its headquarters are in New York. The organization's website says it is the guardian of the nation's liberty. The organization says it works through the court system and legislatures and in communities to defend the rights and liberties afforded to all individuals by the U.S. Constitution. Some of the rights the website says the group is involved in defending are issues concerning matters of criminal justice, free speech, immigrants' rights, LGBTQ rights, police practices, racial justice, religious liberty, incarcerated individual's rights, voting rights, gender equity and equality, and youth and student rights. Because of the ACLU's commitment to defend the rights of all, it defends the rights of extremist groups like the Ku Klux Klan and the Nation of Islam. However, the organization's website explains that this does not mean the civil rights group agrees with them. It defends the rights of such groups to assemble and their right to free expression because those are rights granted to all by the U.S. Constitution. The ACLU receives no government funding. The nonprofit pays for its work by collecting dues from members and with contributions and grants from individuals and private foundations. The civil rights' group has more than one million members, activists and supporters in the U.S. and has affiliate offices in all 50 states. In addition to changing policy, the ACLU works to change hearts and minds. The group's website says it uses "strategic publications" to engage its supporters in the country's most urgent civil liberties issues. This report about the need for Oregon to decriminalize homelessness by passing Right to Rest legislation fits well with the group's goal to inform, equip

and activate supporters in the defense of civil rights. This report gives two points of view, that is, the homeless population's point of view and its own. Because the publication presents an argument for why Oregon needs homeless rights legislation, it aligns with the ACLU's commitment to work through legislation to defend the rights of those whose civil liberties are threatened.

The report is based on well-reasoned opinion but is not without its weaknesses. The first notable flaw is that the ACLU's research examined laws targeting the homeless in only the most populated cities in Oregon. Therefore, it is unknown if those findings are consistent with laws in smaller towns. However, since the article notes the size of the cities studied, this strengthens the publication's argument that a Right to Rest Act is needed in larger cities. Another weakness is that the report omits evidence that would show how and if the cities enforce those laws. This leaves readers with unanswered questions. The group reports that it conducted its own research and listed the types of laws that it examined. These are important inclusions showing the report was well-researched. They did not rely heavily on a Western Regional Advocacy Projects survey of the homeless as many other articles have done. Another strength in the ACLU publication is that it gives reasons for why each part of a Right to Rest Act is important. It tells how things play out without such legislation. For example, the report points out that many cities prohibit public urination and defecation, even though they do not have restrooms for the homeless to legally relieve themselves. This example and others make for a particularly compelling argument. And lastly, the inclusion of four homeless individuals' stories about what their lives are like living in a state without a Right to Rest Act makes for a powerful message. It is solid evidence that further strengthens the article.

This extensive ACLU report says that the rights of the homeless are being violated in Oregon. It says Oregon laws make life sustaining activities, such as eating and sleeping in public places, a crime. The report says the solution to this problem is the enactment of a state Right to Rest Act to protect homeless individual's rights. Peter Edelman (2017) also says the homeless are criminalized for being in a life situation over which they often have no control. Both sources provide solid evidence that people's rights are being violated. The two differ in that the ACLU publication addresses the rights of the homeless individuals, while Edelman's book also includes the housed—but poor. Both the ACLU and Edelman say the criminalization of poverty affects racial minorities the most. Both outline solutions to the problem. The ACLU's solution is the Right to Rest Act. Edelman's solution is to reform the criminal justice system and provide preventative services to end mass incarceration. He says imprisonment is a large contributing factor to poverty, particularly among minorities. While these first two sources give the homeless population's perspective, a third source omits it. In a staff report (City of McMinnville, 2018) on RV and vehicular camping, police Chief Matt Scales and Capt. Tim Symons give only the city and homeowners' points of view. The report addresses complaints the police department is receiving about homeless individuals camping on city streets. Scales and Symons recommend banning RV camping in McMinnville. Edelman (2015) says citywide bans on camping have increased by 143 percent in the last decade and criminalize the poor. Both the ACLU report and Edelman support repealing such ordinances. Further, they agree that anti-camping ordinances are unconstitutional under the Eighth Amendment.

I plan to use information from this report to show that a Right to Rest Act might be of benefit in large cities. I can also use the information about laws that prohibit public urination and defecation as an example of how important it is for cities to provide a way for people to take care



of their personal hygiene in a legal way. I will use this in my essay after the part that says McMinnville does not need a bill of rights for the homeless, but that there are lessons the city can learn from the report regarding the importance of making sure that laws affecting the homeless are fair and reasonable.

## Policymaker Interview

Harkema, H. (2018, April 4). Interview by Melanie Johnson. From notes and audio recording.

McMinnville, OR: First Baptist Church, (503) 437-4710.

Howie Harkema asserted that homeless people are treated unfairly in McMinnville. He said the community has a “not in my backyard,” or “NIMBY,” mindset and he provided several examples of how that plays out. First, he pointed to the city’s main street area. He said a city study showed that most of the troubles there are caused by unaccompanied youth, not the homeless, but people still insist that homeless individuals are to blame. He acknowledged that on occasion a homeless person on Third Street might be off his or her medication and shout at the moon or curse on a corner, but he said that is rare. When it does happen, Harkema said townspeople and the business community say, “How dare the homeless come to McMinnville and do such a thing on our award-winning street!” The second example he gave concerns homeless people in the city who have nowhere to sleep due to mental health and substance abuse problems. He said the shelters will not let people stay there if they are not sober. In addition, some people’s mental health issues make it difficult for them to be around others. Harkema said when police find someone sleeping in a parking structure, at a park or in an alley, they wake the person up, tell him or her to move on and sometimes issue a citation. Harkema said those people are not doing anything wrong. They are just trying to get the sleep that all human beings need. A third example Harkema provided is the issue of homeless people urinating in public places. He said that people caught urinating in an alley way or behind a bush get ticketed and fined, even though there is often no place for them to legally relieve themselves. Thus, people are unfairly criminalized because the city does not provide adequate toilet facilities. Harkema said there is a simple solution to the problem. He said that the city needs a 24-hour restroom. He said he has

been “bugging the city for 10 years to build one.” The city used to have one, but it was torn down. He said when homeless people are repeatedly ticketed for urinating or sleeping in public, they eventually end up in jail because of unpaid fines. Once they are in jail, their income stops. They lose their Social Security disability benefits, food stamps, U.S. Department of Veterans Affairs benefits and other sources of income for at least 30 days—and must figure out a way to reapply for everything. This is difficult if people have lost their state ID cards, because they cannot replace them without an original copy of their birth certificate. He said that because of the unfair treatment homeless people receive in McMinnville, they need the protection of a Homeless Bill of Rights. However, he said such legislation must be initiated at the state, rather than city level. He said that Gov. Kate Brown needs to take the initiative and say that the state is going to do this. That way, it will trickle down to every county and city. He said that without the top to bottom scenario, the McMinnville community will not adopt homeless rights laws. To support his assertion, he explained that the city’s mayor tends to take more of a “we’re going to look into this approach” when it comes to addressing issues concerning the homeless. Harkema said the city has “looked” for three years and though it creates great committees and task forces, when the groups report back to the council, it does not act on their recommendations. Harkema said the city is still stuck at the same place it was three years ago.

Harkema was born in Oakland, California, but grew up in Newberg and graduated from high school there in 1971. After graduation, he took music and art classes at George Fox University before finding work as a studio musician. By 1979, Harkema, who plays drums, guitar, piano and 23 other instruments, was traveling regularly with local and national acts including Tanya Tucker and Kenny Loggins. In 1983, he started working for Sulzer Pumps (US) Inc. in Portland. He worked on the company’s shop floor and then in the corporate office.

However, he said after 24 years, he got “sick of the corporate structure.” In 2007, he started work as operations manager at The Soup Kitchen @ St. Barnabas. He retired in 2015 but is still actively involved in advocating for the homeless. From 2008 to 2018, he served on Yamhill County’s Ten Year Ending Homelessness Plan committee. In 2008, after two homeless people died of exposure on McMinnville’s streets, he helped organize a “homeless overflow” to provide shelter on the city’s coldest nights. This later became the Community Winter Inclement Shelter Help, or CWISH, which was a warming shelter. Also, in 2008, he and Joyce Wolcott founded Love in Action, which is a weekly roundtable where service providers and various church representatives gather to network together and find gaps in services offered in the community. In 2011, Harkema helped found the McMinnville Free Clinic, which is housed at First Baptist Church in McMinnville. The clinic offers medical services two Saturdays a month and has seen about 2,000 patients since its opening. Harkema serves as vice president of its board of directors. In 2013, he co-founded Hope on the Hill in conjunction with Nazarene Church on the Hill. The organization gives emergency food boxes to those in need. Out of that, another group Harkema helped start called Piecing Community Together was born. The group provides dinner, entertainment and creative art activities once a month for the purpose of bringing the housed and unhoused community together. The gathering’s purpose is to help alleviate the fear many people have of the homeless and vice versa. Harkema reported that 2,982 people have taken part in the monthly event. Groups involved in the free event include: The Housing Authority of Yamhill County; Provoking Hope, a drug recovery support organization; and Champion Team and Project ABLE, which both provide support for people with mental health issues. Harkema’s most recent project is Community Outreach of McMinnville Positive Action Sharing Sanctuary, or COMPASS for short. He is president of the nonprofit nonreligious organization. He said the

inclusive, collaborative endeavor will eventually include a shelter that will house the McMinnville Free Clinic and offer educational and job training opportunities for the homeless. Lastly, Harkema volunteers with Community Connect, a free yearly event where people can get information about services and programs that are available in Yamhill County. Because Harkema has a great deal of experience serving the homeless, his lens of interpretation may influence him to speak mostly from the unhoused population's perspective. However, since he served 10 years on a county committee that researched ways to reduce homelessness, he may be able to provide some of the county's and city's points of view as well.

During the interview, Harkema based his assertions mostly on knowledge gained through his work with and for the homeless in McMinnville. His experience makes him highly qualified to speak to issues concerning homelessness. He provided background information by explaining how a lot of people in the community view the unhoused. His acknowledgement that people living on the streets sometimes display bizarre behavior downtown strengthens his assertion, because it shows he presented the whole picture, even if it did not reflect well on the homeless population he advocates for. He said that many people think that the homeless are to blame for all the problems in the city's downtown area, but he cited a study conducted by the city that revealed most of the trouble is caused by unaccompanied youths. This strengthens his assertion that the community treats the homeless population unjustly. During the interview, his point of view alternated primarily between that of the advocate and that of the homeless. However, he did include a bit of the city's and business community's points of view as well. Harkema's ideas are in line with other interviews, articles and books on the topic, at least those written from a homeless advocate's perspective. One weakness in the interview is that he provided no evidence to support his assertion that a top down approach to enacting a Homeless Bill of Rights would

have an effect on the city's policies. The omission weakens his assertion that the city would be more likely to enact homeless rights laws if the governor promoted them. It might have helped nail down his assertion if he gave examples showing that McMinnville has responded to top-down initiatives in the past. However, he points out the city's hesitancy to deal with homelessness, which lends some strength to his argument that the city needs a stimulus to take action. Overall, Harkema attempted to present information in a fair and balanced way.

Harkema said that the homeless are not treated fairly in McMinnville. He reported many people will not look into the face of a homeless person. He said people receive citations for performing basic life functions, such as urinating and sleeping in public places, and eventually end up in jail because they cannot pay their fines. He said that is one reason the homeless in McMinnville need the protection of a Homeless Bill of Rights. Similarly, Paul Edelman (2017) said in his book, "Not a Crime to be Poor: The Criminalization of Poverty in America," that the U.S. criminalizes the homeless. Like Harkema, he said cities fine the poor people for minor offenses and they end up in jail because they cannot pay them. However, Edelman (2017) provided details that Harkema omitted. For example, he said that loitering, loafing and vagrancy increased almost 90 percent over a 10-year period. He also agreed with Harkema that laws unfairly target homeless people who have no other place to be. However, he did not present a Homeless Bill of Rights as the answer to the problem. In fact, Edelman (2017) made no mention at all of rights legislation in his book. He said the answer to the criminalization of the poor is a reformation of the criminal justice system. Like Harkema and Edelman, Wei-Huan Chen and Jorge Dorantes (2015) look at the poor, but in a different kind of way. While Harkema said that people do not want to look at the face of the homeless, Chen and Dorantes talk about a piece of art in Indiana that pictures the homeless, and they report people are looking at that. The focus of

their article is a statue in Indianapolis that portrays the biblical character Jesus as a bedraggled homeless man sleeping undisturbed on a park bench. Chen and Dorantes reported that the piece of art has made some in the community fearful. People say the statue's presence might draw more homeless to the city, which has 10,000 such individuals living there already. However, unlike Harkema (2018) and Edelman (2017), Chen and Dorantes (2015) did not present any solutions to the problem of homelessness.

What Harkema said in the interview will be helpful to include in the body of my essay. I will use it to confirm that what is happening in other cities is also happening in McMinnville. Also, his explanation about what happens when a homeless person goes to jail for unpaid fines will help me show that criminalizing homelessness is not only costly for the city, but it also makes it harder for people to escape homelessness.

## Policymaker Interview

Sawyer, K. (2015, March 7). Interview by Melanie Johnson. From notes and audio recording.

McMinnville, OR: (503) 472-9766.

Kaye Sawyer said the biggest problem facing the homeless in McMinnville is that they choose not to take advantage of available programs and services. She used the Yamhill County Gospel Rescue Mission as an example. She said that right now the mission has 10 beds available in the main shelter that can house up to 17. People wanting to stay in the shelter must be sober and consent to random drug and Breathalyzer tests. She said if beds are available, and people are not under the influence of drugs or alcohol, the shelter will not turn them away. An exception to this is if someone has caused problems at the mission in the past or has a restraining order that prevents him or her from being around someone at the mission. Sawyer said because guests must be clean and sober when they arrive at the main shelter, most prefer to stay in the temporary overnight housing out back. They want to sleep—but they want to use drugs and alcohol, too. The temporary shelter does not require guests to be sober from mid-November to the end of March because it is “inclement weather season.” During the coldest part of the year, she said the mission’s goal is just to be sure people have a warm, dry place to sleep. The temporary shelter can house up to 35 overnight guests and has crates available for those who have a dog. Another example she gave of the homeless not taking advantage of opportunities is in the area of employment. The shelter works with Express Employment Professionals, a temporary job agency in McMinnville. Sawyer said the agency will hire homeless individuals. However, she said most do not want to work. As for the stereotype that homeless individuals are constantly harassed and told to move on, Sawyer said she has not heard of it happening locally. She said city parks close at dusk, so people may be asked to leave if they are sleeping at one during the



night. However, she said she is unaware of any instances of a homeless person being awakened and asked to move on. She said the homeless often sleep in camps outside the city, by bridges or in their cars. She is aware of a program the city council is considering that would provide 90-day camping spots for some of those living in RVs, but she said she has two main concerns about that possibility. The first is that 90 days is not enough time for people to turn their lives around. Even if a homeless person has a full-time minimum wage job, Sawyer says it is not enough to live on because low income housing is not available in the area. (She said a Ten Year Ending Homelessness Plan that the city created in September 2008 seems to have been abandoned.) Her second concern with a possible 90-day camping program is that when the city's subcommittee on homelessness talked with officials in towns that already have such programs, they did not talk to property owners or those who work closely with the campers. She said the subcommittee reports were positive. However, she wonders what kind of answers they would have received if they had questioned those interacting closely with the campers. She said such a program cannot be without its problems. She said she would have liked the committee to report on those as well.

Sawyer is a graduate of McMinnville High School and earned an associate degree in criminal justice from Chemeketa Community College. She is the executive director of Yamhill County Gospel Rescue Mission. The nonprofit Christian organization's website says its mission is to offer food, shelter and hope through the love of Jesus Christ. The shelter is one of 300 associated with the National Association of Gospel Rescue Missions. Sawyer says the mission works hand in hand with other local organizations that serve the homeless. This includes the Yamhill Community Action Partnership; Henderson House, a women's shelter; and Love, Inc., a religious organization. Sawyer was one of the founders of the rescue mission in 2004 and has been involved in some capacity ever since. Before becoming the mission's full-time executive

director in 2014, she was its administrative director. She helped develop the mission's policies and obtained the mission's 501(c)3 status. Besides mentoring guests and teaching Bible studies, Sawyer writes a newsletter, does grant writing, fund raising and bookkeeping. Until 2015, she also worked 40-50 hours per week as a 911 dispatcher and trainer with Yamhill Communications Agency. She has an advanced certificate in telecommunications from the Oregon Department of Public Safety Standards and Training. During her 30 years as a dispatcher and trainer for the communications agency, she completed courses in critical incident stress management. She has helped in debriefings with law enforcement and at the mission. She began breeding Samoyed dogs in 1991. Today, she shows dogs and uses them in therapy in crisis response situations. She is also a certified animal-assisted crisis responder and aided in Beaumont, Texas, during Hurricane Rita.

During her interview, Sawyer provided a great deal of background information about the founding of the Yamhill County Gospel Rescue Mission. Her knowledge of how the mission grew from a group of first responders at YCOM and police officers doing what they could to help the homeless, to what the mission is today, strengthens her credibility as a source. Her 14 years of experience working with the homeless at the mission also shows she is a qualified source of information about the local homeless community. When Sawyer made an assertion, she backed it up with examples, which strengthened what she said. For example, when she said the greatest problem the homeless face is their refusal to take advantage of opportunities presented to them, she supported it with facts. She said there were 10 empty beds in the rescue mission's main shelter the previous night. She said that residents there receive help and support as they actively work to better their lives. However, because the main house residents must consent to periodic drug and alcohol testing, most people choose to stay in the overnight shelter out back. She

provided the homeless point of view when she explained it is because they do not want to be tested. She also used facts to back up her assertion that many of the homeless people she is in contact with do not want to work. She reported that she regularly receives calls about available jobs through Express Employment Professionals, but when she tells people about the work, there are few who will take the jobs. When Sawyer said that a 90-day camping program the city is considering would not allow people enough time to turn their lives around, it was based on her own knowledge and observations of past residents' experiences and opinion. She said that she has seen firsthand what it takes for a person to successfully escape homelessness. She explained that the type of jobs homeless people find are usually minimum wage. She said even if they find full-time work they will not be able to escape homelessness because it is not enough to live on. She said low income housing is unavailable in McMinnville. Overall, Sawyer answered questions completely and if she did not have an answer or if it was a topic she knew nothing about, she said so.

Sawyer said that the homeless in McMinnville do not take advantage of help that is available to them. She said she sees this in their reluctance to work as well as their avoidance of staying in the mission's main shelter where they must submit to drug and alcohol testing. Ed Doughty (2018) agrees. He said that a look at the local jail roster shows that the homeless are often incarcerated because they will not seek help for their mental illness and substance-abuse problems. In their journal article about the criminalization of the homeless, Paul Boden and Terry Messman (2015) make no mention of whether the homeless community makes use of resources available to them. The two authors focus more on the repression of the homeless. While Sawyer said that the mission's doors are open to those who need a place to sleep, occasionally the shelter must turn someone away because he or she caused problems there in the

past. Doughty (2018) confirmed this. He said he is not welcome at the shelter because of his behavior the last time he stayed there. He agrees with Boden and Messman (2015) that the homeless are often treated poorly. However, he said that is because of their behavior. Contrary to both Doughty (2018) and Sawyer, Boden and Messman (2015) said nothing about holding people accountable for their behavior. Sawyer's final assertion was that it takes more than the three months for a person to escape poverty. Doughty (2015) did not speak to the issue directly, but he runs his own food cart business and said that he has been homeless since 2003. He said he still lives in his jeep. Boden and Messman (2015) did not address how long it takes a person to obtain permanent housing. As for points of view, Boden and Messman wrote from their perspective as advocates for the homeless. Doughty (2018) spoke from his viewpoint as one who is both homeless and a small-business owner. Sawyer talks about homelessness from her point of view as the director of a homeless shelter.

I plan to use the information from this interview to document that if people need shelter, the Yamhill County Gospel Rescue Mission has empty beds available. If they need work, there are unfilled jobs available. Near the end of my essay, I will use the information about the shelter's founding to help lay the foundation for my closing, which will include that McMinnville has a history of caring about the homeless.

## Policymaker Interview

Tars, E. (2018, April 6). Phone interview by Melanie Johnson. From notes and audio recording. Washington D.C., 202-464-0034.

Eric Tars asserts that cities criminalize homelessness. To support this, he pointed out that each day a typical American wakes up in a bed, gets up and uses the bathroom, cooks or otherwise prepares a meal, sits down to eat it and goes out for the day leaving his or her belongings at home knowing at the end of the day everything will still be there. If a person gets tired during the day, he or she can sit on a chair and rest. If the person is a politician, he or she can ask complete strangers for money. Tars said that all these activities, if performed by a homeless person in public, can result in criminal charges. He said that putting up a tent, or sheltering in some other way, cooking, eating and asking for donations are all criminal acts in cities across the U.S. To support this assertion, he cited the National Law Center on Homelessness and Poverty's 10-year study of laws and ordinances in 187 cities. He said the study's results, published in the law center's 2017 publication "Housing not Handcuffs," found that most cities have made at least some of these activities illegal. Further, he said cities create such laws and use them as a crutch to avoid dealing with the problem of homelessness. Tars said that is why all 50 states need a Homeless Bill of Rights, because it will make communities deal with the problem of homelessness, instead of criminalizing it. He explained that bills passed at state level, rather than city level, better ensure homeless people's ability to survive by stopping what he called cities' "race to the bottom." He reported in every area there are people who say their community is better than others because of its programs and services that help the homeless. Those people say if their city continues to find ways to help the homeless, then more will come. Thus, the "race" to the bottom, to make their city less attractive by creating laws and

ordinances that target the homeless. He said that rights bills at the city level do not harm anyone and might serve to help get the momentum started at the state level. However, he said that legislation at the state level is more effective because it has the advantage of leveling the playing field for all cities in the state.

Tars is the senior attorney at the National Law Center on Homelessness & Poverty, based in Washington, D.C. The nonprofit center's website says it is the only organization in the U.S. that is exclusively dedicated to challenging laws that criminalize the poor. Tars' focus is on human rights. He is involved in litigation, policy advocacy, writing reports, and conducting trainings to teach others how to use a human rights approach in domestic advocacy. In addition to his work at the center, he is an adjunct professor at Drexel University's Klein School of Law. In 1998, Tars earned his bachelor's degree in political science from Haverford College, a private liberal arts college in Haverford, Pennsylvania. He also studied international human rights abroad at the Institute for European Studies and the University of Vienna. He received his law degree from Georgetown University in 2004. The college's website says it challenges students to serve the vulnerable and disadvantaged. Tars seems to have embraced the challenge. His experience includes serving as a consultant at the US Human Rights Network, Columbia University Law School's Human Rights Institute and at the Local Human Rights Lawyering Project at the American University Washington College of Law. He has also conducted research and lectured with the Global Rights' U.S. Racial Discrimination Program. He is a board member at US Human Rights Network and on a steering committee for the Human Rights at Home Campaign. The law center's website reports Tars organized hundreds of organizations to take part in the hearings before the United Nation's Committee Against Torture and Human Rights in 2003. He serves as chair of a training committee for the US Human Rights Network and is a

member of another committee for the network's Human Rights at Home Campaign. Because he has worked with a variety of national organizations, he is likely to present a bigger picture of homeless rights issues than those whose experience is more local. Also, since he works for the only homeless advocacy comprised of attorneys, he likely has a more complete understanding of the legalities surrounding homeless rights. This may influence him to primarily focus on legal issues. Lastly, Tars' father was a homeless refugee from Estonia. He mentioned in the interview that was part of what sparked his interest in serving the homeless. His personal connection may influence his perspective on homelessness.

Tars' assertion that cities in the U.S. criminalize the homeless coupled with his supporting evidence made a compelling argument. His description of a typical American's day compared to that of a homeless person's experience is a well-reasoned approach because it effectively showed the difference between the two. It also provided important background information about what rights are at stake. He cited a well-researched 10-year study as evidence that a growing number of cities have laws that target the homeless. The mention of the study, conducted with outside assistance of the 130-year-old international law firm Sullivan & Cromwell LLC., adds credibility to Tars' assertion. It showed he based his statements on facts, not on gut opinion. Since the study included many cities, it is unarguably a high-quality source of information. Another strength in the interview is Tars' inclusion of an opposing point of view when he said that there are people in every city who think their community is attractive to the homeless. He explained that this leads a city to create laws targeting the unhoused. It is a "race to the bottom," he said. That is, a race to become the most uncomfortable place for homeless people to live. His explanation answered questions about what cities may be thinking when they create such laws. Other than that, what he said was from his perspective as an advocate for the

homeless. His assertions about the criminalization of the homeless are in line with other works. Another strength of Tars' argument is that he did not depend on propaganda or resort to emotional appeals like some advocates do. Overall, Tars thoroughly answered questions about how and why cities criminalize the unhoused and why all states need to pass a Homeless Bill of Rights. A weakness in Tars' argument is that he did not include the name of specific cities in the 10-year study or give examples showing how a Homeless Bill of Rights has affected local policy in states that have passed such legislation. The inclusion of such examples would have strengthened his argument.

In the interview, Tars presented two main assertions. The first is that U.S. cities criminalize homelessness. He supported this assertion with findings from his organization's well-known and often cited study of laws and ordinances that target the homeless. He spoke in a general sense and did not give examples of laws and specific cities. His second assertion is that all 50 states need to pass a Homeless Bill of Rights to make cities address homelessness—instead of criminalizing it. Howie Harkema (2018) agrees with Tars that the unhoused are treated unfairly, at least in McMinnville. He said that the homeless community needs the protection of a Homeless Bill of Rights. Further, he agrees that homeless rights must first be embraced at the state level because he is doubtful McMinnville will embrace the idea, unless it comes from the top down. He said that is the only way the city of McMinnville will pass laws to protect a homeless individual's right. He based this on his observation that the city's mayor tends to create task forces and subcommittees, but when the groups present their findings and suggest plans of action to the city council, nothing changes. Lorelei Laird (2014) also spoke about laws directed at the homeless population. However, her focus was on the rate at which laws targeting the homeless are increasing and how that sometimes results in civil rights suits against cities. Unlike



Tars, Laird provided specific results from the National Law Center on Homelessness and Poverty's study. For example, she reported a 119 percent increase of bans against sleeping in vehicles and a 60 percent increase in bans against camping from 2011 to 2014. She also reported on specific lawsuits, such as *Desertrain v. City of Los Angeles*, which concerns a city ordinance that prohibits living in a vehicle. As for points of view, Tars and Harkema spoke from their vantage point as advocates for the homeless. Laird's article appears in a trade magazine for lawyers, so she provided a legal perspective.

I plan to use Tars' example of how a typical American's day compares to a homeless person's experience. This will appear after I discuss the Homeless Jesus statue and before the Point-in-Time count information. I also plan to use what Tars said about a Homeless Bill of Rights leveling the playing field statewide because it forces cities to address homeless issues—instead of creating more laws.

## Subject Interview

Doughty, E. (2018, March 14). Interview by Melanie Johnson. From notes and audio recording.

McMinnville, OR: Home of Pam and Randy Stewart. 427 SW Elmwood Avenue. 503-857-8171.

Ed Doughty said that homeless people are often treated badly because they behave badly. He used his own life as an example. Doughty said it has always been easy for him to find employment. However, it is difficult for him to keep a job because of his mental health issues. He has lost many jobs for losing his temper. He said he was married once but destroyed his marriage with his rage. His wife said he was abusive and needed to get help. He moved out, lived in his car and got drunk every day for six months. As further evidence that a homeless person's actions can cause them to be treated poorly, he cited his experience at the Yamhill County Gospel Rescue Mission. He said after losing his temper with another resident, he is no longer welcome at the mission. Doughty said another example of how the homeless are treated because of their conduct is the local jail. He said that a lot of chronically homeless people are in jail due to addiction and/or mental illnesses that exacerbate behavioral problems. Doughty said they are not incarcerated because of homelessness, but because of their conduct. However, he said that no matter what the cause of their behavior is, the homeless must "quit stealing stuff and peeing on people's bushes." He said if homeless individuals need addiction or mental health help, it is available, but some do not want it. He said those suffering with bipolar disorder are an example. People do not want to suppress the highs associated with it. They like the highs—but not the lows. They do not take their medication and the highs get too high and their actions spiral out of control. Doughty said that because of such inappropriate behaviors, McMinnville's downtown businesses have a valid reason to be concerned about the homeless presence on Third Street.

However, he said solving the problem is complicated. Authorities cannot take away a person's right to walk down the street because there is no such thing as a pedestrian license. But, he said, when behavior is unacceptable, authorities must address it. Again, using himself as an example, he said when he was drunk and went walking down the street bumping into people and being a jerk, his conduct was unacceptable. He said it was right for him to be held accountable for his actions. But, he said in those situations, people must remember that the person's behavior is the issue—not the person's presence. He said society wants to legislate homelessness out of their neighborhoods, but that is not the answer. He also said a Homeless Bill of Rights or a Right to Rest Act are not the answer because they are nothing more than “feel good” laws. And, he said, neither type of legislation would change homeless individuals' behavior.

Doughty, 58, lives in his Jeep on the corner of Southwest Elmwood Avenue and Southwest Bills Street in McMinnville. He grew up in Paradise, a small California town in the foothills of the Sierra Nevada. He graduated from Paradise High School in 1977. Shortly after graduation, he joined the U.S. Marine Corps Reserves. However, he was medically discharged a year later because of problems with his feet. After the Marines, he attended classes at Butte College in Oroville, California. He studied German, French, Italian and Spanish but said all he remembers from the classes is enough Spanish to get his face slapped. After that, he worked at odd jobs and was homeless off and on. In 1985, he joined the military again, this time the Navy. He served as an aviation maintenance technician until his honorable discharge in 1987. In 1988, he met his future wife, Sandra. The two married three months later and started a family. The marriage ended in divorce in 2002. Dennis Nice is the minister at True Vine Christian Fellowship where Doughty regularly attends church. He said Doughty's rage and anger issues cost him his family and livelihood. However, he has been sober for 14 years and his attitude and outlook on

life have changed. Nice said Doughty is rebuilding his life. In 2017, he built a food cart and opened Miso Hungry. The business's Facebook page says the food cart serves Japanese comfort food. Because he is now a business owner himself, Doughty's views about downtown business complaints concerning the homeless may be skewed. Also, due to his history of long-term homelessness, what he said may be subjective in nature. Further, his 14 years of sobriety could affect his objectivity and he may see things differently than a homeless person who is still addicted to drugs or alcohol.

During the interview, Doughty gave just one point of view—his own. His assertion that homeless people are treated poorly because of the way they act was based on his many years of homelessness. For example, he said that homeless people who behave poorly on city streets do so because of mental health or substance abuse problems, which are both issues he has struggled with. So, while this may be true for him, the reasons that people behave inappropriately in public are not so black and white according to other works on the topic of homelessness. Other sources admit that there are homeless people who are irresponsible and inconsiderate, just like some of the housed population—even when they are sober. The omission of such an acknowledgement weakened Doughty's argument. However, some of his other personal examples provided evidence to support his assertion. For example, he talked about not being welcome at the local rescue mission due to his temper. That illustration strengthened his assertion because it showed a clear correlation between a homeless person's behavior and the treatment they receive. Doughty is knowledgeable about life on the streets of McMinnville, so despite the lack of objective evidence for his assertions, he was still a useful source. A strength of the interview was that he provided a wealth of background information in the form of his history, which included his work and marital history as well as his struggles with anger and alcohol. This answers readers'

questions about why his perspective on homelessness was so limited. His ideas and arguments are more in line with perspective of those who are not homeless. While Doughty did not back up all his assertions in a fair and balanced way, his unique perspective on homelessness served to strengthen what he said.

Doughty's assertions are based on his experience as one who has been homeless for many years. He said he has observed that homeless people are treated unfairly because of the way they act. He also said that when a homeless person is under the influence of alcohol and walks down Third Street, stumbling and bumping into people it is right for people to hold him or her accountable for such actions. He said whether a person is sober or inebriated, poor behavior is inexcusable because addiction and mental health help is available in McMinnville. However, he also said that townspeople must remember that when a homeless person acts inappropriately, it is the person's behavior that is the issue, not the fact that he or she is homeless. Likewise, Wei-Huan Chen and Jorge Dorantes (2015) address the topic of homelessness, but unlike Doughty, they do it in an objective way. As journalists with arts backgrounds, their perspective is different from Doughty's. They provide the points of view of people who are not homeless. Also, in contrast to Doughty, the two authors do not discuss how homeless people act. However, Chen and Dorantes (2015) discuss a debate sparked by the presence of a bronze sculpture that portrays the biblical Jesus as a homeless man. Like Doughty, Ashley Archibald (2018) gives the homeless point of view, although she is not homeless herself. Like Doughty, she discusses the treatment of the homeless people, but only as it relates to homeless camps—not as it pertains to people's behavior on the streets. And she makes no mention of possible mental and addiction issues among the homeless. In contrast to Doughty, she did not offer any reasons that the homeless might be treated poorly.

I will use information about Doughty living in his Jeep in the section of the essay where I define “home,” because he said that he is content living in his Jeep. He calls it his home. I plan to explain that Doughty’s Jeep is legally parked in a friend’s driveway, so the city’s new vehicular camping ordinance does not affect him. Following that, I will contrast his situation with the plight of those who do not have a legal place to park.

## Observation Site

The Soup Kitchen at St. Barnabas. (2018, March 13). Observation by Melanie Johnson. St.

Barnabas Episcopal Church, Parish Hall. From notes. 971-217-1418.

Only a few cars were in the church parking lot at the soup kitchen, though dinner was going to start in 15 minutes. Between the parking area and the entrance to the soup kitchen was a smoking area where a man cupped his hand trying to light a cigarette. He nodded politely as other people passed by. A dozen or so bicycles were parked just outside the entrance to the dining room. The bikes were not fancy but appeared operational and many had personal belongings strapped to the handle bars. Inside the dining room, a large poster listed guidelines for the kitchen. The list was short. Be respectful, considerate, cooperative and patient. A smaller poster warned that guests who engage in fighting, arguing or theft will be banned from the premises. A third poster, much larger than the others read, "Justice for All." It said the soup kitchen does not discriminate against any guest because of their race, color, national origin, sex, religious creed, disability, age, etc. Across the room from the posters, someone had parked a walker with two medium-sized plastic bins strapped to it. A bungee cord held personal belongings in place on top of the bins. Along the outside walls of the room sat well-worn backpacks of all sorts and a few water jugs. A grungy gray stroller sat pushed up against one wall. It was full of belongings, but not baby items. A couple of large blankets, and what looked like coats and other clothes were stuffed inside the seating area of the stroller. A paper grocery bag sat precariously on top. A large greasy-haired man sat near the stroller. He got up and dug around inside the stroller and pulled out an open bag of chips. He sat back down and passed it around to the men at his table. As they, and others in the room, waited patiently for dinner, some drank coffee; others sipped on juice or milk. The scent of turkey and stuffing casserole filled the air as people continued to arrive. Most

dinner guests sat in groups, or at least with another person. But a few people sat alone. Many appeared disheveled and wore thick layers of clothing and heavy coats. Quite a few were wearing hats although it was not a chilly day. Some diners talked quietly while soft rock music played in the background. One surprising observation is that the room remained fairly quiet. There was no loud laughter—or loud noises of any kind—as people waited for their meals. Finally, a tattooed man and a young boy began serving salads and those in the room began to perk up a bit. The tattooed man confirmed with a gentleman guest that it was blue cheese dressing he wanted. The man said yes and sat back as the server placed the salad on the table in front of him. As the meal progressed, the servers were respectful toward the diners and the diners responded likewise. This continued through the meal's main course as well. An hour into the meal time, a steady stream of people on bikes and on foot were still making their way down the street toward the soup kitchen. Though all may not have been homeless, some were traveling with blankets and other belongings in tow and looked the part.

The St. Barnabas Episcopal Church's website says that the soup kitchen is an expression of Christian faith in action. The kitchen's mission is to feed the hungry in Yamhill County free nutritious meals, while treating them as one would a guest in their home. The church website says the ministry follows biblical mandates to welcome and feed the hungry, show justice, love, and mercy and to walk humbly with God. St. Barnabas' kitchen is one of 600 organizations included in the Jubilee Ministry of The Episcopal Church denomination. The ministry is made up of organizations that embrace the mandate to serve the poor and oppressed and "build a just society," says the denomination's website. From its start in 1990, the kitchen has provided a warm and accepting atmosphere for its guests along with its hot meals. This reflects the kitchen's slogan: "It's not just about the food." The kitchen ministry is a nonprofit organization operating



under the umbrella of the Episcopal Diocese of Oregon. However, both church members and others in the community serve on the kitchen's board. The ministry is dependent on grants, local business' financial support and many volunteers. There is one paid employee, the kitchen and operations manager, Robin Miguel. She works alongside volunteer staff to prepare and serve the four meals the kitchen serves each week. The Rev. Stephen Rodgers, priest of the church and executive director of the soup kitchen, said that the kitchen prepared and served about 32,000 meals in 2017. He said that number includes a second "to go" meal offered to dinner guests when they leave. Rodgers said the kitchen serves an average of 75 people at each meal. At the end of the month that number jumps up to 100 and then drops back down to 60-70 when people receive their food stamps and other public assistance at the start of the next month. Though the soup kitchen's policy prohibits asking guests their housing status, he said many who come to the meals are known to be homeless.

A strength of this observation is that it gives a glimpse of the homeless population in a meal setting, something the housed population rarely has an opportunity to see. The observation conflicts with other reports that focus on problem behaviors of the homeless and this strengthens the report. The observation reveals that that the poor abide by some of the same social norms as the rest of society, at least in the context of the soup kitchen. Dinner guests are reported to have used good manners. They followed the posted rules that said to be respectful, considerate, cooperative and patient. There was no loud talking or laughing as people waited for their dinners. People sat quietly talking among themselves. People seemed to treat one another politely. Those serving the meal spoke respectfully to the diners and they did likewise. It was only when the kitchen workers started serving meals that conversations in the room picked up. However, people still used their "inside voices." A major weakness of this observation is that it does not report

any questions asked of the kitchen staff or guests. The observation's report would have been stronger if there had been interaction between the observer and others in the room. Another weakness is that the observation was only about an hour in length. Staying through the entire two-hour meal may have provided the observer an opportunity to talk with the kitchen manager and her volunteer staff after dinner guests left. The omission of a different point of view weakens the findings of the observation. Another weakness in this observation is that it does not say how many of the guests at the meal were homeless.

This observation supports the assertion that the homeless in McMinnville abide by some of the same social norms as the rest of society. The soup kitchen observation reports diners at the meal were polite and respectful of others. However, there were rules posted in the soup kitchen's dining hall that dinner guests must adhere to and one poster states that guests who fight, argue or steal will be banned from the meals. In contrast, Patrick Strickland (2018) reports on self-governing homeless camps. He used Camp Amanda as an example. The camp is a tent village in Southeast Portland that allows campers to take part in decision making processes that affect them. In his report, Strickland quoted Ibrahim Mubarak, the homeless man who co-founded the Right to Dream Too, or R2D2, group that helped organize the camp. Mubarak said that group's goal in creating villages like Camp Amanda is to educate homeless people about their rights. He said his philosophy is that nothing that concerns the homeless should be done without the homeless. The encampment's residents meet regularly to discuss and vote on issues. In contrast to both the soup kitchen observation and Strickland's report, Howard Fine (2016) painted a different picture of the homeless population. He reported that Los Angeles businesses are upset about homeless camps in their city. Business representatives say tent fires, vandalism, assaults and other such behavior are becoming more frequent and have moved beyond the city's Skid

Row area where the homeless camped in the past. Fine said that city employees recently removed unprecedented amounts of human waste, garbage and used needles from the area. Fine reports on the story from city officials and businesses owners' perspectives. Likewise, Strickland (2018) reports his story from two viewpoints, that of the homeless and their advocates. Further, he reports he requested a third point of view from the city, but officials declined. The soup kitchen observation is unlike the other sources, in that it is reported from the view of an interested onlooker who is not involved in or affected by the meals.

I can use the descriptions in this observation to give readers a glimpse at what a soup kitchen is. I also plan to combine information about the demeanor and conduct of dinner guests with observations and information from my interviews with Ed Doughty, Kay Sawyer and possibly, Valori Miller, who lives with her husband and five children in an RV. It is my hope that this will give a clear and accurate picture of homelessness.

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