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Compassion versus Criminalization: Is Portland Setting an Example of How to Help the Homeless?

Olivia DeJanvier
Western Oregon University, odejanvier14@mail.wou.edu

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Compassion versus Criminalization: Is Portland Setting an Example of How to Help the Homeless?

By

Olivia DeJanvier

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Dr. Dean Braa,

Thesis Advisor

Dr. Gavin Keulks,

Honors Program Director

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Abstract

Across the United States there is a homeless epidemic sweeping the nation. Although there is more and more research being done on how to control homelessness, no one city has been able to accomplish this difficult task. Most cities across the nation have been trying to control homelessness by initiating laws that make it very hard to be a homeless resident in the city. Examples of these anti-homeless laws are sleeping bans, seizing of person property, and citing people for feeding homeless residents. One city in the United States that is taking a different approach is Portland, Oregon. Portland has been trying to eliminate homelessness through compassionate policies rather than criminal ones. In this thesis, Portland’s different homelessness policy will be examined. Portland is developing a more compassionate policy for dealing with the homeless.
HOMELESSNESS IS FOUND ALL OVER THE UNITED STATES. IT IS A RECURRING PROBLEM THAT CITIES ARE LEFT DEALING WITH YEAR AFTER YEAR. LIKE MANY SOCIETAL PROBLEMS, NO ONE CITY HAS FOUND A SATISFACTORY SOLUTION. EACH REGION SEEMS TO HAVE THEIR OWN IDEA OF HOW TO HELP REDUCE HOMELESSNESS IN THEIR AREA. MANY CITIES THROUGHOUT THE UNITED STATES IMPLEMENT STRICT ANTI-HOMELESS LAWS WHICH IT MAKES LIVING IN A CITY WITHOUT A HOME EXTREMELY DIFFICULT. CITIES THAT CRIMINALIZE HOMELESSNESS OFTEN HAVE LAWS AND POLICIES THAT ARE DIRECTED TOWARDS HOMELESS CITIZENS AND THEIR TENDENCIES.

WHILE MOST U.S. CITIES HAVE STRICT LAWS CRIMINALIZING HOMELESSNESS, PORTLAND, OREGON SEEMS TO BE ONE OF THE EXCEPTIONS. IN PORTLAND, PEOPLE WHO ARE HOMELESS TEND TO BE TREATED WITH COMPASSION BY LAW ENFORCEMENT. ALONG WITH THAT, THE CITY HAS MADE AN EFFORT TO MAKE LAWS AND POLICIES MORE LENIENT FOR THOSE PEOPLE WHO ARE HOMELESS. PORTLAND HAS A LARGE NUMBER OF HOMELESS CIVILIANS WITHIN THE CITY’S BOUNDARIES AND THE NUMBER HAS STEADILY INCREASED WITHIN THE PASTcouple of years.

THE PURPOSE OF THIS THESIS TO HAVE A BETTER UNDERSTANDING OF WHAT TYPE OF APPROACH, CRIMINALIZATION OR COMPASSION, WORKS BETTER FOR ENDING HOMELESSNESS. IT IS IMPORTANT TO UNDERSTAND SINCE EACH APPROACH IS DRastically DIFFERENT FROM ONE ANOTHER. THE GOAL OF THIS THESIS IS TO HELP FIGURE OUT IF ONE STRATEGY WORKS BETTER THAN THE OTHER. EXAMINING CURRENT POLICIES AND STATISTICS WILL HELP TO DEVELOP A SOLUTION TO URBAN HOMELESSNESS.

OVERVIEW OF HOMELESSNESS RESEARCH

HOMELESSNESS IS A CONTINUAL PROBLEM IN MOST CITIES ACROSS THE UNITED STATES. SOME CITIES CHOOSE TO SOLVE THEIR HOMELESS PROBLEM BY INITIATING ANTI-HOMELESS LAWS.
Most of these laws and policies involve homeless persons performing life sustaining activities – such as sleeping or sitting down - in outdoor public places (Smith 1996). Some of the most common laws that target homeless individuals involve the following: standing, sitting, and resting in public places; sleeping, camping, and lodging in public places, including in vehicles; begging, panhandling, and soliciting; and loitering (Smith 1996). These laws are changing constantly and are varied from city to city. Some cities have many anti-homeless laws and policies while others, like Portland, have more compassionate laws and policies regarding homelessness.

Cities like Portland are often depicted as “nicer” cities to their homeless citizens because they do not have many laws criminalizing actions by homeless people who live on the streets (Truong 2012). Some of these actions include: sleeping in public, loitering in public spaces, and using materials to protect oneself from the weather.

Robert Ellickson who was a faculty member at Yale Law School, believes that by criminalizing homeless tendencies that it will discourage homeless citizens from residing in certain areas thus promoting economic growth (1996: 1169). Ellickson coins the term “chronic street nuisance” to describe individuals who are a constant annoyance to a localized area. Two examples of common chronic street nuisances in urban neighborhoods are non-aggressive panhandlers and bench squatters. It is important to note that not all panhandlers and bench squatters are homeless and not all homeless citizens are panhandlers and bench squatters, but homeless people do make up the majority of panhandlers and bench squatters. Although chronic street nuisances are not inherently aggressive, they continue to annoy certain urban communities by small uncomfortable actions such as: asking for money or food, and
sitting or lying on the sidewalks and benches. This lowers the feeling of safety and comfort in the urban district and drives people away. Ellickson (1996: 1179) acknowledges the fact that there are some benefits to panhandling such as a generosity by donors, but the “negative backlashes” of panhandling in public spaces far outweigh the positives. In a survey conducted by Ellickson it showed that most individuals find panhandling to be an annoyance. Panhandling is considered negative for businesses when chronic street nuisances take ground near the business forcing people to avoid the store in order to avoid the annoyance of panhandlers. Another problem that panhandling causes is the ripple effect that it has within the panhandler community. Once a person gives something of value to a panhandler, more panhandlers will come to that area causing an influx. This influx of panhandlers make it so that the one panhandler, that a consumer could ignore, now becomes ten panhandlers and thus the consumer leaves because they cannot ignore ten panhandlers. Finally a problem with panhandling is that when panhandlers come together in a certain area often times other problems that are typically associated with panhandlers can arise. These problems can be drugs, vandalism and/or fights.

Ellickson (1996: 1185) urges cities to move to more laws protecting public spaces from chronic street nuisances (often associated as anti-homeless laws). It is vital to the survival of the community economic development that people in the community feel safe when walking around their neighborhood and being consumers. Ellickson does point out that one of the main arguments against
criminalizing homeless actions is that panhandlers and bench squatters are typically economically disadvantaged and therefore should not be targeted for fines.

Robert Tier (1993:286) emphasizes the destruction that “aggressive panhandlers” have on a community. In both of these cases aggressive panhandlers and chronic street nuisances are used to describe similar citizens in the community. Robert Tier is a former law student from Louisiana State University and now he is a practicing lawyer from Texas. Tier (1993: 286) argues that “Current efforts to limit begging are motivated by a desire to build and maintain a diverse, responsible, and interactive community, by maintaining and preserving viable public spaces where that community can interact”. The current efforts that are in place, as described by Tier, are laws that are associated with anti-homeless legislation. He urges for more laws to rule public space so that people are inclined to stay in the community rather than leave for a more peaceful and quiet location. Panhandling is one of the first steps in a self-perpetuating cycle of decay in a neighborhood (Tier, 1993: 290). In order for growth in communities there must be stricter laws on public spaces that help to reduce homeless people from intimidating others.

While some people agree that there should be more anti-homeless laws in communities, some people such as Heather Marek, who is currently a law and sociology student at the University of Oregon, believes that the criminalization of homelessness is cruel and counterproductive. Marek (2017:21) argues in a journal written for The American Civil Liberties Union of Oregon, that the fact that anti-homeless laws focus on the current homeless situations and seem to sometimes clear up the streets but the legislation that criminalizes homelessness is not taking
care of the real problems that cause homelessness. These laws and policies cause more barriers and hardships to individuals who are already struggling to get ahead in life (Marek, 2017:19). Anti-homelessness laws cause a paradox for homeless individuals who are already economically disadvantaged and are expected to pay fines for behaviors such as sleeping on benches, asking for food or asking for money. Homeless individuals do not have the resources to pay the fines and have few options for changing their lifestyle in order to avoid future infractions. It is essentially a waste of time for the criminal justice system to have to fine homeless individuals who fail to pay the fine (Smith 1995-1996).

Some of the anti-homeless laws are also violating basic human rights, including laws that forbid citizens to sit, lay or sleep on public sidewalks. “Since all human beings need to rest and sleep, people who are homeless cannot avoid sitting, lying, and sleeping. It is a physiological necessity; people are biologically compelled to rest. Without sufficient alternatives to help people get off the streets, people who are homeless have no choice but to commit these acts in public” (Marek, 2017: 20). In Oregon there is current a bill pending called the Right to Rest. This bill was written in Portland by the Western Region Advocacy Project to help provide rights for homeless individuals who need to rest in public spaces.

The cost of anti-homeless laws is astronomical according to Marek (2017). No one had measured the financial impact that Oregon and Portland’s anti-homeless legislation would have on state and city. In the case of Boulder, Colorado that city spent $1 million in a span of 5-years on one anti-homeless law, a no public camping ordinance (Marek, 2017). Cost is a repercussion that may not be evident to the
public when passing these type of laws but in the long run it does cost the taxpayers money to implement these rules and restrictions.

Marek (2017: 23) argues that “Shifting our approach to homelessness from punishment to prevention, begins with establishing a shared understanding of what is humane and deserving of all people, regardless of housing status”. This ethical approach to homelessness will get to the root causes instead of masking over the problems with laws and policies that simply hide the homeless community from the public eye. It is even shown in a public opinion poll that most of the public wants to help the homeless community in their neighborhoods (Foscarinis, 1996).

Central Questions

It is important to understand the effects of the laws and policies mandated in a city and how they affect the homeless population. Every city should be aware of the laws that they have regarding homelessness and whether they are criminalizing the homeless in their region. Cities should also be keeping data on homelessness within their cities to see whether the laws and policies that they are initiating are helping or harming the population. A city's goal, in accordance with the government’s policy of Opening Doors, should be to eliminate homelessness. In this thesis I am going to be analyzing Portland’s unusual compassionate approach to homelessness in order to determine whether this type of approach is a better policy for dealing with homelessness.
Methodology

Archival research was used in developing this thesis. The thesis used two types of archives: primary sources and secondary sources. All sources were peer reviewed for use of research that focused on issues of homelessness.

In the development of this thesis I focused on using primary resources for gathering data that was imperative to understanding the statistics regarding my topic. Many of the primary sources that were utilized came from government websites. Along with that, I used public policies published by governments and organizations to gain information needed in formulating my thesis. Some of the federal government organizations that were used in the development of the thesis were: United States Interagency Council on Homelessness (USICH), U.S. Department of Housing and Urban Development (HUD), and The Department of Health and Human Services (DHS). Along with the use of federal government agencies in the development of the thesis, state and local government agencies were also utilized. Examples of the state and local government sources included: Oregon Housing and Community Services (OHCS), Ending Homelessness Advisory Council, and Joint Office of Homeless Services (Multnomah County).

There were also a multitude of organizations that work with the homeless that were utilized for archival research in the development of this thesis. Some of the organizations included, National Coalition for the Homeless, National Alliance to End Homelessness, Transitions Project, A Home for Everyone, and Human Solutions. The archival research done with these organizations helped to see the collaboration
or lack of collaboration between services aimed at helping homeless residents in Portland.

The archival research that was done for the development of the thesis also included secondary resources. Utilizing bibliographies, Google Scholar, university libraries, academic databases, and published work were all ways that I found secondary resources for this thesis. I first started my research by finding publications that used some of the primary sources that I found and looked at their bibliography. This helped to ensure that the information that was in the secondary source was reputable. From there I was able to use bibliographies of the secondary sources to discover more resources that were important in the development of this thesis. I used the secondary sources primarily in my literature review and introduction. These sources provided me with more context and viewpoints in the development of the thesis.

HISTORY OF HOMELESSNESS

History of Homelessness in the United States

Homelessness, although appearing to be a relatively new problem in the United States, has been documented beginning in the 1640’s. According to Steve Carlson, there have been five major periods in the history of the United States in regard to homelessness: Colonial Period, Urbanization, Industrialization, The Great Depression, and Contemporary Period. Each time period comes with their own causes and effects but the same problem occurs. There is an abundance of individuals who are lacking the proper shelter they need in order to thrive in society.
During the *Colonial Period* homelessness was in part caused by the need of mobile workers due to economic expansion in the United. Skilled and unskilled workers had to be able to move from place to place for agricultural seasons, never able to settle down due to their profession. Similar to a lot of places in today's society, the government and its citizens viewed the homeless citizens as beggars and lazy transients. There were no real policies or laws in regard to homelessness during the *Colonial Period*.

*Urbanization* (1820-1850) was the next period in the United States history where homelessness was recognized as a serious societal problem. During this time in the United States, homelessness was caused in part by low pay and job insecurity for many of workers in various industries (mines, docks, mills). Many of the jobs that were available to unskilled workers short term and temporary. The Urbanization period was much different from the Colonial Period, due to the fact that the government had a response to homelessness. There were a few policies and laws that were mandated to help the homeless. Most of the policies and laws that the government implemented were strict anti-homeless laws that made vagrancy a crime. This was the first time that the United States Government intervened and made it even harder to be homeless in America.

The next time period was the *Industrial Period* (1870-1900). This time period coincided with the Civil War, which had a huge influence on homelessness. There were many causes of increasing homelessness during this period. Some of the major causes of the homeless population growth were: veterans of the Civil War struggling with addiction and post-traumatic stress disorder (PTSD), racism towards African
Americans, and dramatic changes in the economy (unemployment reached 40% during this period). This time period had few interventions for homelessness because the government was preoccupied with the Civil War, slavery, racism, and economic slumps.

The next major time period for homelessness in the United States was called *The Great Depression* (1929). This might seem like the most likely time in the history of the United States for increasing homelessness because of widespread poverty. The major causes of homelessness in this time period were: extreme economic downturn, loss of jobs (unemployment as high as 25%), and families moving in search of jobs. There was a lot of government action to help people in this time period. After the Great Depression, President Franklin Delano Roosevelt initiated a policy that helped families to become homeowners again. This was called the New Deal (1934-1962). The New Deal was a federal policy following the Great Depression that helped people become financially stable again. This was done through programs, financial reforms, and public work projects. The target population for these reforms was the elderly, youth and unemployed citizens. The “3 R’s” were the foundation of New Deal policies. The “3 R’s” were, *relief* for the unemployed, *recovery* of the economy and *reform* of the financial system to prevent another economy downfall. Although this seemed to help a lot of families gain the stability that they had been lacking for decades, 98% of the aid from this program went to white families. This caused a lot of the African Americans in the country to be without aid and they continued to be homeless.
Following the economic crash of the Great Depression, the Federal Housing Authority (FHA) was created in 1934. This government agency was created to improve housing standards and conditions. It was also created to help stabilize the mortgage market and prevent another housing crash such as the one that resulted in the Great Depression. Another goal of the FHA was to be able to provide affordable mortgages for citizens.

During this period there was also a new policy issued by the United Nations called *The Universal Declaration of Human Rights* (1948). This policy stated that, “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing, and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his own control” (UN General Assembly, 1948: 2). This prompted many governments around the world, including the United States to take actions in the service of human rights.

In 1965, the United States created the *Department of Housing and Urban Development* (HUD). The purpose of HUD was, and is, to provide housing and assistance for people in need. The goal is to provide equal and fair opportunities to all United States citizens in the pursuit of decent housing. HUD is still a part of the United States Government and serves as the main government agency that helps provide housing in the United States. One of the current HUD programs is *Section Eight* which includes public housing that provides safe housing to low socioeconomic households, the elderly, and people with disabilities.
The next major time period is known as the *Contemporary Period* (1980-present). Homelessness since the 1980’s has grown significantly, not only in numbers, but also in locations. One of the first causes of homelessness during this time period came in the early 1980’s when there were significant cuts from the federal funding that assisted people such as HUD, food stamps, welfare programs, unemployment, and disability. Another major cause of homelessness in America during the contemporary period is the continuing spread of the wage gap between CEOs and workers. In 1980 the wage gap was 42:1. In 2000 the wage gap was 531:1 (Collins and Yaskel, 2005). Another problem that the United States is dealing with in regards to homelessness is minimum wage and the rising cost of living. In many states, minimum wage is much less than the cost of living forcing people to make difficult decisions regarding their limited incomes. Often times, with the increasing cost of rent, people are evicted or forced out of their homes due to costs, even though they are working full time.

In 2000 the *National Alliance to End Homelessness* released a plan that was backed by extensive research on how to end chronic homelessness in 10 years. This plan was called, *A Plan, Not a Dream: How to End Homelessness in Ten Years*. Inspired by this plan the *U.S. Interagency Council on Homelessness* (USICH) and President George W. Bush encouraged cities and communities across the United States to make their own plans to end chronic homelessness following the structure outlined by the *National Alliance to End Homelessness*. The Federal Government gave the cities money to help them finance their strategic plans. The goal for these cities and communities was to eliminate chronic homelessness in their area within 10 years.
Each city came up with their own plan but there were some common features across the United States. Most of the plans included collecting data on the homeless population in their region. This allowed cities to evaluate their current homeless situation. This data was necessary for the development of a homeless policy.

Another common component that about 90% of the plans was permanent housing strategies. Most cities, following the National Alliance to End Homelessness understood that permanent housing is one of the most successful strategies to use when trying to eliminate homelessness. Most cities, about 94%, included the strategy of shortening the length of the time that people experience homelessness. The most frequent strategies that were included in urban plans for shortening the length of time that people are homeless were Housing First strategies and rapid re-housing strategies. Efforts to shorten the length of time people spend homeless through Housing First or rapid re-housing initiatives were included in 94% of the plans (Berg, 2015). A lot of cities did see a decrease in their chronic homeless population, but no one city was able to eliminate homelessness in their area. Although the 10 year plan was not successful in that it did not eliminate homelessness, it did help educate urban planners on homeless policies.

In 2010, USICH released Opening Doors: The Federal Strategic Plan to Prevent and End Homelessness, which was the first comprehensive plan to help eliminate homelessness. The strategy of Opening Doors had three main goals:

1. Quickly identify and engage people at risk of and experiencing homelessness.
2. Intervene to prevent people from losing their housing and divert people from entering the homelessness services system.
3. Provide people with immediate access to shelter and crisis services without barriers to entry if homelessness does occur, and quickly connect them to
housing assistance and services tailored to their unique needs and strengths to help them achieve and maintain stable housing (USICH, 2015).

With these three components, the government wanted cities to make plans to end homelessness in 5 years. The plans included documentation of what a city is doing in order prevent and eliminate homelessness in their areas following the goals set by Opening Doors. Some of the documentation could include data of the current homelessness population, current homeless policies, plans for new homeless policies, and new programs for homelessness. These plans are still used in many cities and communities.

**Homelessness Criminalization: An Overview**

Those in favor of criminalization often say that by giving homeless people “tough love” it will encourage them to use the resources that are often available. These resources include homeless shelters or food banks. Researchers have also said that by criminalizing homelessness the public space can feel safe. Getting homeless people off the streets and out of the public eye is one of the main goals of criminalizing homelessness.

Those against the criminalization of the homeless say that by enforcing anti-homeless laws it is just making homeless people feel less safe and hide since the resources that they are supposed to utilize are often non-existent. Some argue that by criminalizing the homeless it often makes it more difficult to eliminate homelessness. This is because criminalizing homelessness is not the solution. Rather, criminalization is more costly and does not have a big impact on the homeless population. Criminalization prevents homeless residents from moving off of the
streets into permanent housing. This is in part because when a city’s funding is going towards enforcing anti-homeless laws and there is little to no money left for permanent housing solutions. The money that is supposed to be given to solving homelessness is being spent on law enforcement instead of on housing. This is counterproductive as suggested earlier.

When homeless residents are cited for breaking the law, they are often fined. The problem with this is that the homeless, for the most part, do not have the money to pay the fines. This situation results in a criminal record. Often time’s employers will not hire individuals who have a criminal record. Landlords often times will not rent to individuals with criminal records. This causes a spiral effect that helps perpetrate homelessness. In the end, homeless individuals are left with a diminishing chance of finding a job and permanent shelter.

To fully understand what it means to criminalize homelessness, it is important to analyze cities that are known for harsh anti-homeless laws. For this thesis the three cities that are being analyzed are Los Angeles CA, Houston TX, and Honolulu HI. All of these cities have recently created and enforced strict laws against homelessness.

Los Angeles has had a long history of criminalizing homelessness. One of the more recent cases that dealt with the unfair treatment of the homeless was Jones v. City of Los Angeles in 2006. The Ninth Circuit Court of California struck down a Los Angeles ordinance that banned sleeping, sitting, or lying on the street at any time of the day. In 2011 there was a court case Lavan v. City of Los Angeles. This court case was initiated because the city had been caught seizing and destroying homeless
people’s belongings. The case was ruled in favor of Lavan and a new policy was initiated where the city could only take belongings that were abandoned. Another court case that happened recently in Los Angeles was, *Desertrain v. City of Los Angeles* in 2014. The Ninth Circuit Court struck down another Los Angeles ordinance that banned using a vehicle as living quarters. In a report by the City Chiefs Administrative Office in 2015, most money allocated for homelessness issues (90 million), went to the Los Angeles Police Department for enforcement of these anti-homeless laws.

Los Angeles has an abundance of anti-homeless laws. With many anti-homeless laws comes a large price tag. Despite the anti-homelessness law in Los Angeles, the homeless population is increasing. For example, “Los Angeles has a chronically homeless population of 12,356, which is almost 15% of all chronically homeless individuals nationally. Los Angeles has nearly four times as many chronically homeless individuals as New York City, which has the second largest number of chronically homeless individuals (3,275)” (Wang, 2016:1). This indicates that Los Angeles’ strict anti-homeless laws are not working towards the goal of eliminating homelessness.

In Denver Colorado there continues to be an epidemic of criminalization of homelessness. Like other cities nationwide, Denver recently implemented a sleeping ban for homeless residents. This means that homeless residents are not allowed to use any sort of protective barrier to shield themselves from the weather. This includes and is not limited to, sleeping bags, lean-tos, tarps, and blankets. There have been multiple citations given out for homeless residents protecting themselves
from extreme weather conditions (Robinson, 2017). Denver also institutes a *feeding ban* for homeless individuals. This does not affect food kitchens in Denver, but it does charge a citation to individuals who give food to homeless citizens.

From 2016-2017 homelessness rose in Denver annually by 4% (U.S. Department of Housing and Urban Development, 2017: 5). Although this percentage does not seem very high, it is important to note that the percentage of chronic homelessness increased as well. From 2016-2017 the percentage of chronic homelessness increased by almost 21% (U.S. Department of Housing and Urban Development, 2017:5). This demonstrates that the strict anti-homeless laws are not resulting in a decline of homelessness in Denver.

Another city in the United States that has been known to institute anti-homeless laws is Honolulu, Hawaii. In 2017 the city of Honolulu made a city wide ban that no person could sit or lay on any sidewalk between the hours of 5am-11pm (Friedheim, 2017). The law allows law enforcement to seize property, issue citations and relocate many homeless encampments. When the property of a homeless resident is seized, it is often nearly impossible for them to be able to get it back. This can be devastating to a homeless individual because whatever they have with them is all that they have.

One of the many motivators behind Honolulu’s criminalization of homelessness is their large tourism industry. It is the cities position that homeless individuals on the streets and in the parks will discourage tourist spending. Tourists are uncomfortable with the homeless and since it is such a major part of Honolulu’s economy, the city wants to keep the homeless out of the public’s eye. Having strict
laws on homelessness is Honolulu’s solution for solving their homeless epidemic and as a means of maintaining its tourism industry.

History of Homelessness in Oregon

Oregon has a homelessness history similar to the national history. Oregon has seen increases and decreases of homelessness overtime, with a steady increase in the last few decades. There are a few components that have had a major influence on homelessness in Oregon.

In 2005, following the National Alliances to End Homelessness, Oregon developed its plan to end homelessness in 10 years. Like many other plans around the United States, Oregon first identified its current homeless situation within their plan. According to Oregon’s Ending Homelessness Advisory Council in 2005 there was an estimated 16,221 homeless residents. Recognizing the numbers, the state was then able to develop goals and strategies on how to help eliminate homelessness within 10 years. Although Oregon did not succeed in their elimination of homelessness, it was able to implement a lot of good strategies that are still used today. A point-in-time homeless count done by Oregon Housing and Community Services showed that homelessness was down to 13,176 citizens in 2015 at the end of the 10 year plan. This decrease showed hope for the elimination of homelessness in Oregon.

Since the 10 year plan ended in 2015 there has been a slight increase in homelessness from 2015-2017. A count was done in 2017 and it indicated that there were 13,953 homeless citizens on any given night in Oregon. This increase since the end of the 10 year plan comes from a few factors that are still affecting Oregon. One
of the most influential factors is the lack of affordable housing in Oregon. Federal funding for affordable housing for low income individuals has dropped over the last 30 years due to major cuts in the budget. The Federal funding comes from HUD programs such as: emergency housing, vouchers for low income families, housing for people who are disabled, and housing assistance for the elderly. This situation has increased the shortage of available and affordable housing.

Another factor that affects the homeless population increase in Oregon, and many other states, is the lack of collaboration between organizations attempting to provide services to homeless citizens. An example of the lack of collaboration is that often social services that work with the homeless are not aware of all of the resources that are available to the homeless through various organizations. Therefore the services are not able to collaborate and work together to bring a whole system of services to the homeless. Another example is that some services do not work together with scheduling to help make resources available to the homeless. This is the case for food shelters. Often times food shelters are opened and closed at similar times which denies food access for many homeless people. Due to the lack of collaborations, organizations have their own goals and objectives that are not aligned with each other. This can cause confusion in the homeless community.

**History of Homelessness in Portland**

Portland’s homelessness has an interesting history. Similar to Oregon’s history Portland has many factor as has to why it has such a high homeless
population. Some of the factors derived from unskilled laborers who lost their jobs due to a shrinking job fields after WWII. The unskilled laborers were factory workers who worked in factories that produced supplies for WWII. Some examples of factories where the workers worked were ammunition factories, transportation factories, and uniform factories. After the war these factories reduced their labor force. Many workers lost their jobs. This forced them out of their one bedroom apartments. Many workers were forced onto the streets of Portland. This was one of the first waves of homelessness that swept through Portland.

Another factor that caused/causes homelessness in Portland is the deinstitutionalization that happened in the 1970’s. During this time many mental hospitals were shut down or cutback greatly due to the government changes in funding and support. The Oregon State Hospital located in Salem was one of the mental institutions that was discharging a lot of patients due to huge financial cutbacks. Many of the patients at these hospitals throughout Oregon could not work or lacked education. The patients who did not have families who were willing to take them in and thus were forced onto the streets of Portland. A lot of them had severe mental illnesses and could not support themselves or figure out where to locate help. A life of surviving on the streets of Portland became the end result.

From 2010-2015 rents in Portland have increased 34% according to the Housing Bureau (Monahan, 2016). With little rent control in place in Portland, renting prices continue to skyrocket, forcing families to leave their residencies and live in their cars, couch surf, or find shelter on the streets. The cost of living in Portland is much higher than a full time minimum wage job salary. Due to this gap
between the cost of living and the minimum wage, many longtime residents of Portland are forced out of their homes. The residents cannot keep up with their expenses. This type of homelessness is unique in the sense that most of these homeless citizens have stable jobs and do not appear homeless but are in fact surviving without a permanent residence.

HOMELESSNESS AND POLICY

Each year there is a point-in-time (PIT) count throughout the country. In Oregon for the 2017 point in time count there was a 6% increase from 2015 (Oregon Housing and Community Services). For Portland there was a slight increase of 9.9% (Multnomah County, 2017). Although there was a slight increase in overall homelessness in Portland it is important to keep in mind that the percentage of unsheltered homelessness from 2015-2017 went down by 11.1% (Multnomah County, 2017). This is very significant because homeless residents who are unsheltered are living on the streets in makeshift shelters, living in their cars, or living in other areas without proper housing. The change from unsheltered homelessness to shelter homelessness, including living in homeless shelters and living with relatives and friends, is a huge shift in the right direction for being able to eliminate homelessness.

It is also important to keep in mind that although Portland did see an overall increase in their homelessness, the increase was much smaller compared to other large cities throughout the county. For example, Oakland California saw a 39% overall increase in homelessness and a 61% increase in their unsheltered homeless population from 2015-2017 (Multnomah County, 2017). Oakland conducts a similar
point-in-time survey in which the data is gathered. Los Angeles experienced a 30% increase from 2015-2017 in their overall homelessness and 38% increase in their unsheltered homeless population (Multnomah County, 2017). Seattle experienced a 16% increase in overall homelessness and a 45% increase in unsheltered homelessness from 2015-2017 (Multnomah County, 2017). These major cities indicated a much larger increase in homelessness all along the West Coast. There are many reasons for the difference in increases seen in each of these cities, but common reasons are clear: types of policies, laws and programs that either criminalize homelessness or provide housing.

Figure 1.A shown below shows current percentage changes of unsheltered homeless residents. Multnomah County represents Portland OR.

![Figure 1.A](image_url)
Figure 1.B shown below is a poster of current statistics that are important to understanding homelessness in Portland OR.
Figure 1.C shown below is a breakdown of the homeless residents in Portland as of 2017’s point in time count.

![Multnomah County, Oregon Homeless Point-In-Time Count 2017](image)

Every two years, Multnomah County and the City of Portland have worked together on a comprehensive “point-in-time” count of children and adults experiencing homelessness.

This year, volunteers and outreach workers asked where those neighbors slept the night of Feb. 22: in emergency shelter, in transitional housing or somewhere else not considered fit for human habitation. Communities nationwide must conduct counts to remain eligible for federal grant funding.

This year's count, with 11.6 percent fewer people counted sleeping without shelter, speaks to the promise of our community's unprecedented investments in rent assistance, housing placements and more than 800 new beds of shelter.

Last budget year, partners in our community initiative to end homelessness, A Home for Everyone, helped more than 25,600 people, providing a record 4,600 housing placements and a record 8,600 people served in shelter. Through three-quarters of the 2017 fiscal year, those providers have already reached another record for shelter access and are ahead of last year’s pace in housing placements.

Figure 1.C
The data shown in the figures above gives a good summary of Portland’s current homeless statistics. Figure 1.A shows the percentage of change from 2015-2017 in a county’s unsheltered homeless population. The figure shows that Multnomah County had a decrease of 11% from 2015-2017 while the rest of the counties increased their unsheltered homeless population. This chart supports the argument that Portland is implementing policies and programs that are working towards eliminating homelessness.

Figure 1.B shows different charts that put the homeless population of Portland into subcategories. In order solve the problem, the problem must first be analyzed. Portland does this by breaking up their data and seeing which groups are most affected by homeless policies and programs. One graph on figure 1.B shows the racial disparities between homelessness. Another graph shows different subgroups of people such as families, individuals, veterans, and youth. This data is important in order to design and implement policies and programs that will reduce homelessness in a targeted manner.

Finally, figure 1.C shows a breakdown in the type of housing the homeless population is using, whether it is emergency housing, transitional housing or whether they are unsheltered. This allows the city to see what housing resources are being used by the homeless. It also allows the city to put more of its money and effort into the housing that is being used the most. The same figure includes pie graphs that show the percentage of chronically homeless individuals. The definition of chronically homeless according to The United States Department of Housing and Urban Development (2018:1) is, “(1) an unaccompanied homeless individual with a
disabling condition who has been continuously homeless for a year or more, or (2) an unaccompanied individual with a disabling condition who has had at least four episodes of homelessness in the past three years.” This allows the city to see the percentage of chronically homeless individuals. Chronically homeless individuals tend to need more interventions in order to become stable since they have had a longer experience of being homeless.

There are many different organizations in Portland that provide help for the homeless in Portland. There were 12 homeless shelters in the Portland area listed on the Homeless Shelter Directory web page. Some of these shelters included: City Team Ministries, Portland Rescue Mission, Salvation Army Shelter, and Transition Projects Day Center. It is important to note that not all these shelters allow all individuals. Some shelters allow only one gender or some only allow veterans.

One program that is newer to Portland is called the Day Storage Pilot Program. This program was developed in order to help homeless individuals to store their belongings during the daytime. This allows them to pursue jobs or work since many of them have no other protected places to put their belongings. Another program in Portland that is helping the homeless is called the High Intensity Street Engagement Program. This program’s main goal is to be an outreach program designed to provide communication for homeless citizens who may have the highest barriers, such as those with mental illnesses or those who lack education, and get them into housing.

Other programs that work towards helping the homeless in Portland include Potluck in the Park. This program is a nonprofit organization that works with
volunteers to feed between 400-600 individuals at the *Potluck in the Park 2017*. Many cities in the United States have made it illegal to feed the homeless so this is something that is very unusual, but very beneficial.

Along with programs like *Potluck in the Park* there are homeless camps that are run by the homeless community. This means that the homeless community that resides in these camps are in charge of making the camps a community where they work together to ensure a healthy living environment. There are elected residents who are in charge of various aspects of the camps such as a person who is in charge of outreach or making sure there is food for the residents. Two examples of homeless camps that are present in Portland are *Right 2 Dream Too* and *Dignity Village*. *Right 2 Dream Too* is a camp that was founded in 2011. This camp is on leased space in downtown Portland where those who need a safe place can sleep can go to be undisturbed (Right2dreamtoo, 2016). *Dignity Village* is a camp that houses up to 60 homeless individuals at a time (Dignity Village, 2017). It is located in northeast Portland and has been in the same location for over 15 years.

A new unique program to Portland that works with the community and the homeless is building *tiny house villages* in the backyards of neighborhoods (Harbarger, 2017). This is an interesting approach that helps solve homelessness because often times the housed population does not want anything to do with the un-housed population. It might be a step in the right direction if this program is successful. Not only will this program allow the homeless to have proper shelter, but it will also break down the walls between the community and the homeless. Coexistence is the goal of this program. Allowing citizens to see that not all homeless
residents are undesirable, but rather it shows that most of them want a safe place to sleep, some food to eat and some clean clothes. This will help normalize homelessness and allow communities to work together to help eliminate homelessness.

A program that is unique to Portland is called *A Home for Everyone* which started in 2012. The agency is a place that works to help eliminate homelessness in Portland through a number of different strategies. This agency helps with shelters, rent costs and food programs. Part of the agency’s goal is to make sure to reach all homeless individuals, especially those who are the most vulnerable. This includes children, women, people with disabilities, and minorities. One component of this organization that is unique is that it is data driven, which means that it collects and publishes current data to inform the community of the homeless situation. A key goal is to bridge the gap between a given community and the homeless. Opening a line of communication between the community and the homeless will allow for a better understanding between both parties. This organization is different from others because it works to make sure that there is collaboration between different organizations working to eliminate homelessness. Advocates believe that the way to help eliminate homelessness is to take the resources available and work together. This will help to spread the same message and goals when working to eliminate homelessness in Portland Oregon.

Although camping is not allowed inside the city of Portland currently, the local law enforcement has been known to use compassion when dispersing any encampment. This includes refusing to destroy personal possessions. Police also put
up notices for the homeless residents when they are planning to require removal so that the homeless have time to find an alternative place to stay.

Another policy that is unique to Portland is the recent tenant protections that were put in place by the city. Currently a landlord has to give their tenants a 90 day no-cause eviction warning. This is much different from other cities that have no laws in regard to landlords warning and evicting their tenants. The tenants are also protected with rent control, where a landlord cannot raise rent more than 5% each year without a 90 day warning. Also recently, the city of Portland passed an ordinance that would require landlords to pay the moving costs of tenants who are subjected to a no cause eviction notice, or have to move due to a rent increase of 10% or more each year. This can cost landlords between $2,900-$4,500 per tenant. These regulations help protect the rights of tenants and diminish the problem of homelessness in Portland.

A policy that Portland has that is drastically different from other cities is allowing individuals to leave their cars and RVs parked for longer periods of times in designated locations throughout Portland. This helps people feel safer when forced to live in their vehicles. Often times individuals who recently lost their homes move into their vehicles first. So this allows those who are temporarily homeless to be able to survive without housing for a while (Healy, 2011).

Much different from other mayors, the former Mayor of Portland, Charlie Hales, announced that “Criminalizing homelessness and sending people to jail because they’re camping in the wrong place is not our first, second or third choice” (Hernandez, 2016: 1).
In the winter of 2017, Portland had a winter storm that was one of the worst storms ever. Due to the freezing temperatures and snow falls, four adults and one baby died due to lack of proper housing. This was a significant stimulus for Portland to take charge of their homeless problem, with the goal of preventing similar deaths.

The mayor at the time of the winter storm, Ted Wheeler, had new ideas for how to help people who are homeless. One of his ideas was to allow people to build their homeless camps in sectioned parts of city property where hundreds of homeless people could build their own community rather than having smaller homeless camps throughout the city. This would also help social services with the goal to provide resources for the homeless. A majority of homeless citizens would be in a central location making it easier to give those supplies and resources.

Back in 2016, Portland’s mayor at the time, Charlie Hales, enacted a citywide policy called the Sleep Safe Policy. This policy allowed homeless citizens in Portland to sleep on the sidewalks between the times of 9:00 PM and 7:00 AM. It protected them from being moved or arrested in the night while they slept. The mayor enacted this law with the realization that there was not enough shelter beds in the city to provide the necessary resources for all the homeless dwelling in Portland. This policy was unique to Portland. Most cities in the United States have strict laws preventing people from even sitting on the sidewalk for long periods of time. Due to opposition to the policy, in August of 2016, the mayor retracted the sleep safe policy. Although the mayor retracted the policy he said in an interview with the Oregonian that he does not want a citywide sweep of homeless camps. Those who need a place
to sleep will likely be left in peace. The mayor also stated that part of the reason that the policy was retracted was due to the fact that some people took advantage of the law. These individuals set up unsanctioned camps on the sidewalks rather than taking advantage of a safe night’s sleep and then packing up the next day.

Although Portland can be considered a more compassionate city in regard to how they treat their homeless residents, there have been a few controversial policies that Portland has adopted that seem to be against homelessness. For example, in late 2017 Portland created no sitting policies in certain zones in the downtown area. The Mayor of Portland and downtown business owners, specifically the owner of Columbia Sportswear, were in favor of the policy saying that the no-sitting rules would help the business thrive since there would be less worry of harassment. While the mayor and business owners were in favor of this policy, many Portland residents opposed these policies arguing that they were discriminating against homeless residents. Various opponents peacefully protested the new policy by sitting directly in the new no-sit zone.

Keeping in mind that although Portland has adopted some anti-homeless policies, Portland is still far less criminalizing to their homeless residents than other cities throughout the United States. For example, Portland has only a few criminalizing policies such as the no sitting ban in the downtown area. While cities such as Denver have a lot more criminalizing policies such as their feeding ban and their sleeping ban. One of the main reasons that Portland tends to be more compassionate in terms of its homeless residents is due to the fact that Portland has a long time reputation of being a more progressive city.
According to the current voter registration for Multnomah County, there are 521,755 registered voters. The Democratic Party consists of 269,000 voters, or 51% of all registered voters in that county. In comparison, the Republican Party consists of 63,400 current voters or 12% of registered voters (Oregon Secretary of State, 2018). The other voters are either nonaffiliated or a part of a smaller political party.

According to Holzer (2016: 1), “The Democratic Party has traditionally led the fight for less poverty and more opportunity in America”. Since a majority of voters in Portland are registered as Democratic then the policies that Portland implements in regards to homelessness should be aligned to fighting poverty and giving homeless citizens more opportunities for advancement in society. Due to the majority of voters being more liberal, the city has laws and policies that tend to be friendlier to the homeless residents in Portland.

Laws that have passed in Portland that helped enforce the idea that the city is more progressive include mandatory paid sick leave. Oregon was the fourth state to pass the law in 2015 which made it mandatory for employers to give workers up to 40 hours paid sick leave each year. Portland was one of the cities in Oregon that endorsed mandatory paid sick leave. Another progressive law in Oregon is Oregon Death by Dignity. Oregon is one of four states that allows assisted suicide to their terminally ill patients. Assisted suicide is a very controversial, progressive idea. Once again, Portland was the city in Oregon that pushed for this law to go into effect. These laws are a few examples of ways that Portland, as a city, can be considered progressive.
CONCLUSIONS

There is not a single city that has been able to eliminate homelessness. It is important to understand that although one strategy might be better than the other, it does not mean that there is a final answer to solving homelessness. The policies and programs that Portland has established, might be a start in the right direction to end homelessness. The programs and policies also might be one piece in the larger puzzle for the eventual elimination of homelessness.

My research suggests clearly that a compassionate approach to solving homelessness has had better results than criminalizing homelessness. Although Portland’s homelessness has increased over the last few years, it is clear that their unique approach to solving homelessness is doing far better than many cities who are criminalizing homelessness. Portland was one of the few cities that was able to reduce their unsheltered homeless population from 2015-2017. They reduced it by 11.6%, where cities like Oakland California who have strict anti-homeless laws, had a 61% increase in their unsheltered homeless population from 2015-2017.

I hope that this thesis will contribute to the ongoing conversation of how to solve homelessness by analyzing current homeless programs and policies that are in place in cities throughout the United States. There is not much research that compares homeless policies with an evaluation. The focus in this research on Portland as a case study is unique.

Analyzing criminalization and compassionate approaches to homelessness provides the opportunity to compare and contrast programs. The goal of
homelessness studies should be to provide a clear data based evaluation of programs.

**Implications**

One of the conclusions from this research is that it is important to always analyze current data on homeless populations. This ensures that the policies that are being implemented in an area are actually working towards eliminating homelessness. There needs to be a government oversight in each city to evaluate policies that are in place, where the budget for housing/homelessness was spent, and what effects these had on the homeless population. This will allow the cities to determine if the approaches that they are implementing are effective in eliminating homelessness.

In the research for this thesis, it was discovered that many cities that implemented policies that criminalize homeless people actually caused greater homelessness. Many cities continue these policies or implement new policies such as sleeping bans, camping bans, and seizing of property policies, even though their homeless population continues to rise. Cities need to critically examine such policies in order to develop more effective programs and policies. Often times homeless residents are alienated from society and ignored by local government. Too often government favors the interests of business and upper class residents. City governments need to ignore class bias and respond to the needs of the homeless. City officials will find this thesis of value as they consider homeless policies. Portland’s unique policy is instructive for all concerned with this growing problem.
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