

Community Cooperation- A Victory We Can Share

Prepared Testimony of Marsha Cohen, Executive Director and Janice Levin, Center City Resident and Board Member of the Homeless Advocacy Project (HAP) in opposition to City of Philadelphia Bill No 110386, an Ordinance to Amend the Sidewalk Behavior Ordinance of 1998.

June 2011

Janice Levin: "I am here today in opposition to this Amendment as both a Board Member, and volunteer, with the Homeless Advocacy Project and as a resident and owner at the Arch Street Exchange Condominiums at 13th and Arch Streets. Living just a block from Reading Terminal and in the shadow of the Convention Center and City Hall, the discomfort which is created by the homeless among us, and felt by residents and visitors to Center City, is a part of my daily life. As a Board member and volunteer with HAP, and as a resident of Philadelphia, it is obvious to me that the damage suffered by those who find themselves homeless and without resources is a problem of an entirely different magnitude and is the one which needs to benefit from the resources of this City. It is also obvious that criminalizing homelessness and removing or even reducing the role of outreach services to the homeless will only cause further damage to those living on the streets, and as far as the longer term big picture is concerned, is not going to benefit any of us who live in or spend time in Center City. While I am not here to suggest that the problem should be ignored, my personal belief is that turning the issue over to the police without requiring the intervention of outreach teams will only serve to further hurt the most helpless among us and will not help any of us. We can't have the police simply remove the homeless without a plan as to where they can be placed and how they can be offered appropriate service."

Marsha Cohen: "I am here today in opposition to the Amendments proposed by Councilman DiCicco to modify the Sidewalk Behavior Ordinance. Allow me to introduce myself and our Agency. The Homeless Advocacy Project, known as "HAP" is a 501(c)(3) non-profit organization founded in 1990 by the Philadelphia Bar Association and homeless advocates, many here today, to help homeless citizens living on the streets and in homeless shelters, who do not have access to Center City based traditional legal aid. HAP runs 150 annual legal clinics in over 25 homeless shelters, soup kitchens, overnight cafes and transitional housing facilities located throughout the City. Last year, we assisted over 3,100 homeless men, women and children with their civil legal needs.

We train and staff our legal clinics with volunteer law students and lawyers, including Janice here with me today. At our clinics, we meet with and interview homeless men, women and families, and where appropriate we provide legal advice and counsel, or open cases for our clients on a host of legal services including access to federal and state welfare benefits, food stamps, medical assistance, SSI and veterans benefits, to name but a few. Through HAP's celebrated SOAR project, we have helped over 700 homeless Philadelphians to access SSI benefits on a rapid basis in the past four years alone. Our concern today is that the Sidewalk Behavior Ordinance Amendment, as proposed, could have a significant adverse impact on the benefits we have worked so hard to obtain and preserve.

Cooperation is the key to our mission at the Homeless Advocacy Project. We work with many dedicated volunteers and organizations in order to bring legal services to those who would otherwise be unable to get the help that they need. Cooperation is the foundation that our success has been built on for the last 20 years."

For that reason, my colleagues and I at HAP were very concerned when in May 2011 Councilman Frank DiCicco proposed a change to Philadelphia's Sidewalk Behavior Ordinance. The amendment would have removed a requirement that social services be involved before police remove or arrest homeless people. That interaction was legislated to give social service workers the chance to deescalate and resolve the situation in a positive way. It also gave people a chance to avoid interactions with the criminal justice system that could strip them of their public benefits, like food stamps, medical assistance, and veteran's benefits- things that our clients truly need in order to get their lives back together. This was not a change reflecting the spirit of cooperation between the city and organizations like HAP, which has been a hallmark of our approach to ending homelessness since 1990.

So we added our voice and gave our support to the "Solutions Not Citations Campaign," hoping to be able to keep that damage from occurring. We asked- how does cutting out social services resolve the underlying issues that we all want to see fixed? What is the point of just fining and arresting people for being homeless? Why should we remove social services from the equation? Why don't we focus on solutions and not more citations?

Our voices were heard. After two contentious weeks of hard work, protests, and negotiations, we were able to reach a compromise which affirmed that services and solutions should be the primary approach when responding to homelessness. A campaign release said it best: "The compromise amendment retains all the measures of the original Sidewalk Behavior Ordinance, which mandates provision of services to persons on the streets prior to any citation, in all cases except disorderly conduct, as defined in state statute. This agrees with what we have been asserting: that in cases of actual criminal behavior, current laws are sufficient." A tragic mistake has been avoided.

Like all great cities, Philadelphia has an obligation to feed, clothe and shelter its poorest residents and we know that this City has the resources to address this problem in a humane and productive manner. We look forward to continuing the work that HAP has been doing with the cooperation of the City of Philadelphia. Our 20 years have shown that coordinating efforts with existing social services is the best way to reach those men and women living on our streets who so truly need our help. From this compromise and the discussions around it, I hope that we will see more creative thinking and even more communication on how to address chronic street homelessness. We have worked together to address this issue before; we can do so again.



HAP staff and board members attended the rally to voice our opposition to Councilman DiCicco's Sidewalk Behavior Ordinance amendment.

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The official registration and financial information of the Homeless Advocacy Project may be obtained from the Pennsylvania Department of State by calling toll free, within Pennsylvania, 1-800-732-0999. Registration does not imply endorsement.

Our Mission

In the fall of 1990, a group of concerned members of the Philadelphia bar and the homeless services community created HAP to address the unmet legal needs of the city's homeless population. HAP was founded in the belief that homeless people have unique and complex legal problems that often are not adequately addressed by traditional providers of legal services to indigent and low-income individuals. Homeless individuals often lead transient, unstable lives, and are often debilitated by mental illness, substance abuse, and inadequate education. They frequently lack an understanding of their legal rights and the ability to make effective use of the network of advocacy and service organizations that is available to assist them. Living in crisis, often without income or resources, homeless persons are less likely, and less able, than other indigent clients to make use of Center City-based legal services programs.

To ensure that homeless people had access to legal services, HAP's founders created an organization designed to deliver legal services directly to them in the places where they live and eat. Since its inception, HAP has conducted legal clinics in shelters and soup kitchens throughout Philadelphia. By recruiting and training volunteer attorneys, legal assistants and law students to staff these clinics, HAP is able to leverage its resources to provide free legal counseling and representation to a population not adequately served by other legal services programs. HAP is the only legal services organization in Philadelphia that conducts such direct outreach to the homeless population.

HAP collaborates with shelter providers, homeless advocates, community service providers and the legal community to provide homeless clients with legal representation and to connect them with other social services. HAP currently holds legal clinics at twenty-five homeless shelters and soup kitchens. Since HAP's first legal clinic in December 1990, HAP's 350 volunteers have helped more than 27,000 homeless people. To date, HAP's volunteers have provided more than \$35 million worth of free legal services to homeless clients.

HAPpy Outcomes

Volunteer Paul W. Luongo, Associate, Reger Rizzo and Darnall, LLP

As a HAP volunteer at the Eliza Shirley House, I meet with families facing homelessness. Our clients expend significant energy each day securing a bed and waiting at walk-in clinics for medical treatment. The constant struggle leaves little time to handle other problems affecting their ability to live. The intake is often one of the more difficult tasks during the attorney/client relationship. Clients are intimidated and often ashamed. The emotional toll of their issues often hinders their ability to communicate effectively. Keeping this in mind, I focus on listening. This experience provides an opportunity to refine my professional "bedside manner." It is rewarding when we, as practitioners, provide clients with a sense of relief by stepping up to be their advocate.

Several months ago, I represented a gentleman in a fiercely contested custody dispute involving his two young children. He faced additional adversities as he was physically disabled and unable to provide for his family. Obtaining custody of the children was a tremendous relief for him. Free of the worry of losing his children, he could then focus on getting the rest of his life on course. He now has a home for his children and income to support them. Custody was but one obstacle, but I know it empowered him to fight harder to rehabilitate other aspects of his life. I was proud to be a part of that transformation.

HAP Staff Attorney Meg Retz

In October 2009, staff attorney Meg Retz learned from a case manager at Women of Change, a safe haven for chronically homeless women experiencing serious mental illness, that a resident was unable to access public benefits, including medical assistance. Computer systems on both the state and federal level showed that the woman had died in April 2006. Alice, who had a long history of street homelessness and mental illness, was actually alive and living at Women of Change. Gathering evidence to prove that, however, took almost two years of collaboration by case managers, government agencies, and HAP advocates.

When Meg met Alice, she rarely left her residence and was unwilling to sign forms authorizing HAP to access documents and information on her behalf. She had never had a state issued identification card; finger printing to establish her identity was not an option due to her paranoia. There was no question that Alice was who she claimed to be; she had a lengthy history of shelter stays and hospitalizations using the same identifying information both prior to and after the date of her supposed death. After repeatedly contacting both the Social Security Administration and the Pennsylvania Office of Vital Records, however, there didn't seem to be any evidence that would meet the high government standards required to establish her identity.

In July 2010, Alice unexpectedly agreed to begin signing her name; Meg quickly compiled a list of forms for Alice to sign, including releases of information, an appointment of representation form for the Social Security Administration, and the necessary paperwork to file a claim for SSI disability benefits through HAP's SOAR project. Meg filed a claim for disability benefits on behalf of Alice.

In December 2010, working with the General Counsel's office at a prison where Alice had been incarcerated in the past, Meg was able to obtain a photograph of Alice along with documentation from the prison's warden that the photo had been taken prior to April 2006, when Alice supposedly died. Meg was able to obtain an affidavit from Alice's case manager stating that the person pictured was the same Alice who had resided at Women of Change since 2009.

In January 2011, a representative from the Social Security Administration visited with Alice at Women of Change to collect the documentation establishing her identity. After six months of follow-up with HAP's partners at the Social Security Administration, Alice was finally administratively brought back to life in July 2011. Within 48 hours of the problem being resolved in the computer system, Alice was approved for SSI disability benefits, including almost \$10,000 in back benefits. Alice is now automatically eligible for medical assistance, which will dramatically increase her housing and treatment options. She will be able to obtain a social security card, and in turn, government issued identification.

Thanks to HAP's advocacy, Alice now has the resources she needs to move from shelter into a place of her own. Rarely do attorneys have the opportunity to use their legal expertise to bring someone back from the dead, but that is exactly what happened in this recent HAP case.

Adopt-a-Shelter List

Through HAP's Adopt-a-Shelter project, a firm or corporate legal department agrees to staff a HAP legal clinic. HAP collaborates with the following law firms, corporate departments, and law schools through this program.

Caton Village – Schnader LLP
Covenant House – Duane Morris LLP
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University City Hospitality Coalition (UCHC) – University of Pennsylvania Law School and Michael Li Puma, Esq.
Woodstock Family Center – Morgan Lewis LLP and Exelon Corporation

HOW YOU CAN HELP HAP...

HAP needs your help to serve the thousands of homeless men, women and children who make Philadelphia their home.

There are many opportunities for lawyers, paralegals, law students and others with a variety of backgrounds to assist HAP.

You can:

- Become a legal clinic volunteer. Spend a few hours meeting with a client and assist that client with his or her legal problem.
- Volunteer for the Children and Families Project and assist homeless parents with education, family law and disability matters.
- Volunteer for the Veteran's Project and assist homeless veterans with obtaining veteran's benefits and compensation.
- Make a monetary contribution and/or assist with fundraising efforts.

To help make a difference, please call us at 215-523-9595, or complete and return the form on the next page.

HAP's 2011 April Benefit!

The Homeless Advocacy Project held its Annual Benefit on April 7, 2011. All proceeds of the silent auction and cocktail party, presented by Morgan Lewis, PECO/Exelon, Dechert LLP and Robert E. Keith Jr. benefited HAP. This year's benefit, held at the Sofitel, Philadelphia, raised over \$180,000 for HAP. HAP would like to thank the following sponsors of the event:

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Pictured Left to Right: Marsha I. Cohen, HAP Executive Director; Geanne Zerkowitz, HAP Board Member; Michael LiPuma, Esq., 2010 HAP Board President.



Pictured: Marsha I. Cohen, HAP Executive Director; Sara Brandes, Esq., HAP Benefit Committee Co-Chair.



Pictured: Scott Towers, Esq., HAP Board President; Dave Huddleston, CBS 3/CW Philly 57 Anchor, HAP's Celebrity Auctioneer

Photos from the April Benefit. All photos by Bella LiPuma.

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