
SOCIAL RECOGNITION OF THE HOMELESS: POLICIES OF INDIFFERENCE

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Psychologists describe a phenomenon known as “bystander behavior,” in which spectators observe a person who may be in need of help. The bystander observes the behavior of other bystanders to determine whether action should be taken. He or she thinks, “If this person really needed help, wouldn’t someone be giving it? Isn’t it likely someone has already called for help?” The behavior of others helps the individual bystander determine whether the “victim” is actually in need.

Americans are bystanders to an almost unparalleled example of human pain: two to three million people are homeless.¹ These people are without a decent and dignified physical place that provides privacy and security from the elements. They are of every age and color, and come from every social, economic, and political group. The homeless attempt survival in every city. They also experience temporary, perhaps permanent, loss of sanity, physical health, or both. Once homeless and on the street, it is as if these people were covered with a net of lead, unable to escape. In analyzing the causes of this national problem, bystanders are lulled into accepting personal circumstances as the critical catalyst for the condition. The bystander stops short of the outrage he or she *should* feel at what has become common deprivation: people without housing.

The roots of the problem are deep. When names and faces are put on the homeless, something more is known. The problem is not caused

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1. M.E. HOMBS & M. SNYDER, *HOMELESS IN AMERICA* (1983).

by a deviant fall from grace or hemorrhage of personal virtue. Resourceless, unhoused, ill-clothed, ill-fed people do not spring from the sidewalks of our cities. A number of common routes exist to such catastrophe.

Affordable housing has become an almost unknown commodity. The destruction of low-cost, permanent units by private and public enterprise has turned cheap housing into an untenable idea for poor people. The incursion of high-cost housing on low-rent neighborhoods has left demolition and displacement in its wake. A 1982 study published by the Legal Services Anti-Displacement Project stated:

Displacement is just a calm word for a frequent and shattering experience: people losing their homes against their will . . . afflict[ing] some 2 1/2 million Americans each year . . . [T]he great majority of displacees are the very people most likely to be harmed by the process: low-wage and welfare households, single-parent families, beleaguered minorities, the fixed-income elderly.²

The National Housing Law Project estimates that 500,000 low-rent units are lost annually.³ This occurs not only through demolition, but also through abandonment, conversion, arson, and outright unaffordability. Federal assistance has dropped drastically for low-cost units. In fiscal year 1985, low income housing assistance funds were at a low of ten billion dollars, down from a high of thirty-one billion dollars in 1981.⁴ For families already facing years of waiting for public housing, the outlook is grim. As a solution, these families double up with friends or family, usually in substandard and inadequate units. This delicate arrangement is easily unsettled, sending the families back to the street and causing almost certain disintegration of the family unit.

Fluctuations in the national economy force cruel choices on already marginal people, particularly those on fixed incomes and the elderly. Many are forced to choose between housing, food, or heat. In Washington, D.C., for example, the standard public assistance check for a single person is 220 dollars per month, which will pay for a shabby 195 dollar room in one of the few remaining single room occupancy (SRO)

2. C. HARMAN, D. KEATING & R. LEGATES, *DISPLACEMENT: HOW TO FIGHT IT* 3 (1982) [hereinafter *DISPLACEMENT*].

3. *Id.* In recent years, almost 50% of single room occupancy (SRO) housing has been demolished. Green, *Housing Single Low Income Individuals* (1982)(paper prepared for the New York State Social Welfare Policy Board).

4. CHILDREN'S DEFENSE FUND, *A CHILDREN'S DEFENSE BUDGET: AN ANALYSIS OF THE FY1987 FEDERAL BUDGET AND CHILDREN 84* (1986).

hotels downtown. These hotels are often viewed as more dangerous than the shelters or the streets, leading the homeless to choose the latter refuges, saving their checks for meals, medicine, and clothing.

In 1975, 3.7 million people lived in low-income households. By 1983 this statistic had increased to 6.3 million.⁵ National statistics show that rent and utilities consume the major portion of incomes.⁶ Even those who are employed at the minimum wage face certain poverty, because the minimum wage has not increased since 1981.⁷ For minimum wage workers, a group that includes many shelter residents, the standard of living has dropped almost twenty-five percent since 1981.⁸ With so little security, an unexpected expense often pushes low-income people onto the streets.

Those persons who spend days and nights displaying mental agony on American street corners are often the legacy of the careless and wholesale discharge of the nation's mental patients. At first, discharge often resulted in former patients being sent to unfit, unsafe, or unlawfully operated boarding homes or flop houses. Approximately seventy-five percent of the mental patients released in the last twenty years have not received needed medical or social aftercare support.⁹ More recently, patients have been simply released onto the streets or provided with the name of an overflowing shelter. It is rarely possible for a patient to stay on medication or keep a medical appointment schedule under these circumstances. It is even more rare that appropriate welfare and income applications are completed before discharge, providing at least the hope of a maintenance income for survival. Stringent readmission standards have also forced a number of untreated persons to remain on the streets.

Federal social spending has suffered drastic reductions since 1981. Welfare programs that were already inadequate were slashed by thirty percent from 1981 to 1983.¹⁰ Enactment of tougher eligibility standards for many programs contributed to the suffering of more than

5. *Id.* at 12.

6. *Id.*

7. CENTER ON BUDGET AND POLICY PRIORITIES, SMALLER SLICES OF THE PIE: THE GROWING ECONOMIC VULNERABILITY OF POOR AND MODERATE INCOME AMERICANS 8 (1985) [hereinafter SMALLER SLICES].

8. *Id.* The change in the standard of living is measured by the change in real incomes. *Id.*

9. M.E. HOMBS & M. SNYDER, *supra* note 2, at 44.

10. SMALLER SLICES, *supra* note 7, at 9.

eight million Americans recorded by the Census Bureau as falling below the poverty line from 1979 to 1982.¹¹ The poverty line is well above the incomes of many Supplemental Security Income (SSI) and Aid to Families with Dependent Children (AFDC) recipients. Yet, 440,000 families were terminated from AFDC for budgetary reasons.¹² These actions constitute the methodical destruction of the poor. Hunger and suffering is well-documented by regular report of the U.S. Conference of Mayors and the Physician Task Force on Hunger in America. The reality of 1986 includes homeless infants dying of water-intoxication and malnutrition because their mothers can provide only diluted formula.¹³ The food stamp program pays an average of only forty-nine cents per meal for the people it reaches, and does not reach many others.¹⁴

Any urban shelter or soup kitchen presents a startling picture of dozens of able-bodied men surviving by their wits and existing on free meals from soup lines and dumpsters. Their unemployment is a major cause of increased homelessness. Recent record unemployment has stretched what may have been a temporary crisis for some into long-term need. Employment even at low wages does not promise relief from the streets.

Immigration from Central America and Cuba has risen drastically, swelling the numbers of homeless in the Southwest and in other areas where Central American communities exist. Seldom welcome where they settle, these refugees face a language barrier often compounded by illiteracy. As illiterate aliens, they are often ineligible for housing and social services or find themselves unable to properly apply for needed assistance.

The alteration of traditional social structures, relationships, and responsibilities has resulted in drastic changes in time-honored ways of addressing many problems. Patterns of family structure and wage-earning have changed radically, as have expectations of extended fam-

11. H.R. REP. NO. 44, 99th Cong., 1st Sess. 15 (1985).

12. SMALLER SLICES, *supra* note 7, at 9.

13. UNITED STATES CONFERENCE OF MAYORS, U.S. CONGRESS OF MAYORS, THE GROWTH OF HUNGER, HOMELESSNESS & POVERTY IN AMERICA'S CITIES IN 1985 (1986); UNITED STATES CONFERENCE OF MAYORS, U.S. CONGRESS OF MAYORS, STATUS REPORT: EMERGENCY FOOD, SHELTER & ENERGY PROGRAMS IN 20 CITIES (1985); PHYSICIANS TASK FORCE, HUNGER IN AMERICA: THE GROWING EPIDEMIC (1985); PHYSICIANS TASK FORCE, HUNGER 1986: THE DISTRIBUTION OF AMERICA'S HIGH RISK AREAS (1986).

14. SMALLER SLICES, *supra* note 7, at 9.

ily proximity and support. Chronic poverty is inherently influential in discouraging the formation of families.

Analysis of American history shows a significant and continuous struggle to provide for equitable protection of civil rights and equitable insurance of human necessities. For minorities, the physical and emotional battle to survive discrimination and racism can be a continuous affair. Many persons have no grip on the system and know that, despite the proclamations of government officials, no safety net really exists. Public institutions of the last resort, such as prisons, mental hospitals, and shelters, are disproportionately filled with minorities as the "haves" move further away from the "have nots."

Bystanders equipped with these facts form individual and collective responses ranging from a need for more ameliorative "ambulance" services to a mandate for drastic change in the socio-economic structure of society. Solutions range from providing a cup of coffee to promoting a new national consciousness. No substitute exists for that most poignant of actions, reaching out to another human being, knowing him or her as an individual.

Everywhere the need for beds and meals outweighs the resources.¹⁵ According to a study by the U.S. Conference of Mayors, ninety percent of the participating cities saw shelter demand rise last year and emergency food assistance requests rose by an average of twenty-eight percent.¹⁶ The nation has responded to the growth of the homeless problem in a variety of ways. Though not every locale has sought to provide services for the homeless, many have.¹⁷ Public efforts are often handled in conjunction with private groups and the religious community. Many effective advocacy groups monitor local conditions and services in an attempt to keep awareness and resources growing proportionately to the problem. Local providers have the challenging task of replacing diminished federal funding with scarce local and private aid. These efforts alone cannot reverse patterns that are national in scope. Statistics documenting "turnaways" at shelters and soup kitchens reveal that the problems are not local in scope. A 1986 study of forty-two cities by the Partnership for the Homeless found that

15. Peterson, *Hunger, Homelessness Up Steeply, Mayors Say*, Washington Post, Jan. 22, 1986.

16. CHILDREN'S DEFENSE FUND, *supra* note 4, at 81.

17. In Washington, D.C., voters recently approved a right-to-shelter guarantee with 72% of the vote.

turnaways increased thirteen percent during the winter of 1985-86, affecting many families with children.

Some municipalities, unfortunately, do not look beyond the city limits to find solutions to the homeless problem. Phoenix and Tucson, for example, sought to close services for the homeless in an effort to force those in need to go elsewhere.¹⁸ Other cities imposed limits on the length of stay in a shelter in an effort to "roll over" a growing population for whom no permanent housing is available.¹⁹

Official recognition of the homeless problem is slow and achieved only through enormous effort. The federal government continues to either deny the existence of the problem or point to the cities and states for solutions. More than two years of relentless pressure were required to secure funds from the Reagan Administration for the first federal shelter. Few service providers, however, give up the fight, and new groups are continually forming. Work is now underway to construct a 1000-bed model shelter with comprehensive services that will be supported through private donations.²⁰

Congress has taken a few steps, but has failed to provide needed leadership. The fiscal year 1987 appropriation for emergency food and shelter, seventy-three million dollars, amounts to a mere twenty-five dollars for each of the three million people likely to be homeless. Clearly this is inadequate. Competition is already keen for the 91,000 emergency shelter beds that the Department of Housing and Urban Development estimates will be available for the needy.²¹

Legislation is pending in Congress that would relieve some of the "recognition factor" problems facing the homeless under current federal welfare laws.²² The bill would make it simpler to receive benefits and would guarantee homeless children the right to an education.²³

18. *Budget Cutbacks Seen Leading To Crisis of Homelessness in U.S.*, N.Y. Times, May 22, 1986, at 1.

19. Santa Barbara, California has made it illegal for the homeless to sleep outdoors, resulting in more than 1200 arrests. *Id.*

20. The author has lived and worked in Washington, D.C.'s Community for Creative Non-Violence (CCNV) for fifteen years. CCNV provides shelter, food, medical care, and advocacy to D.C.'s homeless and poor. The shelter is currently being renovated into a 1,000 bed model facility with government support.

21. OFFICE OF POLICY DEV. & RESEARCH, U.S. DEP'T OF HOUSING & URB. DEV., A REPORT TO THE SECRETARY 34 (1984).

22. H.R. 5140, 99th Cong., 2d Sess. (1986); S. 2608, 99th Cong., 2d Sess. (1986).

23. *Id.*

Perhaps most significant, the bill contains the first national recognition of a right to shelter.

The creation of adequate, accessible space, offered in an atmosphere of reasonable dignity to every homeless person, must become a national policy. This policy must recognize that although government at all levels has limited available resources, government's responsibility concerning human problems is real and unalterable. Government, the private sector, and individuals, including the homeless, must address what Marian Wright Edelman of the Children's Defense Fund has called the "new American apartheid" and bring into political, philosophical, and social reality provisions for care of the homeless.

