

LEAVENWORTH ATTAINABLE HOUSING



AFFORDABLE ATTAINABLE SUSTAINABLE

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February 28, 2023

To: House Committee Welfare Reform

From: Sister Vickie Perkins, SCL

RE: Opposition to House Bill 2430

Dear Chairman Awerkamp,

As a person who has worked with the homeless in Leavenworth for a number of years, I am strongly opposed to HB 2430. A group of nearly 35 churches came together in Leavenworth to build a homeless shelter and it has been effective. However, not every person who is homeless can come to the shelter both because of the limited beds we have and because of the various reasons we can not accept them. Many homeless people have addiction or mental health issues that keep them from being able to follow the rules of the shelter. These people still must have a place to sleep. Criminalizing homelessness is certainly not a way to improve the situation.

Homelessness comes in many forms

Housing is very difficult to find if you are on a limited income or a fixed income. Many of the homeless work every day, but still can't afford to get an apartment or a house. To come up with the deposit and first month's rent as well as utility deposits is often prohibitive. These folks continue to contribute to society with their taxes yet find themselves without a place to call home. In addition, rental prices have risen an incredible amount in the last year.

No one chooses to be homeless

There is no one I know or have worked with who wants to be homeless. Various things have happened in their lives, so they now find themselves homeless. These people are still human and deserve the respect of all of us.

Particular Circumstance

James (not his real name) has been homeless for years. He suffers from mental illness. Sometimes he comes to the shelter and is fine, but sometimes he just can't be around people so he sleeps outside. James never creates a problem for anyone, yet this bill would affect him. We would not do that to someone who has heart problems, but are we really willing to do it because someone has mental HEATH problems?

I am asking you to consider all sides of the homeless population and to defeat HB 2430, which creates many more problems than it solves.



Health Forward
FOUNDATION

HealthForward.org

2300 Main Street, Suite 304

Kansas City, MO 64108

(816) 241-7006

healthforward.org

March 2, 2023

House Committee on Welfare Reform
State Capitol
300 SW 10th Street
Topeka, KS 66612

Re: Health Forward Foundation opposition to House Bill 2430 on criminalizing camping in public spaces and suspending funding for localities in addressing homelessness.

Chair Averkamp and Members of the Committee:

On behalf of Health Forward Foundation (Health Forward), I submit this letter of testimony in opposition to House Bill 2430. Health Forward works to support and build inclusive, powerful, and healthy communities characterized by racial equity and economically just systems. We oppose this bill as it will make it more difficult for people experiencing homelessness to attain permanent housing and impose draconian restrictions on funding for local governments if they are determined to be out of compliance.

HB 2430 is not a wise use of taxpayer dollars. Using resources to adopt a housing first approach will do far more to reduce homelessness in Kansas. Studies have shown that providing stable transitional housing has more economic benefits and savings than an enforcement first method. For example, Charlotte, NC saved \$2.4 million a year by opening a facility to provide housing, which resulted in fewer nights in jail and trips to the emergency room.

We also oppose this legislation due to the disproportionate impacts it will have on Kansans of color who experience homelessness. Overall, people of color experience rates of being unhoused at significantly higher rates than white people. Hispanic and Black people have rates of homelessness at two to five times higher than white people, respectively, according to the National Alliance to End Homelessness. This would result in more people of color being subjected to criminal charges because of HB 2430 and further lend to the disparities we see in our criminal justice system.

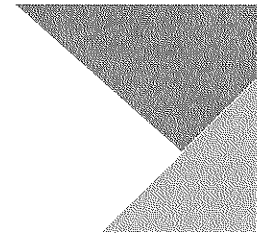
Health Forward asks legislators on this committee to vote no on HB 2430. We encourage legislators to adopt housing first approaches to addressing the needs of the unhoused, rather than criminal enforcement and penalties. Please feel free to reach out to me at nmadden@healthforward.org if you have any questions or requests for additional information.

Respectfully,

Nathan J. Madden, Ph.D.
Impact Strategist - Policy
Health Forward Foundation

OUR
PURPOSE

Every day we work to support and build inclusive, powerful, and healthy communities characterized by racial equity and economically just systems.



March 2, 2023

Erin Melton, Food Security Policy Advisor

Kansas Action for Children

Written-only opponent testimony on HB 2430

House Committee on Welfare Reform Committee

Chairman Averkamp and members of the Committee:

Thank you for the opportunity to provide testimony in opposition to HB 2430, which would effectively criminalize homelessness in Kansas. Kansas Action for Children is a nonprofit advocacy organization working to make Kansas a place where **every child** has the opportunity to grow up healthy and thrive. We work across the political spectrum to improve the lives of Kansas children through bipartisan advocacy, partnership, and information-sharing on key issues, including early learning and education, health, and economic security for families.

HB 2430 would not lead to “safe cities.” Instead, it would further destabilize the lives of Kansas families and youth experiencing homelessness.

More than one-third of Kansas households rent. And because the Kansas Legislature has refused to raise the state’s minimum wage, too many Kansans simply cannot afford housing despite working full time. In fact, a Kansan working at a minimum wage job would need to work 75 hours per week just to afford a modest one-bedroom rental.¹ Kansans are not choosing to be homeless. The imbalance of wages and housing costs is making it harder for people to have reliable housing. Because of this, making it a crime for Kansans to not have a roof over their head is harmful and unjust.

In 2022, 37 percent of unhoused Kansans had children in their families and 7.2 percent were unaccompanied youth.² Housing instability disrupts children’s education, health, food security, and development. **HB 2430 would further disrupt the lives of Kansas children and families by criminalizing their inability to afford housing and making it unclear on what property it would be safe to sleep.**

This would make it even harder for these families to find their way to self-sufficiency and for both unaccompanied children and those with their parents to grow up healthy and achieve stability and success.

Thank you for the opportunity to testify. **I hope you will oppose HB 2430 and instead spend your time on policies that will ensure that every Kansas family has what they need to keep a roof over their head.** If I can answer any questions, please contact me at erin@kac.org.

¹ National Low Income Housing Coalition. (2020.) *Affordable Rent for Low-Income Households*.

<https://nlihc.org/oor/state/ks>

² U.S. Department of Housing and Urban Development. (2022.) *The 2022 Annual Homelessness Assessment Report (AHAR) to Congress*. <https://www.huduser.gov/portal/sites/default/files/pdf/2022-AHAR-Part-1.pdf>

March 1, 2023

Testimonial of Hannah Jones
Social Work Intern at Crosslines Community Outreach

In Opposition of House Bill No. 2430

Representatives and legislators of the Committee of Welfare Reform:

My name is Hannah Jones and I am in my fourth year of my Bachelors of Social Work at the University of Kansas. I have internship experience at both Hope Faith Homeless Assistance Campus in Kansas City, Missouri, and Crosslines Community Outreach in Kansas City, Kansas. I am currently employed at the Kansas City, Kansas Cold Weather Shelter. I am personally interacting with individuals experiencing homelessness on a daily and weekly basis.

As I have spent time in each of these organizations and shadowed case managers and staff, I have seen the passionate commitment these workers have towards ending homelessness. I witnessed many clients receive housing due to the support of the amazing outreach workers, case managers, social workers, and others. Finding housing takes a lot of effort on the part of the client and their support system and in the meantime homeless shelters are full or over capacity every night. There is not enough staff at outreach agencies, health clinics, or supportive living facilities to support all the people who are currently on the street. The answer cannot be to send the overflow of people to prison.

These agencies are making a difference in the lives of people who are experiencing crisis and this bill would inhibit the good work these agencies are able to do. I have begun to see the impact this legislation in Missouri has had on people experiencing homelessness. It has stirred up fear, only creating more dangerous and traumatic living situations for people who have nowhere to go outside of the street or public lands. This bill, if passed, would enact the same results here in Kansas. There is no other place for these people to go, the solution includes community oriented agencies continuing to come alongside individuals to work on their case and find them the best housing option for their situation.

In conclusion, I urge the committee to vote against House Bill 2430. In voting against this bill, you are looking towards the best interest of the most vulnerable of our communities and helping agencies who are working tirelessly to end homelessness in Kansas continue to do so.

Thank you for your time and consideration,
Hannah Jones

March 2, 2023

MEDICAL | VISION | DENTAL | WELLNESS

House Committee on Welfare Reform
300 SW 10th Street
Topeka, KS 66612

To the members of the House Committee on Welfare Reform,

We appreciate and welcome discussion on supporting individuals experiencing homelessness. As a Healthcare for the Homeless provider, we see firsthand the trauma being unhoused causes.

Across the country, the criminalization of homelessness is on the rise and yet it has not negatively impacted the growth of homeless encampments. According to the Lawrence Community Shelter, laws that ban sleeping in public, camping, or panhandling increased by 92% between 2006 and 2019 while homeless encampments have grown by 1300% nationwide in that same period of time. In the Wichita metro, we have seen a 108% increase in chronically homeless individuals since 2020.

Unfortunately, bills like HB 2430 are not the solution to ending homelessness. Rather, these bills increase the cost of homelessness for a community by placing additional burdens on hospitals, law enforcement, and jails.

Citing the 4th, 8th, and 14th Amendments, *Martin v. Boise* found that the criminalization of homelessness is unconstitutional. The ruling stated a state may not "criminalize conduct that is an unavoidable consequence of being homeless—namely sitting, lying, or sleeping on the streets—when there are more homeless persons than available shelter beds or in the absence of other adequate alternatives."

At Hunter Health, we are concerned that HB 2430 criminalizes the symptoms of homelessness rather than looking for solutions to treat the causes of homelessness. Again, we welcome discussion on how we as a community can support individuals experiencing homelessness and create a safer community for all.

Thank you,



Chief Advancement Officer
Hunter Health

ABOUT HUNTER HEALTH:

For more than 45 years, Hunter Health has been a critical health care resource in the community, especially through our service to those most vulnerable and underserved in Wichita and the surrounding cities. Hunter Health is a non-profit, Federally Qualified Health Center and the only Urban Indian Health Program in Kansas. We know that low-income and racial and ethnic minority populations tend to be at greater risk for chronic health conditions related to healthy behaviors and clinical care, and part of our mission is to provide accessible, patient-centered care to every person. Hunter Health offers a wide range of primary care services including Medical, Dental, Behavioral Health, Vision, Nutrition, HIV Testing and Counseling, Pharmacy, Lab, X-Ray, and same-day appointments for urgent needs. From a common cold to minor surgery, we are a community health center providing more than basic healthcare needs. We exist to improve the health and well-being of everyone in our community. For more information, visit www.HunterHealth.org.



2318 E Central | Wichita, KS 67214 | P 316.262.2415 | hunterhealth.org

Date: March 1, 2023

Mariel Ferreiro
Community Member
Sanctuary Alliance
Lawrence Mutual Aid Network
People's Owned and Operated Housing Collective
Lawrence, KS 66046

Representative Averkamp and Members of the Committee on Welfare Reform:

I appreciate and thank the committee for the opportunity to **testify in opposition of House Bill 2430**. My position as a community member and housing advocate in Lawrence, Kansas serves to work with our local leaders to address the systemic issues around homelessness, work with those with lived experience, and find solutions that are person focused and prioritize harm reduction wherever possible. In my profession I work with clients experiencing homelessness to access federal subsidy assistance to move from the streets to homes. Additionally, I work with area social service agencies to provide case management support that aims to sustainably house this specific population.

During my work in serving those most marginalized in our community, it has become incredibly apparent that harmful legislation and policy create consequences that directly affect and prevent people experiencing homelessness from obtaining and maintaining housing. **Policies that criminalize the inalienable rights of people in this county due to their economic standing, mental health and other factors often out of their control do not keep people off the streets.** They in fact add to the issues surrounding homelessness and causing the criminalization of homelessness to cost communities more money rather than finding solutions that prioritize housing as the first step toward care.

In 2019 the American Civil Liberties Union of Kansas issued a letter to the City of Lawrence in regards to their harmful anti-camping ordinance that prohibited individuals from camping or sheltering on city owned property, LAWRENCE, KAN., CITY CODE ch. XIV, art. IV, §§ 14-417(A)(2)(a)-(b). In this letter from staff attorney Zal Shroff deemed the anti-camping ordinance unconstitutional stating the following reasons:

“The Eighth Amendment’s prohibition against cruel and unusual punishment protects people from being criminalized merely because of some societally undesirable status they possess—such as being homeless. Where homeless individuals have no available shelter, prosecuting them for sleeping in public is synonymous with punishing them because they are homeless. As a result, courts across the country have blocked the enforcement of anti-camping ordinances under the Eighth Amendment in cities that do not provide adequate shelter space to their homeless population.”

He continues:

“The Fourteenth Amendment also protects homeless individuals from having their property seized and destroyed by law enforcement without due process. Specifically, due process requires affording homeless individuals both adequate advance notice of a property clean-up and an opportunity to reclaim confiscated property at a designated location.”

This letter caused our local leaders, in collaboration with community members and social service agencies, to make a change to policy allowing people to camp on city owned property. This shift allowed folks to remain in place so that our social service supports could locate, provide care and above all provide housing first to those in need.

HB2430 reflects the same unconstitutional anti-poor, anti-homeless rhetoric that criminalizes folks and takes away their rights as community members. Additionally, if in violation of this proposed bill our communities could lose funding that is critical to addressing the root systematic harms of homelessness. Recently our city has dedicated several million dollars in American Rescue Plan funds to address these issues and support our homeless neighbors. We as a community have studied, spoken to those with lived experience, collaborated across agencies both nonprofit and governmental, and drafted strategic plans to move toward better solutions and more housing. The interference this bill causes would greatly deter these plans and create more struggle for folks who experience homelessness. Furthermore, this would add additional burden to our police force and county jail which is already overpopulated. **Jailing homeless people for the pure fact of being homeless is NOT a solution.** The cost in maintaining these folks in prison for violating this bill would outweigh the costs of providing housing initially and then utilizing services to address additional needs.

Finally, this bill is a gross infringement on local rule of county governments and municipalities. Time after time we have witnessed attempts of the state government to take away local home rule authority. Our community knows what is best. Our community sees the issues and finds the solutions. Our community does not need further rule or legislation other than the local representatives we have voted to be our voice. HB2340 undermines our efforts and prevents our collaborative work toward supporting all community members. Everyone deserves housing, it is a human right. We will continue to work toward making that a reality but ask that our state government refrains from putting up additional barriers to that work.

I and the organizations I represent strongly oppose House Bill 2430.



March 2, 2023, 1:30p.m.
Kansas State House – Committee on Welfare Reform Hearing
OPPONENT WRITTEN-ONLY Testimony in opposition of HB 2430
Testimony of Sharon Miller, 913.707.9042, mmiller924@aol.com
Member of the Justice Matters Ending Homelessness Steering Team

Good Afternoon Chairman Awercamp, distinguished committee members, and staff. Thank you for considering my testimony today.

My name is Sharon Miller. I have volunteered for the last three years with the Emergency Winter Shelter, volunteered with the Kansas Statewide Coalition, helping those experiencing homelessness fill out the VI-SPDAT application, Point In Time Count, and an active volunteer with Justice Matters, a non-profit, interfaith organization that works to understand and address issues of justice in the region. One of the issues on which we are currently focused is ending homelessness in Lawrence. I care about this community.

Homelessness and housing poverty are nationwide problems that need to be solved; however, the piece of legislation up for debate today, House Bill 2430 (HB2430), is the wrong solution at the wrong time. Our country's homelessness crisis stems from decades of underinvestment in affordable housing and healthcare, and they cannot be addressed overnight by legislation that aims to force our city governments to criminalize homelessness and impose punitive requirements on those among us who are most vulnerable.

Nearly all individuals experiencing homelessness are not homeless by choice; rather, they lack access to affordable housing. If enacted, HB 2430 would only compound this problem by encouraging local governments to criminalize and prosecute homelessness in a way that makes it that much harder for homeless people to get the help that they need. Taking an already vulnerable, often impoverished population and penalizing them with fines, jail time, and criminal records will only make the problem worse.

Instead, I urge the committee to consider policy changes that will provide access to affordable housing and treatment services so desperately needed by this segment of the population. Specifically, I respectfully urge the committee to invest in proven strategies, like Housing First. Housing First is a nationally renowned homeless assistance approach that prioritizes securing permanent housing for people experiencing homelessness in a way that ends their homelessness and serves as a platform from which they can better all areas of their life. Additionally, under the Housing First model, supportive services and treatments are offered as a way to support overall wellbeing. This approach is particularly effective among individuals who have experienced homelessness for long durations, and it is more cost-effective than allowing homeless people to stay in shelters, jails, or hospitals.

In closing, we owe it to our fellow humans to take a long, hard look at what has caused the epidemic of homelessness in our country and implement solutions that work, not those that compound the problem. That is why I urge the members of this committee to oppose House Bill 2430.

Sincerely,

Sharon Miller
825 Coving Drive
Lawrence, KS 66049
913-707-9042

Mister Chairman and members of the Welfare Reform Committee,

I am writing to express my opposition to House Bill 2430. I serve at Project 1020, a cold weather shelter in Johnson County. We are open from December 1 st through March 31st. There are no other shelters for single adults in Johnson County, For the other eight months of the year our guests sleep outside. Johnson County provides no shelters or approved camping areas.

House Bill 2430 criminalizes homelessness. Those experiencing homelessness have NO OTHER OPTION, they must sleep outside. Fining them, or charging them with a misdemeanor serves no purpose.

The solution to homelessness is housing. There is insufficient affordable housing in Johnson County. Some of the current guests at the shelter have been on the waiting list for housing for four years.

I am asking you, as representatives of all of the people of Kansas, to not allow this cruel and ineffective bill to come out of committee. Use your power and resources toward the proven solution of Housing First to help our neighbors in need.

Jennifer Schmidt

*Speak up for those who cannot speak for themselves, for the rights of all who are destitute.
Speak up and judge fairly; defend the rights of the poor and needy.*

Proverbs 31:8-9

Testimony of Javon Swopes

House Welfare Reform Committee
Testimony in Opposition of HB 2430
March 2, 2023

My name is Javon Swopes, and I am a leader with KC Tenants, where we organize so that everyone has a truly safe, affordable and accessible home. In KC Tenants, we know that housing is a human right! With compassion and care in mind, I oppose House Bill 2430. I recently moved to Topeka last year with my family, and I am disappointed that my new home has put forth such a harmful proposal.

House Bill 2430 does not represent care or compassion to human beings facing homelessness. Kansans should not be criminalized because of their housing situation! This bill will not help people find hope, it will tear families apart and hurt people who are unhoused. The issue of homelessness in Kansas will not get better because this bill does not represent the togetherness I have seen living here in Topeka.

I'll say it again—Housing is human right. House Bill 2430 will hinder the process of letting everyone see that. House Bill 2430 treats people like they're not people. Here in the State Capitol of Kansas, we all have to show better examples of how we should treat each other! It starts right here, right now. Let's help, not hurt!

HOUSE THE PEOPLE.

Thank you for reading my Testimony. Together we can get through anything!

Javon Swopes
Topeka, KS

Chairperson Awerkamp and Members of the House Committee on Welfare Reform,

The Kansas Coalition Against Sexual and Domestic Violence (KCSDV) is a statewide non-profit organization whose membership includes 25 sexual and domestic violence programs serving victims across Kansas. KCSDV provides information, training, and analysis on issues impacting victims of domestic and sexual violence, their families, and their communities. KCSDV member programs are committed to providing quality services to victims of sexual assault and domestic violence, empowering victims to live independently without the ongoing fear of violence, and to help victims secure resources necessary for a safe and healthy future.

KCSDV opposes HB 2430. KCSDV provides services for survivors experiencing or fleeing from domestic violence, sexual assault, and stalking. This includes providing shelter to survivors. According to the KCSDV 2021 Statewide Data Initiative, in 2021 3,577 survivors found refuge in a safe shelter in Kansas and 88,913 shelter bed nights were provided.¹

KCSDV receives federal grant funding to provide this housing assistance to survivors. Emergency Solutions Grants (ESG) funds through the U.S. Department of Housing and Urban Development (HUD) are intended for a variety of services, including the rapid re-housing of homeless individuals and families to move them “as quickly as possible into permanent housing and achieve stability in that housing.”² The HUD definition of homeless includes “any individual or family who is fleeing, or is attempting to flee, domestic violence; has no other residence; and lacks the resources or support networks to obtain other permanent housing.”³

Because survivors who are staying in KCSDV member program shelters are considered homeless under the federal definition, these shelters participate in the annual national Point-in-Time count that counts the number of sheltered and unsheltered homeless persons in a single night. The latest data is from the February 22, 2022, count and shows that there were a total of 429 homeless individuals in emergency shelters in Kansas in one night, including 74 children under the age of 18.⁴

KCSDV member programs also participate in a national count of services provided in a single day. The latest data is from the September 9, 2021, count and shows that in a single day in Kansas, 335 adult and child victims of domestic violence found refuge in emergency shelters,

¹ Kansas Sexual Assault, Domestic Violence, and Stalking Advocacy Series, Kansas Coalition Against Sexual and Domestic Violence, https://www.kcsdv.org/wp-content/uploads/2022/02/22_SA-DV-KS-Services-Stats-for-2021_Final.pdf

² ESG Requirements, U.S. Department of Housing and Urban Development, <https://www.hudexchange.info/programs/esg/esg-requirements/>

³ Homeless Definition, U.S. Department of Housing and Urban Development, https://files.hudexchange.info/resources/documents/HomelessDefinition_RecordkeepingRequirementsandCriteria.pdf

⁴ Point-in-Time Count, Kansas Statewide Homeless Coalition, <https://www.kshomeless.com/pit.html>

transitional housing, hotels, motels, or other housing provided by local domestic violence programs.⁵ However, this count also found there were 32 requests for services from victims that were unmet because programs lacked resources. Approximately 81% of these unmet requests were for housing and emergency shelter, showing that not all survivors who find themselves homeless as a result of violence will immediately receive the shelter they need.

There is a clear link between domestic violence and sexual assault and homelessness. Ending a relationship when abuse is involved can be extremely dangerous for the survivor, as the risk of violence and lethality increases when a survivor leaves their abuser. These survivors, and their children, are at risk of homelessness during this period, particularly if financial abuse occurred in the relationship and they do not have access to financial resources to obtain housing. On top of this already difficult period, if the State of Kansas adopts HB 2430 and criminalizes homelessness, survivors would be faced with an impossible choice: remain with their abuser or flee from that violence and risk criminal prosecution if they end up homeless as a result of leaving their abusive relationship. **HB 2430 would further victimize survivors of domestic and sexual violence.**

KCSDV respectfully requests the Committee consider the potential impact on victims of violence and reject HB 2430.

Thank you,

Jessa Farmer, JD
Public Policy Coordinator
634 SW Harrison
Topeka, KS 66603
(785) 232-9784

⁵ Domestic Violence Counts Report Kansas Summary, National Network to End Domestic Violence, <https://nnedv.org/wp-content/uploads/2022/03/16th-Annual-Domestic-Violence-Counts-Kansas-Summary-FINAL.pdf>



Greater Kansas City Coalition to End Homelessness
3200 Wayne Avenue, Suite 202
Kansas City, MO 64109

Phone: (816) 924-7997
Fax: (816) 924-7994

www.gkcceh.org

3/1/2023

Chair Averkamp and Members of the Committee on Welfare Reform:

The Greater Kansas City Coalition to End Homelessness is a non-profit organization that exists to unify and support a network of organizations in Jackson and Wyandotte counties in their charge to address root causes of homelessness and increase stable housing. As the lead agency of Continuum of Care MO-604, we collaborate with community stakeholders to ensure all persons have equitable access to housing and are treated with dignity and respect. **We strongly oppose HB 2430 because it will cause further harm to families and individuals experiencing homelessness.**

This bill actively criminalizes homelessness, including the issuing of Class C Misdemeanors for unauthorized sleeping or camping on any state-owned lands and the prohibition of state lands for the construction of emergency shelters. This bill also threatens the withholding or redirection of state funds for municipalities that do not fully enforce these regulations or that attempt to pass ordinances discouraging the enforcement.

Furthermore, HB 2430 is incongruous with Housing First principles despite evidence of their effectiveness. It is our concern that our CoC must choose between deprioritizing projects with strong adherence to Housing First, resulting in decreased likelihood for funding, or continuing to follow established HUD priorities with the threat of retribution from the state. Furthermore, criminalizing homelessness will only initiate and perpetuate a vicious cycle of criminalization, making it even harder for people to access safe, stable housing.

The Greater Kansas City Coalition to End Homelessness **strongly** opposes this legislation. The bill is counterintuitive to the impactful work of homeless service providers. The passing of this bill would undoubtedly have tremendous negative impacts, such as traumatic experiences for individuals and families being displaced, unnecessary legal involvement, and wasted resources.

Thank you,

Marqueia Watson, MSW
Executive Director

Patricia Hernandez
Administrative Coordinator

Kaylee Coulter, LMSW
Coordinated Entry System Manager

Amber Bauer
Program Director

Date: March 1, 2023

Jessica Smith, LMSW

McKinney Vento Coordinator

Kansas City Kansas Public Schools

To Whom It May Concern:

I am writing this concerning KS HB 2430. I work as the homeless liaison for Kansas City Kansas Public Schools. We serve over 250 families and over 450 students in USD 500.

This bill that will basically criminalize homelessness is extremely concerning. While we don't often see families in homeless camps, the numbers have increased since COVID. The barriers that are placed on families that become homeless is incredible, imagine adding criminal charges onto those barriers that already exist.

Imagine, being a child and seeing your parent arrested because you were camping, and to a child that is exactly how it will appear. Imagine being placed into a foster system, that is quit honestly broken itself, because you were camping. Imagine the trauma that a child would have to endure seeing their parent arrested, sleeping in a home they do not know, possibly being taken away from their siblings.

Instead of criminalizing homeless, we should be working on a system that will provide services to families in need. We should be working on a system that helps to create AFFORDABLE housing for working families.

Creating a law the will inevitability place more people in jail and prevent them from providing not only for themselves but also for their families, is NOT a solution.

Thank you for your time.

Jessica Smith, LMSW

OVERLAND PARK

K A N S A S

ABOVE AND BEYOND. BY DESIGN.

City Hall
8500 Santa Fe Drive
Overland Park, Kansas 66212
www.opkansas.org

Date: March 2, 2023
To: Chairman Awerkamp & the House Committee on Welfare Reform
From: City of Overland Park
Re: Written Testimony in Opposition to HB 2430

Thank you for allowing the City of Overland Park to submit testimony in opposition to HB 2430. The City of Overland Park opposes further limits to home rule authority and we support the full control and authority over those matters which are granted to municipalities by the Kansas Constitution as approved by voters in 1960.

The City supports Constitutional home rule authority of Kansas cities, which provides, in part, "...cities are hereby empowered to determine their own local affairs and government...." Thus, self-governance, and local control, is the rule established by our state's constitution.

HB 2430 is so broad that it would prohibit the City from granting permits for overnight camping in City parks to groups such as the Boy Scouts of America, Girl Scouts of America, and YMCA. Because the legislation preempts cities from enforcing "any policy [that] indirectly prohibits or discourages the enforcement of any... ordinance prohibiting public camping..." HB 2430 would prevent the City from issuing a permit to these youth groups as an exception to its general prohibition on overnight camping.

Our Mayor and Council are elected to handle local issues and are the government closest to our residents and businesses. They are best prepared to assess, evaluate, regulate and set public policy as they believe is in the best interest of the community. HB 2430 would limit that authority and the ability of our Governing Body to be responsive to their constituents' interests and desires.

Thank you for allowing the City to testify on this legislation. We respectfully request that the Committee not advance HB 2430 to the full House.

Opposing testimony for House Bill #2430 "The Safe Cities Act" to the Kansas House Committee on Federal and State Affairs

Kansas House Committee on Welfare Reform,

I have been working as a Social Worker for approximately 3 years in the KCMO and KCK area. Most of my experience has been in the field directly with individuals that are chronically homeless and highly vulnerable. People can become homeless for a broad range of reasons that can not be generalized all across the board. Although some may claim that homelessness is a choice, as a professional in the social service field, I can confidently say that is far from the truth. I have seen first hand how marginalized individuals have been systematically set up to fail due to the lack of resources in their community. In some cases I have encountered families that are trapped in a generational cycle of homelessness. It's inequitable to penalize people that cannot afford housing and have no supportive network to lean on.

One of the most common misconceptions that society has when they see homeless people is that they don't want to work. The majority of the people that I have worked with want to work but foresee many obstacles. The biggest challenge is not having a bed to lay on after a long shift, a shower to wash up, or clean clothes for the next day. It's simply unrealistic to expect people to sustain a job when they are sleeping on the streets, or to seek mental health services when they do not have access to adequate healthcare. In my experience, the biggest achievements have derived from the Housing First approach. Once people are placed in housing they have the mental and physical capacity to focus on their goals. They can see beyond today because they are not hyper focused on surviving and losing the valuables they possess. Those individuals can finally address their physical and mental health with professionals. It's incredible to witness the resilience in people after they are provided with the basic need of housing.

We should focus on supportive services that can increase the efforts of getting people that are experiencing homelessness housed and connected with the services they need to stay permanently housed. Homeless individuals face many barriers when they are applying for housing. One of them being their background check. Criminalizing people that are homeless for not having a place of residence only adds to the list of obstacles they have to overcome when they are looking for housing. Overall, placing homeless individuals in jail while damaging their records does not aid to the solution, but adds to the ever growing crisis.

Vanessa Matt BSW
Case Manager
Cross-Lines Community Outreach
Vanessa@cross-lines.org

Mr. Chairman, and the Welfare Reform Committee:

Please do not pass HB 2430 out of committee.

According to the National Alliance to End Homelessness, we currently have 2,216 homeless people on any given night in KS. The likelihood of a homeless household being justice involved in Johnson County is only 21%. 52% Johnson County homeless households are employed, and 63% report having an income. The last thing we need in Kansas are laws such as HB 2430 that criminalize homelessness.

What we do need instead is enough affordable housing to meet the needs of the thousands of children and their parents in Kansas who are homeless tonight.

There are numerous Kansas agencies such as Metro Lutheran Ministries, IHN, Kim Wilson Housing, Project 1020, who are working day and night to find affordable homes for our homeless children and adults,

Hopefully the Committee for Welfare Reform will work with these agencies to find a reasonable, workable plan to address this problem and not waste the legislature's valuable time on a plan that will put homeless people at higher risk.

Thank you for all your hard work on behalf of the people of Kansas.

Sincerely,

David O. Hill, Ph.D.

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Welfare Reform Committee
HB 2430
March 2, 2023, at 1:30 PM
Topeka State Capitol, Room 152-S
Testimony Submitted by Amber Holmes
amber@cross-lines.org

Amber Holmes

I share this with you today as a survivor of Human Trafficking and now advocate, supporting efforts to end modern day slavery. I have over 13 years in recovery, and continued mental health treatment from the experiences I went through.

After I graduated college, I was picked up by a man that trafficked me. I became addicted to opiates and alcohol in order to survive the horrific things that I was forced to do. When I was being sold to a guy in California, I had an opportunity to escape and took it. I was terrified and alone. I was humiliated by what my life came to after being a record holder in 3 sports in college, and graduating with a 3.9 GPA. This wasn't where my life was supposed to be. My apartment had been taken over by people who were in the trafficking ring and I had nowhere to turn. I stayed outside, in doorways, under stairwells, and had no idea what to do for help at 22 years old. A lady found me in terrible condition and took me under wing. There wasn't a single open bed at a shelter or transitional living house, and the wait-lists were months long. Through much advocacy, I got into a transitional living program that let me stay on their couch since there were no open beds. Having a couch and roof over my head, with food, showers, and laundry, I was able to start thinking clearly and assessing my goals. I asked them if I could go to an inpatient treatment program. I was again on the waitlist for quite a while, but had the support of people around me and a safe place to lay my head until then. After completing treatment, I was able to go back to the transitional program. From there, I opened another house for women because I saw the need and wanted it addressed quickly. The transitional program I started in 2010 is still in operation, serving hundreds of women since then.

Today, I have worked with over 400 women escaping Human Trafficking, and provide education to hospitals on how to help those who have signs of being trafficked.

Unfortunately, with the 1000's of women being trafficked just in Kansas City, there is nowhere to go to escape. Recently, I helped someone escape her trafficker who had been held captive for 3 years with absolutely no available shelter bed, treatment bed, housing option, or family to stay with. I had to find a place in the woods to put her and another lady so that they could look out for each other. They have called the domestic violence shelters every day for 3 months with no opening. Of the 400+ women that I have helped in escaping their abusers or traffickers, I have only seen 7 of them get a shelter bed. The rest have to find safety by staying with others in the same situation in a tent until they come up for housing. When they do come up on the list for housing, they usually have a voucher for 3 to 6 months as they run into barrier after barrier that landlords have put up. For women being trafficked, rental history is non-existent. Income history is non-existent. Not to mention the accumulation of trespassing charges that prevent them from renting for at least the next 6 months to clear their record. All of this presents as a liability to landlords ending them with losing their vouchers and having to stay years on the street.

The good thing about HB 2430 is that women will no longer take the risk to sleep outside. But know that the result of that is continued and ongoing abuse by individuals who can now have even more power and control to keep them trapped, torturing and selling their bodies in the roulette field of trafficking that results in prison or death. It's easy to see the clean streets, but keep in mind your vote to support HB 2430, is signing a mental and physical death sentence for 1000's of victims with nowhere to go.

Thank you for your time and consideration at taking a closer look at the implications this bill will have on individuals needing to flee danger.

Janessa Riehle

In-Person Opponent to HB 2430

March 1, 2023

Kansas House Committee on Welfare Reform:

My name is Janessa Riehle and I'm in opposition of HB 2430 "Safe Cities Act".

This bill wrongfully convicts the houseless population, which is arguably the most vulnerable population in the state and country.

While the visible symptoms of homelessness are not glamorous, that does not mean that convicting the homeless will resolve the issue. We are in a desperate drought of affordable housing, mental health services, and adequate care to assist with the complexities that houseless individuals experience on a daily basis.

I have no trust in the foundings of this bill, from The Cicero Institute, and I wish this committee would lean on the tremendous amount of experience and resolutions that not only social service agencies provide, but also the homeless community themselves.

This bill will absolutely do more harm than good and it is an act of violence to vote for this bill to pass. Please do not further jeopardize our community's most vulnerable population by passing this bill.

Thank you,

Janessa Riehle

KANSAS MENTAL HEALTH COALITION

An Organization Dedicated to Improving the Lives of Kansans with Mental Illnesses

Written Testimony presented to the House Welfare Reform Committee Oppose HB 2430

Amy A. Campbell – March 2, 2023

Thank you for the opportunity to address your committee today on behalf of the Kansas Mental Health Coalition (KMHC). KMHC opposed HB 2430.

HB 2430 provides requirements for local subdivisions – prohibiting directly or indirectly prohibiting or discouraging the enforcement of any order or ordinance prohibiting public camping, sleeping or obstruction of public right-of-ways, including roads and sidewalks; or (2) prohibiting or discouraging a peace officer or prosecuting attorney who is employed by or otherwise under the direction or control of the political subdivision from enforcing any order or ordinance prohibiting public camping, sleeping or obstruction of public right-of-ways, including roads and sidewalks.

HB 2430 requires a state agency (that issues funding to address homelessness) to determine that a political subdivision is compliant with this section – but there is neither funding nor guidance for this requirement.

HB 2430 creates a criminal violation for “to use state or local government-owned lands for unauthorized sleeping, camping or long-term shelters.” The violation is: “(1) An unclassified nonperson misdemeanor punishable by a fine not to exceed \$1, except as provided in paragraph (2); and (2) a class C nonperson misdemeanor upon a second or subsequent violation.” It appears second or subsequent violations have no fine or penalty limits.

The bill also creates a civil action for the attorney general to bring against any political subdivision deemed in violation.

Organizations providing services to people with mental illness who are unhoused, cite numerous barriers to successfully transitioning people to stable housing situations. One of the major issues is regulatory requirements that interrupt the delivery of service, such as funding silos and strict definitions for eligibility.

An additional layer of eligibility for political subdivisions IS a barrier. It is a barrier that individuals who need stable housing have no ability to control.

The bill title suggests the legislation requires state agencies to provide funds for local subdivisions – but we do not see any funding to address homelessness included in the legislation. It is unclear if the target of the legislation is cities and counties or the entities who receive funding to provide services.

According to Mary Jones, Mental Health America of South Central Kansas, “Understanding how to work with people with serious mental illness and place them in safe housing with supportive services is the key to reducing homelessness for these vulnerable Kansans. This is what our on the ground experience shows us is effective.”

MHASCK provides a continuum of housing, from homeless outreach through permanent supportive housing, and has a long history of providing services dating back to 1990. Those resources have historically been extremely limited. Training and retaining staff is a major challenge – and this legislation will not help.

Kansas has only recently begun to provide meaningful expansion of access to evidence-based solutions for

persons with mental illness who lack housing. These programs were flat for decades.

Please do not pass HB 2430. The Coalition commends the Legislature and the Kansas Department on Aging and Disability Services for the ongoing efforts to improve mental health and substance use treatment access in Kansas, especially in recent years, but we are only beginning to address the crisis.

The mental health crisis is a national issue, but it has hit Kansas hard – with suicide rates and opioid issues putting our State near the bottom of many recent reports. So, the work of the Special Committee on Mental Health Modernization and Reform Committee and the Special Committee on Mental Health Beds are right on time.

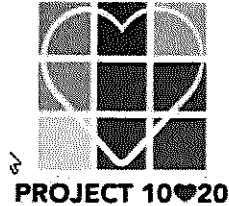
The Coalition urges Kansas legislators to look to the recommendations of these committees rather than HB 2430.

Thank you for your consideration.

For More Information, Contact:

Kansas Mental Health Coalition
c/o Amy A. Campbell, Lobbyist
P.O. Box 4744, Topeka, KS 66604
785-969-1617; campbell525@sbcglobal.net

The Kansas Mental Health Coalition is dedicated to improving the lives of Kansans living with Mental Illnesses and Severe Emotional Disorders. We are consumer and family advocates, provider associations, direct services providers, non-profit and for-profit entities and others who share a common mission. At monthly roundtable meetings, participants develop and track a consensus agenda that provides the basis for legislative advocacy efforts each year.



March 1, 2023

Rep. Francis Awerkamp, Chair
House Committee on Welfare Reform ("Committee")
c/o Gary Deeter, Committee Assistant
State Capitol
300 SW 10th Ave.
Topeka, KS 66612-1504

also via email to gary.deeter@house.ks.gov

RE: Opponent Testimony on HB 2430
Introduced at the request of Brian Bergkamp and Sponsored by the Committee on Federal and
State Affairs

Dear Representative Awerkamp and Committee Members:

Project 10 20, Inc. is incorporated in the State of Kansas, is in Good Standing, and has operated for the past eight winters the only cold weather shelter for adults (unaccompanied by minor children) experiencing homelessness in Johnson County.

As such, our personnel are some of the most familiar and experienced in the County in understanding the situations and needs of those experiencing homelessness in our community. We work with our guests not only during our winter season of December 1 through March 31 every year but throughout the year via our President, Case Manager, and many volunteer staff. We feel this intimate connection to the very community that is the subject of HB 2430 puts us in a position of great authority when addressing the potential impact of the proposed legislation.

We write specifically concerning Section 1(g) of HB 2430: ". . . it shall be unlawful to use state or local government-owned lands for unauthorized sleeping, camping or long-term shelters."

First of all, this language is constitutionally overbroad and does not account for involuntary behavior – i.e., when there are no shelter beds available. (*Martin v. City of Boise*, Ninth Circuit, declined review by the US Sup. Ct.). In just the three months of its 2022-23 season, Project 10 20 has served over 225 unduplicated persons, at its bed capacity of 30 nightly, with at least 30 more requests for beds per night. This statistic begs the questions, just where are these 30 persons to sleep and why on earth would we want to criminalize their sleeping anywhere? Furthermore, as we are open only from December 1 through March 31 each winter, largely restricted by city ordinance (which would allow only one additional month, November), where are *all* to sleep during the other eight months of the year?

We know that almost the entire majority of our guests are not homeless voluntarily.

- The lack of affordable, permanent supportive housing in our community is at a crisis level. Many of our guests have qualified for government assisted housing yet have been unable to locate available spaces. Many of them have lost housing due to financial impacts of everything from the COVID pandemic to health crises in relation to the high costs of housing.

Letter to House Committee on Welfare Reform, continued

- The lack of comprehensive, long-term substance abuse treatment options and mental health facilities in our county is a leading factor of homelessness among a large percentage of our guests/clients. We have so, so many in our midst suffering with severe mental illness or addictions who have been to short term treatment programs that are simply ineffective for long-term recovery and stability.

Secondly, criminalizing poverty has been proven over and over again to be counterproductive.

- Looking at this from just the government's point of view, the costs of arrests and processing would far outweigh any "benefit" to reduction in the activity. In fact, we are not quite sure what real "benefit" to this law there could be and are perplexed by the bill's Section 1(a) saying the law should be known "as the safe cities act." We are completely unaware of any facts showing how those experiencing homelessness sleeping on any public land have made any of our cities unsafe, *especially* when viewed in proportion to unsafety caused by the housed population.
- Of course, looking at criminalizing sleeping on public land from the perspective of the "offender," it's not difficult to imagine how detrimental to making progress toward stability that adding yet another obstacle of arrest, fines, possible confinement, even diversion, and even later expungement petitions might be. The demoralizing effect of having one's shame criminalized should in itself be enough to stop this bill dead in its tracks.

Project 10 20 believes that any legislation involving homelessness should focus on providing affordable and supportive housing and long-term care for addiction and mental health, rather than handcuffs, fines, confinement, and criminal records.

As an additional note, we believe the prohibitions in Section 1(b) are completely unnecessary – what city is adopting policy to discourage enforcement of any of its ordinances "prohibiting public camping, sleeping or obstruction of public right-of-ways, including roads and sidewalks?" It seems that this and the corresponding withholding of funding in Section 1(f) is claptrap and we see no value in cluttering up the Kansas lawbooks with such. Penalizing any city with "above-average" homelessness rate is just counterintuitive – instead of withholding funding, additional funding should be supplied to build the very programs and facilities needed to combat and end homelessness and prevent the need for anyone to sleep outside.

In summary, we want to emphasize that those experiencing homelessness matter – their health matters, safety matters, their dignity matters. They are people, not problems or numbers on a data sheet. We invite you to work a few shifts at our shelter where your eyes would be opened to the humanity of those that would be impacted by this bill vs. assessing it from the sterile state capitol building. Indeed, might those in favor of this bill one day be viewed as we now view those who centuries ago blindly followed in support of enslaving people, as though they didn't matter as human beings?

On behalf of my board, my staff, and all of the guests we serve, we ask that you please stop this bill from moving forward. Thank you.

Sincerely,

Barbara A. McEver, President

Project 10 20, Inc.
15621 W. 87th St. Pkwy, #439, Lenexa, KS 66219
www.project1020.org www.facebook.com/Project1020ks/

House Committee on Welfare Reform

March 2, 2023

Testimony of Heather Eldridge disabled and homeless community advocate.

Regarding HB-2430

Individuals on SSI are in the Very Low-Income bracket for which we have little to no housing options for. According to KS National Low Income Housing Coalition, our communities are short (-) **50,860 rental homes** for very low-income renters. **This is a matter of inventory, not personal choice.**

On average, it takes 8-12 months of hard work and coordination to get someone housed due to the significant barriers already in existence to exit someone from homelessness. For people fleeing domestic violence that might not have identification/ credentials to people couch-surfing that don't even qualify for homeless programs, the barriers to exiting homelessness can be very overwhelming and frustrating.

Most vouchers have a 12-24 month wait list. It takes 12-24 months on average to get disability benefits. For individuals newly diagnosed with head injury that can no longer work and are not yet on disability, we have no good means to keep them housed. Why should this person be penalized further?

People are already traumatized when unhoused. When someone is referred to Minds Matter, I first focus on finding reliable and safe shelter. Until the basic shelter need is met, people cannot successfully engage in therapy and brain injury recovery. By criminalizing homelessness, Kansas would be adding more trauma. Once someone is involved in the criminal justice system, exiting homelessness becomes even more difficult. In addition, finding employment is more difficult; connecting to community resources is more difficult. We need to find ways to make housing accessibility easier not harder.

Our criminal justice and healthcare systems are already strained and expensive. These systems will not be able to absorb people whose only issue is being too poor to find a place to live. In addition, putting everyone unhoused in emergency shelter is a significant safety issue. We need to have a variety of options that best fit the needs of the individual- this is not a one size fits all approach. This is why Housing First Initiatives work- using evidence-based practices promote efficient and long-lasting positive outcomes.

Finally, these proposals outlined in HB 2430 directly and negatively impact our most marginalized community members. The "out of sight, out of mind" policies are de-humanizing, expensive, and counterproductive. Please reject these proposals and instead, focus on increasing affordable housing options.

Please feel free to reach out to me with any questions or concerns.

Sincerely,

Heather Eldridge, OTR/L, CBIS

Regional Rehabilitation Director Minds Matter LLC

840#8 Delaware, Lawrence KS 66044

785-764-9358 phone/ heathere@mindsmatterllc.com

House Committee on Welfare Reform

March 2, 2023

Testimony of Heather Eldridge disabled and homeless community advocate.

Regarding HB-2430

Thank you, members of the committee, for the opportunity to submit my testimony regarding HB-2430.

As an advocate for our disabled and unhoused community, I am **OPPOSED** to HB-2430 "Safe Cities Act".

My experience with this issue:

- I am an Occupational Therapist Registered with the NBCOT and Licensed in Kansas (OTR/L) working with individuals recovering from brain injury since 2016.
- I am a Certified Brain Injury Specialist (CBIS) and Regional Rehabilitation Director (RRD) for Minds Matter LLC covering Franklin, Douglas, and Jefferson Kansas counties.
- As RRD, I work closely with individuals referred to Minds Matter agency as they seek to connect to therapy after head injury.
- Minds Matter provides OT/ PT/ SLP/ CT/ BT for individuals on KanCare Medicaid Home and Community Based Services (HCBS) Brain Injury Waiver.
- Minds Matter has a long and successful history of assisting individuals to live, work and play in their communities. Since 1991, it has been our mission to provide the necessary support to survivors of brain injury so that each person can thrive in the least restrictive environment possible. In many cases, these services result in employment, education, and active community involvement.
- Minds Matter is a referral partner with LDCHA (Lawrence Douglas County Housing Authority) and assists individuals with permanent supportive housing and city transitional vouchers.
- I have completed participation agreements to attend bi-weekly Coordinated Entry Service meetings as well as administer VI-SPDAT (Vulnerability Index Scoring) to prioritize and assist our unhoused community.
- Over half of people who experience chronic homelessness are estimated to have a traumatic brain injury which affects how they function in daily life. Only 2-3% of the general population has a traumatic brain injury, but having this condition increases your risk of homelessness. Traumatic brain injuries can result from abuse, a work injury, a war injury, an unexpected genetic condition, a stroke, or any serious injury where a person did not receive adequate medical treatment or did not have access to healthcare.

The proposals outlined in HB-2430 will severely harm individuals I work with by creating additional and unnecessary barriers to accessing housing. This legislation is a step in the **wrong direction**- using punitive measures to reduce homelessness instead of addressing the true cause of homelessness- a **lack of affordable/ accessible housing**.

I encourage committee members to look at who is staying at our emergency shelters. A large percentage of these individuals are elderly, disabled and isolated (without family to care for them). These are our veterans, our neighbors, our low-income families.

Chloe Chaffin
Resident of Topeka, Kansas
Opponent Testimony of HB 2430
House Committee on Welfare Reform
March 1, 2023

Thank you to Chair Averkamp and members of the Committee for taking the time to read my testimony today. I live in HD 55 and SD 19 and I strongly urge you to vote no in opposition of HB 2430.

I am a student of political science and one of the typical idealistic young people you are sick of hearing about. One thing that every elections-related class has ever taught me is that “the job of an elected official is to get reelected”. Typically this is early on the course when the professor asks, “what is a lawmaker’s job?” and students reply with “serve their constituents”, “craft policy”, “serve on committees”, and so forth, and the professor says no, it is about power. It is about getting reelected and this same question-and-answer dance is used once more to teach about special interests and bias in the political field. This is all that comes to mind as I read over HB 2430.

Even the very bill title claiming to “support unhoused individuals” is quite disingenuous. Provisions of this bill will make it a misdemeanor to sleep or camp on public lands, but for our unhoused neighbors, there is no other choice and no other support provided in this bill. While I am sure many of you have had a constituent tell you that they see such encampments as an “eyesore”, any legislator who claims that they are answering a higher call of public service than just reelection ought to prioritize the safety of vulnerable Kansans over aesthetic concerns and property values of the wealthy.

This body frequently claims to believe in local control, yet here the state is intervening and preventing localities from protecting our most vulnerable communities. There is no legitimate state interest in criminalizing homelessness, in fact, legislation such as this elsewhere has only made it harder for folks to escape poverty as they will now have a misdemeanor on their record which can interfere with their chance to find sufficient employment or housing. Additionally, while the first fine is limited to \$1, it seems that there is no restriction on subsequent violations. It is expensive to be broke.

Between that first and second violation, or even before the first violation, do you not think that these folks would have found housing if they could?

Folks don’t sleep on the streets as a first choice, but because they have no other choice. And too, before the argument is made that these people should find aid agencies and shelters, I would ask you to ask the staff at any of these locations how they are doing. What you will find is that beds are limited, shelters are underresourced, and the people they intend to serve may not live in the right places where help is best accessed. Then consider the transportation challenges of making your way across town or across the state to find open beds.

This bill is so incredibly hurtful. This is the very definition of kicking a man while he’s down. Just because these folks are not your donor class and more likely to be disenfranchised should not make them easy targets for legislative bullying.

Please lead with empathy, not the criminalization of homelessness. This is hurtful and unproductive to even its stated goals. Please show Kansas that the job of a lawmaker is to build a better world. Please vote in opposition of HB 2430. Thank you.



DOUGLAS COUNTY ADMINISTRATOR

1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5328 Fax (785) 832-5148
splinsky@douglascountyks.org

Sarah Plinsky
County Administrator

March 1, 2023

Chairman Averkamp and Members of this Committee,

Thank you for the opportunity to offer testimony in opposition to House Bill 2430. Douglas County is one of the largest counties and regions within the Kansas Balance of State Continuum of Care (COC), which is supported by the collaborative applicant, Kansas Statewide Homeless Coalition (KSHC). Douglas County is an active participant in the regional homeless response system and the CoC, which collaborates with local, state, and national partners to coordinate with communities throughout the state to provide advocacy, education, and collaboration to end homelessness in Kansas.

Douglas County opposes HB 2430 because it will cause greater harm to and further marginalize individuals experiencing homelessness. People experiencing homelessness are already disproportionately criminalized for trying to exist and meet their needs, and HB 2430 will only further disenfranchise them. Criminal charges for trying to meet basic needs such as accessing food, shelter, or using the restroom will negatively impact their ability to access safe and stable housing. The best, and most effective, way to end homelessness is through the creation of safe, accessible, affordable housing. Until there is enough housing and resources for those who are homeless, there will be people sleeping outside, in cars, etc.

HB 2430 not only promotes the criminalization of homelessness, it will also disproportionately affect people of color, including Black, Native American, and Latino Kansans. According to the US Census, 4% of Douglas County residents are Black or African American, while 17% of individuals included in the 2020 Point in Time (PIT) annual homelessness count identify as Black or African American. By these numbers alone, this bill would perpetuate and continue the criminalization of Black people in the United States.

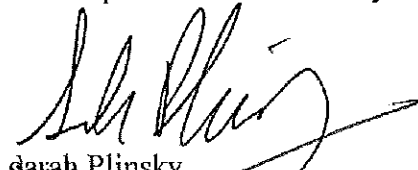
This law would also disproportionately affect those in rural and frontier areas of the state, as well. Due to the resource deserts in these areas, people are often forced to sleep in unsavory conditions in order to stay connected to their support systems. There are often no shelters, transitional living programs, or other short-term options for people in rural and frontier areas. This means that their only option is to camp, or to leave everything they know, their families, friends, jobs, caseworkers, etc., to find shelter, which makes accessing housing and regaining stability more difficult.

The Department of Housing and Urban Development (HUD) has set guidelines about best practices and procedures for reducing and ending homelessness. One of these processes is the utilization of a Coordinated Entry System (CES). Coordinated Entry Systems are a standardized way to connect individuals to housing programs and resources in a way that prioritizes them based on how vulnerable they are. Across the nation, including the Kansas Balance of State COC, Coordinated Entry is working.

Between October 2021 and September 2022, 63% of individuals who were connected to Coordinated Entry exited to permanent housing situations, while only 4% returned to homelessness. The ultimate goal of this system is to achieve what is known as "functional zero." Functional zero means that as soon as an individual or family experiencing homelessness is located, assessed, and added to coordinated entry, that there is a suitable housing program with an opening that the individual can be referred to with minimal wait times. The Kansas Balance of State COC covers 101 of the 105 counties in Kansas, including Douglas County, which are divided into 9 regions. Currently 3 of these regions have achieved and maintain a status of functional zero. Douglas County and our partners with the City of Lawrence has set a goal to reach functional zero for our chronically homeless population by 2025.

HB 2430 seeks to prevent access to state funds if municipalities do not criminalize their homeless, and if approved will result in significant reductions in housing success rates, and more households will end up without housing or homeless for longer periods of time. HB 2430 seeks to remove homeless individuals from the street; however, once released from jail, these households will still not have housing and will end up back on the streets, creating a vicious cycle of criminalization. Douglas County believes that the most effective way to end homelessness is to provide housing and support services.

Thank you so much to Chair Averkamp and the members of this committee for allowing time to provide this testimony.



Sarah Plinsky
County Administrator
Douglas County, Kansas



KANSAS
ASSOCIATION OF
COUNTIES

715 SW 10th Avenue • Topeka, KS 66612
785-272-2585 • www.kansascounties.org

House Welfare Reform Committee
March 2, 2023
HB 2430

Kansas Association of Counties
Opponent Testimony – Written Only

Chairman Awerkamp and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer opposition testimony on HB 2430, which would prohibit local governments from taking certain actions with regarding public camping, sleeping, or obstruction of public right-of-ways. It would also prevent political subdivisions with a higher per-capita rate of homelessness than the state average from receiving funds until it is determined that such subdivision is compliant with the requirements under this legislation.

The Kansas Association of Counties believes in local control—that government closest to the people is best able to know and serve the needs of the people. HB 2430 threatens to invade that local control by restricting the types of actions that local governments, including counties, may take to address the issue of homelessness, as well as what policies they can pursue in that effort. That is a disruption of the principle of local control that KAC cannot support.

Homelessness is an issue that needs to be addressed. How it should be addressed may be a question that is uniquely answered at the local level. This bill could prevent counties from addressing those issues in a way that best serves their community, as determined by the local leaders.

This bill would also penalize communities that are at the heart of addressing this issue, making it even more difficult for those communities, and more importantly, the marginalized individuals and groups that are often reduced to numbers on a spreadsheet in these discussions. These decisions need to be made locally. Local leaders should be empowered rather than punished in their attempts to address these issues.

Thank you for the opportunity to present this perspective on this legislation.

Jay Hall
Deputy Director and General Counsel
Kansas Association of Counties
hall@kansascounties.org
(785)272-2585

Testimony of Vince Munoz

House Welfare Reform Committee Testimony in Opposition of HB 2430 March 2, 2023

Dear Representatives Averkamp, Meyer, and other members of the Committee,

I'm writing in opposition to HB 2430, criminalizing homelessness. I'll keep this brief, as you'll likely receive longer, more data-intensive testimony from other organizations across Kansas. There are two primary reasons to oppose this bill.

First, this bill is designed to get unhoused people out of sight and out of mind, not to actually solve homelessness. It's predicated on the fundamentally incorrect view that homelessness is a moral failing rather than a financial situation many people find themselves in. Unhoused people deserve our support, not punishment.

There are many Christians in the legislature and likely on this committee. While I don't think religion should play a prominent role in policy making, my hope is that we understand that this bill does not follow Christian ideals. Would one turn away the Christ, who started life unhoused, if he was with us today? One of the most elementary teachings in Christianity is the corporal works of mercy, which includes sheltering the homeless, not punishing them.

The second reason to oppose this bill is that there is one obvious solution to breaking the cycle of homelessness: housing people. This might sound strange to those who view unhoused people as an inconvenience, but unhoused people want a stable housing situation for themselves. However, it's close to impossible to escape homelessness once one finds themselves there.

Imagine if you were homeless trying to find a place to live. On nearly every standard rental application, you're asked to list your current address for credit and background checks. If

you cannot provide a current address because you do not have one, a landlord simply won't consider your application to live there.

And even if a landlord did process your application and somehow approved you, how do we expect unhoused people to pay their first month's rent or their security deposit? They would have obviously used that money to stay sheltered in the first place if they had it. Rather than requiring local governments to spend additional money on policing homelessness, we need to support municipalities in using money to house people experiencing homelessness.

Imagine, once again, that you're homeless but now looking for work. Similarly to the rental application, job applications ask for your current address, as they need it for payroll purposes. If you do not have one, it looks like you did not complete the job application correctly, and you will not even be considered for an interview.

And, once again, even if you did get an interview, many employers harbor the same prejudice against unhoused people as the authors and sponsors of this bill. They are not interested in hiring people they perceive to be failures. By housing someone before efforts to find a stable source of income for them, we increase their chance of success in getting that source.

Unhoused Kansans deserve to be treated with dignity. Not only is it the morally sound thing to do, it is also good policy. This bill does nothing more than attempt to get rid of people perceived to be a problem. If we actually want to end homelessness in our state we need to house those experiencing homelessness. We also need to prevent others from falling into it. Things like expanding Medicaid, raising the minimum wage, and other measures that support working class Kansans are essential to keeping people housed.

For all the above reasons, this committee must vote down HB 2430.

Thank you,

Vince Munoz

Lawrence, KS

Esteemed Chair and Committee members,

My name is James Moran, and I represent on-the-ground homeless service providers in Wyandotte County. I don't bring tables of figures today, but the perspectives of those I serve, and the mounds of anecdotal data they provide.

As a provider who works with underserved LGBTQ+ houseless youth, adults, and families, this bill would worsen conditions for those we serve. In addition to the burdensome cost to taxpayers, one must also consider the very real consequences for the people being displaced.

Despite what one may have been told, being homeless is not a reflection of work ethic, morality, or maturity. All of the people I work with are unhoused not by choice, but because of the lack of resources available to them. This is especially true for underserved, marginalized communities, like the LGBTQ+ community.

For instance, in our work with houseless LGBTQ+ youth, we meet many young people who were kicked out of their family homes before the age of 18 because of their LGBTQ+ identity. Some of these children enter the foster care system, only to be cast aside on their 18th birthday with no support system. Some are left to fend for themselves, spending each day focused on where they will sleep or eat next. Youth like these are underserved in today's landscape—taking away further resources from homeless services will exacerbate these hard realities.

One might be inclined to say that those whose homes are at risk of removal when camps are decommissioned should "just go to a shelter," but ask yourself: why haven't they already gone? Consider available space—there are more people in need of shelter than there are available beds. Consider clientele—would an 18 year old trans person feel physically safe in a congregate shelter alongside adults of all ages, who may feel emboldened to harass them, or worse? Consider eligibility requirements—would someone who has just been kicked out of their home be given placement in a program when other applicants have been homeless for months or years? Simple access to shelter is not guaranteed when one is seeking it, and there are legitimate reasons not to seek it. You might think LGBTQ+ people should just "buck up" and deal with the

unchecked harassment, discrimination, and violence if it means they have shelter. But do you have to endure dehumanizing treatment before you've earned the right to lay your head in your bed each night? Do you think homeless people deserve to? It is no wonder that LGBTQ+ people experiencing homelessness report such high rates of mental health issues.

The youth and families with whom we work must consider the political climate when seeking services to fill their basic needs, as in those areas with no LGBTQ+ protections—or in those areas where protections are not enforced—an individual who is gay or transgender can be simply turned away. How can we tell people who are actively denied access to resources to lift themselves out of homelessness that it will now be illegal to fend for themselves?

With no state-wide protections, LGBTQ+ Kansans are subject to discrimination in housing, employment, and social services, leaving many of us with no means of escaping poverty or homelessness. With no opportunities for gainful employment, and nowhere to turn when we cannot support ourselves, unhoused LGBTQ+ Kansans will be unjustly institutionalized. Whether they be directed to a jail, mental health institution, or state-sanctioned services offered in lieu of those options, LGBTQ+ homeless Kansans will be forcibly entered into systems that discriminate against them, those they sought to avoid by remaining unsheltered. Considering other bills introduced before the Kansas Legislature that seek to prohibit trans people from existing in public spaces, I can only imagine the treatment LGBTQ+ Kansans will receive in these forced placements, or the resulting health and mental health outcomes.

“Safe Cities” must be an ironic title, because laws that criminalize street homelessness actually make cities less safe for our most vulnerable. Defunding municipalities of their homeless services dollars as a consequence of their demonstrated challenges in serving their homeless population will do nothing to support those most in need, but instead cast them aside with fewer resources. These are people we're talking about. Real people, who will be left with practically nowhere to turn. We need to be increasing funding to those areas that have high rates of unsheltered homelessness, not threatening to take it away. If we want our cities to be truly safe, we would take action to ensure all our neighbors have the chance to thrive.

Thank you for your thoughtful consideration.

x

Melissa Stiehler
Resident of Topeka, Kansas
Opponent Testimony of HB 2430
For the House Committee on Welfare Reform

March 1, 2023

Chair Averkamp and members of the Committee,

Thank you so much for the opportunity to provide testimony today. I am a resident of Topeka, Kansas and I am deeply opposed to HB2430, which would criminalize homelessness and punish local governments for not prosecuting people experiencing homelessness.

First, this criminalization and institutionalization policy is completely ineffective in reducing homelessness. The United States Interagency on Homelessness, our country's national agency on finding the best policy solutions for decreasing homelessness, takes the position that a housing first policy is the most effective. They also recommend reducing criminal justice involvement in this process, calling incarceration of the homeless a "revolving door" to keep these members of our community in a cycle of poverty. In their report "Searching out Solutions," this agency specifically mentions that policies like the ones proposed in HB2430 are part of the problem. The result of implementing this law will be increasing homelessness in our state, not decreasing it, especially when taking into account that it punishes and removes local control from communities who are effectively addressing this issue outside of incarceration.

Second, this legislation is a mockery of Kansas ideals. Your constituents expect you to represent them and their values of community, empathy, and opportunity. This policy position is so shameful for our state and does not represent its people. When finding out that this legislation is a copy and paste version of the Cicero Institute's template, it became clear that supporters of this bill weren't listening to Kansans during the legislative process. For those of you unfamiliar, the founder of the Cicero Institute, Joe Lonsdale, is an out of state billionaire and investor in private prisons. The Cicero Institute's supposed "homelessness expert," Earl Glock, has no history of working in the homeless sector and the video they produced explaining the cause of homelessness is full of inaccuracies and debunked myths. They are using their deep pockets to push discredited policies like this all across the country and do not represent the will of the people of Kansas or even the positions actual experts in the field hold.

In closing, please remember that homelessness is a systemic problem- not one caused by laziness or a lack of individual will. Mass incarceration of the poorest among us will not fix this. Studies by the National Law Center on Homelessness and Poverty have shown that homelessness is caused by issues that should be taken up by this legislative body: lack of affordable housing, unemployment, low wages, and domestic violence. Our local communities know the best solutions for taking care of themselves. I strongly urge members of this committee to please oppose HB2430 and instead support our local government in their proven housing first efforts. Thank you all for your time and I hope you take my testimony into consideration.

