

Committee on Welfare Reform
March 2nd, 2023
House Bill 2340

Impact ICT Continuum of Care
Neutral Testimony

To Chair Awerkamp and members of the Committee:

Thank you for allowing the Impact ICT Continuum of Care (CoC), which represents the persons experiencing homelessness in Sedgwick County and the organizations who serve them, to offer testimony against HB 2340, which would impact the ability of our community to end homelessness.

Our CoC operates on a Housing First, Housing-Focused model. While housing is not an all-encompassing solution for every problem someone facing homelessness may be experiencing, it is the best solution for ending a person's homelessness. In the last two years, Impact ICT CoC has housed over 2,000 people, with less than 9% returning to homelessness. This efficacy increases if a household has less vulnerabilities, such as a criminal record, that make it difficult to house them.

Wichita already has municipal codes in place to prevent camping by unhoused persons. The specific ordinance, 5.20.020, only allows camping when, "the individual or individuals are deemed homeless and there are no appropriate shelters available to them." This municipal code allows for the real fact that the number of unhoused people in Sedgwick County often exceeds the amount of shelter beds that are available, while still giving peace officers authority to dismantle camps on municipal or county property and move people into shelters when appropriate space is available.

The house bill as written disregards this dynamic, and instead punishes unhoused persons who have no recourse but to be on public property or else trespass on private property. While the CoC houses or keeps in housing over 1,000 people annually and can shelter over four hundred during the winter months, there are not enough resources in shelter beds, housing, case management, and transitional housing to offer every unhoused person in Sedgwick County a place to stay that does not infringe on this bill as written.

Because of this, those unhoused, unshelterable people would begin to be justice-involved, even if their only crime is breaking Section G of this bill. The initial infraction of \$1 may seem to be bearable. However, interactions with law enforcement can be traumatic and erode the most important capital in ending a person's homelessness, trust that the system can help them. Being fined for having nowhere to go could drive people away from resources to get them out of homelessness, or worse, drive them to trespass on private property.

A Class C misdemeanor on subsequent violations that could carry a fine of up to \$500 and jail-time of up to a month would be unbearable. Incarceration already slows the CoC's ability to house people; fines would reduce the unhouse person's ability to pay for housing. A person who has nowhere to go who is forced to face jail time and pay fines will become harder to house, not easier. If these misdemeanors go on an unhoused person's record, it becomes harder for them to clear background checks for lease agreements. This would negatively affect Impact ICT's ability to end homelessness through housing.

Additionally, Section F of the bill would deny Sedgwick County necessary funding to continue to end homelessness based on the Point in Time Count, a notoriously imprecise measure of homelessness. Sedgwick County is more likely to perform an accurate count of homelessness than the rest of the state due to the concentrated nature of homelessness in Wichita. Our rural and frontier neighbor areas of the state are under-counted simply due to the vast geographic responsibility other Continuums of Care face. Sedgwick County would be targeted for losing funds because of this imprecise surveying tool.

Sedgwick County routinely has the highest number of persons experiencing homelessness, but it also has the second highest population in Kansas. Additionally, Wichita often attracts persons experiencing homelessness from other parts of the state and even other states because of Wichita's services. This bill may be unintentionally penalizing an effective system working to end homelessness for Kansas citizens simply because it is an effective system.

Overall, this bill, if passed into law, would negatively impact the ability for our community to move people into safe housing. As the homeless service system does not always have capacity to shelter or house everyone, persons would become justice-involved because they don't have a place to go. Persons with criminal records are more difficult to house, thus it would be harder to end their homelessness. Finally, using the PIT count as a benchmark for determining if state funds should go to a community does not account for the inadequacies of the PIT Count as a data collection method nor for the larger systemic issues that cause higher homeless counts in urban areas. Thank you for the opportunity to testify.

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