

CMPD gets it: Being homeless is no crime

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You have no place to sleep at night. You search for work, but it's not easy when employers see you haven't showered. You're sent in different directions, walking between social service agencies, shelters and soup kitchens to get your basic needs met. You need to use the bathroom, but the few public restrooms are reserved for paying customers, so you pee outside, wherever you can find a little privacy.

You get a ticket for the most basic bodily function. Now you're pulled into the legal system. You can't afford the fines. You're ashamed of how you look so you miss your court date. A warrant is placed for your arrest and eventually you're picked up by the police. All because you had to go to the bathroom.

For many people experiencing homelessness, this is a common experience. But it doesn't have to be this way. In Charlotte, the Charlotte-Mecklenburg Police Department and Urban Ministry Center's Outreach team are doing something to help people who are homeless avoid our justice system while gaining access to the services they need most.

Quality of Life crimes

When you're homeless, your very existence is criminalized. Peeing becomes public urination. Not having a place to go becomes loitering. Sleeping becomes second degree trespassing. Over time, these charges accumulate on a person's record making it challenging to find housing or employment.

These types of charges are known as "quality of life" crimes. QOL crimes are victimless, low-level misdemeanors that include second-degree trespassing, loitering, open container violations and public urination. During the 1990s, many U.S. cities began to police these behaviors in an effort to keep up appearances while ignoring the root causes of homelessness. As a result, homeless individuals with the fewest resources began to cycle in and out of our legal systems.

Helping the homeless

Recognizing this problem in Charlotte, a group called Helping Homeless to Housing began to advocate for an alternative justice system response.

The Criminal Justice Advisory Group found that the same group of 58 homeless individuals were being arrested frequently. Ninety percent of their offenses were nonviolent, 76 percent were misdemeanors and 49 percent were QOL offenses.

CJAG began to explore how to help people who are homeless avoid the justice system altogether. They designed a model in which outreach workers help people who are homeless access services and housing instead of leaving them to languish in jail or on the streets.

The proposal for this model was not funded, but it led to a diversion initiative between CMPD and UMC Outreach to connect those experiencing homelessness with needed services and housing. Instead of making an arrest or issuing a citation, officers can complete a basic referral form for UMC Outreach, which provides follow-up and support when appropriate.

Since its inception in November, this initiative has diverted 58 people from arrest or citation. Of those referred, 12 individuals not previously known to UMC Outreach were connected with services like case management, health care, disability income, and housing.

Seven individuals have been housed either as a direct result of the referral or because of an officer's assistance in completing housing applications and ensuring individuals get to housing appointments.

While still early, this work is creating meaningful change. The initiative has cost no money, but has made a significant difference in the lives of many people experiencing homelessness. It shows that with a little effort and creative collaboration, our community can be changed for the better.

Robert Nesbit is a social justice advocate and musician.

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