

Presentations and Questions

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| 11/10 | 3:35 PM | 3:45 PM | McEvoy, Emma | Vollmer, Noah J | Del Olmo, Omar | Ginsberg, Jordan S |
| 11/17 | 3:35 PM | 3:45 PM | Del Olmo, Omar | Chesal, Zev | Hennings, Megan D | Fernandez, Rebecca J |
| 11/17 | 3:46 PM | 3:58 PM | Cruz, Edgar I | Stage, Mason K | Prieto, David H | Blanck, Hannah M |
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| 11/17 | 4:30 PM | 4:42 PM | Blanck, Hannah M | McEvoy, Emma | Vollmer, Noah J | Stage, Mason K |
| 11/17 | 4:41 PM | 4:53 PM | Dally, Alfredo E | Blanck, Hannah M | Dorsainvil, Thonya | Smekens, Matthew A |
| 11/17 | 4:52 PM | 5:04 PM | Smekens, Matthew A | Cruz, Edgar I | Gonzalez, Jake A | Chesal, Zev |
| 11/17 | 5:03 PM | 5:15 PM | Fernandez, Rebecca J | Ginsberg, Jordan S | Blanck, Hannah M | Del Olmo, Omar |

| Class Member | You Are Responsible for Questions on Papers By: | | |
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| Person writing questions: | Presenter's name in blue : the paper you'll comment on scheduled for 11/10. Presenter's name in green : the paper(s) you'll comment on scheduled for 11/12. Presenter's name in orange : the paper(s) you'll comment on scheduled for 11/17. | | |
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| 11/17 | 3:35 PM | 3:45 PM | Del Olmo,Omar | Privilege and Immunity constitutional protections for the homeless and litigation strategies to bring about institutional policy and regulation changes | <p>The 10th Amendment’s police powers allocated the states with the authority and responsibility to protect their citizens in their most important fundamental rights. After the Civil War, and with the introduction of the US Constitution’s 14th Amendment, federally protected fundamental rights (life, liberty, and property protections) were enforceable as to the states. The Privileges and Immunity Clause of Article IV, section 2, Clause 1 of the US Constitution which states that “The Citizens of each State shall be entitled to all privileges and immunities of Citizens in the several States, designed for the protection of individual citizens against their own state and limiting state efforts to discriminate against out-of- state citizens was also enhanced by the privilege and immunity provision in the 14th Amendment, as well as through the Congress’ commerce power under Article 1, section 8, Clause 3 (commerce among the several States).</p> <p>It is my goal to provide an Article 4 and 14th amendment constitutional argument to challenge local and state government practices to criminalize the homeless people. Due to the ambiguity in the constitutional text, court opinions had construed those clauses using different approaches when defining what rights, privileges and immunities were protected. From broader interpretations from scholars who believe Article 4 protects traditional state common law rights to narrower ones that suggest it only protects certain fundamental rights, a possible view could give state citizens and US citizen a protection by the government in their enjoyment of life, liberty, and property; and within that the right to live in, with dignity and safety and to freely travel among the several states. See Corfield V. Coryell case.</p> <p>Justices Field and Bradley’s dissent opinion in the Slaughterhouse cases, effectively argued that the 14th amendment was introduced with the intention to provide national security against violations by the states of the fundamental rights of their citizens. The 14th amendment is embedded with substantive and procedural protections against state action. Justice Miller’s majority opinion in Slaughterhouse distinguish between Article 4 Privileges and Immunities clause and the 14th amendment similar provision. For that matter, he drew a distinction between these two clauses based on the idea of state citizenship for Article 4 privileges and immunities protections and 14th amendment US citizenship. (cont. on next p.)</p> |

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| | | | | | <p>Thus, what a state or US citizen means become an important part of the analysis for the protection of those fundamental rights. According to his interpretation, you become a US citizen by being born in US or by naturalization (14th Amendment), but you become a state citizen if you reside in a particular state for certain period (Article 4). Justice Miller’s construction in the Slaughterhouse cases recognized two kinds of citizenships and extended new protections not based on people’s state citizenship, but only to persons in their capacity of citizens of the United States. Such narrower approach limits the type of rights protected under the 14th amendment, but even having such constrained view, he insisted on the peoples’ right to travel besides recognizing that the privileges and immunities in Article 4 for state citizens include all fundamental rights, such as the right to possess property, to pursue happiness and safety. But Article 4th did not create those rights, it only protects out-of-state citizens from having them abridged by another state government.</p> <p>I will try to focus my paper on relevant legal developments that expanded on those ideas and how they can be used to advance effectively institutional changes. Although advocacy and social activism make a huge difference, from my personal point of view, more tangible remedies may be efficiently induced by means of challenging in courts those laws and regulations targeting the homeless population in tandem with more accessible education for the community to create consciousness that eventually may deliver better leaders as well.</p> |
| | | | | Questions | <ol style="list-style-type: none"> 1. Per your note on social advocacy not being a means to an end, do you think that heightened awareness can ever lead to a cause's stagnation? Does activism ever act as a distraction from implementing tangible remedies? 2. Are courts becoming more lenient in their interpretation of ambiguous clauses to accommodate the homeless? 3. Do you have any predictions on how this issue will develop in the near and distant future? 4. I like that you’re thinking about some of the structural constitutional arguments with the 10th Amendment and Article 4 to expand on the individual rights material we’ve read in class. My question: The discussion around interpretations regarding state citizenship and U.S. citizenship is interesting - Do you think this could be used in rebuttal to claims that homeless folks are from out of town/state? We saw a lot of that from a few City Commissioners at the October 28th meeting, trying to paint unhoused folks as from out of state that choose to come to South Florida for the weather and homeless protections. 5. Also if you’re interested in adding another angle to the analysis of citizenship and rights, it could be helpful to talk about the history of the construction of both of those things along racial, gender, and/or class lines, such as voting rights only being given to certain people (land-owning, White, male), and how that has shifted over time but still has modern implications. This could be tied to the demographic make-up of today’s homeless population and another way to view the structural arguments. |

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| 11/17 | 3:46 PM | 3:58 PM | Cruz, Edgar I | Homeless People's Agency, Addiction, and the Eighth Amendment | <p>This paper focuses on homeless people with substance abuse problems. I analyze whether the Eighth Amendment's prohibition of cruel and unusual punishment protects the homeless, while inadvertently depriving addicted homeless people of their agency. In <i>Robinson v. California</i>, the Supreme Court prohibited status crimes under the Eighth and Fourteenth Amendments. In other words, it is unconstitutional to make people perpetually exposed to criminal liability based on an involuntary condition, such as being addicted to narcotics. In <i>Powell v. Texas</i>, the Court limited <i>Robinson</i> by distinguishing criminalization of a person's status from criminalization of voluntary conduct, such as taking oneself out of a private space and into the public while intoxicated. With that in mind, how do these cases apply to homeless people afflicted with addiction? Under <i>Robinson</i>, does the Eighth Amendment's protective sphere remain intact only when a person is deemed to have completely lost their power of self-control? If so, does this make them inherent victims of their situation—locked into a feedback loop of powerlessness regardless of any present or future individual efforts to get sober? Are policies enacted with good intentions, such as needle exchange programs, the best approach? I explore these questions and analyze the sharp involuntary-voluntary and status-conduct distinction under <i>Robinson</i> and <i>Powell</i>. Finally, I present some solutions offered by scholars.</p> |
| | | | | Questions | <ol style="list-style-type: none"> 1. <i>Robinson's</i> status as an addict was ultimately understood to be involuntary by the Court. Is there room for a litigant to argue their client's status is involuntary or must his or her status be generally accepted by society? 2. Are you familiar with syringe service programs? How do you think that applies in regard to homelessness? Does it help or hurt it? 4. From your research regarding substance abuse in those experiencing homelessness, what is driving the problem? Are people using it to cope with their situation, is it being pushed onto them by others experiencing homelessness, etc.? 5. Similarly, is the problem of substance abuse more of a cause of homelessness or a byproduct? |
| 11/17 | 3:57 PM | 4:09 PM | Gonzalez, Jake A | Youth Homelessness, Covid, and Education | <p>This paper shall examine the state of Youth Homelessness and the impact that COVID-19 has had and is still having on access to quality education for youth homelessness. To that end, this paper will consider effective definitions for youth homeless. As well as the importance of education for youth homeless, and the currently available resources available to youth homeless. From that point, this paper will examine the impact and possible damages or harm to youth homeless due to COVID-19 such as constitutionality or damage by school shutdowns and distance learning. In addition to the inadequacy of current law to handle and address the issues that have risen for youth homeless education due to COVID-19.</p> |

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| | | | | Questions | <p>1. We know that families are prioritized to not be broken up in homeless shelters, what are current policies in place ensure those children in shelters get to school?</p> <p>2. Are public schools in Florida providing covid-19 vaccines to children like they did during the swine-flu?</p> <p>3. Will your paper examine or compare particular school districts?</p> <p>4. Since there are different ways to define youth homelessness, I wonder if youth within the dependency system or youth living in group homes are considered homeless.</p> <p>5. Is there an estimate for how many homeless youths are unaccompanied by adults/family?</p> |
| 11/17 | 4:08 PM | 4:20 PM | Chesal,Zev | | |
| | | | | Questions | |
| 11/17 | 4:19 PM | 4:31 PM | Chukwu,Ezichi O | Gentrification , Homelessness, and Race | <p>Social media has shed light on the concept of gentrification in popular cities such as Washington D.C, Miami, and New York. Gentrification can be explained as a tool to revitalize and improve the economy within a community. This paper will examine the rise of real estate development, the various uses of gentrification, and how it can contribute to increased numbers of people who are housing burdened, displaced from their communities, and experiencing homelessness. This paper will provide a background on this phenomenon and the disproportionate effects of gentrification on Black and Brown communities. This paper will explore the laws and policies that allow harmful development and housing practices to exist, in addition to providing solutions to improve the potential harm of real estate development in growing cities.</p> |
| | | | | Questions | <p>1. What are the costs and benefits of gentrification and what are the metrics we use to measure such costs/benefits? This is more of a philosophical point, but will your paper explore the difficulty in quantifying, for example, the cost of a family having to live far away from its community? It's challenging to quantify such costs and this is why I believe they get overlooked when economists introduce the more easily quantifiable benefits of business development. People often say, "that's how a laissez-faire market works, if they can't afford it, then they will have to move somewhere else". How can we better capture the costs of gentrification to get the attention it deserves through the lens of the communities being negatively impacted?</p> <p>2. How does gentrification impact the supply of affordable housing in the communities where it is occurring?</p> <p>3. Do you see any connection between gentrification and ghettoization?</p> <p>4. Is there a connection between increased gentrification and policies of criminalization?</p> <p>5. When did the current trend of gentrification begin, and when did the shift from being a tool for revitalization to becoming a significant burden for people living in these communities take place?</p> |

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| 11/17 | 4:30 PM | 4:42 PM | Blanck,Hannah M | A CATCH 22: How Bench Warrants, Court Fees, and Over Policing Perpetuate the Cycle of Homelessness | <p>This paper analyzes an array of topics as it relates to cycle of homelessness, and how unreasonable fines, local ordinances, and over policing contribute to a never-ending cycle. In this paper, I will review local laws and regulations that prohibit the homeless from engaging in life sustaining activities. In addition, I will discuss the aggressive nature in which the police interact with the homeless and how issuing citations can spiral, preventing a person from obtaining a valid ID, or gaining affordable housing. I will also review the different types of fines and fees that are imposed on the homeless. Furthermore, I will use a variety of cases that challenge the constitutionality of criminalizing “life sustaining” to explore how the court has decided on issues of homelessness across the United States. Finally, I will propose some recommendations and useful mitigation strategies as alternatives to court fees and fines imposed on the homeless.</p> |
| | | | | Questions | <ol style="list-style-type: none"> 1. Will you explore the Florida voting rights restoration amendment, and how its curtailment by requiring fines and fees to be paid before restoration may affect the homeless? 2. Are there any fines/fees imposed on the homeless you find reasonable? Or is it always unreasonable to impose a fine or fee on the homeless given their lack of resources (perhaps this will be addressed in your recommendations)? 3. Is it a problem of form or of substance regarding the government's use of laws perpetuating the cycle of homelessness? Are the laws on their face what is perpetuating the cycle or is it their implementation? 4. How do you go about breaking the cycle? Repeal of harmful and exacerbating legislation or through more affirmative measures, such as affordable housing and better shelters? |
| 11/17 | 4:41 PM | 4:53 PM | Dally,Alfredo E | Tech Booms and Homelessness | <p>Miami has seen an incredible “tech boom” in the last few years that is reminiscent of the early days of Silicon Valley. Although this new push has the potential to bring a great deal of higher paying jobs, it is also likely to bring in a great deal of migrants looking to capitalize on the new opportunities found in Miami. There is currently already a housing crisis in Miami, with an already growing population and an insufficient amount of home development. This has caused prices to hike in both average rental price and median cost of purchasing a home. Miami has typically utilized a form of exclusionary zoning, favoring a reduction in density and the prevention of overcrowding of land, limiting the opportunity to drastically develop more housing and reduce the demand and the pricing of housing. This problem is only going to be exacerbated by the tech boom by bringing in more migrants that will be able to afford the new rising prices, while the average citizen will be priced out. Silicon Valley faced similar issues and has recently implemented new zoning laws in an effort to increase housing supply and create more affordable housing options. Miami has implemented similar zoning laws in the same effort, but changes are still proposed to best support the goal of increasing the affordable housing supply. If nothing is done, then more of Miami can become severely cost burdened by housing, which can lead to an increase in homelessness in Miami.</p> |

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| | | | | Questions | <p>1. Miami is a notoriously poorly designed city because of actual land constraints (can't build any further east and locked by the everglades in the west). This means that in addition to already high rental and home prices, Miami will also deal with a potentially capped supply of building space. Throughout your research, is there anything being done or talked about regarding solutions to Miami's logistical problems?</p> <p>2. What current city zoning that Miami is using to help increase new housing development?</p> <p>3. Is there anything else that Miami is doing to deal with the housing shortage and the increase of migrants?</p> <p>4. In the case of Silicon Valley, did the rise in the technology sector actually lead to an increase in homelessness?</p> <p>5. Is it possible that these positions could just be filled by local employees? Or does it necessarily mean people will be migrating to fill these positions?</p> |
| 11/17 | 4:52 PM | 5:04 PM | Smekens,Matthew A | Homelessness and Mental Health | <p>This paper will seek to explore the interplay of homelessness and mental health. Research from the Substance Abuse and Mental Health Services Administration (SAMHSA) estimate that about 30% of people who experience chronic homelessness have mental health conditions and about 50% suffer for substance abuse problems. This paper will seek to explore the classic chicken and egg question as it relates to homelessness and mental health issues; Which comes first, homelessness or mental health issues? Are people homeless because they have mental health issues? Or do they have mental health issues because they are homeless? A large portion of this paper will explore the existing legal and statutory framework to help determine if there is an identifiable root cause to this problem and if it can be cured. For brevity's sake, the paper will mainly look at homelessness and mental health issues through a Florida focused lens. One such law this paper will analyze is the Florida Mental Health Statutes (Fla. Stat. 394), particularly the Florida Baker Act and its limitations.</p> |
| | | | | Questions | <p>1. Do you know if an effort is made to contact family members of a mentally ill homeless person before or during their commitment under the Baker Act?</p> <p>2. Does the threat of hurting oneself or others have to be overt and obvious?</p> |
| 11/17 | 5:03 PM | 5:15 PM | Fernandez,Rebecca J | Criminalizing Homeless Mothers in the Name of Child Protection | <p>Families currently make up one-third of the homeless population, with a significant portion of those families headed by a single mother. Among the compounding obstacles faced by these homeless mothers is a child welfare system that disproportionately investigates the most underserved. This paper will examine the role of CPS in criminalizing homeless mothers by treating conditions of poverty as demonstrative of child abuse and neglect. This paper will also consider policies at the state level that gesture at supporting homeless children while failing homeless mothers. Without accounting for the risk factors that disproportionately lead single mothers to homelessness, these supposed safety nets exist to further penalize women facing increased racial and gender inequity, physical and mental disability, and poverty.</p> |

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| | | | | Questions | 1. What solution do you envision properly balancing the interests of ensuring child protection and maternal welfare? 2. Is there a specific trend or behavior that CPS identifies as indicative of child abuse? Or is simply being homeless enough? |

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| 11/12 | 2:00 PM | 2:10 PM | Stage, Mason K | The Minimum Wage and Homelessness | <p>The minimum wage, like many topics in the American political landscape, splits the national conscience in half and evokes both staunch advocacy and derision. Its effect on overall employment and economic growth remains elusive, and its use as a political ratchet has multiplied exponentially. Critics of a minimum wage hike used to combat homelessness argue that such an increase would only decrease employment and exacerbate the problem, while advocates posit that it would ease the pull of homelessness on those on the lowest economic rungs by redistributing capital. Economic analyses of minimum wage rates and their associated economic impacts reveal a negative connection between the level of homelessness and the minimum wage rate. The intersection of economic research focusing on employment levels, housing prices, and minimum wage rates shows that reasonable upward movement in the minimum wage in American metropolitan areas decreases homelessness on net, as the increase in income generated by those working at minimum wage rates outpaces the loss of employment opportunities from increased labor costs. American policy makers need to put politics aside and take a closer look at the minimum wage as an effective tool with which to combat homelessness.</p> |
| | | | | Questions | <ol style="list-style-type: none"> 1. Last year, Florida passed legislation to raise the minimum wage over the course of the next few years, is that bill in particular sufficient to significantly lower our homeless figures? 2. With inflation at a 30 year all time high, homeless people's shopping power is at a 30 year all time low, how does minimum wage help the homeless in a way that does not contribute to our hyper-inflation figures? 3. Why has the minimum wage not increased to reflect inflation? Is this a political conspiracy, simple oversight, or something in between? 4. Some people claim that the so-called "fight for \$15" has already become too small of an ask over the years, and that minimum wage should be set higher. Where should the minimum wage be set for the interests of the homeless? 5. In the event minimum wage is increased, how often would wages need to be adjusted in order to keep up with the increase in housing and rental cost? 6. Will your paper explore the minimum wage and housing crisis as it relates to Miami? 7. How could the increase of minimum wage impact fields with more static salaries such as education, which has a base salary slightly higher than minimum wage? |

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| 11/12 | 2:11 PM | 2:21 PM | Prieto,David H | Homelessness and Privacy | <p>My paper will focus on the issue of privacy for the homeless. To say that homeless people lack adequate privacy would be an understatement.</p> <p>While on the streets, they are exposed to the public without the respite offered by a house or apartment. Should they attempt to find solitude in a makeshift shelter or tent, they face the possibility of being arrested or sent to a shelter. Homeless shelters, while providing adequate safety from the elements, lack privacy in their own right. Not all shelters provide residents with their own room, and even those that do often subject their residents to curfews, required check in times, and restrictions on when they can enter.</p> <p>Further, shelters often will not allow one to have much of their personal property, pets, or even a significant other. My paper will attempt to provide legal avenues for requiring shelters, that homeless people would be sent for committing life sustaining misdemeanors, to make management decision respecting their resident's right to privacy. This will be done through an analysis of the 4th amendment, the 8th amendment, and the general right to privacy within the Constitution.</p> |
| | | | | Questions | <ol style="list-style-type: none"> 1. Throughout your research of this issue, did you find it common for police to abuse the "reasonable expectation of privacy" test to target the homeless who obviously have most of their possessions in plain view? Did this contribute to more homeless ending up incarcerated as they are "easier" targets? 2. To what extent do homeless individuals have a right to privacy when they are in public places, and do those rights differ or vary based on the public place? For example, should a homeless individual have a greater right to privacy if they are staying in a National Park versus a public sidewalk? |

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| 11/12 | 2:22 PM | 2:32 PM | Vollmer, Noah J | Legalizing Encampments | <p>It is no secret that there is no fix it all solution to solving the problems the homeless population faces. However, there is a solution to solve the immediate problem of having a safe, legal place to sleep and store one's belongings that can be implemented with one simple policy choice. Currently, only 4% of encampments in the U.S. are legal, and three-quarters of encampments face a constant threat of eviction. Legalizing encampments provides a solution to many problems the homeless face by giving them a safe place to sleep, shelter themselves, and store their belongings while also alleviating the stress of having no place to stay, allowing them to work towards finding a permanent solution. Beyond meeting their immediate physical needs, encampments also provide residents with a sense of community, autonomy, and stability that they do not receive from staying in shelters or on the street. Legalized encampments across the country have shown that they can be safe, prosperous, self-sustaining communities when given adequate support and legal protections from local governments.</p> <p>This paper will explore the current legal framework of encampments in the U.S. and argue that, while imperfect and not a permanent solution, cities should embrace encampments as a stopgap measure to combat the homelessness crisis while continuing to take steps towards providing adequate affordable housing for all. Further, it will highlight several legalized encampments across the country to see how different encampments approach building a self-governing community and what practices should be used as a model for building prosperous legalized encampments elsewhere.</p> |
| | | | | Questions | <ol style="list-style-type: none"> 1. How should cities deal with the issue of crime within encampments? Finding the line between keeping people safe and over policing the community seems like it would be a challenging issue for a legislature or city. 2. Different cities face different issues, have different customs, and their homeless encampment approach may be different. Does your approach take into consideration the differences throughout the country that already exist in implementing the solution or is it a more blanket solution that does not take these variables into consideration? And if the latter, what can the universal solution do to prevent these differences throughout the country from hindering any progress? 3. What can a city do to help with encampment issue without criminalizing the homeless? 4. Policies/Ordinances that aim to deter encampment tend to claim safety as a reason. Does the level of danger differ from cities that welcome encampment and cities do not welcome encampment? |

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| 11/12 | 2:33 PM | 2:43 PM | Hennings,Megan D | Racism in Housing and Land Use and the Criminalization of Homelessness | <p>Both housing and criminal policy in the United States historically and currently have racially discriminatory intent and impact. An interconnected critical racial analysis of these two policy areas is needed in order to truly address the issue of modern homelessness in major cities. The criminalization of homelessness highlights the intersection of the socio-economic theory of racial capitalism and the criminal legal approach of the crime-control model. A historical timeline of racism in the mutual development of criminal law, land use policy, and urban development informs the current status of homelessness in major U.S. cities as a symptom of the larger housing affordability and displacement crises. Recent cases like LA Alliance for Human Rights v. City of Los Angeles and the broader #BlackLivesMatter movement demonstrate the increasing urgency and necessity of addressing structural racism and prompt the emphasis for progressive policy solutions to homelessness rather than criminalization.</p> |
| | | | | Questions | <ol style="list-style-type: none"> 1. In what ways have the policies surrounding zoning in major American cities had racist impacts on minorities as well as evidenced racial intent? 2. Is structural racism inextricably linked to capitalism, and if so, how do other economic systems better address the problem of structural racism? Knowing the American government's complicity in structural racism, how would a command economy run by that same government avoid or fix structural racism? 3. How do social movements like #BlackLivesMatter move from demonstrations and efforts to raise awareness into tangible progressive policy solutions to homelessness? Is this more about the law, organizing, or both? 4. What are some challenges Miami faces when making progress in addressing homelessness through a lens of critical racial analysis? Do we have a long history of organizing against racism in local policy? Or if your focus is elsewhere (as LA is mentioned here) how might we model ourselves against that history to move towards a more progressive approach? 5. From a policy making standpoint, do you view the problems associated with racially discriminatory housing and criminal policies to be one of action or inaction on the part of policymakers? Is it more likely that the current issues are the result of intentionally discriminatory policy choices from previous eras or rather the refusal of modern-day policymakers to address the issues arising from previous policies because they may view doing so as politically unpopular? |

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| 11/12 | 2:44 PM | 2:54 PM | Dorsainvil,Thonya | Ways to better tailor the taxpayers' dollars to reduce homelessness in America | <p>With the shortage of affordable housing and the increase of rental unit prices, there is a need to assist homeless more than ever. The issue on how to reduce homelessness is becoming more imperative and one way to find the proper solution is to look at the cost of the current solutions versus the cost of alternative solutions. The government tends to support "Continuing of Care ("Coc")" as the main way of reducing the amount of people who experience homeless. Another method preferred by the government is sanctioning homeless behaviors as a way of deterrence. However, many have advocated Housing first as a better way to decrease homelessness. Nevertheless, there are some counterarguments for Housing First. This research paper will look at the impact of Housing First and its costs on taxpayer. Additionally, criminalization of homelessness and the legality of the sanctions should be analyzed to determine if they are effective ways to deal with taxpayers' money. Also, this paper will identify whether alternative solutions could significantly reduce the amount of homelessness with taxpayers' funds. Lastly, the policies, rules and regulations should take in account a more humane approach to combat homelessness. The taxpayers' money may effectively provide more affordable housing, reduce income inequality and poverty, and appropriately address mental and physical health issues of homeless if the humane approach is taking in account when making the policies about homelessness. Cost of effective analysis can be the essential part to the legal aspects of reducing homeless.</p> |
| | | | | Questions | <ol style="list-style-type: none"> 1. Is a free-market approach a viable tool in increasing the housing supply? Do you believe that there are policies which could augment public spending on a housing first policy that could incentivize private actors to "buy-in" to a housing first approach outside of increased public expenditures? 2. How would increased support for mental health programs under the housing first model differ from the mental health programs under the continuum of care model? 3. What is the humane approach you mentioned in your abstract specifically? Is it in reference to CoC or some other approach to addressing homelessness? 4. Will your paper mostly focus on cost-lowering policies under the current tax scheme? I was wondering if you will also discuss taxing the rich at a higher rate to fund affordable housing and continuum-of-care services for those experiencing homelessness. Will you explore increasing capital gains taxes and corporate taxes? As our guest speaker explained on Wednesday, the forces of unbridled capitalism are largely to blame for the enormity of the homelessness crisis in the US, and I wanted to know if your paper will address this as well. |

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| 11/12 | 2:55 PM | 3:05 PM | Suarez,Jorge L | Florida's Response to Homelessness During the Pandemic | <p>This paper will discuss the effects of Florida’s response to homeless housing options during the Covid-19 pandemic. Since the pandemic started in 2020, Florida’s homeless community has seen outbreaks, stronger shelter restrictions, and cut-back social services programs, making it harder for them to lessen the risk of infection. Additionally, cities around Florida are adopting forms of anti-encampment and anti-feeding ordinances, leaving almost no other reliable housing options or food sources for people living on the streets. The paper will first describe the general affect COVID-19 has had on the homeless population, including the housing options made available to the community during the pandemic. It will then discuss the legality of adopted regulations in Florida, specifically local ordinances that have been implemented across the state, and the possible solution of rights to shelter which Florida has not yet adopted. Finally, the paper will close by discussing other possible long-term solutions Florida should consider to better protect homeless populations in future pandemics or health-related crises.</p> |
| | | | | Questions | <ol style="list-style-type: none"> 1. Do you know if emergency shelters prioritized some homeless people over others when the pandemic began or was it still a first come-first serve basis? If so, how? 2. Before the pandemic, did emergency shelters have policies for admitting or denying admission to homeless people who appeared to have the common cold or the flu? 3. To what degree has the homeless population in Miami-Dade been affected from a health and case perspective, and how are these numbers being collected? 4. Does the pandemic's effect on the homeless population as a whole appear to have left an indelible negative mark on the homeless population or is its effect reversible? 5. I came across this article released last September titled “Pandemic Bright Side...” claiming that homelessness declined in Miami because people were placed in a hotel program as opposed to placed in shelters, do you agree or disagree that the pandemic created a bright side for the homeless in Miami? |

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| 11/12 | 3:06 PM | 3:16 PM | Ginsberg, Jordan S | The Pros and Cons for Legalizing Encampments | <p>During my presentation, I intend to discuss the arguments for and against legalization. The arguments in favor of legalization are founded in practical as well as legal considerations. For example, consider that many cities utilize criminalization approaches when dealing with homelessness despite criminalization's role in perpetuating the cycle of homelessness; criminalization also is more costly than other responses to homelessness. As it pertains to legality, cities increasingly are facing legal obstacles to maintaining criminalization as an approach to homelessness. In addition, numerous pieces of international law to which the United States is a signatory bring into question the approach to homelessness taken by many cities. Though not binding on the U.S., the ideals embodied in said legislation support legalizing encampments and improving their quality as a temporary solution to homelessness.</p> <p>Yet many cities continue addressing homelessness with criminalization and offer the same reasons for doing so. One recurrent point is that homeless encampments pose a public health risk. To be sure, that assertion is not baseless; I will discuss the evidence supporting it. Another common argument leveled against legalizing encampments is that homeless people should not be on the streets, with greater shelter availability offered as the ideal solution. I will discuss where shelters fit in in addressing homelessness.</p> <p>The question remains on whether to legalize encampments. The final portion of my presentation briefly weighs the competing arguments and discusses why encampments should be legalized, concluding with ideas on how to effectuate a transition to a society in which encampments meet the needs of their inhabitants.</p> |
| | | | | Questions | <ol style="list-style-type: none"> 1. Do you think there is a valid claim that businesses near homeless encampments suffer both from a decrease in business and property value? Or is this simply an unfounded fear of those who wish to keep homeless people invisible. 2. Is legalizing encampments a valuable goal for legislatures to pursue, or is it too much of a short-term solution to the issue of homelessness? While encampments may provide a slightly better alternative to sleeping on the street, they also often bring disadvantages and unsanitary living conditions such as living without running water, electricity, toilets, sewage and trash removal systems. In other words, is one of the cons of legalizing encampments that they are not a long-term solution? 3. Are there some effective ways that a homeless person can transition to y from encampment to stable housing? 4. What can we learn from on how international laws deal with encampments? |

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| 11/12 | 3:17 PM | 3:27 PM | Santarelli, Jacob A | The Recriminalization of Homelessness | <p>In this paper I will analyze the history of criminalization as well as the reasoning behind this policy. Then I will examine recent developments in pursuing decriminalization and the consequences of this policy change. Finally, I will delve into the retrenchment movements that are reversing the decriminalization course and provide examples of potential solutions to continue the push for decriminalization.</p> |
| | | | | Questions | <ol style="list-style-type: none"> 1. Have you noticed any similarities or shared trends between prior attempts at criminalizing homelessness and the current retrenchment movements that are attempting to reverse the decriminalization course? 2. What state has the least amount of homeless people per capita? What is their general criminalization policy, and is it feasible to legislate that policy federally? 3. What was the single most important event/incident/habits that shifted the Floridian public and politicians' energy to recriminalization? 4. What evidence have cities offered to justify their reversing decriminalization policies? |
| 11/12 | 3:28 PM | 3:38 PM | Teixeira, Gabby B | Locked out of Housing: Gaps in Miami-Dade County for the Formerly Incarcerated | <p>When formerly incarcerated persons leave prison homeless and jobless with nothing but maybe a few dollars in their hands, it is unsurprising that survival crimes such as theft, trespassing, and loitering result in their return to prison. As of 2017, nearly one out of every four released inmates in Florida returned to prison. In a report released just two months ago, if every state in the U.S. was a country, at the global scale, Florida ranks in thirteenth place as the state with the highest incarceration rate per 100,000 people (when compared to all countries with at least a population of over 500,000). For reasons this Note will cover, including criminalizing acts homeless persons often resort to such as sleeping on a park bench, formerly incarcerated persons are nearly ten times more likely than the general population to become homeless. In another recent study of current inmates across the country, access to affordable housing was one of the most popular responses when asked, "What services or programs would have helped to keep you from committing the crime(s) that led to your incarceration?". This "revolving door of incarceration", also known as recidivism, demonstrates the crucial role stable housing plays in reducing recidivism. Given this positive correlation between homelessness and high recidivism rates, more needs to be done to address equitable access to housing. Approaches will require a close look at systemic obstacles including but not limited to housing shortages, landlords who discriminate against those with prior criminal convictions, and opportunities for housing assistance while in prison.</p> <p>By relying on primary sources such as constitutions, case law, and statutes, this Note will cover the government's role in providing access to rental housing, with a focus on Miami-Dade County. Then, relying on secondary sources, this Note will explore the many challenges to accessing the housing rental market before finally providing recommendations to address the housing crisis with specific attention devoted to formerly incarcerated persons.</p> |

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| | | | | Questions | <p>1. The average rent for a 1-bedroom apartment in Miami is currently close to \$2000 a month. Even slashing the price in half would be unaffordable for most working a minimum wage job. This seems to be a tremendous barrier to affordable housing in Miami particularly because the minimum wage in Florida is still \$10/hour. Throughout your research, does there seem to be a workable solution to address this clear discrepancy between rental prices and wages in Miami-Dade county?</p> <p>2. I find it interesting the point made about Landlords discriminating against homeless individuals with a prior conviction. Do you think Landlords should be incentivized or forced to rent their property to such individuals and how would recommend it to be resolved? Do you think that Homeless people should be considered a protected class, if so what is the likelihood of that possibility?</p> <p>3. I was wondering if your paper will look at the effects of incarceration on homelessness and the effects of homelessness on recidivism through a prison abolition lens?</p> |
| 11/12 | 3:39 PM | 3:49 PM | Faria,Arthur Ituassu | Right to Civil Counsel for the Homeless | <p>My paper will take a magnifying glass to the existing legal resources available for low income and homeless individuals. I will explore how the status-quo prevents or creates an undue burden on low income and homeless to exercise their rights under the constitution. I will explore alternatives to the existing system, revisit the historical background of a right to a criminal attorney and compare the similarities to why a civil right to counsel has same necessities if not greater. I will then argue for why the proposed alternatives prove to be better systems than the status-quo and how these can be installed in a government that guarantees a low-income or homeless person the right to civil counsel.</p> |
| | | | | Questions | <p>1. What are the proposed alternatives to the current right to counsel status quo and how many do you plan to address in your paper? What is the biggest issue with the current system that these alternatives seek to address?</p> <p>2. Do you know if homeless people ever bring civil cases against other homeless people?</p> <p>3. Do any jurisdictions in the U.S. currently have some sort of right to counsel for eviction proceedings? I've heard talk from housing advocates about it but am not sure if it's been instituted anywhere yet. If not, are there comparative examples from other countries we could pull from that have this type of civil protection?</p> |