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**Thank you to State Senators Katie Muth and Nikil Saval, State Representative Ismail Smith-Wade-El, and their staff for organizing this hearing today.**

My name is Dr. Jennifer M. Frank. I am a lifelong resident of Lancaster County. I graduated from Millersville University with my BASW and MSW and worked for over a decade in Lancaster's homelessness services system. I earned my PhD from Bryn Mawr College. My dissertation was [an historical case study about system building in homelessness services](#) (Frank, 2017).

I have been employed at the Millersville University School of Social Work since 2010 and I am currently an Associate Professor of Social Work. I developed a graduate course on homelessness which was highlighted by the [National Center for Excellence in Homeless Services](#). In 2022, I led a research team in the publication of a community-based research report on our findings from a study of unsheltered homelessness in Lancaster City called: [People & Places: Unsheltered Homelessness and the Use of Public Space in Binns Park](#) (Frank, et al., 2023). Since then, we have worked with grassroots advocates to continue to voice concerns and emphasize the need to address unsheltered homelessness in ways that prioritize the needs of the most vulnerable people without a place to sleep. In March of 2024, I was invited to be a signatory on [an amicus brief signed by 57 social scientists with published research on homelessness](#), which was highly cited in the dissenting opinion written by Associate Justice Sotomayor.

### **The Homelessness Problem**

On any given night in the United States over 650K individuals are homeless by HUD's restrictive definition. In 2023, that was 653,104 individuals (a 12% increase from 2022). Of these, 39% or 256,610 were unsheltered (Soucy et al., 2024). [In Lancaster County in 2024, 597 people were homeless on a given night which was an increase of 13.5% from the year prior. 122 individuals were unsheltered, having to sleep in cars, streets, and sidewalks.](#)

**Homelessness is a result of failed economic and social policy.** The emergence, persistence, and growth of homelessness demonstrates the extent to which society is not meeting the needs of all, particularly our lowest income neighbors.

This summer, Lancaster County spent \$107K for a 3-foot-high fence (under the guise of election security) to effectively push homeless people out from under a protective ledge outside a

prominent county office building. Most recently, emboldened by the US Supreme Court's Grants Pass decision, city police have dispersed unsheltered people from all of the city parks, making it more difficult for them to connect with each other, find resources, and consult with outreach workers.

## **The Grants Pass Decision**

The Grants Pass decision allows for the criminalization of homelessness of various kinds including denying sleep, dispersing encampments, and creating additional housing barriers. It is cruel and unusual punishment.

### **1. Denying Sleep is Torture.**

The Grants Pass decision allows for this criminalization of homelessness even when no shelter beds are available by punishing the act of "camping" in public. The word camping is used here to suggest that this is about a behavior that applies equally to everyone and isn't about criminalizing homelessness. This is not true. The ruling targets homeless people directly because when there are no shelter beds "practically" available, they have nowhere to lie down and sleep.

Sleeping is not so much a behavior as it is a biological necessity. Sleep deprivation is a form of torture. Anti-homelessness laws like this require individuals to be constantly on the move as to not stay in one place for too long or to fall asleep. A homeless man that I spoke to a few weeks ago noted that he basically walks around all night long so that he can avoid getting a citation or being arrested. Chronic lack of sleep has serious health ramifications and prolonged sleep deprivation can exacerbate mental illness (making it even harder to house someone).

### **2. Dispersing of Encampments Causes Harm.**

Dispersing encampments does nothing to solve the problem of homelessness, in fact, it worsens the problem. Sweeps displace communities, disconnect individuals from their support systems (both formal and informal), separate people from their property, and increase their risk of mortality.

According to the National Health Care for the Homeless (2022), "homelessness sweeps...threaten unhoused people's health, wellbeing, and connections to care; compromise personal safety and civic trust; and undermine paths to housing and financial stability." Dispersing of encampments makes it much harder to access medical care, as medical outreach teams have a harder time with continuity of care (and finding people). One study found that involuntary displacement could increase deaths among unsheltered people by 15-24% over a 10-year period (Barocas et al., 2023).

During encampment sweeps, police throw away items that people need to survive such as tents, bedding, clothing, medication, medical equipment or devices (like walkers), and personal

documentation., like ID cards. These belongings may represent the totality of what someone owned. The clearing of encampments is traumatizing and can exacerbate existing mental health concerns.

The only thing displacement and criminalization is successful at is ensuring that the housed neighbors do not see the destitution of their non-housed neighbors. It creates a façade that all is well when in reality that “cleaned up block” might be costing someone their life.

### **3. Fines & Jail Create Additional Barriers.**

Under the Grants Pass decision, people can be fined and jailed for “camping” in public. When homelessness is criminalized like this, unsheltered individuals are burdened by fines, arrests, jail time & criminal records. These are barriers to housing, social services and employment (National Homeless Law Center, 2023).

Incarceration is hard for anyone. For the homeless population, incarceration will add insult to injury as they are already living so vulnerably. Criminal records, fines, and increased disconnection from social networks and resources will not end homelessness. Many landlords will not rent to people and employers will not hire people with a criminal record, so fines and incarceration due to their homelessness sets them up for additional challenges with both housing and employment.

Homeless people do not have money to pay for housing that they can afford, making the hardship of additional fines a new version of debtors’ prison from colonial times. Unpaid fines negatively affect credit, and in some cases, unpaid fines lead to warrants which can further disqualify people for public housing, section 8, or other social service programs. Criminal sanctions do nothing to solve homelessness; they only worsen and prolong it.

### **4. Criminalization of Homelessness is Cruel & Unusual Punishment.**

The Grants Pass decision claims that the criminalization of homelessness is not cruel and unusual punishment. This is not correct. The criminalization of homelessness most certainly is cruel and unusual punishment. The Grants Pass decision disproportionately affects unsheltered homeless people and targets them as an identity group, tortures them by keeping them on the move disallowing needed sleep, traumatizes them by disconnecting them from their support systems and belongings, extends episodes of homelessness, creates additional barriers to securing housing & employment, and increases their already high risk of mortality. This is both cruel and unusual.

## **Policy Solutions**

There are things that can be done to help support unhoused neighbors, to help them into housing, and help prevent homelessness. However, nothing can be done if the political will is not there to address this. Unsheltered homelessness demonstrates a collective lack of empathy

because where we spend our money reveals what we care about. **To solve homelessness, we need to change the societal conditions that generate homelessness in the first place.**

Unsheltered homelessness is a housing affordability problem. Wages have not even come close to keep pace with housing. Skyrocketing housing costs, spurred by gentrification and private equity firms, have exacerbated a growing problem. Housing must be recast as a human right and not a get rich quick scheme. Peoples' lives are at stake here.

- Keep People Housed & Prevent Evictions
- Provide Adequate Emergency Services
- Make Housing Possible
- Make Work Pay

### **1. Keep People Housed & Fund Eviction Prevention.**

We need to eliminate unnecessary evictions and provide targeted rental assistance to prevent homelessness.

Some funders used to say years ago that it was not possible to predict who would become homeless. However, this is incorrect. There are plenty of studies and models that can demonstrate what combination of risk factors makes homelessness more likely. Preventing an eviction is so important. Preventing eviction saves families the trauma of homelessness and is more cost-effective in the short and long-term. We should fund temporary subsidies for those at risk of eviction, households experiencing a job loss, or a family setback.

### **2. Provide Adequate Emergency Resources.**

We need to adequately fund and provide low-barrier emergency temporary shelter. In Lancaster, we just lost 80 low barrier shelter beds leaving people with fewer options of where to get shelter. The shelters that do exist often have many barriers and requirements which do not allow them to meet the needs of all our unhoused neighbors. It is expensive and challenging to operate low-barrier shelter (and it is desperately needed). Because it is expensive and challenging to operate low barrier shelters, we need state and local officials to allocate adequate funds to organizations who will operate such facilities.

We need day shelters where people can go during the day. If there were emergency shelter beds, as in most cities, people usually can't be there during the day anyway.

The community needs to explore and consider safe temporary encampments and safe parking lots (McElwain et al., 2021; Weare, n.d.).<sup>i</sup> These models have worked elsewhere. People need somewhere to BE where they can be safe.

### **3. Make Housing Possible for All.**

- **Increase Funding for Housing Vouchers.**

Housing vouchers make market rate housing affordable to people as they pay 30% of their income toward housing. We need many many, many, more vouchers for low-income families. There is a plethora of evidence that “deep open-ended housing subsidies prevent poor families from becoming homeless” (Wood, Turnahm, & Mills, 2008).

We need to increase efforts to target subsidies to those who need them the most: Homeless households and extremely low-income households (e.g. below 15% of poverty, etc.). One alternative would be offering housing vouchers to all very poor households which would avoid the pitfall of encouraging families to enter shelter to access a housing voucher.

- **Increase Permanent Housing Options for the Poorest Renters.**

In the 1970s, under the guise of urban renewal, many Single Room Occupancy units were eliminated. This policy decision helped fuel the massive introduction of “modern homelessness” in the 1980s. SROs provided poor renters with a small personal space and shared amenities. We need to convert empty, unused, or underutilized buildings and hotels into SRO units.

We need to increase other opportunities for low-income housing for the poorest households. We talk a lot about affordable housing which is good, but we need to talk about very low-income housing for the poorest renters.

We need a variety of housing options, including temporary and short-term housing at very low cost, to meet the needs of all neighbors, not just those with money. <sup>ii</sup>

Expanding housing options for low-income households might require overturning exclusionary zoning policies to allow for higher density housing. Make inclusionary zoning mandatory or provide additional incentives. <sup>iii</sup>

#### **4. Make Work Pay.**

- **We need to Increase Wages.**

We need to increase minimum wage. Right now, a person would need to work 173 hours per week @ \$7.25/hour to afford a 1-bedroom apartment in Lancaster County.

We should consider Implementing a Universal Basic Income or Negative Income Tax. Everyone needs to have a bottom line of basic needs being met. Providing a universal basic income has repeatedly worked in various places (Hasdell, 2020).

We need to eliminate tipping culture and pay fair wages. We must reframe this and stop subsidizing corporations who do not pay fair wages and instead rely on the social safety net for provision of benefits, such as Medicaid & SNAP, to meet the needs of their workers.

- **Hold the Private Sector More Accountable.**

Economic gains through increased productivity have not filtered down to the worker. Worker power needs to be strengthened through the support of unions and collective bargaining. Incentives could be given to private sector corporations whose workers are organized. Laws need to be passed to ensure that workers are not intimidated or otherwise disenfranchised from organizing.

Workers need a bigger share of corporations' profits. Increases in worker productivity have not led to an increased workers' share of those profits. Make profit sharing mandatory or provide tax credits to organizations who do so.

- **Strengthen the Social Safety Net.**

The Earned Income Tax Credit (EITC) is effective and has appeal to both democrats and republicans, as it incentivizes work & filing your taxes. We should increase state contributions to the EITC and expand this program. We should consider ways to give folks access to their EITC during the year as opposed to just at tax time.

We should increase SNAP benefits and other resources such as childcare subsidies to free up other income for housing and housing related costs. We need to expand the social safety net.

### **Conclusion**

Criminalizing homelessness gives political officials and the greater population the wrong idea about what homelessness is even about. The reality is that homelessness can happen to anyone giving the right mix of unfortunate events. In the end, the persistence of unsheltered homelessness is a policy choice and the ways in which we treat our unhoused neighbors is as well.

The criminalization of homelessness provided for by the Grants Pass Decision worsens the homelessness problem, traumatizes those experiencing homelessness, extends bouts of homelessness, and increases the risk of mortality.

**To solve homelessness, we need to change the societal conditions that generate homelessness in the first place.**

None of these policy ideas are new or revolutionary. We need the political will to make policy decisions that are informed by empathy and a true understanding of the issues.

## What other countries have done:

**Answer: Housing First & Financial investments in housing for the poorest renters.**

**Germany:** Federal investments in “social housing.” According to their National Action Plan to Overcome Homelessness (2024) the federal government is providing states with over 14 billion euros between 2022 and 2026 (National Strategies, 2024; 2022).

The goal of the current national strategy “Everyone needs a safe home” (2021–2024) is to help more disadvantaged people obtain a secure and adequate home.

**Norway:** Both national and municipal authorities have shown a willingness to prioritize homeless people and other disadvantaged groups in the housing market.

- **Shared Responsibility Between Sectors:** In Norway, responsibility for homeless people is shared between many sectors, including social services (including housing), child welfare services, correctional services, and health care services. When responsibility is shared between many sectors, their ability to cooperate is vital, which is something that has been stressed by the national strategies. Homeless people are often suffering from multiple complex problems, which means they need help from several services. If there is good coordination between those services, efforts to combat homelessness are more likely to succeed.
- **Prevent Homelessness:** The strategic projects have had other target groups as well as homeless people. That helps to prevent homelessness and thus combat homelessness over the longer term. It also allows bigger and more robust projects, which is important in a country with relatively few homeless people.

**Finland:** Huge investments in welfare housing.

- For decades, Finland has been investing in the construction, maintenance and purchase of welfare housing.
- In recent years, more than 8,000 apartments have been created for the homeless, with the end of homelessness being a shared goal of all governments on both the left and the right. In the capital city alone, the number of people living without a roof over their heads fell by 40 percent from 2019 to 2022 (Spiegel International, 2024).

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### **Safe Encampments & Placement**

King County (Seattle) has a framework for doing this:

- Outreach
- Building a By Name List
- Site Stabilization
- Matching with Housing

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<https://kcrha.org/news-moving-inside-state-encampment-resolution-initiative-at-work-in-king-county/>

### **National Healthcare for the Homeless**

#### HELPS Framework

- House People: but don't force people into shelters (shelters are not housing)
- Earn Trust: involve encampment residents in all decisions
- Limit Police
- Prevent Sweeps
- Support Service Interventions

<sup>ii</sup> Too many basic needs in the US are hooked in with ability to pay (as housing is seen by many as a lucrative investment idea) and that says more about our moral and economic failure than it does about people who are the victims of this greed.

<sup>iii</sup> <https://inclusionaryhousing.org/inclusionary-housing-explained/what-problems-does-iz-address/>