

# Baker administration accused of denying shelter to homeless mothers



PAT GREENHOUSE/GLOBE STAFF

**Massachusetts Governor Charlie Baker.**

By **Joshua Miller** | GLOBE STAFF DECEMBER 15, 2016

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Governor Charlie Baker's longstanding push to end the practice of putting homeless families in motels at state expense has resulted in Massachusetts illegally denying shelter to the Commonwealth's most vulnerable, a lawsuit from five mothers struggling with homelessness alleges.

Homeless <sup>Comments</sup> parents and children who are legally entitled to immediate accommodations are turned away because shelters are full and the state has stopped using motels as housing of last resort, the lawsuit says. As a result, the suit says, children end up sleeping in places not meant for human habitation, such as emergency rooms.

Implicit in the legal action is a more pernicious allegation, one the administration strongly denies: That in service to a pledge made during Baker's political campaign, the state is hurting residents who most need help.

“By not immediately placing families who are eligible or who appear to be eligible,” the suit alleges, the state “is seeking unlawfully to reduce the demand for shelter placements, which in turn enables the agency to assert that there is no longer a need for motel placements.”

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The Baker administration rejected the premise of the lawsuit and strongly defended its record.

## **Read the lawsuit against the Baker administration over its homeless policy**

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“The administration is proud of its record rehousing and resheltering thousands of homeless children, reducing the number of families sheltered in motel rooms from 1,500 to under 160,” Paul McMorrow, a spokesman for the Department of Housing and Community Development, said Thursday.

“Massachusetts is the only state in the nation that offers homeless children a right to shelter, and DHCD has consistently upheld that right, and acted in compliance with the law, while substantially reducing the state’s reliance on motel shelters,” he said in an e-mail.

Massachusetts is the country’s sole right-to-shelter state. That means when eligible families — those whose incomes are close to or below the federal poverty level — can show they are homeless because of domestic violence, natural disaster, no-fault eviction, or substantial health and safety risks, the state is mandated to provide housing. That can take the form of a room in a shelter or, if there aren’t any left, a hotel or motel.

During his 2014 campaign for governor, Baker decried the use of such accommodations as a “human tragedy,” and said he would work to end the practice. Visiting homeless people on Christmas Eve that year with Cardinal Sean P. O’Malley, the Republican promised to get the number of families in hotels and motels “down to zero before the end of our four years.”

Advocates for the homeless, policy makers of both parties, and the Baker administration broadly concur that hotels and motels are often a dreadfully inadequate option for housing families. That type of lodging frequently separates them from the social support of relatives and friends, familiar schools, a clean place for children to play, easy access to public transportation, and kitchen equipment such as a refrigerator and stove.

But some advocates say the administration has been too aggressive in reducing motel use.

“Everybody agrees that it would be good to ensure that homeless families are in better placements than motels. But what’s happening is that they end up in places that are *worse* — not in shelter at all, or in far-flung places where their lives are further disrupted,” said Ruth A. Bourquin, one of the Greater Boston Legal Services lawyers who filed the suit.

“It’s just getting to a real crisis point,” she said.

Asked if state data could back up that claim, Bourquin said numbers would not capture the limbo into which the administration is putting families — neither approving nor denying their applications, but making them wait for days or weeks while they struggle to find a safe place to sleep.

As of Wednesday night, 157 homeless families were in motels and hotels, and 3,468 homeless families were in shelters at state expense, according to data from the state housing office. When Baker took office in January 2015, there were 1,500 families in motels and hotels.

Sept. 21 was the last time a family was placed by the state in a motel, the data show.

Philip Mangano, a longtime advocate for the homeless who worked for the administrations of George W. Bush and President Obama, lauded the Baker administration.

He said Baker’s “reducing the number of families in the inhumane conditions that are often found in welfare hotels — that’s a worthy effort that they’ve made in just two years.”

Mangano cautioned, “If in the zeal to reduce the numbers, they’ve postponed access a bit, that should be looked into.”

But he said sometimes in postponing placing a family in a motel, families find a better place to stay. “And the difficulty with those welfare hotels, they isolate the mom and the children from schools and social connectedness. And when you’re

isolated in that way, your length of time in homelessness is likely to increase — all the data shows that.”

Kelly Turley of the Massachusetts Coalition for the Homeless, said the families who brought the suit represent “a larger cohort of families across the Commonwealth that are struggling to survive in the current housing market, and have no safe place to go with their children.”

She said her group hopes the suit can be settled quickly “in a way that demonstrates greater responsiveness to the critical and intertwined housing, medical, education, and support needs of families who are experiencing homelessness.”

Over the past two years, Baker administration officials have repeatedly said they are trying to improve the system so more families get help before they become homeless. And the administration has ramped up a program that provides up to \$8,000 to help pay for rent, utilities, and other expenses so families can stay in their homes, or defray the costs of staying with a friend or relative. (That program is just for families who are eligible for emergency housing.)

The administration has also increased funding for a rental voucher program.

But the lawsuit paints a darker picture of a less caring government and seeks to compel action with individual stories.

Rosanna Garcia, a homeless mother, is one of the plaintiffs. She applied for emergency shelter on Dec. 6 and presented documentation of her eligibility, but was not given a place for her family to stay, the lawsuit says. Instead, the state contacted Garcia’s mother, who lives in public housing, and convinced her to take in her daughter and daughter’s children, even though doing so put her tenancy at risk. Further, the suit alleges Garcia and her children had to sleep on the floor.

The Suffolk Superior Court suit, filed by Greater Boston Legal Services, seeks to be certified as a class action, representing all families in the state’s emergency shelter

It also contends that when the administration does provide shelter for families, the housing sometimes does not meet legal standards for being close to their hometowns and schools, or accommodating their disabilities.

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