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Why more Portland homeless people are being barred from the city's shelter

Brandon Long, 26, a … by R. Bennett | BDN

By **Nick Schroeder**, BDN Staff
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PORTLAND, Maine — Brandon Long, a 26-year-old man living in Portland without a home, isn't allowed to sleep at Oxford Street Shelter until March, when most of the winter is behind him.

The reason? Long was temporarily banned for an assault violation inside the city-operated shelter eight months ago.

As he tells it, Long was sitting inside after a morning shoveling snow, when he nodded off and sensed a hand near his legs. He sprung awake, worried that someone was stealing his belongings — a common concern at the 154-bed shelter. He grabbed the arm that was encroaching on his area.

That arm belonged to his wife, Beth Langley, also homeless. Long had let a half-smoked cigarette drop from his fingertips, and Langley reached to pick it up, which gave Long a sense that he was being robbed. In the confusion, shelter officials cited him for assaulting another guest, according to both their accounts.

"The supervisors wouldn't even hear our side of it," Long said. "They took us right off the property."

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George Cyr, originally from Lewiston, stands outside the Oxford Street Shelter in Portland on Thursday, where he is no longer welcome. Cyr was issued a criminal trespass order last year and is now sleeping under a bridge with only what he can carry in his backpack. He was given the order after shouting a homophobic slur at someone who cut him off in line for a bed at the shelter. "I haven't been back there since," Cyr said. "I could have handled that a little bit better." Cyr believes a reported jump in the number of criminal trespass orders at the shelter is intentional. "They're trying to get the number down so it matches the new shelter," he said.

So far in 2019, Oxford Street has issued 126 criminal trespass orders to people at the shelter — 96 of them involving violence or threats. Those types of citations are up 50 percent from last year, according to **city data**.

City officials said they're trying to keep people safe, but social service professionals who work closely with the homeless are alarmed that Oxford Street's punitive measures are denying people shelter and pushing them back into the streets.

"It's not fair, what they do with us. It's inhumane and discriminatory," Langley said. "If you left your pet dog outside in four-below-zero, you'd be charged with neglect of an animal. Last I knew, we were part of the animal kingdom."

Reports say the number of people sleeping at Oxford Street Shelter, the low-barrier shelter in Bayside that provides temporary housing to single adults, has declined over the past year. But that tally excludes the mounting number of people who've been barred because of CTO citations.

"The numbers in the shelters are going down in part because the numbers of unsheltered are going up," said Donna Yellen, a director for Preble Street, a nonprofit social service organization two blocks away from Oxford Street.

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"I hope my family doesn't see this," said Beth Langley, as she sat next to Brandon Long on a sidewalk in Portland last Wednesday. "Then again, maybe they should." Both have been unable to stay in the city's Oxford Street Shelter since late last winter when Long was issued a criminal trespass order and Langley was placed on restriction after separate altercations.

City officials, including City Manager Jon Jennings, attribute the spike of CTOs to a rise in aggressive behavior at the shelter — physical and verbal — related to an "explosion in meth use" in Portland. Cumberland County District Attorney Jonathan Sahrbeck also said that methamphetamine use is on the rise since January, much of it shipped in from outside the city.

Kristen Dow, the city's director of health and human services, says that more people are avoiding the shelter in part because conditions and aggressive behavior at Oxford Street make them feel unsafe.

The BDN couldn't access incident reports at the shelter. A spokesperson for the Portland Police Department said that while CTOs issued by police are public record, the city changed its policy a few years ago to keep the records in-house.

But Portland Police Chief Frank Clark said citations are often issued at the Oxford Street shelter to quell altercations that have the "potential of boiling over and turning into criminal activity."

"It's 'I'm-going-to-kill-you' type stuff," he said.

What are criminal trespass orders?

CTOs are issued by support from police when a client at the shelter behaves in a manner deemed "risky." What constitutes as criminal trespassing is at the discretion of the shelter or service provider. At other shelters in town, CTOs can be in effect for a few weeks or up to six months, and can be reversed with appropriate treatment or counsel.

Jake Bleiberg | BDN

The Oxford Street shelter in 2017. The Health and Human Services Committee of Portland City Council opted to delay a vote whether to recommend a cap of beds at the shelter until after Election Day.

The stakes of receiving a criminal trespass order at Oxford Street are considerably higher. The 365-day restriction spans a full winter and applies to the overnight shelter at 203 Oxford St. as well as the emergency overflow at Preble Street Resource Center and elsewhere.

People who are struggling for basic needs, such as those staying in shelter spaces, are more prone to altercations, social service professionals say. Stress levels are high, theft is common and curfews can be strict.

According to Long, there's also a type of social currency in not "appearing weak." Long said that a friend of his was cited recently for "standing up for himself when someone made fun of him."

"He's just a little guy," Long said. "They restricted him immediately."

City officials said that Oxford Street employs a "progressive discipline approach" before issuing an offense. Attendants will often defuse a situation by telling a client to go for a walk, but that's often the extent of mediation tactics.

"We'd typically ask someone to leave and/or turn over their needles or alcohol," the city's social service administrator Aaron Geyer said. "Then they'd come back without them. If it escalated from there, it could escalate to a CT."

Oxford Street does not employ mental health professionals, and overnight attendants — many of whom are immigrants in precarious financial and housing circumstances themselves — are not trained in de-escalation.

The risks of going without shelter

The number of Portland's homeless population currently restricted from Oxford Street may exceed those who sleep at the shelter on any given night.

Ashish Shrestha, a Portland resident who works closely with homeless populations in conjunction with nonprofit organizations, said that his outreach team told him that 172 CTOs from the shelter at an October City Council meeting.

The city denied that figure in a comment to the BDN in late October but did not give a precise number.

Multiple case workers also report that some people have expired CTOs, but are afraid to get them again under the shelter's quick trigger. So many of those people are back on the streets.

"A lot of people said they don't want to risk getting cited again before the winter comes," Shrestha said, adding that sleeping outside carries increased risks of violence and sexual assault for women, transgender people and people of color.

The city has plans

The city wants to build a new shelter and acknowledges that capacity and resources at Oxford Street is limited. The City Council has recommended that Oxford Street reduce the number of clients seeking services at the shelter, some advocating for a hard cap, an idea which won't be revisited until after Election Day.

The city has appeared to meet that directive. In September 2018, an average of 201 people stayed overnight at Oxford Street. Last month, the average was 155. The total is nowadays often low enough that the shelter has not had to make use of its 75-bed overflow at Preble Street Resource Center.

Jennings denied that the city is manipulating the perception of need for a new shelter and suggested that nonprofit organizations critical of city policy might consider building their own overnight shelter.

"I'm tired of this conversation with nonprofits that pontificate from on high but really don't do anything," Jennings said. "Every time you raise all of these objections, you're slowing the process down."

Social service providers turn attention to the street

The Long-Term Stayers Initiative is a collaborative of 15 governmental, nonprofit, housing and service providers. Since its inception in 2014, the group's focus has been to find housing for those considered chronically homeless, defined as people who request shelter for more than 180 days a year.

Because of new urgency related to criminal trespass orders, the Long-Term Stayers Initiative decided to pivot its focus toward the area's unsheltered, such as Long and Langley. Pulling from collective knowledge of the area's homeless population, the group has begun making a list of individuals so they can better track who is going unsheltered.

"It's important for shelters to be as low barrier as possible to effectively serve homeless populations," said Cullen Ryan of Community Housing of Maine, who has chaired the Long-Term Stayers Initiative since it was born out of the city Emergency Shelter Assessment Committee in 2014. Ryan said that he has not seen an increase in violence among Portland's homeless community.

Ryan's team uses a "housing first" approach to addressing homelessness, which rests on a principle that people have an easier time fighting the obstacles that contribute to homelessness after they've found stable housing, not beforehand. That work is considerably harder without access to temporary shelter.

"We don't know where they are, they move a lot and sometimes they don't want to be found," Ryan said. "It's really hard to knock on the door of an encampment."

More people sleeping outside can also strain other organizations and city services — such as police officers tasked with finding people shelter or charging them with violations for eating, sleeping, or using the bathroom in public. Some of them go on to stay with someone who has recently accessed housing, and will "sabotage that person's housing," undoing efforts by service providers, according to Ryan.

Shelter restrictions are another obstacle to people who are trying to find a stable income, often a gateway out of homelessness. Long said that he found employment as a dishwasher and prep cook at a popular downtown restaurant. But a restriction from the shelter compromised his ability to eat, shower and sleep regularly. What might have been steady work and a reliable paycheck — even a meager one — was too difficult to maintain.

"He went back to work but he's been sick so his hours got cut," Langley said. "You tend to stay awake all night out here."

BDN staff photojournalist Troy R. Bennett contributed reporting to this article.

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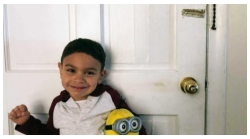

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