

New law is aimed at easing burden of homelessness on Portland

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A new law may help homeless Mainers get public assistance in their hometowns rather than being forced to go to Portland and other communities that operate emergency shelters.

The law sets a broad new definition of homelessness and declares it an emergency at any time of year, changes that supporters hope will lead to more General Assistance support being available in communities around the state.

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“There are a lot of people coming here because they could not get help in their own community,” said state Sen. Ben Chipman, D-Portland, who sponsored the legislation. Chipman said he expects the law will have “measurable impact” on Portland’s shelters, which are overflowing.

In the past, ambiguities have allowed some municipalities to deny public assistance to residents during the summer or if they were sleeping in a tent or on someone’s couch, Chipman said.

But the impact on Portland is not certain. The head of the Maine Welfare Directors Association expects little to change because many small towns in Maine lack housing or hotels to shelter people even if those people qualify for General Assistance.

Mills signed the law, An Act To Include Homelessness in the Laws Governing Emergency General Assistance, late last week. The fiscal note says there would not be a significant impact on the state budget, which Chipman said is because the law will change only which community provides the assistance, and not expand eligibility or benefits.

It defines homelessness as meeting at least one of six criteria, including living in a place that is not fit for human habitation or in temporary housing such as a hotel or campground. It also includes people leaving a hospital or institution, someone fleeing violence or someone lacking the resources to remain in a primary nighttime residence.

The law also says that a person experiencing or facing homelessness is in a state of emergency, broadening the eligibility standards for General Assistance.

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It comes as Portland's shelters are overflowing and elected officials in Portland are reviewing the city's policy of sheltering anyone in need, whether they come from Portland or elsewhere. It also comes as the city has begun designing a new emergency shelter with as many as 150 beds in the Riverton neighborhood.

Advocates for the homeless are worried that the proposed capacity of the new shelter will be too small, given that the city routinely exceeds 200 people at the Oxford Street Shelter and overflow space. City officials are hoping community partnerships for housing and specialty shelters, and other potential policy changes, will reduce the demand.

Chipman said the legislation should help the situation by easing pressure on shelters such as those in Portland, Brunswick, Waterville and Bangor. "It should reduce the number of people in our shelter and save Portland some money," Chipman said.

Although the city lobbied for the legislation, Portland City Hall Communications Director Jessica Grondin said in an email that city staff have not had time to study how it will affect demand for services in Portland. The Portland City Council's Health & Human Services and Public Safety Committee last week asked city staff to look into the law's impact on Portland.

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Rindy Fogler, Bangor's General Assistance manager and president of the Maine Welfare Directors Association, does not believe the bill will have a big impact on service center communities such as hers. That's because many small towns do not have housing or motels to shelter people who lose their homes or apartments.

"In actuality, I'm not sure it's going to change existing practices a whole lot," Fogler said. "I think the smaller communities in some cases are still going to refer their folks to a homeless shelter. And you can't stop folks from going where they want to go."

However, if municipalities do have housing or motels in their communities, they are obligated to provide shelter for their own residents. "If a community has the resources available to help someone in an emergency, they absolutely should be held accountable for doing that," she said.

Fogler said the bill was endorsed by her association, but only after Portland officials said they would not try to collect money from other municipalities when people come to the shelter without first asking for help in their home communities. Portland's unsuccessful attempt to send bills to surrounding communities for shelter expenses created "much discontent" among the group, she said.

"Once they gave their word they were no longer going to bill other communities, the Welfare Directors Association was fine with supporting the bill," Fogler said. "That's the rub. I understand the frustration that the outlying communities aren't pulling their weight with regards to General Assistance."

Between fiscal 2014 and 2018, 36 percent of the 7,974 single men and women who checked into Portland's Oxford Street Shelter said they previously lived in another Maine town or city, according to city data. Over that same period, 30 percent of those intakes were people who reported their prior residence as Portland; 27 percent who reported their prior residence as another state; and 9 percent reported their prior residence as another country.

General Assistance is a safety net program that provides vouchers for shelter, utilities, food, medicine and other necessities. The costs are shared between the state and municipalities, with the state reimbursing municipalities 70 percent of their expenses. In fiscal 2018, Portland expected to spend \$6.4 million on General Assistance, including \$5.5 million on client expenses, for which it was reimbursed about \$3.8 million.

Several groups, including the nonprofit social services agency Preble Street and the Maine Association of Criminal Defense Lawyers, Maine Equal Justice Partners and the Community Housing of Maine, testified in support of the bill in April.

Tina Heather Nadeau, executive director of the lawyer's group, said she was appreciative of the broad definition of homelessness. She said that people often encounter the criminal justice system after they end up on the streets

"If we deprive people of the support they need to restabilize, our jails will continue to be filled with people who are trapped in a cycle of poverty," Nadeau said. "We cannot arrest or incarcerate our way out of chronic homelessness. Incarceration is enormously expensive, as is emergency treatment."

But Fogler said the only way to truly stem the demand at homeless shelters is by creating affordable housing.

"There has to be a statewide approach to looking at affordable housing, rather than community by community, because it's such a big issue," she said.

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