

A Proposal for the Creation of a Tent City in Denver

“I will always be on the side of those who have nothing and who are not even allowed to enjoy the nothing they have in peace.”

Federico Garcia Lorca

Submitted by the Denver Tent City Initiative

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January 2004

THE DENVER TENT CITY INITIATIVE



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Executive Summary

The Denver Tent City Initiative is a coalition of homeless individuals, service-providers, university faculty and students, and concerned Denver residents who have come together to advocate for the creation of an orderly and safe “tent city” as part of a pragmatic and humane response to Denver’s growing homeless crisis. The coalition has researched the success of tent cities elsewhere, investigated the legality of a tent city, identified possible sites in Denver, and started outreach to build community and official support for the idea. A Tent City would provide a centralized, well-regulated space for a limited number of homeless individuals to live in a simple structures (e.g., tents, small domes, or mobile housing modules) that would provide shelter, dignified living, and privacy. The tent city would be coordinated by an association of residents, and would bring order, sanitation and safety to the chaotic situation of living furtively in the streets, back alleys, bushes and dumpsters.

Key Facts in Support of a Denver Tent City

- City Planning Documents reveal that Denver’s homeless population has grown from 1985 to 9725 in thirteen years, while available shelter beds have remained steady at 1000. Around 1000 residents sleep on the streets or in cars every night in Denver.
- National and local statistics show that Denver has some of the most expensive housing prices in the nation, average wages are not keeping pace with housing prices, and low-income housing stock has been cut in half in the last decade.
- Dozens of American cities have experimented with tent cities, some for over a decade.
- Even without official support, when Tent City residents have been charged with violating public “camping ordinances,” many judges have refused to punish the homeless, reasoning that sleeping in public (whether in a public Tent City or a furtive back alley) was necessary to survival in cities that have more homeless individuals than shelter beds.
- Tent Cities reduce crimes committed against the homeless, provide a centralized location for service delivery, provide sanitation and privacy, and allow self-help peer governance.
- A Tent City can operate with minimal space, and at very low-cost, needing only a very basic infrastructure of running water, waste disposal, and electricity.
- The Denver Tent City Initiative may be contacted at denvertentcity@yahoo.com or through Dallas Malerbi at 303.249.3996

RESOLUTION

Whereas, the number of homeless individuals in Denver has grown 390% in the last decade, rising from 1,985 in 1990 to 9,725 in 2003, even while the number of shelter beds (1000) has remained virtually constant since 1988;¹

Whereas, every morning there is a ritual that takes place in Denver; homeless men, women and children stream out of alleys, out from underneath bridges, cardboard or old blankets. We appear from rooftops, loading docks and steam vents. We crawl out from holes, drainage pipes, from behind dumpsters, from underneath bushes, out of doorways, abandoned cars, buildings or otherwise. Essentially, we come out of hiding;²

Whereas, for the second consecutive year, Colorado has been named one of the ten most expensive states in the nation for housing and the United States government has found that 40% of all Colorado families pay more than 30% of their income for housing, 70% of low-income Denver households pay more than 30% of their income for housing, and half of these households pay more than 50% of their income for housing;³

Whereas, the profound lack of safety when living on the streets exacerbates the related pathologies of victims of domestic violence, addiction disorders and mental illness endemic to many homeless;⁴

Whereas, the gap between worker earnings and local housing market prices is increasingly unbridgeable (in the last decade, most new Denver jobs were in the low-paying job sectors and median home prices in metro Denver increased three times faster than wages), leading the National Low Income Housing Coalition to conclude that Denver had the greatest disparity between rents and incomes of any metro area in the nation;⁵

Whereas, models of Tent Cities have helped successfully address the basic needs of the homeless in cities nationally as well as internationally;⁶

Whereas, when the homeless population of Denver was asked, “If there was a safe, legal organized place to camp outdoors, like a tent city, would you stay there?”, the response was an overwhelming yes;⁷

Whereas, a distinguished and broad coalition of community service providers, educators, businesses, residents and homeless have stepped forward to express support for the Denver Tent City Initiative;⁸

Whereas, Denver’s available rental units for persons earning less than 50% of area median income declined by 50% in the last decade;⁹

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Whereas, nearly 63% of Denver’s homeless are families and half of these are families with children, and about 40% are employed;

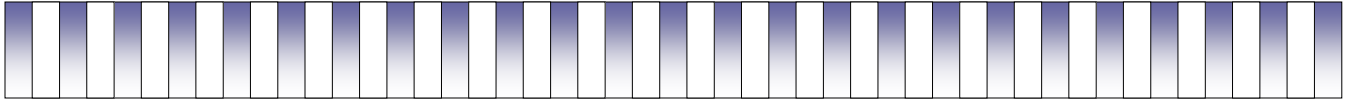
Whereas, 78 of the respondents to the Metro Denver Homeless Initiative’s 2003 point-in-time homeless survey reported spending the previous night in jail, at a taxpayer cost of \$70 per person, or \$5460 per day, total;¹⁰

Whereas, a growing number of Denver ordinances and official actions are making it illegal to be publicly homeless in the city (e.g., anti-panhandling ordinances, no-panhandling in the median ordinances, sweeping the homeless out of the Confluence Park and LoDo areas), resulting in a stigmatized, alienated, and criminalized population;¹¹

Whereas, the Universal Declaration of Human Rights declares that “everyone has a right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing...”; America’s 1949 Housing Act promises “a decent home and suitable living environment for every American Family”; and Denver’s 1999 Housing Plan asserts that “decent housing is a fundamental right”;¹²

*Now therefore, we are united in support of the **Denver Tent City Initiative**, which aims to create a space in Denver, out of necessity, where homeless individuals can find basic shelter that provides dignified living, a centralized place for homeless relief, and improved safety and sanitation for Denver residents. Furthermore, we wish to emphasize that a Tent City for Denver’s homeless is not the solution to abate homelessness but is a positive, pragmatic and essential component of the solution.*

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Denver Tent City Initiative History

As recently as the late 1990's, Denver had legalized tent camping, albeit only for a few weeks, as a respite from the real dangers of homelessness and living on the streets. In 1999 seven homeless persons were murdered in Denver (every year many homeless die untimely deaths from exposure and related conditions on Denver's streets) and through the collaborative efforts of a benevolent private and public sector, a camp was legalized in the Platte River Valley of Denver. This sanctioned Tent City offered a centralized location for community service providers and donors to offer various degrees of outreach for the homeless and provided safety of self and personal affects as well as a dignified sense of place or belonging.¹³ In addition to serving as a pragmatic community model for the homeless, the temporary Tent City in Denver of the late 90's also serves as a symbol of hope, self- determination and community for today's homeless.

In mid- 2003 a group of concerned citizens, comprised of Denver's homeless, educators, businesses, neighborhood activists and community service providers, began to meet in various locations, to address the gaps in services not provided to Denver's homeless. This effort would focus on the profound lack of legal, safe, affordable and independent-living space for Denver's homeless. Within months, standing on the shoulders of Denver's history of progressive business and political efforts to address urban problems like homelessness, this movement would swell in numbers and coalesce into the Denver Tent City Initiative (DTC).

Throughout the fall of 2003, the DTC Initiative hit the streets surveying the homeless in shelters, churches, meal-lines, parks, and anywhere they could be found, regarding the feasibility of a Tent City in Denver. Here is a sample of what some homeless had to say about the prospect of a Tent City in Denver as solicited through the Denver Tent City Feasibility Survey

DTC Homeless Survey Responses

In response to the question, *If there were a safe and legal place to camp outdoors, like a Tent City, would you stay there?*, one homeless person said, “Yes, there are times with no other place to go. [It would be less stressful] [k]nowing you’re safer than just being out there hiding for the nite.”

Another homeless person responded to the same question stating, “[It] would be better than taking your chances on the street...”

In response to the question, *What requirements, if any, should there be for folks staying at the Tent City?*, one homeless respondent wrote, “To respect others and their belongings, keep it clean, keep it safe.”

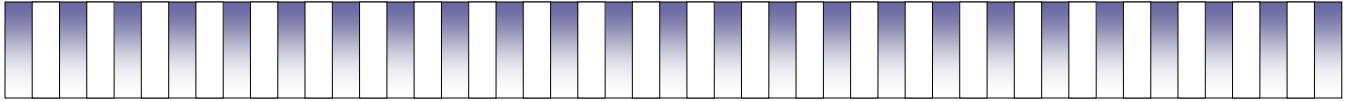
One homeless person suggested that the “Tent City should be ongoing” while another commented, perhaps most profoundly, “I hope it work[s] for all people.”

Overwhelmingly, the data collected in these written and oral surveys supported the cliché, “build it and they will come.”¹⁴

Following its survey of hundreds of homeless individuals, The DTC Initiative formed committees to explore Denver’s landscape for possible tent city sites and infrastructure needs. DTC gathered data describing the efforts of Tent Cities nationally and internationally. Another subcommittee met with Denver lawyers, zoning officials, the Assessor’s Office, Academics, and Public Health, Fire and Building Administrators. The DTC Initiative also attended Community Service Provider meetings, as well as the newly formed Committee meetings of Mayor Hickenlooper’s Commission to End Homelessness.

The result of the aforementioned efforts has culminated in this proposal for Denver officials to support a “tent city” as part of a comprehensive strategy to ensure that Denver provides a legal home to all of its citizens. In supporting a Denver tent city, Denver officials would be joining several other cities that have done the same in recent history. Through this strategy, Denver can provide a safe and dignified living space to those unable to find space in overcrowded shelters and can provide autonomy and leadership development opportunities to homeless individuals who will play a key role in managing the space.

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Documented Need for a Tent City

"Nearly two-thirds of all Americans and more than 90 percent of African Americans will experience at least one year of living below the poverty line during their lifetime," said Mark R. Rank, Ph.D., lead author of the study and an associate professor of George Warren Brown School of Social Work at Washington University in St. Louis. "For the majority of Americans, the question is not if they will experience poverty, but when", the study concludes. "Rather than an isolated event that occurs only to what has been labeled the 'underclass,' the reality is that the majority of Americans will encounter poverty firsthand during their adult lifetimes."

—Tom Boland, Science Daily Magazine¹⁵

Denver Has Inadequate Housing Options for Lower-Income Populations

Many Americans face the reality of poverty, job crises, and escalating housing prices--and thus, they experience the potential for homelessness. A tent city simply provides an additional pragmatic solution to the unavoidable reality that many Americans, and many Denver residents, face life on the streets.

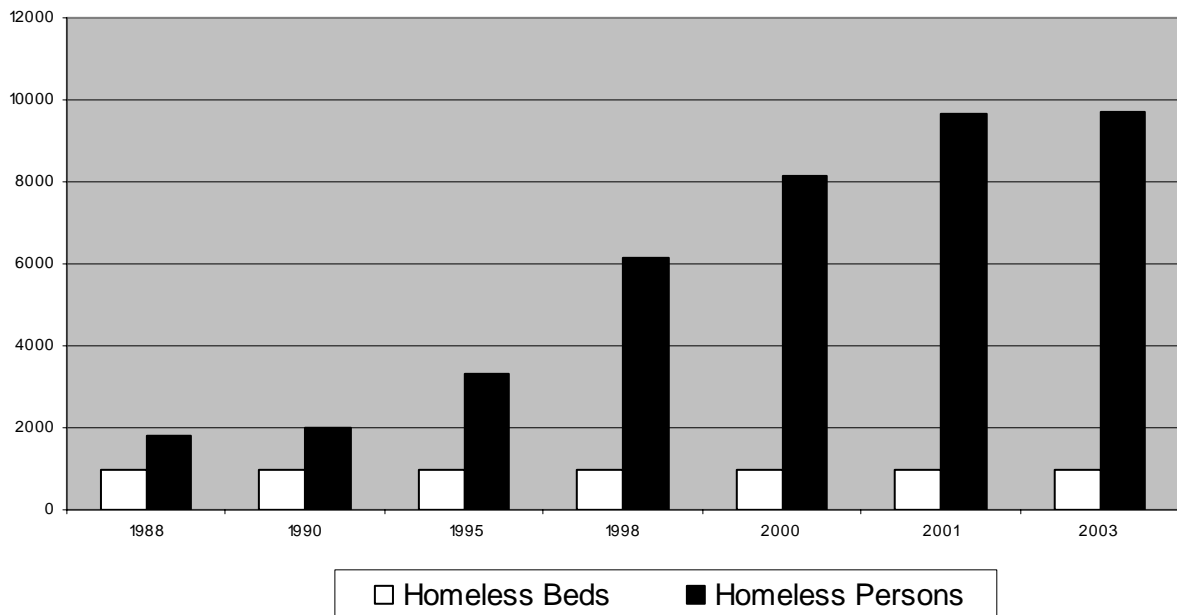
Denver's homeless crisis is significant, it is growing, and for the foreseeable future, it cannot be adequately responded to through shelters, emergency services, or affordable permanent housing. Though shelters, services, and expanding low-cost housing are crucial in dealing with Denver's homeless crisis, the fact is that thousands of people are forced to sleep on the streets, in cars, in dumpsters and in alleys every year in Denver and the existing network of services and housing is seriously over capacity in responding to this immense human crisis. A centralized tent city, where safe and dignified habitats could be provided at low cost, services could be delivered, and a modicum of privacy and autonomy could be provided to residents, would help homeless individuals come off their scattered locales in streets and back alleys and into a more healthy living environment.

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Homelessness is growing in Denver. While a 1990 Denver survey found that there were 1,985 homeless people in metro Denver, the Metro Denver Homeless Initiative point-in-time survey found 9,725 homeless individuals in the metro area.¹⁶ While homelessness is growing substantially, low-cost housing units are shrinking and shelter beds have remained fairly constant at about 1000 since the beginning of the 1990's. When the Metro Denver Homeless Initiative completed their January 27, 2003 point-in-time survey of homeless persons, they found that 71% of all the homeless surveyed on that night (6,885 persons) had an immediate need for emergency shelter and services. "These persons lacked a permanent place of their own and were sleeping in emergency shelters, on the streets or in their car, camping out, staying temporarily with family or friends, residing night-to-night at welfare hotels, coming out of institutions, *or staying in other places not fit for human habitation*" (emphasis added).¹⁷

Denver is increasingly unable to provide adequate habitation to thousands of homeless every year who are forced into inhumane alternatives just to survive. A comparison of bed availability to Denver's growing homeless population makes this case dramatically. The following chart was taken from the 2003 report, "A Blueprint for Addressing Homelessness in Denver," prepared by the Denver Homeless Planning Group with support from the Denver Department of Human Services.

Growing Inability to House Denver's Homeless



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The dramatic disparity shown in this chart, furthermore, is almost surely understated. This chart assumes that there were 9,725 homeless individuals in January of 2003, but that number was only generated by counting homeless persons receiving or requesting assistance, or who were otherwise located through official outreach efforts on January 27 of 2003. As the authors of the Metro Denver Homeless Initiative (MDHI) themselves note: “It is unlikely, that every homeless person in the metropolitan area was found on that particular day. Families sleeping in their cars and individuals not requesting assistance and who were not found through outreach efforts were not counted... many homeless families needing assistance were likely missed in this survey due to our inability to locate them.”¹⁸ Though the number of homeless individuals who were not counted by the MDHI survey is somewhat balanced by the fact that many individuals who were counted as homeless were in stable, transitional housing at the time of survey, the fact remains that most of the homeless who were missed in the count were probably living in hiding on the streets, in alleys and dumpsters, or in their cars—the very population that would be best served by a tent city.

An Enduring Housing Crisis

- For the second consecutive year, Colorado has been named one of the ten most expensive states in the nation for housing
- The United States government has found that 40% of all Colorado families pay more than 30% of their income for housing, 70% of low-income Denver households pay more than 30% of their income for housing, and half of these households pay more than 50% of their income for housing.¹⁹
- Regular work is no guarantee against homelessness. The gap between worker earnings and local housing market prices is increasingly unbridgeable because in the last decade, most new Denver jobs were in low-paying job sectors and median home prices in metro Denver increased three times faster than wages.
- The National Low Income Housing Coalition concluded in 2003 that Denver had the greatest disparity between rents and incomes of any metro area in the nation.²⁰
- About 40% of all Denver’s homeless are regularly employed.²¹

Whereas Denver once had shelter beds available for 55% of the known homeless (in 1990), today, there are beds for only about 10% of the known homeless. *It should not be surprising, considering this growing disparity, that the MDHI survey shows that in January of 2003, 9.7% of all of Denver’s homeless (about 1000 individuals, including 98 children) spent their evening on the streets, camping out, or in their cars—a high number that is almost surely undercounted.* Already, many of Denver’s residents are forced to sleep without adequate habitation; this tent city proposal would ameliorate this situation.

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Though a better solution would be to provide adequate permanent housing to all Denver households, the fact is that Denver's housing crisis, especially at lower income levels, is profound and admits of no quick solution. While the rapidly growing low-wage job sector of the metro Denver area is increasingly producing a gap between family income and average housing prices, low-rent housing units are themselves increasingly disappearing from the market altogether. In other words, while wages are not keeping up with housing price increases, low-price units are themselves absolutely disappearing from the housing market (due to outright demolition of low-cost units, publicly-supported gentrification trends, and upward market pressures on rents).

There are several measures of disappearing low-price housing units. For example, since 1974, about fifty low-cost single-room occupancy residential hotels were demolished or closed, resulting in a loss of 2,665 low-cost housing units.²² Gentrification of lower-income neighborhoods, often catalyzed and supported by the redevelopment efforts of the Denver Urban Renewal Authority (e.g., Elitch and the Central Platte Valley redevelopment, Post Properties Uptown Square, LoDo's lofts) is displacing low-income renters. In the year 2000 City Council commissioned housing study by the Center for Affordable Housing and Educational Quality, it was revealed that "evidence of gentrification is underway in some of Denver's neighborhoods occupied by low and very low income households. It has and will continue to narrow the choices of low income households to secure affordable housing...low income households, particularly renters, appear to have been displaced."²³

In another measure of disappearing low-income housing units, Denver's official affordable housing task force of 2000-2001 reported that there were absolutely no new apartment units created in 2000 by the private market for households earning under 60% of area median income, leading this income range to face the largest gap in housing market supply.²⁴

A comprehensive survey of 1992-2001 apartment rent level data from the Apartment Association of Metro Denver (data analysis completed by CU-Denver's Denver Outreach Center) revealed the following numbers, which show a dramatic drop in housing units for those earning 50% or less of renters' median income in the Denver area.²⁵

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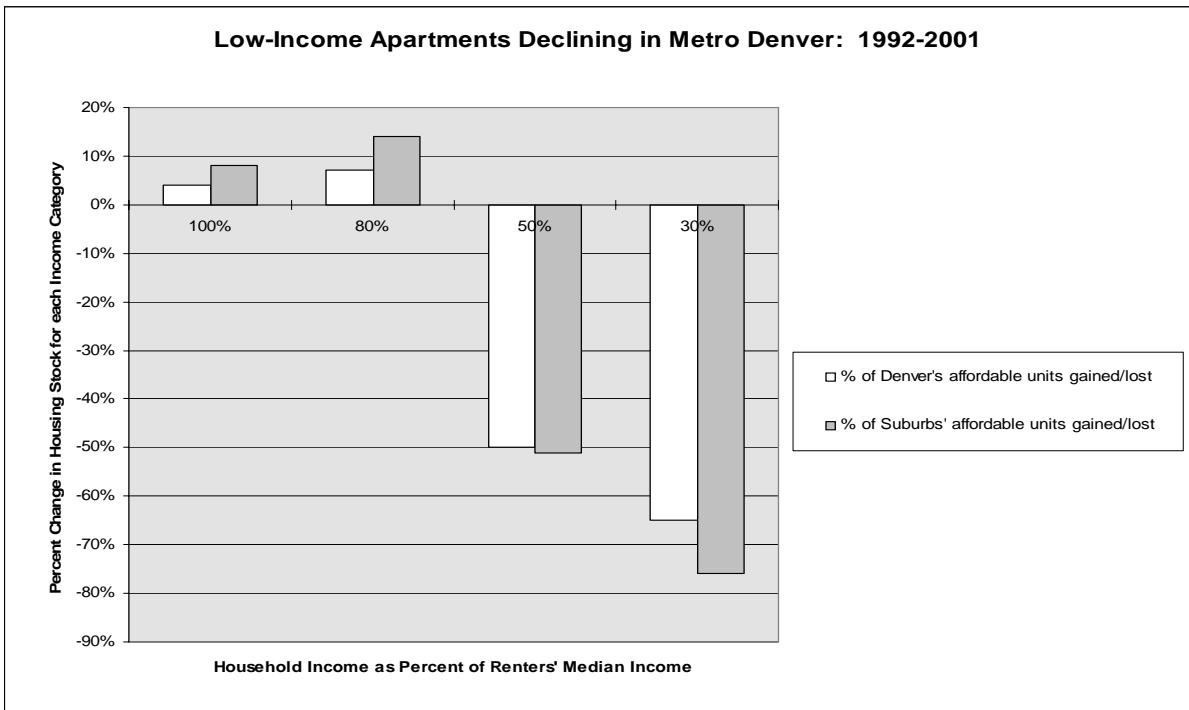
Denver: 1992-2001				
Household Income as Percent of Renter's Median Income	100%	80%	50%	30%
Number of Affordable Units gained/lost for each income level	774	1143	-2907	-205
Percent change in Affordable Units for each income level	4%	7%	-50%	-65%

Denver Suburbs: 1992-2001				
Household Income as Percent of Renter's Median Income	100%	80%	50%	30%
Number of Affordable Units gained/lost for each income level	3262	4425	-3266	-161
Percent change in Affordable Units for each income level	8%	14%	-51%	-76%

Percent of all Rental Units Affordable to Households earning less than 50% of Renters' Median Income		
	1992	2001
Denver	25%	12%
Denver Suburbs	15%	6%

1992 Renters' Median Income: \$23,727

2001 Renters' Median Income: \$38,974



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A Denver Tent City Would Address Denver's Growing Homeless Crisis

These facts show that Denver's housing crisis is profound, especially at lower-income levels. The Denver area has hundreds of people, probably more than a thousand each night, currently sleeping in the open, or in other spaces not fit for human habitation. This tent city proposal simply responds to this reality with a humane suggestion to allow these individuals to gather in a more safe, dignified and healthy environment than alleys, dumpsters, riverbeds, bushes, and cars.

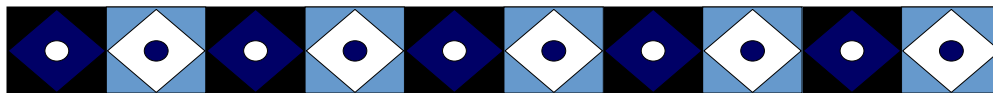
Tent cities are no alternative to expanding permanent low-cost housing, or providing quality emergency support and shelter that might transition homeless people into independent housing. *But the choice is not between a tent city or adequate permanent housing. The choice is between allowing a tent city or forcing people into inhumane living conditions without any kind of shelter at all.* There is no foreseeable future in which adequate housing options will be available to all those who need them. Wages are not keeping up with housing prices, low-income housing is disappearing. Thousands of people each year are officially known to resort to desperate measures and sleep in the streets in order to survive. In that kind of situation, a tent city becomes a dignified project of survival, worthy of this city's support.

Why does Denver need a Tent City? The aforementioned numbers provide raw data on the tremendous physical need for the additional shelter that such a program would bring to Denver's homeless, but a tent city would provide much more than simple rough shelter for a few nights. A tent city brings marginalized populations together under conditions of autonomy and dignity. It provides a space for mutual support and peer-education among the homeless. It facilitates democratic action among the homeless by providing a common space for social events and political organizing. And tent cities become schools of social education, teaching the broader community about the realities of homelessness, and fueling political energy for the systemic change necessary to end homelessness. By joining the several cities across the nation that have accepted the pragmatic and moral virtues of Tent Cities for the homeless, Denver would be helping build the local political will to support a much-needed national transformation of housing politics.

As documented in Steinbeck's *The Grapes of Wrath*, Tent Cities of the 1930's became vital communities that helped America's dislocated to once again discover their autonomy, to learn how democratically to govern the conditions of their own lives, to teach each other of survival strategies, to sustain political organizing among the poor, and to push the condition of mass homelessness onto the public agenda. These small laboratories of democracy became part of the driving force of the New Deal social innovations in general, and the 1949 Housing Act in particular, which once promised that every American would be provided a decent housing unit in which to live.



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Residents of tent cities argue that their itinerant housing provides a preferable alternative to overcrowded and unsanitary shelters and more effective security for safeguarding their few remaining material possessions. Tents and lean-tos, however ramshackle, tend to provide greater privacy than is afforded in most shelters. Tent communities embrace both gay and straight couples, and in some cases, children. Shelters almost universally enforce gender segregation while excluding same sex couples. Nationally only a handful of shelters allow pets but they are a visible feature of tent city landscapes. While the majority of shelters are open to residents only at night, tent cities accommodate the variable hours of the working poor.But tent city activists believe that they are creating community and “homes,” while challenging city, state and federal policies and the economic systems that foster poverty, erode affordable housing stocks and criminalize the unhoused.

—Desiree Helleger and Laurie Mercier²⁶

Tent-Cities and pragmatic service delivery

Many homeless individuals are well-served by the carefully structured life of shelters, but service-providers and public officials alike realize that many of the homeless needing services are unable to receive those services due to systemic overload and due to the reality that many homeless live on the margins of society, unable or unwilling to utilize a structured shelter system. A tent city would ameliorate those problems, providing another locale for centralized service-delivery such as: food distribution, a medical clinic, and a dependable, structured peer-community that could help provide stability and follow-up with homeless individuals released from mental treatment facilities or even jail. As stated in the 2003 Blueprint for Addressing Homelessness in Denver, “Currently homeless people, particularly those without insurance, are released from hospitals hastily back to the street, exacerbating their existing conditions and leading to the deterioration of the person’s physical and mental health.”²⁷ A tent city, and its network of volunteers, service-providers, and peer-leaders, would be another resource for the city to rely upon in helping deal with this kind of situation. Expanding the range of homeless service-delivery methods and sites recognizes the fact that homelessness is growing in Denver, not all the homeless respond to the same kind of service-delivery systems, and “despite the best attempts of those who try to help our most vulnerable citizens,” we are in dire need of additional strategies that will best reflect “the kind of city we are and the kinds of values we have.”²⁸

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Tent-Cities and Autonomy/Privacy

Tent Cities provide each resident with a degree of privacy in their dwelling (a private tent), and autonomy in structuring their life within this habitat. Every human being needs a private respite from public life, and the eyes, rules and structures of outside authority. A homeless person is missing something more than mere physical shelter, they are missing a “home,” which includes the elements of privacy, autonomy and control, all of which are missing when one sleeps furtively on the streets, or even when one must use a shelter for emergency survival. Though Denver’s tent city would be governed by a set of behavioral standards, each individual would have their own personal space, behind their tent walls, where they would find some privacy and respite from the surveillance and structures of others—a fundamental human need.

Tent-Cities, Social Capital, and Democratic Education

A Denver Tent City would be an excellent tool for building social capital among the homeless themselves. Social capital is simply the presence of networks of trust, reciprocity, mutual support, and understanding that grows when people build a history of working together towards common aims. To be homeless is often to fall into an isolated, marginalized existence, in which bonds of mutual assistance and trust are difficult to maintain. A Tent City campaign allows these individuals to come together around a common commitment to built and maintain a site where all can live in peace and good health. Social capital inevitably is enhanced through such collective community action, and the broader Denver community would be the better for it.

A recent Yale study has shown that communities with high levels of activism, community action, and social awareness (e.g., social capital) are better able to deliver support and services to homeless individuals,²⁹ and this Tent City proposal would directly enhance the level of homeless activism, volunteer community action, and broader social awareness in Denver. Similarly, a Great Cities Institute Working Paper on Homelessness revealed the vital importance of peer-networks of reciprocity, trust, and mutual reliance were in helping individuals transition out of homelessness.³⁰ Exactly these kinds of reciprocal networks are built through a Tent City program, which requires all residents to work together to maintain cleanliness, rules, and a healthy community.

As Tent City residents work together to build their program, enhancing their own social capital and developing a broader understanding of the possibilities of collective action, they will also be building the capacity to educate the broader Denver community in the realities of homelessness. Social myths regarding homelessness are endemic: the homeless are seen as lazy bums, dangerous criminals, and ruined wrecks. There is little understanding of the realities of homeless individuals: they are families and children, they work, they have the capacity for innovation and collective

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action, they are rarely criminals, and they have human stories and histories that parallel the non-homeless. In the same way that 1930's tent cities showed the nation the reality of average people enduring poverty and hardship, a Denver Tent City would challenge the "homeless demon" myth by showing homeless people working together to build a better life, to help each other, and to simply survive. Residents of Tent City would be excellent leaders and speakers at public events and at local schools, providing unique education into the realities of Denver's economy and society that could not be matched. Instead of being forced into a marginalized, invisible, criminalized life of furtively seeking street shelter on a daily basis, residents of Tent City would be full participants in Denver's public life, helping to create a better educated, more humane city.

Tent-Cities and Social Transformation

Shelters and emergency services, delivered through a therapeutic model meant to transition individual homeless persons into independence, are necessary but inadequate. We need broader structural reform of the housing market, and a national commitment to a dramatic expansion of low-income and work-force housing. The expansion of housing trust funds, a dramatic expansion of the low-income housing tax credit program, a renewed Federal Housing Act: all these kinds of programs are needed to seriously address homelessness.

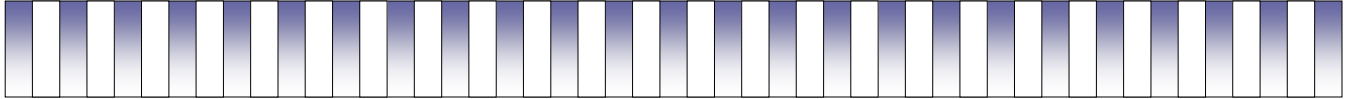
A Tent City is not a movement towards isolated homeless into challenge negative reality of homeless and they force the issue the back alleys of *Cities, from*

been that whenever inspire efforts to expand affordable housing, and they foster broader national pressure for better housing politics. Tent Cities, which help homeless people to become publicly visible and train their residents in the art of collective action, catalyze social change. When Denver's Tent City joins dozens of other such movements across the nation, our city will be joining a growing national phenomenon, catalyzing further political action on this issue, and demanding a more comprehensive solution.

The Universal Declaration of Human Rights declares that "everyone has a right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing." America's 1949 Housing Act promises "a decent home and suitable living environment for every American Family." Denver's own Housing Plan asserts that "decent housing is a fundamental right."

substitute for structural "housing for all." strategy helps generate will necessary to create Tent Cities bring the community, they stereotypes with the capacity and humanity, of homelessness out of American politics and *The history of Tent Hooverville to today, has Tent Cities go up, they*

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Denver Tent City Proposal

Mission and Purpose of a Denver's Tent City

It is the mission of the Denver Tent City Initiative to create a space in Denver, out of necessity, where homeless individuals can find basic shelter that provides dignified living, a centralized place for homeless relief, and improved safety and sanitation for Denver residents. Furthermore, we wish to emphasize that a Tent City for Denver's homeless is not *the* solution to abate homelessness but is a positive, pragmatic, immediate and essential component of the solution.

The sight of homeless encampments around Denver is not unusual. It is common to see homeless people (children, families, women and men) camping in various forms and locations throughout Denver. As it stands now, these marginalized people are made more alienated by their action of simply camping and sleeping outdoors, an action taken out of necessity, though the city of Denver currently considers such necessary behavior to currently be illegal. A Tent City in Denver would provide a central, legal location for Denver's homeless to receive services, maintain a dignified independent attempt at life, secure and protect their belongings, and provide a place of privacy.

Are Tent Cities Legal?

In various places across the nation, Tent Cities have been erected without the consent of local authorities. They often have been tested in the courts when residents were arrested and/or fined. *In many of these cases, judges have found that Tent Cities are legally defensible simply because the homeless have no other options.* When official data reveals that thousands of city residents are reduced to seeking shelter on the streets or in other locales not fit for human habitation, courts have been willing to allow the "necessity defense" by those living in Tent Cities, or otherwise living on the streets. This defense simply asserts that a city cannot illegalize activities necessary to survival.

- We in Denver know that there are not enough shelter spaces nor services for the homeless.
- We know that most of the homeless are in that position involuntarily, victims of a low-wage economy with escalating housing prices and disappearing low-income housing units.
- We know that being forced to live in the shadows, in alleys, on the streets, in dumpsters, or in cars is unhealthy and even deadly.
- In such a situation, a Tent City is not only morally necessary, it is also legally defensible. No city should illegalize a desperate effort to survive desperate circumstances.

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In the following vignettes, the legal experiences of Tent Cities in Seattle, Portland, Santa Ana, and Miami are summarized.



Seattle Tent City: SHARE/WHEEL

The following summary of the legal history of Seattle's Tent City is taken from the SHARE/WHEEL website: <http://insideshare.hypermart.net/tentcity/#11>

Tent City is not illegal. There is no provision in the zoning law for a tent city; however, every time an "illegal camping" case has been brought to court, in Seattle or elsewhere, it has been thrown out on the grounds that the preservation of human life is a higher priority than zoning laws. Surviving cannot be made illegal.

Until a city has enough indoor shelter for everyone, judges are reluctant to convict a homeless person for sleeping outside. City officials are torn between not wanting to grant official approval to a tent city and not wanting to make life any harder for homeless people. The City's original solution to this dilemma was to wait until a neighbor lodged a complaint about Tent City, then levy a two-week notice to vacate, with the possibility of being arrested if on public land, or fines levied against the owner if on private land. In the past, however, the City has construed a question about what was happening as a complaint.

SHARE/WHEEL's Tent City applied for a six-month permit in 2000, when we were staying at Beacon Hill's El Centro de la Raza. After a four-month review period, during which time public comment was overwhelmingly supportive, the Department of Construction and Land Use (DCLU) denied our permit application. Four months later, the City Hearing Examiner ruled that although Tent City was not materially detrimental to persons or property, it was not in "the spirit of the Land Use Code." We then appealed to King County Superior Court. On September 27, 2001, the court said that DCLU should have granted the permit...Speaking for the King County Court of Appeals, in his ruling, Judge Majhan wrote, "Tent cities are used by the military, scouting organizations, disaster-relief agencies ... They can and do meet standards for human habitation."³¹ The ruling also declared that the use of tents is not in itself sufficient reason for declaring a zoning violation or refusing to grant a land use permit. In March of 2002, the Seattle City Attorney's office signed a consent agreement with SHARE recognizing the legality of Tent City and setting standards for its operation similar to those that SHARE has been practicing.

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Portland, Oregon's Dignity Village

In 2000, Multnomah county Circuit Judge Steven Gallagher ruled that Portland's ban against urban camping constituted cruel and unusual punishment against homeless persons and that it was in violation of the Oregon and United States Constitutions. According to the website for Dignity Village, a Portland-based Tent City:

This ruling was based on the conclusion that camping is a behavior that people experiencing homelessness cannot avoid. Portland's shelter system is overwhelmed. It currently provides only 600 shelter beds in a city with 3,000 houseless residents. Gallagher's ruling adds that even if shelter beds are available, they may not be considered a viable alternative if residents feel they have reason to fear for their health or possessions in the shelters. Judge Gallagher wrote that because the camping ordinance gave campers the choice between sleeping in non-existent or potentially undesirable shelter beds and being arrested, it effectively outlawed the status of being homeless. In this spirit, Dignity Village is founded on the basic notion that the villagers have the right to exist and the right to self-determination.³²

A Portland Oregonian news article summarized Gallagher's decision in this way:

A Multnomah County Circuit Court judge declared Portland's

anti-camping ordinance unconstitutional Wednesday, saying it "punishes the status of being homeless." Judge Stephen L. Gallagher Jr. determined that the city's 19-year-old anti-camping law constitutes cruel and unusual punishment and violates a homeless person's fundamental right to travel.

"There are a great number of alternatives regarding housing, job training, mental health services . . . that should be put into place . . . before our city resorts to arresting individuals for sleeping and eating in

the only locations available to them," Gallagher wrote. "Performing such life-sustaining acts as sleeping with bedding is necessary action for someone without a home," Gallagher wrote. "This act of sleeping is not conduct that can be separated from the fact of the individual's status of being homeless."³³

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Following Judge Gallagher's decision, Portland's Dignity Village was established as a public Tent City for the homeless. As described on the Dignity Village website:

On December 16th of the year 2000, a group of eight homeless men and women pitched five tents on public land and Camp Dignity, later to become Dignity Village, was born. We came out of the doorways of Portland's streets, out from under the bridges, from under the bushes of public parks, we came openly with nothing and no longer a need to hide as Portland's inhumane and Draconian camping ban had just been overturned on two constitutional grounds. We came armed with a vision of a better future for ourselves and for all of Portland, a vision of a green, sustainable urban village where we can live in peace and improve not only the condition of our own lives but the quality of life in Portland in general. We came in from the cold of a December day and we refuse to go back to the way things were.³⁴

Under legal, moral, and political pressure to allow the residents of Dignity Village a place to camp, considering the proven inadequacy of Portland's shelter system, the city of Portland soon signed an official agreement with the organizers of Dignity Village, allowing the Tent City to maintain operations under certain conditions (e.g., the location was strictly described and bounded, rules were established, etc.).

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*Santa Ana, California's In re Eichorn*³⁵

In October 2000, The American University Law Review wrote the following regarding the execution of the “necessity defense” as it applies to the criminalization of homelessness and public camping by the homeless:

On December 30, 1998, in *In re Eichorn*, the State Court of Appeal in California found that a trial court should have allowed a homeless man cited for violating the City of Santa Ana’s anti-camping ordinance, to assert the necessity defense³⁶. ...The lack of shelter, affordable housing, and income resources in U.S. cities indicate that homeless people often have no place to go and have little opportunity to find housing in the near future. ...The alternatives, or the harms avoided, might include sleep deprivation or the risk of personal harm in going from shelter to shelter in search of a bed. ...In other cities, where courts have upheld anti-camping and sleeping ordinances as constitutional, the necessity defense will be available to homeless people under the Tobe/*In re Eichorn* theory if the violator shows more homeless people than shelter space exist and there is a lack of adequate income to pay for housing. According to the National Law Center on Homelessness and Poverty survey of fifty cities, each city had fewer shelter spaces than homeless people as well as inadequate income opportunities to assist homeless people in acquiring housing³⁷....A homeless person who asserts the necessity defense and is acquitted of the charge, will only continue to violate the ordinance until a reasonable alternative to sleeping [on the streets] materializes. ...

In re Eichorn fundamentally determined that communities lacking adequate provision for all homeless persons to at least secure adequate shelter, housing and income, must forgo the enforcement of laws against public sleeping and urban camping.

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Pottinger v. City of Miami

The unchallenged 1992 case of *Pottinger v. City of Miami* saw the Southern District of Florida determine that anti-homeless “sleeping ordinances” and the like are unconstitutional under the Eighth Amendment.³⁸

The court found that the city of Miami’s practice of arresting homeless persons for engaging in basic activities of daily life- including sleeping and eating- constituted cruel and unusual punishment under the Eighth Amendment as punishment for status. The court distinguished the life situations of homeless class members are rarely if ever choices. Justice White went on to state, referring to homeless persons; ...they have no place else to go. ... [Homelessness] is more a function of economic station. ... Rather homelessness is due to various economic, physical or psychological factors that are beyond the homeless individual’s control.³⁹

In this case not only was a precedent set establishing the unconstitutionality of homeless criminalization law but a powerful narrative was penned by the same court decrying the misconceptions of homeless causality. In other words, the court’s ruling clearly declared homelessness to be a byproduct of society’s economic woes, not due to the pathological ills stereotypically attributed to the homeless.



*United States v. O’Brien*⁴⁰

The United States Court of Appeals has ruled that overnight camping/sleeping in connection with a demonstration is expressive conduct protected by the First Amendment. This ruling may be applied in defense of the Denver Tent City as the erection of such a City may be explained as a protest regarding the homeless plight in Denver.

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Proposed Sites for the Denver Tent City

The proposed sites for the Denver Tent City were chosen using rigorous criteria. The criteria included the following considerations:

- *Visibility*- This term applies to the visibility of the selected site both from the “outside” view and the “inside” view. In other words, sites were chosen on their level of visibility both from the homeless perspective of staying at the site and the neighboring community’s perspective of the selected site. Sites were identified that would be minimally visible to non-residents of the tent city (thus protecting privacy of residents and avoiding high-visibility homeless encampments in the city).
- *Distance*- An obvious concern to the potential inhabitants of the Denver Tent City is the proximity of the Tent City location to services most frequently used by the homeless. As the homeless tend to travel on foot, carrying or pushing what worldly belongings they possess, selected sites would need to be a “reasonable” distance from free meals, clinics, shelters, etc.
- *Transportation*- Sites were also selected based on their proximity to public transportation such as bus lines and light rail.
- *Security*- Security and safety are the most talked about concerns both for the community at large and the homeless population Denver’s Tent City would serve. Proposed areas for the DTC also considered the access and protection of the residents and their property, both inside and outside the chosen sites.
- *Flow*- Chosen sites have also been selected based on the characteristics of “flow.” In choosing sites, DTC advocates considered the flow of the homeless to and from the Tent City and the natural concerns this “traffic” elicits both from the homeless and the community at large.
- *Zoning*- the popular sites for consideration have also carefully considered current zoning ordinances. Preferred sites fit within the most closely applicable land-use categories for a Tent City and the corresponding zoning for development.⁴¹
- *Infrastructure*- the submitted sites have also considered the availability or the ease of availability of services necessary to administer a Tent City such as, electricity, egress and regress for sanitation (to include the installation and removal of trash, waste, potable water, etc.), fire and emergency access, as well as health and building code considerations.

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Based on these criteria, the four sites (all of which are in the City and County of Denver) submitted for consideration are:

- **Rude Park (12th and Federal)**
- **Denver Housing Authority Land (between 25th and 29th Streets between Lawrence and Arapahoe)**
- **Vanderbilt Park (Huron and Tennessee)**
- **North Globeville Park (50th and Franklin)**

Rude Park (12th and Federal)

Rude Park finds itself a natural site for a Tent City by the DTC Initiative's standards. The adjacent Recreation Center already provides the use of facilities (showers, sinks and toilets) to the homeless population. This fact alone lowers the demanding costs of creating and maintaining infrastructure. Electrical service could be provided to this site by sharing the Recreation Center's power or by creating a new source via existing stations within the park. Geographically, the site lies below the plane of Federal and nearby ballparks, and is also shrouded in trees, making it ideal in terms of visibility. The layout of the Park also provides an ideal area to secure for person and personal belongings. Furthermore, this site lies next to the Platte River Trail providing convenient access and low-visibility flow for the homeless to and from Downtown Denver services. This site also provides convenient access to bus routes (30, 31 and 16) serving Denver via Federal Boulevard. Lastly, Rude Park is zoned R-3 (high-density residential), allowing for shelter land use which most similarly reflects the land use for a Tent City.

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Denver Housing Authority Land (Between Lawrence and Arapahoe and 25th and 26th Streets and 27th to 29th Streets)

The unsightly and unimproved DHA land⁴² considered here is also an ideal space for Denver's Tent City. Zoned R-3, this site is most adequately zoned for Tent City provision as described above in the case of *Rude Park*. This site is by far the closest in proximity to homeless service providers, as the distance to such services can be measured in terms of blocks rather than miles. Additionally, this detail also illustrates the minimal flow of homeless traffic to and from the proposed Tent City site at this location. Similarly, the visibility of this site for the community at large and the homeless is of minimal concern as this location is in area already stocked with its share of low-income housing. The fencing already surrounding this site could be "veiled" to diminish the view of the Tent City site from the street while the fencing would also serve as a security measure as well. Lastly, this site would be easy to access for the intake and removal of infrastructural needs such as waste, sanitation, water and safety.

Vanderbilt Park (Huron and Tennessee)

The proposed site at Vanderbilt Park is zoned I-1 (high density industrial use). This site is a remote location bordered by a trailer park, a lake, trees and Santa Fe Boulevard. This park has, in the past, permitted its use for the purpose of camping for the Boy Scouts. This location has existing toilets and sinks, again diminishing operating and start-up costs for the Tent City. In the same vein, this area of the park has existing electricity, creating an opportunity to easily equip the Tent City with electricity as well. Located near the Platte Trail, light rail and Alameda, this site provides convenient accessibility for the homeless by foot, train or bus (routes 3 and 11).

Globeville Park (North of Globeville Park at 50th and Franklin)

This location provides for excellent low-visibility for both the site itself and flow to and from the site. This area is zoned I-1 (high density industrial use). This site is completely surrounded by warehouses, industry, I-70 and open space. This site is bordered by the Platte River Path providing convenient and discrete access for the homeless. Alternative transportation for the homeless may be achieved via bus route 7. This site is easily accessible for safety, sanitation and service providers. Additionally, this area may be equipped to provide safety of self and possessions for its inhabitants with the simple erection of a fence.

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Infrastructure

Infrastructure, for the purpose of this study, describes the minimal exigencies necessary in providing a safe, healthy and supportive environment at Denver's Tent City. Specifically, this section will consider these essential needs in terms of Safety/Security, Water, Waste Disposal and Electricity.

- **Safety and Security** are the major concerns expressed by Denver's homeless motivating them to create a Tent City. Living on the street is a violent, vulnerable and anxiety-riddled life. Furthermore, homelessness does not allow an individual to let their guard down, out of fear of self-endangerment and fear of having one's belongings stolen. Ultimately, this scenario tends to create a population paralyzed by exhaustion and fear, arresting any hopes for proactively seeking better circumstances for themselves. In other words, the lack of safety for homeless people in Denver perpetuates a downward spiral of desperation and loss of hope for a better future.

A Tent City would provide safety for the homeless in Denver. A secure, legal, monitored site would allow for Denver's homeless to maintain their personal effects and find rest from the rigors of street life. Ideally, this new outcome for Denver's homeless would be one of transformation and not the current scene of degradation. Fundamentally, the safety and security of a Tent City provides options for all of Denver in assisting Denver's homeless help themselves, rather than ignoring and criminalizing them. *Essential to the fulfillment of providing safety at Denver's Tent City, fencing and volunteers would be necessary and critical in achieving our mission.* The DTC Initiative is looking to the City of Denver for assistance in providing for these needs.

- **Water** has been identified as a critical component necessary in executing a successful and healthy Tent City. Denver's homeless have repeatedly identified that dehydration seriously inhibits an individual's ability to maintain strong health. Poor health and the fatigue therein, strongly deter most homeless from maintaining a schedule permitting opportunities for escaping homelessness. Clean teeth and hands, as well as bodies, obviously creates better health, both physically and mentally.

Denver's homeless would benefit from having the "amenities" associated with running water available to them in a central place such as a Tent City. *Essential to the fulfillment of providing a sanitary and healthy environment at Denver's Tent City, potable water, hand washing stations and showers (all available by truck) would be necessary and critical in achieving our mission.* The DTC Initiative is looking to the City of Denver for assistance in providing for these needs.

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- **Waste Disposal** also plays a critical role in the success of Denver's Tent City. Providing for the removal of human waste, trash and gray water would provide the Tent City with the proper sanitation for the homeless citizens of Tent City, also helping to protect the surrounding community at large. *Essential to the fulfillment of providing a sanitary and healthy environment at Denver's Tent City, and surrounding community, waste water disposal, trash disposal (available by truck) and port-a-potties would be necessary in achieving our mission.* The DTC Initiative is looking to the City of Denver for assistance in providing for these needs.
- **Electricity** is a basic need integral to any community, particularly a Tent City dedicated to transitioning homeless people into better situations through self-determination. Light to read by, radios to stay informed by, security and emergency lighting, food preparation, hot water, and so on would all be made possible by electricity. *Essential to the fulfillment of providing a service to Denver's homeless at Denver's Tent City, electricity (available by generator or through Public Service) would be necessary and critical in achieving our mission.* The DTC Initiative is looking to the City of Denver for assistance in providing for these needs.

Governance/Management of the DTC

The governing of the Denver Tent City would be executed primarily by residents of the Tent City community itself. Ideally members would devise, implement and enforce rules through a body of democratic and egalitarian principles. Professional staff to support the Tent City governance structure (e.g., security staff or perhaps a paid coordinator) may be useful should adequate funding be developed, but many American tent cities run successfully without paid administrative staff.

In the interest of connecting the Tent City to the larger community and community resources (i.e. outreach, health services, security, counseling, job searches, food, clothing, housing) the Tent City will also integrate volunteers from the broader community. Naturally, a result of this community support would be a broad coalition of interested and concerned parties participating in the management of Denver's Tent City. Fundamentally, individuals living in Denver's Tent City would be adopting the values of autonomy and self-sufficiency. Paramount to this goal, will be the necessity of Denver Tent City residents to govern or police themselves as all communities must- legally and safely.

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Getting Started: A Wish List

There are two fundamental requirements in establishing a Tent City for Denver's homeless: They are *land* and community support through *donations and funding*.

Land

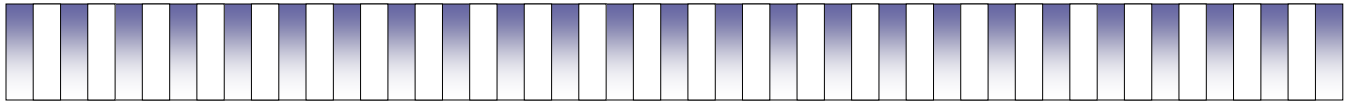
Land may be acquired for the purposes of a Tent City in a number of ways. The most vital element in procuring land is that the process must be a binding legal commitment between relevant parties. Simply put, an informal nod from City Officials will not suffice. Any agreements between the City of Denver and Denver's Tent City must be legally binding so both parties have legal recourse for addressing grievances, should they arise. Examples of legally ceded land agreements may come in the form of a Consent Decree, variance, municipal code change, ordinance change or by creating a new Zoning Land Use Category.

Donations/Funding

A distilled list of critical sustenance items for Denver's Tent City would include: volunteers, money, tents, fencing, utilities, generators, water, waste disposal, blankets, sleeping bags, tables, chairs and cell phones.

Request of the City and County of Denver

There are no financial start-up costs required of the City of Denver. All that DTC is requesting of the City of Denver is formal permission to use a small plot of land for this purpose. The permit for this land could be conditional on DTC's ability to mobilize support, though grants and donations, to secure running water, waste disposal, and electricity for the site. DTC would mobilize this support from the broader Denver community, as tent cities elsewhere have done.



Model Tent Cities

The DTC Initiative reviewed Tent Cities across the United States, North America and abroad. The result of this analysis is presented in the following passages. This section will provide a brief overview of tent cities both nationally and internationally, emphasizing where the Tent Cities are, how long they have been in existence, how they came to be, whether they are sanctioned by the local government and contact information.

(Please see following photos for images of real and prototypical Tent Cities)

What do Tent Cities Look Like?

Contrary to popular myth, tent cities across America are not chaotic collections of lean-tos, ragged boxes, and unkempt grounds. Rather, tent cities become an orderly and clean alternative to chaotic and unsafe living conditions by the hundreds of homeless already living in the streets. Tent Cities often involve carefully laid out domes, or an orderly row of tents, behind a secure fence with a checkpoint. The presence of a formal governing committee allows the residents to enforce behavioral standards, to clean up the space regularly, to control for drug use and crime, and to expel troublemakers. On Denver's streets already, the homeless live in unsafe surroundings, they are victims of crime, and they are forced to live in disorderly, unkempt conditions, without a orderly, private space to retire to. A Tent City would mitigate all these currently existing conditions, and would improve the quality of Denver's public life.

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- **In Portland, Oregon**, homeless organizers have been working with city officials for three years in efforts to maintain the legal status of their Tent City, Dignity Village. Featured in print and media from the *Oregonian* to the *New York Times*, Dignity Village, home to approximately 70 homeless people, has transformed itself from a direct action movement to one of sanctioned, legal workings with the local city government.⁴³
- **Seattle, Washington's** homeless have been successfully managing their affairs through the instrument of a Tent City for five years. Named, Tent City I and Tent City II (plans for Tent City III are currently under discussion); these Tent Cities in Seattle are legally sanctioned sites sharing property with Churches and the City of Seattle.⁴⁴
- **Los Angeles** boasts home to one of the oldest existing, legally sanctioned, Tent Cities in the United States, Dome Village. Dome Village is nestled among citrus and avocado trees on City of Los Angeles land, and is home to nearly 50 of Los Angeles' homeless.⁴⁵
- **Aurora, Illinois** is the poster child of Tent City-cities. Housed on the grounds of Hesed House, a house of ministry to the very poor and homeless, Hesed House has been providing a legal and safe Tent City location for 20 years.⁴⁶
- **Ft. Lauderdale, Florida's**, Tent City, maintained success for five years on the legally sanctioned grounds across the street from the city's City and County Building. The Tent City's effort was such a success it was only disbanded after nearly 1,000's of housing/shelter units were built to match the city's homeless needs.⁴⁷
- **Camp Hope a proposed Tent City in Waianae, Oahu**, is precisely at the point where the DTC Initiative is today. Camp Hope organizers have spent the better part of a year researching the necessary nuances in proposing a Tent City to Waianae's City Officials. Met with optimistic and open-minded City Government members, communities and businesses, Camp Hope is moving forward with plans to develop a Tent City which is legally sanctioned on city land.⁴⁸
- **Throughout Canada, in Vancouver, Toronto, Calgary, Ottawa, and Montreal**, a myriad of grassroots, unsanctioned (except in the case of Home Depot allowing a spontaneous Tent City of 125 homeless campers to be erected on their private property in Toronto, only to be shut down by local authorities) Tent Cities are constantly going up. Some, as is the case in Toronto, have lasted as long as four years. Mostly, these efforts are direct action and organizers show up unsanctioned on city land, creating awkward moments for city officials.⁴⁹
- **Japan's City of Osaka**, is home to Japan's only Tent City. Struggling, yet determined to find a legally sanctioned foothold in its community rather than merely a nod from City Officials, Osaka's several year old Tent City provides hope to all homeless people. The effort to create a Tent City in Osaka demonstrates the will of the homeless community to be represented and provided for in a country deeply in denial of its homeless epidemic.⁵⁰

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“Domeville” in Los Angeles



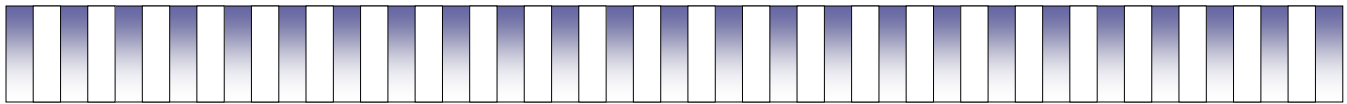
Hospitality Village - Acadaspan Structures

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Hospitality Village - *Bail Ring Tents*

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Frequently Asked Questions Pertaining to Tent Cities

All Questions and Answers are excerpts from the Tent City Q&A webpage for Seattle's Tent City, "Share/Wheel." <http://insideshare.hypermart.net/tentcity/#6>

Q. Who uses Tent City?

About a third of the residents of Tent Village are couples or families. (There are no shelters where couples without children can sleep together, and a limited number of shelters where families can stay together.)

There are another dozen or so single women. (Many of the women at Tent Village feel safer in the tents than in shelters. Other comments: there's more privacy, and better ventilation.)

At least half of the residents are working full-time, and many of the rest are working part time or in an educational program.

The residents are a celebration of diversity in age, race, creed, cultural background, and sexual preference. No abuse or derogatory language is tolerated.

Q. How does Tent City operate?

Our proposal for an Emergency Encampment Civility Code includes a copy of the standard rules for a camp. At times, adapting to a particular neighborhood or host may require special rules.

A short summary of the rules is:

- Zero tolerance for drugs, alcohol, weapons, violence or abusive behavior, physical or verbal.
- Everyone in camp participates in the governance and maintenance of the camp. Each resident must attend at least one organizational meeting a week and do one maintenance chore a day. If you cannot fulfill these obligations, you will have to find other shelter.
- Everyone is responsible for the operation and reputation of the whole camp. There's no such thing as "It's not my fault; he did it." If a the camp, or anyone in the camp, creates a negative impact on the neighborhood, the camp must correct the situation. If the camp cannot correct the situation, they will leave.

This is the same model we use for our indoor shelters, and it has worked since 1990.

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Q. Where does Tent City get tents, blankets, food, and other necessities?

SHARE/WHEEL pays approximately \$4,000 a month to operate Tent Village. This includes the drainage of the Sani-Cans three times a week, trash removal, the purchase of and delivery of supplies, provision of bus tickets, and moving expenses.

We are grateful to our many donors and supporters! Many tents, blankets, and other supplies, including food and clothing, have been donated. The University Methodist Temple's Friday Feast brings a hot meal to Tent City every Friday night, and Food Not Bombs brings a hot meal out to Tent City every Sunday night. Many other groups and individuals provide meals and ready-to-go-food on an occasional basis.

Seattle service providers have met with Tent Villagers to find out what services they need and who they are willing to have visit the tents.

Q. How can people live in Tent City during the winter?

It isn't great living in a tent during the winter. But the alternative for the folks at Tent City isn't living in a tent camp or living inside. The alternative is living in the tents or living under a bridge, behind a bush, on top of a cardboard box in a doorway or alley — isolated and at risk.

Many people have donated insulating platforms and taps, extra blankets and clothes, and other winterizing material for Tent City. And the residents will be looking out for each other.

Q. Does Tent City legitimize substandard housing?

Are we legitimizing sleeping in doorways and dying under bridges? That's the alternative to tent camps.

SHARE/WHEEL is one of the largest single adult shelter facilitators in Seattle. We are constantly involved in creating new shelters. We have been instrumental in creating transitional shelter and affordable housing. We are working all across the spectrum of need — from immediate survival to permanent stability.

No one individual stays in the camp forever; people move on to better options. And other people in need move in, to stay safe and warm until they, too, can find better options. The average length of stay at Tent City is about six weeks.

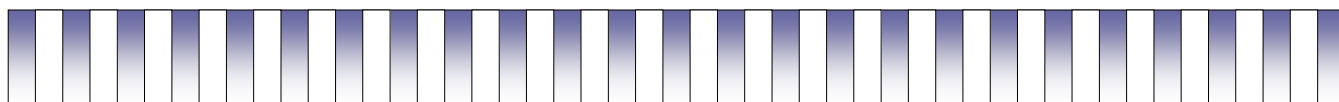
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Q. Do efforts to develop Tent City slow efforts to develop indoor shelter and affordable housing?

Far from it. Every time we put up a Tent City, there is a development burst of new shelter, housing and services. After all, what is more motivating: invisible homeless people, or visible homeless people?

Q. What is the impact of Tent City on a neighborhood?

DCLU received over 300 letters of support for the Tent Village 6-month Temporary Use Permit in 2000 when we were at El Centro de la Raza on Beacon Hill. 26 of those letters came from immediate neighbors. To protect their own reputation, and to continue to be a positive addition to our neighborhoods, Tent City members do regular litter cleanups, and discourage any illegal activity in the neighborhood -- not just on the Tent City grounds -- such as aggressive panhandling and public drinking.

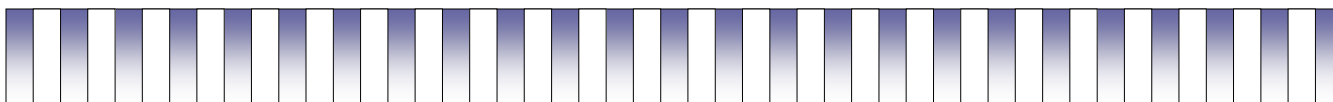


Contact Us

Questions regarding the Denver Tent City Initiative in general may be directed to denvertentcity@yahoo.com . Specific questions about the facts and research in this proposal may be directed to Dallas Malerbi at mdmalerbi@yahoo.com or Dr. Tony Robinson at trobins@carbon.cudenver.edu .

The Denver Tent City Initiative may be reached by phone through Dallas Malerbi at 303.249.3996.

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Endnotes

¹Denver Homeless Planning Group, *A Blueprint for Addressing Homelessness in Denver*, September 2003.

²Anecdotal evidence observable in many neighborhoods, primarily LoDo, in the City and County of Denver.

³National Low Income Housing Coalition, *Out of Reach 2003: America's Housing Wage Climbs*. Available on-line at: <http://www.nlihc.org/oor2003/>; U. S. Department of Housing and Urban Development, *Waiting in Vain: An Update on America's Housing Crisis*, 1999; Census Bureau data, 2000.

⁴This narrative is a synopsis of data provided by the National Homeless Coalition, available on-line at: <http://www.nationalhomeless.org/causes.html>

⁵Colorado Affordable Housing Partnership, *Summary of Key Points: Colorado Affordable Housing Needs: Testimony to the Legislative Task Force on Affordable Housing, 7/20/01*. Available on-line at: <http://www.coloradoaffordablehousing.org/facts.htm#metro>

⁶Details of Tent City efforts and successes in other areas have been documented in the Denver Tent City Initiative's, *Sister City Survey 2003*, available through the Denver Voice. Further information has been gathered through the collective efforts of Michael Stoops and the North American Street Newspaper Association. Available on-line at <http://www.nationalhomeless.org/streetnews/index.html>.

⁷The Denver Tent City Initiative's, *Feasibility Survey*, conducted September through November 2003, surveyed approximately 200 of Denver's homeless, available at denvertentcity@yahoo.com.

⁸As evidenced by those in attendance and collaboration of Denver Tent City Initiative meetings. A more exhaustive list of supporters may be obtained through denvertentcity@yahoo.com.

⁹Tony Robinson, *Metro Denver's Declining Low-Income Housing Stock, 1991-2001*, available through Denver Outreach Center, trobinson@carbon.cudenver.edu.

¹⁰Metropolitan Denver Homeless Initiative, *Homelessness in the Denver Metropolitan Area: Point-In-Time Survey*, January 27, 2003.

¹¹Denver Homeless Planning Group, *A Blueprint for Addressing Homelessness in Denver*, September 2003.

¹²See Denver Municipal Code of Ordinances regarding panhandling 38-132, loitering 38-86, camping 39-7 park hours 39-3 and disorderly behavior 6-35.

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¹³As described by John Ensslin in the Denver Rocky Mountain News, *Homeless Shelters Fill Fast*, November 22, 1999.

¹⁴The detailed results of this survey given in the months of September through November 2003, to approximately 200 of Denver's Homeless, by members of the Denver Tent City Initiative, may be viewed by contacting the DTC Initiative at denvertentcity@yahoo.com or mdmalerbi@yahoo.com.

¹⁵Tom Boland, Science Daily Magazine. April 7, 1999.
<http://www.sciencedaily.com:80/releases/1999/04/990408065854.htm>

¹⁶Denver Homeless Planning Group. *A Blueprint for Addressing Homelessness in Denver*. September 2003. Denver: DHPG.

¹⁷Metropolitan Denver Homeless Initiative, *Homelessness in the Denver Metropolitan Area: Fourth Homeless Point-In-Time Study, January 27, 2003* (research supervised by Pat Lease). Denver: Colorado Department of Human Services.

¹⁸Ibid., p. 16-17.

¹⁹National Low Income Housing Coalition, *Out of Reach 2003: America's Housing Wage Climbs*. Available on-line at: <http://www.nlihc.org/oor2003/>; U. S. Department of Housing and Urban Development, *Waiting in Vain: An Update on America's Housing Crisis*, 1999; U.S. Census Bureau data, 2000.

²⁰Colorado Affordable Housing Partnership, Summary of Key Points: Colorado Affordable Housing Needs: Testimony to the Legislative Task Force on Affordable Housing, 7/20/01. Available on-line at: <http://www.coloradoaffordablehousing.org/facts.htm#metro>

²¹Metropolitan Denver Homeless Initiative, *Homelessness in the Denver Metropolitan Area: Point-In-Time Survey*, January 27, 2003.

²²Denver Homeless Planning Group, p. 10.

²³Institute for Policy Research and Implementation. *Housing Conditions and Needs in the City of Denver*. 2000. Denver: University of Colorado.

²⁴City and County of Denver, *Affordable Housing Task Force Final Report*. July 2001. Denver: City and County of Denver, p. 10.

²⁵Following spreadsheet and chart data taken from Tony Robinson, *Response to the 2003 Annual Report on the Denver's City Council on "Providing Workforce Housing in Denver."* 2003. Denver: Denver Outreach Center.

²⁶Desiree Helleger and Laurie Mercier, *A Brief History of Tent City Movements*, Retrieved from the web on January 1, 2003. Available at: <http://www.outofthedoors.org/dictionary.html>.

²⁷Denver Homeless Planning Group, p. 21.

²⁸Denver Homeless Planning Group, p. 30.

²⁹Yale News Release, *Community Activism can Curtail Homelessness Among the Mentally Ill*. 30 August, 2001. Available on the web at: <http://www.yale.edu/opa/newsr/01-08-30-01.all.html>, retrieved on January 1, 2004.

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³⁰Charles Hoch and Lynette Bowden, *Sheltering the Homeless: Social Mobility Along the Continuum of Care*. November 1998. Chicago: University of Illinois Great Cities Institute. Available on the web at: <http://www.uic.edu/cuppa/gci/publications/working%20papers/pdf/sheltering%20the%20homeless.pdf>. Retrieved December 23, 2003.

³¹Reported in the *Seattle Times*, *City Erred in Tent-City Rejection*, by Sara Jean Green on September 28, 2001

³²Article available on the web at: <http://outofthedoormways.org>. Retrieved January 2, 2004.

³³Article available on the web at: <http://csf.colorado.edu/forums/homeless/2000/msg00517.html>. Retrieved January 2, 2004.

³⁴Available on the web at: <http://outofthedoormways.org>. Retrieved January 2, 2004.

³⁵In re Eichorn, 81 Cal. Rptr. 2d 535, 540 (Ct. App. 1998) (permitting a homeless man, arrested for sleeping in a public place, to use the necessity defense).

³⁶The necessity defense as defined by Paul H. Robinson in, *Criminal Law Defenses*, 1984.

National Law Center on Homelessness and Poverty 1998 Annual Report.

³⁷810 F. Supp. 1551 (S.D. 1992).

³⁸See Id. At 1563

³⁹United States v. O'Brien, 391 U.S. 367, 376, 88 S. Ct. 1673, 1678, 20 L. Ed. 2d 672. (1968)

⁴⁰The following Zoning Administration Ordinances of the City and County of Denver, were evaluated for this proposal- 59-80 (*Residential care uses*) and 115-98 (*Large, spacing, density site and other requirements* (59-2(28)) and *permitted locations* (59-80(5) a. (iii)). Zoning definitions were also adhered to in the consideration of DTC sites, as per section 59-2 (113) *Residential care use, large* and (124.7) *Shelter for the homeless*.

⁴¹It is interesting to note the Denver Housing Authority's Mission reads, *to promote adequate and affordable housing, economic opportunity, and a suitable living environment free from discrimination in Denver*. <http://www.dhanet.com>.

⁴²This is an excerpt of questions fielded by the people governing Portland's Tent City, Dignity Village. www.outofdoorways.com.

⁴³Further information regarding Portland's, Dignity Village, may be obtained at their website, www.outofdoorways.com.

⁴⁴Interested individuals may contact Seattle's Tent City organizers at, <http://insideshare.hypermart.net/tentcity/#11>.

⁴⁵Inquiries relating to Dome Village may be directed to, www.domevillage.org.

⁴⁶The transformative stories of recognizing the homeless plight through the efforts of Hesed House's Tent City may be viewed at, www.hesedhouse.org.

⁴⁷www.geocites.com contains many articles detailing the Ft. Lauderdale Tent City.

⁴⁸Up to date news regarding the progress of Oahu's (Waianae) Tent City go to,

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www.khnl.com/Global/category.asp?C=5224 .

⁴⁹Further reading on Canada's Tent City Movement for Homeless may be done at, www.csmonitor.com/2002/0114/p1s3-woam.html , www.thunderbay.indymedia.org/news/2003/10/9359.php , www.findarticles.com/cf_dls/m0NQP/6_36/102452523/p7/article.jhtml, www.cbc.ca/news/features/homeless_squatters.html .

⁵⁰<http://www.geocities.co.jp/WallStreet-Bull/8932/>, is a website dedicated to educating the world about Japan's Tent City of Nagai Par