

# Intro to the LDC Project

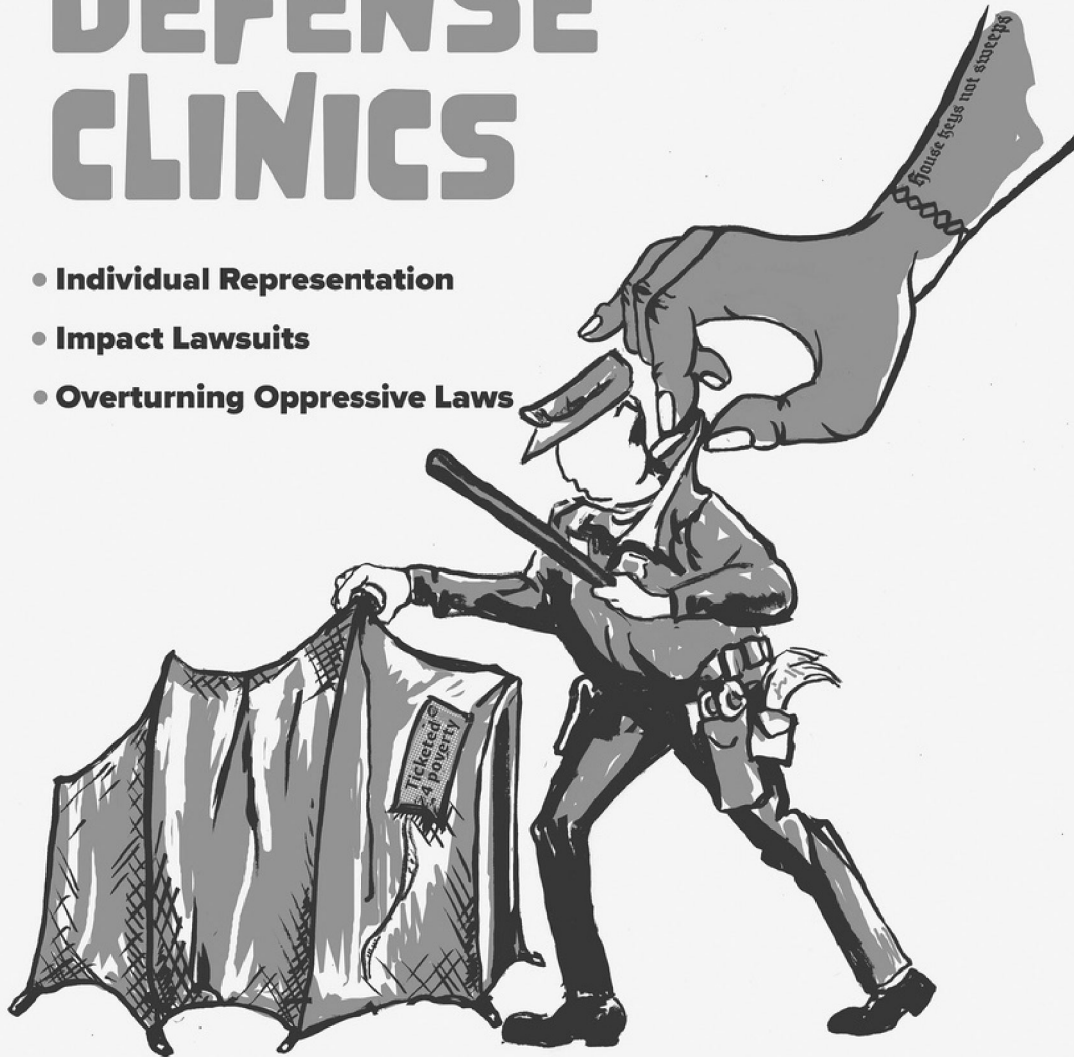


**HOUSE KEYS NOT SWEEPS**

# LEGAL DEFENSE CLINICS



- Individual Representation
- Impact Lawsuits
- Overturning Oppressive Laws



**LAWYERS, ORGANIZERS & POOR PEOPLE WORKING TOGETHER TO CONFRONT AND DISMANTLE THE CRIMINALIZATION OF HOMELESSNESS**



**UNITE THE FIGHT**



# Introducing the House Keys Not Sweeps Legal Defense Clinics (LDCs) Project

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Organizers and attorneys have long recognized that current structures for providing legal services to poor and unhoused community members will not stop criminalization or end state-created poverty. Collectively, we know there is a deep need to unite organizing and legal efforts and develop cross-organizational litigation and legislative strategies that build the power needed to overturn the brutal systems of oppression driving homelessness.

The LDC project is one attempt to do just that. Built on the foundation laid by past efforts, the LDC model harnesses the collective wisdom of the most experienced brains we could find in street-based organizing and movement-oriented legal work. It's not a magic solution and it might not work in every context. But we hope that by building off decades of bold, radical trial-and-error we can start forging new paths toward lasting change.

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## The Context of the LDC Project

The United States has a long, brutal history of using local laws to target, punish, and segregate people deemed “undesirable” to those in power. Flowing directly from their historical predecessors (sundown towns, anti-Okie laws, ugly laws, etc.), a nefarious apparatus of “quality of life laws,”<sup>1</sup> homeless and mental health courts, and private security has emerged to relentlessly criminalize poor and unhoused people and disappear them from our communities.

Criminalization has become the go-to “solution” for cities and states responding to the rise of visible poverty within their borders. Laws that punish people for engaging in basic survival activities like **sitting, standing, sleeping, or eating food** in public already exist in over 70% of US cities; more are passing each year, with increasing fervor and more severe penalties.<sup>2</sup> The consequences snowball: fines become warrants, arrests, and incarceration; essential personal property like IDs, medications, vehicles, tents, and more are permanently lost or destroyed. As a result, unhoused people are disqualified from jobs, education programs, and essential services (like housing and other public benefits), making it even more likely that they will stay poor and homeless. This cycle not only fails to address the systemic causes of mass homelessness and poverty, it also exacerbates underlying structures of oppression that plague our society (e.g., anti-Black racism, homophobia and transphobia, settler colonialism, ableism, etc.) and drains the capacity of communities to organize and build toward better futures.

For decades, poor and unhoused organizing groups have paired up with radical legal workers to bring legal support to their communities. While these attempts have had varying degrees of success, many have worked to reduce harm and bring urgent material relief to people living in dire circumstances. For example, where WRAP member organizations have organized ticket or citation defense clinics, attorneys have had a nearly perfect record of getting low-level anti-homeless tickets dismissed. In other instances, legal allies have won important cases against cities, and even private business improvement districts, for sweeps or other anti-homeless enforcement.<sup>3</sup> Unfortunately, these partnerships have almost always had limited life spans, fading out after a particular attorney leaves, a legal institution loses a funding source, or a new evil surfaces and diverts capacity and attention. The wins have also not been able to address the structural roots of mass homelessness, quell relentless waves of ever-morphing criminalization tactics, or alter power imbalances between attorneys working within oppressive institutions and organizers working in the margins that those institutions create.

The LDCs are anchored in an understanding that, important as past attempts have been, new methods of doing movement legal support are needed. The LDC model is our attempt to build off decades of tireless organizing and advocacy, the successes and the setbacks, and grow something that can flex and live with our movements for the long term.

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<sup>1</sup> Because they are systematically enacted and enforced to target poor and unhoused communities, this manual will refer to “quality of life” laws by their more accurate monikers: anti-poor or anti-homeless laws.

<sup>2</sup> For example, Tennessee recently made it a Class E felony to “camp” on public property, punishable by up to 6 years in prison and a \$3000 fine, and carrying a litany of other collateral consequences.



## So, What are the LDCs?

**Mission:** The LDCs aim to strengthen and support the growing movement to decriminalize homelessness by reimagining the relationship of legal work to organizing.

The LDCs are a **national network of movement-driven** legal clinics<sup>4</sup> dedicated to dismantling the carceral complex of laws and policies that target unhoused communities. In addition to increasing front-line legal representation, this network aims to fully integrate that legal support into organizing spaces working to build the power of poor and unhoused communities to fight for their own liberation and forge better futures.

Through this form and process, the LDCs facilitate a new depth of relationship between lawyers and organizers in the field, one which harnesses the full range of tools at its disposal, collaborates across time and space, flexes as the movement requires, and sharpens the focus of legal work to address the long-term needs of poor and unhoused communities.

**Scope:** The LDC Project targets **seven issue areas**. Through years of extensive street outreach, WRAP members identified the most common ways that unhoused folks are being criminalized across cities and states.<sup>5</sup> The LDC's seven issue areas reflect those that came up consistently in WRAP's outreach *and* have been hardest to rally sustained legal support for.

While these issue areas serve to strategically narrow LDC work, they will impact local sites to different degrees and may not reflect every form of criminalization your community experiences. It is **essential for local sites to conduct targeted outreach** during early phases of implementation to determine what issues are the most pressing in their communities. Because tools of oppression adapt quickly and spread like wildfire, the LDC Working Group can adapt the list of targeted issue areas as local outreach uncovers new tactics of particular concern.

### The 7 issue areas of the LDC project:

- Anti-homeless tickets & arrests
- Parking citations & vehicle tows
- Stay-away & trespass orders
- Food sharing bans
- Harassment by police & private security
- Property confiscation or destruction
- Warrants for all the above

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<sup>4</sup> The term “**clinic**” has a more expansive meaning in the LDC model than it might in other contexts. LDC “clinics” include **any point of legal (or legal-adjacent) support local sites provide to their communities**. This might mirror traditional legal clinics, where attorneys provide one-off legal support on discrete issues (e.g., defending against “quality of life” tickets or citations). It may also look like non-attorneys supporting community members with legal-adjacent issues that don't require an attorney, such as submitting admin claims for property destroyed during a sweep or fighting a vehicle tow. Or, it could take the form of attorneys and organizers working with community members to craft proactive impact litigation or legislative campaigns to fight back on a larger scale. In the LDC model, these are collectively known as “configurations of legal support,” as detailed in our configurations primer. This manual uses the terms “LDC,” “local LDC,” and “clinic” interchangeably to refer to this diversity of configurations

<sup>5</sup> This includes around 1,700 individual street outreach interviews conducted over seven years.

## LDC Structure

The LDC project depends on a collective of like-minded people with diverse talents operating at several levels simultaneously. The key roles of the project are each described below.

### National Oversight and Implementation

The LDCs are a joint project of the [Western Regional Advocacy Project](#) (WRAP) and the [National Homelessness Law Center](#) (the Law Center). Together, these two organizations dedicate organizing and legal staff and resources to serve as the LDC **Core Staff**.

The Core Staff oversees and executes the implementation of the LDC Project nationally. This includes building the project's mission and structure, creating core LDC materials (like this document), developing and sharing resources, and providing guidance and support to local sites to launch and run their local clinics (e.g., by facilitating the creation of strategic plans, assisting with outreach and recruitment, helping with budgeting and fundraising, etc.). The Core Staff are also responsible for the maintenance work essential for operating the LDC network long-term, such as updating manuals, providing administrative support, training LDC staff and partners, facilitating cross-site communication and strategy, etc.

### Local Oversight and Implementation

Local organizers work in partnership with local legal allies to implement the LDCs in their communities, forming the **Local Sites** (or “host sites”). These partnerships can take several forms and will likely change over time as circumstances change, but each will orient legal support around organizing goals and community needs.

While they work closely with the LDC Core Staff and Network, **Local Sites “own” their clinics**. This means that sites identify local priorities (through ongoing street outreach), coordinate legal and non-legal staffing, manage communication with clinic users and local partners, and direct LDC work in a way that drives their broader organizing campaigns. **Point organizers** are the folks at each local site tasked with coordinating the LDC. The team of point organizers will always include host site organizers, and will also sometimes include allied attorneys who want to play a larger role in implementing the LDC.

### Bringing it all together – The LDC Network

The LDC **Network** is the web that functions to turn a string of local clinics into a national force for decriminalization. To this end, the network connects all the above key players, locally and nationally, as well as vital allies—legal workers, organizers, academics, and other volunteers—invested in the project's goals. This network is what allows the LDCs to **amplify our efforts and scale up our skills and resources** in ways we simply cannot when working in the siloes of our local contexts.

Functionally, the LDC network works through the LDC [Working Group](#) (p.44) a body made up of the Core staff, members of each local LDC, and certain allies that direct the LDC project through regular meetings and collaboration. The Working Group provides a space for sites to share skills, troubleshoot, access peer support and supervision, and coordinate national strategy and messaging. Beyond skill-sharing and strategy, approaching decriminalization work as a coordinated national campaign also creates a vital **safety net** in which expertise and resources are pooled across sites, and can support members in difficult times.



## Guiding Principles

The LDC Network is the web that functions to turn a string of local clinics into a national force for decriminalization. To this end, the network connects all the above key players, locally and nationally, as well as vital allies—legal workers, organizers, academics, volunteers—invested in the project’s goals. Functionally, the LDC Network is a working group that meets regularly and provides a space for local groups to troubleshoot, access peer support, and coordinate national strategy and messaging. The network also functions as an essential capacity safety net, where expertise is pooled and local sites can request critical resource support in difficult times.

### **1. The criminalization of homelessness is a project of racial capitalism, ableism, and settler colonialism.**

We cannot meaningfully engage with the goal of decriminalizing homelessness without an analysis that centers anti-racism, disability justice, and decolonization.

### **2. Mass homelessness and poverty will never be ended unless the systems of oppression that have created and maintained it are dismantled.**

Criminalization as a solution to poverty and homelessness serves only to keep people poor and homeless.

### **3. This deep systemic change can only be achieved through grassroots organizing that empowers unhoused people to compel systemic change.**

Changing laws or defending individuals against laws may be harm reductive, but is not, and by design cannot be, revolutionary. Legal support must be strategically utilized to leverage power back to grassroots movements and the communities they exist in.

### **4. Still, unhoused peoples’ movements have an urgent need for lawyers to do essential harm-reductive work.**

The mechanics of criminalization are brutal and efficient, and unhoused communities are relentlessly persecuted by them with little to no legal support. Access to counsel is critical to breaking cycles of criminalization, protecting the legal rights of unhoused people and organizers, and reducing material barriers to their ability to organize and build power.

### **5. This legal support must be intentional and based on a praxis of movement lawyering.**

Legal work is not inherently transformative; it can uphold and recreate the institutions and systems that drive mass homelessness and poverty. Unhoused peoples’ movements require lawyers willing to disrupt traditional lawyer/client power imbalances, work in true partnership with organizers, ground tactics in movement strategy, and take direction from criminalized communities.



## **6. In turn, lawyers need more pathways for developing both their substantive skills and their own practice of movement lawyering.**

There are limited opportunities for new attorneys, or attorneys new to the issues, to enter the field of decriminalization of poverty and homelessness; even fewer that allow this work to be done through a movement lawyering approach. Resources need to be built and maintained to recruit, train, and support more attorneys to come into this crucial work through a movement lawyering framework.

## **7. Organizers need networks of collective support to sustain legal support work long term.**

Front-line organizers are almost always working at or over capacity. Legal support has been difficult to start up or sustain in the context of this constant capacity scarcity. To create sustainable legal support in these spaces, it is essential to build out a network that can provide local organizers with resources, other material support, and opportunities for mentorship and strategic collaboration.

## **Core Commitments**

While the LDCs will expand access to free legal services for poor and unhoused people, its vision does not stop there; the true power of the model is rooted in its capacity to support broader systemic change. In the LDC model, the process through which legal work is done is as radical and as essential as its outcomes. Legal support is integrated directly into existing organizing spaces, and legal tactics are strategically chosen to further movement goals. The relationship nurtured between organizers and lawyers through this process is fundamental to the LDC's theory of change, and allows for mutual skill-building, nuanced and creative strategizing, and direct accountability to unhoused communities.

To achieve this, all local LDCs commit to five things:

### **1. Developing and centering an intersectional analysis of how neoliberal capitalism, anti-Black racism, settler colonialism, and ableism shape the landscape of criminalization**

This includes a commitment to directly addressing these issues internally (e.g., by reviewing hiring practices and being intentional about coalition-building).

### **2. Advocating to address the root causes of mass homelessness and poverty, such as the divestment from affordable housing and investment in criminalization**

It is also essential that in the effort to dismantle the system of criminalization, we unequivocally reject carceral "solutions" based on myths of broken individuals or service resistance.

### **3. Utilizing local legal clinics as a tool of broader grassroots movement work**

All legal work done through the LDCs, even if purely harm reductive, is guided by principles of movement lawyering. Because pathways for developing these skills remain limited, the LDCs also commit to nurturing the practice of movement lawyering more broadly through, for example, training, resources, mentorship, and coalition-building.

#### 4. Growing pathways for unhoused community members to substantively shape and lead their local LDC and the larger organizing work it is embedded in

The LDC Project's seven priority issue areas were drawn from extensive street outreach conducted by WRAP members. In order to ensure that our work stays accountable to the people directly impacted by anti-homeless laws and policies, the LDC commits to doing two related things: (i) utilizing ongoing outreach in local unhoused communities to shape the structure and strategy of each LDC; and (ii) creating active pathways for unhoused community members to get involved with, and take leadership roles in, organizing work—including in running the LDC itself.

#### 5. Investing time and resources into building out the LDC network as a vehicle for both increasing organizational capacity at local levels and building power nationally

The LDC network aims to be a hub of skill and resource sharing, communication, and strategic analysis that combines the wisdom and power of local groups, the LDC Core Staff, and allies from our communities. This network also serves the long-term sustainability of the project, acting as a support system that can be leaned on during times of organizational crisis, drain, or upheaval. Keeping the network functioning, relevant, and resourced is vital to fighting criminalization on a national scale.





\*Excerpt of the

## Primer on LDC Legal Configurations

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In the LDC model, legal support is not offered in any one static form. Rather, LDC organizers build out a variety of different **legal tools** and **partnerships** with legal workers to meet evolving movement goals and urgent community needs. In this sense, each local LDC functions less like a traditional “legal clinic” and more like a workbench from which local site staff utilize a carefully crafted legal toolbox to address criminalization.

In this toolbox, each possible tool and partnership has its own specialized use and are combined in various **configurations** of legal support to meet discrete goals.

### **What do we mean by “configurations of legal support”?**

We use the term “configuration” to describe any setup through which a legal tactic is used by LDC site staff to meet a legal need. Thinking of the toolbox example again, the term refers both to the specific tools organizers use (i.e., certain tactics or resources) as well as who will use the tool and how they will use it. One of the key features of the LDC model is that local sites have the flexibility and support to pivot between or combine different configurations as needed to meet community and organizing needs.

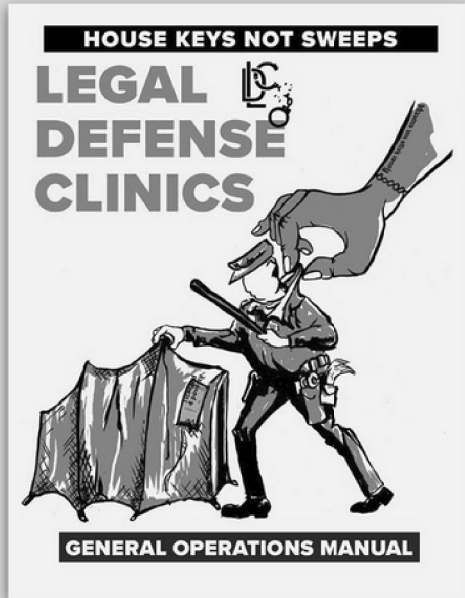
The following are *just some* possible configurations that local LDC sites might utilize:

- A group of volunteer attorneys, recruited to the LDC project by organizers, offers their time a few hours a month to defend individual community members against anti-homeless tickets and citations.
- Organizers provide legal support directly to their community by hosting self-help workshops teaching community members how to file their own administrative claims for personal property stolen during sweeps.
- Organizers partner with a local law school clinic in which law students (with training and supervision) appear with community members to challenge vehicle tows/impounds.
- A local legal organization is recruited to partner on a lawsuit that challenges a local anti-camping ordinance, potentially with the LDC host organization as a plaintiff.
- An LDC host site hires a staff attorney to be an employee of their organization; the attorney uses different legal tactics to meet organizing goals and community needs.
- Organizers partner with a local legal organization to run a mixed-issue clinic out of the host organization’s space; the attorneys do this LDC work as part of their regular job at the legal organization.

Each of these example configurations targets different needs, leverages slightly different skills and experience, and requires different resources to work. In some cases, organizers may need to use multiple configurations at once; in others, it might make more sense to focus energy on one configuration at a time. To support organizers in determining what possible configurations they can draw on, and why/how/when each would be most effective, the LDC Core Staff will work with local sites in the early phases of implementation to craft a strategic plan around these questions (see [Implementation Roadmap Step 4: Strategic Planning](#) (p. 22)).

\* For more see the full primer--included in the LDC General Operations Manual--at [wraphome.org/LDC](http://wraphome.org/LDC)

# A peak inside the LDC Gen Ops Manual



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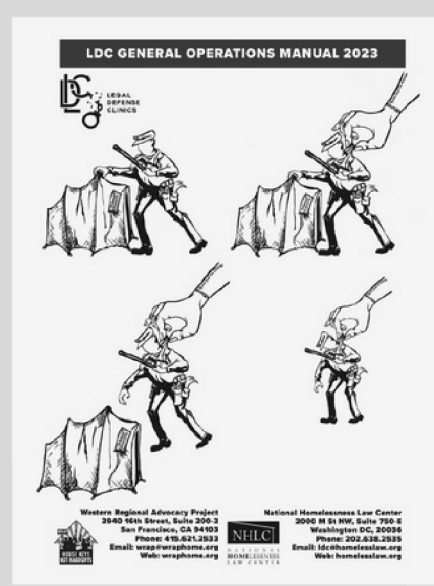
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*"Fourteen Hours" by Art Kramlinger*



## Learn More About the LDC Project:

We are in the very early phases of the project, developing the resources and infrastructure needed to start implementation. We will soon be seeking initial pilot sites to take on the first launch of the project. We will then look to expand the LDC network more broadly, based on lessons learned in the pilot phase. To become a new LDC site, local communities must have a pre-established organizing base that is directly accountable to unhoused community members.

Where that base does not yet exist, local organizers or attorneys may attend LDC training and webinars and request LDC materials to support their base building or support work.

For updates on this project and related work, subscribe to the WRAP newsletter and the Law Center newsletter.

## Contact Information


- If you have questions about the LDC project, are interested in our organizing toolkits, or are interested in providing pro bono support, reach out to us at [ldc@wraphome.org](mailto:ldc@wraphome.org).
- For organizing groups interested in anti-criminalization work more broadly, please reach out to [wrap@wraphome.org](mailto:wrap@wraphome.org) for information about the WRAP Sweeps Campaign.
- For attorneys interested in anti-criminalization work more broadly, please reach out to [ldc@homelesslaw.org](mailto:ldc@homelesslaw.org).



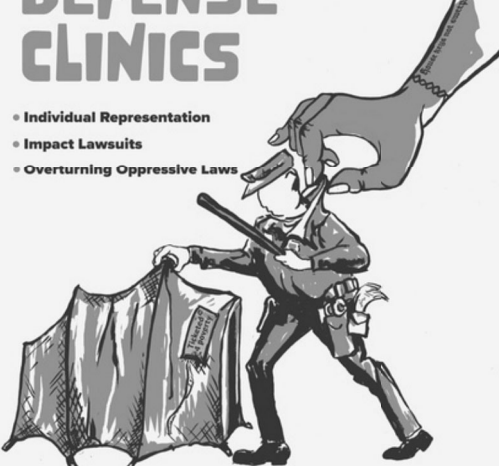
Download or order WRAP anti-criminalization artwork here:  
<https://wraphome.org/organizing/wrap-artwork/>

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NATIONAL HOMELESSNESS CENTER



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**SWEEPS**