

# Municipal Defense Project:

## A Report on the Criminalization of Homelessness to the City County Homeless Issues Committee

Madison, Dane County, Wisconsin

February 3, 2020



Presented by Attorney Seep Paliwal, Program Manager & Lead Attorney

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## **Who are we?**

I am a Staff Attorney with Community Justice, Inc. I established The Municipal Defense Project 2016 with a grant from the Madison Community Foundation. We were inspired at CJI to create this program by a former staff attorney on our team. She represented a community member experiencing homelessness through a State Public Defender appointment and realized this client had over 40 municipal tickets incurred as the direct result of his unsheltered status. Our program exists to provide legal representation to individuals in similar circumstances who are disproportionately receiving tickets as they struggle to meet basic needs of shelter, food, and comfort. We pair qualifying individuals with volunteer attorneys from the greater-Madison area who work with the municipal court and city attorney staffs to achieve the best outcome for all vested parties. Many times, this leads to tickets getting dropped altogether or greatly reduced and converted to community service hours. The overarching impact of this work is to eliminate barriers for our community members seeking long-term, stable housing. Dealing with these tickets improves credit scores, reduces risk of jail time, and eliminates blemishes from court records that often prohibit housing searches down the road.

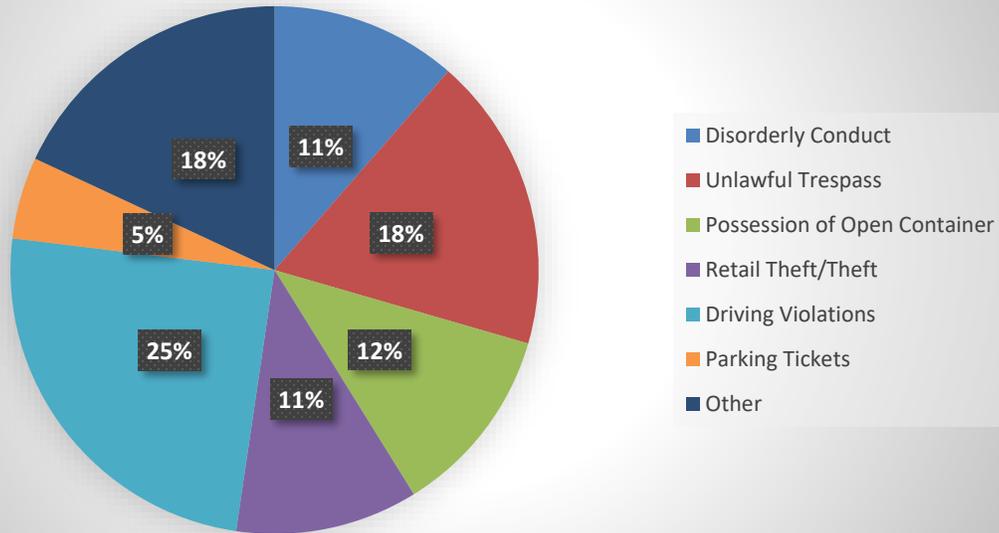
## **Who are our clients?**

Our clients come from a wide range of backgrounds, ranging in age, race, gender, and sexual orientation. This population includes runaway teenagers and military veterans, as well as parents and grandparents caring for children of all ages. Many of our clients are managing untreated mental health conditions and substance abuse histories. Our clients include employed individuals, and those who have been on federal disability their entire lives. Attempting to portray a typical client is nearly impossible. However, there is no question that homelessness disproportionately affects those of minority communities, and it is often substantially more difficult for these individuals to transition out of homelessness.

## **Where do we meet our clients?**

We conduct outreach at the Beacon Day Shelter on Thursday mornings, and at First United Methodist Church on Wednesday mornings. We also welcome referrals from partner agencies and our sister program at Sankofa.

## Breakdown by Citation 2018-2020



### Intakes done through January 2018 – January 2020

Total Tickets: 797

Disorderly Conduct: 91 – 11.42%

Unlawful Trespass: 144 – 18.07%

Possession of Open Container: 93 – 11.67%

Retail Theft/Theft: 89 – 11.17%

Driving Violations: 196 – 24.59% (Speeding, Failure to Turn, Unregistered Vehicle, Suspended License, Operating While Revoked, etc.)

Parking Tickets: 40 – 5.02%

Other: 144 – 18.06% (Public Urination, Depositing Waste, Resist or Obstruct Peace Officer, Possession of Marijuana/Drug Paraphernalia, Panhandling, etc.)

Disorderly Conduct	91
Trespass	144
Open Container	93
Public Urination/waste	13
Payment of motor bus/taxicab fare	4
Possess/consume alcohol on private prop	6
Resist or obstruct peace officer	18
Sleeping on private property	1
Theft	89
Unlawful use of bus shelter	6
Possession of marijuana	18
Possession of drug paraphernalia	16
Parking tickets	40
Driving violations	196
Misuse of 911	7
Person making unreasonable noise/sound amplification	8
Panhandling	10
Smoking prohibited	1
Battery	5
Curfew	2
Intentional false alarm	2
Annoying telephone calls	2
Dog or cat to run at large	1
Damage to property	5
Placing articles in right of way/Obstructing walk ways	7
Median safety violation	1
Loitering for prostitution	1
Exposure of person	1
Restitution	1
Cat license and tags required	6
Sudden pedestrian/bicyclist movement	1
Deposit of rubbish on street	1

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