

## Who Can Speak for the Homeless?

### Developing a Sustainable Model for Feeding the Homeless of Philadelphia

By: Anna Ralph

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On March 14, 2012, Philadelphia mayor Michael Nutter stepped to the podium to announce new regulations concerning the outdoor feeding of the city's homeless population, effective May 1. By the next day television news affiliates and the Associated Press had circulated the story throughout the country. It appeared that the City of Brotherly Love was preparing to turn its back on some of its neediest and most vulnerable, following calloused and self-serving motivations.

This early interpretation proved to be an unfortunate exaggeration. The city had indeed taken some unprecedented steps, which had significant implications for the homeless and those who serve them; however, these steps reflected not disdain, but rather concern for the homeless population. For example, in conjunction with the city's Board of Health and Department of Parks and Recreation, and citing concerns such as food safety, human dignity, and access to social services, Mayor Nutter had proposed ending all outdoor feeding of the homeless (and indigent) in city parks. Nutter asserted that indoor feeding locations would better serve the needs of the homeless. Critics immediately questioned the city's altruism. Some of the main locations where citizen groups typically served the homeless were in city parks near cultural venues that attract tourists.

In one area, the city was preparing to open a new \$200 million museum at roughly the same time that the new regulations would be implemented. Accusations of trying to hide the homeless from sight came from many directions. In response, the city held hearings on the proposed regulations and listened to many expressions of concern as well as some misinformed accusations. It then modified the original proposal to remove some of the initial stipulations. Charitable groups could continue to feed the homeless outdoors, provided they meet some new food safety criteria and receive licenses from the Board of Health. City parks, however, were still off-limits for these food distributions.

Despite the compromises, two months later this issue continued to be volatile in and around Philadelphia. Its contentiousness is likely related to the emotionally-charged issues it represents. Few things elicit more passionate responses than the topics of food, hunger, the homeless, human rights, social justice, suspicious governmental actions, and religious freedom. Much of the controversy centers on whose understanding of the needs of the homeless is most accurate and comprehensive. What are the food needs of the homeless, and what is the best way to meet these needs? To better understand the complex issues embodied in these questions, it is necessary to step back and take a dispassionate look at who the homeless are, what has been attempted to meet their needs, what societal factors complicate the issue, who can realistically speak for the homeless, and how a sustainable and holistic model of providing for the food needs of the homeless might be developed.

### Who Are the Homeless?

A substantial literature is dedicated to defining the homeless, delineating the causes of their circumstances, and proposing remediation. It is not the purpose of this paper to provide an in-depth analysis, or even a summary, of these sources. Rather, the following discussion draws on definitions and demographics cited by Philadelphia homeless advocacy groups. Project H.O.M.E., one of the city's largest homeless advocacy groups, defines homelessness in the following manner: "A person who is homeless does not have a fixed, regular and adequate nighttime residence" (Project H.O.M.E. 2012). The homeless are notoriously difficult to count. Many are tucked away in obscure park areas, vehicles, or abandoned houses. Nevertheless, Project H.O.M.E. estimates that approximately 4,000 people are homeless in Philadelphia on any given day, including only those "who are in shelters or on the streets." Numbers vary seasonally, but in general only about 10% sleep on the streets. Of those in the city's shelters, roughly 20% of individuals and 13% of families are "chronically homeless." One third of the city's shelter population is comprised of children (Project H.O.M.E. 2012). The number of homeless young adults, aged eighteen to twenty-four, is increasing. People of color, of all ages, are disproportionately represented, with over 80% being African-American. Approximately 85% of the city's homeless are men (Moss-Coane 2012).

The homeless include individuals struggling with substance abuse or mental illness, veterans, victims of domestic violence, and, increasingly, families. Circumstances which contribute to the likelihood of homelessness include bank foreclosures, lack of affordable housing, unemployment, decreasing public assistance, and lack of affordable health care (Project H.O.M.E. 2012). Many do not fit the public's stereotype of a "typical" homeless person; some are even college-educated (Moss-Coane 2012). Despite the fact that the homeless share a physical space and a circumstance, they cannot be categorized with one tidy general description. Because they are so diverse, there is no single solution that will address the concerns of all. Their needs may appear to be the same: all need food, a place to live, and the means to support themselves. All are vulnerable and some are on similar journeys. But each is still an individual—with a unique story and perceptions of his or her circumstances and identity. Each one looks for a measure of control over their life, degrees of choice, and unique solutions tailored to individual circumstances.

### What Has Been Done to Help?

A variety of groups has rallied over the years to attempt to provide the most basic of human needs—food. Most of these do not distinguish between distributing food to the homeless and the indigent. Many also actively connect the homeless with shelters and with social services to find long-term solutions to break the cycle of poverty and homelessness. There are too many organizations to cite individually, but a pattern of involvement is apparent (see various websites in reference list corresponding to the following). Some non-profits offer meals indoors on a daily, or almost daily, basis.

The Sunday Breakfast Rescue Mission ambitiously provides three meals every day of the year; St. John's Hospice serves lunch every weekday. Broad Street Ministry also serves indoors, but is currently limited to two days per week. Others employ a model which incorporates both indoor and outdoor distributions; Chosen 300 Ministries, an alliance of churches, serves indoors five times weekly but adds

an outdoor meal on Saturdays from May to October. Other groups come to Center City weekly or biweekly to distribute food outdoors, usually on the Benjamin Franklin Parkway or in some other city park location. King's Jubilee has been serving dinners on Thursdays for over 23 years; Philly Restart distributes on Mondays; Food Not Bombs Philadelphia covers Sundays and Mondays in one location and Wednesdays at another one. Then there are church, youth, and civic groups who sporadically arrive and pass out food where the homeless are known to congregate.

Cumulatively, these groups and individuals impact the problem of hunger in downtown Philadelphia. But how great is that impact? It is challenging to judge the effectiveness of these programs—outdoor/indoor, daily/weekly, informal/organizational. By what criteria should they be evaluated? In every case, someone who is hungry receives food. Moreover, everyone who shares has good intentions; many even try to implement holistic solutions to the systemic problems of homelessness. Relationships with “regulars” form and the food providers become “family” for the homeless. The challenge, though, is that no one is really in a position to see what unhealthy behaviors and mindsets are being reinforced and perpetuated—on both sides of the serving table.

### Narrative—New Regulations

When the City of Philadelphia announced its new regulations in March 2012, it was the latest effort in a long history of measures to deal with homelessness. Feeding the homeless and the hungry has been a longstanding challenge for the city's government as well as its citizens and charitable organizations. Mayor Nutter was quick to praise the efforts of those who had worked tirelessly to make a difference in the lives of the homeless. He thanked them “for the good work they are doing” but added, “we can do better.” Part of Mayor Nutter's impetus was his own personal conviction that the hundreds he had often witnessed lined up in city parks, “shivering in the cold and rain, huddled in the dark,” waiting for a sandwich, deserved better. “I believe that people regardless of their station in life should be able to sit down at a table to a meal—inside, away from the heat and cold, the rain and snow, the vehicle exhaust and distractions of the street” (City of Philadelphia 2012). The new policy initiative he announced was “aimed at increasing the health, safety, dignity and support for those vulnerable individuals who now gain their daily and often less than daily sustenance from well-intentioned people distributing food on City streets.”

The initiative involved multiple municipal departments. The Commissioner of Parks and Recreation issued a regulation that banned outdoor feeding in all city parks. The Commissioner of Public Property established a temporary food distribution location on the apron at the northwest corner of City Hall, equipped with running water and portable toilets. The Board of Health drafted a regulation that required any group distributing food to possess an Outdoor Feeding Permit provided by the Health Department as well as proof of training in safe food handling. Groups were also required to submit information concerning a contact person, the location where the food would be distributed, evidence of a licensed facility for food preparation, and possible menus (City of Philadelphia Department of Public Health 2012a). In making these changes, each department followed processes prescribed by law. Meetings were open to the public and constituents also could request (and be granted) hearings at

which they could express their concerns. Some of these meetings and hearings were highly antagonistic, especially those at the Board of Health. Since the Board of Health was most closely connected with the actual food regulations, and since its process was the most contentious, it warrants a more detailed description.

The January 12, 2012, minutes of the Board of Health reveal several items of interest: the Board is composed of medical doctors; the group was wrestling with how to regulate public feeding activities to ensure safety in preparation; and great concern was expressed that any improvements in regulation of food quality not “impede or diminish the availability of food.” The minutes also reveal that the Board listened to concerns from representatives of several non-profits currently conducting outdoor food distributions. One from Chosen 300 Ministries described the safe practices her group already followed and expressed concern that any complex regulations might challenge her organization’s ability to maintain its network of 1500 volunteers and the 75 unlicensed church kitchens in which food was prepared. The Board members inquired of those in attendance what kinds of regulatory changes could be beneficial and solicited their input. The Board decided to hold a special meeting in February to consider a draft of the proposed regulations, which would require a 30-day public comment period followed by a public hearing (City of Philadelphia Department of Public Health 2012c).

The Board’s February minutes show that 85 constituents attended and many spoke. The minutes also indicate that the Board passed a draft version of the “Regulation of the Board of Health Concerning: Outdoor Feeding.” It should be noted here that at no point in the minutes or in the draft regulation was there an outright ban on outdoor feeding; rather, additional new requirements were introduced. Following discussions with those involved in food distribution, the application form had been streamlined. The major provisions of this regulation required: 1) an application and issuance of a permit (to be displayed at the food distribution site); 2) completion of a four-hour food-safety training course; 3) the presence of at least one trained individual onsite during preparation and delivery of meals; 4) all food to be prepared at inspected facilities; 5) provisions at distribution sites for hand washing; 6) advance information about menus and location of distribution. Fees would not be charged for the permits or the training classes (City of Philadelphia Department of Public Health 2012a). Additional discussion reflected that illnesses related to public feeding had not been evidenced. However, the department would not be aware of such outbreaks unless individuals presented themselves at a hospital, an unlikely scenario. There was also discussion about how the regulation would affect groups like Occupy Philadelphia. The answer was that the regulation would apply equally there (City of Philadelphia Department of Public Health 2012d).

The public hearing conducted by the Board of Health on March 15, the day following the mayor’s public announcement, drew a significant crowd and resulted in a modified draft of the regulations. The most notable changes included:

1. The “certifiable” kitchen requirement was relaxed. Food could be prepared in any kitchen, as long as an individual was willing to attest that it had a stove, a sink with hot and cold water, and proper

refrigeration, and that it was vermin free and sanitized. These standards would be allowable if the food was served within four hours of being prepared and kept at a proper temperature in the meantime.

2. The length of the safe food handling classes was decreased from four hours to two hours.
3. Menus no longer had to include specific details, just a designation of “hot” or “cold” items.
4. The specificity of the distribution location was expanded. For example, the location could be expressed as an intersection with an assumption of a ten-block radius surrounding it. All sites were subject to unannounced inspections (City of Philadelphia Department of Public Health 2012b).

At its March 22 meeting, despite interruptions from protestors, the Board approved the amended version. (See Appendix for complete regulation.) Since that meeting, the regulations have been caught in the bureaucratic process required for implementation, including passing through the Law and Records Departments. The city Parks and Recreation Department filed papers May 21 that would put the city park ban in effect June 1. Rumbles continue to be felt in City Council where a councilwoman is still fighting the mayor’s actions and calling for public hearings (Dunn 2012, MacDonald 2012, Newsworks 2012). Additionally, a Philadelphia civil rights law firm is considering a lawsuit and the city has “received notice of intent to sue” (Thompson 2012). In the meantime, though, the City Hall apron opened on May 1, with “hand-washing stations, security and trash pickup, for those who want to bring meals to feed the hungry,” and has already been used several times (MacDonald 2012).

Enforcement of the new regulations has implications for two groups: those with permits and those without. Those with permits are subject to unannounced inspections but will not face actual fines until health code violations have been found multiple times and their permit is being revoked for a second time. Those without permits will not be fined until their third citation. Fines will be minimal at \$150. Mayor Nutter expressed hope that those who care about the homeless and hungry would work in “a spirit of peace and of cooperation and of love and of humanity” that would not raise a lot of enforcement issues (Moss-Coane 2012).

## The Issues

The impetus behind the new regulations and the responses from the public have exposed a number of significant issues. At this point it would be easy to step back and conclude that none of this is really about food - that it is actually a public policy issue that happens to involve food. But to reduce the complexities of this situation to such a simple conclusion is to ignore the fact that every part of it defines and impinges on the foodways of the homeless. By definition, “foodways refers to the network of behaviors, traditions, and beliefs concerning food, and involves all the activities surrounding a food item and its consumption, including the procurement, preservation, preparation, presentation, and performance of that food” (Long 2004:8). Each entity, each policy, each action influences who will be fed, what they will eat, where they will consume it, and how they will perceive it. With this understanding the following issues become significant in considering the foodways of the homeless.

*Responding to the phenomenon of homelessness*—The factors which give rise to and perpetuate homelessness are extremely complex and intertwined. Anyone who portrays homelessness as a simple problem with straightforward solutions has probably not studied it in much depth. Those who grapple with its realities recognize that conflicting philosophical understandings produce differing approaches. Homelessness is viewed either as a societal ill which can be eventually remedied and eradicated or as a problem which will always exist. For instance, Project H.O.M.E. optimistically claims to “have developed nationally recognized programs that have proven that homelessness can be solved,” and works to remedy the “root causes of homelessness by helping to rebuild low-income neighborhoods and by engaging in political advocacy to bring about positive public policies for low-income and homeless persons” (Project H.O.M.E. 2012). Organizations’ philosophies regarding homelessness influence their strategies, demonstrating differences in purposes, degree of passivity, assignment of societal responsibility, and expectations of government, non-profits, and the homeless themselves.

*Irresponsible activism and journalism*—As with any other headlining story, community activists and journalists framed the issues and events in ways that best served their purposes. From the first draft of the Board of Health’s regulation, there were provisions for outdoor food distribution to continue, but with increased accountability. Yet, many of the headlines flashed around the country via television, print media, and blogs made confusing proclamations like “Philly mayor seeks ban to feeding homeless outside,” and “Philadelphia decides to stop outdoor feeding of homeless” (McHenry 2012). Misrepresentations of the facts abounded, as did inflammatory statements. One Occupy Philly protester even carried a placard that read, “Nutter HATE\$ the HOMELESS” (Occupy Philly 2012). These actions served to misinform the public and to fuel the controversy.

*Distrust of government*—In Anna Lappé’s article, “Who Says Food Is a Human Right?” she asserts that U.S. citizens “see human rights as ‘negative’ rights—rights against government” (2011). She adds, “While human rights to health, education, social security or food are guaranteed to a certain extent through legislation, they are still seen as suspect. Indeed the protective role of government is denounced as paternalistic and even...as paving the way for totalitarianism” (Lappé 2011). Much of what the Nutter administration has done has been seen as suspect. The mayor has been accused of proceeding in an undemocratic manner, although all stipulations of the Home Rule Charter have been followed. In trying to protect some of its most vulnerable citizens, he received criticism for taking away their rights. Charges of discrimination against the homeless have also been leveled.

The most glaring and most difficult to reconcile have been accusations focused on the timing of the new restrictions to coincide with the opening of the new Barnes Foundation along the Benjamin Franklin Parkway. According to the mayor, plans for the new regulations had been in the works for a number of years but could not be implemented until now when the necessary provisions for caring for the homeless were finally in place. However, nothing the mayor said convinced his critics that removing the homeless from view was not a primary consideration. Those who planned to defy the ban cited this as their justification in doing so: “We are not moving. We are totally against the legislation. It is clear this is not about a health issue. It is about getting the homeless people off the Parkway”

(Mathew 2012). Whether or not there is any basis of truth in these accusations, the reality is that Philadelphia is only one of a number of U.S. cities which have taken measures to restrict the outdoor distribution of food (Infowars 2012). Most of these cities have cited health concerns as their primary motivation.

If opponents are looking for a reason to be suspicious of the city's timing and motivation, there is another correlation, one that seems largely unnoticed. Although Occupy Philly rallied behind the plight of the city's homeless, it might have actually contributed to the enactment of the regulations which will now limit food access. During the Fall 2011 Occupy Philly encampment, poor sanitation became such an issue that the city eventually evacuated the area and thoroughly cleaned it. The City's Health Board realized during its dealings with Occupy Philly that it had no authority to ensure the safety of food being passed out there (Beeler 2012). With the warm weather returning and the possibility of the protest movement reigniting, the timing and intention of these regulations in March 2012 could easily be seen as targeting the freedoms of protestors.

*Human Rights*—This conflict was framed by many in terms of social justice. The violations of various human rights were cited in protest of the regulations. Individuals have a right to food, a right to access, a right to clean food, a right to nutritious food, a right to safety, and a right to practice their religious convictions, among others. The first question should be whether or not anyone's rights are actually being overlooked or violated. But an even trickier second question concerns what should be done when an individual's rights seem to be in conflict with those of another. Which is more important—a right to access or a right to safety? Should a person's right to freely practice his religious convictions supercede a homeless person's right to safe food? And who gets to decide?

*Double Standards*—Mayor Nutter argued that the health code should provide the same protections to the homeless as to other citizens. Those who can afford to purchase their food, whether from a supermarket, a restaurant, or a sidewalk food cart, do so with the assurance that the Board of Health has inspected it and has deemed it safe. But some of those who provide food to the homeless do not want these extra regulations to apply to their efforts and/or see no need for them. An unnamed visitor to the Board of Health public hearing actually had either the ignorance or audacity to comment, "The food is safe because it is based on caring and love and helping people. Regulation is only needed where there is a profit motive because they will cut corners to make money" (City of Philadelphia Department of Public Health 2012e). This person was not taking into account how compromised the immune systems of the homeless are, how many cases of food poisoning result from family picnics (food made by loving hands), or how most people respond to discovering dried food on their restaurant silverware, a hair in their soup, or unwashed employee hands (all relatively minor infractions). An additional double standard is apparent in the issue of access: people believe the homeless and their benefactors should have free access to all parts of the city, yet the city constantly faces neighborhood rejection of proposed homeless shelters. *Human Dignity*—Much of what the mayor and other proponents said was framed as an issue of dignity. But what is "dignity" and how is it fostered and measured? In a revealing statement, Mayor Nutter recounted, "As a black man it is painful, personally painful to me, to walk

[or] drive on the Parkway, or other areas, and see hundreds of people, many of whom are also African American males, standing in 90 some degree heat, 20 degree cold, in the rain, standing around in long lines, just trying to get a sandwich” (Moss-Coane 2012). Clearly, for him human dignity is coupled with the physical discomfort someone has to face. “We can do better” has become almost a mantra. For him dignity is exemplified when people are served indoors in an orderly, safe, and healthy manner and the social services they need are provided.

For Rev. Bill Golderer (of Broad Street Ministries), dignity is defined by a “dining experience” that is provided indoors, where “people are reminded that they are fully human and that they’re deserving of the experience of flourishing—eating in the company of others and being welcomed as friends.” He emphasizes the concepts of hospitality, “being known,” and “belonging somewhere and to someone” (Moss-Coane 2012). Alternatively, Adam Bruckner, of Philly Restart, equates dignity with freedom of choice. “We believe that dignity comes through a choice, not by telling somebody where they have to go” (Moss-Coane 2012). He cites the Muslim homeless population he interacts with and their conviction that they should not have to go to facilities which are unequivocally Christian; there are other homeless who simply do not want to go inside. Like other benefactors, Bruckner also describes the relationships that develop among those who serve and those who are served, saying, “We know their names and about their lives....We are their family” (Moss-Coane 2012).

“Bill, from Villanova,” who called in during WHY?’s radio program, provided another perspective on dignity: “I am many years removed from being on the street and being hungry. But I know this in my heart: I [would] find somewhere dry to stand; I [would] find somewhere to lay; but I [wouldn’t] always find something to eat. And after you’ve eaten out of a dumpster, dignity is really, really not a concern....Any time somebody can get a decent meal, can get a sandwich, can get a bite to eat, to stop that screaming in their stomach, it is wonderful” (Moss-Coane 2012). Later in the program, Bruckner added, “The dignity thing—how can you measure something like that?” (Moss-Coane 2012). It does seem that there are as many versions of “dignity” as there are concerned activists. What is the evidence of “dignity”? Can it only be defined in the negative, as in not standing in long lines or not in the weather? Is it not digging through a dumpster for food? Is it not having to do something you prefer not to do? Or is it the presence of something elusive, such as “belonging” or “family” or “order”? Does dignity come when one’s needs have been met? Is it a byproduct of successful overcoming—which is realized only when a person is no longer homeless? For each individual the answers to these questions will vary. “Dignity” is easy to aspire to on behalf of someone, but difficult to provide.

## Who Can Speak for the Homeless?

There are clearly no straightforward answers for meeting the needs of the homeless. Although they are usually spoken of collectively, each individual has his or her own circumstances, needs, and desires which must be taken into account. Given all the complexities outlined thus far, it is challenging to determine who is most knowledgeable and best qualified to speak on their behalf. Everyone involved in the cause has good intentions and honestly believes that they are acting in the best interests of the homeless. But the homeless themselves are vulnerable and wield little agency. They can easily become

pawns among dominant groups jockeying for control. Decisions made on their behalf are often determined by whoever speaks most loudly. Therefore caution must be exercised when listening to the multiple voices. The following is a brief exploration of the potential voices and their contributions or limitations in the conversation:

*The homeless themselves*—An obvious observation is that the homeless surely know their needs better than anyone else. On the surface this is true—but only if the discussion is centered on the needs of an individual or small groups of people. Of course their input is valuable. Those who are immersed in the system can offer opinions about questions concerning what would make them more likely to seek shelter, what would improve the food offered at shelters, and other such personal topics. But most would have a limited view of the larger picture, the systemic perspective. At the risk of sounding paternalistic, it is also important to point out that many homeless individuals are influenced by whoever is currently helping them. Some are easily swayed to join whatever cause their benefactors represent. For example, a homeless person who has just received a meal and been befriended by an Occupy Philly group may be more likely to believe a placard which proclaims that “Nutter hates the homeless.” If the homeless are to be consulted in a way that holds the most potential for serving a significant portion of the population, it will be important to reach those who have come up through the system and are the “success” stories. Their insights about what did or did not effectively help them in their own journey would be particularly useful.

*Bloggers*—The controversy over where and how the homeless should be fed launched scores of blog posts. Some were written by people with some firsthand experiences working with the city’s homeless. Others responded to what they heard or read, never having left the comfort of their homes. Internet communications are easily accessed; incorrect or incomplete information, as well as deliberate distortions, are often validated and perpetuated. A case in point is an activist from southeast PA who reported that Mayor Nutter had been unanimously censured by the City Council for his actions (King’s Jubilee 2012). No record of such a development could be verified.

*Poverty Tourists*—This is a harsh label, but some well-meaning people deserve the moniker. These are the folks who, through a church or civic group, or as individuals, make an occasional trek down to Center City to pass out food. They do so sacrificially, and with good intentions. They come away feeling good, feeling solidarity with the poor and suffering. But this is a self-focused, self-gratifying model of generosity. This Good Samaritan has no concept of the larger, complex picture which each person embodies. Yet he or she comes away with an illusory “expertise” on the plight and needs of the homeless.

*Protestors*—Many of the same limitations of bloggers and poverty tourists apply also to protestors. Groups like Occupy Philly may spend more time on site, spanning even days or weeks, and start to develop relationships with the homeless of that area. But they can leave at their own convenience. Without long-term commitments and regular visits to continue to share food, they run the risk of being yet another self-gratified tourist who forms bonds with the homeless and then disappears from their

lives. Like the bloggers and poverty tourists, they are quick to share the insights and expertise they gained from their sojourn.

*Regular Distributors*—Some groups and individuals commit themselves and make weekly or biweekly trips down to distribute meals, some even for decades. They usually focus on a particular location where the homeless congregate and see many of the same faces on a regular basis. Relationships do form, and they get to know the stories of those they are serving. Often their work includes a focus that transcends simply sharing food; they attempt to help move the people they serve toward social services which will be helpful in the long run. This is not to question the significance of what they do; their sacrifices are to be applauded. However, in some ways the sense of connection they experience, that they describe as feeling like “family,” is also a bit of an illusion. Even if they are present for one evening a week, there are six other evenings, as well as daytimes, when they are not. The mutuality of the relationships could also be questioned. However, even with all the limitations, this category of voices most certainly has insights about the needs of the homeless. They could speak most articulately, authoritatively, and passionately about the particular group(s) with whom they have worked. However, a challenge might come in knowing how much their observations could be generalized to the homeless population as a whole.

*Immersed Advocates*—A select number of homeless advocates have made this their life’s work. They live near and serve the homeless and indigent 24/7. One example of this type of champion is Sister Mary Scullion, aptly nicknamed Philadelphia’s “Mother Theresa.” Scullion has spent more than 30 years nurturing and feeding the homeless. The organization she co-founded, Project H.O.M.E. (an acronym for Housing, Opportunities for Employment, Medical Care, and Education), has been instrumental in dramatically reducing the city’s homeless population, in part by creating affordable housing units. According to one account, “Of the homeless people participating in its programs, 95 percent have not returned to the streets, and it is widely credited for having reduced Philadelphia’s homeless population by half” (Garvey 2012). Project H.O.M.E. has become a prototype for other urban programs. When advocates like Sister Mary Scullion speak, others listen.

*The Government*—The city does not have the option of not speaking for the homeless. All levels of government carry responsibility for the homeless, just as they do for all citizens. Not only does government need to protect and provide for the immediate needs of the homeless, it also is responsible for many of the social services which help to improve their long-term prospects. If the city can connect with the homeless, there are federal, state, and municipal programs which provide food - such as Supplemental Nutrition Assistance Program (food stamps) and WIC (Women, Infants and Children supplemental food program). Assistance is also available for addictions, mental health issues, and medical needs. That said, the city is not responsible only for the homeless segment but for the entire population. Governments constantly perform a balancing act, weighing and prioritizing the needs of the many and the few. Even if it were so inclined, the city could not legislate completely in favor of the interests of the homeless and ignore the effects of economic development and tourism on the rest of the population. A reality is that visitors to the city also benefit the homeless by bringing in

revenue which can, in turn, be used to provide municipal services to those who need them (Inquirer Editorial Board 2012). So, the government will continue to speak and act on behalf of the homeless, but this will always be tempered by its responsibilities toward the rest of its citizenry.

## Toward a Sustainable Model of Feeding the Homeless of Philadelphia

The first question which must be considered when developing a strategy for a sustainable model is this: what is going to be sustained? All solutions are predicated on the way in which this question is addressed. One goal might be simply to sustain the physical bodies of the homeless, ensuring sufficient calories for their survival. A variation could expand this to include uncontaminated food, while another variation could extend into the arena of nutritious food. An additional aim might be to sustain the rights of the homeless to make choices, to determine their own lifeways, independent of interference from government or other outsiders, even if this perpetuates hunger and homelessness. Yet another focus could be on sustaining the activists' rights to follow their individual consciences and convictions, no matter how this impacts the safety or sustainability of the homeless. Or a comprehensive approach to sustainability could acknowledge elements of all of the previously stated priorities, but view them as parts of an overall strategy that would work to sustain a process. This process would move the homeless along a trajectory toward mainstreamed independence.

No matter what the motivation was for the mayor's new regulations, and no matter how individuals and organizations feel about the actual regulations, the reality is that everyone who cares about the homeless now has an excuse for conversations to take place. Everyone needs to lay down their emotional responses and worst case scenarios: "You now need a permit to do a good deed!" (Beeler 2012); "The mayor hates the homeless!" (Occupy Philly 2012); "Providing food to those who are hungry must not be about opening the car trunk, handing out a bunch of sandwiches and then driving off into a dark and rainy night" (City of Philadelphia 2012); "Taking outdoor meals away from the homeless is a bad idea!" (Lucey and Brennan 2012); "Would it be sanitary, would it give dignity to have homeless people eat out of trash cans and dumpsters?" (Mayes 2012); "The ordinance...will inspire violence and aggressive panhandling!" (Lucey and Brennan 2012). In order to move forward constructively, power struggles and mistrust must be surrendered in favor of collaboration and good will. An opportunity has been presented, and should not be squandered away by reluctance to cooperate. The conversation has been launched. All concerned parties should participate in the dialogue and search for creative solutions to the problems in their midst.

It would be presumptuous for me, as a graduate student who has conducted only limited research, to claim enough comprehension of the complexities of this situation to propose a model for feeding Philadelphia's homeless population. However, sometimes naiveté and idealism allow individuals with fresh eyes to see paradigms that those who are enmeshed in a problem may not notice. Furthermore, this idealistic grad student is joined by some long-term stakeholders who also indicate a measure of optimism about this juncture. Rev. Bill Golderer of Broad Street Ministries challenged Philadelphians to step up and address this problem "with the same creativity that we've addressed some of the other things that we've wanted to bring forward as a city, that make us a world class city. How we address

this problem is going to be defining for who we are as Philadelphians.” He added, “But we can’t wait for government to do this. In the same way that we’ve built stadiums and we’ve built museums, we need to see the corporate community, the funding community, private citizens step up to enable the society we want to see” (Moss-Coane 2012). The key to a sustainable model is greater collaboration—among sectors and within them.

One of the mayor’s primary goals is to help the homeless to gain greater access to various social services, and he plans to use food distribution toward that end. Whether viewed as manipulative or as wise, his motivation is to “help them get on the right track toward independent, healthy living” (City of Philadelphia 2012). To this end, he appointed a task force of stakeholders whose mandate is to develop a strategy to transition outdoor food serving to indoor locations and to consider the impact of this change on the homeless. The stakeholders will include representatives of current outdoor and indoor food service providers, anti-hunger advocates, and members of the city administration (Moss-Coane 2012). It should also include some persons who have experienced homelessness (Project H.O.M.E. 2012). Unfortunately, even the task force is a source of contention due in part to the politics of selection, inclusion, and exclusion. However, for this idealized scenario it is assumed that the task force somehow will manage to unite to perform a catalytic role. This group (or a private group with a similar vision) could implement the following potential scenario:

Establish daily meals in a consistent location--Predictability and consistency seem to be elusive for the homeless. While individual groups have regular schedules for bringing food downtown, there does not seem to be an overall strategy that ensures consistent availability of meals. Since the City has offered the use of the apron at City Hall for up to a year, all organizations serving outdoor meals in that area might voluntarily move their distribution to the apron. Schedules could be coordinated so that there is no overlap. If there are not enough groups to cover all seven days of the week, a consistent schedule could be developed so that the homeless know what to expect. No matter what, communication must be as clear and complete as possible.

Continue networking outdoor and indoor providers—The mayor has already begun to link interested groups. Some indoor providers are not operating at capacity, due either to shortages of resources or of personnel, and should be able to expand the services they offer if partnerships could develop. For instance, Broad Street Ministries recently invested substantial funding in a commercial kitchen but only has enough other resources to serve meals twice weekly.

Link resources with groups who need them—The mayor has also actively worked at identifying churches and other organizations in the downtown area that have kitchens and/or facilities that would be available to groups who need locations for cooking or serving meals.

Link volunteers with existing providers—Critics have voiced concerns that a segment of people who want to help will be closed out of a regulated system. One such example is the idea of a church youth group who wants to “take pizzas to homeless folks in a park” (Claiborne 2012). While providing pizzas

to the homeless on the apron of City Hall or in a food center would not have the same aesthetic, partnership with an existing organization would still allow citizens to demonstrate their concern for the less fortunate. Charity offered in this less picturesque setting might also place more of the focus on those being served than on the emotional experiences of the servers. A well-designed and well-publicized website could provide information to groups about how to get involved.

Use existing routines and relationships to ease the transition indoors—Establishing consistent mealtimes and locations paves the way for the move indoors. If the homeless know that the relationships they've established with servers, the regular mealtimes, and the quality of food offered them will follow them (or lead them) as they are encouraged to move indoors, the likelihood of their compliance is increased. This minimizes the number of simultaneous changes represented by a move.

Solicit funding from additional types of sources—A coordinated strategy that can actually have a serious impact on the city's homeless population increases the likelihood of investment by corporations, communities of faith, civic organizations, and private citizens. If people feel that they are just putting a bandage on a gaping wound, motivation to give is low. However, when a vision of real transformation—a cure—is placed before them, people may rally to a cause in ways they would not have considered otherwise. Capitalize on existing expertise—Even as the lines between organizations become more blurred through collaboration, each organization should be encouraged to continue doing those things which they do best. For instance, organizations with years of experience serving indoors could resource groups that are transitioning and using unfamiliar facilities. A group like Chosen 300 Ministries, which is already an alliance of churches and individuals with a substantial network of volunteers, could use its organizational capabilities to coordinate an entire network of providers. Groups like Philly Restart should be encouraged to continue their efforts to help the homeless secure government-issued ID's. Organizations like Project H.O.M.E. have years of experience to offer those who want to learn more about helping the homeless gain more independence.

Maintain some first responders—The mayor's ideal of serving everyone indoors is probably not realistic. Even with the best planning and implementation, there will be sporadic newcomers to the streets and resisters. Therefore, some outdoor distribution of food will likely always be needed. The goal, however, will be for these services to point toward the next step of moving inside. The challenge is to conduct outdoor distributions in a way that does not lure those who are already indoors back outside. As far as the resisters are concerned, no one can be forced to go inside; a contingency plan for this population will have to be developed.

## Conclusion

The causes of homelessness, and its remediation, remain complex issues. Many people have worked tirelessly and significant numbers of homeless have seen improvement in their circumstances. But Mayor Nutter is justified in asserting that Philadelphia can do better, and that there is no good reason that anyone in the city should go hungry. No formula will assure success but an informed, mobilized, caring citizenry can affect change in ways that are yet unimagined. Recent policy changes have

surfaced issues hidden from the sight of most Philadelphians. This juncture will serve to divide or to unite. In the words of Rev. Golderer, “I think for a long time as Philadelphians we would have a low opinion of ourselves. But now, recently, we have built stadiums, we built the Kimmel Center. We are capable of doing things that we didn’t think we were capable of” (Moss-Coane 2012). The time to rally and to collaborate has come.

## Appendix

### **Regulation of the Board of Health Concerning: Outdoor Public Serving of Food: Food Safety**

Whereas, access to food is an important determinant of health; and Whereas, food insecurity is a problem for many Philadelphians; and Whereas, groups and individuals provide food in outdoor settings for those who are hungry; and Whereas, the Philadelphia Home Rule Charter and The Philadelphia Code charge the Department of Public Health with the protection of the public’s health through the administration and enforcement of statutes, ordinances and regulations relating to public health including those dealing with food; and Whereas, the Philadelphia Home Rule Charter charges the Board of Health with development of a comprehensive Health Code with the purpose of preserving and promoting the health of the people of Philadelphia through the development of reasonable regulations; and Whereas, food safety is a critical component of public health, a regulation to insure the safety of food provided through outdoor public serving of food is a matter of the public’s health; and Whereas, the Board of Health is concerned with reducing health inequities.

SECTION 1. No person, group, or organization shall engage in Outdoor Public Serving of Food, except as provided in Sections 2 and 3. For purposes of this regulation, “Outdoor Public Serving of Food” means the distribution of food free of charge to members of the public, in groups of three or more people, on any public highway, on any public sidewalk, or in any outdoor public place; except that “Outdoor Public Serving of Food” shall not include the distribution of food as part of a special event recognized by the Managing Director’s Office pursuant to the Mayor’s Special Event Policy (Executive Order 6-93) or a permit of the Department of Parks and Recreation; a special event sponsored by a City agency; the distribution of pre-packaged food as part of a time-limited promotional campaign by a commercial entity; or an unplanned, non-recurring distribution of food.

SECTION 2. Any person, group, or organization engaging in outdoor public serving of food is required to obtain an annual Outdoor Public Serving of Food: Food Safety Permit in advance from the Department of Public Health. The Department shall issue a permit to any person, group, or organization who submits all of the following on a form acceptable to the Department:

- (a) The name, address, phone number and (if available) e-mail address of the applicant and a contact person.
- (b) The location (identified as any location within a ten-block radius of a designated intersection) and the usual day(s) and time(s) at which the applicant will distribute food to the public. Issuance of the

permit shall not constitute approval of the location by the Department. A person, group or organization that routinely provides food in a radius greater than ten blocks shall so note on the application and must make special arrangements with the Department in order to facilitate inspections by the Department.

(c) The type of food items to be distributed (hot or cold) and whether the food will be served within four hours of preparation.

(d) A certification that all food service and distribution will be exempt from preparation in an approved kitchen facility, pursuant to Section 3(d)(.2), below; or the name and address of an approved facility where the food will be prepared. A facility shall be considered approved if it has been determined by the Department to be in compliance with Sections 46.501 to 46.731 of the Department's Regulations Governing Food Establishments or has been determined by another county's public health officials to be in compliance with comparable food safety regulations.

SECTION 3. No person, group or organization shall engage in outdoor public serving of food unless:

(a) The person, group or organization responsible for the operation posts prominently at the food service site during all hours of operation an Outdoor Public Serving of Food: Food Safety Permit provided by the Department. The permit shall set forth Department contact information for patrons to report potential food-borne illness and/or concern about food safety.

(b) The food service activity takes place at a day, time and place identified pursuant to Section 2(b) above.

(c) Food distribution is limited to the types of food identified pursuant to Section 2(c) above.

(d) All food either:

(.1) Is prepared at the facility identified pursuant to Section 2(d) above and such facility retains its Public Health approval; or

(.2) Is prepared in accordance with the requirements of subsection (A) below, in a kitchen that meets or contains all of the requirements set forth in subsection (B) below:

(A) Food that is not prepared in a facility approved pursuant to Section 2(d) must be fully prepared no more than four hours prior to service or distribution. Any food items which are pre-prepared more than four hours in advance, for example marinated foods, are not allowed due to the potential for growth of microorganisms which can lead to food-borne illness.

(B) Private kitchen requirements:

- (.1) Hot and cold running water in the kitchen and bathrooms with soap and single service towels.
  - (.2) Refrigeration unit maintaining maximum temperature of 41o F. Freezer unit maintaining maximum temperature of 0o F.
  - (.3) Vermin free building.
  - (.4) An open top container large enough for immersing food service articles for sanitization.
  - (.5) Approved sanitizer (chlorine bleach).
  - (.6) Stove/oven/range in clean and good working condition for cooking.
  - (.7) Stem thermometer to measure food temperature during cooking and transport.
  - (.8) Washable, insulated food containers for transportation of the food.
  - (.9) At least a one-compartment kitchen sink.
- (e) A person who has completed the Department’s Outdoor Public Service of Food: Food Safety Course, or an equivalent course approved by the Department, is on site during the entirety of any food service.
- (f) No person involved in the preparation, serving or distribution of food engages in any bare hand contact with any ready-to-eat food.
- (g) Temporary hand washing is available at the food service site, except that, where only pre-packaged food is handled or distributed, hand wipes or hand sanitizer shall be sufficient.
- (h) All persons involved in the preparation, serving or distribution of food properly wash their hands prior to food handling and between glove changes.
- (i) All foods are completely protected from contamination during transportation, preparation, display, and service.
- (j) All food is transported and served at the proper temperature.

This regulation shall be effective upon declaration by the Health Commissioner, posted on the Department’s website, that the necessary training classes and approval processes have been available for a reasonably sufficient time to allow compliance.

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