

## BRIDGING DIVIDES

### A Court Win for Massachusetts' Homeless Families

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MLPB celebrates an important legal victory for those seeking emergency shelter in Massachusetts in a case called *Garcia et al. v. Executive Office of Housing and Livable Communities* (EOHLC). In the latest phase of this long-standing class action lawsuit, the court considered what documentation families in crisis need to provide to access shelter, and *when* they need to provide it. Even though the law allows for shelter placement pending document verification, EOHLC was in some cases denying families for failure to produce the correct papers first.



The families served by the Emergency Assistance program are never applying for shelter under the best circumstances. The highest priorities for Emergency Shelter in Massachusetts are there to support our most vulnerable residents, such as those who are fleeing domestic violence, have lost everything after a natural disaster, or have sought medical care for the effects of living in uninhabitable conditions.

MLPB, together with the Health Law Clinic at Suffolk Law School, submitted an amicus letter on behalf of the plaintiffs in *Garcia*, highlighting the connections between homelessness and health. Our statement also provided some concrete stories drawn from MLPB's legal consults. For example, MLPB supported a care team working with a mother and child who had only a few minutes to make the decision to flee a violent situation without tipping off her abuser. They left the home with just the clothes on their backs, and most importantly, they deliberately left behind their identity documents in an attempt to get to safety before the abusive family member realized they were gone. The rules in place to get families into shelter pending verification are there *precisely* to help this family and others in their situation overcome their crisis.

Arguments were heard in September, and in November, the Massachusetts Supreme Judicial Court issued a [ruling](#) that held that **the state could not deny families seeking emergency shelter placement for failure to provide verification of eligibility at the time of initial application**. MLPB applauds the decision. It is not only the most correct reading of existing law, but also confirmation that our laws are best when they incorporate a compassionate and person-centered approach.