HOUSING NOT HANDCUFFS

Law Enforcement & Homelessness: Forging Fruitful Partnerships

April 12, 2018

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Who we are

- Michael Durham NHCHC Nashville
- Eric TarsNLCHPPhiladelphia
- Jeff Yungman
 One80 Place
 Charleston











Who are you?

- Poll:
 - Law enforcement
 - Health Care for the Homeless employee
 - Direct-service provider for people living homeless
 - Advocate
 - Consumer, someone with lived experience
 - Public official
 - Other:







Why this webinar?

- Police and people experiencing homelessness often interact.
- Homelessness is criminalized across the country.
- There's increasing demand in NHCHC Technical Assistance work.
- Encampments are proliferating nationwide, as is homelessness in general.
- Communities are tackling this issue in noteworthy ways, so we should learn from them.







Goals of this webinar

- Provide an overview of homelessness nationwide and its drivers, with a focus on the rise of encampments.
- Highlight a South Carolina community doing exemplary work, with insight from a former police officer
- Survey models of police-provider collaboration across the country
- Offer general recommendations for your own communities and opportunities to learn more



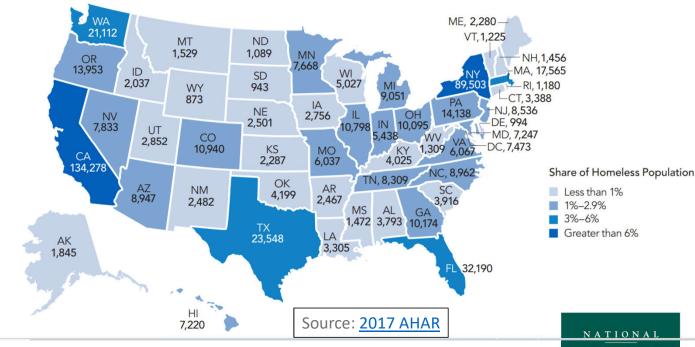




Homelessness in the USA

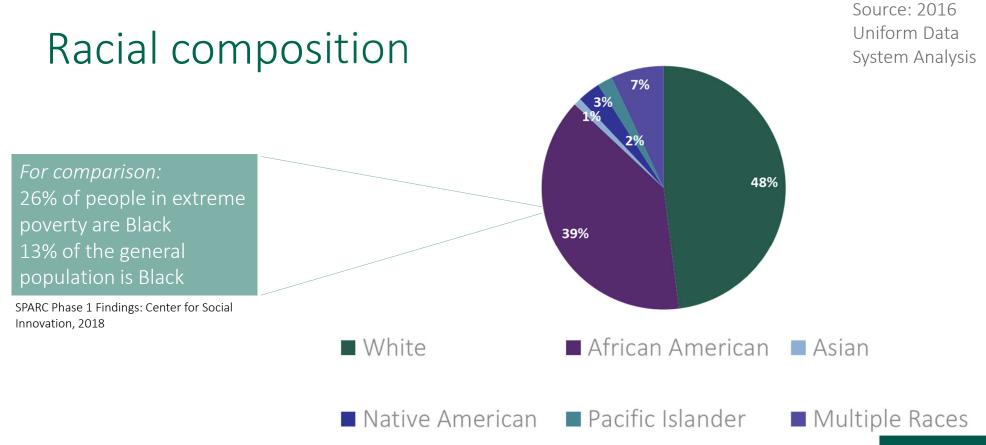
- How many? Depends on whom you ask
 - HUD Count:553,742 in 2017
 - Increase from 549,928 in 2016; first increase since 2010
 - HRSA Health Centers: 1,262,961 in 2016
 - Other estimates: up to 3.5 million







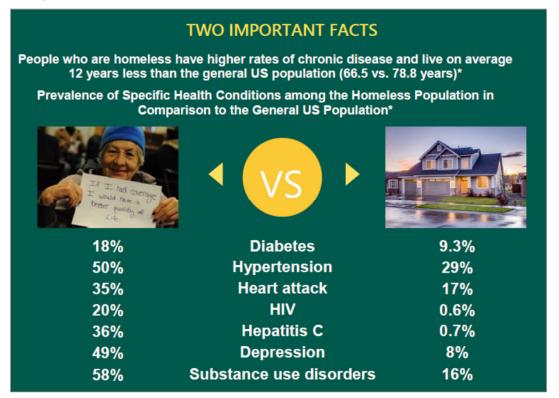








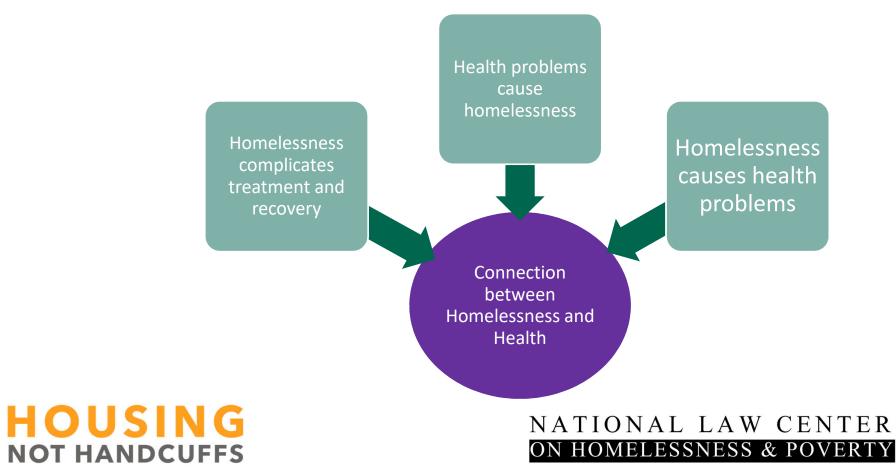
Health disparities







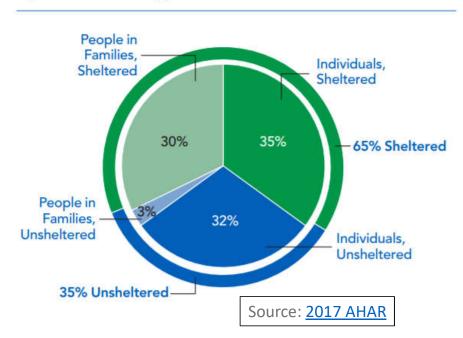
The nexus of homelessness and health



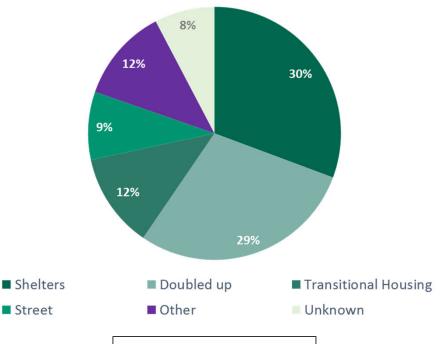


Shelter arrangements

By Household Type and Sheltered Status, 2017



HCH Patient Shelter Arrangements

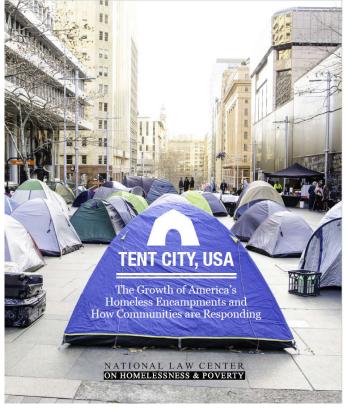


Source: 2016 UDS analysis





Encampments



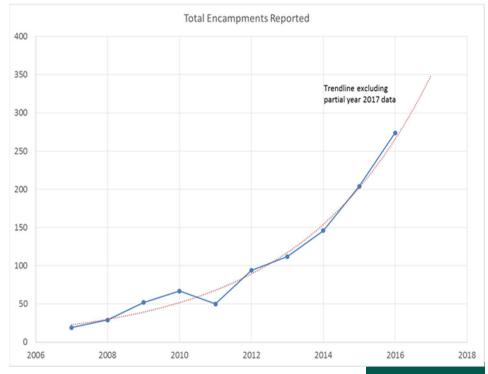




Encampments are growing rapidly

The number of homeless encampments reported by the media has increased by 1,342% in the last ten years

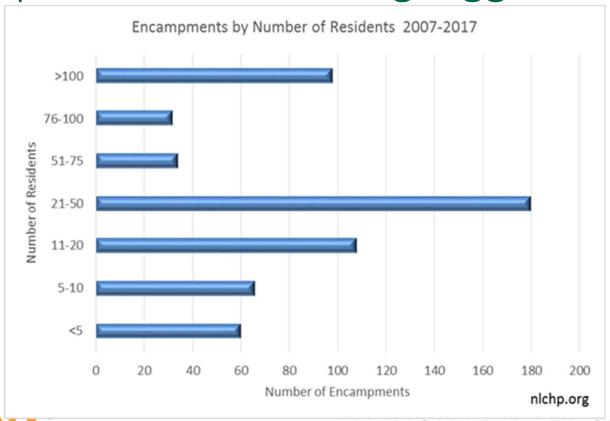
...but
two-thirds
of this growth came
after
the Recession
of 2007-2012
was declared over







Encampments Are Growing Bigger

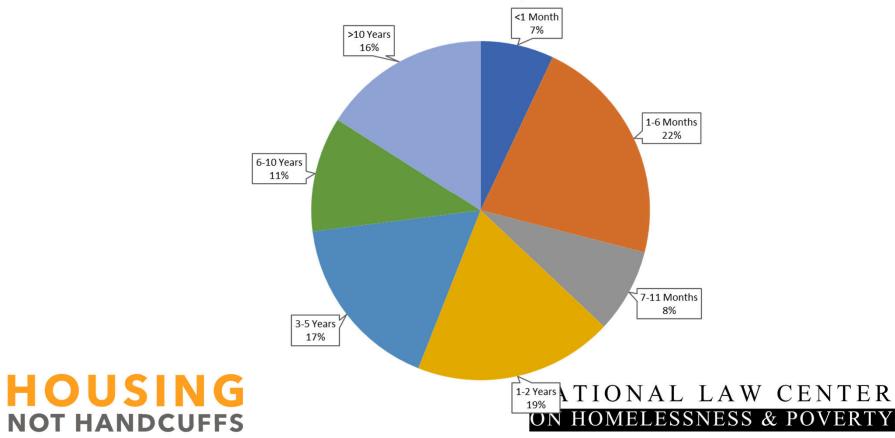






Encampments are becoming semi-permanent

Time in Existence for Encampments 2007-2017



Encampments are under threat

of homeless encampments reported by media are not legally sanctioned and are under constant threat of eviction nlchp.org





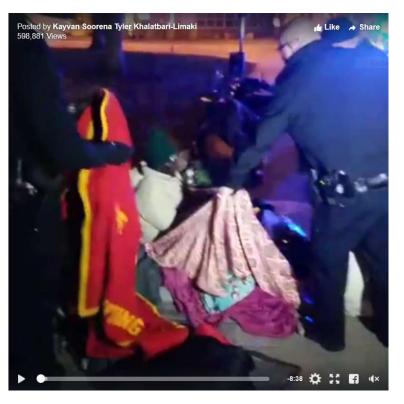
Cities are responding...







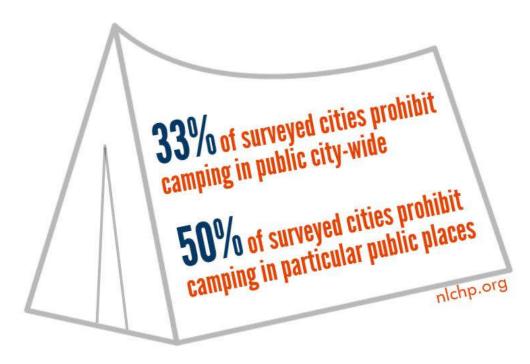
...but many with criminalization







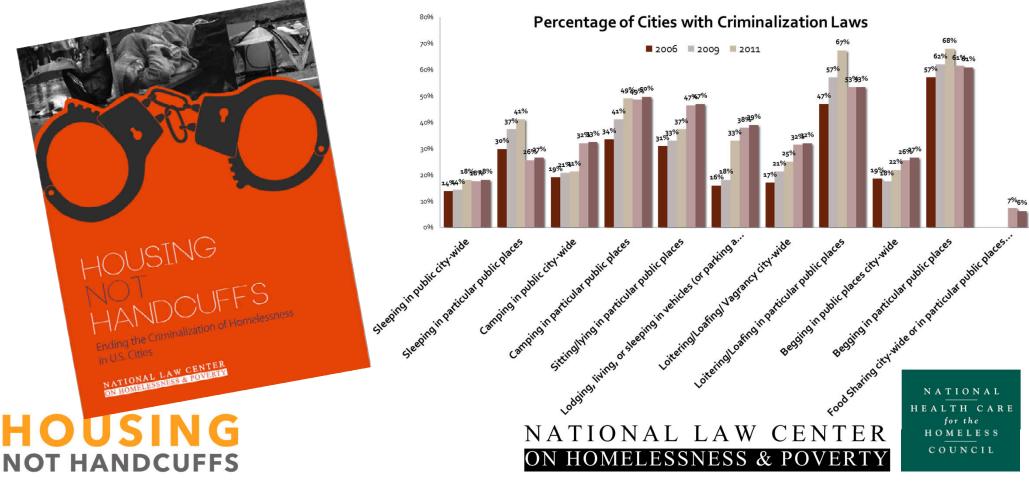
...prohibiting camping in public





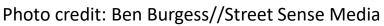


...and other forms of criminalization.



Criminalization harms individuals and communities...

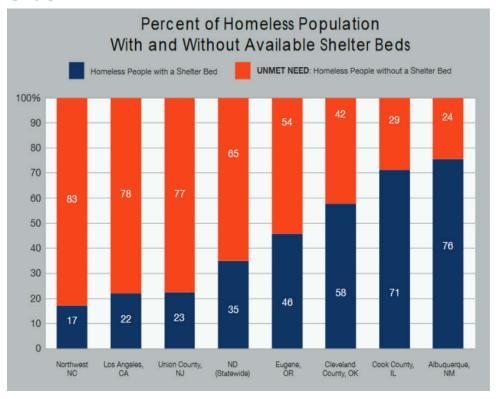








...but does not reduce the number of people on the streets.









Living in encampments is not by choice of individuals...

"I learned from other homeless people that the shelters were usually full...Going and seeking out shelter would have meant losing many of my things... I'd be risking a lot of my property just to try to get a shelter space for one night. Plus, with my cancer diagnosis...It was cleaner on the street than it was in any of those shelters.

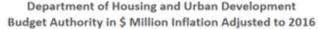
Rather than sacrificing my health and my dignity, I focused on moving on and making do with what was stable: a tent."

-Tammy Kohr, formerly homeless in Houston, TX





...but because of our collective choices.



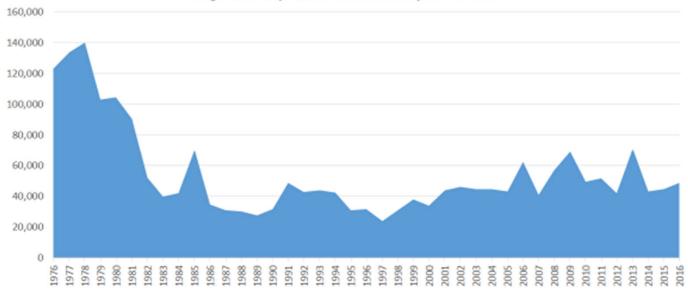
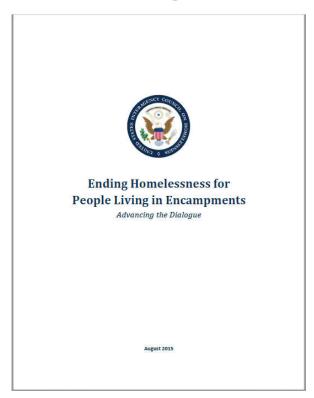


Table 5.2—Budget Authority by Agency: 1976–2022: https://www.whitehouse.gov/omb/budget/Historicals CPI data: http://www.usinflationcalculator.com/inflation/consumer-price-index-and-annual-percent-changes-from-1913-to-2008/





But some are choosing a better way







NATIONAL LAW CENTER

HOUSING

Encampment Principles & Best Practices

Based on input from federal, state, and local representatives, service providers, and people experiencing homelessness, as well as relevant domestic and international laws, our initial findings revealed certain key principles and corresponding practices that appear to be important for successful interventions to end encampments in our communities. These principles and practices are excerpted from TENT CITY, USA: The Growth of America's Homeless Encampments and How Communities are Responding (https://www.nlchp.org/Tent_City_USA_2017), which also includes numerous case studies of communities implementing these best practices. As a caution, we note that while incorporating interim encampments into a plan to end homelessness may provide homeless individuals with an improvement in their quality of ille and reduce calls for criminalization, the community must also have a serious and funded long-term plan that ensures the availability of permanent, adequate, appropriate housing for all, so encampments do not become a permanent feature of our cities and towns.

Principle 1: All people need safe, accessible, legal place to be, both at night and during the day, and a place to securely store belongings—until permanent housing is found.

Encampment Principles and Practices

- Determine the community's full need for housing and services, and then create a binding plan to ensure full access to supportive services and housing affordable for all community members so encampments are not a permanent feature of the community.
- Repeal or stop enforcing counterproductive municipal ordinances and state laws that oriminalize sleeping, camping, and storage of belongings.
- Provide safe, accessible, and legal places to sleep and shelter, both day and night. Provide clear guidance on how to access these locations.
- Create storage facilities for persons experiencing homelessness, ensuring they are accessible-close to other services and transportation, do not require ID, and open beyond business hours.

Principle 2: Delivery of services must respect the experience, human dignity, and human rights of those receiving them.

- Be guided by frequent and meaningful consultation with the people living in encampments. Homeless people are the experts of their own condition.
- Respect autonomy and self-governance for encampment residents.
 Offer services in a way that is sensitive and appropriate with regard to race, ethnicity, culture, disability, gender identity, sexual orientation, and other characteristics. Use a trauma-informed approach.
- Principle 3: Any move or removal of an encampment must follow clear procedures

Create clear procedures for ending homelessness for people living in pre-existing encampments, including:

- Make a commitment that encampments will not be removed unless all residents are first consulted and provided access to adequate alternative housing or—in emergency situations—another adequate place to stay.
- If there are pilot periods or required rotations of sanctioned encampments, ensure that residents have a clear legal place to go and assistance with the transition. Pilot periods or requiring notation of legal encampment/parking areas on a periodic basis (e.g., annually or semi-annually) can help reduce local "not-in-my-back-yard" opposition, but shorter time periods hinder success.
- Provide sufficient notice to residents and healthcare/social service workers to be able to determine housing needs and meet them (recommended minimum 30 days, but longer if needed).
- Assist with moving and storage to enable residents to retain their possess as they transfer either to housing, shelter, or alternative encampments.

www.nkhp.org www.housingnothandcuffs.org

Principle 4: Where new temporary legalized encampments are used as part of a continuum of shelter and housing, ensure it is as close to possible to fully adequate housing.

- Establish clear end dates by which point adequate low-barrier housing or appropriate shelter will be available for all living in the legal encampments.
- Protect public health by providing access to water, personal hygiene (including bathrooms with hand washing capability), sanitation, and cooking services or access to SNAPS hot meals benefits.
- Provide easy access to convenient 24-hour transportation, particularly if services are not co-located.
- 4. Statutes and ordinances facilitating partnerships with local businesses, religious organizations, or non-profits to sponsor, support or host encampments or safe overnight parking lots for persona living in their vehicles can help engage new resources and improve the success of encampments.
- Do not require other unsheltered people experiencing homelecaness to reside in the encampments if the facilities do not meet their needs.

Principle 5: Adequate alternative housing must be decent alternative

- E. Encurs that emergency shelters are low-barrier, temporary register for a few rights while homeless bidivisation are matched with appropriate permanent housing: they are not long-term alternatives to affordable housing and not appropriate in the short term for everyone. Low-barrier shelter includes the "3 Pb"—pets, possessions, and partners, as well as accessible to persons with disabilities or substance abuse problems.
- 2. Adequate housing must be:
- Safe, stable, and secure: a safe and private place to sleep and store belongings without fear of harassment or unplanned eviction;
- Habitable: with services (electricity, hygiene, sanitation), protection from the elements and environmental hazards, and not overcrowded;
- Affordable: housing costs should not force people to choose between paying sort and paying for other housing people (fond, houlth, etc.):
- d. Accessible: physically (appropriate for recidents' physical and mental disabilities, close to/transport to services and other opportunities) and practically (no discriminatory barriers, no compelling participation in or subjection to religion).

Principle 6: Law enforcement should serve and protect all members of the community.

- Law and policies criminalizing homelessness, including those criminalizing public sleeping, camping, shettering, storing belongings, atting, lying, vehicle dwelling, and panhandling should be repealed or storp being enforced.
- Law enforcement should serve and protect encampment residents at their request.
- 3. Law enforcement officers—including dispatchers, police, cheriffs, park rangers, and private business improvement district security—should receive crisis intervention training and ideally be paired with fully-trained multi-disciplinary social service teams when interacting with homeless populations.

Beyond these specific recommendations, in order to create the long-term housing solutions communities needed to permanently end encampments, we also encourage individuals and organizations to look at the model policies of the Housing Not Handcuffs Campaign: housingnothandcuffs.org.





Principle 1: All people need safe, accessible, legal place to be, both at night and during the day, and a place to securely store belongings—until permanent housing is found.

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Principle 3: Any move or removal of an encampment must follow clear procedures that protect residents.

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Principle 5:
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NHCHC Encampment Statement Forthcoming

- Recommendations
 - As health care providers
 - partners with government
 - As advocates
- Check out our session at the NHCHC conference, May 16, 1pm







Case studies

Addressing Existing Encampments

- Charleston, SC
- Indianapolis, IN
- Charleston, WV
- Seattle, WA & San Francisco, CA

Integrating Encampments

- Las Cruces, NM
- Washington State
- Vancouver, WA
- Other approaches
 - safe parking
 - tiny home hosting





How did we get here?

- History of modern homelessness
 - 1980s HUD cuts
 - Housing discrimination and segregation
 - De-institutionalization
 - Poverty
 - Mass incarceration

- Continuing drivers of homelessness
 - National housing deficit
 - Wage stagnation and unemployment
 - Structural racism
 - Health care access, inequity
 - Domestic/Interpersonal Violence
 - Continued housing discrimination
 - Opioid epidemic, addiction
 - Social isolation, "Network impoverishment"
 - LGBTQ+ discrimination
 - Adverse Childhood Experiences, trauma





Homelessness is not a personal characteristic. People without homes are not another genre of person.

Homelessness is a housing status.







Source: <u>Delivering Trauma-</u> <u>Informed Services</u> (2010)

Trauma & homelessness

- Most people without homes have experienced traumatic events
- Homelessness itself is traumatizing and re-traumatizing
- Trauma makes it harder to escape homelessness
- Effects of trauma:
 - Estrangement
 - Feelings of powerlessness
 - Change in "world view"
 - Fear, loss of sense of safety
 - Shame, guilt, and stigma

Half of people who have experienced homelessness were victims of violent attack while homeless

Read more: <u>Exploring the Experiences</u> of Violence Among Individuals Who
<u>Are Homeless Using a Consumer-Led</u>
<u>Approach</u>, 2014, Violence & Victims,
Vol 29 No 1





Trauma-informed care 101

Source: <u>Delivering</u>
<u>Trauma-Informed</u>
<u>Services</u> (2010)

See also: <u>SAMHSA</u>
<u>National Center for</u>
Trauma-Informed Care

- The goal of TIC is to avoid re-traumatization and exacerbation of trauma symptoms.
- "What happened to you?" versus "What's wrong with you?"
- Core principles of a trauma-informed culture
 - Safety
 - Trustworthiness
 - Choice
 - Collaboration
 - Empowerment





Case study: Charleston, SC



BEGIN AGAIN





One80 Place Homeless Justice Project

- A program of One80 Place, the homeless shelter on Meeting Street
- Begun in 2007 in partnership with CSOL, Charleston Pro Bono, and Nelson Mullins
- Staffed by two attorneys, one a former police officer, and a paralegal
- Provides free civil legal services to anyone in Charleston who is experiencing homelessness



Panhandling

- Cities target poor and homeless individuals by passing laws that prohibit panhandling
- First Amendment issue
- Courts have found begging to be protected by free speech a form of communication
- Cannot target speech based on its content or form







Panhandling in Charleston

 October 2013, panhandling ordinance in Charleston challenged by the ACLU and the Homeless Justice Project as an unconstitutional violation of free speech







Panhandling in Charleston

- 1975 ordinance forbade a person from placing "himself in any public way or place to beg or receive alms for himself."
- Police would regularly stop and ask pedestrians, "what did that person say?" then ticket the panhandler
- "Don't Feed The Bums"







Panhandling in Charleston

- 2007, Charleston retooled the ordinance adding a requirement that "beggars" obtain a permit to solicit-few came forward to do so
- March 2014, new ordinance enacted allowing panhandling on city streets, but not "aggressive panhandling" or panhandling within 50 feet of an ATM







Public Reaction to Ordinance Change

- "Charleston intersections are overrun with panhandlers"
- The "image of the city" declined due to panhandlers being "unofficial greeters" to tourists
- Allowing panhandlers "contributes to a negative perception" of Charleston
- Pressure put on elected officials to re-enact 2007 ordinance







Public Reaction to Ordinance Change

- Facebook group, "Holy City Pan Handlers" formed to "expose the professional pan handlers that infiltrated our city on every street corner"
- Group members would videotape and harass people who were panhandling
- Launched "Operation-Bum Free Corners" designed to raid panhandling locations to push panhandlers out of Charleston







Reaction to Ordinance Change

- One80 Place "It's not our problem" a missed opportunity to address reasons for homelessness
- Police department-made sure panhandling was conducted in a safe and lawful manner or connect them to homeless support services
- City Council-succumbed to pressure and enacted new ordinance as a "public safety" issue







Reaction to Ordinance Change

- New ordinance prohibited anyone from passing items to or from the occupant of a vehicle on a roadway or traffic lane
- Maximum penalty of 30 days in jail and a fine of \$1,092.00
- 30 day education campaign by police handing out explanation of ordinance rather than citations
- Soon to come an unintended consequence to the new ordinance







Sleeping in Public

- When there is inadequate shelter space, people who are homeless have no alternative but to sleep in public spaces
- Arresting those who do so violates their Eighth Amendment right to be free from cruel and unusual punishment







Sleeping in Public

• City sweeps of areas where people live outside can violate Fourth Amendment right to be free from unreasonable search and seizure and due process rights (Boise/Department of Justice-2015)







Charleston's "Tent City"



Post & Courier, 2016



Salvation Army: My Carolinas, 2016



Charleston City Paper, 2016

Charleston's Tent City

- Unintended consequence of new panhandling ordinancepeople who would panhandle to pay for a hotel room, now resorted to living in encampments
- September 2015, individuals began setting up tents in an area owned by the Department of Transportation
- By December 2015, up to 120 people were living in "Tent City"







Public Reaction to "Tent City"

- Opposite reaction to the panhandling issue
- Churches and other organizations began providing nightly meals
- Clothes, hygiene supplies, and additional tents dropped off by well meaning people almost daily
- Conflict between two competing philosophies enablers vs. solvers





Reaction to "Tent City"

- Partnership between One80 Place, Lowcountry Homeless Coalition, the City of Charleston, and others created a plan to find services, shelter, and permanent housing for those in "Tent City"
- Strategy designed to resolve the situation humanely and in a way that benefits the city, neighborhood residents, and those living in "Tent City"
- Beginning February 2016 one encampment at a time was cleared out







Reaction to "Tent City"

- 120 people in Tent City at its peak.
- Out of those:
 - 22 went to One80 Place
 - 23 went directly to permanent supportive housing
 - 40 went to Transitional Housing Center
- Remainder went to family or other encampments
- 0 citations, arrests, or destruction of belongings







Reaction to "Tent City"

- The Homeless to Hope fund (later named "The Hat Fund") was established to allow private citizens to make donations to support efforts to address homelessness in the city
- Mayors' Commission on Homelessness and Affordable Housing was created to come up with strategies to provide more affordable housing and services to the homeless population







Sample of Police Training Programs

	А	В	C	D	E	F	G	Н	I I
a	City	Contact	Police =	Training Notes =	Existing = Partnerships	HOT Notes Rectangular Snip	Diversion/Other = Programs	Outcomes/Best Practices	▼ Materials
2	Albuquerque, NM PD		N		Goodwill Industries	Homeless Strategic Outreach team is composed of officers, health care outreach workers, job counselors from Goodwill Industries, and a psychiatrist. The team goes out for 2 hours, 3x a week to areas in the city with large concentrations of homeless people.	Crisis Outreach and Support Team (COAST) is a 24 hour on-call civilian staffed support of the APD.		
3	Anaheim PD	714-765-7970	у	HOT and PERT officers receive training on interacting with and supporting those suffering from mental illnesses.	Foundation, OC Mental	"Since its inception [2013], HOT has resulted in over 400 homeless individuals, including women and children finding long-term, supportive housing and a life off the street." -Includes reunification of families, sometimes requiring cross-country transportation and associated costs. Homeless Liason Office (HLO) are assigned to patrol when a HOT officer is unavailable. They voluntarily step forward to receive additional training to connect the homeless population with available services and resources by communicating and collaborating with multi-disciplinary service providers and partnering governmental agencies	Psychological Emergency Response Team (PERT): 2 officers paired full-time with an Orange County mental health clinician. "PERT results in the more rapid identification of available bed space and treatment options for those most vulnerable and most likely to generate additional police calls for service."		
4	Atlanta PD	404-546-5650	Υ	Officers receive training through the crisis intervention training from licensed psychologists. They're also trianed to become a referral system to various local social service agencies.	NAMI, Gateway, United Way, Salvation Army, Veterans Administration	Homeless Outreach and Proactive Enforcement (HOPE): goal is to eliminate encampments by placing individuals in short or long term housing. Team also works to de-escalate situations involving a mentall ill person.			
	Austin PD		Υ		City of Austin	Homeless Outreach Street Team (HOST):			

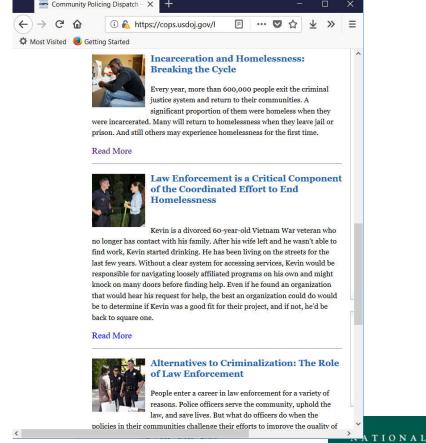
https://goo.gl/KCKRvS





COPS Dispatch Newsletter Dec 2015







NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

HEALTH CARE
for the
HOMELESS
COUNCIL

Law Enforcement Support for Housing Not Handcuffs

HOUSING

Who We Are ▼ What We Want ▼ How You Can Help ▼ Newsletters Join Us! Contact Us

- NYC Council Member Stephen Levin
- Salt Lake County Mayor Ben McAdams
- Seattle City Council Member Mike O'Brien
- Vancouver City Council Member Ty Stober
- · City of Tallahassee Commissioner Gil Ziffer

Law Enforcement/Criminal Justice Professionals

Law Enforcement Action Partnership

- Former Assistant U.S. Attorney Chirage Bains
- Former Security Officer Dean Becker (United States Air Force)
- Deputy Chief Stephen Downing (Ret.) (LAPD)
- . Chief Deputy Matthew Fogg (Ret.) (U.S. Marshals Service)
- Maj. Neill Franklin (Ret.) (Baltimore and Maryland State PDs)
- Officer Brian Gaughan (Ret.) (Davenport, IA and IL PDs)
- Lt. Commander Diane Goldstein (Ret.) (Redondo Beach PD)
- Former Police Corporal Tim Hitt (Monroe, LA PD)
- · Colonel Ed Jackson (Ret.) (Baltimore PD)
- · Senior Patrol Officer Tim Johnson (Ret.)
- Former Patrol Officer Jerry Kaczmarek (New Orleans PD)
- Officer Shelley Fox-Loken (Ret.) (State of Oregon)
- Former Police Corporal Corey Lowe (Clarkson, GA PD)
- Judge Gordon McAllister (Ret.) (District Court of Tulsa, OK)
- Former Officer and Sheriff's Deputy Carrie Roberts (Colorado Dept. of Corrections)
- Lt. Tony Ryan (Ret.) (Denver PD)
- Chief Norm Stamper (Ret.) (Seattle PD)
- Sgt. Carl Tennenbaum (Ret.) (San Francisco PD)

National Organizations:









LEAP



Stiver

Dayton Po







© GUEST COLUMN: 'Out of sight, out of mind' policy damages homeless

By: Carrie Roberts and Maria Foscarinis • March 15, 2018 • Updated: March 15, 2018 at 4:05 am

















General Recommendations

- Law enforcement: find your local service providers, engage in the local continuum of care
 - Services providers: recruit your PDs!
- Health Care for the Homeless providers: use your consumer Board members or CABs to help train police.
- Consider Homeless Outreach Teams
- Establish training programs for all police recruits
- Preach trauma-informed care
- Advocates: support decriminalization





Questions & Discussion





Where to learn more

- On Trauma-Informed framework:
- Encampments: https://www.nlchp.org/Tent City USA 2017
- Criminalization: http://nlchp.org/criminalization







Thank you!

- Endorse the *Housing Not Handcuffs* Campaign at www.housingnothandcuffs.org
- Get support from the National Health Care for the Homeless Council at www.nhchc.org/ta
- Follow us on Twitter:
- @NatnlHCHCouncil@NLCHPhomeless@One80Place@HNHCampaign







