

August 2004

***Privacy: Rules on Homeless Data Prompt Concerns
About Violence***

by Chloe Albanesius

A national organization that tries to combat domestic violence opposes final federal guidelines that call on shelters to provide identifiable information about victims for inclusion in a homeless database.

In July 2003, the Housing and Urban Development Department (HUD) issued preliminary guidelines for how homeless organizations should report information for the Homeless Management Information System. It provided an exemption for domestic-violence shelters, allowing them to provide non-identifiable information.

Final rules released July 30, however, remove that exemption and require shelters that receive federal funding to “submit client-level information to obtain an unduplicated count of homeless persons” at the local level.

HUD spokesman Brian Sullivan insisted that the agency is interested in aggregate information, not details on individuals. The rules seek to provide local care organizations with “a fuller understanding, not only the number but the nature of their homeless populations,” he said.

But the National Network to End Domestic Violence thinks the guidelines are tantamount to notifying abusers where their victims are hiding.

The organization is “stunned” that HUD would remove the original exemption and is urging the agency to reinstate it, said Cindy Southworth, the network’s technology director. “The HUD final standards will force local domestic-violence programs to turn away critical HUD funding that provides emergency and transitional housing to victims, or to contemplate violating victims’ confidentiality and putting their lives at risk.”

“There is no firewall or security measure that will protect a victim fleeing an abuser who works for the system: for a non-profit, the housing authority, or law enforcement,” Southworth said. “We cannot let one survivor die in the name of data collection. It is extremely easy to meet the congressional directive, while protecting the safety, security, and privacy of every homeless person and victim of abuse.”

Sullivan countered that the data is necessary for “a full understanding of the homeless challenge in any community” and that to exclude the domestic-violence numbers “would particularly hurt rural America,” where domestic-violence shelters may be the only homeless providers.

He said the privacy protocols in the database were based on those for health care to ensure confidentiality and that HUD “is very concerned as privacy advocates that these women are safe.”

“The rule offers a menu of additional choices,” added Robert Gellman, a Washington-based privacy expert that advised HUD on the project. “A shelter that provides meals to large numbers of people might have a lesser need for a privacy regime. A domestic-violence shelter can opt in to have a higher standard of privacy.”

Sullivan denied that HUD wants to create a nationwide database, but Southworth questioned the need for standardized reporting if the agency is only interested in aggregate data.

Southworth’s network currently is researching all options to fight the change, “from administrative appeal to litigation,” she said. “The development of online databases, compiled electronic records and Web search engines makes victim information extremely easy to find – and allows stalkers to track down former partners who attempt to flee.”