

**Testimony at the March 12, 2015 Department of Human Services Oversight Hearing**

**Submitted by Marcia Bernbaum, mentor and advisor to the  
People for Fairness Coalition Downtown Washington DC Public Restroom Committee**

Committee Chair Alexander, members of the Committee on Health and Human Services, representatives from the Department of Human Services, and others attending today's hearing,

Permit me to introduce myself. My name is Marcia Bernbaum. Along with Ms. Sharp who just testified, I am a member of the People for Fairness Coalition (PFC) Downtown Washington DC Public Restroom Committee. PFC's membership, most of whom are homeless or formerly homeless, is dedicated to ending homelessness in Washington DC through advocacy, outreach and mentorship.

Since November of 2014 I have had the privilege of serving as mentor and advisor to PFC's Downtown Washington DC Public Restroom Committee. In addition to Ms. Sharp and myself, the PFC Downtown DC Public Restroom Committee is composed of Jennifer McLaughlin, John McDermott, and George Olivar. Ken Durham, along with myself, is providing assistance to committee members. Albert Townsend provides oversight to PFC projects including the Public Restroom Committee.

Washington DC – along with many other cities in the United States – has a serious problem that affects all DC residents but in particular DC's homeless population. The only establishments that have public restrooms in downtown Washington, DC are the Martin Luther King and West End libraries, both of which are open during the day, and Union Station and The George Washington University Hospital, both of which are open 24/7.

If during the day you need to go and are not near these facilities you are at the mercy of a limited number of restaurants and stores that make their restrooms available to the public. If you have to go during the night, unless you are anywhere near Union Station or The George Washington University Hospital, there is literally no place to go.

For DC's homeless that live on the streets the situation is more serious: the few restaurants and stores that permit you to use their restrooms without making a purchase may take a look at you and decide to deny you use of their restroom. At night, unless you

sleep outdoors near Union Station or The George Washington University Hospital you have no choice when you need to go but to urinate or defecate outside.

As if this is not enough, if you find that you have no choice but to relieve yourself outside and are seen by a policeman, you are faced with a fine of up to \$500, up to 90 days in jail, and you risk acquiring a criminal record.<sup>1</sup>

When it comes to making a decision whether or not public restrooms should be made available, there are several important things to keep in mind:

- **Access to a clean, safe, available restroom is a human right.** Sanitation, which is vital for community health, was recognized by the United Nations (UN) General Assembly as a human right in 2010. The UN calls upon nation states and international organizations to help provide safe, clean, accessible and affordable drinking water and sanitation for all. According to UNwater.org, lacking a secure place to defecate infringes on human safety and dignity.
- **For women in particular, holding in urine too long can lead to a urinary track infection (UTI) which in turn can lead to damage to the kidneys.** Infection of the bladder or ureters often results from urine that is held too long before being eliminated.<sup>2</sup>
- **A number of people are restroom challenged; when they have to go they can't wait.** Included among these ranks are elderly women and men whose bladder capacity goes down with age (at age 66 I count myself among this category); women who are pregnant, families with young children. The list goes on.<sup>3</sup>

Portland, Oregon; Seattle, Washington; San Diego, California; Monterey, California; and Cambridge, Massachusetts, among others, have either installed or are in the process of installing free public restrooms that are clean, safe, and available 24/7 in downtown areas.

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<sup>1</sup> <http://www.dccourts.gov/internet/glossary.jsf>. Urination and defecation in public was added in 2011 as a misdemeanor to Statute 22-1321 in 2011.

<sup>2</sup> [www.hopkinsmedicine.org/healthlibrary/conditions/adult/kidney\\_and\\_urinary\\_system\\_disorders/neurogenic\\_bladder\\_85,P01487/](http://www.hopkinsmedicine.org/healthlibrary/conditions/adult/kidney_and_urinary_system_disorders/neurogenic_bladder_85,P01487/)

<sup>3</sup> For complete list of who is restroom challenged go to: [www.americanrestroom.org/pr/who.htm](http://www.americanrestroom.org/pr/who.htm)

When it comes to Washington DC, I find it embarrassing that Washington's Official Tourist Web site only mentions the public restrooms on the Mall. It goes on to say, "Most downtown businesses restrict use of their restrooms to patrons"<sup>4</sup>.

All "world class" cities should have public restrooms that are open to residents as well as tourists. I would like to consider Washington DC as a "world class" city. Isn't it time for the Nation's Capital to also install public restrooms in its downtown areas that are clean, safe, and available 24/7?

Nobody, including the homeless, should suffer the indignity of having no choice but to urinate and defecate in the open and, in so doing, running the risk of receiving a fine or jail time.

Thank you very much,

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<sup>4</sup> <http://washington.org/DC-faqs-for-visitors/where-can-i-find-public-restrooms-national-mall>