

# NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

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## **Laws Criminalizing Homelessness Are Illegal** *A Survey of Recent Case Law Confirms that Laws Criminalizing Homelessness Regularly Violates the Civil Rights of Homeless People*

WASHINGTON, DC – Today, Wednesday, December 3, 2014, the [National Law Center on Homelessness & Poverty](#) (“Law Center”) is releasing its latest resource, [No Safe Place: Advocacy Manual](#). It is a companion piece to our previous report, [No Safe Place: The Criminalization of Homelessness in U.S. Cities](#), which details the disturbing rise in laws making it illegal to be homeless in U.S. cities. This new manual is a resource for legal and policy advocates seeking to challenge laws that criminalize homelessness as well as community officials searching for ways to address homelessness with a model for police protocol.

Since 2011, **the majority of cases challenging criminalization laws have resulted in favorable outcomes for homeless people and their advocates**. Indeed, favorable results – ranging from court orders prohibiting enforcement of the laws to positive settlement agreements – were obtained in 66% of cases challenging anti-begging laws and 71% of cases challenging laws restricting camping and sleeping in public. **Challenges to laws forbidding food sharing with homeless people**, like the Ft. Lauderdale ordinance that has been the subject of intense criticism following the arrest of 90-year old activist, Arnold Abbott, **have had even greater success at 100%**.

“These cases clearly demonstrate that criminalizing the survival acts of people who are forced to live outside is not a sound strategy for cities to use in addressing the problem of homelessness,” said Maria Foscarinis, Executive Director at the Law Center. “Not only are these laws a waste of precious community resources, they also expose communities to costly litigation that they are likely to lose.”

The much wiser option is for cities to shun criminalization policies in favor of constructive solutions to the problem of homelessness. The *No Safe Place: Advocacy Manual*, along with its guidance in combatting criminalization laws, also offers helpful recommendations that can improve cities’ approaches to homelessness. One example is the **inclusion of a model police policy governing interactions with homeless people**. The model policy, based on best practices around the country, is designed to protect the rights and dignity of homeless people while also **ensuring appropriate law enforcement services** to the entire community.

Especially in light of recent events in Ferguson, MO, communities are wise to devote resources toward improving police training and protocol, rather than misusing police personnel to enforce laws that may be found unconstitutional by the courts.

Read a copy of the Law Center's [\*No Safe Place: Advocacy Manual\*](#).

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The National Law Center on Homelessness & Poverty (the Law Center) is the only national organization dedicated solely to using the power of the law to end and prevent homelessness. With the support of a large network of pro bono lawyers, we address the immediate and long-term needs of people who are homeless or at risk through outreach and training, advocacy, impact litigation, and public education.