

HOUSING NOT HANDCUFFS

e-news update

Summer 2019

Dear Supporters and Endorsers of the Housing Not Handcuffs Campaign,

This has been a busy time for the Housing Not Handcuffs Campaign, with the National Forum on the Human Right to Housing happening in June (summary report forthcoming), and more court and policy victories in the past month! See stories below.

[Keep encouraging your friends, colleagues, and elected officials to endorse.](#)

Follow on social media

#HNH  

If you have submissions for the next newsletter, please fill out [this Google form](#) by **September 13th.**

Campaign Updates

#IAskForHelpBecause Letter Writing Campaign

As HNH supporters know, enforcing anti-panhandling laws is harmful, unconstitutional, and a waste of resources.

Last year, working with our 2018 #IAskForHelpBecause Campaign partners, we sent letters to over 220 cities challenging them to repeal their harmful & unconstitutional anti-panhandling laws & move to constructive solutions. Since then, over 70 of these cities in 11 states across the country have repealed their laws or taken steps to stop their enforcement. On July 17th, the Law Center [launched](#) the second round of this campaign with 13 partner organizations across 11 states to again challenge cities across the nation to repeal their harmful anti-panhandling ordinances and replace them with more constructive solutions that eliminate the need for asking for help in the first place. Find out more about the campaign and tools to help fight these ordinances [here](#). If you are interested in participating in a future round of the campaign, please be in touch!

A Victory for the Housing Not Handcuffs Justice Network

In July, #HousingNotHandcuffs Justice Network member Carol Sobel [settled](#) with Orange County and dozens of southern California cities in [Orange County Catholic Worker v. Orange County](#), a case which was bolstered by the Law Center's victory in the [Martin](#) case. The Law Center also filed an amicus brief in the case, which successfully stops law enforcement from enforcing anti-camping and loitering ordinances against unhoused individuals who have

nowhere safe to sleep. This settlement vindicates the right of people experiencing homelessness in southern California, ensuring they will be free from arrest and criminalization until the County can offer them adequate shelter. In a jurisdiction where there is far too little available housing or shelter, and where local officials have refused to build more, “this is a game-changer,” [said](#) the judge overseeing the lawsuit. The settlement requires cities in the sprawling county to take “respective responsibility” for homelessness by not enforcing the laws until they build shelter, a model that Judge David Carter called “an exemplary document that the governor should know about.” Indeed, safety from criminalization is essential for people who lack a safe place to rest, and is an important first step in the movement to secure the human right to housing for all.

Right to Counsel Campaign Gaining Momentum

Two New York City Council Members who helped pass the city’s initial Right to Counsel in landlord tenant court legislation, Mark Levine and Vanessa Gibson, have introduced new bills to [strengthen the existing law](#). While the existing law was a major step forward, these new bills would increase the income eligibility level, expand the types of eviction cases covered by the right to counsel, and require the city to support trusted tenant organizing groups to support collective action against landlord abuse. These are all important aspects of the overall struggle for housing and against unjust eviction, allowing a wider range of people to seek the help they need from counsel and from each other in order to stay in housing.

U.S. Mayors Put on Notice About Criminalization of Homelessness

On June 28, the [ACLU of Hawai‘i](#) and the Law Center issued a [joint open letter](#) to the nearly 230 mayors gathered to attend the 2019 U.S. Conference of Mayors’ 87th Annual Meeting. The letter called attention to the shortcomings of Honolulu Mayor Kirk Caldwell’s criminalizing approach to homelessness, which he was touting as a national model, and called on the attendees to reject policies which criminalize homelessness in their cities, and instead invest in constructive alternatives to benefit their most vulnerable constituents. HNH advocates can follow up on this by using the letter to prompt conversations with your own mayor and other city officials to express your support for housing, and not handcuffs, perhaps in coordination with your local ACLU.

Austin Repeals Criminalization Ordinances

HNH members Grassroots Leadership and other local advocates in Austin, Texas, supported by the Law Center, were successful in advocating for a full repeal of the city’s sit-lie ordinance and also got a revised camping ordinance to allow for non-obstructive self-sheltering and the anti-panhandling ordinance now only bars “aggressive confrontation”—not a complete win, but a [good step forward](#) by the city of Austin. This was followed by a strong op-ed from the mayor of Austin, entitled [“Want to stop people sleeping in public places? House them.”](#)

Montgomery, AL Postpones Panhandling Law

Following advocacy by local advocates, the Law Center, and Southern Poverty Law Center, the mayor of Montgomery, Alabama declined to sign an anti-panhandling law and put a moratorium on its enforcement while the city gathers more information on the topic, citing [pressure from advocates](#) as a factor in his decision. We hope the city listens to experts on the topic and recognizes both the ineffectiveness and unconstitutionality of the ordinance.

Announcements

Petty Offenses Symposium

On September 20 & 21, 2019, the [Human Rights Clinic](#) at the University of Miami School of Law, in collaboration with the University of Miami School of Communication, *University of Miami Race and Social Justice Law Review*, *University of Miami Law Review*, National Law Center on Homelessness & Poverty, and the Open Society Foundation's Human Rights Initiative will host a Symposium on Petty Offenses: Challenging Criminalization of Poverty, Marginalization, and Gender Non-Conformity. The symposium will look at the criminalization of homelessness and poverty in the U.S. and abroad, and will be accompanied by an international photography exhibition. The conference is free and interested people can find out more and register [here](#).

HNH One Pager

This [one pager](#) provides an overview of the HNH Campaign and outlines concrete ways for people to get involved. It also includes a fact sheet on the criminalization of homelessness. This tool is useful to share with people who are already familiar with homelessness issues and are looking for more information about the HNH Campaign.

Campaign Branding

We encourage campaign endorsers to link relevant events to the national Housing Not Handcuffs campaign. Please see the guidelines for branding your materials [here](#).

HOUSING
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In the News

[City to set rules on panhandling](#)

May 2, 2019

[Hendersonville to adopt restrictions for panhandling downtown](#)

May 2, 2019

[Family adds sign to yard warning against panhandling, says panhandling is creating problems downtown](#)

May 7, 2019

[Panhandler sues Atlanta Police officer, city after tasing incident left him paralyzed](#)

May 7, 2019

[Panhandling to be subject of Spotsylvania public hearing](#)

May 11, 2019

[Homeless Advocates Are Taking Houston's Cruel Food-Sharing Ban to Court](#)

May 11, 2019

[Judge Finds Aggressive Panhandling Law Violates 1st Amendment](#)

May 13, 2019

[New Indianapolis program hires homeless and panhandlers at \\$10 an hour](#)

May 17, 2019

[Services, not policing will solve the homelessness problem](#)

May 21, 2019

[A ticket by any other name](#)

May 23, 2019

[Austin City Council to Consider Repealing Panhandling Rules](#)

May 29, 2019

[Newark fining motorists for giving money to panhandlers](#)

May 30, 2019

[Signs going up in Scottsdale to discourage giving money to panhandlers](#)

May 30, 2019

[Asked for change, Eureka to alter panhandling ordinance](#)

June 13, 2019

[Does Flagler Beach Have a Panhandling Problem? Not Exactly, But City Will Consider New Rules.](#)

June 13, 2019

[Councilors to take up panhandling ordinance at Monday's meeting](#)

June 16, 2019

[City Council Set to Loosen Eureka's Anti-Panhandling Ordinance After Its Constitutionality Was Called Into Question](#)

June 18, 2019

[Columbia County adopts a panhandling ordinance, county road resolutions](#)
June 20, 2019

[Elkhart explores ban on panhandling](#)
June 20, 2019

[Council Dials Back Laws Targeting Homeless](#)
June 28, 2019

[Council makes roadside panhandling illegal in Winchester](#)
June 28, 2019

[Montgomery passes new panhandling ordinance](#)
July 3, 2019

[Alabama Council Pushes Stricter Penalties for Panhandling](#)
July 5, 2019

[SPLC says proposed panhandling ordinance is unconstitutional](#)
July 11, 2019

[Eureka's criminalization of homeless is 'counterproductive,' grand jury report finds](#)
July 11, 2019

[If you panhandle or jaywalk, a proposed Louisville road safety ordinance could mean a fine](#)
July 12, 2019

**NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY**

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