

HOUSING NOT HANDCUFFS

e-news update

September 2019

Dear Supporters and Endorsers of the Housing Not Handcuffs Campaign,

This has been a busy time for the Housing Not Handcuffs Campaign, with multiple communities stopping enforcement, and even repealing their criminalization laws and beginning to explore shelter, housing, and other alternatives! 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 **October 14th.**

Campaign Updates

Trump Administration Presents Plan to Crack Down on Homelessness, Misrepresents Evidence to Support

On September 10, [the Washington Post](#) reported that President Trump ordered White House officials to “crack down” on homeless encampments in California. As the situation has developed, President Trump’s Council of Economic Advisors released a white paper that ignores and directly contradicts the evidence-based consensus of 19 of his own agencies. Last year, those agencies published the [Federal Strategic Plan to End Homelessness](#), stating that housing, low barrier shelter, and decriminalization is the best way to end homelessness.

The white paper attempts to link homelessness to over-regulation of the housing market, but in fact dramatic cuts to federal funding for subsidized housing, initiated by President Reagan, led to the birth of modern homelessness. These cuts have never been fully restored under either Republican or Democratic Administrations. Now funding is so inadequate that only one of four people impoverished enough to qualify for help actually receive it.

We encourage our audience to be aware of the increased attention the issue of homelessness is receiving on the national stage as the result of President Trump’s focus, and to advocate within their communities to support

constructive, non-criminalizing approaches to solving homelessness. See NLCHP's [press releases](#) for our messaging, and, as always, resources such as our [criminalization one-pager](#) can be found on [our website](#).

Boise petitions Supreme Court to hear *Martin v. Boise* case, Law Center to oppose

Following the Ninth Circuit's April *Martin v. Boise* [ruling](#) in favor of the Law Center and its partners, Idaho Legal Aid Services and Latham & Watkins, the city of Boise filed its [petition](#) for certiorari with the Supreme Court on August 22. This petition asked the high court to overturn the Ninth Circuit's decision, and Mr. Martin and his counsel now have until October 25 to respond.

The core of the Ninth Circuit's holding is that "as long as there is no option of sleeping indoors, the government cannot criminalize indigent, homeless people for sleeping outdoors, on public property, on the false premise they had a choice in the matter."

We know that as a policy matter, housing, not handcuffs, is the best way to end homelessness. No one wants to see encampments of people forced to live on the streets and alleys of our cities. But contrary to the city's argument that it needs criminalization as a "tool" for the preservation of public health and safety, cities in fact have a broad range of constructive tools available to them to solve and mitigate the harms of homelessness; criminalization only makes things worse, not better. When communities actually end homelessness, they will find they do not need laws forbidding people to sleep on their streets; no one will need to sleep there.

We call on our allies in the field to hold up the positive examples of communities working constructively to end homelessness without the need for criminalization.

HNH Justice Network Cases Help Clarify *Martin v. Boise*, Establish Rights and Responsibilities

A [recent court settlement](#) in Orange County, California, led by HNH Justice Network member, Carol Sobel not only provided assistance to the in-need people Sobel was representing, but helped establish clearer guidance for what the 9th Circuit ruling in *Martin v. Boise* means in practice.

Initially, the case was brought to stop the eviction of an 800-person encampment, a group which was able to be brought into shelter and housing through the efforts involved in their defense. The settlement was developed to prevent the recurrence of events like the eviction that started off the case. Under the settlement, not only must adequate shelter space must be provided before any anti-camping laws are enforced, but people experiencing homelessness [must be allowed to consult](#) with county health care, social workers or county-contracted service providers as well.

A [settlement](#) in a similar case in Sonoma County laid out parallel protections, pending the resolution of the *Martin* case.

Announcements

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](#).

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In the News

City Lab (9/17/2019) [The Trump Administration Wants to Relocate Skid Row to This Federal Building](#)

Washington Post (9/12/2019) [Police chiefs and advocates for the homeless agree: Housing, not handcuffs, is the right way to deal with poverty](#)

WTVC (9/16/2019) [California officials urge Trump to increase federal aid to fight homelessness](#)

Washington Post (9/10/2019) [Trump pushing for major crackdown on homeless camps in California, with aides discussing moving residents to government-backed facilities](#)

New York Post (9/10/2019) [Arkansas city paying homeless \\$9.25 an hour to collect trash](#)

Winchester Star (9/10/2019) [ACLU sends 2nd letter protesting roadside panhandling ban](#)

KFTA TV (9/1/2019) [Cabot adds signs to discourage panhandling](#)

Los Angeles Times (8/30/2019) [Editorial: L.A. might ban the homeless from sleeping near schools or parks. Then where will they go?](#)

WGN Radio (8/26/2019) [Panhandlers Have Constitutional Rights Too](#)

Christian Science Monitor (08/23/2019) [Atlanta refused to give up on homelessness. It's working.](#)

Modesto Bee (08/24/2019) [Homeless people would get housing in 'ambitious' proposal to buy 103-bed Modesto motel](#)

Roanoke Times (8/24/2019) [Roanoke's new median strip signs offer both help and a warning to panhandlers](#)

NBC Bay Area (8/22/2019) [BART Board to Take Up Proposed Anti-Panhandling Law](#)

Uprise RI (08/19/2019) [Audrey Mead: They are us](#)

CBS San Francisco Area (8/18/2019) [BART Director Considering Ban On Panhandlers](#)

KUT 90.5 (8/16/2019) [City Memo Says Austin Could Put Limits On Where Homeless People Can Camp Or Rest](#)

**NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY**

This newsletter was designed, drafted, and distributed by the
National Law Center on Homelessness & Poverty
nlchp.org

on behalf of the Housing Not Handcuffs Campaign
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