

# HOUSING NOT HANDCUFFS

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## e-news update

October 2019

Dear Supporters and Endorsers of the Housing Not Handcuffs Campaign,

Follow on social media

#HNH  

This month has been a time of action for the Housing Not Handcuffs Campaign! Multiple communities have now committed to stop enforcement and even repeal their criminalization laws and instead explore shelter, housing, and other alternatives. This is in no small part due to the members of this Campaign, that has now reached 1,000 endorsements. Learn more about the change that is happening below, and [keep encouraging your friends, colleagues, and elected officials to endorse.](#)

If you have submissions for the next newsletter, please fill out [this Google form](#) by **November 20th.**

## Campaign Updates

### New Housing Not Handcuffs Campaign Manager

Greetings! My name is Rajan Bal and I have joined the National Law Center on Homelessness and Poverty as the new Housing Not Handcuffs Campaign Manager. I graduated from the Georgetown University Law Center in May, 2019 and jumped right into this position. At Georgetown, I had the opportunity to advocate for underprivileged youth in the DC delinquency system as a student attorney for the Georgetown Juvenile Justice Clinic.

As Campaign Manager, I have the pleasure and responsibility of growing the Housing Not Handcuffs Campaign. In doing so, I look forward to discussions with each of our current Housing Not Handcuffs endorsers, and working with you all as we work towards combating the homelessness crisis nationwide and in each of your communities.

Please feel free to email me at [rbal@nlchp.org](mailto:rbal@nlchp.org) or call me at (202) 638-2532 x. 105. I would be happy to work with you to bring the #HousingNotHandcuffs messaging to your community, as well as to discuss the state of homelessness in your area and what you and other passionate advocates have observed. I would also be happy to showcase any triumphs in your community for the Housing Not Handcuffs newsletter. If you have other ideas for submissions, feel free to email me or fill out the submission form at the top of the

newsletter. Thank you for continued advocacy. I'm sure I'll speak with so many of you soon!

## Boise Camping Case at Supreme Court

The *Martin v. Boise* case, brought by [Idaho Legal Aid Services](#), the [Law Center](#), and [Latham & Watkins](#), remains on possible appeal to the Supreme Court. On August 22, the city filed its official petition asking the court to “grant certiorari”, or take the case. A week later, 89 different jurisdictions, organizations, and individuals filed their *amici*, or friend of the court briefs, in support of Boise’s petition.

On October 25, the Law Center and its partners filed our response, asking the court not to take the case and to let the decision stand. In the coming weeks, the city will file a response brief, and then we expect the Court to consider the case at its December 6 conference. If no Justice thinks the case should be granted or has any interest in writing, the petition would be denied and we would find out the following week. If our case is not immediately denied, it could mean that the Court is considering a grant, that the Justices want to discuss the case further at another conference, or that one or more Justices might want to write either to dissent from the court’s denial of certiorari or to write respecting the denial of certiorari. It might be that our case is not denied at the first conference, but the fact that the City’s petition is not immediately denied is not necessarily a sign that the court will grant the petition.

We do hope the Court will deny the petition, and that we will be able to go forth with a strong strategy to use the decision to promote Housing Not Handcuffs in the 9<sup>th</sup> Circuit and beyond, but we will be prepared for either scenario, and let our Campaign members know as soon as possible!

## Homeless Sweeps Class Action Lawsuit in Denver Reaches Settlement

On September 23, a federal judge ruled to approve a [settlement agreement](#) involving the advocacy group [Denver Homeless Out Loud](#). The settlement stops the city from taking several actions that harm the welfare of people experiencing homelessness in Denver, including taking people's property without written notice attached to one's property 48 hours in advance, taking people's property at a large encampment without written notice 7 days in advance, or trashing items that defined as property in the settlement, instead requiring them to store the property for 60 days. This settlement is not a final victory for people experiencing homelessness in Denver, but it is a step forward.

## Litigation Against Florida Highway Patrol Reaches Settlement, Continues Against Sheriff of St. John’s County

In February of this year, [Southern Legal Counsel](#) and the National Law Center on Homelessness & Poverty sued St. Johns County Sheriff David B. Shoar and Florida Highway Patrol Director Gene Spaulding on behalf of Peter Vigue, a St. Augustine resident who has been repeatedly arrested for standing on the public right of way and soliciting donations. Prior court rulings found the statutes these arrests were made under to be

unconstitutional, but they are still enforced. However, late this September, the Florida Highway Patrol Director came to a settlement with Vigue and his counsel, which will limit enforcement of the challenged statutes throughout the entire state of Florida. Litigation against Sheriff Shoar continues.

## Follow up on National Forum on the Human Right to Housing

On June 5<sup>th</sup> and 6<sup>th</sup>, 2019 more than 115 advocates, attorneys, currently and formerly homeless individuals, funders, and government representatives, gathered in Washington, D.C. for the annual [National Forum on the Human Right to Housing](#) organized by the National Law Center on Homelessness & Poverty. This year, the Forum's focus was on how to build on the *Martin v. Boise* decision which states that communities cannot criminalize basic acts of survival like sleeping and self-sheltering in the absence of adequate alternatives. The Forum was designed to draw on the resources that each participant brought to the table and to help create new ones. The event provided the opportunity to share victories and challenges and strategize for future advocacy. For those who were not able to attend, or those who want a reminder of what happened, a follow up report on the Forum is now accessible [here](#).

## Announcements

### 1,000 Endorsers

The Housing Not Handcuffs Campaign is proud to announce we have reached 1,000 endorsements! Thank you so much for your continued support.

### 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**  
**NOT HANDCUFFS**

## In the News

Spectrum News 9 (10/24/2019) [Manatee County Passes Ordinance Against Panhandling](#)

WCPO 9 (10/24/2019) [Covington looking to ban 'aggressive' panhandling](#)

KPIX 5 (10/24/2019) [BART Board Sinks Anti-Panhandling Ordinance, Approves SFO Priority Entry Pilot Program](#)

Good Day Sacramento (10/22/2019) [Lodi Businesses Turn To Guardian Angels After Uptick In Crime, Homelessness](#)

San Francisco Chronicle (10/21/2019) [Panhandling ban gets nod from BART lawyers, but debate rages among directors](#)

Montgomery Advertiser (10/15/2019) [Do you give to panhandlers? It could be punishable with jail time in Montgomery](#)

San Francisco Chronicle (10/7/2019) ['People are refusing what we're offering': Breed pushes expansion of mandated SF mental health treatment](#)

Mail Tribune (10/6/2019) [Why health care is concerned with housing](#)

RTV6 Indianapolis (10/4/2019) [City extends panhandling jobs program through end of 2019](#)

Arkansas Democrat Gazette (10/3/2019) [Hot Springs will pay panhandlers minimum wage for work](#)

Ventura County Star (10/1/2019) [California cities challenge court ruling on homeless sleeping, camping in public](#)

Route Fifty (9/30/2019) [Cities, States Urge Supreme Court to Hear Homeless Camping Ban Case](#)

Idaho Statesman (9/27/2019) [The city's lawyers sought 'friends' for homeless camping case. 81 entities offered support](#)

Los Angeles Times (9/26/2019) [Throwing people in jail on drug charges? That's Bakersfield's idea to fight homelessness](#)

**NATIONAL LAW CENTER  
ON HOMELESSNESS & POVERTY**

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