

NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

For Immediate Release
April 9, 2012

Contact: Andy Beres
(202) 638-2535
aberes@nlchp.org

Federal Agencies Join Advocates in Condemning Criminalization of Homelessness *Follow-up Critical to Address National Crisis*

WASHINGTON, D.C. – Two federal agencies released a groundbreaking report today condemning the criminalization of homelessness, a growing trend in cities across the country designed to “minimize the visibility of homeless people.”

Published by the U.S. Interagency Council on Homelessness and the U.S. Department of Justice, the report warns that such policies “undermine real solutions” and may violate the constitutional and human rights of homeless people, as well as U.S. treaty obligations under the International Covenant on Civil and Political Rights and the Convention Against Torture.

Instead, the report calls on communities to adopt “constructive alternatives” to criminalization that offer solutions to homelessness.

This report is a major victory for the National Law Center on Homelessness & Poverty (NLCHP), which has documented criminalization and called for constructive alternatives since 1991. The federal report draws heavily from NLCHP reports, including [Criminalizing Crisis](#) (2011) and [Homes Not Handcuffs](#) (2009), the latter produced jointly with the National Coalition for the Homeless. Both reports note the increase in laws that criminally punish homeless people for “life-sustaining” acts, such as sleeping in public, even when they have no alternative.

Developing the federal report was a requirement of the 2009 HEARTH Act, for which NLCHP was the primary advocate in Congress. It is the first report on criminalization ever issued by the U.S. government.

“The publication of this report is a welcome act of leadership on an issue that is critically, and increasingly, important for homeless Americans,” said Maria Foscarinis, executive director of NLCHP. “We have long advocated for federal leadership to protect the civil and human rights of homeless people, and this recognition of those rights is an important step forward.”

However, Foscarinis cautioned, “the true significance of the report will depend on the federal government's willingness to hold local communities accountable to protect these rights, instead of allowing cities to violate them – often while using federal funds. In addition, the federal government should provide resources to make the constructive alternatives it calls for – especially housing – possible.”

Still, she said, the report does “up the ante for further action by stating explicitly that criminalizing the life-sustaining behaviors of homeless persons implicates not just domestic law, but also our international human rights obligations under the International Covenant on Civil and Political Rights and the Convention Against Torture. Continued advocacy will certainly be needed, but this report will

help us make the case.”

To read the federal report, [click here](#).

#

The National Law Center on Homelessness & Poverty is a leader in the movement to end and prevent homelessness. It works to achieve its goals through advocacy, public education, and impact litigation.

www.nlchp.org