

NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

FOR IMMEDIATE RELEASE
AUGUST 12, 2015

Contact: Sarah Knutson
(202) 638-2535 Ext.105
sknutson@nlchp.org

Federal government recommends housing, not sweeps for homeless encampment residents

WASHINGTON, DC – Less than a week after the Department of Justice argued that criminalization of homelessness is unconstitutional, [filing a brief](#) in a case where the [National Law Center on Homelessness & Poverty](#) (Law Center) represents homeless individuals ticketed for camping, the U.S. Interagency Council on Homelessness (USICH) took a further step today by releasing official guidance for communities coping with the growth of homeless encampments.

The guidance, [Ending Homelessness for People Living in Encampments: Advancing the Dialogue](#), comes following a year-long consultation process prompted by the 2014 report [Welcome Home: The Rise of Tent Cities in the United States](#) coauthored by the Law Center and [Yale Law School Lowenstein Human Rights Clinic](#). Consistent with the recommendations of that report, the guidance calls on communities to take a constructive, rather than destructive approach, in addressing encampments.

“As our report documents, homeless encampments exist in cities large and small across America, which says at least as much about the choices of policymakers not to ensure adequate affordable housing for all the residents of their communities as it does about the choices of the residents who see their best option is to live in those encampments,” said Eric Tars, senior attorney at the Law Center and editor of the 2014 report. “Spending tens or hundreds of thousands of dollars a year to attempt to police and sweep encampments out of existence without addressing the underlying causes is expensive and ultimately counter-productive. This new guidance offers communities a different path forward by acknowledging the housing needs of those in the encampments, and communities’ responsibilities for creating the conditions where this basic human right can be fulfilled.”

The guidance emphasizes that the forced dispersal of encampments is not an appropriate solution and can make it more difficult to achieve lasting housing and service outcomes to its inhabitants. Rather, four best practices have emerged from communities that have successfully addressed encampments: 1) adequate time and planning – including prioritizing the voice of those who will be directly affected by any decision; 2) collaboration across sectors and systems; 3) persistent, intensive outreach and engagement with camp residents; and 4) provision of low-barrier pathways to permanent housing.

“We welcome both the Justice Department’s intervention in our case in Boise and this new

guidance from USICH as evidence the federal government is taking a stronger stand against criminalization of homelessness and for the human right to housing,” said Maria Foscarinis, Executive Director of the Law Center. “This guidance reaffirms what we’ve known for many years: by approaching homelessness with social systems, not criminal justice systems, both communities and homeless individuals win. However, ensuring housing for residents of encampments, as well as any needed service, will be critical to the successful implementation of these guidelines, and we urge USICH to include recommendations for addressing the current severe shortage of housing affordable to extremely low income people going forward.”

The lack of affordable housing is the [leading cause of homelessness](#). According to the [recent *The State of the Nation's Housing* report](#) from the Joint Center on Housing at Harvard University, there is currently an affordability crisis in rental housing, with one in four renters paying more than 50% of their income toward rent.

###

The National Law Center on Homelessness & Poverty (www.nlchp.org) 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.