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## CBPP STATEMENT

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# NAEH, NLIHC, CBPP: Supreme Court Case Highlights Need for Leaders to Address Homelessness With Humane, Proven Strategies

## Evidence Demonstrates That Fining, Ticketing, or Arresting Unsheltered People Is Ineffective and Costly

*Statement of Ann Oliva, CEO of the National Alliance to End Homelessness; Diane Yentel, President and CEO of the National Low Income Housing Coalition; and Peggy Bailey, Vice President for Housing and Income Security, Center on Budget and Policy Priorities*

Even in a divided country, we can agree that homelessness is terrible, especially in a country as rich as ours. We should also agree on the solutions that have been proven time and again to solve homelessness.

On April 22, the solutions to homelessness will come into full view when the U.S. Supreme Court hears the most important case in decades influencing how communities treat their residents experiencing homelessness.

At the heart of the case, *Grants Pass, Oregon v. Gloria Johnson*, is whether cities solve homelessness through housing and the supportive services people need to stay housed or whether they can punish people experiencing homelessness with tickets and fines, even when the city does not have shelter for them.

Fundamentally, this case is about the kinds of communities we want — those where our residents are treated with dignity and have a safe place to call home, or those that disguise the harsh realities of living on the brink by punishing neighbors rather than helping them.

Leaders in Grants Pass are more interested in punishment.

Instead of converting unused spaces into housing, addressing high rents that push people out of their homes, and giving people the services they need to be healthy, Grants Pass officials have chosen to fine people \$375 for sleeping outside. The citation jumps to \$540 when the person inevitably can't pay and quickly spirals into the thousands of dollars.

In one instance, Grants Pass levied \$6,000 in fines and tickets to resident Helen Cruz when she could no longer afford her apartment and had to live on the street. City officials have made it clear their goal is not to solve homelessness, but to make life so much harder for people who sleep on the streets that they will go elsewhere.

This misguided approach is more about removing people from view than fulfilling leaders' duty to all of their citizens — housed and unhoused. And worse, it perpetuates a cycle of homelessness and despair that makes the problem harder to solve.

It also ignores the underlying causes. The severe lack of affordable rental homes is driving the rise in homelessness across the country. In 2022, over 12 million households spent more than half their income on rent. Households earning less than \$30,000 a year faced the worst affordability issues.

Many can't afford a home at all. On a single night in January 2023, 653,000 people were experiencing homelessness in the United States, up 12 percent from a year earlier and the highest number ever recorded.

Lower courts have ruled that punishing people experiencing homelessness for sleeping outside when they have nowhere else to go violates the Constitution's Eighth Amendment, which prohibits cruel and unusual punishment.

If the Supreme Court overturns the lower court ruling, people will be punished because they cannot afford a place to live.

That makes no sense.

As housing advocates, we know — based on decades of research and work in our communities — that the real solution to homelessness is quickly getting people into stable housing. Then, once stably housed, people can access the services they need, such as health care, including for mental health or substance use recovery, and assistance finding and keeping a job.

People are healthier and more productive, and our communities are stronger, when everyone has a safe, dignified, and affordable home.

Ticketing, fining, and arresting people does nothing to solve homelessness, and often prolongs it — sometimes for decades. This hits people of color particularly hard because of racism and discrimination from the police, who target them with the most extreme version of these punitive practices, and because they are already significantly overrepresented among people experiencing homelessness.

Housing and services aren't fast or simple solutions. But elected officials who argue that they can fine, ticket, and arrest their way out of this issue are playing a blame game, diverting attention from their failure to do the necessary work to solve homelessness.

Local elected officials are uniquely positioned to humanely address the housing problems — and to be part of the solution.

They can shift resources to build and preserve housing for people at every income level and remove barriers that drive up housing costs. They can support organizations that serve unhoused people in their communities. And they can use their power to advocate for Congress to fund these solutions at the scale needed to solve homelessness nationwide.

Some communities and elected officials are doing the work and making enormous progress. Houston has decreased its rates of homelessness by almost two-thirds since 2012. Newark's unsheltered homelessness rate has dropped by more than half. In Chattanooga, TN, unsheltered homelessness has gone down by 40 percent.

Local leaders achieved these successes by working collaboratively with people experiencing homelessness, advocates, and service providers.

Our communities stand at a precarious moment. Regardless of what the Court decides, our leaders should recognize what's at stake and the power they have to solve homelessness humanely with strategies that work. The question is: will they do so?

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The National Alliance to End Homelessness is a nonpartisan organization committed to preventing and ending homelessness in the United States.

The National Low Income Housing Coalition (NLIHC) is dedicated to achieving racially and socially equitable public policy that ensures people with the lowest incomes have quality homes that are accessible and affordable in communities of their choice.

The Center on Budget and Policy Priorities is a nonprofit, nonpartisan research organization and policy institute that conducts research and analysis on a range of government policies and programs. It is supported primarily by foundation grants.