



Criminalization of Homelessness

What can we do to protect those who are unhoused in the State of Wisconsin

As per the Housing Not Handcuffs report: Number of States that have dehumanizing legislation is as follows

- 24 states feature laws that restrict loitering, vagrancy, or loafing in designated public spaces
- 16 states boast those same laws, but they apply to all regions, not just designated public areas
- 15 states boast anti-camping laws that make it illegal to pitch a tent or other makeshift shelter in designated public spaces
- Four states boast those same laws but attach the restrictions state-wide, not just in designated areas
- 36 states prohibit standing in roadways
- Six states prohibit public sleeping and lying down
- Four states have made it illegal to sleep inside of a vehicle



Missouri

In Missouri, a new state law that took effect on January 1, 2022 makes it a crime for any person to sleep on state property.

For unhoused people, sleeping in public parks or under city highways could mean up to \$750 in fines or 15 days in prison for multiple offenses.

Tennessee (2022)

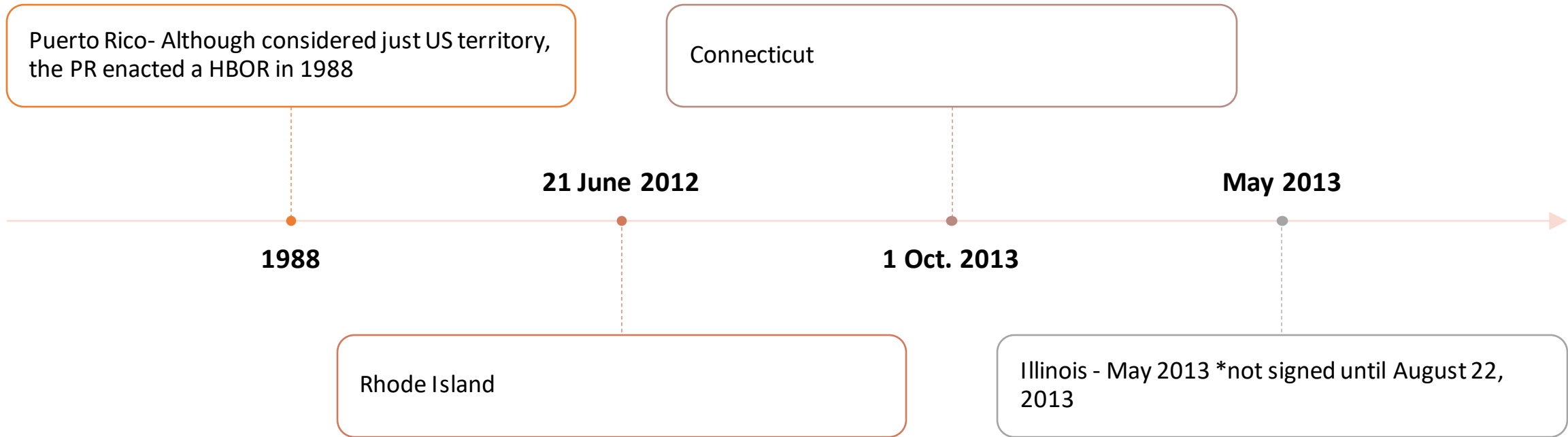
Tennessee's new law goes the furthest, making felony charges possible for anyone arrested for unsanctioned camping on public property.

What is the Homeless Bill of Rights?

The right to use public spaces without fear of discrimination or harassment by law enforcement. The right to vote on legislation. The right to non-obstructively seek shelter, social services, legal aid, and education. The right to privacy of property in public spaces.



State that enacted HBOR laws & effective dates



State that Proposed but not enacted (YET)

California

Hawaii

Oregon

Vermont

Missouri (looking to revise or change)

Massachusetts

State	Year	Bill Number	Title
AZ	2021	HB2668	Nutrition assistance; benefit match; appropriation.
AZ	2022	SB1581	Housing; grants; homelessness; camping; appropriation
GA	2021-2022	HB713	Reducing Street Homelessness Act of 2021
GA	2021-2022	SB535	Reducing Street Homelessness Act of 2022
MO	2022	HB2614	Creates provisions to reduce homelessness
MO	2022	SB1106	Modifies provisions relating to funding for housing programs
OK	2022	SB1560	Municipalities; prohibiting use of land for certain activities; describing elements of offense; allowing peace officers to issue citation after certain efforts. Effective date. Emergency.
TX	2021-2022	HB1925	Relating to prohibitions on camping in a public place and to a political subdivision's designation of property for camping by homeless individuals; creating a criminal offense.
WI	2021-2022	AB604	Pay for performance grant requirements, housing navigator grants, use of public lands to provide temporary residence for the homeless, making an appropriation, and providing a penalty. (FE)

States that introduced a bill to make sleeping illegal for those experiencing homelessness to sleep outside or on public property



Know Your Rights (Rhode Island example)

- Right to use and move freely in public spaces, including, but not limited to, public sidewalks, public parks, public transportation and public buildings, in the same manner as any other person.
 - Right to equal treatment by all state and municipal agencies, including but not limited to, public libraries, police, RIPTA, EMS, city and town halls and the state house.
 - Right employment nondiscrimination while seeking or maintaining employment due to the lack of permanent mailing address, mailing address being that of a shelter or social service provider, or because they know or think you to be experiencing homelessness.
 - Right to emergency medical care free from discrimination. You cannot be denied medical care or emergency services because of your housing status. You have the right to be treated when you seek medical attention.
 - Right to vote at your local polling place, register to vote, and receive documentation necessary to prove identity for voting without discrimination because of your lack of address.
 - Right to vote at your local polling place, register to vote, and receive documentation necessary to prove identity for voting without discrimination because of your lack of address.
 - Right to confidentiality and protection from disclosure of records and information, including but not limited to: shelter sign-in lists, service provider records, waiting lists, and medical records without appropriate legal authority.
 - Right to a reasonable expectation of privacy (protected from search or seizure) of your personal belongings, such as a backpack or a tent, to the same extent as if you were in a house.
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- **Have your rights been violated? Follow these steps:**
 - Take photos, video or audio of the incident.
 - Write down what you remember, or record as much of the incident as you can. Specifically what happened, where it happened, when, and who was involved.
 - Write down or record the name, badge number, license plate, or any other identifying information about the discriminating person.
 - Fill out the HBOR Violation Form found on this page.

What we can do to get started in WI?

Strategize

Creating a strategic plan that will allow us to advocate for legislation of a “Homeless Bill of Rights” to be implemented.

Planning

Partnering with The National Law center on Homelessness f& Poverty to help us with the creation and implementation of a HBOR.

Implementing

Partnering and involving the other state CoC's in the planning of this proposal and strategic plan could help us to implement a WI HBOR.

Reference

https://homelesslaw.org/wp-content/uploads/2018/10/Wrongs_to_Rights_HBOR.pdf