

# US cities grapple with homelessness

## Court ruling emboldens calls for punitive policies

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WASHINGTON – U.S. cities are grappling with a quickly changing landscape in how to respond to a worsening homelessness crisis, following a groundbreaking Supreme Court decision in June and ahead of Donald Trump's return to the White House in January.

Proponents of more punitive options are feeling emboldened, as cities from Phoenix in Arizona to Fort Lauderdale in Florida step up enforcement even as others such as Philadelphia and Providence, Rhode Island, eye new protections.

Known as the Grants Pass decision, the June Supreme Court ruling gives local officials new powers to criminalize sleeping in public, even if adequate shelter space is not available.

In the aftermath of the Grants Pass decision and ahead of Trump's second administration that begins Jan. 20, interest from local officials in anti-camping and related policies has skyrocketed.

"I can't think of a state that's not interested in working on this," said Devon M. Kurtz, public safety policy director with the Cicero Institute, a conservative think tank that has spearheaded anti-camping laws in multiple states.

"The demand is infinite," Kurtz said. "I have quadrupled my team in the last year, and I can't keep up with the demand."

In Oklahoma City, city councilor JoBeth Hamon said she was "nervous" about the impact of the Supreme Court ruling, even though the city has been taking new steps in recent years to get more homeless people into housing.

"I've heard from council members that we also need a stick – punishment or criminalization or accountability," Hamon told the Thomson Reuters Foundation.

In Rhode Island, municipalities have introduced policies to fine or ticket someone for sleeping outside on public property, said Miguel Sanchez, a city



City sanitation workers clear an encampment as workers help bring unhoused people to interim housing on Sept. 26, 2024, as part of an "Inside Safe" operation in Los Angeles. MARIO TAMA/GETTY IMAGES

councilor in Providence.

While Providence's mayor has not planned to follow suit, Sanchez is seeking more permanent safeguards, and in November proposed barring such penalties.

"This is a very bare minimum, but it also adds an extra layer of protection," he said, noting such local actions are taking on additional importance with Trump's reelection.

"All politics are local ... and that sentiment will become all the more important right now," Sanchez said.

Trump's transition team did not respond to a request for comment, but during the campaign he promised to "use every tool, lever, and authority to get the homeless off our streets."

Since the Supreme Court's decision, more than 90 local bills have been passed and 65 more are pending to punish people for sleeping outside, said Jesse Rabinowitz, campaign and communications director with the nonprofit National Homelessness Law Center.

Twenty additional cities and states have moved in the opposite direction, saying they will not mete out such punishments.

"What we feared would happen is

happening across the country," Rabinowitz said. "Cities are moving very quickly to pass laws that make homelessness worse."

### Local control

U.S. homelessness surged following the pandemic. It reached more than 770,000 people in January 2024, up 18% from 2023, according to the U.S. Department of Housing and Urban Development.

Those numbers have worsened with the end of pandemic-related aid but are driven by a lack of affordable housing across the country, exacerbated by rising inflation and stagnating wages.

The Grants Pass decision reversed a lower court's ruling that said local jurisdictions were not allowed to ban sleeping outdoors if they did not have enough shelter beds available.

That earlier ruling had hamstrung local governments' response, said Stephanie Martinez-Ruckman, a legislative director with the National League of Cities, an umbrella group that filed a brief in the Grants Pass case that was cited extensively by the justices.

NLC, an organization focused on im-

proving urban quality of life, has said that the best way to end homelessness is to ensure that all individuals have access to stable affordable housing – meaning more affordable homes, making land available for new housing development and more.

While cities and counties have increasingly put their own money into addressing homelessness, the federal government continues to fund a major portion of the response with some \$3.5 billion spent last year.

Kurtz said past policies had been too careful to not be coercive, while the reality is that unsheltered homelessness is a danger and health risk both for homeless individuals and communities at large.

Current federal officials urge restraint.

"During this time of change, it is important to focus on what matters most, getting people off the streets," said Jeff Olivet, executive director of the U.S. Interagency Council on Homelessness.

"Criminalization of homelessness is expensive, ineffective and inhumane," he said. "Instead of arrests and fines, we need to prevent people from losing their homes in the first place. True solutions to homelessness are housing and services like health care and mental health treatment."

Scott Turner, Trump's pick to head the Department of Housing and Urban Development, was a key figure during Trump's first administration in implementing the "Opportunity Zones," tax incentives for private investment in marginalized communities.

This background has sparked concern that if Turner were to be confirmed as housing secretary, he would prioritize the private sector in addressing the housing crisis.

Cities will still have options to push back and define their approach according to local voter needs and interests, despite the Supreme Court decision and fears the incoming administration will take a punitive approach to address homelessness.

Voters in St. Louis, Orleans Parish in Louisiana and Charlotte in North Carolina, among others, also backed measures to boost housing affordability.