Press Release
For Immediate Release

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Senator Carol Liu Introduces Right to Rest Legislation Protecting the Civil Rights of Homeless Individuals

California – Last week, California State Senator Carol Liu (D – La Cañada Flintridge) introduced legislation to end the alarming trend of cities passing laws that criminalize the basic civil rights of homeless individuals. SB 608, known as the "Right to Rest Act," would, among other things, protect the rights of homeless people to move freely, rest, eat, and perform religious observations in public space as well as protect their right to occupy a legally parked motor vehicle.

"It's time to address poverty, mental health, and the plight of the homeless head-on as a social issue and not a criminal issue," says State Senator Liu. "Citing homeless people for resting in a public space can lead to their rejection for jobs, education loans, and housing, further denying them a pathway out of poverty."

A recent report by the UC Berkeley School of Law Policy Advocacy Clinic suggests that the number of anti-homeless laws passed by California municipalities has risen sharply in recent years. In total, the 58 cities researched in the study have enacted at least 500 anti-homeless laws – nearly nine laws per city on average. These laws prohibit many of activities that SB 608 aims to protect. Similar bills have been introduced in Oregon and Colorado.

"Everyone sleeps, eats, and sits, but only some get tickets or go to jail for it," says Paul Boden of the Western Regional Advocacy Project, which coordinates the coalition of 140 organizations across the state that is supporting the Right to Rest Act. "Criminalization only makes things worse for people living on the streets. And by not having to enforce crimes of status, law enforcement can focus on real public safety issues. We applaud Senator Liu's leadership, and look forward to working with her in protecting the civil rights of homeless individuals and refocusing attention to solutions that end homelessness."

The growing criminalization of homelessness is not unique to California. Rather, it reflects a national trend that is increasingly being challenged in federal courts. In December of last year, a federal judge suspended a Ft. Lauderdale law banning public food sharing after it received national attention when a 90-year old resident was arrested twice for serving meals to homeless individuals. In June 2014, a different federal court struck down an ordinance in Los Angeles banning people from sleeping in their vehicles - arguing that it discriminated against the poor.

"Recent court rulings have shown that these types of laws are not only immoral and unjust, but also illegal," stated Steve Diaz of the Los Angeles Community Action Network. "They do not stop real crime, but rather punish people for being poor and homeless. Cities are not going to ticket their way out of homelessness. Housing is the only solution, but until then we must continue to protect the civil rights of all people. We are hopeful that by focusing less on enforcement of unjust laws, cities can start reallocating resources to housing and services. Everyone deserves the right to exist in public space regardless of their housing status, and SB 608 will help protect that right."

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