



April 2, 2026

Senator Matthew LaMountain
Chair, Senate Committee on Judiciary
Rhode Island State House, 82 Smith Street, Providence RI 02903

Re: Opposition to Senate Bill 2969

Dear Chair LaMountain and Members of the Committee:

On behalf of the Housing Network of Rhode Island, I respectfully submit this testimony in opposition to Senate Bill 2969. HNRI is a statewide alliance of members and partners serving low-income Rhode Islanders, who share the vision that all Rhode Islanders live in safe, healthy, affordable homes in thriving communities. Our alliance includes 19 nonprofit housing developers who own and operate more than 7,500 rental homes for low- and moderate-income Rhode Islanders, as well as organizations who provide support and other services to the more than 2,500 Rhode Islanders who are experiencing homelessness.

Ensuring the safety of all Rhode Islanders—drivers, pedestrians, and those in vulnerable situations—is critically important. **However, this bill raises significant legal, practical, and policy concerns that outweigh any intended benefits relative to safety**, assuming public safety is in fact a goal of this proposed legislation.

First, the Supreme Court and lower courts across the country have consistently found that solicitation, including panhandling, is protected speech under the First Amendment. In fact, in Rhode Island, a U.S. District Court entered a consent judgment declaring the City of Cranston’s anti-panhandling ordinance unconstitutional in 2021, after four years of legal challenges stemming from a 2017 lawsuit. Other municipalities that have pursued similar policies have ultimately abandoned enforcement due to these clear legal risks. Enacting legislation that is likely to face constitutional challenges exposes the state to unnecessary legal costs and uncertainty.

Second, this bill effectively criminalizes behaviors associated with homelessness without addressing the underlying causes. Laws that penalize individuals for soliciting donations and have penalties imposing fines, fees, or incarceration create additional barriers to securing stable housing and employment. Rather than improving outcomes, these approaches often deepen the challenges faced by people experiencing housing instability.

We are also concerned that this bill will disproportionately impact people who are unhoused as it appears to be directed toward them, particularly through the inclusion of language allowing a judge or magistrate to order mental health counseling as a consequence of violating the law. This raises concerns about stigmatization and the inappropriate use of the legal system to mandate services, rather than ensuring voluntary, accessible, and properly resourced support.

This approach to the issue in the proposed legislation is similar to ineffective encampment bans, where the visibility of homelessness might be reduced, but the underlying issues, such as poverty, lack of available and affordable housing, and an under-resourced safety net, are not addressed. In many cases, it becomes even more difficult for outreach workers and service providers to locate and engage individuals in need. When people are pushed out of visible spaces, they are often displaced to more isolated or unsafe areas, making it harder to connect them with housing, healthcare, and supportive services that can lead to long-term stability.

Third, enforcement of laws like this carries a significant cost to the state and municipalities. Police resources, court time, and potential incarceration all represent substantial public expenditures that have minimal benefits to the impacted individual and the community at large. Costs associated with criminalization are often far greater than investments in proven solutions such as housing, rental assistance, and supportive services. Redirecting resources toward these evidence-based strategies is both more effective and more fiscally responsible.

Finally, assuming an intention behind the proposed bill is traffic and pedestrian safety and not just to punish people for their poverty, there are more appropriate and effective ways to address these concerns. Investments in roadway design, traffic calming measures, and public awareness can improve safety outcomes without criminalizing vulnerable individuals.

At a time when Rhode Island is working to address a growing housing crisis, policies should focus on solutions that promote stability, dignity, and long-term outcomes. **Senate Bill 2969 moves in the opposite direction, and we respectfully urge the Committee to oppose this proposed bill.** In support of the points outlined in my testimony, I have attached two research briefs prepared by the *National Alliance to End Homelessness* about the harmful impacts and minimal benefits of legislation that criminalizes homelessness. Thank you for your consideration of this testimony.

Respectfully submitted,



Katie West
Director of Strategic Partnerships
(401) 721-5680 x 105
kwest@housingnetworkri.org

CRIMINALIZING HOMELESSNESS WORSENS THE CRISIS, RESEARCH SHOWS



In Partnership With



Nicole DuBois*
Senior Research Analyst & Coordinator
National Alliance to End Homelessness

Claire Herbert, PhD*
Associate Professor
Department of Sociology, University of Oregon

E. Mae Sowards*
Doctoral Student
Department of Sociology, University of Oregon

**All authors contributed equally.*

In summer 2024, the Supreme Court’s ruling in [City of Grants Pass v. Johnson](#) emboldened communities across the country to [consider or enact new measures](#) that make sleeping in public spaces a legally punishable offense, effectively criminalizing homelessness. However, criminalization only exacerbates the crisis, failing to address the root causes of homelessness and punishing individuals for circumstances beyond their control. This approach is not only harmful and counterproductive, but also deepens existing racial inequities, given the disproportionate impact of homelessness on Black people and other communities of color.

Leading up to the case, 57 social scientists who have previously published peer-reviewed research on homelessness came together to submit an [amicus curiae brief](#) against criminalization. This brief serves as an introduction to a comprehensive series that distills their extensive research, which highlights how criminalizing homelessness not only prolongs the issue but also squanders public resources and causes severe harm to individuals’ health and well-being.

Advocates, policymakers, and everyday Americans are encouraged to draw upon this research to push back on local efforts to criminalize homelessness and inform effective and humane solutions.

KEY TERMS

Criminalizing homelessness encompasses laws and ordinances that prohibit and punish people for sleeping, sitting, standing, asking for donations, or sheltering themselves with anything from a blanket to a tent, or other life-sustaining activities unavoidable to unhoused people. Some even prohibit sharing food with unhoused people.

These laws often target people experiencing **unsheltered homelessness**, which refers to people living in tents, vehicles, or other places not meant for human habitation.

They also often target **encampments**, a term that loosely refers to a grouping of tents or informal shelters.

Displacement refers to any involuntary move, including when law enforcement orders an individual to “move along” or when encampment residents are evicted from a specific location.

Property seizure is the confiscation or discarding of personal property by abatement authorities.

This brief primarily focuses on the impacts of citations, arrests, fines, incarceration, displacement, and property seizure.

THE PROBLEM

Existing shelter systems are woefully inadequate to meet the scope of need, and as a result most people who are unsheltered have no other choice but to live outside. During the last national count in January 2024, more than 270,000 people — 36% of people experiencing homelessness — were unsheltered.¹¹ For many, shelters are not an option. There is a false narrative that people choose “voluntary homelessness,” but nationwide, there is a shortage of 200,000 year-round shelter beds for adults.⁵⁵ Nearly 80% of communities have a bed shortage, and this scarcity is felt most acutely in places like the West Coast, where rates of homelessness are higher.²⁶

Affordable housing options are scarce, particularly for people with the lowest incomes. Nationwide, there is an estimated shortage of 7.3 million such rental units.⁵ Studies from Denver to Seattle to Los Angeles consistently find that around 90% of people experiencing homelessness would move into housing if available and accessible.^{4,19,59} Available shelter space is most commonly found in congregate settings that may present barriers to access. These barriers include time-limits, conditions on family composition or gender identity (especially for LGBTQ+ people), night-use only, restrictions on pets and belongings, sobriety requirements, and timing rules that can make employment difficult.⁵⁴ Additionally, these shelters often fail to provide adequate accommodation for people with complex health needs and disabilities that are prevalent among those experiencing homelessness.⁶³

Hundreds of thousands of people are criminalized for being homeless. People who lack shelter are more likely than those with shelter to interact with law enforcement and be targeted by criminalization efforts.⁴⁸ A survey of people experiencing homelessness in Los Angeles found that 53% of respondents had been evicted from an encampment, most often more than once.³⁰ In another California study, more than half of unsheltered individuals reported being physically mistreated by law enforcement while homeless.¹³ Criminalization disproportionately harms Black people and other people of color, who not only experience homelessness at higher rates but are also more likely to be targeted by law enforcement.^{34,60}

Criminalization does not end homelessness. Ticketing, jailing, sweeping, and punishing people who are homeless does not reduce homelessness.³³ On the contrary, the research reviewed in this brief shows criminalization makes homelessness worse. Each move-along order or encampment eviction contributes to further marginalization, perpetuating a cycle of negative effects which are increasingly difficult to escape.

“Even though each move-along order and citation alone may seem inconsequential, collectively, the inability to access private property or a safe place where one can legally dwell keeps one in constant anxiety and risk of future enforcement. This produces a sequence of criminal justice contact that is more powerful than the sum of its parts that deepens suffering, poverty, and perpetuates homelessness.”

— *City of Grants Pass v. Johnson, Social Scientist Amicus Brief*

DISPLACEMENT AND PROPERTY SEIZURES PERPETUATE POVERTY AND HOMELESSNESS

Displacement can disrupt support networks and push people into more isolated areas as they seek to avoid future law enforcement encounters. Property seizure or destruction makes it harder to take steps toward gaining employment or housing.

- **Displacement or jail time severs ties with — and undermines trust in — social service providers.** For individuals already linked to a service provider, forced displacement can sever those vital contacts.²⁵ Social service providers report that criminalization harms the people they work with and harms providers’ ability to do their jobs effectively, including getting people housed and connecting them to healthcare and other services.^{41,61} People are also more likely to distrust service providers who are present during law-enforcement-led encampment evictions, which complicates their ability to provide housing or other critical services.^{25,40}

- **Property seizures are common.** Research shows that unhoused people's property is often confiscated or destroyed during enforcement of these laws, including when someone is arrested.^{10,18,31,47} Nearly half of those surveyed in a San Francisco study had lost property at the hands of city officials.^{26,27}
- **Property seizures complicate efforts to exit homelessness.** Items frequently lost or destroyed include those vital to keeping jobs and housing — for example, legal and financial documents, identification like driver's licenses and birth certificates, benefits cards, work clothing, bicycles needed for transportation, and computers.^{9,27,31,50} Lost property must be replaced,^{15,20,57} creating additional economic burdens and requiring significant time and effort.
- **Missed work and criminal records limit pathways out of homelessness.** According to the 2010 Census, 40% of unsheltered people had employment during the year of their homelessness.³⁶ But a San Francisco study shows that displacement and property confiscation caused unhoused people to miss work or lose their jobs.²² If enforcement results in a criminal record, it can complicate future efforts to access jobs⁴² and housing, including publicly subsidized housing.¹²

CRIMINALIZATION DOES NOT SOLVE HOMELESSNESS

Efforts to criminalize homelessness do not reduce homelessness nor help connect people to housing.

- **There is zero empirical evidence that criminalization reduces homelessness.** Many laws criminalizing homelessness have existed in numerous cities since the 1990s, providing scholars with decades of outcome data.²⁴ There is no evidence to suggest that the passage of these laws is responsible for a meaningful reduction in unsheltered or overall homelessness.³³
- **Displacing encampments does not help people get housed.** Encampment evictions are most often divorced from social service provision. Social service workers were only involved in encampment evictions 15% of the time, according to a survey of unhoused people in Los Angeles, and research shows that upwards of 89% of encampment residents continue to experience homelessness after the encampment removal.^{30,49,50} Research suggests that when law enforcement tries to connect people to services, arrests increased, while service participation and evidence of rehabilitation did not.^{8,57} However, trusting relationships with outreach and services providers may increase the willingness to participate in services.³⁹
- **Criminalization forces people experiencing homelessness to simply move from one public area to another.** Encampment clearance is used to eliminate the visibility of homelessness from public space³ and as a tool of temporary removal in response to complaints.²³ Clearing encampments often does not lead to a reduction in calls about unhoused individuals.² A San Francisco survey found in

response to their most recent move-along order, 91% of unhoused people simply moved to a different public space.²⁷ Even if people are offered temporary shelter, they often return to the streets in a week or less. This perpetuates an ongoing cycle of moving from place to place, and from shelter to street.^{23,44}

- **Jail time disrupts efforts to exit homelessness.** Research shows that when people experiencing homelessness are forced to spend time in jail, they are often released with nowhere to stay, may be poorer due to lost possessions,²² and may be in worse physical health.^{14,58} Jail stays can also disrupt access to public benefits,²⁹ shelter, and other resources.^{22,27} Even when detained temporarily, people experiencing homelessness have lost jobs²⁵ and vehicles,²⁰ which thwart efforts to exit homelessness.

CRIMINALIZATION IS ECONOMICALLY COSTLY

Enforcing criminalization laws burdens municipalities with higher costs, which can sometimes be higher than the cost of providing social services and housing.

- **Enforcement is expensive.** Cities from Spokane²⁸ to Denver⁵¹ spend millions enforcing ordinances that criminalize homelessness. After spending \$20.6 million in 2015, a San Francisco budget analysis concluded that the “current enforcement measures are too expensive” with “limited results.”⁵²
- **Fines are not cost-effective, often go unpaid, and have negative consequences.** In many places the cost to issue a citation is more than the citation amount itself.⁵¹ Even minor citations are often impossible for people experiencing homelessness to pay.²⁷ If issued repeatedly, citations can result in escalating fees and bench warrants that can increase debt, damage credit, and even result in jail time.^{7,27,57} Debt due to legal fines prolonged homelessness by nearly two years among survey respondents in Seattle³⁷ and can threaten future housing stability.²¹
- **Housing and services can be cheaper, especially for people who frequently interact with law enforcement and crisis healthcare services.** Providing housing and services significantly offsets costs to other systems like hospitals and emergency services, and in some circumstances, more than pays for itself.⁵³ For example, a supportive housing program in Denver cost \$12,078–\$15,484 per person per year, but saved \$6,876 in other public services, more than half of which was attributed to jail, courts, police, public safety, and prison.¹⁷

CRIMINALIZATION HARMS HEALTH

Studies document multiple negative health consequences of criminalization impacting people who live outside.^{1,6,9,18,27,43,46} Encampment evictions and move-along orders push people away from resources and into more dangerous environments.^{56,62} Other harms

of criminalization include the seizure of medical items, like prescriptions and walkers,^{9,10} increased sleep deprivation and substance use,^{38,45,47} and disrupted access to healthcare and social networks.^{56,62} Criminalizing homelessness endangers public health by increasing the spread of infectious diseases and overburdening healthcare systems.⁴³

For more information about the impact of criminalization on individual and public health, see the companion brief, "[Criminalization of Homelessness Harms Individual and Public Health](#)."

CRIMINALIZATION MAKES UNSHELTERED HOMELESSNESS MORE DANGEROUS AND DOES NOT INCREASE PUBLIC SAFETY

People experiencing homelessness are more likely to be victims of violence than housed people.^{16,32,35} Enforcement of laws criminalizing homelessness makes both unhoused individuals and the wider community more unsafe.^{9,20} Fines, arrests, and incarceration carry detrimental impacts by creating barriers to rehousing.²² They also decrease the likelihood people will call upon law enforcement to address safety concerns.⁴⁷ Finally, enforcement does not improve public safety: it diverts law enforcement resources²² and does not consistently decrease crime.²

For more information about the impact of criminalization on individual and public safety, see the companion brief, "[Criminalization of Homelessness Fails to Improve Individual and Public Safety](#)."

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CRIMINALIZATION OF HOMELESSNESS FAILS TO IMPROVE INDIVIDUAL AND PUBLIC SAFETY



In Partnership With



Nicole DuBois*
Senior Research Analyst & Coordinator
National Alliance to End Homelessness

Claire Herbert, PhD*
Associate Professor
Department of Sociology, University of Oregon

E. Mae Sowards*
Doctoral Student
Department of Sociology, University of Oregon

**All authors contributed equally.*

CRIMINALIZATION MAKES UNSHELTERED HOMELESSNESS MORE DANGEROUS

The threat of citation or arrest pushes people experiencing unsheltered homelessness into marginal and dangerous environments while simultaneously decreasing their willingness to call upon law enforcement to address safety concerns and eroding protective social networks.

- **People experiencing homelessness are more likely to be victims of violence than people who are housed.** This includes, but is not limited to, crimes such as assault, robbery, and theft.^{7,19} While 2% of the general population have been victims of violence, between 14–21% of the unhoused population have been.²¹ Violence against women is common, partially due to spatial and social isolation.^{3,16} In a California study, 49% of unsheltered women surveyed reported experiencing physical violence and 25% experienced sexual violence.⁵
- **Fear of punishment pushes people to marginal and hazardous environments.** Attempts to evade law enforcement motivate people experiencing homelessness to camp further away from urban centers,^{23,32} which distances them from social support systems³¹ and pushes them into more environmentally and physically hazardous conditions.^{8,9,13,14}

In summer 2024, the Supreme Court's ruling in [City of Grants Pass v. Johnson](#) emboldened communities across the country to [consider or enact new measures](#) making sleeping in public spaces a legally punishable offense, effectively criminalizing homelessness. However, criminalization only exacerbates the crisis, failing to address the root causes of homelessness and punishing individuals for circumstances beyond their control. This approach is not only harmful and counterproductive, but also deepens existing racial inequities, given the disproportionate impact of homelessness on Black people and other communities of color.

Leading up to the case, 57 social scientists who have published peer-reviewed research on homelessness came together to submit an [amicus curiae brief](#) against criminalization. This brief is part of a series that summarizes the large body of evidence they compiled. See the [introductory brief](#) for context and key terms.

- **Fear of punishment discourages people experiencing homelessness from calling law enforcement for help and compromises their safety.** Due to the criminalization of their living conditions and past negative interactions with law enforcement, unhoused individuals are often reluctant to call 911, even when they are personally threatened or facing other emergencies.^{4,33} This may explain why 53% of people experiencing unsheltered homelessness in Denver reported feeling less safe at night after the passage of the Denver camping ban.²³
- **Involuntary displacements disrupt the safety provided by a sense of community and thereby can prolong homelessness.** People living in encampments often form strong bonds of community and trust, looking out for one another and their belongings, which fosters a sense of security and belonging.^{10,24,26,29} When people feel they and their belongings have a safe place to be, they are better able to access services, housing, and employment.²⁵ Encampment removals tear apart bonds of security, trust, and mutual aid.^{13,25}

CRIMINALIZATION FAILS TO HELP COMMUNITIES' PUBLIC SAFETY GOALS

The enforcement of laws that criminalize homelessness not only makes unhoused individuals less safe but also fails to enhance community safety. Those experiencing homelessness are often cited for basic life-sustaining activities, such as resting or sleeping on public property. Fines, arrests, and incarceration waste public funds, harm individuals in need, increase barriers to rehousing, and divert law enforcement resources from more pressing concerns.

- **Fines and jail time create negative consequences that disrupt efforts to exit homelessness.** Even minor citations are often impossible for people experiencing homelessness to pay and can result in escalating consequences such as arrests and jail time.^{2,16,27} Jail time often ends in homelessness again,¹⁴ which leaves people in worse physical health^{6,28} and potentially disconnects them from public benefits,¹⁸ employment,¹⁵ and possessions, including vehicles used for shelter.^{10,14}
- **Enforcement often fails to reduce crime.** Communities tend to misunderstand the relationship between encampments and crime. A study in Canada found half the time, the emergence of encampments decreased crime.¹⁷ Thus, encampment evictions do not consistently lead to decreased local crime,^{1,22} nor the presence of unsheltered homelessness in the area.²⁰ Denver research shows that within a 0.25-mile radius of an encampment eviction, crimes related to disorder and auto theft decrease, while violent crimes against people increase.²²
- **There are negative impacts on law enforcement officers' ability to effectively do their jobs.** Assigning law enforcement to respond to homelessness causes frustration and a sense of futility among officers.^{12,30} This forces law enforcement to sink considerable hours into enforcement,¹¹ and diverts attention from more serious crimes, including domestic abuse.¹⁴

Endnotes

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