

NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

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Seattle Bill Protects People Experiencing Homelessness and the Public

Washington D.C. – The National Law Center on Homelessness & Poverty is gratified that the U.S. Department of Justice issued a [letter](#) late Thursday affirming that Seattle Council Bill 118794 is “without question” consistent with important constitutional principles. The Seattle Bill creates protections for unsheltered homeless people who are forced to live in public spaces, while also carving out sections of the city where encampments are not permitted. These important protections would help preserve the constitutional rights of people who experience homelessness and who are, too often, deprived of their civil, human, and constitutional rights.

The Seattle Bill provides that unless the outdoor public living space is in an unsafe or unsuitable location or creates or contains a hazardous condition, the city would not be able to remove people living in public spaces unless “adequate and accessible housing” is available, the affected individuals have been engaged with sufficient outreach, and notice has been provided.

Lisa Foster, Director of the DOJ’s Office for Access to Justice, stated, “CB 118794... recogniz(es) that encampments exist and that the rights of people experiencing homelessness must be respected.” In the 4-page letter, the DOJ reaffirmed its position that criminalization of homelessness is unconstitutional, quoting extensively from its [Statement of Interest brief](#) filed in the *Bell v. Boise* case, in which the Law Center represented homeless people who sued the city of Boise, Idaho. The DOJ letter states that enacting CB 118794 is “consistent with the position we took in *Bell v. Boise* in its acknowledgement of the human rights of people experiencing homelessness.”

The Law Center, in supporting the Council Bill, has criticized Seattle’s use of police power to

order homeless people to move without providing any adequate alternative space to live. “Criminalizing homelessness is not just unconstitutional, it is also bad policy and an ineffective use of limited taxpayer dollars,” stated Maria Foscarinis, the Executive Director of the National Law Center on Homelessness & Poverty. The Law Center has long documented the criminalization of homelessness and advocated for constructive solutions that support the civil, human, and constitutional rights of people experiencing homelessness.

The City Council Human Services & Public Health Committee is scheduled to vote on the bill today.

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The National Law Center on Homelessness & Poverty (www.nlchp.org) is the only national organization dedicated solely to using the power of the law to prevent and end homelessness. With the support of a large network of pro bono lawyers, we address the immediate and long-term needs of people who are homeless or at risk through outreach and training, advocacy, impact litigation, and public education.