

# NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

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## **The Cost of Criminalizing Homelessness Just Went Up by \$1.9 Billion** *HUD Funding Requirement Building on Department of Justice Enforcement*

WASHINGTON, DC - Today, September 18, 2015, the U.S. Department of Housing & Urban Development (HUD) added to the growing federal pressure against criminalization of homelessness by incentivizing communities to take steps to end criminalization in its [\\$1.9 billion grant program](#) for federal homelessness funding.

HUD's new requirement for applicants of federal homelessness funding follows on the heels of the [Department of Justice's announcement in August](#) that criminalizing individuals for being homeless is unconstitutional.

Every two years, HUD issues its Notice of Funding Availability to local Continuums of Care (local partnerships of public and private agencies that address homelessness in a given geographic area). In this year's application for the \$1.9 billion in funds, for the first time HUD is asking Continuums to "describe how they are reducing criminalization of homelessness." In the extremely competitive funding process, Continuums' ability to fully respond to this question can determine up to two points in the funding application, and in many cases could be the difference between receiving funding and not.

"We welcome the federal government's direction of limited tax dollars to the places that will most effectively use that money to address homelessness," said Maria Foscarinis, Executive Director of the [National Law Center on Homelessness & Poverty](#). "The federal government cannot sustainably meet its goals of ending veteran's homelessness this year, chronic homelessness next year, and all homelessness by 2020 if communities continue to waste scarce tax dollars on failed policies that perpetuate homelessness."

The Law Center has published multiple reports on the criminalization of homelessness, including [No Safe Place](#), which showcased the dramatic increase in criminalization in the past

few years as well as case studies of communities engaging in constructive alternatives, and its [No Safe Place Advocacy Manual](#), which shows that when criminalization ordinances are challenged in court, most often they are struck down. The Law Center has also garnered condemnation of criminalization as cruel, inhuman, and degrading treatment by the United Nations' [Human Rights Committee](#), [Committee on the Elimination of Racial Discrimination](#), and [Human Rights Council](#), who made specific recommendations to the federal government to adopt funding incentives to abolish the practice. This question on the Continuum's funding application is the first step in implementing those recommendations.

“Criminalization of homelessness is already more expensive than providing housing, but those costs—from keeping people in jail to increased emergency room visits—are often hidden,” said Eric Tars, Senior Attorney at the Law Center. “We hope HUD’s new question on their funding application brings at least one cost—the cost of lost federal dollars coming into the community—into full view. When added to the potential costs of losing litigation, there’s really no reason for communities to ignore the overwhelming data that shows housing is more effective than criminalization.”

“The Law Center is happy to provide technical assistance to communities in reviewing their policies to conform with the Department of Justice brief and HUD incentives,” said Tars, “We will be hosting a [webinar on October 6 at 2pm ET](#) to help communities understand criminalization and more constructive alternative approaches, and we hope many communities will take advantage of this opportunity to reverse and eliminate these harmful, unconstitutional practices.”

To sign up for the webinar, click here:

<https://attendee.gotowebinar.com/register/6792264236216006146>

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*The National Law Center on Homelessness & Poverty ([www.nlchp.org](http://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.*