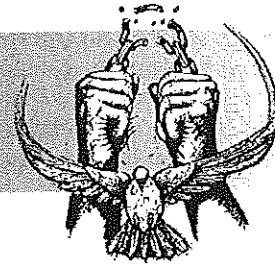


A Homeless Bill of Rights Campaign



September 12, 2013

Laws that segregate, make criminals of people based on their status rather than their behavior, or prohibit certain people's right to be in public spaces are not just sad relics from the past: Today, numerous laws infringe on poor people's ability to exist in public space or obtain basic needs such as housing, employment, and equal protection under the law. Our Homeless Bill of Rights Campaign (HBR) stands on the shoulders of social justice campaigns of the past to alleviate poverty and homelessness while protecting homeless and poor people from unjust laws and ensuring all people's right to exist in public spaces.



Our Homeless Bill of Rights (HBR) campaign in Oregon and California will create bills that protect the following rights and prohibit the enforcement of any local laws that violate these rights:

1. Right to move freely, rest, sleep, & pray and be protected in public spaces without discrimination.
2. Right to occupy a legally parked vehicle.
3. Right to share food and eat in public.
4. Right to legal counsel if being prosecuted.
5. Right to 24-hour access to "hygiene facilities"

Western Regional Advocacy Project (WRAP) unites local social justice organizations and is building a movement that exposes and eliminates the root causes of civil and human rights abuses of people experiencing poverty and homelessness in our communities.

The core of our HBR campaign is based on our outreach to homeless and poor people, in which we document their experiences with local police and private security. We have surveyed 1,276 people in 5 states and 12 cities. The civil rights violations people are experiencing everywhere are eerily similar. The main "illegal offenses" that homeless people are being harassed & criminalized for include: sleeping 81%, sitting or lying down 78%, and loitering or hanging out 66%.

For the purposes of these bills, "homeless" is defined as lacking a fixed, regular, and adequate nighttime residence, or having a primary nighttime



residence in a shelter, on the street, in a vehicle, in an enclosure or structure that is not authorized or fit for human habitation, substandard apartments, dwellings, doubled up temporarily with friends or families, staying in transitional housing programs, staying anywhere without tenancy rights, or staying with one or more children of whom they are the parent or legal guardian in a residential hotel whether or not they have tenancy rights.

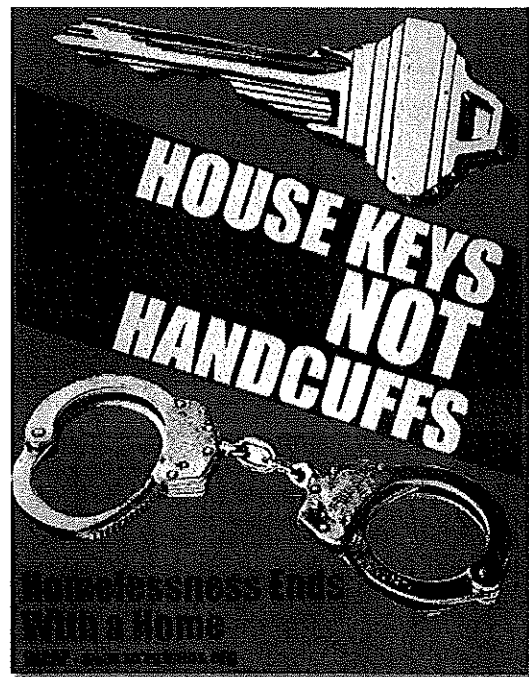
Local attempts to deal with homelessness by making homeless people disappear from sight are gross civil and human rights violations, according to the UN Habitat report entitled, "The Right to Adequate Housing." Local governments utilize tried and true lock 'em up strategies by criminalizing homelessness and homeless people ensuring a long-term cycle of poverty and stigmatization.

What can ORGANIZATIONS do to support the campaign?

- Endorse the 5 principles for the Homeless Bill of Rights Campaign
- Ask at least one of your organizational partners to endorse
- Attend regional planning meetings
- Get information out on email/social media systems
- ID impacted residents and share their stories
- Attend delegation visits
- Attend local awareness actions
- Give public comment at public meetings
- Help with call in days
- Plan other actions in your community
- Visit the WRAP Facebook page and website for updates
- Donate to the campaign

What can YOU do to support the campaign?

- Sign petition in support
- Call elected officials when needed
- Join regional planning committee and attend meetings
- Attend actions/education events
- Share your story in writing or video
- Join a local campaign member group
- Visit the WRAP Facebook page and website for updates
- Donate to the campaign
- Other ideas are very welcome



For more information contact:



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Other findings include:

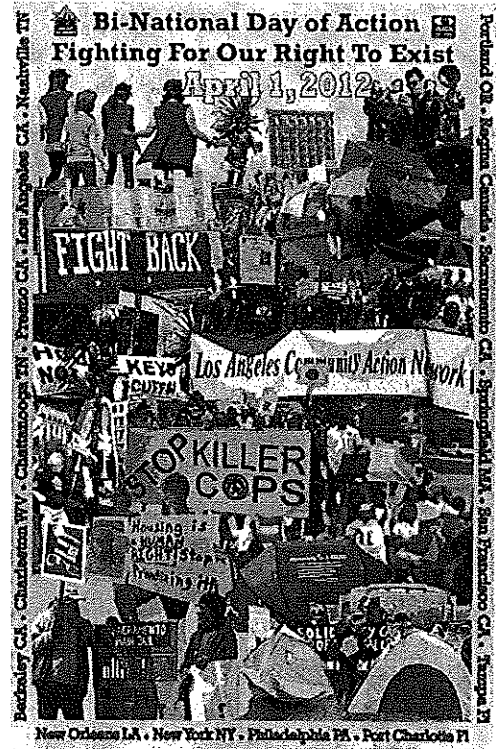
- 70% reported being harassed by Police without them using ANY law.
- 76% reported being harassed by private security.
- 52% reported that their harassment, citation or arrest was because they “appeared homeless.”
- 25% reported having bench warrants issued for their arrest.
- 7% felt that police always respect their rights

We then asked:

- Do you know of places where it is safe and legal for you to sleep outside?
 - 74% No
 - 26% Yes

We also spoke to people about what the harassment and profiling looked like:

- Do you think that you have been ticketed because of your...
 - 76% economic status
 - 37% race
 - 24% gender
 - 26% disability
- Do police sometimes harass you without using the law?
 - 70% Yes
 - 25% No
 - 5% Don't Know
- Have you ever seen or encountered private security guards hassling people, ordering people away, or otherwise policing public sidewalks or parks?
 - 77% Yes
 - 19% No
 - 4% Don't Know



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CRIMINALIZATION FACT SHEET

The United States has a long history of using mean-spirited and often brutal laws to keep "certain" people out of public spaces and consciousness. Jim Crow, Sundown towns, Anti-Okie laws, Operation Wetback, and Ugly laws targeted various populations based on their racial, economic, social, immigration or disability status. Understanding this history will provide context for the exclusionary and discriminatory laws that specifically target homeless people for what are referred to as "Quality of Life" or "Nuisance Crimes." They criminalize sleeping, sitting, loitering, panhandling and even food-sharing. Just like the laws from our past, they deny people their right to exist in local communities. They have their roots in the Broken Windows Theory which holds that one poor person in a neighborhood is like a first unrepaired broken window; if such a "window" is not immediately fixed or removed, it is a signal that no one cares, disorder will flourish, and the community will go to hell in a hand basket.

BROKEN WINDOWS
ANTI-OKIE
JIM CROW
SUNDOWN TOWNS
CIVIL RIGHTS
UGLY LAWS
PUBLIC COMMONS
SITTING
RACER
TREATY

- **Anti-Okie Laws**

The agricultural workers who migrated to California for work in the 1900s were generally referred to as "Okies". They were assumed to be from Oklahoma, but they moved to California from other states, as well. The term became derogatory in the 1930s when massive numbers of people migrated West to find work. In 1937, California passed an "anti-Okie" law which made it a misdemeanor to "bring or assist in bringing" extremely poor people into the state. The law was later considered unconstitutional.

- **Jim Crow Laws**

After the American Civil War (1861-1865), most Southern states passed laws denying black people basic human rights. Later, many border states followed suit. These laws became known as Jim Crow laws after the name of a popular black-face character that would sing songs like "Jump Jim Crow."

In California, Jim Crow played out against Chinese immigrants more than black people. From 1866-1947, Chinese residents of San Francisco were forced to live in one area of the city. The same segregation laws prohibited inter-racial marriage between Chinese and non-Chinese persons and educational and employment laws were also enforced in the city. African and Indian children had to attend separate schools from those of white children. In 1879, the California constitution read that no Chinese people could vote and the law was not repealed until 1926. Oregon and Idaho had similar provisions in their constitutions.

In 1891, a referendum required all Chinese people to carry a "certification of residence" card or face arrest and jail. In 1909, the Japanese were added to the list of people who were prohibited by law from marrying white people. In 1913, "Alien Land Laws" were passed that prohibited any Asian people from owning or leasing property. The law was not struck down by the California Supreme Court until 1952.



- ***Ugly Laws***

From the 1860s to the 1970s, several American cities had laws that made it illegal for people with “unsightly or disgusting” disabilities to appear in public. Some of these laws were called “unsightly beggar ordinances”. The first ordinance was in San Francisco in 1867, but the most commonly cited law was from Chicago. Chicago Municipal Code section 36034 stated:

“No person who is diseased, maimed, mutilated or in any way deformed so as to be an unsightly or disgusting object or improper person to be allowed in or on the public ways or other public places in this city, or shall therein or thereon expose himself to public view, under a penalty of not less than one dollar nor more than fifty dollars for each offense.”

- ***Operation Wetback***

Operation Wetback began in 1954 in California and Arizona as an effort to remove all illegal, Mexican immigrants from the Southwestern states. The Operation was by the United States Immigration and Naturalization Service (INS) and coordinated 1,075 border control agents along with state and local police agencies. The agents went house-to-house looking for Mexicans and performed citizenship checks during traffic stops. They would stop any “Mexican-looking” person on the street and insist on seeing identification. Operation Wetback was only abandoned after a large outcry from opponents in both the United States and Mexico.

- ***Sundown Towns***

Sundown Towns did not allow people who were considered “minorities” to remain in the town after the sun set. Some towns posted signs at their borders specifically telling people of color to not let the sun set on them while in the town. There were town policies and real estate covenants in place to support the racism, which was enforced by local police officers. Sundown Towns existed throughout the United States and there were thousands of them before the Civil Rights Act of 1968 prohibited racial discrimination in housing practices.

Sundown Towns simply did not want certain ethnic groups to stay in their towns at night. If undesired people were to wander into a Sundown Town after the sun had set, they would be subject to any form of punishment from harassment to lynching. While the state of Illinois had the highest number of Sundown Towns, they were a national phenomenon that mostly targeted anyone of African, Chinese, and Jewish heritage.

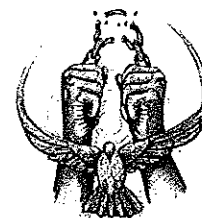
- ***Today..... Broken Windows Laws***

Today's laws have their roots in the broken-windows theory which holds that one poor person in a neighborhood is like a first unrepaired broken window and if such a “window” is not immediately fixed or removed, it is a signal that no one cares, disorder will flourish and the community will go to hell in a hand basket. A direct outcome of this theory is the introduction of legislation to criminalize the presence of homeless people in public. Current “Quality of Life” laws also take a certain population into account: homeless persons. Using these laws, people are criminalized for simply walking, standing, sleeping, and other regular human behaviors. In other words, they are penalized and harassed simply because of who they are. Just as with Jim Crow, Ugly Laws, Anti-Okie Laws, and Operation Wetback, how people look and their very existence is the basis for charging them with criminal behaviors.





Homeless Bills of Rights Campaign



September 19, 2013

This Campaign Would	This Campaign Would Not
<ul style="list-style-type: none">• Protect homeless people's right to move freely, rest, sleep and pray and be protected in public spaces without discrimination• Prevent homeless people from being unfairly targeted by police and private security just for appearing homeless• Protect the right to occupy a legally parked vehicle• Protect the right to share food and eat in public• Provide homeless people the right to counsel whenever the District Attorney is in court to prosecute them for infractions• Create a right to 24-hour access to hygiene facilities to be provided by local municipalities according to their infrastructure• Prohibit discrimination based on housing status for government services	<ul style="list-style-type: none">• Permit anyone, homeless or not, to harass people on the streets or maliciously block sidewalks• Allow people to urinate and defecate publicly• Allow homeless people to harm or interfere with local businesses' operations• Grant homeless individuals "special rights" over all other citizens• Infringe on anyone's property rights• Allow homeless people to act with impunity and disregard for local laws• Prevent enforcement of laws that protect public health and safety• Legalize drug dealing and use or public intoxication

Not Special Rights, Equal Rights!

For more info contact:



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