

## Decriminalizing Being Homeless

Being homeless is not a crime. Yet all too often homeless individuals face discrimination, unnecessary scrutiny or even violent attacks. Communities often target homeless individuals through aggressive policies or passive practices that create additional barriers for individuals and families working to get back on their feet. Many Michigan communities, in partnership with shelters and agencies, have found creative solutions for helping homeless individuals, but they lack the support and resources necessary to best assist this vulnerable population.

- Nationally, 49% of individuals who are homeless report being victims of violence compared to 2% of the general public.<sup>i</sup> Each year, individuals who are homeless are targets of fatal violent crime more often than all other populations identified in the federal Hate Crime Statistics Act, yet currently homeless persons are not a protected class in federal or state law.
- For many with a criminal record, accessing an apartment is nearly impossible due to landlord policies. This is true regardless of the nature or period of time since the felony occurred. This removes a large number of temporary and permanent housing options for these individuals.
- Our criminal justice system is often utilized as a first stop for addressing a wide range of issues faced by homeless individuals.
  - In 2015, 4,461 Michigan homeless individuals had more than 10,261 police interactions.
  - Many Michigan communities enact ordinances making actions commonly associated with homelessness illegal, such as begging, loitering or sleeping in public spaces. This is despite the 2013 District Court ruling overturning a Michigan statewide ban on begging.<sup>ii</sup>
  - Street Outreach Courts, such as those in Grand Rapids, Ann Arbor and Detroit, provide a better process for arbitrating legal issues for homeless individuals. They can also provide savings to society by keeping homeless individuals out of courts and jails.<sup>iii</sup> Yet the traditional court system is more often utilized for settling misdemeanor offenses.
  - Police are a huge source of aid for homeless individuals. Many Michigan Police Departments include trainings for how to work with homeless individuals, but this is conducted on a community basis and not regulated or supported through state law.

### *How you can help*

- **Support efforts to protect the homeless, such as through a Homeless Bill of Rights.**
- **Reduce barriers for convicted felons to access services and housing.**
- **Support increased funding for programs and trainings for law enforcement to ensure fair and humane treatment of individuals who are homeless.**
- **Support efforts to address homelessness through social services, not the criminal justice system.**

### *Contact*

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### *Sources*

<sup>i</sup> National Coalition for the Homeless (2014). No Safe Street: A Survey of Hate Crimes and Violence Committed Against Homeless People from 2014-2015. Retrieved from <http://nationalhomeless.org/wp-content/uploads/2016/07/HCR-2014-151.pdf>

<sup>ii</sup> Mouw, Gary (2012). Michigan's Panhandling Statute Held Unconstitutional. Retrieved from <http://www.varnumlaw.com/blogs/western-michigan-federal-courts/michigans-panhandling-statute-held-unconstitutional/>

<sup>iii</sup> Street Outreach Court Detroit. Retrieved from <https://www.streetdemocracy.org/socd/>