

# Right to Rest Act Homeless Bill of Rights Campaign



**California, Oregon & Colorado - Right to Rest Model Legislation  
January 30, 2015**

Our Right to Rest Act aims to end discrimination and criminalization of the right to rest, and accompanying violations of basic human and civil rights, for all people, regardless of their housing status.

Our Right to Rest Bill Campaign is our community's response to recent efforts which infringe upon basic human and civil rights by attacking the only thing that very poor people have to call their own, their humanity. The ability to rest and to sleep is essential for human beings. No human being can be required to forgo rest or sleep – and when one is without a home, resting or sleeping in public places may be the only option. In California, Oregon, Colorado and throughout the country, as affordable housing shortages are allowed to increase to record levels, municipal governments have enacted initiatives banning or restricting activities necessary for rest – such as sleeping, sitting, eating, or sharing food, or merely remaining – in public places. These laws are designed to reduce the visibility of homelessness. Instead, they result in the frequent harassment of people, those with homes and those without. For low-income people, they inspire a cycle of citations and arrests that drive poor people further into poverty, which makes them more likely to be or become homeless, not less. To ban rest for one of our country's most vulnerable communities is not only inhumane, robbing people of basic freedoms and civil rights, it is costly, wasting resources that should be used to secure housing, instead on a revolving-door of misdemeanor citations and criminal prosecutions.

## **Historical and Present Day Context**

Throughout history, municipalities have used mean-spirited and discriminatory laws to keep select people out of public spaces and the public consciousness. Examples of these policies include Jim Crow laws in the segregated South, where “Sundown Towns” prohibited non-white people from being present at night or California's “Anti-Okie” law which, in the 1930's, made it illegal to bring extremely poor people into the state. Until the 1970's, several American cities had on the books “ugly laws” to prohibit people with disabilities from being seen in public.

With poverty and homelessness reaching record numbers and affordable housing vacancies at their lowest, our cities have begun enacting a wave of similar laws, targeting mostly people without homes. These laws, commonly called “quality of life” or “anti-nuisance” ordinances, criminalize sleeping, sitting, food-sharing and even religious practice in public spaces. Just like the discriminatory laws from the past, they deny people their right to exist in their communities.

Western Regional Advocacy Project (WRAP) member organizations have sought to document the human impact of these laws by surveying people about their experiences with the police, business improvement development agents and private security guards seeking to enforce them. The findings of interviews with 1,388 people have found that:

- 81% of survey respondents reported being harassed, cited, or arrested for **sleeping**.
- 78% of survey respondents reported being harassed, cited, or arrested for **sitting or lying on the sidewalk**.
- 68% of survey respondents reported being harassed, cited, or arrested for **loitering or hanging out**.
- Only 26% of the respondents said they knew of a safe place to sleep at night.

We can only expect these types of violations of human rights and dignity to get worse as inequality increases, affordable housing shortages go unaddressed and more local ordinances are enacted without any protection from state laws.

### **Our “Right to Rest Act” Seeks to Enact State Protections**

All people should be permitted to occupy and utilize public spaces, regardless of their housing status. Furthermore, some civil and human rights that are amply protected for people who have a home, have not been defined and applied in a way to equally protect people who do not have a home. The “Right to Rest Act” aims to redress this by protecting the essential right to rest of all people, regardless of their housing status. It further aims to prohibit discrimination, harassment or fear of arrest of those who have no place to rest except in a public space. Specifically it will establish that all people have the right to:

- Use, and move freely in, public spaces, without discrimination and without a time-limit that discriminates based on housing status.
- To rest in public spaces and protect oneself from the elements, in a non-obstructive manner.
- To eat, share, accept, or give food in any public space in which having food is not prohibited.
- To pray, meditate, worship, or practice religion in public spaces, without discrimination.
- To occupy a motor vehicle for any purpose, provided that the vehicle is legally parked on public property or parked on private property with permission.

**For More Information about the Homeless Bill of Rights Campaign or this Bill:**



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