

Housing and Homelessness in the United States

INCREASING CRIMINALIZATION OF HOMELESSNESS

**"Criminalization is responding to a social ill with policing.
And that very interaction at every single point is a traumatic event."**

Council Member Tiffany Caban, New York City Council (District 22)

- Since 2006, laws that prohibit sleeping in public have increased by **50%**. Out of **187** cities surveyed, **55% prohibit sitting or lying** in public, **72% prohibit camping** in public, and **60% prohibit public loitering, loafing, or vagrancy**.
- In June 2024, in *Grants Pass v. Johnson* the **U.S. Supreme Court held that laws punishing sleeping** in public **do not violate the U.S. Constitution's prohibition against cruel and unusual punishment**, even when no shelter is available, authorizing further criminalization.
- In addition to unhoused persons facing criminalization, so are homeless service providers.
- A well-funded national push for the criminalization of homelessness by the Cicero Institute has created template legislation; Florida, Georgia, Missouri, Tennessee, and Texas have passed versions of this.
- States are **reducing due process protections, making it easier to involuntarily commit** unhoused persons with mental health conditions.

COUNTER PRODUCTIVE POLICIES AND HUMAN RIGHTS VIOLATIONS

- **Criminalization traps people in a cycle of poverty.** Fines make it harder to pay for food or medication. Arrests make it harder to pass background checks for housing or employment.
- Criminalization is expensive and **diverting resources to law enforcement can cost 2-3 times more** than it would to provide **affordable housing**.
- **Punishing life-sustaining activities**, which people have no choice but to conduct in public, **violates their rights to life and freedom from torture and cruel, inhuman, and degrading treatment**.
- Criminalization of homelessness both **disproportionately impacts persons of color** and further exacerbates racial disparities, **violating the right to equality and non-discrimination**.
- **Arrests for life-sustaining activity** and **involuntary hospitalization or incarceration** of unhoused persons with mental health conditions **violates the right to liberty and security of person**.

DISPARATE IMPACTS ON MARGINALIZED GROUPS

"Black women hurt first and worst."

May Rodriguez, South Florida Community Development Coalition

- Despite making up only **13.7% of the overall population**, **Black Americans** constitute **32% of the unhoused population**.
- **Hispanic and Latinx** persons make up **19.1% of the U.S. population** and **31% of unhoused persons**.
- **Indigenous Peoples experience homelessness** at a rate of **more than four times** the general U.S. population.
- Gender-based violence is both a cause and a consequence of homelessness: **80% of unhoused women with children** previously **experienced domestic violence**, and **57% of unhoused women** report **domestic violence** as the immediate **cause** of their **homelessness**.
- **LGBTQ+ youth experience homelessness at rates 120% higher** than their peers.
- **Formerly incarcerated individuals** are **10 times more likely to experience homelessness** than the general public.

"Criminalization is an expensive way to make homelessness worse."

David Peery, Miami Coalition to Advance Racial Equity

A DEEPENING CRISIS



- In 2024, **the number of unhoused persons on a single night** across the U.S. reached 771,480, the **highest ever recorded**, and the total population of unhoused persons in the U.S. **grew by more than 18%**.
- In January 2025, the federal government abruptly paused all grants, disrupting essential services for unhoused populations across the country.
- The administration is currently **forcing homeless service providers to accept anti-immigrant and anti-transgender restrictions** in grant agreements for funds they were already awarded or risk shutting down.

DECLINING ACCESS TO ADEQUATE HOUSING

"Every month, families lose their homes or go without basic needs just to keep up with rent."

Armando Garcia, Vice-Chair, MCARE Community Advisory Board

- **Accessibility:** Individuals with disabilities face systemic barriers, constituting **43% of the shelter population**.
- **Affordability:** More than half of renters exceed the **30% monthly income threshold for housing costs**.
- **Legal Security of Tenure:** **44% of all renters have felt pressured to leave their home** during the past 6 months, with communities of color bearing a disproportionate burden. A mere **3% of tenants have access to representation**, compared to 81% of landlords.
- **Habitability:** In 2023, of the 133.2 million occupied housing units, **17% reported water leakage**, **12%** reported signs of **mice**, and **10%** reported being **uncomfortably hot** for 24 hours or more. Drastically reduced federal budgets have exacerbated quality issues in public housing, which serves approximately 1.57 million residents.
- **Availability of Services:** Raw sewage accumulation has led to a resurgence of 19th century diseases that were largely eradicated with modern medicine.
- **Location:** **70% of hazardous waste sites** are located **within one mile of public housing**. More than **47 million** Americans lack access to an affordable, nutritious diet with **13.8 million children** experiencing **food insecurity**.
- **Cultural Adequacy:** Financialization of housing has led to the **displacement of communities of color** from their long-term neighborhoods and social networks.

"Housing isn't adequate if people don't have access to basic services like water, electricity, and transportation. These are foundational needs for livable communities."

Sam Chesser, Regional Manager, Self-Help Credit Union

RECOMMENDATIONS

To address homelessness, the U.S. should take immediate steps to:

- **Abolish the criminalization of homelessness, including the use of civil involuntary commitment;**
- Ensure mutual aid and service providers are not targeted for assisting unhoused persons with meeting their basic needs;
- Ensure adequate funding for homeless service providers without discriminatory conditions so that housing and shelter are welcoming to all, regardless of race, gender, ability, or migration status;
- Redirect funding to housing solutions, including Housing First programs, Permanent Supportive Housing, and community-based mental health services.

To advance access to housing, the U.S. should take immediate steps to:

- **Recognize and implement the human right to adequate housing that is accessible, affordable, habitable, well-located, and culturally adequate;**
- Raise the minimum wage and index it to inflation;
- Fund universal access to legal counsel for individuals facing eviction;
- Upgrade public housing and penalize landlords who neglect housing maintenance;
- Require developers to prepare community impact assessments and mitigation plans for displacing vulnerable residents and to hold public hearings in neighborhoods with new developments.

For additional information and references, please see the [Report](#).

