

# EMERGING STRATEGIES TO COMBAT STATE-LEVEL PUNITIVE BILLS



Local and state advocates continue to respond strongly to a rise in punitive laws targeting people experiencing homelessness across the country. These partners strategically and collaboratively build coalitions to protect the civil rights of the people they serve and advance evidence-based practices which will prevent and end homelessness.

This document seeks to create a repository of the messaging, mobilization, outreach, and legislative strategies employed by these advocates. Together through peer learning, national partners hope to share emerging effective practices and provide the resources to scale up these strategies.

## BACKGROUND

People experiencing homelessness have long been [threatened](#), ticketed, and even arrested by law enforcement for living in public spaces when they have no other alternative.

In a time where homelessness has [risen](#) significantly, elected officials want to respond to this crisis. However, public pressure is often dominated by the loudest voices: those who seek to make homelessness less visible by displacing people out of sight and out of mind. This approach does not address underlying systemic issues, such as a severe [affordable housing crisis](#).

Due to public pressure, many lawmakers have turned to short-term, punitive options (fining, ticketing, arresting, or otherwise punishing people for sleeping outdoors, even if there are no suitable housing or shelter alternatives available to them). The harm of these policies is well documented: legal barriers to housing, trauma, loss of possessions, disconnections from services, and the breaking of peoples' trusts in systems.

### *Legislative Impacts at the State Level*

Over the past three state legislative cycles in particular (2021–2022, 2022–2023, and 2023–2024), a well-funded, coordinated push for punitive laws has grown across more states. Emerging [criminalization bills](#) share [three features](#):

- a statewide camping ban with criminal penalties for people experiencing homelessness;
- a policy of “sanctioned” camps or temporary shelters aimed at corralling people into designated places; and
- financial penalties for local jurisdictions that refuse to enforce the camping ban, including shifting resources away from evidence-based housing solutions to harmful practices.

Advocates across the country have responded en masse to protect the civil rights of people experiencing homelessness and to encourage legislators to focus on real solutions to prevent and end homelessness.

**IN PAST YEARS**, some think tanks have engaged in a protracted, proactive, and coordinated effort to crack down on people experiencing homelessness. For example, the Cicero Institute drafted [template legislation](#) focused on retargeting funding for ending homelessness away from permanent housing solutions and instead toward legalized encampments, law enforcement, and involuntary commitments. Cicero has promoted its introduction of bills, or its influence over similar legislation, across over a dozen states to date. Many advocates use legislative tracking software to identify the introduction of any template legislation, as well as monitor Cicero Action's [expanding footprint](#) across the country and where they register their lobbyists.

# REDEFINING THE NARRATIVE AROUND HOMELESSNESS

Proponents of punitive approaches seek to cast doubt on the life-saving work of the homeless response system. Some people choose to blame evidence-based practices, such as the [Housing First approach](#), instead of under-funded systems which drive people into episodes of homelessness. And others attempt to redefine what constitutes the criminalization of homelessness and promote harmful myths on service resistant clients, institutionalization, and more.

To combat these regressive narratives and tactics, advocates can promote messaging on what works to end homelessness, and to champion noted successes. The following list represents a non-exhaustive inventory of advocate **messaging strategies** across states to push back against harmful narratives. These examples incorporate some of the narrative [best practices](#) outlined by the [Housing Narrative Lab](#) and [TheCaseMade](#) including leading with shared values, going on offense, naming root causes, focusing on real solutions, and avoiding repeating our opponent's harmful narratives.

## Sample Messages from Community Op-Eds

### MESSAGE

Housing – not tickets, fines, or arrests – ends homelessness. Support – not punishment – leads to recovery.

### EXAMPLE

[Tennessee](#): *We are mental health professionals and criminalizing sleeping in public will worsen homelessness.*

### KEY TALKING POINT

“When someone is experiencing poverty, homelessness, or a behavioral health crisis, we must meet them where they are with respect and compassion. Criminalizing sleeping in public is a solution for no one in Tennessee.”

### MESSAGE

A faith-based approach to addressing homelessness recognizes that at the heart of the issue lies the failures of systems, not individuals.

### EXAMPLE

[Kentucky](#): *Homelessness isn't a crime, and does not belong in House Bill 5.*

### KEY TALKING POINT

“Blaming the homeless for their plight lets us off the hook, and allows us to sleep well at night, pray in our churches, and rationalize that the people experiencing homelessness aren't the ones our faith or our compassion call us to care for.”

## MESSAGE

Providers, advocates, and people with lived experience are doing the hard work that it takes to solve homelessness. Out-of-state think tanks, on the other hand, use misinformation and disinformation to push for tactics that will make homelessness worse.

### EXAMPLE

**Kansas:** *When it comes to addressing homelessness, Kansans know best.*

### KEY TALKING POINT

“I say to members of the House Welfare Reform Committee and to the state of Kansas, if you really want to understand homelessness and want to develop sound policies and programs to solve homelessness in Kansas, talk to Kansans. Talk to the many Kansas homeless service providers and people with lived experience of homelessness across the state and your communities. They will tell you that homelessness is a housing problem.”

## MESSAGE

Show how system failures, not the Housing First approach, are responsible for the rise in homelessness.

### EXAMPLE

**Missouri:** *Housing First Hasn't Had a Fair Shot in Missouri – You Can't Shovel While It's Still Snowing.*

### KEY TALKING POINT

“Housing costs have continued to rise exponentially, while wages and supportive service funding levels have stayed stagnant. Housing First seemingly isn't making a dent in overall homelessness, because we're not doing enough to prevent new families from entering homelessness each day.”

## MESSAGE

The Housing First approach addresses both the urgency of homelessness and its root causes.

### EXAMPLE

**Arizona:** *Get sober and then find shelter? That's no real way to handle Phoenix homelessness.*

### KEY TALKING POINT

“With a secure place to live, individuals are better able to access health care services, maintain medication routines and focus on their overall health and well-being.”

## MESSAGE

Arresting, fining and ticketing people for being homeless is ineffective. It is a misguided approach focused on punishing people in poverty rather than on addressing systemic issues.

### EXAMPLE

**Kentucky:** *Criminalizing homelessness? No teacher raises? It's all part of GOP's bigger plan for KY.*

### KEY TALKING POINT

“Kentucky is currently 89,000 beds short of affordable housing units, according to the Housing and Homeless Coalition of Kentucky. Advocates asked the state for at least \$200 million to start to make up this shortfall, greatly exacerbated by the Western Kentucky tornadoes and Eastern Kentucky floods. Those people are not criminals; they lost their homes through no fault of their own.”

## MESSAGE

State interventions focused on arrests, fines, and tickets and unfunded mandates further burden the people and organizations on the ground already doing the work. They know how to do their jobs, but they need lawmakers to choose to shift resources for evidence-based solutions.

### EXAMPLE

**Florida:** *Florida's homelessness crisis is swelling. A new bill will worsen, not fix it.*

### KEY TALKING POINT

“Palm Beach County, its municipalities, nonprofits like The Lord's Place and St. Ann Place, philanthropists and volunteers have been addressing the problem of homelessness. So it's not clear why anyone thinks what's needed is a heavy-handed state law that provides no help — just an unfunded and unnecessary mandate that localities must prohibit ‘public camping and public sleeping.’”

## MESSAGE

The solution to getting people off the street and out of encampments is access to housing people can afford and the services they need to get better.

### EXAMPLE

**Kansas:** *Requiring Kansas cities to enforce vagrancy laws would shame the poor — and us.*

### KEY TALKING POINT

“What's the difference between slinging a hammock in a city park to have a nap and unauthorized camping? It would come down to how much money you had in your pocket. If you're broke, you're a vagrant. You're punished by being denied access to adequate housing, food and medical care. Worse, you're shamed for your failure, and encouraged to feel responsible for your own bad luck at not having worked hard or long enough. But your real crime is not being part of the lucky 1%, most of whom were born into wealth.”

## Other Messaging Strategies:

The following section provides sample cross-cutting **messages** reinforced by advocates as part of op-eds, testimonies, and talking points, as well as accompanying implementation **strategies** and community-level **examples**.

### MESSAGE

Feasible alternatives to tickets, fines, and arrests exist which humanely and effectively work to solve homelessness.

### EXAMPLE

Like [Texas](#) and [North Dakota](#), lawmakers can support the full utilization of housing choice vouchers by prohibiting discrimination on the basis of source of income.

### STRATEGY

Highlight approaches taken in other red and purple states to demonstrate the bi-partisan political will to fund evidence-based programs.

### MESSAGE

We must prevent homelessness in addition to rehousing people.

### EXAMPLE

While an [underresourced](#), [understaffed](#), [underpaid](#), and [overworked](#) workforce still managed to end homelessness for roughly 900,895 people each year between 2017 and 2020, on average during that same time period, 908,530 people [entered](#) homelessness.

### STRATEGY

Highlight how we can never end homelessness without preventing it in the first place and addressing root causes, such as spiking rents.

### MESSAGE

Bills that arrest, fine and ticket people for sleeping outside make the problem worse by draining crucial resources from evidence-based practices and jeopardize the life-saving work of organizations on the ground.

### EXAMPLE

For example, a faith-based provider might be best situated to connect with a conservative legislator. These connections can foster candid conversations where lawmakers can ask genuine questions about topics such as the Housing First approach.

### STRATEGY

Identify the risks for localities, including law enforcement partners, in responding to unfunded mandates, ceding more control to the state, and running the risk of lawsuits for following evidence-based practices.

Center the experiences, challenges, and successes of providers, and identify which providers can speak to which issues best.

## MESSAGE

Constituents feel the pain of the community's affordable housing crises each day. They aren't looking to arrest, fine, or ticket people in their communities; they're looking for elected officials to shift resources toward housing and evidence-based solutions that will benefit the entire community.

### EXAMPLE

The Catholic Action Center [commissioned](#) its own poll to combat Cicero's poll. According to the survey, 89% of the participants responded that requiring public safety officers to cite and arrest the unsheltered for camping will not make Kentucky safer.

Kentucky advocates [highlighted](#) community successes and leveraged local data: "And we have a 97-98% success rate in our Housing First programs here in Louisville—meaning 97-98% of those newly housed Louisvillians stay in housing."

### STRATEGY

Reframe the narrative around criminalization (i.e., not relying on the language and framing posited by the Cicero Institute) and highlight widespread community values.

Use local data to dispel myths and make the human and financial case to invest in evidence-based solutions.

## MOBILIZE SUPPORTERS AND ENGAGE OLD & NEW ALLIES

While sponsors of punitive bills can generally rely on only a handful of supporters to testify, a groundswell of support from local advocates, partners, and neighbors can turn the tide and reinforce for lawmakers the unity of groups and people working in the trenches.

The following list represents a non-exhaustive inventory of **mobilization strategies** advocates have undertaken to spread awareness of punitive bills and galvanize supporters to speak out.

## STRATEGY

Encourage public-facing opposition strategies, such as sign on letters and quotes to the media.

### EXAMPLE

**Tennessee:** Mobilized almost 300 faith-based leaders to [sign on](#) to an opposition letter delivered to the governor.

### EXAMPLE

**Georgia:** The Georgia Municipal Association, which represents 537 cities in the state, opposed the legislation, [noting](#) that it would divert federal and state money from permanent supportive housing into sanctioned encampments.

### KEY APPROACH

Engage partners such as: Continuums of Care (CoCs), providers, legal advocates, law enforcement partners, faith-based groups, municipal leadership, and other advocacy groups.

## STRATEGY

Provide accessible tools for supporters to voice their opposition directly to lawmakers.

### EXAMPLE

**Kentucky:** Issued a [statement, analysis](#), and call to contact representatives, creating an [Every Action mobilization link](#), and a [one-pager](#).

### EXAMPLE

**Missouri:** Provided a [witness template](#) and [engaged CoCs](#) to register opposition.

### EXAMPLE

**Texas:** Created a [one-pager, infographic](#), and [call to action](#) and galvanized the general public, and other allies, to [submit comments](#) in opposition en masse.

### KEY APPROACH

Create easy-to-use mobilization actions to enable the public to easily weigh in.

Clearly distill bill components and identify negative impacts on people and communities.

## STRATEGY

Pack committee hearing room with supporters to deliver diverse and coordinated opposition to the bill.

### EXAMPLE

**Iowa:** Coordinated rapid response in-person testimony amongst [providers and government partners](#) against the bill in committee hearing.

### KEY APPROACH

Pack the room to signal the extent of the opposition, particularly because bill proponents can typically only call on one or a small handful of supporters.

### EXAMPLE

**Kansas:** Mobilized partners such as faith-based communities, advocates, providers, law enforcement, and elected officials to submit [written](#) and [oral](#) testimony.

Mobilize a diverse group of allies to oppose the bill who can speak to different perspectives and resonate with key lawmakers (i.e., engaging a faith-based provider to speak to the concerns of religious lawmakers).

## STRATEGY

Create a media strategy to keep up the momentum post committee hearing to signal the strength of opposition and to reinforce messages.

### EXAMPLE

**Iowa:** Shared key moments of testimony in the form of [TikToks](#).

### KEY APPROACH

Create accessible content to engage with broader audiences online.

## Committee Hearing Testimonies

At committee hearings, a diverse range of partners can help redefine the narrative and demonstrate community-wide opposition to criminalization. This list documents examples across states of partners who submitted testimony in opposition Cicero's bills:

- [Faith-based partners](#)
- [Providers](#)
- [Continuums of Care](#)
- [Elected officials](#)
- [National organizations](#)

## LEVERAGE CREATIVE LEGISLATIVE STRATEGIES

Advocates have proactively worked to engage legislators, address their concerns, and raise awareness of evidence-based alternatives to approaches which seek to arrest, fine, and ticket people experiencing homelessness. The following non-exhaustive list of strategies provide examples of how to nimbly navigate this inside game:

### STRATEGY

Meet lawmakers where they are and connect them with real people impacted by these bills.

#### EXAMPLE

In Kentucky, advocates [hosted](#) about 65 lawmakers for a luncheon, where members of the Street Voice Council sat down with legislators to get to know each other. **The goal was for lawmakers to see the faces of those who would be impacted by the bill.** [Results](#) of a 2,000-respondent survey on Kentuckians' attitudes towards the homeless that reflected those sentiments were also shared with the lawmakers.

#### EXAMPLE

Advocates from states such as Arizona and Kansas have worked during off-session months to **host target legislators at community events** and tours of housing sites to explain how programs work, reinforce the effectiveness of proven solutions, and counteract harmful and stigmatizing narratives about program participants. Advocates in these states worked to **engage politically diverse representatives** and organizations to find common ground and solutions.

#### EXAMPLE

In Kansas, advocates noted: "We are all on the housing continuum, whether we are fully comfortable in our forever home, struggling to find an affordable starter home, or currently unhoused. Stable housing that fits our stages of life is the ideal destination. By **recognizing that we are on the housing continuum together**, we can work together to support those facing housing instability.



## STRATEGY

Leverage an inside and outside game to mobilize opposition.

### EXAMPLE

In states where committee chairs make or break which bills receive hearings, advocates (such as in Tennessee) have concentrated efforts to **influence committee leadership**, including working with lobbyists.

### EXAMPLE

In [Tennessee](#), advocates from across the state came together for a night of “Action Against Sweeps” by **rallying and camping out in front of the Capitol**.

## STRATEGY

Don't just play defense: play offense by setting forth a proactive agenda to prevent and end homelessness.

### EXAMPLE

While Cicero pitches quick and dangerous fixes to complicated issues, advocates (such as those in [Kentucky](#),) pitched **proactive and alternate state legislative agendas** to lawmakers. These agendas focused on the root causes of homelessness and aligned resources to adequately scale housing and services responses.

### EXAMPLE

Lawmakers often want to respond to the crisis of homelessness, but they need a **roadmap to avoid punitive policies** and instead reduce unsheltered homelessness via proven and humane approaches.

### EXAMPLE

In Kansas, advocates focused on highlighting a three-pronged response:

- **Incentivize Building Affordable and Workforce Housing:** Use public-private partnerships to invest in, incentivize, and expedite building and rehabilitating affordable homes to address Kansas' housing shortage.
- **Act Upstream to Prevent Homelessness:** Strengthen Kansas' safety net so that cost-burdened households (paying more than 30% of their income on housing), such as seniors and working families, can remain stably housed.
- **Support Households Experiencing Homelessness:** Invest in effective programs that address underlying causes of homelessness through housing and supportive services to ensure housing stability and self-sufficiency in Kansas.

## STRATEGY

Keep up the fight, even in cases where a bill passes.

### EXAMPLE

In [Missouri](#), when legislators rejected a stand-alone criminalization bill, **sponsors worked in its provisions as a rider bill** as part of a much larger legislative package. Advocates challenged this law in the state supreme court and won.

### EXAMPLE

In [Tennessee](#), despite the passage of a criminalization bill in 2022, advocates **successfully defeated a new criminalization bill** in 2023.

## CONCLUSION

From Arizona to Kansas, advocates at the state level creatively and consistently find new ways to combat the criminalization of homelessness in their own backyards. As the threats to people experiencing homelessness continue to evolve, so too will advocate responses to center humane and effective approaches to scaling housing and services for all.

