

# Protecting the Rights of People Experiencing Homelessness in Louisiana

Access to safe, stable housing is a human right, as is the ability to rest, sleep, eat, or perform other life-sustaining activities without fear of arrest. However, across the United States, there has been a troubling trend of criminalizing people experiencing homelessness through laws that penalize essential survival activities such as sleeping, camping, sitting or lying down, storing personal property, and asking for assistance in public spaces. Driven by various factors, including public pressure, business interests, and political responses seeking short-term solutions, these laws do nothing to address the condition of homelessness, instead worsening financial instability and often leading to a cycle of incarceration.

According to a 2023 study done by the U.S. Department of Housing and Urban Development (HUD), there were over 7,000 individuals experiencing homelessness in Louisiana. We oppose state laws and local ordinances that impose criminal penalties as ineffective but also unjust, as they punish individuals for normal, everyday activities of life function rather than addressing the underlying issues. Instead, states should adopt a humane, service model that prioritizes permanent housing as a fundamental step toward addressing homelessness.

## Selected Laws Criminalizing Homelessness

- Just recently in *City of Grants Pass v. Johnson*, the United States Supreme Court ruled that enforcement of anti-camping rules and implanting civil penalties for those in violation is not prohibited by the Eighth Amendment's protections from cruel and unusual punishment.
- As a result of the 2024 legislative session, in accordance with [Louisiana Revised Statute 14:97.1](#), it is now a crime to solicit, beg, panhandle or otherwise request anything of value on any interstate highway, or on any entrance or exit ramp of an interstate. Anyone who commits this crime, which is designated as solicitation on an interstate highway, shall be fined not more than \$200, or imprisoned for not more than six months, or both.
- In 2022 the East Baton Rouge Parish Metro Council enacted an ordinance prohibiting camping in any publicly owned area, with fines up to \$250 or court-ordered community service. Other municipalities, such as Livingston Parish and Orleans Parish, have also enacted similar ordinances.

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## Recommendations

Provide additional federal and state funding for programs to increase affordable housing and emergency rental assistance and to repair and preserve public housing, such as:

- National Housing Trust Fund (NHTF) – A program that helps increase and preserve affordable housing for households with low incomes, including people and families experiencing homelessness.
- Emergency Solutions Grant Program (ESG) – Provides funding to rapidly rehouse homeless individuals and families and prevent them from becoming homeless.
- Projects for Assistance in Transition from Homelessness (PATH) – A formula grant that funds community-based outreach, mental health and substance use disorder treatment services, case management, and other supportive services.
- Invest in creating pilot programs that allow people to access quality housing with cash assistance.

Rejecting the false notion that jails and fines solve homelessness and urging the administration to promote alternatives to criminalization including:

- Declaring that all federal agencies that own or manage federal land and federal law agencies must provide resources and services to respond to the effects of homelessness without displacing individuals.
- Publishing cross-agency protocols and guidance for addressing encampments, engaging with people experiencing homelessness, and alternatives to policing.
- Allowing states and localities to better use federal resources to assist people experiencing homelessness, including more flexibility in administering Housing Choice Voucher programs.