

U.S. Supreme Court Allows Cities To Enforce Public Camping Ordinances

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ATTORNEYS

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Cities may constitutionally enforce public camping ordinances following the U.S. Supreme Court's decision reversing Ninth Circuit decisions in *Martin v. Boise* and *City of Grants Pass v. Johnson* that had limited municipal authority to address homelessness. The Supreme Court ruled that ordinances criminalizing camping on public property do not violate the Eighth Amendment's Cruel and Unusual Punishments Clause, even when applied to homeless individuals who lack access to alternative shelter within the city.

In the Grants Pass case, the Ninth Circuit ruled that cities cannot punish "involuntarily homeless" individuals for using bedding materials to sleep outside as that criminalized the status of being homeless. The Supreme Court rejected this position, concluding that the Grants Pass ordinances criminalized conduct rather than status.

RWG will provide a full analysis of the Court's decision in *City of Grants Pass v. Johnson* and the implications for local agencies in an advice letter to our clients next week.

For more information on this decision and legal issues relating to homelessness, please contact **Natalie Kalbakian**.