

## **The National Women’s Shelter Network, Inc. Submits an Amicus Brief in Support of the Rights of Women, Youth and Children Experiencing Homelessness in Landmark Supreme Court Case**

*The National Women’s Shelter Network, Inc. Joins Law Enforcement Associations, Faith-Based Organizations, Medical Professionals, Legal Experts, Academic Leaders, Advocates, and Members of Congress to Urge an End to the Criminalization of Homelessness*

**Miami, Florida, April 4, 2024** — The National Women’s Shelter Network, Inc., based in Miami, Florida, proudly announced that it has submitted an amicus brief today in support of the plaintiffs in the upcoming landmark U.S. Supreme Court case *Johnson v Grants Pass*.

*Johnson v. Grants Pass* is the most important case regarding homelessness in the past 40 years. It will address the critical issue of whether laws punishing homeless individuals for sleeping outdoors with basic protections such as a pillow or blanket – when no safe and accessible shelter options are available – are violations of the Eighth Amendment of the U.S. Constitution, which protects against excessive bail, fines, and cruel and unusual punishment.

The National Women’s Shelter Network and National Organization for Women Foundation have together submitted an amicus brief in solidarity with the rights of individuals experiencing homelessness across the U.S., highlighting the special needs of women, youth and children in particular. They are joined by the National Homelessness Law Center (NHLC) and a broad array of hundreds of organizations and public leaders who have submitted a total of 39 amicus briefs on behalf of the plaintiffs.

“Millions of women and children experience homelessness every year in our country. The overwhelming majority are victims of gender-based violence and trauma, facing a nationwide shortage of safe, supportive shelter. The Grants Pass Ordinance would force women to choose between staying in abusive circumstances or facing arrest on the streets. The only *real crime* in this case is our failure as a nation to provide women, children and other vulnerable persons struggling to survive on the streets with truly affordable housing, and in times of transition, safe, trauma-informed supportive shelter,” advises Constance Collins, President of the National Women’s Shelter Network. “We are grateful to our pro bono legal counsel, Greenberg Traurig PA and Alston & Bird, LLP, and the National Organization for Women Foundation for joining us in our efforts to shed light the gender-specific needs of women, many of whom are desperately seeking safety for themselves and their children.”

“This case challenges us to face the reality that using things like jails and fines do nothing to solve homelessness and actually make homelessness worse” said Jesse Rabinowitz, campaign and communications director for NHLC. “Punishing our neighbors who have no choice but to sleep outside pushes them further into poverty and makes it harder to secure work and housing. The overwhelming support from a diverse array of organizations that we see in these amicus briefs underscores the need for our elected officials at every level of government to solve homelessness with housing and support, not make homelessness worse by using jail cells and bulldozers.”

Currently, more than 600,000 people in America experience homelessness on any given night, with nearly half—250,000—sleeping outside. [Data](#) from the US Department of Housing and Urban Development shows a rise in homelessness for both sheltered and unsheltered individuals in nearly every state. The primary

cause of the record levels of homelessness we see today is the unaffordable housing market, according to [research](#) from the Harvard Joint Center for Housing Studies.

Below is an excerpt from the amicus brief submitted by the National Women’s Shelter Network, Inc.:

*Homelessness is a national crisis. The Department of Housing and Urban Development (HUD) estimates that approximately 653,100 people in the United States are experiencing homelessness on any given night. This is the highest recorded number of people experiencing homelessness on any given night since HUD first began recording this data in 2007.... As shocking as HUD’s estimates may be—and as concerning as the continued rise in homelessness is for our nation—these numbers fail to capture the true depth of America’s homelessness crisis....*

*[I]ncreases in homelessness among certain populations that are already uniquely vulnerable, such as women and children, are especially alarming. Over the last 40 years, homelessness among women and children has seen a consistent, rapid increase. In fact, women and children were among the fastest growing segments of the homeless population during the 1980s and 1990s, and this trend continued well into the 2000s....*

*Women are uniquely vulnerable to homelessness in large part because of the relationship between gender-based violence and homelessness....[G]ender-based violence persists as a leading cause of homelessness for women. Approximately 6.9 million women have needed housing services in their lifetime as a result of intimate partner violence, and studies have found that between 22% and 57% of all women experiencing homelessness report that gender-based violence is “the immediate cause of their homelessness.” Between 2020 and 2022, pandemic related lockdowns exacerbated gender-based violence incidents across the United States. Commensurate with this violence increase, “[b]oth the number and percentage of women experiencing homelessness as individuals increased at a greater rate than men between 2020 and 2022....*

*The rise in homelessness among women and children is even more concerning when considering that the support systems that provide necessary services to individuals experiencing homelessness are underfunded, are in short supply, and have been unable to serve the populations experiencing homelessness for years. For example, in 2019, the total population of people experiencing homelessness in the United States exceeded the number of available beds by over 257,000....*

*With these rising statistics in mind, the systemic factors that contribute to women’s homelessness must be recognized and addressed at every level of policy formulation. The blunt instrument of punitive ordinances fails to account for the multiplicity of uncontrollable forces at play in the lives of women who end up homeless: from the economic pressures of rising housing costs in concert with gender-based wage inequity, to the societal failings that leave survivors of gender-based violence without refuge....*

*The push by the City to criminalize essential survival actions due to resource shortages underscores a systemic neglect, amplifying the cruelty of the Ordinance.... By penalizing homelessness, Grant Pass is effectively asking women to choose their cruel and usual punishment: victimhood of violence or jail.*

*[We] respectfully request that the Court uphold the decision of the Court of Appeals.*

*Citations omitted. Refer to Amici Curiae Brief.*

## **ABOUT THE NATIONAL WOMEN'S SHELTER NETWORK**

**The National Women's Shelter Network, Inc. (NWSN)** is a nonprofit organization dedicated to advancing the status of women and children experiencing or at risk of homelessness and the shelters and safe haven programs that serve them to end and prevent homelessness. The NWSN does so by elevating the voices of those they serve, raising awareness of the intersections of gender-based violence and homelessness, sharing information, education, and resources to advance trauma-informed best practices, researching gaps, needs, challenges, innovation and effective solutions, developing informed social and public policies, raising public awareness, and advancing meaningful solutions to help women, children and families reclaim their lives and build the foundation for safer, brighter futures. The NWSN network includes over 200 women's and family shelters and safe haven programs in communities large and small across the country, sheltering thousands of women and children nightly. Due to lack of shelter capacity and resources, many women and children are turned away each night, making this amicus brief all the more important to the NWSN. They are a voice for countless women struggling to survive by being invisible and the last and final safety net in this country for the most vulnerable. Learn more at [www.thenwsn.org](http://www.thenwsn.org) or contact: Constance Collins, NWSN President at [constance@thenwsn.org](mailto:constance@thenwsn.org).

## **ABOUT THE NATIONAL HOMELESSNESS LAW CENTER**

The National Homelessness Law Center (NHLC) is at the forefront of the fight against homelessness in America. Our mission is to fearlessly advance federal, state and local policies to prevent and end homelessness while fiercely defending the rights of all unhoused persons. We work to shape and advance policies at the federal, state, and local levels aimed at preventing and ultimately ending homelessness. By fostering partnerships, influencing policy, and mobilizing communities, the NHLC is dedicated to transforming how society addresses homelessness, striving for a future where everyone has a place to call home. Learn more at [homelesslaw.org](http://homelesslaw.org).