

## U.S. Supreme Court Takes Up Grants Pass Case on Anti-Camping Laws Amid Homelessness Crisis



In a move that amplifies the legal debate surrounding homelessness in the Western United States, the U.S. Supreme Court has granted a hearing to the city of Grants Pass in Oregon. The city, with a population of approximately 40,000, is seeking to enforce local laws prohibiting camping on public property. This decision sets the stage for a legal showdown over the constitutionality of such ordinances and their impact on the homeless population.

### Background

Grants Pass is challenging a lower court's ruling that deemed their anti-camping laws unconstitutional, citing a violation of the Eighth Amendment's prohibition against "cruel and unusual" punishment. The ordinances in question make it illegal to camp on sidewalks, streets, parks, or other public places. Three homeless individuals initiated a class-action complaint in 2018, arguing that these laws infringe on their Eighth Amendment rights. Violations can result in civil fines, bans from city property, and criminal prosecution for trespassing.

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### Homelessness Crisis

With an estimated 50 to 600 homeless individuals within the city, Grants Pass faces a significant homelessness crisis. The city lacks sufficient shelter beds to accommodate this vulnerable population, exacerbating the challenges of enforcing anti-camping laws. The legal battle highlights the broader struggle municipalities across the Western United States face in addressing homelessness.

### Legal Perspective

Theane Evangelis, an attorney representing Grants Pass, expressed anticipation in presenting the case before the Supreme Court. She contends that the decisions by the San Francisco-based 9th U.S. Circuit Court of Appeals and a similar case in Idaho have worsened the issue of encampments in cities across the West. Evangelis asserts that these decisions are legally flawed and have hindered local governments' efforts to tackle the urgent homelessness crisis.

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### Regional Support

Grants Pass's appeal has garnered support from various cities and states in the Western region, where the 9th Circuit decision holds sway. The concern is that these legal rulings restrict the ability of local governments to address the pressing issue of homelessness.

### Core Issue

Ed Johnson, the litigation director at the Oregon Law Center representing the plaintiffs, underscores the central question before the court: whether cities can penalize homeless residents merely for existing without access to shelter. This encapsulates the broader societal dilemma surrounding homelessness and the legal framework governing the treatment of the unhoused population.

### Political Influence

California Governor Gavin Newsom, a Democrat, has weighed in on the matter, criticizing the 9th Circuit's decision for undermining lawmakers' capacity to devise comprehensive solutions to homelessness. He argues that such decisions leave limited options for effecting change during a growing national crisis.

### Recent Developments

The Supreme Court's decision to hear the Grants Pass case comes on the heels of the 9th Circuit's rejection of an appeal by San Francisco. The city sought to lift judicial restrictions on its ability to clear homeless encampments, highlighting the urgency and complexity of the homelessness issue in legal and political arenas.

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