

Homeless Regulatory Context Summary

For years, the homeless regulatory environment has been fraught with mixed messages from court rulings and competing legislation. On June 28, 2024, the Supreme Court ruled that enforcing laws that prohibit camping on public property is not cruel and unusual punishment. As a result, local governments across the country may enforce laws regulating camping on public property (Source: [Grants Pass Fact Sheet](#)). This ruling provided state and local officials the authority to implement and enforce policies to address unsafe encampments or public camping. Previous court rulings by the Ninth Circuit Court of Appeals (*Martin v. Boise*, *Desertrain v. City of Los Angeles*, *et al.*) limited local government tools to address the homelessness crisis unless certain conditions were met, such as a shelter bed being available.

At the state level, in response to the Supreme Court ruling, Governor Newsom issued Executive Order N-1-24 on July 25, 2024. This Order directed state agencies and departments to move with urgency and compassion in addressing encampments on state property. Various state agencies have been focused on humanely addressing encampments on state property.

There is no specific directive for cities or counties, but with this Supreme Court ruling, they have more flexibility to address encampments and enforce laws regulating public camping. At this time, the City is not considering changes to its multi-prong approach in addressing homelessness exemplified by this proposed *Pathways to Housing Plan*.