

# Oregon Right to Rest Act



February 8, 2023

**The criminalization of homelessness harms our entire community: public funds are drained by "clean-up" initiatives that ultimately work to further entrench people into poverty. This bill would ensure that all Oregonians have the right to exist in public space.**

Out of 565 street outreach surveys conducted by the Western Regional Advocacy Project members in Oregon, **83%** of respondents were harassed, cited or arrested for **sitting or lying down.**

## WHAT DOES THIS BILL DO?

Poor and unhoused people are most often prosecuted for "crimes of survival," like sitting, lying down, or sleeping in public space. As people accrue charges, it becomes virtually impossible for them to access essential resources. **Criminalization directly blocks pathways to stability** and further endangers the physical and mental health of our most vulnerable community members.

In order to protect people from discriminatory enforcement of laws that prevent rest, the Right to Rest Act would:

- Prevent the unlawful seizure and destruction of unhoused people's possessions.
- Prohibit law enforcement, security personnel, or public employees from harassing, citing, or arresting homeless people for exercising the following rights:
  - To occupy and move freely in public spaces
  - To rest (sit, stand, and sleep)
  - To eat and share food
  - To occupy a legally parked vehicle
- Provide a defense to civil and criminal charges when the basis for those charges is that the person was merely engaging in the protected activities listed above.

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- Create an exception for public spaces that are closed, as long as adequate alternate spaces are provided for people to rest without time limitations.

## WHY DO WE NEED THIS BILL?

This discriminatory pattern– in which laws that will inevitably be broken are created and then brutally enforced– is as American as apple pie: the United States has a long, well-documented history of local governments using their authority to implement local time, place and manner restrictions to target “undesirable” populations and remove them from public space.

Even the US Interagency Council on Homelessness has clearly stated that successful responses to homelessness must include an end to criminalization as well as the provision of housing and supportive services.



Rest is essential to everyone’s health, well-being, and ability to function. Laws criminalizing rest not only exacerbate and causes physical and mental health issues, they are a human and civil rights violation. Decriminalizing rest must be our first step toward truly supporting our neighbors without housing.

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