

## Homelessness and the Right to Survive

Do homeless persons have a constitutional and civil right to occupy and use public spaces for purposes that endanger the health, general welfare and safety of the public at large without being subject to the laws that apply to everyone else? Some members of the Legislature think so.

HB1591, a bill that is rapidly making its way through the legislative process, prohibits State agencies, counties and cities from: (1) enforcing laws that prohibit the possession and use of illegal street drugs (e.g., metamphetamines, heroin and other controlled narcotics, cocaine and LSD); (2) punishing crimes committed by "homeless" street people against persons and property; and (3) using public property as bathrooms and garbage disposals, among others.

The bill decrees that "homeless persons" have a constitutional and civil right to survive and live on the streets, to be protected from discrimination based on housing status, and to receive legal assistance if they believe their civil rights were violated in connection to housing.

Although the sponsors of the bill describe the homeless as victims that society has discriminated against, investigative reporters such as Eric Johnson and Christopher Rufo present evidence that most of the problem of those living on the streets in the midst of piled up garbage, discarded needles and human waste starts with drug addiction and mental illness.<sup>1</sup>

Maintaining the status quo and exempting the homeless population from laws that apply to the rest of society is a recipe for disaster in Seattle and other municipalities in Washington State. Non-intervention policies, the neutering of law enforcement officers, the limited prosecution of police-reported crimes, the misspent billions of dollars that were intended for use in addressing "homelessness" in Seattle, the prioritization by county, state and "public health" officials of establishing community narcotic drug-injection sites in flagrant violation of state, city and county laws, a permissive attitude toward illegal drug use, possession and trafficking -all of these factors contribute to the ongoing decay of our cities, the flight of businesses and productive individuals away from the cities, and the loss of tourism and corporate employers.

The right to survive is meaningless if realistic innovative solutions are not available for the medical and psychiatric treatment, counseling and rehabilitation of the homeless who live on the streets. Providence, Rhode Island has shown that these practical solutions are successful and are capable of reintegrating the homeless into society.<sup>2</sup>

If you believe, as I do, that all Washingtonians have the right to use public spaces in urban, rural and recreational areas free from harassment, violence, crime and intimidation, and have a reasonable expectation that the State will use its police powers in a non-discriminating way to protect their safety, general welfare and public health. please contact the legislative representatives in your districts as soon as possible and urge them to "vote no" on HB1591.

Thank you.

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1 See KOMO 4 TV news broadcast, "Dying in Seattle", which was aired on March 16 from 8-9pm and is scheduled for rebroadcast on March 23, 10-11pm and March 31, 3-4pm, and Christopher Rufo's article, "Seattle Under Siege", published in the Autumn 2018 issue of City Journal.

2 Ibid. KOMO TV broadcast, "Dying in Seattle"