

Mental Health Experts Decry Supreme Court Decision Upholding the Criminalization of Homelessness and Highlight Proven Solutions

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CONTACT: Monica Porter Gilbert, monicag@bazelon.org
Brandon Graham, bgraham@nami.org

WASHINGTON, D.C. — Today, the Bazelon Center for Mental Health Law, American Psychiatric Association, National Alliance on Mental Illness, National Association for Rural Mental Health, and National Association of Social Workers released the following statement responding to the U.S. Supreme Court's decision in *Johnson v. Grants Pass*:

Today the Supreme Court held that laws that criminalize sleeping in public when no safe and accessible shelter options are available are not cruel and unusual punishment. As we described in [our amicus brief in this case](#), which Justice Sotomayor drew on in her dissent, this will have devastating consequences on the large and growing number of Americans experiencing homelessness, including people with mental health disabilities.

People with mental health disabilities are disproportionately injured in interactions with law enforcement, being [12 times more likely](#) to experience police use of force and [16 times more likely](#) to be killed by law enforcement. Additionally, criminal citations and incarceration impose serious burdens, increase financial instability, and [create barriers](#) to employment and housing.

Though the Supreme Court today removed a shield against cruel policies that criminalize nonviolent conduct associated with being homeless, it does not mean that such policies have to exist.

Governments can – and many successfully have – put in place community-based services that meet the needs of everyone in the community, without resorting to criminal enforcement. As we described in our [amicus \(friend-of-the-court\) brief](#), community-based housing and mental health services are a more effective and less expensive way to address homelessness than incarceration or hospitalization.

Research shows that scalable interventions, such as [supportive housing](#), [assertive community treatment](#), [mobile crisis services](#), [supported employment](#), and [peer support services](#) are proven solutions to homelessness and a more effective use of resources. By employing these community-based interventions, governments can address homelessness without resorting to criminal enforcement.

Everyone needs a safe place to sleep. As leading mental health organizations that work on behalf of people with mental health conditions across the country, we will continue to advocate for the housing and services that will truly end homelessness.

[Read the Supreme Court's decision \(PDF\).](#)

About the Judge David L. Bazelon Center for Mental Health Law: The Judge David L. Bazelon Center for Mental Health Law is a national non-profit legal advocacy organization founded in 1972 to advance the rights of individuals with mental health and developmental disabilities. The Center advocates for laws and policies that support a society where Americans with mental disabilities live with autonomy, dignity, and opportunity in welcoming communities, supported by law, policy, and practices that help them reach their full potential. Its litigation and policy advocacy advances rights to fair treatment, adequate mental health care, and community-based services. For more information, visit: bazelon.org.

About the American Psychiatric Association: The American Psychiatric Association, founded in 1844, is the oldest medical association in the country. The APA is also the largest psychiatric association in the world with more than 38,900 physician members specializing in the diagnosis, treatment, prevention and research of mental illnesses. APA's vision is to ensure access to quality psychiatric diagnosis and treatment. For more information, please visit www.psychiatry.org.

About the National Alliance on Mental Illness: The National Alliance on Mental Illness (NAMI) is the nation's largest grassroots mental health organization dedicated to building better lives for the millions of Americans affected by mental illness.

About the National Association for Rural Mental Health: The National Association for Rural Mental Health ("NARMH") is a professional organization that serves the field of rural behavioral health. NARMH's membership includes the entire spectrum of the rural mental health community, including consumers, family members, practitioners, administrators, educators, researchers, and policy makers. NARMH's deep commitment to rural people and those that serve them has allowed NARMH to improve access, availability, and understanding of behavioral health and substance abuse services in rural and frontier areas.

About the National Association of Social Workers: Founded in 1955, the National Association of Social Workers (NASW) is the largest membership organization of professional social workers in the world. NASW works to enhance the professional growth and development of its members, to create and maintain professional standards, and to advance sound social policies.