



# Funders Together

## TO END HOMELESSNESS



### Policy Alert

#### **What's Happening: U.S. Supreme Court Takes Up Landmark Case on Homelessness**

As Congress continues to work through [negotiations on a FY24 federal budget](#), the Supreme Court of the United States [announced it would hear a landmark case](#) on homelessness: [Johnson v. City of Grants Pass, Oregon](#). This is the most significant case related to homelessness to make it to the Supreme Court in more than four decades.

According to our partners at the [National Homelessness Law Center](#), this case, which was originally filed in 2018, "determined it is cruel and unusual punishment to arrest or ticket people for sleeping outside when they have no other safe place to go." It currently prohibits government at all levels from fining, arresting, and punishing people experiencing homelessness for sleeping outside when there is no other safe option for them.

If the SCOTUS does not rule in favor of upholding the current precedent, local and state governments will legally be able to criminalize people experiencing homelessness who are trying to meet their basic needs. Across the country, cities and states do not have enough affordable housing units to meet a growing demand - a problem that cannot be solved by criminalizing poverty and people without homes.

To be clear: Regardless of how the SCOTUS rules on this case, it will have critical impacts on our collective efforts to advance housing and racial justice. The question at hand is whether the Supreme Court will affirm protecting the rights and humanity of all people regardless of housing status or will it give permission for our government to inflict harm on our neighbors experiencing homelessness instead of providing evidence-based solutions to homelessness?

To learn more about the Johnson v. City of Grants Pass case, visit [www.johnsonvgrantspass.com](http://www.johnsonvgrantspass.com).

#### **How Philanthropy Can Take Action**

This announcement comes at a time when housing and homelessness are top issues leading into the election and we are continually witnessing harmful narratives about who experiences homelessness and why. The current timeline for the case appears to be oral arguments in April with a decision made during the summer, making any efforts to mobilize the building of public and political will ahead of the decision all the more pressing.

As local and national partners are working in coalition to determine next steps, there are crucial opportunities for engagement from philanthropy as leaders in your communities, such as:

- Supporting grantee partners in submitting a "friends of the court" brief (or an amicus brief) before oral arguments begin in April and consider submitting your own.
- Providing the spaciousness to strategize by supporting convening opportunities for partners, people with lived experience, funder peers, and community leaders.
- Considering flexible rapid response resources for housing justice narrative and messaging work that can be utilize before and after a decision.
- Exploring how your institution, board, or trustees can utilize influence and connections in new and creative ways.

Funders Together is working closely with the [National Homelessness Law Center](#) and other partners to understand the full impacts of a SCOTUS decision on this case and how to mobilize stakeholders across the country, including philanthropy.

**We are coordinating a rapid response funder call on Wednesday, January 31 at 12pm ET / 9am PT to hold space for understanding the impacts of this case and opportunities to coordinate stakeholders. Registration information is coming soon. Please hold Wednesday, January 31 at 12pm ET / 9am PT on your calendar if you are interested in attending.**

*Remember: Public and private foundations may educate legislators about a broad range of issues without referencing or providing views on specific legislation. Public and private foundations can also provide capacity for grantee partners to contact their Representatives and Senators on behalf of their community.*

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### **Focusing on the Long-Term Vision: Holding Space for the Both/And**

As mentioned, the decision by SCOTUS to hear Johnson v Grants Pass guarantees generational impacts on housing justice efforts. How the Supreme Court rules will either uphold values that create a path for housing justice to be realized. Or - it will give permission for this country to expand efforts on criminalizing and incarcerating Black, Indigenous, and other people of color and marginalized identities who disproportionately experience homelessness.

This case is yet another indicator of how our systems are embedded in white supremacy. Our movement often finds itself in a constant cycle of crisis response at the expense of energy and resources that could be dedicated to transformational work and proactive positioning. It is important to act with a sense of urgency and we must also be intentional, coordinated, and bold in how our work is connected to long-term impact.

As philanthropy, we need to ask ourselves: how we can abundantly resource both the immediate needs and the long-term generational work? How can we make the case internally to fund organizing and advocacy like we want to win - not just in 2024 or 2025, but for the next 10 to 20 years?

[Tell Us:](#) What do you need to strategize around the both/and of this work? How can Funders Together help?

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### Policy Resource Round-Up

- **Center on Budget and Policy Priorities:**
  - [About 16 Million Children in Low-Income Families Would Gain in First Year of Bipartisan Child Tax Credit Expansion](#)
- **National Alliance to End Homelessness:**
  - [The Disturbing Realities of Homelessness and Violence](#)
  - [National Alliance to End Homelessness Statement on Landmark Supreme Court Case on Homelessness](#)
- **National Homelessness Law Center:**
  - [SCOTUS takes up Johnson v. Grants Pass, the most significant case about homelessness in 40+ years](#)
- **Vox:**
  - [The Supreme Court will decide what cities can do about tent encampments](#)

As always, we are here to answer your questions or provide insights on public policy developments and opportunities. Please reach out to me or [Amanda](#) at any time.

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Chief of External Affairs

[Funders Together to End Homelessness](#)

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