

Criminalization of Panhandling -- Talking Points

Bans on begging or panhandling can have the effect of criminalizing homelessness. These talking points may be helpful when advocating against these laws in forums such as city council meetings or letters to the editor. Note that there may be additional points applicable to the facts on the ground in your community. Please exercise your best judgment when choosing which points apply to your advocacy efforts.

- With the rapidly increasing cost of living in Washington, including housing, some people have been left with no way to provide for their basic needs without asking for assistance from others in public. This may take the form of panhandling.
- Municipalities throughout Washington have enacted bans on panhandling on public property. These laws are one of the most common ways Washington cities criminalize homeless residents.
- Laws that ban panhandling are unconstitutional. The Washington Supreme Court has ruled that cities may not restrict panhandling in places like on sidewalks, in or near parks, or in medians or along streets if it allows other speech in those areas. If a law restricts panhandling but not other speech in these common public spaces, it violates the First Amendment.
- Criminalizing panhandling is expensive. A recent study by Seattle University's Homeless Rights Advocacy Project calculated the cost of enforcing Seattle's "pedestrian interference" law between 2009 and 2013. They estimated that it cost *at least* \$24,000 in judicial costs over those five years to move these cases through the criminal justice system. And this law potentially cost the city almost 2 million dollars in costs of incarceration over that same period.

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