



New Mexico Coalition to
End Homelessness

New Mexico Coalition to End Homelessness (NMCEH) Statement on Supreme Court’s Grants Pass Ruling

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Santa Fe, NM: The New Mexico Coalition to End Homelessness (NMCEH) strongly condemns the US Supreme Court's decision in *City of Grants Pass v. Johnson*. The ruling permits jurisdictions to ticket and arrest unhoused individuals for sleeping outside, even when there is no available shelter or housing.

“Homelessness is not a crime and treating homelessness as a criminal matter not only fails to address the root causes—such as lack of affordable housing, poverty, and mental illness—but also exacerbates the struggles of those affected. Instead, we should focus on providing support, resources, and sustainable solutions to help individuals find stability with dignity. Criminalizing homelessness only perpetuates the cycle of hardship and marginalization,” said Monet Silva, NMCEH Executive Director.

Rather than offer effective, long-term solutions to rising levels of homelessness, many cities have passed anti-camping laws to ban outdoor sleeping by people experiencing homelessness. The 9th Circuit in *Martin v. Boise* and in *Grants Pass* blocked these types of ordinances, ruling that banning all outdoor sleeping is a form of cruel and unusual punishment under the Constitution’s Eighth Amendment. In overturning these cases, the Supreme Court concluded that individuals experiencing homelessness do not form a distinct class protected from such laws.

NMCEH firmly believes that punishing people for having nowhere to sleep is cruel and unusual. We also understand that these laws do little more than force marginalized people out of public spaces and away from the public’s eyes. They also shield city and municipal officials from providing any of the services or support that address the root causes of homelessness and help people stay in their hometowns.

More troubling, the Supreme Court's decision in *Grants Pass* could pave the way for local lawmakers to make sleeping outdoors illegal. This alarming decision also coincides with a surge in bills and ordinances being introduced statewide that aim to criminalize homelessness. Instead, NMCEH urges New Mexico's policymakers and communities to turn away from punitive measures and instead to advocate for a more compassionate and evidence-based approach. Our data reveal that over 25,000 New Mexicans experienced homelessness in 2023 alone. We cannot turn our backs on them. Here in New Mexico, we must do better.