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Criminalization of Homelessness Throughout History

Edward Moore, Seattle's first homeless person, was cared for by Seattle residents until they abandoned him and sent him to his birthplace, Boston, where he died of suicide in 1859. This marked the people and the government of Seattle's first failure to empathize with, care for, and rebuild the homeless. Ever since then, the homeless population of Seattle has been treated as criminals. In both historical and modern-day contexts, the homeless have been criminalized for their existence, with historical criminalization telling the homeless what to do – the government chose who was responsible for them and where they had to live – and modern criminalization telling the homeless what not to do, banning them from sleeping, camping, and other means of survival without giving them an alternative.

In historic England and America, the government criminalized homelessness by putting them into a version of slavery, banishing them from their place of residence, or denying them of their freedom of movement. The Elizabethan Poor Laws, passed around 1600 in England, outlined what to do with the poor. They “supported the view of poverty as a crime, especially for the ‘undeserving poor,’ a category that included any pauper, no matter their age, gender, or condition, deemed by the authorities as able to perform some type of work” (Ensign 18). They blamed poverty on the victim, not on the system that left even able-bodied people out of work. The laws also established that “the local parish could auction off the care of the pauper to the lowest bidder – a thinly veiled version of slavery” (Ensign 16). This policy confirms the view of

poverty as a punishable crime – once a person becomes poor, they no longer deserve autonomy over who takes care of them, leaving them susceptible to abuse. Many of the Elizabethan Poor Laws carried over into America, including the Act of Settlement, which banished the poor from counties they were not deemed residents of and forced them to go to their birthplace (Ensign 18). These laws dehumanized the homeless and treated them as burdens and criminals, establishing that the government could take away their liberties and damage their ability to rebuild their own lives. This treatment of the homeless is eerily similar to that of modern times in several ways.

In today's America, homeless people are criminalized for the ways in which they survive, such as sleeping and camping. Between 2006 and 2019 alone, “city-wide bans on camping increased by 92%, on sitting or lying by 78%, on loitering by 103%, on panhandling by 103%, and on living in vehicles by 213%,” while many cities have also “used disparate enforcement of other ordinances, such as jaywalking or littering, or preventing aid providers from sharing food, to harass and push homeless persons out of certain spaces “(Tars). Even though homeless people do not want to be living on the streets and do not choose to do so, law enforcement still puts more effort into punishing them than working towards a solution. Homeless people around the country face “sweeps,” where they are forced to clear their encampments and given no alternative of where to go, often losing their possessions (Tars). This only gets cities further away from solutions. Like in historic times, the homeless are treated as criminals even though a broken system is truly at fault. Unlike in past times, when the homeless were told where to live and who would be responsible for them, law enforcement today merely bans the homeless from living on the streets, when they have nowhere else to go.

With the homeless of the past told where to live and given no choice of who would take care of them, and the homeless of today forced to move locations at a moment's notice in

sweeps, they have been systematically dehumanized throughout history. The Elizabethan Poor Laws, and subsequently the American Poor Laws unabashedly regarded the poor and homeless as criminals and treated them as such. The numerous bans and laws passed that prevent the homeless from living on the streets when they do not have an alternative prove that Americans lack empathy and are not committed to find real solutions to homelessness. While the style of criminalization has changed throughout time, the homeless have never been treated with dignity and policies surrounding homelessness have never been effective at improving their lives.

Works Cited

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