

## [Tennessee set to become first state in the nation to do a very, very bad thing](#)

[Marissa Higgins](#)

Daily Kos Staff

Monday May 23, 2022 · 10:35 AM PDT



The fact that anyone is unhoused in the United States is a structural failing and should bring elected officials on all sides of the political aisle a good deal of shame. People living in unsafe conditions anywhere in one of the wealthiest countries in the world is uniquely unacceptable, and yet as I type this, we all know there are tons of unhoused people, including veterans, disabled people, children, pregnant people, and folks living with chronic mental and physical health conditions, among others.

And yet Republicans can't help but handle the problem by trying to punish and criminalize the experience of being homeless. One example comes to us from Tennessee, which is set to become the first state in the nation to make it a *felony* to camp in parks and other public property spaces, as reported by the [Associated Press](#). The law, which goes into effect on July 1, 2022, will serve one purpose: It will make unhoused folks felons. It will do no good.

How will the law work in practice? It's important to keep in mind that it's *already* a felony to camp on most state-owned property in Tennessee, as of legislation that went into effect back in 2020, so this is essentially an expansion of the existing law. In this case, unhoused folks must be notified at least 24 hours before being arrested. Because it's a felony charge, the long-term ramifications are incredibly steep: up to six years in prison and the loss of the right to vote. The law also makes it a misdemeanor for someone to solicit or camp along highways in the state.

Now, whether or not prosecutors actually pursue these charges is another story. But even if the law is rarely enforced, it could easily still be harmful to people who are already most vulnerable when it comes to law enforcement and the court system, like Black unhoused folks and sex workers, for example.

Bobby Watts, who serves as the CEO of the National Healthcare for the Homeless Council, told the Associated Press in an interview that this law will do “nothing” to solve the homeless crisis, and in fact, will only make it worse.

“Having a felony on your record makes it hard to qualify for some types of housing,” Watts explained. “Harder to get a job, harder to qualify for benefits.”

He went on to add that housing subsidies and social services aimed at unhoused veterans have helped reduce the number of homeless vets in the last decade, saying it's “not magic” that helping people access safe, stable, and secure housing will help keep people off the streets. You might remember that Daily Kos [covered](#) the exciting and encouraging move happening in California, where a resort was actually transformed into long-term housing for unhoused military veterans and their families. That housing includes on-site support services, too.

Again: This approach working makes perfect sense. Many shelters have had to limit capacity because of the COVID-19 pandemic, which hasn't helped matters, but it's also true that some unhoused folks don't want to be in a shelter. This can be because of criminal records, immigration concerns, substance use, paranoia or distrust linked to mental health issues, shelters not allowing pets, and other concerns.

Unhoused folks are as diverse and varied as everyone else, and do not lose the right to their preferences and priorities just because they are unhoused. Obviously, the solution is not to simply shrug and say, “Well, if you don't like the shelter, we give up on you,” which is essentially what these felony threats serve to do.

And in terms of the governor? Republican Gov. Bill Lee recently said he supported the law because he thinks it's "important that we that we utilize state property and parks and city property for the purposes intended," according to local outlet [FOX 17](#). Lee, mind you, didn't technically sign onto the law, but he did permit it by not vetoing it.

Again: There is no ethical or moral justification for the homeless crisis in our country. It does not matter if someone lives with addiction, has a criminal record, participates in sex work, or anything else the state wants to treat as a crime. Housing is a human right.

That said, [research](#) has shown that more than half of the sheltered unhoused adult population of working age (under 65 but over 18) worked at some point in the year of data collection (2010), and about 40% of unsheltered unhoused people worked as well. Another way of contextualizing this data: The people you see sleeping in their cars, on benches, or asking for money at the traffic light? You might also see them working or in the classroom. The idea that homeless people are homeless because they are "lazy" or "irredeemable" is simply classist and hateful.