



## YOUR RIGHTS SPECIFIC TO HOMELESSNESS

People experiencing homelessness have the same rights as everyone else—the right to remain silent, the right to refuse to provide identification unless you are arrested, the right to refuse permission for a search, the right to observe and document police conduct. See “Know Your Rights When Dealing With Police” by Communities United Against Police Brutality for more information on how to safely exercise those rights. You can find this and other info on our website at [cuapb.org](http://cuapb.org).

### **Right to Engage in Life-Sustaining Activities**

Sleeping, sitting, eating and urinating are considered life-sustaining activities. If you are unable to obtain a bed in a shelter, you cannot be legally arrested or ticketed just for conducting life-sustaining activities in public spaces. If police find you engaging in life-sustaining activities in public spaces that would otherwise be illegal, they must first offer you shelter. If shelter is available but you refuse it, police could ticket or arrest you.

### **Hanging Out**

Similar to the right to engage in life-sustaining activities, just being in a public space is not a crime. If you are approached by an officer, ask “Am I being detained or am I free to go?” If you are not being detained, it is often best to just walk away. You also have the right to travel without harassment. Police cannot legally tell you that you must stay in one specific area.

### **Encampments**

People form encampments for mutual aid and safety. However, most cities have anti-camping ordinances that prohibit sleeping in tents or other temporary structures. Thus, there is no specific right to form an encampment. Depending on the location of the encampment, there may also be issues of the property rights of the owners of the land. If shelter space is unavailable, people can sometimes band together to negotiate with police to leave the encampment alone and for the city to provide portable restrooms, sanitation stations, sharps disposal, and trash pick-up. Organizing encampment residents in advance is essential.

### **Property Rights**

You have the same property rights as others. Police cannot seize your property. However, if you leave your property unattended, it is considered abandoned and can be taken or disposed of. Police cannot search you or your possessions unless you are under arrest. NEVER voluntarily consent to a search. If a cop has to ask to search your belongings or pat you down, they do not have the right to conduct a search. Always say politely but firmly, “I do not consent to this search.”

### **Soliciting Money (Begging or Panhandling)**

Soliciting money is free speech as long as it isn't loud, doesn't involve swearing or threats, doesn't block the person from passing on the sidewalk, isn't repeated or harassing, and doesn't involve physical contact.

### **Documenting Police Conduct**

You have a right to observe and film police conduct in public spaces as long as you don't interfere with their actions. Stand back at least 15 to 20 feet. Start by stating the location and what happened before you started filming. Don't cross police tape. Try not to swear or make other comments so that the footage you capture is usable in court.

### **Citations (Tickets)**

If you receive a citation, be sure to find out when you are required to go to court. If you don't show up for court, a warrant could be issued for your arrest or you could automatically be found guilty and fined.

**PLEASE NOTE: This is meant as general information only. For specific legal questions or if you are arrested, seek the services of a licensed attorney.**

Information provided by **COMMUNITIES UNITED AGAINST POLICE BRUTALITY**. Join us! We meet every Saturday at 1:30 at 4200 Cedar Avenue South in Minneapolis. For more information or for help with a police brutality incident, call our 24-hour hotline: **612-874-STOP** or see our website at **[www.CUAPB.org](http://www.CUAPB.org)**.