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March 20, 2026

Warwick City Council
City Hall
3275 Post Road
Warwick, RI 02886

VIA EMAIL

Dear Members of the Warwick City Council:

This letter is sent on behalf of the ACLU of Rhode Island and the R.I. Homeless Advocacy Project. As organizations that advocate for the unhoused population in Rhode Island on a regular basis, and are therefore familiar with the many obstacles, hardships and discriminatory treatment that they face because of their homeless status, we write to express our deep concern and distress over the proposed anti-homeless ordinance that is scheduled for review and consideration at Monday's City Council meeting.

In addition to making illegal any shelter on City-owned property, the proposed ordinance would impose a \$100 fine on second offenders and provide for the removal of an individual's personal property with 72 hours notice. We understand the safety concerns that some members may have about the presence of encampments in the city. However, we believe it would be a mistake to respond to any problems with a punitive ordinance like this rather than considering other less confrontational steps to mitigate those problems.

The purported 72-hour-notice to give individuals at least a modicum of time to make arrangements to relocate themselves and their property is less than meets the eye. Under the ordinance, police merely need to "*attempt* to provide any readily apparent owners" with that notice. In addition, if an officer notifies an individual that their belongings will be removed and the individual objects, the ordinance allows the officer to immediately proceed with the removal regardless of the objection of the owner and their possible need for time to arrange for the relocation of their property. In any event, the ordinance goes on to release the city and its employees from any liability for the removal and disposal of property, regardless of whether these purported notice obligations have been complied with.

This ordinance also gives public safety officers open-ended discretion to immediately dispose of personal property if they subjectively deem it "an immediate threat to health or safety of the public." Actions by law enforcement agencies in other communities have demonstrated that a vague standard like this has led to the arbitrary and damaging destruction of important personal property of the unhoused.

We know that some municipalities across the country have taken advantage of the U.S. Supreme Court's callous decision in 2024 in *Grants Pass v. Johnson* to target the unhoused in a myriad of troubling ways, but it would be unfortunate and disappointing to witness Warwick follow suit.

In short, forcing unhoused people to move when they have nowhere to go and engaging in the surreal attempt to fine them when, almost by definition, they have no money, are deeply harmful and completely ineffective responses to a serious societal problem.

This ordinance seeks to address the state's homelessness crisis in a punitive manner rather than with a compassionate recognition of the plight that hundreds of unhoused Rhode Islanders face. Our organizations urge the Council to reject this proposal, and to instead seek out community advocates and work together on more useful, compassionate, and systemic solutions to address this critical issue.

Sincerely,

Rhode Island Homeless Advocacy Project
Eric Hirsch - EHIRSCH@providence.edu

American Civil Liberties Union of Rhode Island
Steven Brown - sbrown@riaclu.org

cc: The Hon. Frank Picozzi, Mayor