

# ACLU Wisconsin: Campaign calls to end unconstitutional ban on asking for donations

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Local organizations across the country send a coordinated letter to government officials in cities where panhandling is banned

WISCONSIN - Today the ACLU of Wisconsin, in letters developed as part of a national campaign coordinated by the National Law Center on Homelessness & Poverty, demanded that eight Wisconsin municipalities repeal their bans on panhandling. These bans generally prohibit poor people from asking for money in certain locations and/or under certain conditions.

Since the 2015 Supreme Court decision in *Reed v. Town of Gilbert* found that discriminating against certain kinds of speech warrants heightened protection under the First Amendment, ordinances in all of the 25 cases brought against anti-panhandling ordinances have been found unconstitutional. At least 31 other cities have repealed their ordinances. Many of those ordinances have language similar to ordinances in Wisconsin municipalities.

“No one wants to see poor people have to beg for money,” said Eric Tars, senior attorney at the National Law Center on Homelessness & Poverty. “But until all their basic needs—food, health care, and housing—are met, they have the right to ask for help.”

Tim Muth, staff attorney for the ACLU of Wisconsin, explained, “People panhandle when they lack other options. Most of the time, people resort to panhandling because they need to feed themselves, to pay the rent, or get bus fare.”

Anti-panhandling ordinances are not just a problem in large cities, and they occur around the state. Making this point, the ACLU of Wisconsin is seeking repeal of ordinances in Altoona, Glendale, Mequon, Racine, Superior, Shorewood, Waukesha, and Wauwatosa. “These Wisconsin communities that have criminalized the act of begging add insult to the injuries that those in poverty have often experienced,” said Chris Ott, Executive Director of the ACLU of Wisconsin. “These cities should take these unconstitutional laws off the books and instead look for more constructive ways to address the needs of our fellow citizens experiencing homelessness and poverty.”

The National Law Center on Homelessness & Poverty, together with the National Coalition for the Homeless and more than 100 other organizations, launched the Housing Not Handcuffs Campaign ([www.housingnothandcuffs.org](http://www.housingnothandcuffs.org)) in 2016 to emphasize criminalizing homelessness is the most expensive and least effective way of addressing homelessness. The demand letters by the ACLU of Wisconsin today are part of a coordinated effort amongst 18 organizations in 12 states targeting more than 240 similar outdated ordinances. See [nlchp.org/panhandling](http://nlchp.org/panhandling) for more information.

“Punishing homeless people with fines, fees, and arrests simply for asking for help will only prolong their homelessness,” said Maria Foscarinis, executive director at the National Law Center on Homelessness & Poverty. “Housing and services are the only true solutions to homelessness in our communities.”