



**Oral Statement Delivered under Item 3: Clustered Interactive Dialogue with the
Special Rapporteur on Extreme Poverty and Human Rights**

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Mr. President,

The ACLU welcomes Special Rapporteur Philip Alston's excellent report on his visit to the United States. The United States has the highest rate of income inequality among Western countries. Despite being one of the world's wealthiest countries, there are [over 40 million people living in poverty](#) in the U.S., including over 13 million children, and 18.5 million people live in extreme poverty. The Special Rapporteur's report is coming at a particularly critical time, as recent policies advanced since the election of President Donald Trump appear to be deliberately designed to remove basic protections from the poorest people and exacerbate existing inequality. The Trump Administration has ushered in \$1.3 trillion in tax cuts to benefit corporations and the very wealthy while orchestrating an assault on the welfare system.

As the Special Rapporteur notes in his report, one implication of poverty in the United States is the erosion of political participation. People living in poverty in the United States are being systematically deprived of their right to vote. Felon disenfranchisement laws have resulted in the overt disenfranchisement of over six million incarcerated or formerly incarcerated people. In the United States, this issue is particularly acute because of the [disproportionate representation of people of color](#) in the justice system. For instance, in the state of Kentucky, [over 26% of African American voting-age adults](#) are denied the right to vote. Covert disenfranchisement, including the gerrymandering of electoral districts, the imposition of voter identification requirements, the manipulation of polling station locations, and other obstacles to voting also disproportionately affect people living in poverty.

In Puerto Rico, a U.S. territory with a population of 3.4 million, the link between poverty and the denial of political rights is especially clear. [Puerto Rico is confronting an unprecedented humanitarian crisis](#) caused by its unsustainable debt load, stagnating economy, high cost of living, high poverty rates, and most recently, Hurricanes Maria and Irma. Puerto Rico's per capita income is about half that of the poorest state in the U.S., Mississippi, and its poverty rate is 46 percent, with 58 percent of the island's children living in poverty. Hurricane Maria, which devastated Puerto Rico in September 2017, exacerbated the humanitarian crisis, and today thousands still live without electricity, many are now homeless or living in unsafe structures, and more than four thousand lost their lives in hurricane-related deaths that were grossly undercounted by the federal government. We call attention to the Special Rapporteur's findings with respect to the status of Puerto Rico and its effect on Puerto Ricans' ability to govern themselves. Puerto Ricans who live on the island have no representative with full voting rights in Congress and cannot vote in presidential elections. The unique status of Puerto Rico has impacted the political representation of its people and their ability to change policy with regard to combating poverty. For example, the federal Fiscal Oversight and Management Board imposed by Congress instituted bankruptcy-like proceedings in May 2017 and have [begun imposing austerity measures](#) with little to no regard for social protection concerns. These measures include breaking union contracts, imposing furloughs of two days per month for all public employees, closing schools and hospitals, and selling off public assets.

The ACLU is also concerned about the increasing criminalization of poverty in the United States. Cities and counties across the country have passed a range of vagrancy laws criminalizing homelessness by prohibiting resting, sleeping or lodging in public places. Numerous cities have become more aggressive in citing and arresting homeless people for these activities. For example, in the state of California's 58 most populous cities, there are [592 laws criminalizing the life-sustaining activities of people experiencing homelessness](#) in public places in public places. The U.S. has also experienced a resurgence of debtors' prisons—the arrest and jailing of poor people for failure to pay legal debts they can never hope to afford. State and local courts across the country have increasingly attempted to supplement their funding by charging fines and fees to people convicted of crimes, including fees for public defenders, prosecutors, court administration, jail operation, and probation supervision. These courts have ordered the arrest and jailing of people who fall behind on their payments, without affording any hearings to

determine an individual's ability to pay or offering alternatives to payment such as community service.

Notwithstanding its withdrawal from the HRC, the US must be held accountable to its human rights obligations; particularly when it comes to the most marginalized and vulnerable in our society. The ACLU calls upon the United States to take concrete measures to address the acute issues raised by Mr. Alston's report including the increasing number of people who are living in poverty.

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