



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of House Bill 734: Testimony - Municipalities - Vagrancy - Repeal of Authority to Prohibit  
February 13, 2024**

Chair Clippinger, Madam Vice Chair Bartlett, and esteemed members of the Judiciary Committee, it is my pleasure to come before you and offer testimony in favor of **House Bill 734: Testimony - Municipalities - Vagrancy - Repeal of Authority to Prohibit**. This bill, a reintroduction of Delegate Moon's 2023 HB564, represents a crucial step in cleaning up our criminal code while fulfilling our state's moral obligation towards decriminalizing homelessness.

Following the passage of the 13th amendment, free Black men could not be put into slavery unless they committed a criminal offense. As such, vagrancy laws were used as a means to apprehend free Black Americans. Following which, if they could not pay the fines for their imprisonment, they would be forced to leave the state. If they then returned, they could be forced to serve a term of six months.

Banning homelessness is under review by the U.S. Supreme Court again this year with City of Grants Pass, Oregon v. Johnson. The last notable time the Supreme Court ruled on the issue was in 1972's Papachristou v. City of Jacksonville. In that case, the court ruled the city's vagrancy ordinance was unconstitutionally vague. Now the issue with banning homelessness is centering on the eighth amendment of the U.S. Constitution- protecting against cruel and unusual punishment.

Repealing this outdated part of our laws shows that in Maryland we do not punish individuals for being involuntarily unhoused. We instead choose to invest in more affordable housing and better services for our homeless population. Keeping the law as is the antithesis of what Maryland stands for in leaving no one behind, so I am asking for a favorable report on **House Bill 734**.

*Bernice Mireku-North*