

SB0463 RichardKaplowitz FAV

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Richard Keith Kaplowitz

Frederick, MD 21703

**TESTIMONY ON SB#/0463- POSITION: FAVORABLE**  
**Unhoused Individuals - Rights and Affirmative Defense**

**TO:** Chair Smith, Jr., Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

**FROM:** Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0463, **Unhoused Individuals - Rights and Affirmative Defense**

The Oxford Dictionary defines vagrancy as “the state of living without a settled home or regular work, wandering from place to place and living by asking for money or food; life as a [vagrant](#).”

Maryland can be better than the Federal government, where President Trump issued an Executive Order that “*directs states to treat homelessness and mental illness as a crime, will make homelessness worse*”. The Open Society Foundations study found that:

...data suggests that "if you're poor and barely getting by, you're more likely to interact with the criminal justice system," says Dr. Thomas O'Toole, Program Officer for OSI-Baltimore. "And once you do, it's unlikely that you will receive the services you need to move from the street into stable housing. What's more, people who have been incarcerated have an even harder time finding employment and some public housing." <sup>1</sup>

My Jewish faith commands me to follow Isaiah 58:6-7 where the prophet addresses what the Lord requires from the congregation fasting in repentance:

Here is the sort of fast I want – releasing those unjustly bound, untying the thongs of the yoke, letting the oppressed go free, breaking every yoke...sharing your food with the hungry, taking the homeless poor into your house, clothing the naked when you see them, fulfilling your duty to your kinsmen!”

The United States Supreme Court has hardened their hearts and community hearts against the unsheltered. As reported by the National Alliance to End Homelessness

Last week, the Supreme Court issued its opinion ... which makes it easier for communities nationwide to fine, ticket or arrest people living unsheltered, even when there is no adequate shelter available. Specifically, the Supreme Court determined that the “cruel and unusual punishment” clause of the Eighth Amendment does not prohibit ... enforcing criminal punishments against people who are homeless for camping outside in the city...

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<sup>1</sup> <https://www.opensocietyfoundations.org/newsroom/treating-homeless-criminals-condemns-poor-streets>

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To protect our unhoused neighbors, preserve support for best practices, and ultimately fend off these terrible policies, we need ... elected officials to do the right thing.<sup>2</sup>

This bill will tell Marylanders that criminalization of vagrancy is not permitted in Maryland. It states its purpose is to repeal the authority of a municipality to prohibit vagrancy.

**I respectfully urge this committee to return a favorable report on SB#/0463.**

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<sup>2</sup> <https://endhomelessness.org/blog/the-supreme-court-rules-on-homelessness-what-it-all-means/>