

SB0484\_RichardKaplowitz\_FAV

02/06/2025

Richard Keith Kaplowitz Frederick,  
MD 21703-7134

**TESTIMONY ON SB#0484 - POSITION: FAVORABLE**  
Unhoused Individuals - Rights, Civil Action, and Affirmative Defense

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

**FROM:** Richard Keith Kaplowitz

**My name is Richard Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of/ SB#/0484, Unhoused Individuals - Rights, Civil Action, and Affirmative Defense**

“Homelessness is a policy choice. It is the result of generations of racist and discriminatory policies that systemically deny economic mobility, health care and housing, particularly for Black and brown neighbors.

Each year in Maryland, 30,000+ people experience homelessness. More than 10x that many are poor.

People typically experience homelessness because they can’t afford housing, which is often perpetuated by things like poor health. The connection between poverty, housing and health is close and direct.”<sup>1</sup>

“The criminalization of homelessness refers to measures that prohibit life-sustaining activities such as sleeping/camping, eating, sitting, and/or asking for money/resources in public spaces. These ordinances include criminal penalties for violations of these acts.”<sup>2</sup>

Some criminalization measures include:

- Carrying out sweeps: confiscating personal property including tents, bedding, papers, clothing, medications, etc.
- Making panhandling illegal.
- Making it illegal for groups to share food with homeless people in public spaces.
- Enforcing a “quality of life” ordinance relating to public activity and hygiene.”

All of these measures deny the humanity of persons who, for whatever reason, have become unhoused and need a hand up to return to full societal participation.

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<sup>1</sup> <https://www.hchmd.org/homelessness-maryland>

<sup>22</sup> <https://nationalhomeless.org/civil-rights-criminalization-of-homelessness/#:~:text=The%20criminalization%20of%20homelessness%20refers,money/resources%20in%20public%20spaces.>

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In recognition of all the deprivations that are being afflicted on homeless person this bill makes the moral statement that in Maryland “We Leave No One Behind”. It says we provide ethical and moral treatment of our homeless population. The bill makes that commitment by providing that all unhoused individuals have certain rights which are enumerated. It invokes the force of law by authorizing the Attorney General or an individual harmed by a violation of the Act to bring a certain civil action against a political subdivision, a unit of State or local government, or a government official for treatment of the homeless persons. The bill will establish an affirmative defense of necessity to certain criminal charges relating to trespass or disturbing the peace, charges often used and implemented against the homeless. Finally, it will repeal the authority of a municipality to prohibit vagrancy forcing that municipality to create ethical solutions that respect the humanity of individuals who were or could become a defined vagrant in their jurisdiction.

**I respectfully urge this committee to return a favorable report on SB0484.**