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## **POSITION ON PROPOSED LEGISLATION**

**BILL: House Bill 487 – UNHOUSED INDIVIDUALS RIGHTS CIVIL ACTIONS  
AND AFFIRMATIVE DEFENSE**

**FROM: Maryland Office of the Public Defender**

**POSITION: Favorable**

**DATE: February 12, 2025**

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The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on House Bill 487. This bill grants Maryland's unhoused individuals and families the right to protection from discrimination due to their economic conditions and the right to access public property in order to establish temporary dwellings basically to sit, sleep, eat and rest their weary bodies to survive. Vagrancy is defined as the condition of wandering homelessness without regular employment or income. Unfortunately, vagrancy is still a crime in many local jurisdictions in Maryland.

Various Counties and Municipalities have enacted laws that criminalize the status of Maryland's unhoused citizens and families. These discriminatory laws are a result of ordinances that prohibit sitting, sleeping, panhandling, sharing food, or religious practices in public spaces. According to the National Law Center on Homelessness and Poverty, over 1/2 million people are homeless on any given night in America and half of them are unhoused. Vagrancy laws were created in America after slavery to control the labor and conduct of formerly enslaved Black people for being "idle" and assigned them to chain gangs or auction them off to serve their sentence on farms and plantations. They could not leave these farms without proof of employment.

There is legislation in several states that prohibit discrimination against individuals due to their status as unhoused citizens- Rhode Island, Illinois, Connecticut, California and Colorado. This bill does not grant citizens the right to affordable housing but grants them the right to live out in the open, to

participate in all areas of community as any other citizen and to live and to feel safe even though they are currently unhoused. To discriminate against anyone due to their status of being unhoused is discriminatory. To discriminate against anyone due to poverty is discriminatory.

**For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on House Bill 487.**

**Submitted by: Maryland Office of the Public Defender, Government Relations Division.**