

January 23, 2026

The Honorable William C. Smith, Jr.

Chair, Judicial Proceedings Committee

2 East Miller Senate Office Building

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Annapolis, Maryland 21401

RE: Support for SB 49, Unhoused Individuals, Rights and Affirmative Defense

Dear Chair Smith,

Maryland Latinos Unidos (MLU) is honored to express our strong support for Senate Bill 49, Unhoused Individuals, Rights and Affirmative Defense. SB 49 provides that unhoused individuals have certain rights, directs liberal construction to maximize protections, establishes an affirmative defense of necessity for certain charges related to trespass or disturbing the peace, and repeals municipal authority to prohibit vagrancy. SB 49 is scheduled for a hearing in the Senate Judicial Proceedings Committee on January 27, 2026 at 1:00 p.m., and the bill's effective date is October 1, 2026.

This bill is aligned with MLU's mission because housing insecurity is a direct driver of health harm, family instability, and barriers to education and employment. Criminalizing survival behaviors does not reduce homelessness, but it can deepen trauma and make it harder for people to reconnect to services and stability. SB 49's affirmative defense approach recognizes that necessity driven actions often occur when shelter and safe alternatives are unavailable.

Maryland's point in time data show thousands of Marylanders experience homelessness, and Hispanic and Latino residents are among those impacted. Protecting unhoused individuals from punitive criminalization supports community stability and reduces unnecessary court involvement that can create long term barriers to housing and employment.

MLU will advance SB 49's impact by partnering with service providers and immigrant serving organizations to connect unhoused community members to resources, promote language access, and support pathways to stabilization that avoid unnecessary criminal legal entanglement.

MLU urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 49, advancing dignity, fairness, and evidence driven approaches to homelessness.

Sincerely,

Carlos Orbe, Jr.

Communications and Public Affairs Specialist

Maryland Latinos Unidos

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