

**Thomas Gibson**  
**Montgomery County, Maryland**

**Written Testimony in Support of HB 104**

Unhoused Individuals – Rights and Affirmative Defense

Position: **FAVORABLE**

House Judiciary Committee

Hearing Date: February 3, 2026

Good afternoon. Thank you, Madam Chair and members of the committee.

My name is Thomas Gibson. I'm a Montgomery County resident, and I'm currently experiencing homelessness. I really appreciate the chance to speak with you today.

I want to start with something simple. People who are unhoused are not trying to break the law. We're trying to survive.

Sleeping. Sitting down. Resting. Getting out of the cold or the heat. Holding onto the few belongings we have. These aren't political acts. They're just human needs.

But right now, in many places, if you're unhoused, doing those things in public can still get you cited, fined, or arrested — even when there's nowhere else to go.

HB 104 matters because it recognizes that reality.

This bill doesn't give anyone permission to commit crimes. It doesn't stop police from responding to real safety issues. What it does is draw a clear line between dangerous behavior and basic survival.

It says that if the state hasn't offered a real, accessible indoor alternative, then punishing someone for sleeping or resting in public just doesn't make sense — and it isn't fair.

I've lived this. When shelters are full, or unsafe, or inaccessible, people are left with impossible choices. And the result isn't safety. It's just more court dates, more fines people can't pay, and more trauma.

We're also living in a moment where federal homelessness policy is shifting toward enforcement instead of housing and services. I'm personally involved in a federal court challenge related to that shift, and going through that process has made one thing very clear to me:

No matter what happens at the federal level, states like Maryland still get to choose who we are.

HB 104 is Maryland choosing humanity. It's Maryland saying we don't punish people just for being poor or unhoused. We don't turn survival into a crime.

When laws focus on punishment instead of solutions, they don't fix homelessness. They just make it harder for people to get back on their feet.

This bill will save lives. It will reduce unnecessary criminal records. And it will help courts, communities, and unhoused people alike by bringing clarity and fairness to the law.

I respectfully ask for a favorable report on HB 104. Thank you for listening — and thank you for taking this issue seriously.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'A. J. ...', written in a cursive style.

