

Maryland Should End Punitive Policies That Trap People in Homelessness

Position Statement Supporting House Bill 104

Given before the Judiciary Committee

House Bill 104 seeks to affirm the rights and dignity of unhoused individuals while addressing the systemic injustices that criminalize homelessness. In Maryland, thousands of people experience homelessness each year, often facing discrimination, harassment, and legal penalties simply for existing in public spaces. **The Maryland Center on Economic Policy supports House Bill 104 because it will reduce the criminalization of poverty that puts economic security and stability further out of reach for people experiencing homelessness.**

Unhoused individuals are disproportionately impacted by policies that treat poverty as a crime. Many are ticketed, arrested, or forcibly removed from public spaces for acts of survival— sleeping in a park, seeking shelter in a doorway, or asking for help. These penalties trap people in a cycle of homelessness, as fines, legal fees, and criminal records create additional barriers to employment and housing.

Homelessness is not just a housing issue; it is an issue of racial and economic injustice. Black Marylanders are significantly more likely to experience homelessness due to a history of discriminatory housing policies, wage disparities, and mass incarceration. LGBTQ+ youth, survivors of domestic violence, and individuals with disabilities also face higher risks of becoming unhoused, often due to systemic failures in public services and social safety nets.

House Bill 104 ensures that all individuals, regardless of housing status, are granted fundamental rights and protections. The bill:

- Establishes a Bill of Rights for Unhoused People – Affirming that individuals experiencing homelessness have the right to move freely in public spaces without fear of harassment or criminalization.
- Allows for legal action against discrimination – Enabling unhoused individuals to seek legal recourse if they are targeted or mistreated by government entities.
- Creates an affirmative defense against certain criminal charges – Protecting individuals from being prosecuted for actions necessary for survival, such as trespassing when no shelter is available.
- Repeals vagrancy laws - Ending outdated and punitive measures that disproportionately impact those with the least resources.

If Maryland is truly committed to equity and economic justice, we must stop treating homelessness as a crime and start addressing its root causes—lack of affordable housing, low wages, and inadequate social support systems.

House Bill 104 is a step toward ensuring that all Marylanders, regardless of their housing status, are treated with dignity and fairness.

For these reasons, **The Maryland Center on Economic Policy urges this committee to support House Bill 104.**

Equity Impact Analysis: House Bill 104

Bill Summary

House Bill 104 seeks to affirm the rights and dignity of unhoused individuals while addressing the systemic injustices that criminalize homelessness.

Background

Unhoused individuals are disproportionately impacted by policies that treat poverty as a crime. Many are ticketed, arrested, or forcibly removed from public spaces for acts of survival—sleeping in a park, seeking shelter in a doorway, or asking for help. These penalties trap people in a cycle of homelessness, as fines, legal fees, and criminal records create additional barriers to employment and housing.

Equity Implications

Homelessness is not just a housing issue; it is an issue of racial and economic injustice. Black Marylanders are significantly more likely to experience homelessness due to a history of discriminatory housing policies, wage disparities, and mass incarceration. LGBTQ+ youth, survivors of domestic violence, and individuals with disabilities also face higher risks of becoming unhoused, often due to systemic failures in public services and social safety nets.

Impact

House Bill 104 will likely **improve racial, health and economic equity** in Maryland.