



Testimony submitted to the Joint Committee on Children, Families and Persons with Disabilities

In support of

H.211 An Act establishing a bill of rights for individuals experiencing homelessness
and

S.1112 An Act establishing a bill of rights for people experiencing homelessness

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There has been a history in the Commonwealth of treating persons who are homeless with disrespect and cruelty, even branding them as law breakers. Such treatment increases the distress and trauma of not having a place to call home and is particularly wrong when carried out by public officials and law enforcement officers. Discriminatory treatment is certainly not helpful for obtaining appropriate housing and moving beyond homelessness, particularly if it leads to involvement with the criminal justice system. We want people experiencing homelessness to be accorded their human dignity and to be granted equal rights as members of the public.

These identical bills define homeless persons as those who lack a fixed, regular and adequate nighttime residence. Discrimination is prohibited because of housing status when seeking employment, housing, voter registration, routine or emergency medical care, and access to public spaces and places of public accommodation. We know that homelessness has increased in recent years and that at any time many persons are not accommodated by the commonwealth's shelter system. They resort to being "doubled up" with family or friends, or staying in emergency rooms, waiting rooms, cars, tents, abandoned buildings, and many makeshift spaces. Even when individuals go to designated overnight shelters, they still have to find places to spend their daytime hours. LGBTQ+ adults and youth have had particular difficulty in shelters and report homophobia, transphobia and some instances of being turned away, putting them back on the streets.

It is critical that anyone who is homeless is able to rest, get shelter from the weather, occupy a legally parked car, eat and share food, and use the same public spaces (parks, libraries, stores, public transportation, etc.) that other people are free to use. Yet persons deemed to be homeless have often been told they can't stay in certain places or urged to move on by proprietors, officials or the police. Not having a regular address should not bring on harassment or be considered criminal behavior.

This bill would repeal Sections 63 through 69 of Chapter 272 of the Massachusetts General Laws; these archaic sections define persons with the derogatory terms "tramp," "vagabond" and "vagrant" and permit arrest based on appearance. These sections are particularly harmful and out of line with current knowledge about the causes of homelessness and the place of social services in meeting the needs of all our residents. We need to stop using the expensive criminal justice system instead of making available the appropriate social services and housing. Providing civil rights protections for individuals who are homeless will reduce the barriers to getting housed again.

The League of Women Voters of Massachusetts supports these bills based on its national positions on Social Policy and Meeting Basic Human Needs as well as Voting Rights. We believe that equal rights and equal opportunity should be secured for all; we promote social and economic justice and health and safety for all Americans. All administrative procedures should be conducted with respect for the rights and dignity of the individuals. Based on our long-standing promotion of participation in government, we also believe that voting is a fundamental citizen right that must be guaranteed. See the statement of LWV positions contained in [Impact on Issues 2022-2024](#), specifically pages 10 and 146.

There are 44 local Leagues across the Commonwealth from Cape Cod to the Berkshires who share these positions. We urge the Joint Committee on Children, Families and Persons with Disabilities to take action to report favorably on this “Bill of Rights” for people experiencing homelessness as spelled out in House Bill 211 and Senate Bill 1112. We also ask you to use your influence to ensure it is enacted in this 193rd session of the legislature.