

March 27, 2024

Dear Chairperson Craven and members of the Judiciary Committee:

Thank you for the opportunity to submit testimony **in support of H 7967**, which would strengthen the Homeless Bill of Rights, particularly with respect to the rights of people experiencing unsheltered homelessness. My name is Megan Smith and I have been an outreach worker in the homeless community for eighteen years. In 2012 I was part of the effort to pass Rhode Island's Homeless Bill of Rights, and I am glad to now be collaborating with community partners and legislators to further improve it.

The bill that Representative Stewart and her colleagues have introduced is both timely and time-sensitive. Since COVID, Rhode Island – like many states – has had a sharp rise in the number of people forced to stay outside. In 2019, the annual point-in-time count found 71 people staying outside, while in 2023 this number was 334. The 2024 number is forthcoming and we anticipate it will be higher based on the biweekly figures maintained by the Coordinated Entry System (CES), which routinely show upwards of 500 people staying in “places not meant for human habitation.”

This rise in unsheltered homelessness is due to many factors, and primary among them is the ongoing and worsening affordable housing crisis: people with low incomes simply cannot find housing in our state. Market-rate housing is prohibitively expensive, subsidized housing has years-long waiting lists, and tenant protections are lacking. The emergency shelter system is dramatically overburdened, with more than 800 people on the queue for shelter according to CES.

To deal with this manufactured reality, people experiencing unsheltered homelessness do what they need to do to survive, which often includes forming makeshift communities with others. These encampments have frequently been negatively portrayed in the media and have been the subject of police action. For example, see the media coverage about the destruction of the Wilson Street encampment in 2021, the state house encampment in 2022, and the Charles Street encampment in 2023.

The revisions to the Homeless Bill of Rights in this bill include explicit protections for those staying in encampments, including 60 days' notice to vacate, the provision of reasonable alternative accommodations, and the storage of belongings. These are essential to provide for the safety and stability of residents. Razing encampments is harmful to the health of those staying there, disrupting treatment of wounds and other acute injuries as well as chronic health conditions. It also disrupts continuity with outreach and social services, making it harder for those impacted to access shelter, housing, basic needs (eg, SNAP, SSI), and employment. Displacement without other viable options is also illogical, as invariably people re-establish encampments elsewhere, and the same cycle repeats itself. Destroying people's belongings also works against their work toward greater stability by forcing them to spend time, energy, and what little monetary resources they may have to replace identity documents, medications, and basic needs items (eg, food, clothing, sleeping bags, and tents).

Frequently, articles written about encampments reference hazardous and unsanitary conditions. These are the direct result of the willful refusal to provide for residents' basic needs, including portable toilets and trash pick-up. In response to this, these revisions articulate the right of people experiencing homelessness to have access to these resources. Another recurring issue that these revisions address is that of police accessing and searching individuals' tents without their permission. I have heard the argument that "If they have nothing to hide, why is this a problem?" I would ask in response how this would bear out in the case of people with traditional housing: I do not have anything illegal in my house, but I am not comfortable with the police walking through it whenever they wish. I would imagine most people would feel similarly.

Lastly, these revisions demand transparency about the policies police and public works departments have in place regarding how they interact with people experiencing homelessness and their physical environments, and provide a more accessible pathway to enforcements should any of the provisions of the Homeless Bill of Rights be violated. Both parts of this are critical to ensure that people experiencing homelessness know what to expect from the officials with whom they interact and to ensure that they have the agency to address any wrongs done to them.

As an outreach worker, I have personally witnessed incidents that substantiate the need for each of these proposed changes and, more fundamentally, for a robust and enforceable Homeless Bill of Rights. While I wish this legislation were unnecessary – since theoretically its provisions are redundant in that they afford no extra protections beyond what a housed resident of the state may fairly expect – the fact is that it is desperately needed to ensure the rights and well-being of some of our state's most vulnerable residents. In addition to providing these protections, I hope that its passage may catalyze a broader conversation about how our state can do better for this community.

If you have any questions or need additional information, please call me at (513) 407-0857 or email me at msmith4@ric.edu.

Sincerely,

A handwritten signature in black ink that reads "Megan Smith". The signature is written in a cursive, flowing style.

Megan Smith, MSW PhD