



April 2, 2025

Dear Chairperson and members of the House Committee on Municipal Government & Housing:

Thank you for the opportunity to submit testimony **in support of H 5665**, 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 nineteen years. I am an outreach worker with Rhode Island Street Medicine, and an assistant professor at the Rhode Island College School of Social Work. 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 2024 this number was 534. The 2025 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 600 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 1000 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. Staying near to one another allows people to keep each other safe and to share resources. Having relatively fixed communities also allows outreach workers and others to maintain continuity of contact and services with the people staying there. However, these encampments have frequently been negatively portrayed in the media and have been the subject of repeated police actions. For example, see the media coverage about the destruction of the Wilson Street encampment in 2021, the state house encampment in 2022, the Charles Street encampment in 2023, and the Veazie Street encampment in 2024.

The revisions to the Homeless Bill of Rights included in this bill include explicit protections for those staying in encampments, including protection from unreasonable searches, access to sanitary facilities, 60 days' notice to vacate, provision of reasonable alternative accommodations, and storage of belongings. These are essential to provide for the safety and stability of residents, as detailed below.

Protection from unreasonable searches. A recurring issue that these revisions address is that of police accessing and searching individuals' tents / places of stay 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. This provision clarifies that the privacy rights of people experiencing homelessness are equal to those who are not.

Sanitary facilities. 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. It is perverse to then blame the individuals for this situation: nobody wants to live in squalor, but people are frequently deprived of other options. In response to this, these revisions articulate the right of people experiencing homelessness to have access to these resources.

60 days' notice to vacate. Razing encampments is harmful to the health of those staying there, disrupting medical care and social services. It impedes treatment of acute (eg, wound care) and chronic (eg, treatment of communicable diseases) health conditions, as well as efforts to access shelter, housing, public benefits (eg, SNAP, SSI), and employment. When it must be done at all – which should be rarely – it should be done with extensive notice so that the people staying there have the opportunity to plan their next steps in coordination with outreach workers and others.

Provision of reasonable alternative accommodations. Displacement without other viable options is illogical, as invariably people re-establish encampments elsewhere, and the same cycle repeats itself. Given the state of our housing market and shelter system described above, this presents a critical challenge. As it stands currently, those staying in encampments are often blamed for not accepting a nonviable alternative (eg, a shelter bed that separates them from their partner or puts them in a location far from needed resources), and outreach workers are blamed for not being "effective" at our jobs for failing to somehow manufacture housing options (believe me, if we could, we would!). This language places the onus for providing true alternatives where it belongs: on the state.

Storage of belongings. Destroying people's belongings works against their attempts 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). It is also cruel and demoralizing: people have told me countless times that they feel that

both they and their possessions are treated like trash. This provision provides a modicum of protection against the causal destruction of people's property.

To ensure that the above provisions are honored statewide, these revisions demand transparency about the policies that 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 enforcement 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 wrongdoing.

As an outreach worker, I have personally witnessed countless 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 that 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 this law 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, appearing to read "Megan Smith". The signature is fluid and cursive, with the first name "Megan" being more prominent than the last name "Smith".

Megan Smith, PhD MSW

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