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House Committee on Municipal Government & Housing

Dear Members of the House Committee on Municipal Government & Housing:

This letter is in support of bill 2025 H 5665, which would update the Homeless Bill of Rights. I support the bill because it contains important new provisions, but I urge you to revise the section relevant, among others, to the persistent problem of police harassment. To be specific, § 34-37.1-4(c) states:

Any person intentionally violating any right recognized in this chapter may be fined two thousand five hundred dollars (\$2,500) per violation.

The requirement to prove intent creates an almost insurmountable burden for enforcement—especially when violators can simply claim miscommunication or some other excuse. A more just standard would place the burden of proof on the *violation to demonstrate lack of intent*, rather than requiring *the victim to prove intent*. This would not only preserve due process, but also prevent the perpetuation of the enforcement failure that plagues the current Homeless Bill of Rights, as is well documented.<sup>1,2</sup>

Further, the \$2,500 fine is minor from an institutional standpoint. Compared to the annual cost of a police officer—say, \$100,000 to pick a round number—it would take forty proven, intentional violations to equal that amount, rendering the fine more symbolic than substantive.

Please consider strengthening the enforcement language so that the rights of the homeless shall be protected.

Yours sincerely,



Peter Nightingale  
Emeritus Professor of Physics

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<sup>1</sup><https://steveahlquist.substack.com/p/mayor-smileys-policy-of-raiding-homeless>

<sup>2</sup><https://peternightingale.substack.com/i/157638750/mathewson-street-church>