



BILL OF RIGHTS FOR PEOPLE EXPERIENCING HOMELESSNESS

HOUSE BILL 695
AND SENATE BILL 46

Lead Sponsor:
Representative William Smitty Pignatelli
and Senator Linda Dorcea Fory

The Bill of Rights would entitle people
experiencing homelessness to the same rights
as any other resident of Massachusetts



Testimony in Support of An Act Providing a Homeless Bill of Rights, House Bill 695 Presented to the Joint Committee on Housing by Kelly Turley, Massachusetts Coalition for the Homeless, June 20, 2017

Good morning. My name is Kelly Turley, and I am the Associate Director of the Massachusetts Coalition for the Homeless. Thank you to Chairman Boncore, Chairman Honan, and the entire committee for this opportunity to testify today on behalf of the Coalition in support of House Bill 695, *An Act providing a homeless bill of rights*. This bill, filed by Representative William Smitty Pignatelli, also has a companion bill, Senate 46, which was filed by Senator Linda Dorcea Fory and is awaiting a hearing by the Joint Committee on Children, Families, and Persons with Disabilities.

As the Committee may remember from the past two sessions, this important housing and human rights bill would serve as a statement of legislative intent for state and municipal agencies, as well as agencies contracting with the state, to uphold the standard that no person in the Commonwealth should be subject to discrimination based on their housing status. It is based on the need for people experiencing homelessness and housing instability to have the same rights recognized as their neighbors who are living in permanent housing.

House Bill 695 is inspired by legislation passed in Rhode Island in 2012. Similar legislation has passed since then in Connecticut, Illinois, and Puerto Rico. The legislation would protect the rights of people experiencing homelessness here in the Commonwealth, including:

- The right to move freely in public spaces
- The right to equal treatment by state, city, and town agencies
- The right to non-discrimination in employment
- The right to emergency medical care
- The right to register to vote, and to exercise the right to vote, without a permanent address
- The right to privacy of records and property

These rights are critical at all times, but especially now when far too many of our neighbors, family members, constituents, and friends are experiencing homelessness. Currently, more than 3,500 families are living in Emergency Assistance (EA) placements¹, and an estimated 3,538 individuals are staying in adult shelters². According to the most recent data from the U.S. Department of Housing and Urban Development, there were 19,608 people counted as experiencing homelessness on one night in January 2016.³ These numbers do not take into account the large number of unaccompanied youth for whom shelters and housing options are only just beginning to become available in a coordinated, statewide effort; the approximately 46% of families with children who apply for EA shelter but who are denied⁴; those living in doubled up and transient situations; and people who are living on the streets and in other places not meant for human habitation.

¹ Massachusetts Department of Housing and Community Development, 2017: <http://www.mass.gov/hed/docs/dhcd/hs/ea/homelessnumberchart.pdf>

² Coalition for Homeless Individuals, 2017: <https://chimassachusetts.com>

³ U.S. Department of Housing and Urban Development, 2016: <https://www.hudexchange.info/resources/documents/2016-AHAR-Part-1.pdf>

⁴ Massachusetts Department of Housing and Community Development, 2017: <http://www.mass.gov/hed/docs/dhcd/hs/ea/eamonthlyreport.pdf>

For the past twenty years, I have worked with and for people experiencing homelessness, including almost fifteen years at the Coalition. Over that time, I have seen discrimination against the families, individuals, and youth with whom I work, based on the fact that they temporarily are without housing. This discrimination has interfered with their ability to move forward and out of homelessness—as opportunities for housing, jobs, health care, and legal protections are lost unfairly.

Over the past several years, the Coalition has mobilized people experiencing homelessness and people who previously were without housing to share their testimonies in support of the bill of rights. Time and time again, these partners in advocacy have shared stories of the compounded struggles of not only being without a home, but also being discriminated against and criminalized at nearly every turn once potential employers, service providers, government officials and others learn about the person's housing status. A mom named Christine, who came up here to the State House several times to share her experiences, noted: **"To be dead honest, I think that when people realize that you're homeless, they see it as a weakness. They see you as a weaker person, as not whole. They feel like they can treat you any way they want to, because who are people going to believe?"** By giving House Bill 695 a favorable report, this committee has the opportunity to let Christine and other people like her know that you believe her and support her desire to have her human rights respected, without regard to her housing status.

Outside of my advocacy on homelessness issues, I also have worked extensively over the past two decades on human rights issues—as a long-time volunteer leader within Amnesty International USA and as a Board Chair for Students for a Free Tibet International. From this work, I know all too well that a statement of rights, such as this bill of rights or the Universal Declaration of Human Rights, will not on its own guarantee the respect for those rights. Such statements of rights are critical, however, as they express society's values and agreed upon ideals and standards for action. A bill of rights for people experiencing homelessness, as outlined in House Bill 695, would move us forward toward greater respect for the rights and struggles of people experiencing homelessness, and would create a handle for mitigation when such rights are abridged.

This no-cost bill also importantly recognizes that these essential rights exist in the larger societal context of the circumstances that have led to a meteoric rise in homelessness here in Massachusetts: widespread economic hardship, an insufficient supply of affordable housing (which will be a focus of this hearing), and a weakened social safety net.

While we work together toward a full expression of housing itself as an inalienable human right here in the Commonwealth, I respectfully ask for your strong support of House Bill 695, so as to protect the rights of our neighbors while they are experiencing homelessness and housing instability. I ask this committee to swiftly and favorably report out this bill of rights for people experiencing homelessness, so that it has as much time as possible to make its way through the rest of the legislative process. We are grateful that this committee has reported out the bill favorably the past two sessions, and we ask you to do the same this session. Last session, we advocated for the bill until the final hours of the session, and we will continue to push for this and related legislation until everyone in the Commonwealth has a safe and permanent place to call home.

In closing, I also would like to express the Coalition's support for House Bill 673/Senate Bill 723, *An Act relative to housing production*. The long-standing deficit in housing production has exacerbated the rates of homelessness here in Massachusetts. Increased housing production, especially of units targeted to the lowest income households, is vital to our ability to decrease rates and lengths of homelessness.

Thank you again for this chance to testify before you here today, on behalf of the Coalition and our statewide membership. Please do not hesitate to contact me at kelly@mahomeless.org or 781-595-7570 x17 if you have any questions or feedback.

Data from the 2016 U.S. Department of Housing and Urban Development Point in Time Count

