

MEMORANDUM

To: Representative Helen Head, Chair
Representative Thomas Stevens, Vice Chair
House Committee on General Housing and Military Affairs

Date: February 27, 2018

From: Stephen Marshall, Chittenden County Homeless Alliance member with lived experience

Re: H412, Homeless Bill of Rights

As a member of the homeless community in Burlington Vermont, working through the Chittenden County Homeless Alliance to improve services and represent the interests of the homeless, I am writing in support of the bill now before you, and to suggest some changes.

These comments are in respect to Draft 3, dated 2/27/2018, 8:22 AM.

On page one, paragraph (a) appears to lack specificity as to who or how services may not be denied or abridged. You might consider inserting as follows:

... denied or abridged in law, public policy, actions of state or municipal government entities, or actions of private citizens, solely

On page two, at line 2, modify to create continuity between paragraph (a) and subsequent numbered paragraphs to read:

... as any other resident of this State, and shall have the right:

(1)

On page three, paragraph (7) would be substantively improved by adding a mention of due process:

[... shall have the right:]

(7) to a reasonable expectation of privacy and sovereignty of possession, in his or her personal property, and shall retain the right of full and immediate recovery of said property, in the absence of search and seizure through due process.

Homeless folks are subject to unusual demands on their property; being homeless, they frequently carry their possessions with them; at times they may put them down; in one incident, county security personal at the Chittenden County Courthouse absconded with the

possessions of a homeless man (found in the lawn during a rainstorm) and refused to return the possessions, though they could be seen through a window in the basement of the courthouse. Homeless people need special protections; he might still need to sue, but perhaps the court would be more forthcoming if the law required them to be.

Also on page three, line 16, I wonder if the word “fora” could not be replaced with “spaces”. It is an awkward and archaic Latin word for which an English equivalent is available.

Overall, this bill moves the law strongly toward de-stigmatizing homelessness. Vermont’s willingness to contemplate affirmation of these rights affirms Vermont’s people, culture and values as humane and just in their intentions.

I would like to add to this list of rights not abridged, the right of any person, regardless of their housing status and apparent ability to pay, to use a bathroom facility which is otherwise available for members of the public. Except in the major cities of Vermont, this is common practice, but it is falling, and needs to be protected.

Thank you,

Stephen Marshall

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