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Maine Equal Justice
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**Testimony on behalf of Maine Equal Justice Neither for Nor Against LD 2146,
An Act to Prohibit Certain Municipalities from Adopting Moratoria on
Emergency Shelters**

Good morning, Senator Nangle, Representative Stover, and distinguished members of the Committee on State and Local Government. My name is Frank D'Alessandro, I use he/his/him pronouns, and I am the Legal Services Director at Maine Equal Justice. We are a civil legal services organization, and we work with and for people with low incomes seeking solutions to poverty through policy, education, and legal representation to increase economic security, opportunity, and equity for people in Maine. Thank you for the opportunity to offer testimony neither for nor against LD 2146.

What this Bill Does

This bill prohibits municipalities with populations exceeding 30,000 people from adopting moratoria on the establishment of emergency shelters that provide temporary shelter for persons experiencing homelessness.

Why Maine Equal Justice is Testifying neither for nor against this bill

Homeless shelters provide a critical service to the most vulnerable residents of our State.

Low-barrier shelters provide the primary entry point to the healthcare system and recovery community for unsheltered community members, providing ongoing outreach, case management, and connection to recovery programs and services, including primary healthcare and social work services, either by providing those services on-site or through community partners.

It is essential that low-barrier shelters are located throughout the State of Maine in order to provide critical shelter for Maine’s most vulnerable residents.

Maine Equal Justice fully supports the proposal set forth in this bill that municipalities should not be able to establish a moratorium or take other action to prevent the establishment of a shelter in their community. We believe that it is critical that the State of Maine take the steps necessary to ensure that our most vulnerable residents have shelter.

However, we are concerned that this bill only applies to communities with more than 30,000 residents. Currently there are only three communities in Maine that exceed 30,000 residents, the Cities of Portland, Lewiston and Bangor.¹ Maine Equal Justice believes that the obligation to establish shelter for Maine’s most vulnerable residents should not be limited to only these three municipalities. We are also concerned that this bill could be interpreted to support the proposition that the many smaller municipalities in Maine in which homeless shelters are currently located could take action to ban shelter in their communities.

Maine Equal Justice would support this bill if it amended so that it applies to all municipalities in Maine or if the language in the bill makes clear that the bill does not authorize any municipality to (1) close, or reduce the number of beds available in an existing shelter or (2) relieve any municipality of its responsibility under any law to affirmatively further the purposes of the federal Fair Housing Act, 42 United States Code, Chapter 45, as amended, and the Maine Human Rights Act.

Homelessness is an Inevitable Result of Inequality and a Housing System that Leaves Many Struggling to Make Rent

Maine’s housing landscape leaves many Mainers behind. Even before the pandemic, thousands of Mainers struggle month in and month out to afford rent and stay housed. In Maine, wages are not high enough for everyone to keep a roof over their heads. On average, Mainers need an annual income of \$47,194 to pay for a two-bedroom home, but a typical low-income renter makes only \$37,966 (and many make far less). As a result, nearly 72% of extremely low-income households pay more than 30% of their monthly income towards rent, and 52% pay more than 50% of their monthly income towards rent, a threshold which HUD deems severely rent burdened. With so many households living on a

¹ <https://www.maine.gov/dep/water/grants/SRF/2022/Maine%20City-Town%20Census%20Data%202010%20&%202020.pdf>

razor thin edge to make rent, it is no surprise that in the 5 years before the pandemic, Maine Courts handled between 5,300 and 6,200 eviction cases every year. This means that an average of 14 to 17 households faced loss of their homes every day – these included families with children, seniors, veterans, and single adults striving every day to make ends meet. As a result of the systemic challenges in Maine’s housing system, many fall into literal homelessness every year in both urban and rural communities across the state. When they do, many basic activities that we do in the comfort of our homes – such as resting, sleeping, drinking, and necessary functions to maintain our health and wellbeing – are criminal offenses for people experiencing homelessness, under ordinances that prohibit loitering, sleeping outside, consumption of alcohol, and other behaviors. As such, those who are most vulnerable in our society are being constantly criminalized for just trying to survive.

Homelessness is a Public Health Issue

Homelessness can have detrimental, life long, and multigenerational impacts on people’s health. People who are chronically homeless experience substantially higher rates of poor physical health and increased mortality rates, including the development of new health conditions as well as worsening of chronic conditions from communicable diseases and exposure to extreme weather. Individuals face many barriers accessing essential medical care including accessing their daily or maintenance medications. If they are able to gain access to their medication, they face an additional hurdle of storing their medications, particularly medications that need to be refrigerated such as insulin. Those who are housing insecure have 63% higher odds of losing Medicaid coverage, and getting prescriptions filled or storing prescriptions becomes extremely difficult. These issues are compounded by irregular access to a healthy diet. Studies show people experiencing homelessness tend to have higher rates of diabetes, heart diseases, hepatitis C, and HIV, which are all health conditions that are extremely difficult to manage well without housing. In addition to the toll on your physical health, those who are chronically homeless are at higher risk of an array of traumatic experiences which compound the potentially ongoing or underlying mental health issues. Rent and foreclosure assistance programs are associated with benefits to people’s mental health including better outcomes for depression, anxiety, and psychological distress. A report released by the UCLA policy lab which looked at 15 different states, found half of people who are homeless experience what is known as “tri morbidity” or of having a physical health condition, mental health condition, and substance abuse issues. Studies have shown adverse experiences for children who experienced homelessness in utero.

This is linked to higher hospitalizations, worsening health, and elevated rate of childhood disease compared to their peers.

Homelessness is a public health crisis that continues a cycle of adverse consequences. Unstable housing makes it extremely difficult to maintain steady employment. People who experience homelessness are more likely to have contact with emergency responders and higher use of emergency departments and in-patient hospitals. They overall have persistently high health care expenditures due to the array of illnesses both physical and mental, as well as risk to their physical safety, and other traumatic incidents they may experience while homeless. Housing instability has been linked to psychological trauma and has been identified “as a risk factor for suicide. “A study in Oregon found that individuals who were able to secure safe and stable housing reduced Medicaid costs by 12 percent, increased access to outpatient and preventative health services, and reduced emergency department use by 18 percent. As many of you know, the Housing First model has demonstrated results in how providing stable housing with wrap around support services for individuals who have experienced chronic homelessness can be cost effective with savings of up to \$29 thousand per year per person, even after accounting for the costs of providing housing,

Homelessness is a Public Safety Issue

Guaranteeing stable, affordable housing makes our communities safer. Providing stable housing has been shown to reduce crime, specifically survival crimes; theft, trespassing and loitering, and sex work as well as reducing the rates of violent crime. Long-term housing assistance has also been linked with decreased incidence of intimate partner violence. Stable housing for people recently incarcerated has been shown to reduce recidivism rates.

Homelessness is a Children’s Rights Issue

Children that live with housing insecurity deal with enormous ramifications for their education and their future potential. A housing change during childhood can lead to half a year of loss in school. Children that are forced to move three or more times generally have lower earnings, fewer work hours, and less educational attainment. Children with unstable housing “are more likely to be truant and are more likely to drop out” and they “are at higher risk for developmental delay, decreased academic achievement, anxiety, depression, behavioral disturbances, and even death.”

Homelessness is a Racial Justice Issue

The lack of affordable housing is a racial equity issue as well. In Maine as in the rest of the country, people of color are disproportionately harmed due to the lack of affordable housing. According to Pine Tree Legal Assistance, between 2017 and 2019, 12% of households they represented in eviction court were non-white, though only 5% of Maine's population is non-white. Significantly, according to a study conducted by the Maine State Housing Authority in 2022, 34% of Maine's homeless population is Black or African American even though they make up only 1% of Maine's population.²

CONCLUSION

For the foregoing reasons we strongly urge this Committee to amend this bill so that it applies to all municipalities in Maine. In the alternative, the bill should be amended to make clear that the bill will not authorize any municipality to (1) close, or reduce the number of beds available in an existing shelter or (2) relieve any municipality of its responsibility under any law to affirmatively further the purposes of the federal Fair Housing Act, 42 United States Code, Chapter 45, as amended, and the Maine Human Rights Act.