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Good morning, Senator Carney, Representative Kuhn, and distinguished members of the Judiciary Committee,

My name is Annika Moore, and I am the Advocacy Team Leader at Preble Street. The mission of Preble Street is to empower people experiencing problems with homelessness, housing, hunger, and poverty and to advocate for solutions to these problems. Preble Street operates 16 programs throughout Maine, and its staff works daily alongside many individuals experiencing unsheltered homelessness.

In 2023, HUD reported that the number of people experiencing unsheltered homelessness nationwide had increased by 11% since the previous year. As the number of people experiencing unsheltered homelessness in Maine and nationwide has risen, so has the number of attacks on these individuals' rights. Preble Street supports LD 1410, An Act to Provide Due Process in Confiscation and Destruction of Personal Items of Unhoused Persons because it ensures that Mainers experiencing unsheltered homelessness are afforded the right to due process before their belongings can be confiscated or destroyed. Passing this legislation would protect individuals experiencing homelessness and signal that Maine respects every individual's right to due process as outlined in the Constitution.

Last year, Hawaii's Supreme Court unanimously ruled in *Davis v. Bissen* that law enforcement who destroyed the belongings of unhoused individuals camping on public property with only a few hours' notice had violated those individuals' due process rights. LD 1410 follows in the footsteps of this ruling by requiring that people experiencing homelessness be given the opportunity to have a hearing before their property is confiscated or destroyed.

Preble Street caseworkers report that unsheltered individuals are most likely to lose tents and other basic survival gear like sleeping bags when their property is confiscated by law enforcement or other governmental agencies. The loss of these items can be life-threatening if an individual is sleeping outside during Maine's harsh winter months. It is also common for people to lose important documents, such as IDs, when their belongings are hastily confiscated. Without these items, it is more difficult for unhoused individuals to access benefits, find work, and rebuild their lives, trapping them in a state of crisis and creating more costs for municipalities and the state.

This bill would create greater standardization across our state for how the belongings of people experiencing homelessness should be handled. For example, Preble Street clients experience an array of responses to what happens with their belongings when they are arrested, depending on the officer. These reports show that even within a municipality, law enforcement's

50 years of turning hunger and homelessness into opportunity and hope

choices to destroy or confiscate personal property are not always consistent. LD 1410 provides a more consistent framework that protects people's due process rights.

Preble Street urges you to support LD 1410 because no one should have their belongings confiscated without due process. This bill promotes fairness and ensures everyone's rights are protected, regardless of their housing status.