

# RES 16-050

Wilmington, Delaware  
June 2, 2016

#4233

**WHEREAS**, an act to amend Title 6 of the Delaware Code relating to homeless persons was proposed in the 148<sup>th</sup> General Assembly; and

**Sponsor:**

**WHEREAS**, Senate Bill 134 provides persons experiencing homelessness protection from discrimination while on the streets and when seeking access to housing, employment, and temporary shelter; and

**Council  
Member  
Wright**

**Co-Sponsors:**

**WHEREAS**, the bill amends Title 6 by adding Chapter 78, "Homeless Persons Bill of Rights," which provides basic legal and civil protections and ensures equal treatment; and

**Council  
President  
Gregory**

**WHEREAS**, a person experiencing homelessness should be granted the same rights and privileges as any other resident of the State of Delaware, including:

**Council  
Members  
Shabazz  
Dorsey Walker  
Cabrera**

- (1) The right to use and move spaces in public spaces , including but not limited to, public sidewalks, public parks, public transportation and public buildings, in the same manner as any other person and without discrimination on the basis of his/her housing status;
- (2) The right to equal treatment by all State, county and municipal agencies, without discrimination on the basis of housing status;
- (3) The right not to face discrimination while seeking or maintaining employment due to his or her lack of a permanent address, or his/her mailing address being that of a shelter or social service provider, or his/her housing status;
- (4) The right not to face discrimination while seeking or maintaining housing due to his/her lack of a permanent address, or his/her address being that of shelter/social service provider, or his/her housing status;
- (5) The right not to face discrimination while seeking temporary shelter because of race, color, religion, creed, age, gender, sexual orientation, gender identity, marital status, familial status, disability, national origin, or housing status, except in case of temporary shelters specifically designated for a specific gender or familial status, or in case of funding sources that require certain populations be served;
- (6) The right to emergency medical care free from discrimination based on his/her housing status;
- (7) The right to vote, register to vote, and receive documentation necessary to prove identity for voting without discrimination due to his/her housing status: provided, however, that this paragraph should not be construed to require a temporary shelter to accept documents on that persons behalf;

- (8) The right to protection from unlawful disclosure of his/her records and information provided to temporary shelters, service providers, and State, municipal and private entities: and the right to confidentiality of personal records and information in accordance with all limitations on disclosure established by the Delaware Community Management Information System, the Federal Health Insurance Portability and Accountability Act, and the Federal Violence Against Women Act: and
- (9) The same right to reasonable expectation of privacy in his/her personal property while residing in temporary shelter and on the street as a person residing in a permanent residence: provided, however, that this paragraph should not be construed to prevent reasonable searches performed pursuant to posted rules; and

**WHEREAS**, it is of the utmost importance that we ensure that the peace, health, safety, and general welfare of all residents are protected under these rights.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Council fully supports equal rights and protections of homeless persons, and further encourages the members of the Delaware General Assembly to approve Senate Bill 134.

Passed by City Council,  
June 2, 2016

Attest: Maribel Seijo  
City Clerk

Approved as to form 31<sup>st</sup>  
day of May, 2016.

Danya Dhutnagar  
Assistant City Solicitor