

## What is the Maine Human Rights Commission (“Commission”) and what does it do?

- The Commission is a quasi-independent state agency that enforces Maine’s anti-discrimination law, the Maine Human Rights Act (“MHRA”).
- The MHRA makes it illegal to treat people differently or worse in employment, housing, education, public accommodations (places or services open to the public), and extension of credit **IF** the discrimination is because a person is a member of a “protected class”.
- The MHRA protected classes are based on things people generally do not choose about themselves, like age, ancestry, national origin, race, color, religion, sex (including pregnancy), sexual orientation or gender identity, disability (physical or mental), receipt of public assistance, or familial status. There are a few additional protected classes in employment, public accommodations and housing.
- The MHRA does not include being homeless, or lacking a fixed address, as a protected class at all. Neither does any other law that the Commission enforces.

## If the MHRA doesn’t cover homelessness as a protected class, why is the Commission talking about it?

On March 19, 2020, Maine’s Governor signed into law a bill (Legislative Document 1294) directing the Commission to conduct a two-year program receiving and reporting on how often people in Maine are discriminated against because of homelessness. Starting on July 1, 2020, the Commission can receive

and review (and investigate when resources allow) complaints about discrimination based on homelessness. Treatment covered could include:

- ✓ *Being turned down for a job or housing, because a person is, was, or was perceived to be homeless.*
- ✓ *Being harassed or excluded from a place of public accommodation because a person is, was, or was perceived to be homeless.*
- ✓ *Having access to a place of public accommodation limited or adversely affected because a person is, was, or was perceived to be homeless.*

## What does that mean for the Homeless Community?

We know that people experiencing homelessness face overwhelming challenges, and that being denied basic human rights, dignity, safety and health care are just a few of them. This project can’t address most of those things, or let a person to bring a lawsuit in court related to discrimination based solely on homelessness. *So, what’s the point?*

This pilot program does let the Commission gather information about how homelessness impacts your ability to obtain housing, jobs and access to/use of public spaces and services, and then tell Maine’s lawmakers what we find. *This project will let the Commission - a neutral, independent agency - tell Maine’s Legislature how often discrimination based on homelessness is happening.* With that information, Maine’s lawmakers could update existing laws or enact new laws to help or protect homeless people better.

## In order to understand what is really happening, we need the community’s help.

If you have, in the past 300 days, been discriminated against because you are, were, or were perceived to be homeless, we want to hear from you.

- In some situations, it may be clear that homelessness was the only cause for how you were treated. In other situations, it may be that homelessness was one factor in your adverse treatment, but so were other protected class issues (race, disability, etc). You can file a complaint with us in either situation, and it’s helpful if you can tell us why you think it was homelessness versus another issue that led to discrimination.
- You can fill out an intake form online (<https://mainehumanrightscommission.fo.rmstack.com/forms/intake>), on a paper form we mail to you or that you download, or over the phone with a Commission intake staffer. You can contact us to ask about intake by email ([project@mhrc.maine.gov](mailto:project@mhrc.maine.gov)) or by phone (207-624-8728).
- Any information you give the Commission will remain confidential or anonymous unless you give us permission to share it. We may include information about complaints without personal information in Legislative reports.
- *Allegations of discrimination based only on homeless status may be investigated at the MHRC’s discretion.* The Legislature did not give the Commission any additional funding to do this work, but we thought it was so important we took it on voluntarily with the understanding that we would investigate what we could.

## What if an employer or housing provider treats me differently because I made a complaint to the Commission?

The MHRA makes it unlawful for someone to threaten, intimidate, or retaliate against you because you reported what you believed in good faith was unlawful MHRA discrimination or harassment, or because you filed an intake or complaint with the Commission. If that does happen, we want you to let us know and/or add it to your complaint so we can look into it!!

## Why should anyone in the Homeless Community trust the Commission?

That's a fair question, and the Commission understands that there are a lot of really good reasons why many people who are or have experienced homelessness are reluctant to tell their stories to or trust "the State" or its agencies. We have been working closely with Homeless Voices for Justice for several years while they advocated for the passage of LD 1294, and have seen how frequently people who are or have been homeless are disregarded or discounted by systems of government. We can tell you these things:

- The Commission is a neutral agency, and we already investigate State, county, town/city, private, and public safety agencies. We have no bias in favor of or against any entity.
- Our agency has nothing to gain in doing this work – we will not get paid anything more or less if you tell us your situation.
- We will keep your information confidential/anonymous, unless we have been granted permission to share it. We may report about complaints without any

personal identifying information when we report to the Legislature.

- We will be honest about our work, and not make promises we cannot keep.

## How do I file a complaint?

If you believe that within the past 300 days you have been discriminated against based on homelessness **and/or** any of the protected classes listed above in employment, housing, or public accommodation, you may file a complaint with our office. You can find our electronic intake form here:

<https://mainehumanrightscommission.formstack.com/forms/intake>.

\*\* If you need us to mail you an intake form, or an accommodation for a disability, or an interpreter/translation for limited English proficiency, let us know at (207) 624-8728 or [project@mhrc.maine.gov](mailto:project@mhrc.maine.gov).\*\*

If you're a minor and not emancipated, you'll need a parent or guardian to file on your behalf. If that's not an option for you, please call or email us, and we'll see how we can help.

\*\*If you believe you have been discriminated against solely on the basis of homelessness, perceived homelessness, or a history of homelessness, you do not have to use an intake form if you do not want to. You may contact us directly by phone or e-mail at [project@mhrc.maine.gov](mailto:project@mhrc.maine.gov) or (207) 624-8728.

## HOMELESSNESS & THE MAINE HUMAN RIGHTS COMMISSION



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