
THIRD READING

Bill No: SB 914
Author: Rubio (D), et al.
Amended: 5/19/22
Vote: 21

SENATE HUMAN SERVICES COMMITTEE: 4-0, 3/29/22

AYES: Pan, Jones, Cortese, Kamlager

NO VOTE RECORDED: Hurtado

SENATE HOUSING COMMITTEE: 9-0, 4/27/22

AYES: Wiener, Bates, Caballero, Cortese, McGuire, Ochoa Bogh, Skinner,
Umberg, Wieckowski

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/19/22

AYES: Portantino, Bates, Bradford, Jones, Kamlager, Laird, Wieckowski

SUBJECT: HELP Act

SOURCE: California Partnership to End Domestic Violence
Downtown Women's Center
Rainbow Services

DIGEST: This bill enacts the HELP (Homeless Equity for Left Behind Populations) Act. This bill requires cities, counties, and continuums of care (CoCs) receiving state funding to include within the vulnerable populations that receive homeless services and housing delivery: families, people fleeing or attempting to flee domestic violence, and unaccompanied women; requires cities, counties and CoCs to work with victim service providers to incorporate specified data into their homelessness plans and response and into state and local homeless data systems; and, requires the Interagency Council on Homelessness, by January 1, 2025, to establish initial goals to prevent and end homelessness among domestic violence survivors, their children and unaccompanied women, and update these goals as needed every two years thereafter.

ANALYSIS:

Existing law:

- 1) Prohibits, unless a release of information is obtained, grantees and subgrantees, such as victim service providers, from disclosing or collecting any personally identifying information regarding personal services requested, utilized, or denied, regardless of whether the information has been encoded, encrypted or hashed, in order to protect the confidentiality and privacy of persons receiving services, as specified. Further allows grantees and subgrantees to share non-personally identifying information in the aggregate in order to comply with federal, state, tribal or territorial reporting, evaluation, or data collection requirements, as specified. *(34 USC 12291(2))*
- 2) Defines “Homeless Management Information System (HMIS)” as the information system designated by a CoC to comply with federal reporting requirements, as defined in current federal law. *(HSC 50216(i))*
- 3) Defines “Homelessness Data Integration System (HDIS)” as the statewide data system or warehouse that collects local data through HMIS, with the ultimate goal of matching data on homelessness to programs impacting homeless recipients of state programs, as provided and in compliance with federal law. *(WIC 8257(b)(13))*
- 4) Establishes the California Interagency Council on Homelessness (Cal ICH) and requires it to set and measure progress toward goals to prevent and end homelessness among youth in California by setting specific, measurable goals aimed at preventing and ending homelessness among youth in the state, defining outcome measures, and gathering data related to the goals. *(WIC 8255 et seq.)*
- 5) Requires programs receiving state homeless funding to collect and share relevant data from HMIS among state and county agencies and service providers, and with the Cal ICH for programs related to youth homelessness and prevention, as specified, and in accordance with state and federal privacy and confidentiality laws and regulations. *(WIC 8256(d)(1))*

This bill:

- 1) Establishes the “HELP Act” or Homeless Equity for Left Behind Populations Act.

- 2) Requires cities, counties, and CoCs receiving state funding to address homelessness to do the following on or after January 1, 2023:
 - a) Ensure that both the needs of victim service providers and survivors of violence and a gendered analysis of the causes and consequences of homelessness are incorporated into homelessness planning and responses;
 - b) Include within the existing vulnerable populations for whom specific system supports are developed to maintain homeless services and housing delivery: families, people fleeing or attempting to flee domestic violence, and unaccompanied women;
 - c) Ensure that analyses and goals related to addressing homelessness are developed in conjunction with victim service providers, as specified.
- 3) Requires, in order to improve the quality and accuracy of the homeless population data, both of the following:
 - a) Victim service providers must not be expected or required to enter client-level data into HDIS or HMIS, as specified by federal policy.
 - b) Beginning January 1, 2023, funding provided to cities, counties and CoCs to support HDIS and HMIS, may be used to support the development and maintenance of comparable databases.
- 4) Requires Cal ICH to set specific, measurable goals; define outcome measures; gather data; and measure progress toward the goal of preventing and ending homelessness among domestic violence survivors and their children and unaccompanied women. Goals must include, but are not limited to:
 - a) Measurably decreasing their numbers in the state;
 - b) Decreasing the duration and frequency of their experiences of homelessness; and,
 - c) Decreasing barriers to services through the promotion of cross-system partnerships to expedite access to social services, domestic violence services, regional center services, housing services, and mental health services.
- 5) Requires Cal ICH, when funding is available, to provide technical assistance to support the development of local programs and plans, as provided.

- 6) Requires Cal ICH, by January 1, 2025, to establish initial goals to prevent and end homelessness among domestic violence survivors, their children and unaccompanied women, and update the goals as needed every two years thereafter.

Comments

According to the author, “domestic violence is one of the leading drivers of homelessness for women, and unaccompanied women experiencing homelessness wait on average more than 10 years to access stable housing, a rate twice that of men, and our state’s homelessness response does not appropriately consider the needs of these two intersecting groups. SB 914 addresses this issue and will keep California at the forefront of innovative responses to homelessness and domestic violence by ensuring that data about these populations and the work of relevant service providers is incorporated into local homelessness planning.”

U.S. Department Housing and Urban Development (HUD) Recognized Homeless Sub-Populations. The HUD point-in-time (PIT) count breaks down its data on homelessness to report on the following subpopulations: homeless individuals; homeless families with children; unaccompanied homeless youth; homeless veterans; and chronically homeless individuals. For each population it reports those as sheltered or unsheltered. The chart below summarizes California’s 2020 PIT counts by sub-population:

Breakdown of California’s Homeless PIT Count by Sub-Population (January 2020)¹	
Total People Experiencing Homelessness	161,548
Individuals	135,771
Families with Children	25,777
Unaccompanied Youth	12,172
Veterans	11,401
Chronically Homeless Individuals	48,812

As the above chart shows, the vast majority of Californian’s experiencing homelessness are individuals without children. 135,771 individuals were identified as experiencing homelessness in January 2020; meaning that most Californians experience homelessness as households without children, i.e. as individuals. HUD further breaks down the PIT count data by gender, revealing that of those individuals: 53,505 were identified as female, 105,737 were identified as male, 1,601 were identified as transgender, and 705 were identified as gender non-conforming.² Although the PIT count categorizes these persons as individuals that

¹ Data in this chart includes total PIT counts for sheltered and unsheltered subpopulations.

² <https://www.huduser.gov/portal/sites/default/files/xls/2007-2020-PIT-Estimates-by-state.xlsx>

is not to say they are experiencing homelessness alone. HUD categorizes people experiencing homelessness as being families with children (families) or persons without children (individuals). Thus, some of these individuals experiencing homelessness could be experiencing homelessness with a partner or other supportive person.

Domestic Violence. Domestic violence is “abuse or threats of abuse when the person being abused and the abuser are or have been in an intimate relationship (married or domestic partners, are dating or used to date, live or lived together, or have a child together). It is also when the abused person and the abusive person are closely related by blood or by marriage”.³ It is experienced by all segments of society; however, certain communities are disproportionately affected.

According to the 2015 Center for Disease Control (CDC) National Intimate Partner and Sexual Violence Survey, Domestic Violence is the leading cause of homelessness among unaccompanied women and women with children. Nationally, 57 percent of women experiencing homelessness reported domestic violence was the immediate cause. Unaccompanied women experiencing homelessness, wait on average more than 10 years to access stable housing — twice the wait time for men. Women living unsheltered also have a higher chance of experiencing sexual violence, trauma, and inadequate hygiene access.⁴

The federal Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA) contain strong confidentiality provisions that limit the sharing of victims' personally identifying information, including entering information into public records and databases, such as the federal HMIS or the state's HDIS. VAWA, FVPSA, and the Victims of Crime Act (VOCA) regulations prohibit sharing personally identifying information about victims without informed, written, reasonably time-limited consent. VAWA and VOCA also exclude disclosure of individual information without written consent. These confidentiality grant conditions also prohibit programs from making the signing of a release a condition of service. Additionally, no victim service programs can share personally identifying information to comply with Federal, Tribal, or State reporting, evaluation, or data collection requirements.⁵ As a result, data about the number of survivors served, their needs, and program outcomes are not considered when measuring local responses to homelessness.

³ <https://www.courts.ca.gov/selfhelp-domesticviolence.htm?rdeLocaleAttr=en>

⁴ <https://www.capolicylab.org/wp-content/uploads/2019/10/Health-Conditions-Among-Unsheltered-Adults-in-the-U.S.pdf>

⁵ <https://www.techsafety.org/>

This bill requires cities, counties, and CoCs receiving state funding to address homelessness to take specific steps to ensure that the needs of victim service providers and survivors of violence are incorporated into their homelessness planning and responses efforts. This bill further requires that a gendered analysis of the causes and consequences of homeless are incorporated into cities, counties, and COC's homelessness planning and responses efforts, in order for them to continue receiving state funding. This bill also prohibits client level data from being entered into HMIS and HDIS by victim service providers, which aligns with federal law.

Interagency Council on Homelessness. As of January 1, 2022, the Housing Coordinating and Finance Council (HCFC) was renamed Cal ICH by SB 1220 (Luz Rivas, Chapter 398, Statutes of 2021). Cal ICH is tasked to continue much of the work it began as HCFC, which was created by SB 1380 (Mitchell, Chapter 847, Statutes of 2016), such as coordinate the state's response to homelessness and create partnerships among state agencies and departments, local government agencies, nonprofits, federal agencies, among others. Cal ICH is currently responsible for administering and distributing funding associated with the Homeless Housing, Assistance and Prevention Program, through which millions of dollars allocated through the state budget process are provided to local governments and CoCs to address immediate homelessness challenges.

This bill requires Cal ICH, by January 1, 2025, to establish initial goals to prevent and end homelessness among domestic violence survivors, their children, and unaccompanied women, and update the goals as needed every two years thereafter.

HDIS and HMIS. There are currently 44 CoCs in California's 58 counties. CoCs are often led by a county or non-profit organization, though in some cases, they are led by a city, and are comprised of a number of representative organizations that serve individuals facing homelessness. These can include nonprofit homeless providers, governments, victim service providers, hospitals, mental health agencies, affordable housing developers, law enforcement, among others. HUD requires CoCs to collect client-level data and data on the provision of housing and services to homeless individuals and families and persons at risk of homelessness. This is accomplished by using a HMIS, which is a local information technology system and each CoC is responsible for selecting a HMIS software solution that complies with HUD's data collection, management, and reporting standards. HMIS in California is composed of each CoC's database.

The state, under the BCSHA oversight, built their own homelessness database called HDIS, which launched in April 2021. HDIS is currently tasked with collecting state homelessness data from the HMIS that is already required by HUD.

This information is currently shared publicly on Cal ICH's website. However, according to Cal ICH, the "first half of 2022 will be used working to establish system-wide performance measures that will help the state and local jurisdictions better assess their progress toward preventing, reducing and ending homelessness in California. Once finalized, we will be updating the HDIS website to focus more on the outcomes of people accessing services through the California homelessness response system".

This bill requires Cal ICH by January 1, 2025, to establish initial goals to prevent and end homelessness among domestic violence survivors, their children and unaccompanied women, and update these goals as needed every two years thereafter.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee, Cal ICH estimates costs of approximately \$328,000 in the first year and \$312,000 annually thereafter for 2.0 PY of staff to set and measure specified progress goals, provide technical assistance, and coordinate funding, policy, and practice efforts specifically targeting survivors of domestic violence, their families, and unaccompanied women. (General Fund)

- Unknown significant reimbursable mandate costs for cities and counties to coordinate with victim service providers, conduct additional analysis, collect and incorporate data, and take other specified actions to ensure specific supports are developed to address the needs of families, people attempting to flee domestic violence, and unaccompanied women. Costs would be subject to a determination by the Commission on State Mandates, should a local agency file a successful claim for state reimbursement.
- Unknown additional General Fund cost pressures to provide additional resources to cities, counties, and CoCs to support the development and maintenance of specified data systems, and to provide additional resources to Cal ICH to provide funding for technical assistance to support the development of local programs and plans.

SUPPORT: (Verified 5/20/22)

California Partnership to End Domestic Violence (co-source)

Downtown Women's Center (co-source)

Rainbow Services (co-source)

California Department of Justice Attorney General Rob Bonta

ACLU California Action
Alexandria House
American Association of Doctors of Behavioral Health
Bay Area Legal Aid
Brilliant Corners
California Catholic Conference
California Council of Community Behavioral Health Agencies
California Women's Law Center
Center for Judicial Excellence
Central City Association of Los Angeles
City of Alhambra
City of LA Canada Flintridge
Community Legal Aid SoCal
Culver City Democratic Club
Domestic Violence Solutions for Santa Barbara County
Ella Baker Center for Human Rights
Family Violence Appellate Project
Family Violence Law Center
Futures Without Violence
Good Shepherd Center
Gray's Trauma-Informed Care Services Corp
Harriett Buhai Center for Family Law
Haven Hill, Inc.
Homeless Health Care Los Angeles
Hub for Urban Initiatives
Imagine LA
Jewish Family Services of Los Angeles
Junior League of California State Public Affairs Committee
LA Family Housing
Little Hoover Commission
Little Tokyo Service Center
Los Angeles Center for Law and Justice
Los Angeles County District Attorney's Office
Los Angeles LGBT Center
Loyola Law School
National Association of Social Workers, California Chapter
Neighborhood Legal Services of Los Angeles County
People's Health Solutions
Representative Nanette Diaz Barragan 44th Congressional District
Roberts Enterprise Development Fund

Safe Housing Alliance
Safe Place for Youth
San Gabriel Valley
Shelter Partnership
Sojourn
St. Joseph Center
Sycamores
The People Concern
United Way of Greater Los Angeles
Valley Oasis
Venice Community Housing
WISEPlace
Women's Center High Desert, Inc.
Women's Foundation California
YMCA Glendale
YMCA Pasadena
YMCA San Gabriel Valley

OPPOSITION: (Verified 5/20/22)

None received

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**** **END** ****