

Date of Hearing: June 28, 2022

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Lisa Calderon, Chair

SB 914 (Rubio) – As Amended May 19, 2022

SENATE VOTE: 37-0

SUBJECT: HELP Act

SUMMARY: Establishes the “Homeless Equity for Left Behind Populations (HELP) Act”, which requires cities, counties, and continuums of care (CoCs) receiving state funding to include unaccompanied homeless women, and in particular domestic violence survivors, within the vulnerable populations that receive homeless services and housing delivery. Specifically, **this bill:**

- 1) Makes several findings and declarations related to survivors of domestic violence who experience homelessness and unaccompanied women experiencing homelessness.
- 2) Defines “continuum of care” to mean the group organized to carry out efforts to end homelessness and rehouse homeless individuals and that is composed of representatives of specified organizations and homeless and formerly homeless persons to the extent these groups are represented within the geographic area and are available to participate.
- 3) Defines “victim service provider” to mean a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking, as specified.
- 4) Defines “unaccompanied woman” to mean an individual who identifies as a woman who is 18 years of age or older, who is experiencing homelessness, as defined, and who is not accompanied by children or other dependents.
- 5) Requires cities, counties, and CoCs receiving state funding to address homelessness on or after January 1, 2023, to do all of the following:
 - a) Take specific steps to ensure that 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 families, people fleeing or attempting to flee domestic violence, and unaccompanied women within the vulnerable populations for whom specific system supports are developed to maintain homeless services and housing delivery; and,
 - c) Ensure that analyses and goals related to addressing homelessness are completed according to the following guidelines:
 - i) The analyses and goals shall be developed with victim service providers to address the specific needs of vulnerable populations with data measures not included with the Homeless Management Information System (HMIS);

- ii) Any local landscape analysis that assesses the current number of people experiencing homelessness and existing programs that address homelessness within the jurisdiction shall incorporate aggregate data from victim service providers, along with any other data sources;
 - iii) The analyses and goals shall ensure that addressing the safety and wellness of people experiencing homelessness in encampments includes addressing risk of sexual violence and domestic violence;
 - iv) The analyses and goals shall ensure the responses to family homelessness include victim service providers, as these organizations consistently provide shelter and housing responses to survivors and their children;
 - v) The analyses and goals shall address disparate racial and gender outcomes in accessing and maintaining services and housing;
 - vi) The analyses and goals shall address the nexus of homelessness and justice-involvement, particularly for women and survivors of domestic violence; and,
 - vii) The analyses and goals shall disaggregate the number of beds provided by victim service providers and the number of beds available for women, transgender, and gender-nonconforming persons when assessing the number available shelter beds in the city, county, or region served by a CoC.
- 6) Provides that, for the purposes of improving the quality and accuracy of data about the homeless population, in accordance with federal policies, victim service providers shall not be expected or required to enter client-level data into the statewide Homeless Data Integration System (HDIS) or the HMIS. Further, commencing January 1, 2023, funding provided to cities, counties, and CoCs to support the data systems may be utilized to support the development and maintenance of comparable databases.
- 7) Requires the California Interagency Council on Homelessness (Cal ICH) to set and measure progress toward goals to prevent and end homelessness among domestic violence survivors and their children and among unaccompanied women in California by doing all of the following:
- a) Setting specific, measurable goals aimed at preventing and ending homelessness among domestic violence survivors and their children and among unaccompanied women in the state including, but not limited to the following:
 - i) Measurably decreasing the number of domestic violence survivors and their children and of unaccompanied women experiencing homelessness in the state;
 - ii) Decreasing the duration and frequency of experiences of homelessness among domestic violence survivors and their children and among unaccompanied women; and,
 - iii) Decreasing barriers to services through promoting cross-systems partnerships to expedite access to services, including social services, domestic violence services, regional center services, housing services, and mental health services.

- b) Defining outcome measures and gathering data related to the goals; and,
 - c) When funding is available, providing technical assistance to cities, counties, and CoCs to support the development of local programs and plans that address the needs of domestic violence survivors and their children and of unaccompanied women.
- 8) Requires Cal ICH to establish initial goals by January 1, 2025, and update the goals as needed every two years after.

EXISTING LAW:

- 1) Establishes the “United States Interagency Council on Homelessness” to coordinate a federal response to homelessness that involves a nationwide partnership between all levels of government and the private sector. (42 United States Code Section 11311)
- 2) Defines, in federal statute, the word “homeless” for the purpose of housing assistance, to mean an individual or family who lacks a fixed, regular, and adequate nighttime residence. (42 Code of Federal Regulations 91.5)
- 3) Defines “Homeless Management Information System” as the information system designated by a CoC to comply with federal reporting requirements, as defined in current federal law. (Health and Safety Code Section 50216(i))
- 4) Defines “Homelessness Data Integration System” 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. (Welfare and Institutions Code Section [WIC] 8257(b)(13))
- 5) Establishes 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.)
- 6) Requires Cal ICH to coordinate a spectrum of funding, policy, and practice efforts related to young people experiencing homelessness by coordinating with young people experiencing homelessness, the California Department of Social Services, and other appropriate state and county agencies and departments, and to provide technical assistance and program development, as provided. (WIC 8261)
- 7) 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))

FISCAL EFFECT: According to the Senate Appropriations Committee on May 19, 2022:

- 1) 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)

- 2) 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.
- 3) 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.

COMMENTS:

California Interagency Council on Homelessness: Cal ICH (formerly the Homeless Coordinating and Financing Council (HCFC)) is responsible for coordinating the state's response to homelessness by overseeing the implementation of “Housing First” policies, guidelines, and regulations to reduce the prevalence and duration of homelessness in California and by creating partnerships among state agencies and departments, local government agencies, nonprofits, and federal agencies. As the state’s homelessness crisis has worsened, the role of the CA ICH has significantly increased.

Cal ICH is responsible for administering two significant programs dedicated to addressing homelessness—the Homeless Emergency Aid Program (HEAP) and the Homeless Housing, Assistance and Prevention Program (HHAP)—to assist local governments and CoCs in addressing homelessness.

Homeless Management Information Systems & Homeless Data Integration System: At the local level, entities known as CoCs track, coordinate services for, and collect data on the local homeless population. CoCs are also designated to receive federal funding to address homelessness. A key responsibility of a CoC is to designate and operate an HMIS—a local information technology system that is used to collect client-level data related to individuals and families experiencing homelessness—as well as the provision of housing and services to those individuals and families. There are currently 44 CoCs in California’s 58 counties.

Because the HMIS is composed of each CoC’s database, the HDIS was developed to compile and processes data from all 44 CoCs into a statewide data warehouse. According to the Business, Consumer Services and Housing Agency, “The HDIS is a technology solution that allows the State of California to access and compile standardized homelessness data collected by individual CoCs in order to make data-driven policy decisions aimed at preventing and ending homelessness in California. At first, HDIS will collect client information that is already required by the United States Department of Housing and Urban Development (HUD), as well as other information common to HMIS implementation. As proposed, after the initial data collection, other State departmental programs, such as CalFresh and CalWORKs could be integrated into HDIS to provide a fuller picture of the interaction between state, local, and federal efforts to address homelessness.”

Homelessness in California: In January 2021, HUD released the 2020 Annual Homeless Assessment Report to Congress, which found that on a single night in January 2020, 580,466 people in the United States experienced homelessness. Of those individuals, 161,548 (28%) were

in California, and more than half of the nation's homeless population lived in four states: California (28%), New York (16%), Florida (5%), and Texas (5%). More than half of all unsheltered people (113,660) in the country were living in California in 2020. California also experienced a 6.8% increase in the number of individuals experiencing homelessness between 2019 and 2020.

According to a January 2021 report from the Legislative Analyst's Office (LAO), "While homelessness is a complex problem with many causes, the high cost of housing in the state is a significant contributor. Rising housing costs that have exceeded growth in wages, particularly for low-income households, put Californians at risk of housing instability and homelessness." The LAO report also found that Californians spent a larger share of their income on rent than households in the rest of the nation, and around 2.5 million low-income households spent more than 30% of their incomes on housing. Additionally, over 1.5 million low-income renters face even more dire cost pressures and spend more than half of their income on housing.

In recent years, the federal government has moved to a Housing First model, which is an approach to addressing homelessness that prioritizes moving people quickly into permanent, affordable housing without precondition and then providing supportive services in order to prevent people from returning to homelessness. In 2016, SB 1380 (Mitchell), Chapter 847, Statutes of 2016, created HCFC (now Cal ICH), which is tasked with coordinating the state's response to homelessness and implementing Housing First policies throughout the state.

Homelessness among subpopulations: The HUD Point-in-Time (PIT) count identifies specific subpopulations within its data on homelessness, including 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. Of the more than 160,000 Californians experiencing homelessness in the January 2020 PIT count, the largest subpopulation (134,981) were "individuals," or those who are experiencing homelessness as "households without children". Of the total population of individuals and households experiencing homelessness, 53,505 identify as female, 105,737 identify as male, 1,601 identify as transgender, and 705 identify as gender non-conforming.

Although the PIT identifies a subpopulation as "individuals," people within that category may not necessarily be experiencing homelessness alone. HUD categorizes people experiencing homelessness as being families with children (families) or persons without children (individuals). Therefore, some of the individuals experiencing homelessness could be experiencing homelessness with a partner or other supportive person (but without children).

An October 2019 report by the California Policy Lab found that homeless, unsheltered women reported abuse and/or trauma as the cause of their homelessness at much higher rates (80%) than either unsheltered men (38%) or sheltered women (34%). While unsheltered individuals overall reported average wait times more than six times longer than sheltered people (2,632 days versus 410 days), unsheltered women reported an average of 5,855 days since they were last stably housed.

Unaccompanied, homeless women are not required to be tracked under current federal law; however, Los Angeles County recently passed a resolution to recognize unaccompanied women experiencing homelessness as a unique subpopulation with their own specific needs. The resolution, among other things, requires the Los Angeles Housing Authority (LAHSA) to begin collecting information on race, gender, age, geography, sexual orientation, domestic

violence/intimate partner violence status of unaccompanied women during the annual PIT count and additional HMIS data analysis; instructs LAHSA and the Chief Executive Officer of the Homeless Initiative to report back to the Board with a plan for conducting a countywide women's needs assessment; and, instructed the County's legislative advocates to support state legislative and budget proposals around the needs of unaccompanied women experiencing homelessness.

In 2020, there were over 13,500 unaccompanied women in Los Angeles, amounting to 65% of all unhoused women. Around half of this population reported domestic violence or intimate partner violence. According to the state HDIS, 18% of homeless people reported experiencing domestic violence. In 2019-20, California Office of Emergency Services' Domestic Violence Assistance Program served almost 19,000 individuals in their shelters, which accounted for over 600,000 nights, but there were still almost 28,000 unmet requests. The need for housing is one of the most significant concerns for domestic violence and intimate partner violence survivors who recently left abusers.

Need for this bill: This bill would create the HELP Act to provide services to domestic violence survivors, their children and unaccompanied women experiencing homelessness and to establish goals to prevent and end homelessness among those vulnerable populations. As homelessness continues to rise within our state, it is important that all vulnerable populations are recognized and that specific system supports are developed with these populations in mind.

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. Despite making up a significant portion of the homeless population, our state's homelessness response does not appropriately consider the needs of these two intersecting groups. As noted in a 2021 report from the Little Hoover Commission, there is "difficulty in getting leaders at all levels of government to understand the intersection of domestic violence and homelessness and how widespread of a problem it is."

"[This bill] 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. With this, cities, counties, and Continuums of Care will have a more complete picture of the homeless population in their community and be better able to achieve results in preventing homelessness and supporting individuals in moving to stable housing"

Double referral: This bill passed out of the Assembly Housing and Community Development Committee on June 15, 2022, with an 8-0 vote.

PRIOR AND RELATED BILLS:

SB 678 (Rubio) of 2021, would have established "unaccompanied women" as a sub-population of the state's homelessness population and required HCFC to set measurable goals to prevent and end homelessness among unaccompanied women in the state. SB 678 was held on the Assembly Appropriations Committee suspense file.

AB 140 (Committee on Budget), Chapter 111, Statutes of 2021, required Cal ICH to issue a standard agreement for cities, counties and CoCs applying for state homelessness funds to submit

an application that includes a local homelessness action plan and specific outcome goals to prevent and reduce homelessness.

AB 1220 (L. Rivas), Chapter 398, Statutes of 2021, renamed HCFC, the Cal ICH, and made changes to the membership of the Council.

AB 2329 (Chiu) of 2020, would have required HCFC to perform a homelessness statewide gaps and needs analysis by July 31, 2021. AB 2329 was held on the Assembly Appropriations Committee suspense file.

SB 1380 (Mitchell), Chapter 847, Statutes of 2016, created “The Homeless Coordinating and Financing Council” in order to implement Housing First policies throughout the state.

REGISTERED SUPPORT / OPPOSITION:

Support

Downtown Women's Center (Co-Sponsor)
Rainbow (Co-Sponsor)
ACLU California Action
Alexandria House
California Catholic Conference
California Department of Justice
California Partnership to End Domestic Violence
Catholic Charities San Francisco, Marin, San Mateo Counties
Central City Association of Los Angeles
City of Kingsburg
City of Los Angeles
City of Santa Rosa
Clovis Police Department
Corporation for Supportive Housing (CSH)
County of Los Angeles
Domestic Violence Solutions for Santa Barbara County
Ella Baker Center for Human Rights
Family Violence Appellate Project
Fresno Police Department
Glendale YWCA
Housing California
Imagine LA
Jewish Family Service of Los Angeles (UNREG)
Jewish Public Affairs Committee
Junior League of San Diego
LA Family Housing
Little Hoover Commission
Los Angeles County Board of Supervisors
Los Angeles County District Attorney's Office
Marjaree Mason Center
Mendota Police Department
National Association of Social Workers, California Chapter
Neighborhood Legal Services of Los Angeles County

People's Health Solutions
Reedley Police Department
San Francisco Black, Jewish and Unity Group
St. Joseph Center
The Pacific Palisades Democratic Club
The People Concern
Women's Foundation California

Opposition

None on file

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