
UNFINISHED BUSINESS

Bill No: SB 914
Author: Rubio (D), et al.
Amended: 8/15/22
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

SENATE FLOOR: 37-0, 5/24/22

AYES: Allen, Atkins, Bates, Becker, Borgeas, Bradford, Cortese, Dahle, Dodd,
Durazo, Eggman, Glazer, Gonzalez, Grove, Hueso, Hurtado, Jones, Kamlager,
Laird, Leyva, Limón, McGuire, Melendez, Min, Newman, Nielsen, Ochoa
Bogh, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski,
Wiener, Wilk

NO VOTE RECORDED: Archuleta, Caballero, Hertzberg

ASSEMBLY FLOOR: 76-0, 8/18/22 - See last page for vote

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, on or after January 1, 2024, to take specific actions to address the needs of domestic violence survivors and unaccompanied women, as specified; and, requires the Interagency Council on Homelessness (Cal ICH), by January 1, 2025, to establish initial goals to prevent and end homelessness among domestic violence survivors, their children and unaccompanied women, as provided, and to evaluate the goals at least every two years to determine whether updates are needed.

Assembly Amendments delay the implementation date to January 1, 2024, for city, county, and CoCs receiving state homelessness funding to implement the provision of the bill, remove several items from the list of guidelines to incorporate into their analyses, including a gendered analysis; specify that Cal ICH can work with U.S. Department Housing and Urban Development to provide technical assistance to cities, counties and CoCs to support programs and plans to address unaccompanied women and survivors of domestic violence needs, remove the requirement that the Cal ICH's goals be updated as needed every two years, change "houselessness" to "homelessness." The remaining amendments renumber as necessary.

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 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, 2024:
 - a) 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;
 - b) Develop analyses and goals with victim service providers, to addressing the specific needs of the above populations with data measures not included within HMIS, in accordance with federal policies, and the following guidelines:
 - 1) Any local landscape analysis that assesses the current number of people experiencing homelessness and existing programs that address homelessness with the jurisdiction to incorporate aggregate data for victim service providers, along with any other data sources;
 - 2) Ensure responses to family homelessness include victim service providers;
 - 3) Address the nexus between homelessness and justice-involvement particularly for women and survivors of domestic violence; and

- 4) Disaggregate the number of beds provided by victim services providers in the city and county services by the CoC.
- 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, 2024, 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 and measure progress toward the goal of preventing and ending homelessness among domestic violence survivors and their children and unaccompanied women by doing all of the following:
 - 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 as specified, and evaluate the goals at least every two years to determine whether updates are needed.

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. Although the PIT count categorizes these persons as individuals that 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. 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.

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

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. As a result, data about the number of survivors served, their needs, and program outcomes are not considered when measuring local responses to homelessness.

This bill requires on January 1, 2024, that cities, counties, and CoCs receiving state funding to address homelessness to take specific steps to ensure that survivors of violence, their children and unaccompanied women needs are incorporated into their homelessness planning and responses efforts. 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 to 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.

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

According to the Assembly Appropriations Committee:

- Cal-ICH estimates General Fund (GF) costs of approximately \$328,000 in the first year and \$312,000 annually thereafter, for 2.0 personnel years (PY) of staff to set and measure specified progress goals and provide technical assistance specifically targeting homelessness among survivors of domestic violence, their children, and unaccompanied women.
- Costs to cities and counties of an unknown, but likely significant, amount 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. These costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.
- Additional GF cost pressures, of an unknown amount, to provide additional resources to cities, counties, and CoCs to support development and maintenance of alternate data systems, and to provide additional resources to Cal-ICH for funding for technical assistance to support the development of local programs and plans.

SUPPORT: (Verified 8/19/22)

California Partnership to End Domestic Violence (co-source)
Downtown Women's Center (co-source)
Rainbow Services (co-source)
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 Department of Justice
California Rural Legal Assistance
California Women's Law Center
Catholic Charities San Francisco, Marin, San Mateo Counties
Center for Judicial Excellence
Central City Association of Los Angeles
City of Alhambra
City of Kingsburg
City of La Canada Flintridge
City of Santa Rosa
Clovis Police Department
Community Forward Sf
Community Legal Aid SoCal
Corporation for Supportive Housing
County of Los Angeles
Crime Survivors for Safety and Justice
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
Fresno County Sheriff
Fresno Police Department
Futures Without Violence
Good Shepherd Center
Gray's Trauma-informed Care Services Corp
Harbor Community Health Centers
Haven Hills
Haven Women's Center of Stanislaus

Homeless Health Care Los Angeles
Housing California
Hub for Urban Initiatives
Human Options
Imagine LA
Interval House
Jenesse Center
Jewish Family Service of Los Angeles
Jewish Public Affairs Committee
Junior League of San Diego
Junior Leagues 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
Los Angeles County Board of Supervisors
Los Angeles County District Attorney's Office
Los Angeles Homeless Services Authority
Los Angeles LGBT Center
Loyola Law School, the Sunita Jain Anti-trafficking Initiative
Marjaree Mason Center
Mayor Eric Garcetti, City of Los Angeles
Mendota Police Department
National Association of Social Workers, California Chapter
Neighborhood Legal Services of Los Angeles County
New STAR Family Justice Center
Peace Over Violence
People's Health Solutions
Reedley Police Department
Representative Nanette Diaz Barragan, California's 44th Congressional District
Roberts Enterprise Development Fund
Safe Housing Alliance
Safe Place for Youth
San Francisco Black, Jewish and Unity Group
San Gabriel Valley Consortium on Homelessness
Shelter Partnership
Sojourn
South Bay Cities Council of Governments
St. Joseph Center

Sycamores
The Harriett Buhai Center for Family Law
The Pacific Palisades Democratic Club
The People Concern
United Way of Greater Los Angeles
Valley Oasis
Venice Community Housing Corporation
Walnut Avenue Family & Women's Center
Western Center on Law & Poverty
WISEPlace
Women's & Children's Crisis Shelter Inc.
Women's Center - High Desert
Women's Foundation California
YWCA Glendale and Pasadena
YWCA of San Gabriel Valley

OPPOSITION: (Verified 8/19/22)

None received

ASSEMBLY FLOOR: 76-0, 8/18/22

AYES: Aguiar-Curry, Alvarez, Bauer-Kahan, Bennett, Berman, Bigelow, Bloom, Boerner Horvath, Mia Bonta, Bryan, Calderon, Carrillo, Chen, Cooley, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Mike Fong, Fong, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gray, Grayson, Haney, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Lee, Levine, Low, Maienschein, Mathis, Mayes, McCarty, McKinnor, Medina, Mullin, Muratsuchi, Nazarian, Nguyen, O'Donnell, Patterson, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Smith, Stone, Ting, Valladares, Villapudua, Voepel, Waldron, Ward, Akilah Weber, Wicks, Wilson, Rendon

NO VOTE RECORDED: Arambula, Cervantes, Choi, Wood

Prepared by: Bridgett Hankerson / HUMAN S. / (916) 651-1524
8/19/22 13:05:23

**** END ****