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SB-914 HELP Act. (2021-2022)

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AMENDED IN SENATE MAY 19, 2022

AMENDED IN SENATE MARCH 22, 2022

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

SENATE BILL

NO. 914

Introduced by Senator Rubio

~~(Coauthor: Senator Umberg)~~ **(Coauthors: Senators Caballero, Ochoa Bogh, and Umberg)**
(Coauthors: Assembly Members Aguiar-Curry, Calderon, Cristina Garcia, Patterson, and Blanca Rubio)

February 02, 2022

An act to add Chapter 8 (commencing with Section 8262) to Division 8 of the Welfare and Institutions Code, relating to homelessness.

LEGISLATIVE COUNSEL'S DIGEST

SB 914, as amended, Rubio. HELP Act.

(1) Existing law requires the Governor to create a California Interagency Council on Homelessness for specified purposes, including to create partnerships among various entities, like participants in the United States Department of Housing and Urban Development's Continuum of Care Program, and to identify mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California.

This bill would enact the HELP (Homeless Equity for Left Behind Populations) Act. The bill would require cities, counties, and continuums of care receiving state funding to address homelessness on or after January 1, 2023, to 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. The bill would also impose other homelessness planning and data analysis requirements on these cities, counties, and continuums of care. The bill would prohibit victim service providers, as defined, from being required or expected to enter client-level data into specified homeless data systems and would permit any funding provided to cities, counties, and continuums of care to be used to support the development of these data systems and the maintenance of comparable databases, as specified. By imposing new duties on local agencies, the bill would impose a state-mandated local program.

This bill would require the California Interagency Council on Homelessness 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, as described. The bill would require initial goals to be established by January 1, 2025, and those goals to be updated as needed every 2 years after. The bill would also make related findings and declarations.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. This act shall be known, and may be cited, as the HELP (Homeless Equity for Left Behind Populations) Act.

SEC. 2. Chapter 8 (commencing with Section 8262) is added to Division 8 of the Welfare and Institutions Code, to read:

CHAPTER 8. Homeless Domestic Violence Survivors and Homelessness Data Systems

8262. The Legislature finds and declares all of the following:

(a) Research has found that women and men who experienced food and housing insecurity in the past 12 months reported a significantly higher 12-month prevalence of rape, physical violence, or stalking by an intimate partner compared to women and men who did not experience food and housing insecurity.

(b) In a California study, women who experienced interpersonal violence in the last year had almost four times the odds of reporting housing instability than women who did not experience interpersonal violence.

(c) Research indicates that upward of 57 percent of all homeless women report that domestic violence was the immediate cause of their homelessness. Additionally, 38 percent of all survivors of domestic violence become homeless at some point in their lives.

(d) A survivor of domestic violence will often leave the person causing harm multiple times before finally escaping the violence, therefore experiencing multiple periods of homelessness.

(e) The violence and experience of homelessness not only impacts the adult survivors of domestic violence, but also their children. Among mothers with children experiencing homelessness, more than 80 percent had previously experienced domestic violence.

(f) The state's Homeless Data Integration System (HDIS) shows that in 2020, 33,686 Californians experiencing homelessness were victims of domestic violence, and that women, transgender, and gender nonconforming people were 43 percent of those experiencing homelessness.

(g) Unaccompanied women are individuals who identify as women, 18 years of age and older, who are experiencing homelessness while not in the company of children or other dependents.

(h) Unaccompanied women constitute 29 percent, or nearly one in three of all adult individuals experiencing homelessness in the United States, for a total of 120,015 women, constituting over one-half of all unhoused women nationally, according to Point-in-Time data summarized in the 2020 Annual Homeless Assessment Report (AHAR).

(i) California has the single largest population of women experiencing homelessness in the nation. According to HDIS, 102,112 women experienced homelessness in California in 2020. According to the 2020 AHAR, 53,505 women were experiencing homelessness as individuals in California. Unaccompanied women constitute one in three of all unhoused Californians, and 40 percent of individuals experiencing homelessness.

(j) Unaccompanied women endure high rates of first-time homelessness, longer spells of homelessness, and higher barriers in accessing stable housing. Unaccompanied women are ~~also~~ disproportionately women of color,

particularly Black women, and they report extremely high incidence of trauma, whether physical, sexual, or psychological in nature, that is compounded by their ongoing houselessness.

8263. The following definitions apply for purposes of this chapter:

(a) "Continuum of care" has the same meaning as defined in Section 578.3 of Title 24 of the Code of Federal Regulations.

(b) "Victim service provider" has the same meaning as defined in Section 578.3 of Title 24 of the Code of Federal Regulations.

(c) "Unaccompanied woman" means an individual who identifies as a woman who is 18 years of age or older, who is experiencing homelessness, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11302), and who is not accompanied by children or other dependents.

8264. (a) Cities, counties, and continuums of care receiving state funding to address homelessness on or after January 1, 2023, shall 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) Cities, counties, and continuums of care receiving state funding to address homelessness on or after January 1, 2023, shall 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.

(c) Cities, counties, and continuums of care receiving state funding to address homelessness on or after January 1, 2023, shall also ensure that analyses and goals related to addressing homelessness are completed according to the following guidelines:

(1) The analyses and goals shall be developed with victim service providers to address the specific needs of the population described in subdivision (b) with data measures not included within the Homeless Management Information System, in accordance with federal policies.

(2) 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.

(3) 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.

(4) 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.

(5) The analyses and goals shall address disparate racial and gender outcomes in accessing and maintaining services and housing.

(6) The analyses and goals shall address the nexus of homelessness and justice-involvement, particularly for women and survivors of domestic violence.

(7) 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 continuum of care.

8265. For purposes of improving the quality and accuracy of data about the homeless population, both of the following shall apply:

(a) 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 or the Homeless Management Information System.

(b) Commencing January 1, 2023, funding provided to cities, counties, and continuums of care to support the data systems described in subdivision (a) may be utilized to support the development and maintenance of comparable databases.

8266. (a) The California Interagency Council on Homelessness shall 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:

(1) Setting specific, measurable goals aimed at preventing and ending homelessness among domestic violence survivors and their children and among unaccompanied women in the state. These goals shall include, but not be limited to, the following:

(A) Measurably decreasing the number of domestic violence survivors and their children and of unaccompanied women experiencing homelessness in the state.

(B) Decreasing the duration and frequency of experiences of homelessness among domestic violence survivors and their children and among unaccompanied women.

(C) 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.

(2) Defining outcome measures and gathering data related to the goals.

(3) When funding is available, providing technical assistance to cities, counties, and continuums of care to support the development of local programs and plans that address the needs of domestic violence survivors and their children and of unaccompanied women.

(b) The California Interagency Council on Homelessness shall establish initial goals, as described in subdivision (a), by January 1, 2025, and update the goals as needed every two years after.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.