

Date of Hearing: April 23, 2024

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 2007 (Boerner) – As Introduced January 31, 2024

SUBJECT: Homeless youth: transitional housing

SUMMARY: Requires the Department of Housing and Community Development (HCD) to establish the Unicorn Homes Transitional Housing for Homeless LGBTQ+ Youth Program (Program) in up to five selected counties, as a pilot program to be administered by local community-based organizations (CBOs). Specifically, **this bill:**

- 1) Requires HCD, to the extent that an appropriation is made by the Legislature for these purposes, to establish the Program as a three-year pilot program to be administered by local CBOs providing a majority of their services to the lesbian, gay, bisexual, transgender, queer and/or questioning, and other non-cishet gender identities and sexualities (LGBTQ+) community in up to five selected counties.
- 2) Requires the Program to meet all of the following requirements:
 - a) Fund the CBOs providing emergency transitional housing for LGBTQ+ youth between 18 and 24 years of age, inclusive, experiencing homelessness due to family rejection, with the ultimate goal of the Program being reunification with the youth's family when possible;
 - b) Place eligible youths with volunteer host families and requires any individual in the host family who is 18 years of age or older and with whom the youth would be living to meet all of the following criteria, pursuant to the results of a background check conducted via Live Scan:
 - i) Has not been convicted of driving under the influence within the past 10 years;
 - ii) Has not been convicted of a crime for which registration is required under the Sex Offender Registration Act;
 - iii) Has not been convicted of domestic violence, child abuse, or human trafficking; and,
 - iv) Has not been convicted of a violent felony, as defined.
- 3) Place eligible youths with families who are able to provide crisis intervention with a trauma-informed approach to their care.
- 4) Comply with the core components of Housing First as outlined in existing law.
- 5) Defines, for purposes of this section, a "trauma-informed approach" to include all of the following:

- a) Ensuring the physical and emotional safety of the youth by understanding, recognizing, and responding to the effects of trauma;
 - b) Preventing re-traumatization to ensure that the youths feel physically, psychologically, and emotionally safe in their placement with a host family;
 - c) Demonstrating trustworthiness and transparency when making decisions with the aim to build and maintain trust between the host family and the youth placed in their care;
 - d) Leveling power differences for shared decision-making by ensuring that those impacted by decisions have a voice in the decision-making process; and,
 - e) Empowering the youths to build on their strengths and identify strategies that will help them heal from trauma.
- 6) Requires each CBO that receives funding to prepare an annual report, to be submitted to HCD on or before December 31, 2026, and December 31, 2027, with the final report due on or before June 30, 2028, and requires the report to contain the following information, to the extent available:
- a) The number of times the CBO was contacted by an LGBTQ+ youth potentially eligible for the Program created by these provisions;
 - b) How many of those initial contacts became participants in the Program;
 - c) How many of those initial contacts became repeat contacts;
 - d) How many of those initial contacts were referred to other resources and services; and,
 - e) How many of those initial contacts left the Program for permanent housing.
- 7) Requires HCD to compile the annual reports into a final report to be submitted to the Legislature on or before December 31, 2028.
- 8) Specifies that these provisions shall remain in effect only until January 1, 2029, and as of that date is repealed.

EXISTING LAW:

State law:

- 1) Establishes the California Interagency Council on Homelessness (Cal-ICH) formerly known as the Homelessness Coordinating and Financing Council (HCFC), to oversee and coordinate the implementation of the Housing First guidelines and regulations in California and identify resources and services that can be accessed to prevent and end homelessness in California. (Welfare and Institutions Code [WIC] § 8255 *et seq.*)
- 2) Defines the core components of Housing First to include tenant screening and selection practices that promote accepting applicants regardless of their sobriety or use of substances,

completion of treatment, or participation in services, and offers services that are informed by a harm-reduction philosophy, where tenants are engaged in nonjudgmental communication regarding drug and alcohol use, and where tenants are offered education regarding how to avoid risky behaviors and engage in safer practices, as well as connected to evidence-based treatment if the tenant so chooses. (WIC § 8255(b))

- 3) Establishes homeless youth emergency service pilot projects in the City of Los Angeles, and the City and County of San Francisco in order to provide services to homeless minors. (WIC § 13700)
- 4) Requires homeless youth projects to provide services that include, but are not limited to, food and access to an overnight shelter, counseling to address immediate emotional crises or problems, and linkage to other services offered by public and private agencies, among others. (WIC § 13701)

Federal law:

- 5) Defines in federal law homeless children and youth as individuals who lack a fixed, regular, and adequate nighttime residence, and includes children and youths who are sharing the housing of other persons; children and youths who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and migratory children, as specified, who qualify as homeless because the children are living in certain circumstances. (42 United States Code [U.S.C.] § 11301 *et seq.*)
- 6) Establishes the United States Interagency Council on Homelessness to coordinate a federal response to homelessness and create a national partnership at every level of government and with the private sector to end homelessness. (42 U.S.C. § 11311)

FISCAL EFFECT: Unknown, this bill has not been analyzed by a fiscal committee.

COMMENTS:

Background: *Homelessness in California.* The United States Department of Housing and Urban Development (HUD) conducts an annual report using data from local Continuums of Care (CoCs), known as the Point in Time count. CoCs provide data to HUD regarding the number of individuals experiencing homelessness on any given night, including individuals experiencing homelessness who are "sheltered" and living in temporary shelters and those who are "unsheltered" or living out in the open. In the 2023 Annual Homelessness Assessment Report (AHAR), HUD found that 181,399 individuals experiencing homelessness lived in California, and of those, 123,423 were unsheltered, an overall increase from 2022. The impacts of homelessness are substantial and lasting. Housing insecurity is correlated with adverse health effects, including high rates of chronic disease, illness, and a broad range of mental health and substance use issues. The health, personal, and economic challenges that homeless individuals face and the lack of coordinated services to address these problems often lead to a cycle of housing instability and health deterioration. These compounded factors only make it more difficult to exit homelessness and create barriers to the resources necessary for self-sufficiency.

California Interagency Council on Homelessness, formerly known as HCFC, was established in 2017 through the enactment of SB 1380 (Mitchell), Chapter 847, Statutes of 2016, as a way to coordinate the state's response to homelessness and to oversee the implementation of Housing First policies, guidelines, and regulations to reduce the prevalence and duration of homelessness in California. Additionally, Cal-ICH, through SB 918 (Wiener), Chapter 841, Statutes of 2018, established the Homeless Youth Act of 2018 to better serve the state's homeless youth population and required HCFC to take on additional related responsibilities focused on addressing the needs of youth experiencing homelessness.

Housing First implements an evidence-based model that uses housing as a tool, rather than a reward, for recovery that centers on providing or connecting homeless people to permanent housing as quickly as possible. Housing First providers offer services as needed and requested on a voluntary basis and that do not make housing contingent on participation in services. Programs offering time-limited, supportive services serving homeless youth under 25 years of age are encouraged to use a positive youth development model that is culturally competent to work with the youth to engage in family reunification efforts, where appropriate and when in the best interest of the youth.

This bill would require the Program to comply with the core components of Housing First which include all of the following:

- Tenant screening and selection practices that promote accepting applicants regardless of their sobriety or use of substances, completion of treatment, or participation in services.
- Applicants are not rejected on the basis of poor credit or financial history, poor or lack of rental history, criminal convictions unrelated to tenancy, or behaviors that indicate a lack of "housing readiness".
- Acceptance of referrals directly from shelters, street outreach, drop-in centers, and other parts of crisis response systems frequented by vulnerable people experiencing homelessness.
- Supportive services that emphasize engagement and problem solving over therapeutic goals and service plans that are highly tenant-driven without predetermined goals.
- Participation in services or program compliance is not a condition of permanent housing tenancy.
- Tenants have a lease and all the rights and responsibilities of tenancy, as outlined in California's Civil, Health and Safety, and Government codes.
- The use of alcohol or drugs in and of itself, without other lease violations, is not a reason for eviction.
- In communities with coordinated assessment and entry systems, incentives for funding promote tenant selection plans for supportive housing that prioritize eligible tenants based on criteria other than "first-come-first-serve", including, but not limited to, the duration or chronicity of homelessness, vulnerability to early mortality, or high utilization of crisis services. Prioritization may include triage tools, developed through local data, to identify high-cost, high-need homeless residents.

- Case managers and service coordinators who are trained in and actively employ evidence-based practices for client engagement, including, but not limited to, motivational interviewing and client-centered counseling.
- Services are informed by a harm-reduction philosophy that recognizes drug and alcohol use and addiction as a part of tenants' lives, where tenants are engaged in nonjudgmental communication regarding drug and alcohol use, and where tenants are offered education regarding how to avoid risky behaviors and engage in safer practices, as well as connected to evidence-based treatment if the tenant so chooses.
- The project and specific apartment may include special physical features that accommodate disabilities, reduce harm, and promote health and community, and independence among tenants.

Homelessness Among Youth. According to HUD, “unaccompanied youth (under 18)” are people in households with only children who are not part of a family with children or accompanied by their parent or guardian during their experience of homelessness, and who are under 18 years of age. “Unaccompanied youth (18-24)” are young adults in households without children who are not part of a family with children or accompanied by their parent or guardian during their episode of homelessness and who are between 18 and 24 years of age. In the 2023 AHAR, HUD found that California reported the largest number of unaccompanied youth (10,173 people), accounting for more than a fourth of all unaccompanied youth nationally (29%). California accounted for 49% of all unsheltered unaccompanied youth (6,934 people).

Youth who experience homelessness are also at a greater risk for poorer health outcomes, such as influenza, hepatitis, sexually transmitted infections, diabetes, and dental problems, among others; concerns related to confidentiality, lack of health insurance, and fears of police or social services involvement exacerbate these issues for youth experiencing homelessness. Due to increased stress levels resulting from living on the streets, homeless youth also experience mental health issues such as post-traumatic stress, depression, anxiety, and psychosis; studies demonstrate that the presence of psychiatric disorders is twice as high among homeless youth as it is among youth who are stably housed. Research also indicates that alcohol consumption and drug use among homeless youth is prevalent; studies indicate that between 70-90% of homeless youth engage in substance use. Youth who are experiencing homelessness are also more vulnerable to violence and exploitation, and there is a significant overlap between homelessness and commercial sexual exploitation. The term “survival sex” refers to trading sexual activity in exchange for shelter and food, and studies indicate that nearly one-in-five homeless youth have participated in survival sex activities.

LGBTQ+ youth experiencing homelessness reported higher rates of mental health challenges, compared to their stably housed LGBTQ+ peers, according to a recent study conducted by the Trevor Project on homelessness and housing instability among LGBTQ+ youth. The study also found that, overall, 28% of LGBTQ+ youth reported experiencing homelessness or housing instability at some point in their lives, and LGBTQ+ youth who reported experiencing homelessness or housing instability had higher rates of victimization, being in foster care, and food insecurity, compared to their stably housing LGBTQ peers. Additionally, the study found that lesbian, gay, and bisexual youth experiencing homelessness report higher rates of depression, post-traumatic stress disorder (PTSD), self-harm, suicidal ideation, or suicide attempts than their straight, cisgender peers experiencing homelessness.

Unicorn Homes. Currently, the North County LGBTQ resource center operates the Unicorn Homes program, which aims to provide housing stability to youth with the ultimate goal of reuniting youth with families and, where possible, addressing the underlying problems that led to separation in the first place. Unicorn Homes also connects youth with mental health resources and provides job readiness services, life coaching, and independent living skills. The provisions of this bill would require HCD, to the extent that an appropriation is made by the Legislature, for these purposes, to establish the Program as a three-year pilot program to be administered by local CBOs providing a majority of their services to the LGBTQ+ community in up to five selected counties for a total of three years.

Governor's Veto Message. This bill is substantially similar to AB 589 (Boerner) of 2023, which was vetoed by Governor Newsom. The Governor's veto message stated:

This bill, until January 1, 2027 and upon appropriation by the Legislature, would require the Department of Housing and Community Development (HCD) to establish the Unicorn Homes Transitional Housing for Homeless LGBTQ+ Youth Program (Unicorn Program) as a pilot to be administered by local community-based organizations in Sacramento and San Diego Counties.

While I appreciate the author's commitment to providing housing for homeless LGBTQ+ youth, AB 589 creates an unfunded grant program that must be considered in the annual budget in the context of all state funding priorities.

In partnership with the Legislature, we enacted a budget that closed a shortfall of more than \$30 billion through balanced solutions that avoided deep program cuts and protected education, health care, climate, public safety, and social service programs that are relied on by millions of Californians. This year, however, the Legislature sent me bills outside of this budget process that, if all enacted, would add nearly \$19 billion of unaccounted costs in the budget, of which \$11 billion would be ongoing.

With our state facing continuing economic risk and revenue uncertainty, it is important to remain disciplined when considering bills with significant fiscal implications, such as this measure.

In order to address Governor Newsom's concerns stated above, the Author has submitted a one-time funding budget request to accompany this bill.

Author's Statement: According to the Author, "Stable and affirming housing plays an important role in the safety of all youth, especially youth identifying as LGBTQ+ who may not feel supported in their self-identity. [This bill] creates the Unicorn Homes Transitional Housing for Homeless LGBTQ+ Youth Program pilot project in up to five counties that would help identify, screen, and train LGBTQ+ affirming households who are willing to host LGBTQ+ identifying youth who are experiencing homelessness due to family rejection with a safe place to stay. The bill promotes housing stability and a positive support system that helps transition LGBTQ+ youth experiencing homelessness to permanent housing either as independent adults, or by reuniting with their family."

Equity Implications: The provisions of this bill seek to address equity by addressing the needs of youth experiencing homelessness, particularly those who are LGBTQ+. The San Diego

Regional Task Force on Homelessness conducted a 2023 point-in-time count over the course of a week with results showing that there are about 739 transitioned-aged youth experiencing homelessness, either sheltered, unsheltered, or unstably housed, in the San Diego region. About 52% of youth surveyed identify as non-white, 14% identify as LGBTQ+, and 28% are experiencing homelessness due to family rejection. As previously discussed, youth who experience homelessness are more likely to experience adverse health outcomes, such as chronic illness and substance use, as well as worse mental health outcomes such as depression, anxiety, and psychosis. Youth who are LGBTQ+ and experiencing homelessness are more likely than their non-LGBTQ+ peers experiencing homelessness to be victimized, engage in survival sex, and have higher rates of suicidal ideation, self-harm, and PTSD. By establishing a pilot program, the provisions of this bill seek to reduce barriers and provide additional housing resources and mental health supports for youth who are LGBTQ+.

Double referral: This bill was previously heard in the Assembly Housing and Community Development Committee, on March 20, 2024, and was approved on a 7-0 vote.

RELATED AND PRIOR LEGISLATION:

AB 589 (Boerner) of 2023, would have required, to the extent that funding was made available, HCD to establish the Unicorn Homes Transitional Housing for Homeless LGBTQ+ Youth Program as a five-year pilot program in the Counties of Sacramento and San Diego. *AB 589 was vetoed by Governor Newsom due to cost.*

AB 2663 (Ramos) of 2022, would have required the California Department of Social Services to establish a five-year pilot program to increase permanency outcomes for LGBTQ+ and gender-expansive youth and their families. *AB 2663 was vetoed by Governor Newsom due to cost.*

AB 592 (Friedman), Chapter 702, Statutes of 2021, expanded the housing options for extended foster youth, particularly as it related to LGBTQ youth.

AB 1979 (Friedman), Chapter 141, Statutes of 2020, expanded the definition of a Supervised Independent Living Setting to include a transitional living setting approved by the county to support youth entering or reentering care or transitioning between placements, and required counties to examine their ability to meet the emergency housing needs of nonminor dependents (NMDs).

AB 531 (Friedman) of 2019, would have permitted certain approved caregivers of NMDs to convert to a host family without additional certification, would have required counties to examine their ability to meet the emergency housing needs of NMDs, and would have allowed counties to request funds for the purpose of providing housing navigation services to youth. *AB 531 was held on the Senate Appropriations Committee suspense file.*

SB 918 (Wiener), Chapter 841, Statutes of 2018, established the Homeless Youth Act of 2018 to better serve the state's homeless youth population and required HCFC to take on additional related responsibilities, including setting goals to prevent and end homelessness among youth in the state, defining outcome measures, and gathering data related to those goals.

SB 1380 (Mitchell), Chapter 847, Statutes of 2016, created the HCFC to coordinate the state's response to homelessness.

REGISTERED SUPPORT / OPPOSITION:

Support

Equality California (Co-Sponsor)
American Atheists
California Academy of Child and Adolescent Psychiatry
California Federation of Teachers AFL-CIO
California Legislative LGBTQ Caucus
California LGBTQ Health and Human Services Network
California Teachers Association
California Youth Empowerment Network
Center for Immigrant Protection
Children Now
Children's Hospital Los Angeles
GLIDE
LGBTQ+ Collaborative
Los Angeles LGBT Center
Mental Health America of California
National Harm Reduction Coalition
Our Family Coalition
Planned Parenthood Affiliates of California
Sacramento LGBT Community Center
South Orange County Community College District
The LGBTQ Community Center of The Desert
The San Diego LGBT Community Center
The Source LGBTQ+ Center
TransFamily Support Services
Transgender Resource, Advocacy & Network Service
TransYouth Liberation

Opposition

Our Duty

Analysis Prepared by: Jessica Langtry / HUM. S. / (916) 319-2089