

Date of Hearing: April 25, 2023

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Corey A. Jackson, Chair

AB 589 (Boerner) – As Amended April 19, 2023

SUBJECT: Homeless youth: transitional housing

SUMMARY: Requires, subject to an appropriation, the California Department of Housing and Community Development (HCD) to establish a five-year pilot program in three counties to provide emergency transitional housing for LGBTQ+ youth experiencing homelessness due to family rejection. Further, requires the pilot program to be administered by local community-based organizations (CBOs) as selected by the counties, and requires the CBOs to submit an annual report to the Legislature detailing specified program outcomes. Specifically, **this bill:**

- 1) Requires, subject to appropriation, HCD to make funding available to establish the Unicorn Homes Transitional Housing for Homeless LGBTQ+ Youth Program (pilot program) as a five-year pilot program in the counties of San Diego, Los Angeles, and Sacramento.
- 2) Requires the pilot program be administered by a local CBO, selected by each of the participating counties, that provides a majority of its services to the LGBTQ+ community.
- 3) Requires the pilot program to:
 - 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;
 - b) Comply with the core components of Housing First as outlined in existing law;
 - c) Place eligible youth with volunteer host families, and, further, 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 the following criteria:
 - 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 as a sex offender is required pursuant to existing law;
 - iii) Has not been convicted of domestic violence, child abuse, or human trafficking; and,
 - iv) Has successfully passed a Live Scan background check.
 - d) Place eligible youth with families who are able to provide crisis intervention with a trauma-informed approach to their care.
- 4) Defines "trauma-informed approach" as:
 - 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 youth 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 youth to build on their strengths and identify strategies that will help them heal from trauma.
- 5) Requires each CBO receiving funding to prepare a report to be submitted to the Legislature no later than December 31, 2024, and every December 31 thereafter, with the final report due on or before December 31, 2028.
- 6) Requires the report to include the following information, to the extent available:
- a) The number of times the CBO was contacted by an LGBTQ+ youth potentially eligible for the pilot program;
 - 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) Makes inoperative and repeals the provisions of this bill as of January 1, 2029.

EXISTING 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 Section [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)
- 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 (PIT) 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 2022 Annual Homelessness Assessment Report (AHAR), HUD found that 145,983 individuals experiencing homelessness lived in California, and of those, 111,206 were unsheltered. 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" means the evidence-based model that uses housing as a tool, rather than a reward, for recovery and 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 the age of 25 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 pilot 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. The federal government defines homeless youth as minors younger than 18 or young adults between 18 and 24 years old who live independently without shelter. In the 2022 AHAR, HUD found that 9,950 unaccompanied youth – 32% of the nationwide total – resided in California. At 52% (6,762 people), California also had the largest share of unsheltered unaccompanied youth.

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 homeless. 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 1 in 5 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, upon appropriation of the Legislature, to establish the “Unicorn Homes Transitional Housing for Homeless LGBTQ+ Youth Program” as a five-year pilot program expansion to the existing Unicorn Homes project. This bill would require the program to be administered by a local CBO in the counties of San Diego, Los Angeles, and Sacramento, and enumerates the program requirements with which the CBO must comply.

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 the County of San Diego 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. This 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.”

Need for this bill: The provisions of this bill seek to provide stable housing and supportive services to LGBTQ+ youth between the ages of 18 and 24 by requiring HCD, upon appropriation, to establish the “Unicorn Homes Transitional Housing for Homeless LGBTQ+ Youth Program” as a five-year pilot project. The provisions of this bill would require the program to meet certain requirements, including provision of emergency transitional housing for youth, and placing eligible youth with volunteer host families.

Equity Implications: The provisions of this bill seek to address equity by addressing the needs of youth experiencing homelessness, particularly those who are LGBTQ+. 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 requiring HCD to establish a five-year 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+ in San Diego, Los Angeles, and Sacramento Counties.

Policy Considerations. This bill requires CBOs receiving funding to each individually submit a report to the Legislature. CBOs who are most qualified to provide trauma-informed transitional housing are not always the best entities to collect and analyze data to report to the Legislature. For these reasons, the vast majority of reporting to the Legislature comes from entities who have the skill set to compile, analyze, and write reports based on information collected from the specified project. In order for the Legislature to receive the best possible report and to alleviate an unnecessary burden to a CBO that may not be equipped to perform such analysis, the Author may wish to amend the reporting requirements to allow CBOs to focus solely on delivering the services as required in this bill.

This bill requires funding to be appropriated to HCD, then for that same funding to be made available to the specified counties that are participating in the pilot program. In order to streamline these efforts, the author may wish to consider eliminating the counties from the funding stream and have HCD make the funding be available to the CBOs.

This bill requires volunteer host families to successfully pass a Live Scan background check. Because there are different requirements based on the type of employment to achieve passage of a background check, the author may wish to consider a more generalized approach to the results of the Live Scan.

Relatedly, this bill includes criteria for the pilot program to meet, including prohibiting a host family from being convicted of certain offenses that would require registration as a sex offender. The author may wish to consider which crimes should cause restriction on becoming a host family.

Proposed amendments. The Committee proposes amendments to address some of the policy considerations stated above, the Committee proposes amendments to do the following:

- The Committee suggests striking the requirement that host families successfully pass a LiveScan background check, and instead require that any individual in the host family who is 18 years of age or older and with whom the youth would be living meet all of the specified criteria pursuant to the results of a background check conducted via Live Scan.
- The Committee suggests requiring CBOs to individually report annually to HCD and requiring CBOs to submit their final report on June 30, 2028, so that HCD can compile and submit the final report to the Legislature on or before December 21, 2028.
- The Committee suggests amending the grant money pass through to go directly from HCD to the CBO.

Double referral: This bill was heard by the Assembly Housing and Community Development Committee on April 19, 2024, and passed out on a 6-0 vote.

RELATED AND PRIOR LEGISLATION:

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 costs.*

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 livings 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

None on file

Opposition

None on file

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