

## **SB 914 (Rubio): Homeless Domestic Violence Survivors & Data Systems F.A.Q.**

### **Why is this bill important?**

Historically, homeless response systems have failed to adequately address the unique needs of women and domestic violence survivors, who make up an increasingly large segment of the total unhoused population. Domestic violence is one of the leading drivers of homelessness for women, with upward of 57% of unhoused women reporting DV as the cause of their homelessness. Because of federal confidentiality laws meant to protect DV survivors, providers are not allowed to input client-level data on survivors into the Homeless Management Information System (“HMIS”), which often means survivors are de-prioritized and not fully accounted for by jurisdictions. According to the state’s Homeless Data Integration System (“HDIS”), 18% of unhoused Californians reported experiencing domestic violence, while 41% are women.

### **What does this bill do?**

SB 914 seeks to make California the national leader in advancing a gender equity lens in local and state homeless response systems through the following measures:

- Requiring that any cities, counties, and continuums of care (“CoCs”) that receive state funding include domestic violence and unaccompanied women within the vulnerable populations for whom specific system supports are developed
- Ensuring that goals and plans developed by jurisdictions around homelessness address: disparate racial and gender outcomes in accessing and maintaining services and housing; the nexus of justice-involvement and homelessness, particularly for women and DV survivors; the availability of beds for women, transgender, and gender-nonconforming individuals
- Mandating that addressing the risk of sexual violence and domestic violence are included when jurisdictions set goals toward safety and wellness of individuals living in encampments
- Further clarifying that DV providers are not required to enter client-level data in HMIS
- Requiring that the state’s Interagency Council on Homelessness (“ICH”) set measurable goals toward preventing and ending homelessness amongst DV survivors and unaccompanied women

### **Who are “unaccompanied women”?**

Unaccompanied women are individuals who identify as female experiencing homelessness without children or other dependents. Nationally, unaccompanied women make up nearly 1-in-3 of all homeless individual adults and over half of all unhoused women. According to the 2020 AHAR, 53,505 women were experiencing homelessness as individuals in California. While the total number of women experiencing homelessness in the US remained flat between 2015-2020, unaccompanied women’s homelessness increased by 20%.

### **Why is a specific callout for including DV survivors and unaccompanied women needed? Aren’t they already included in the goals and plans to address homelessness?**

Too often, domestic violence programs and the survivors they served are not fully incorporated into the homelessness response. It is not often well understood or well recognized that the federal definitions of homelessness include fleeing or attempting to flee domestic violence, and that every domestic violence shelter is

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servicing a population of homeless survivors and their children. Additionally, domestic violence victim service providers are prohibited by the federal Violence Against Women Act from entering client-level information into the databases that the homeless system uses (HMIS and HDIS). Although domestic violence programs utilize comparable databases and can provide robust aggregate data about the homeless population they serve, this difference in the data provided all too often means that the data about their services is not included in the goals, plans, and outcomes for addressing homelessness.

### **Can you say more about the database and confidentiality issue?**

Updates to the Violence Against Women Act (VAWA) in 2006 included a universal grant condition that requires VAWA grantees and subgrantees to maintain the confidentiality of personally identifying and individual victim information, to protect the confidentiality of anyone who requests or receives victim services from a domestic violence, sexual assault, dating violence or stalking program that receives VAWA funds. VAWA 2005 Section 605 addresses the confidentiality of a victim's personally identifying information for purposes of a data collection project – the Homeless Management Information System (HMIS). In this provision, Congress amended the McKinney-Vento Homeless Assistance Act to prohibit victim service providers from entering Personally Identifying Information (PII) into an HMIS system. The prohibition on entering PII into an HMIS (42 USC §11363) and the definition of a “victim service provider” and of “personally identifying information or personal information” are drawn directly from VAWA 2005 (42 USC §11360(16), (32)). The provision protects victims' information from being disclosed or entered into HMIS which (alone or in conjunction with other information) specifically identifies a particular victim or their location. These are not new requirements for the victim service providers or the homelessness continuums of care. For more information about this issue, we recommend the National Network to End Domestic Violence's Confidentiality Toolkit, available here:

<https://www.techsafety.org/confidentiality>

### **Are there differences in how men and women experience homelessness?**

Yes. Domestic Violence is the leading cause of homelessness among female identified individuals and heads of families. According to the California Policy Lab, 80% of unsheltered, unaccompanied women cited trauma as the cause of their homelessness. Unaccompanied women, on average, wait over 10 years to access stable housing, at a rate twice that of men. Unsheltered women also face a higher likelihood of sexual violence and trauma and inadequate hygiene access disproportionately impacts women.

### **How does this bill align with the Homeless Housing, Assistance, and Prevention (HHAP) grant program and other current grant programs?**

The language in SB 914 was developed with these grant programs in mind, and pulls much of its language directly from the items that are required through HHAP, Ending Family Homelessness Challenge grants, and Encampment Resolution Funding included in the FY 21-22 budget. Some specific examples include the language in SB 914 about local landscape analysis, outcome goals, utilizing funding for databases, and a focus on both family homelessness and encampment resolution activities.

### **Do the impacted government agencies have the capacity to take on these new requirements?**

We believe they do. This bill is not creating a new category of homeless individuals, or creating new expectations for the cities, counties, or Continuums of Care. We are simply requiring that within activities those entities already engage in, that they explicitly include these two frequently overlooked segments of the homeless population. The new requirements for the state's Interagency Council on Homelessness are complementary to its

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existing roles and responsibilities, and in keeping with recent changes to create an advisory committee that includes individuals with lived experience and expertise in domestic violence.

### **Don't the state and cities/counties already support domestic violence survivors?**

Historically, domestic violence services have been grossly underfunded given the volume of unmet need. Of the 11 largest CoCs in California, only one allocates the percentage of funding equivalent to the percentage of homeless individuals who have experienced DV. All other CoCs significantly underfund domestic violence populations in terms of the number of individuals who have experienced domestic violence. Two CoCs do not even mention domestic violence in their Point in Time Counts.

### **How will this bill affect local governments?**

Any time legislation creates new mandates for the city and county, it also has to cover those costs. SB 914 will only apply to local entities if they receive funds from the state to address homelessness. It is not a new standalone mandate on local governments. Section 8264 of the bill states clearly that the requirements adding a focus on domestic violence survivors and unaccompanied women experiencing homelessness only apply to "cities, counties, and continuums of care receiving state funding to address homelessness on or after January 1, 2023..."

Further, the last section of the bill states: "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..." Most municipalities have developed plans to address homelessness, such as the 2017 LA County Homeless Initiatives and LA City Homeless Strategies that completely left out strategies to address the unique needs of women. From those initiative/strategies, the County of LA then passed Measure H to fund some of the strategies, and again, very few organizations serving survivors and unaccompanied women are funded through the now \$527M invested to address homelessness in LA County. There is also a current influx of state funding through programs like HHAP.

SB 914 simply ensures that the strategies already being developed to address the ever growing issue of homelessness in our communities, also include survivors of domestic violence and unaccompanied women.