

Policy Briefs for Social Change

**USC Suzanne Dworak-Peck
School of Social Work**

**Students Work Towards
Rethinking Homelessness**

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Ending homelessness through interdisciplinary innovative problem solving strategies is a priority of the University of Southern California. The commitment to tackling this wicked problem has generated lots of interests among students, faculty, and practitioners. This is the intellectual community that will receive the monograph along with elected officials and community stakeholders.

This monograph would not have been possible without the support of many people. I am grateful for the SOWK 639 instructors for creating a learning experience for students to think differently about the policy landscape, the need for social work engagement in policy, and the strategies for effective advocacy. For the editorial board (Tory Cox, Stacy Kratz, Rick Newmyer, Melissa Singh, and Ruth Supranovich), who inspired me with their commitment and passion for doing things well. Finally, I wish to especially thank Rick Newmyer for his creative work in designing the monograph and having interest in bringing numerous versions to life. For this and more, I am grateful.

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POLICY ADVOCACY & SOCIAL CHANGE

Policy Advocacy for Social Change (SOWK 639) is a required course of the Department of Community, Organization, and Business Innovation. The course is designed to: 1) develop an understanding of the need for social work engagement in policy, 2) examine how to utilize policy advocacy in social work practice in order to better serve the needs of vulnerable populations, and 3) examine frameworks and strategies that can be used to analyze and advocate for solutions to social issues. Master of Social Work students enrolled in the course are encouraged to think critically about “wicked problems” and the policy landscape that influences who gains and loses in society through the legislative process.

In workgroups, students complete the following three assignments:

- I. **Social Issue Report.** Students are asked to: prepare an 8-10 page social issue report that contains an overview of a social issue/grand challenge for social work. The paper should describe the problem using data, stories, current trends, domains of intersectionality, perspectives of advocates, and implications for social workers.
- II. **Policy Brief.** Building on the Social Issue Report, students are asked to: write a policy brief on a grand challenge for social work and a policy affecting a specific population. For the policy briefs in this monograph, students focused on the **Grand Challenge of Social Work to End Homelessness (<http://aaswsw.org/grand-challenges-initiative/12-challenges/end-homelessness/>) and the existing laws they feel that have gaps or unintended consequences which need to be addressed.**
- III. **Policy Advocacy Campaign.** Drawing on the Social Issue Report and Policy Brief, the workgroup addresses a specific homelessness policy issue in which to take some action (create, revise, or eliminate) and designs a policy advocacy campaign using social media to influence opinions and raise awareness of a specific aspect of homelessness that engages policy influencers (i.e., policymakers, professional organizations, lobbyists, bloggers, online organizers) or mobilize grassroots advocates to take action.

POLICY BRIEF

HUD-VASH Program

by Alejandra Gastelum,
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MSW Students

Summary

The Housing First policy used by HUD-VASH is a cost-effective approach that provides permanent housing with comprehensive case management services to homeless veterans.

Sufficient affordable housing units are not available to accommodate all veteran homeless housing voucher holders in Los Angeles County.

Recommendation that the VA, federal, and local governments, along with policy makers, develop incentives for property owners, investors and developers to build and provide veteran-specific housing and apartments.

Introduction

The Chronic Veteran Homeless Crisis in Los Angeles County

According to figures released by the U.S. Housing and Urban Development Department (HUD) in November 2015, more than one-third of the nation's chronically homeless live in California, with Los Angeles County having the most chronically homeless population in the country (Holland, 2015). Furthermore, studies show that the Veteran population is twice as likely to become chronically homeless than any other American group (Woolsey & Naumann, 2015).

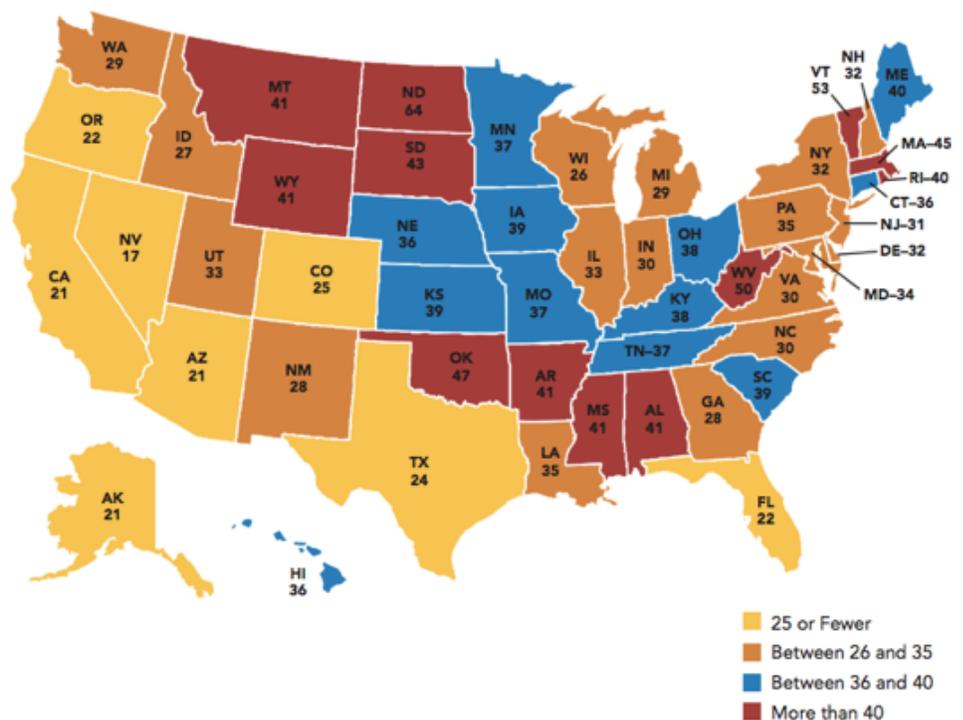
The Affordable Housing Crisis in Los Angeles County

While not a single state in the U.S. offers enough affordable housing,

California is among the states with the least number of rental units available to extremely low-income households (National Low Income Housing Coalition, 2016).

The apartment vacancy rate in Los Angeles County is about 3.5 percent and the typical monthly rent is more than \$1,600, up about \$169 from three years ago (Collins, 2016). The significant shortage of affordable housing in Los Angeles County has affected the Section 8 waitlist currently consisting of 8,000 people, and the program has been closed to new applicants for 15 years (Palta, 2015).

FIGURE 3: UNITS AFFORDABLE AND AVAILABLE PER 100 ELI RENTER HOUSEHOLDS BY STATE



Source: NLIHC Tabulations of 2014 ACS PUMS data

Policy Landscape

Policy Context

In 2009, President Obama and U.S. Department of Veterans Affairs Secretary Eric K. Shinseki announced the federal government’s goal to end veteran homelessness by 2015 (U.S. Interagency Council on Homelessness, 2010). One of the largest components of the federal government’s efforts to meet that goal is the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program.

Policy Objectives

The HUD-VASH goal is to combine Section 8 rental assistance vouchers with case management and clinical services. Services are provided by the VA at its medical centers to enable homeless, especially chronically homeless veterans

and their families, to re-integrate in the community, remain in stable housing, and lead healthy, productive lives (Housing Authority of the City of Los Angeles, 2016).

Policy Supporters and Opponents

Established in 1992, HUD-VASH has received support from both U.S. Department of Housing and Urban Development and the U.S. Department of Veterans Affairs. The VA also contacted community agencies that serve homeless veteran populations to provide housing referrals and case management to program beneficiaries. According to a case manager at Los Angeles Family Housing, HUD-VASH does not have many opponents at the local or national level (personal communication, September 29, 2016).

Policy Implementation

Costa and Benefits of the Policy

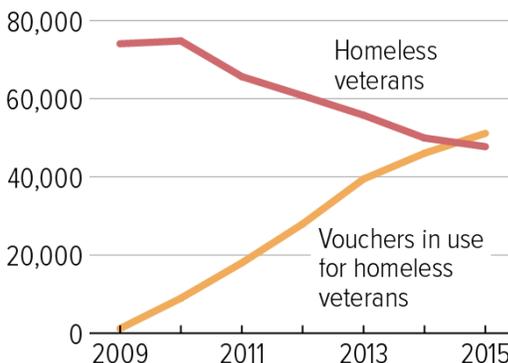
A 2009 economic round table study on homelessness in Los Angeles showed that it costs \$605 per month to place an individual in permanent supportive housing, whereas, it costs \$2,897 (nearly five times more) to provide the same services to an individual on the street (lamayor.org, 2016). Cost benefit chart illustrates that the HUD-VASH is beneficial in the reduction of homeless veterans since the inception of housing first approach (cbpp.org, 2015).

Housing First Approach

In October 2012, the VA officially made Housing First the official policy for the HUD-VA Supportive Housing (VASH) Program (U.S. Department of Veteran Affairs, n.d.). Following the introduction of this new policy, Veterans have received permanent housing as the initial service. After being placed in permanent housing, they are given full discretion of the services they choose to participate in. There are no prerequisites for abstinence, nor the completion of any treatment programs (va.gov, 2016). Evidence Based Practice (EBP) points to Housing First as one of the leading models in addressing homelessness. Since 2014 Los Angeles has housed over 6,000 homeless veterans using this model.

The primary recipients of the HUD-VASH program are homeless veterans, followed by their families. Some of the factors considered in determining eligibility are health care eligibility, income, and homelessness status. Since 2008, chronic mental illness or substance addiction is no longer required for eligibility; however, chronically homeless veterans are currently the largest targeted population (hudexchange.info, 2016).

Homelessness Among Veterans Fell as Targeted Voucher Program Expanded



Note: Voucher figures are based on monthly data from January of each year.

Source: Department of Housing and Urban Development Homelessness Point-in-Time Counts and HUD Voucher Management System

GAINS

Partnerships at the local government level joined efforts with United Way-Coordinated Entry System (CES), Veteran Affairs Supportive Housing (VASH), Department of Veterans Affairs funding for Supportive Services for Veteran Families (SSVF) program (Graeser & Corletto, 2014).

Additional partnerships with community agencies such as Housing Authority of the City of Los Angeles (HACLA) and LA Family Housing (va.gov, 2010).

Notice PIH 2016-11 (HA), enacted July 1, 2016, announces the availability of approximately \$15 million in HUD-VASH funding to support approximately 2,000 units of project-based voucher (PBV) assistance (hud.gov, 2016).

LOSSES

HUD-VASH case management is currently unable to address the complex needs of chronically homeless veterans (hud.gov, 2016).

The Post 9/11 Veterans Educational Assistance Act of 2008, also referred as 911 GI Bill, can be counted as income and in turn affect the eligibility of homeless veterans (HUD-VASH, 2008).

HUD-VASH homeless policy states: has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least 1 year or on at least 4 separate occasions in the last 3 years (HUD-VASH, 2008).

While great strides have been made in dramatically diminishing veteran homelessness in Los Angeles due to the HUD-VASH policy and programs, a policy addressing the housing crisis must be included to further combat the issue.

POSITIVE EFFECTS	NEGATIVE EFFECTS	UNINTENDED CONSEQUENCES
By implementing the housing first provision and increasing the number of affordable housing units to use the HUD-VASH vouchers, federal expenditures are cut dramatically.	It is difficult to hold a veteran accountable to following through with any treatment he or she may need. Opposition from taxpayers who claim the initial cost of Housing First is too great.	Dishonorably discharged veterans do not qualify for the program. Other homeless populations are marginalized.

Future of the Policy

Gaps in the Current Policy

Although the HUD-VASH program has had a significant impact on reducing the number of veterans experiencing homelessness, the program could do better in simultaneously addressing the lack of available housing for individuals granted vouchers. Currently, those with vouchers do not find themselves in permanent housing for four to eight months from the date the voucher was received (Holland & Abby, 2016). This is in large part to the lack of housing available. In a congested metropolitan city such as Los Angeles, this results in an estimated 800 homeless veterans with vouchers and no housing (Holland & Abby, 2016).

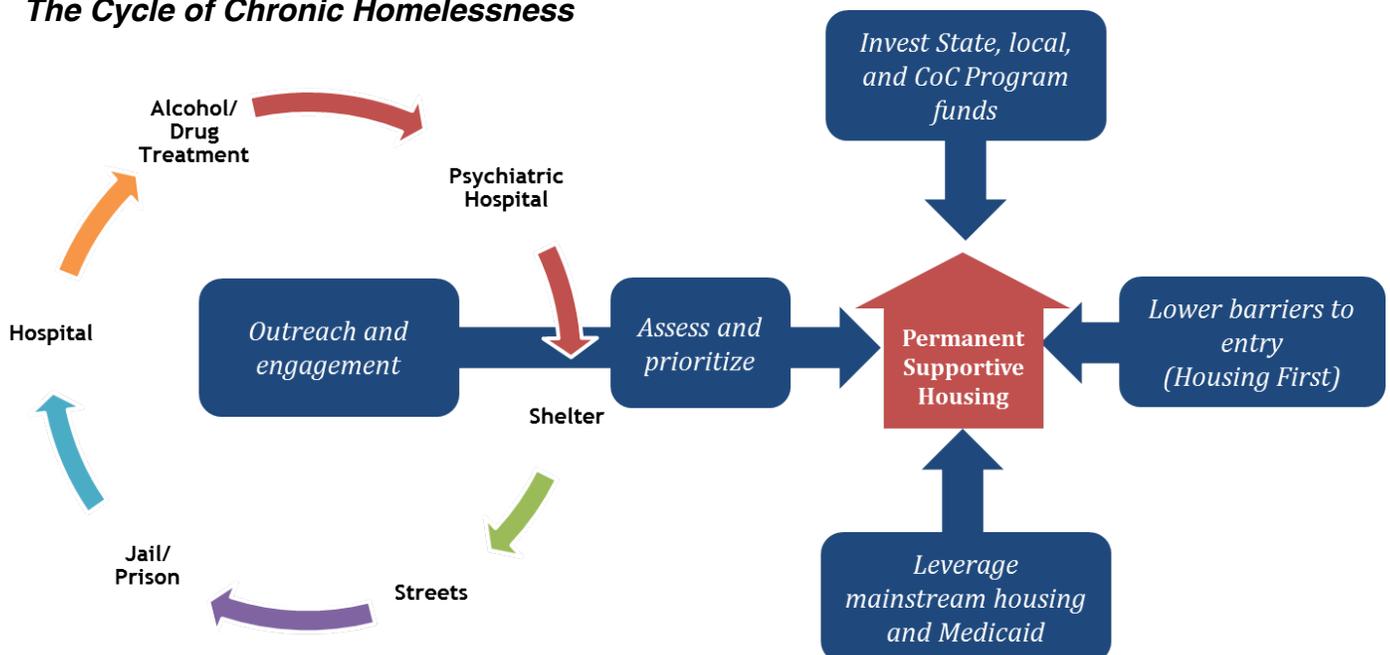
Vision for the Future Policy

HUD-VASH is making strides in providing a pathway to supportive housing services for homeless veterans, however many vouchers are not being utilized as they are intended as a result of the current housing shortage. Our vision is that every HUD-VASH voucher be attached to a unit to ensure that it is utilized to provide housing and supportive services for homeless veterans. Utilizing more project based vouchers (PBVs) in HUD-VASH would address the gap in number of vouchers and available housing. Project based vouchers can support the utilization of permanent supportive housing in tight housing markets (Center on Budget and

Policy Priorities, 2015).

Project based vouchers link vouchers with housing instead of it being linked to the individuals. What this means is that each voucher will be attached to a unit and the burden is lifted off of the individual to search for units that accept vouchers (National Low Income Housing Coalition, 2016). Additionally, because these are long term contracts PBVs would create a push towards the development of affordable housing since these vouchers will provide financial security to the property owners (National Low Income Housing Coalition, 2016).

The Cycle of Chronic Homelessness



Policy Recommendations and Implications

The housing shortage and instability in Los Angeles, as well as the country, poses a substantial problem to the goal of ending homelessness that affects our homeless Veterans (Henwood et al., 2015). Through innovative solutions, the goal to eradicate Los Angeles Veteran homelessness and the housing shortage problem could be attained. Therefore, it is strongly recommended that the VA, federal and local governments, along with policy makers, develop incentives for property owners, investors and developers to build and provide veteran-specific housing and apartments. Communities such as New Orleans and Houston have demonstrated an ability to end veteran homelessness in their cities by knowing who the homeless veterans are and by having a housing stock and resources to make it happen (O’Toole, 2015). Massachusetts has created a process that uses proceeds from social impact bonds that are sold to

investors to finance the development of new Permanent Supportive housing units (Henwood, 2015). And while Los Angeles is a vastly different area than these cities, similar innovative and successful solutions can be created to meet the city’s housing need.

The gentrification happening across Los Angeles County greatly contributes to the shortage of affordable housing units. Units of what was previously low-income housing have been priced out of the market by increases. These increases are attributed to general inflation, a decreased supply and increased demand of low-income housing, which has resulted in poor persons’ displacement due to gentrification (Robertson & Greenblatt, 2013). Policy makers can make a critical impact on homelessness by supporting affordable housing policies. Policy priorities should include: Raising revenues or fees for housing trust

funds that promise new affordable housing building for low-income households or minimizing regulation barriers and ensure permit building of low-cost or affordable housing (Apicello, 2010).

If successfully developed and implemented, such policies could positively impact veteran homelessness in the Los Angeles area and further reduce, and possibly eradicate the social issue. By creating more housing that would be directly accessible to homeless veterans, the city would have less homeless on the street or in shelters, making room for other homeless individuals to access those services. For property owners, investors, and developers, there is the potential of secure long-term income, possible tax incentives, and more viable communities where they do, and can continue to do business.

POLICY OPTIONS	PROS	CONS
Incentives for investors and developers to provide and/or build Veteran-specific housing/apartments	Housing will be developed and available to homeless veterans without the threat of it going to other populations	More housing developments in an already high-density area More funding is needed to provide financial incentives to landlords, investors, and developers
Provide incentives to landlords to rent to veterans versus general public	No need for additional development Housing will be available to homeless veterans and their families No need for relocations	More funding is needed to provide incentives to landlords

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POLICY BRIEF

by Gloria Kim and
Kathern Paige,
MSW Students

Summary

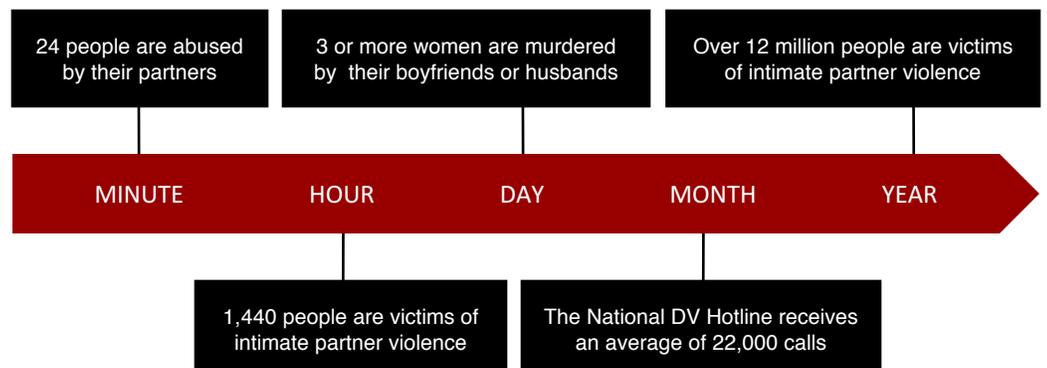
This policy brief introduces the HEARTH Act and how it addresses the intersectionality between homelessness and domestic violence. With the programs already in place, survivors of domestic violence have found immediate shelter and relief from homelessness. For long term solutions, however, specific changes are proposed so that all cases can be considered in the HEARTH Act. With the amended HEARTH Act, programs can improve their impact on the cycle of homelessness for survivors of domestic violence.

So Many Doors, Not Enough Keys: What HEARTH Can do for DV Survivors

Introduction

The intersectionality of homelessness and domestic violence (DV) is a complicated web. When a woman decides to leave an abusive relationship she often finds herself with nowhere to go. Many abused women do not have a safety plan in place. This forces them to make a last minute decision to leave the home or they find themselves being evicted due to their partner's abusive behavior, failure to pay rent, or criminal actions¹. Lack of affordable housing and long waiting lists for transitional housing means that many women and their children are forced to choose between abuse at home and life on the streets due to overcrowded shelters. This lack of affordable housing options is reported by survivors as the primary barrier to escaping their abuser. These challenges of affordable housing are overwhelming to many victims as well as the challenge of being self-supportive. Many abused women have not been allowed to work and have no access to the family bank accounts². In an effort to decrease a survivor's burden

it is imperative that we help survivors stay in their current home or find them new housing as fast as possible. Safety for themselves and their children should be front and center and not the burden of housing instability. The goal of the DV movement, which started in the 1980s was to increase the capacity To support survivors through prevention assistance. Victims need help with housing costs, advocacy in working with landlords to eliminate barriers to housing based on their partner's actions, and financial and career assistance³. In recent years, DV programs have added two strategies to their toolbox to help the survivors: homelessness prevention and rapid re-housing. These two strategies help the providers to find safe housing for a larger numbers of survivors, reserve emergency shelters and services for those with emergent and immediate needs, and aid in the transition from the emergent situation to a safe affordable permanent housing solution. These housing programs are the key to survival from homelessness for the victims⁴.



Policy Landscape

HUD's homeless assistance programs underwent the following changes under The HEARTH Act:

- Homelessness prevention will be significantly expanded.
- New incentives will place more emphasis on rapid re-housing for homeless families.
- Continued emphasis on creating sustainable housing for individuals and families experiencing chronic homelessness.
- Rural communities can apply under a different set of guidelines that offer more flexibility and assistance with capacity building⁸.

In Los Angeles County, there are advocates who are skeptical. LA County Administrator, Phil Ansell, who is in charge of homeless initiatives, stated in an interview that 'rapid re-housing' subsidies are intended to help, but not longer than six months⁶. Homeless advocates in LA voiced their concerns that rapid re-housing does not address those who need extra services. People In Los Angeles County, there are advocates who are skeptical. LA

County Administrator, Phil Ansell, who is in charge of homeless initiatives, stated in an interview that 'rapid re-housing' subsidies are intended to help, but not longer than six months⁹. Homeless advocates in LA voiced their concerns that rapid re-housing does not address those who need extra services. People with disabilities and victims of DV rely on these services to get the help they need to find jobs, counseling services and sustainable housing. Ansell says that many people living on the streets will slip through the cracks and they want to find ways to stop that from happening. Ansell says most people have the ability to get help and find jobs to secure permanent housing, but advocates say that 'rapid re-housing' does not work for everyone¹⁰.

The Emergency Solutions Grant (ESG) programs allocated money in fiscal year 2011 in 2 parts: allocation 1 of \$60 million was released under Emergency Shelter Grants program rules and allocation 2 of \$90 million was released under Emergency Solutions grants program Interim Rule¹¹.

THE HEARTH ACT

The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act was signed into law by President Obama on May 20, 2009⁵. The Senate bill (S. 808) was introduced by Senators Jack Reed (D-RI), Kit Bond (R-MO), and 11 other Senators. The House bill (H.R. 1877) was introduced by Representatives Gwen Moore (D-WI), Judy Biggert (R-IL), and 5 other House Members. and had eleven co-sponsors⁶.

The bill reauthorized HUD's McKinney-Vento Homeless Assistance programs. The bill was included as part B of the Helping Families Save Their Homes Act⁷.

Policy Implementation

Division B of the Helping Families Save Their Home Act is the HEARTH Act. HUD developed six sets of regulations. Two of these are the new definition of homeless and the consolidation of HUD's Continuum of Care Programs (supportive Housing Program, Shelter Plus Care, and Moderate Rehabilitation/ SRO) into a single Community Homeless Assistance Program.

The bill modified the definition of homelessness and also allows grantees to use some Continuum of Care funding for people who are not homeless under HUD's definition, but are homeless under definitions used by other federal agencies¹². The old

HUD definition of homelessness included: people living in places not meant for human habitation (the streets, abandoned buildings, etc.), living in an emergency shelter or transitional housing facility, and facing the loss of housing within the next seven days with no other place to go and no resources or support networks to obtain housing.

In an effort to provide communities with significant new resources to prevent homelessness and re-house those who will lose their housing. The Homelessness Prevention and Rapid Re-housing Program (HPRP) and the new ESG were enacted under the HEARTH Act¹³.

The National Alliance to End Homelessness (NAEH) has reported positively on rapid re-housing. They stated the Short-Term Impacts report provides key information regarding the effectiveness of rapid re-housing including:

- Helping households quickly exit homelessness: Families that enrolled in a rapid re-housing program exited shelter in an average of 2 months or 3.2 months faster than those that were referred to rapid re-housing but did not enroll.
- Preventing households from returning to homelessness: 77 percent of families that enrolled in

rapid re-housing did not return to shelter.

- Increasing a household's self-sufficiency: Families referred to rapid re-housing had incomes 10 percent higher than those referred to usual care. Rapid re-housing also led to improvements in food security relative to usual care.
- Decrease in homelessness overall: 5 families can be rapidly re-housed (\$6,578 per family) for what it costs to house one family in transitional housing (\$32,557 per family).

A final report which will examine 36 months of data is planned for release in 2016¹⁴.

There are many success stories where rapid re-housing was prioritized and these communities have witnessed decreases in their homeless populations. Memphis, Tennessee saw an overall decrease in homelessness of 21% and a 25.6 % decrease in family homelessness between 2012 to 2014. In Mercer County, New Jersey family homelessness decreased by 66%. Additional communities that saw a decrease in family homelessness

are: Spokane, Washington; Boise, Idaho; Las Vegas, Nevada; and Richmond, Virginia¹⁵.

While the Continuum of Care approach weaves together a multitude of housing options and support for homeless families, critics point out that in New York City, there is a growing recidivism rate after the 30-day Rapid Re-housing period. The June 2010 Institute for Children, Poverty, and Homelessness (ICPH) brief coined the term boomerang families. This report has given critics fuel to question the sustainability of Rapid Re-housing for families.

Future of the Policy

Although survivors of DV receive housing assistance and a variety of services through current policy, services may not be responsive to

each of their unique needs and the individual trauma they have experienced¹⁶. When DV accounts for 21 percent of homelessness in

communities such as LA County¹⁷, the HEARTH Act must do more to ensure that DV survivors and families remain housed.

Policy Recommendations and Implications

There are gaps in the HEARTH Act that do not provide long-term solutions for survivors of DV. The HEARTH Act may be amended through these policy recommendations:

1 Enactment of new grants that urge programs to utilize Trauma Informed Care to reduce re-traumatization for survivors.

2 Changes in legislation for additional support for survivors who cannot advance economically due to immigrant status.

3 Address needs of children who have witnessed DV so that cycle of homelessness does not continue when they reach adulthood.

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POLICY BRIEF

by Imani Bryant, Enika Fluellen, Bonnie Johnson, Carla Murillo, and Natasha Surendranath, MSW Students

Summary

Studies have shown that queer youth are disproportionately affected by homelessness, with 40% of homeless youth in Los Angeles identifying as LGBTQQ (Durso & Gates, 2012). In addition, unhoused LGBTQQ youth have expressed that they prefer to live on the street instead of institutionalized housing due to hostility and discrimination from peers and staff (Equality California, 2015). Unhoused LGBTQQ youth often engage in risky sexual behavior, including sex work as a means of survival. Youth engage in survival sex for money, food, clothes, and sometimes even a place to stay (Ray, 2006). In its current form, AB 1675 targets youth who have been arrested or detained for intending to engage and/or engaging in acts of prostitution. The objective of AB 1675 is to divert youth to programs of supervision instead of juvenile incarceration (Equality California, 2015).

Diversions Not Prosecution

Introduction

Studies of homeless youth in the U.S. have concluded that 20-40% of unhoused youth identify as LGBTQQ youth (National Alliance to End Homelessness & the National Youth Advocacy Coalition, 2009). Youth can face rejection by their families and experience physical and emotional abuse at school. In school environments, research has found that LGBTQQ youth are at higher risk of harassment, assault, and victimization, which make them vulnerable to depression, social problems, withdrawn behavior, and delinquency (Cunningham et al., 2014). Homeless LGBTQQ youth engage in survival sex for a variety of reasons, including money, food, clothes, and a place to stay (Ray, 2006). Engaging in unsafe and risky sexual behavior, increases the likelihood of getting a sexually transmitted disease/infection and/or HIV (Wayman, 2008).

A majority of unhoused LGBTQQ youth experience abuse at home or at school. Often, they are kicked out of their homes due to non-heteronormative sexual and/or gender identity expression. Laws criminalizing minors disproportionately affect unhoused LGBTQQ youth, especially in cases where sex work is their only means of survival (Equality California, 2015; Bass, 2016).

Research has shown that intervention through the juvenile justice system is limited in effectiveness and demonstrates only moderate impact on recidivism and, at times, produces negative effects. In contrast,

interventions that are more therapeutic in nature have been shown to have very positive effects (Lipsey et al., 2010).

Some homeless youth hesitate to carry condoms because they can be used as police evidence of involvement in sex work (Ream & Forge, n.d.). Being labeled as a “criminal” creates more barriers for youth, especially for LGBTQQ youth of color. Each year, it is estimated that 300,000 LGBTQQ youth are incarcerated nationally, with more than 60% identifying as LGBTQQ youth of color (Equality California Institute, 2015). Youth face additional arrests and other legal problems when they are unable to pay their fines, due in part to employment discrimination (Ream & Forge, n.d.)

33 PERCENT
OF ALL TEEN SUICIDES
ARE LGBTQ

42 PERCENT
OF HOMELESS YOUTH
ARE LGBTQ

26 PERCENT
OF LGBTQ YOUTH
WHO COME OUT TO
THEIR PARENTS ARE
TOLD TO LEAVE HOME

Source: Zebra Coalition,
zebrayouth.org

Policy Landscape

Objectives

The objective of AB 1675 is to divert minors from the juvenile incarceration, so that the minor can still receive support services. In addition, under AB 1675, minors who have previously participated in a program of supervision can still be eligible to participate in a program of supervision (Juveniles: prostitution, 2016b).

The reduction of youth incarceration may save costs otherwise incurred through the correctional system. Additionally, an increase in supervision could lead to an increase in child welfare reports. This may lead to an increase in funding for child welfare agencies to cover costs for conducting additional assessments, investigations, and services (Juveniles: prostitution, 2016c). The Commission on State Mandates will determine funding reimbursement for state mandated programs of supervision offered under this policy (Juveniles: prostitution, 2016a). Funding may be allocated through Proposition 30, which requires funding for treatment and services for juvenile offenders from the state. While this suggests the state will reimburse incurred expenses, the bill does not clearly delineate funding sources (Juveniles: prostitution, 2016c).

Community Engagement

The Los Angeles LGBT Center, an advocacy group and service provider, recently received the approval to expand the Youth Center on Highland at a City Planning

Commission meeting on 10/13/16. The Youth Center works to help homeless LGBTQ youth and elders alike get off the street, receive appropriate mental and physical health services, and get a job.

Opponents of the project cited youth criminality and involvement in sex work as safety concerns—something AB 1675 could help address. The Center will continue to advocate for its clients despite local pushback (J. Ungco, personal communication, October 13th, 2016).

Supporters

AB 1675 was introduced by Assembly Members Mark Stone and Lorena Gonzalez and is sponsored by Equality California. American Civil Liberties Union, California Attorneys for Criminal Justice, California Public Defenders Association, and Legal Services for Prisoners with Children support AB 1675 (Juveniles: prostitution, 2016b).

Opponents

The California District Attorneys Association and the San Diego District Attorney's office oppose AB 1675 because they believe the bill may be read as advocating for decriminalizing prostitution, which may inadvertently encourage minors to continue doing sex work as a means to earn money (Juveniles: prostitution, 2016b).

Strengths of AB 1675

AB 1675 stresses diverting potentially low-risk youth away from an institutionalized system that has been

shown to be ineffective for youth treatment as opposed to funneling them further into it. The bill would begin to shift the contradiction that, under California law, a minor cannot legally consent to sexual activity but can be arrested for prostitution (Sully, 2013). Benefits of diversion include reduction of early involvement in the juvenile delinquency system, reduction of out of home placements, assistance for youth to remain connected to community, and cost reduction as compared to being placed in a more secure/institutionalized setting (Dembo, Wareham, & Schmeidler, 2005). If successful, youth will avoid having a criminal record, which will reduce stigma and the longer term effects of being placed in a correctional facility (Juvenile: prostitution, 2016b).

Weaknesses of AB 1675

While research supports therapeutic and less restrictive/punitive interventions for youth adjudicated for a crime, the program of supervision can vary significantly. It is crucial to incorporate EBP models when developing appropriate supervision programs for youth. Challenges can be found when treatment providers are constrained by large caseloads, limited resources, staff turnover rates, and limited capacity to assess treatment effectiveness (Lipsey et al., 2010). An increased burden on the child welfare system and increased probation officer caseloads may also be an unintended consequence (Juveniles: prostitution, 2016c).

Policy Implementation

Stakeholders who are affected by AB 1675 include youth who are arrested for prostitution related acts, juvenile correctional facilities, and the Child Welfare System. The Center for Juvenile Justice Reform recommends that to reduce future criminal behavior, low-risk offenders

should be offered diversion while moderate to high-risk reoffenders should be afforded minimum levels of supervision to ensure public safety while also receiving therapeutic services. Research also strongly suggests that custodial juvenile facilities are typically not effective

interventions (Lipsey et al., 2010). Additionally, a meta-analysis of youth diversion programs has shown that diversion is more effective at reducing recidivism than traditional judicial responses (Wilson & Hoge, 2013).

Future of Policy

AB 1675 ensures minors receive support and services rather than face prosecution after they are arrested for prostitution (Equality California, 2015). On the one hand, minors who may be engaging in survival sex are diverted from the juvenile justice

system and instead are offered a service plan or “program.” On the other hand, the bill does not emphasize any guidelines or establish parameters for the program of supervision implementation, nor does it include LGBT specific

programs. The program’s ambiguity places the responsibility of delineating a program for the minor solely in the hands of the probation officer who determines whether or not those unique needs are met.

Policy Recommendations and Implications

In its current form, AB-1675 only targets youth only after they have been exploited or trafficked. Policymakers can address the roots of survival sex by supporting efforts to expand culturally competent social service delivery to this population and bolster community outreach regarding these services among them. The youth can then access services geared toward their needs, such as transitional housing, mental and physical health care, and employment assistance, before they become homeless or before they are arrested and have a potentially traumatic interaction with the police. This is vital because LGBTQQ minors, especially LGBTQQ youth of color, disproportionately represent the number of minors arrested for survival sex (Ventimiglia, 2012).

AB-1675 also needs to reflect the importance of identity-affirming services. Currently the parole officers are solely responsible for creating programs for arrested youth. Many homeless LGBTQQ youth have reported discriminatory practices and denial of service due to their sexual orientation or gender identity from a wide variety of employment and housing providers, health clinics, and other services (Ray, 2006). Specific language guaranteeing access to culturally competent services is necessary to ensure that these youth are not given improper care and forced into another situation where they are sexually exploited for housing, food, or money.

Policy makers are also urged to re-examine the language used in future policies and bills regarding juveniles and sex trafficking. These youth are not prostitutes or sex workers. They are victims of exploitation and trafficking. There should not be any language within any legislation that implies they are able to give consent, especially if they are homeless.

1 *AB 1675 should explicitly include safeguards to ensure that the youth being diverted from the juvenile justice system are getting appropriate services geared toward their sexual and/or gender identity.*

2 *Supervision should include evidence-based practice interventions. These interventions should include an assessment of sexual and gender identity so that it is appropriate for the youth being served.*

3 *Future policy should also avoid language that suggests minors can consent to sex work; they are victims of exploitation, not willing participants. They cannot legally consent to these actions and should not be criminalized.*

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POLICY BRIEF

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Summary

The goal of H.R. 104 is to provide permanent and essential support services to bring veterans out of homelessness. 1 in 3 of the homeless people sleeping on sidewalk's in your cities have fought for America's freedom¹. H.R. 104 "Helping Homeless Veterans Act of 2017" targets the veterans experiencing homelessness, at-risk for homelessness, or transition from incarceration or institutions by securing public contracts for veteran loans, programs, and housing. Securing these contracts will benefit national and local levels of advocacy. The Helping Homeless Veterans Act will amend Title 38, United States Code, to make certain programs permanent that assist homeless veterans and other veterans with specialized needs².

Guarding Homeless Veterans for Life: Helping Homeless Veterans Act of 2017

Introduction

On average, homeless veterans have higher education levels, more work experience, and superior professional skills than the civilian homeless population¹. Veterans have many valuable assets, however, they face significant barriers that make them vulnerable to homelessness¹.

Barriers for homeless veterans:

- Mental health issues, such as Traumatic Brain Injury (TBI), are one of the most prevalent causes of veteran homelessness³. Common symptoms of TBI include memory loss, decreased cognitive function, and fatigue⁴. These mental health disorders can be a result of service-induced trauma that are ongoing. The stigma of an "invisible injury" often keeps veterans from seeking treatment¹.
- Substance abuse affects up to 70% of veterans who are homeless⁵. Service members often return home from war with physical, mental, and emotional injuries that require pain management. Potent prescriptions and self-medication of these wounds can lead to addiction⁶.
- Homelessness makes veterans more likely to be incarcerated and have a criminal record which hinders them from gaining employment or stable housing⁷. Criminal records or less than honorable discharge status from the military are legal difficulties that prohibit this population from utilizing VA benefits after their service.

Policy Landscape

The department of Veteran Affairs carries the majority of responsibility for veteran benefit issues. The VA has been working diligently to solve the national problem of veteran homelessness. This issue is so complex, one organization cannot do it alone. Many agencies, both government and private, have created partnerships to address the public outcry demanding sufficient treatment for our nation's veterans⁸.

The public desires to support veterans in their time of need, like veterans have done for this country.

Helping Homeless Veterans Objectives:

- Reintegration programs: This bill ensures support for job training, employment services, and legal assistance.

- **Counseling services:** This bill ensures veterans have access to skilled providers to effectively cope with substance abuse, depression, and stress.
- **Treatment for severe mental illness:** This bill ensures veterans, especially those injured in war, receive education and ongoing, effective treatment for various mental illnesses.
- **Housing assistance:** This bill ensures expedited housing options for veterans to exit homelessness permanently.

Supporters of the Helping Homeless Veterans Act argue that title 38, United States Code, needs to make

certain programs assisting homeless veterans and veterans with special needs permanent.

Opposition to HR 104 are recurrently calling to consolidate federal employment assistance programs. If passed, the Helping Homeless Veterans Act will provide \$50,000,000 each fiscal year to Homeless Veterans Reintegration Programs and \$300,000,000 each fiscal to Financial Assistance for Supportive Services for very low-income veteran families in permanent housing.

The Helping Homeless Veterans Act includes the Advisory Committee On

Homeless Veterans.

The Helping Homeless Veterans Act would be supported through the Federal grant program offering permanency of programs such as:

- Referral and counseling services for veterans at risk of homelessness transitioning from certain institutions
- Treatment for seriously mentally ill and homeless veterans
- Housing assistance for homeless veterans
- Grant program for homeless veterans with special needs.

Policy Implementation

National Coalition for Homeless Veterans calls it the Nation's Most Critical Homeless Veteran Program.

The Homeless Veterans Reintegration Program (HVRP) is the nation's only employment program exclusively dedicated to serving homeless veterans facing severe and multiple barriers to re-entering the workforce. Administered by U.S. Department of Labor-Veterans' Employment and Training Service (DOL-VETS):

- Served over 17,000 veterans in 2014
- A National placement rate into employment of 69%
- Average cost to the program of \$2,007 per placement

The Helping Homeless Veterans Act suggests the amendment of Homeless Veterans Reintegration Programs (HVRP) increase funding by \$50,000,000 for each fiscal year after 2017. National Coalition for Homeless Veterans estimates Homeless Veterans Reintegration Program (HVRP) is underfunded by nearly \$12 million.

American veterans and their families are in a constant state of transition at any given time during their military endeavors. Easing that transition after separation by focusing on re-integration into civilian life, learning about prospective careers, and understanding how their skills from the military translate to the civilian sector are crucial to the future success of American veterans and their families⁹.

Goals of the Helping Homeless Veterans Act:

Equity

Providing access to treatment for veterans affected by homelessness that demonstrates equity by examining who is getting access to services and who is not.

Efficiency

Data collection surrounding whether results were achieved and how many resources were used to achieve the results concludes the goal of efficiency.

Liberty

Government coordination to cooperative undertakings to facilitate a collective effort of their citizens based on the interests of their society.

Security

Absolute need or basic requirements for survival are severely lacking in veterans affected by homeless

Recommendations

VOTE YES ON HR 104

VOTE YES on HR 104 for all proposed changes, or

VOTE YES on HR 104, but place a deadline for 2027, thereby allowing for a review determining if these services are still needed for homeless veterans, or

VOTE YES on removing deadlines, but reducing funds each year, in proportion to the reduction of homelessness achieved year-to-year, moving forward

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Summary

S. 684 amends United States Code Title 38, Veterans Benefits, to assist with the veteran homeless crisis. The amendment will provide needed services to transitional homeless veterans, while lessening the adverse impact of veterans homelessness on a community.

S. 684 Homeless Veterans Prevention Act of 2015

Scope of the Issue

Background

When discussing the social issue of homelessness, the extreme shortage of affordable housing, livable, income, and access to health care are known to be problems that increase the number of people experiencing homelessness. For our military veterans, there are additional factors such as the lingering effects of post-traumatic stress disorder (PTSD) and substance abuse, which are compounded by a lack of family and social support. As veterans are discharged from the military, they are at a disadvantage to compete in the workforce as military occupations and training are not always transferrable to the civilian workforce.¹

The Problem

On any given night in the United States, roughly 560,000 people experience homelessness; of these individuals, 4% (22,400) are veterans.¹ According to the U.S. Census Bureau, there are about 21.3 million veterans residing in the United States. This means that 0.1%

of the total veteran population is homeless on any given night.² The NAEH states that 8% of the total homeless population (sheltered, unsheltered, short-term, long-term, and chronic), or 47,725 people, are made up of veterans.³

Cause and Effects

Substance abuse, physical impairments, mental illness, socioeconomic factors (i.e., unemployment, financial management, pay grade at the time of military discharge) and criminal involvement attribute to the causes and effects of veteran homelessness. The rates of homeless veterans will continue to increase as a result of untreated physical and psychological impairments due to lack of accessibility to quality care.⁴ Beside the previously mentioned factors, Hamilton, Poza, and Washington (2011) also attribute pre-military adversity resulting from childhood trauma (child abuse and domestic violence) to sowing the seed for possible homelessness after the military.⁵

¹ National Coalition for Homeless Veterans (NCHV), 2016

² U.S. Census Bureau, 2015

³ National Alliance to End Homelessness (NAEH), 2016

⁴ Creech et al., 2015

⁵ Hamilton, Poza, and Washington, 2011

Policy Landscape

Context and Objectives

The purpose of S. 684, known as the Homeless Veterans Prevention Act of 2015, is to amend Title 38 to improve the provision for services for veterans experiencing homelessness.

Some of the intended sections:

- Increase per diem for homeless veterans in transitional housing assistance that may become permanent housing
- Per diem to dependents of homeless veterans for furnishing care
- Creates partnership with public and private entities to provide veterans experiencing homelessness or at-risk of homelessness with legal services
- Expands dental care for homeless veterans
- Extends financial assistance for supportive services for very low-income veterans and family in permanent housing
- Provide incarcerated veterans transition programs
- Require the VA to assess comprehensive service programs for veterans experiencing homelessness

Support and Opposition

Senator Richard Burr (R-NC), as well as co-sponsors Senator Angus King (I-ME) and Senator Joe Manchin III (D-WV), introduced the proposed Act to the Senate on March 10, 2015. Once the Senate read the proposed Act twice, it was

referred to the Committee on Veterans Affairs and the hearing was held on June 3, 2015. There has been no action on this act since the hearing.⁶

Disabled American Veterans and other veterans advocacy groups support the policy.

Revenue Sources

As of October 9, 2016, the Congressional Budget Office cost estimate of this measure has not been developed. The funding for Title 38 is provided from the Federal government to the VA then it is distributed appropriate for services throughout the department. In addition to the supportive housing services at the VA facilities, the VA has the ability to provide capital grants to public or nonprofit agencies to ensure the increased availability of support housing services and other services (i.e., rehabilitative services, vocational counseling, and training) to assist veterans experiencing homelessness.⁷

Gains and Losses

If this act is passed, the funding will come from the VA's budget. The VA has submitted their annual budget request for 2017 for a total of \$78.7 billion with \$1.6 billion being allocated for program to assist the VA to continue the battle to end veteran homelessness. The funding may also be relocated from a current policy being implemented into the proposed measure.⁸

U.S. Code Title 38: Veterans Benefits

With Title 38 of the United States Code, veterans are provided outlines for the roles of Veterans Benefits. The six parts of the title are as follows:

1. *General Provisions,*
2. *General Benefits*
3. *Readjustment and Related Benefits*
4. *General Administrative Provisions*
5. *Boards, Administrations, and Services*
6. *Acquisition and Disposition of Property*

Title 38 ranges from defining military veterans to benefits the veterans qualify for, such as educational, vocational, housing, and burial services.

In addition, Title 38 lays out the benefits families may qualify for depending on the veteran's status upon discharge.⁹

Since being enacted in 1958, this title has been amended several times to adjust to the growing needs of the veteran population as well as meeting the needs of the families of the veterans whether alive or deceased.

⁶ U.S. Congress, 2015

⁷ Cornell University Law School, n.d.

⁸ Department of Veterans Affairs, 2016

⁹ Title 38 – Veterans Benefits, 1958

Veteran Medical Care: Key Focus Areas (\$ in millions)

	2015 Actual	2016 Estimate	2017 Request	2018 Request
Caregivers	\$454	\$622	\$725	\$840
Hepatitis C (New Drug Treatment)	\$1,218	\$1,500	\$1,500	\$600
Female Veterans (Gender-Specific Care)	\$439	\$475	\$515	\$557
Mental Health	\$6,851	\$7,484	\$7,832	\$7,997
Telehealth	\$1,051	\$1,114	\$1,171	\$1,226
Rural Health Initiative	\$219	\$270	\$250	\$250
Homeless Programs	\$1,507	\$1,477	\$1,591	\$1,122
Activations	\$558	\$598	\$836	\$498

Distribution of Veteran Medical Costs (2015-2018)

Policy Implementation

Possible Program Implementation

- Increase in HUD-VASH services
- Public/Private VA organizations (i.e., New Directions for Veterans)
- Expansion of VA dental program for accessible services to homeless veterans

Strengths

- Allows homeless veterans a smoother transition into permanent housing
- Could increase homeless veterans' self-worth
- May reduce the homeless veteran crisis

Weaknesses

- May take money away from other programs
- Gives case managers larger caseloads
- May not account for costs of working with outside public and private agencies

Future of the Policy

Gaps

- Periodically report accuracy when working with outside agencies other than Veterans Affairs
- Unforeseeable program costs
- Communications between government organizations and civilian businesses
- Homeless veteran unwillingness to work with VA
- Nonexistent timeline of program implementation
- Inaccurate count of the homeless veteran population

Policy Reinvention

- Change policy to reflect one's time in service not military discharge
- Initiating contact with homeless veterans not in the VA systems

- Total estimated cost of the act needs to be stated
- Eliminate 6-day timeframe for dental services
- Add third-party oversight to required assessments

Need for Social Innovation

- Society needs to see homeless veterans as people rather than their situation

Our Vision

- Our vision is to end the homeless veteran crisis through the use of effective policy and advocacy
- We see all branches of the military focusing on homeless prevention prior to discharge and identifying individuals with potential risks of homelessness

Recommendations

1 **Senator Richard Burr (R-NC) as well as co-sponsors Senator Angus King (I-ME) and Senator Joe Manchin III (D-WV) need to push for this act to be voted on, in order for it to be implemented.**

2 **Change policy to reflect services for all veterans regardless of discharge status. An advantage for this action: all veterans would qualify for services.**

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POLICY BRIEF

by Catherine Rose
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Summary

Homeless youth continue to be a hot topic for social justice. Reasons for individuals and families becoming homeless are vast and ever changing; however, a root cause of homelessness remains to be social welfare. The Runaway and Homeless Youth Act (RHYA) has been the dominant social policy utilized to serve our homeless youth population since 1974 (Glassman, Karno, & Erdem, 2010). RHYA is the social tool that provides a definition and dissemination of interventions to reintegrate homeless youth into society and assist in reclaiming positive trajectories for their lives (Glassman, Karno, & Erdem, 2010). RHYA's interventions are the Basic Centers Program (BCP) and Transitional Living Program (TLP). Analysis of the policy's implementation highlights gaps in identifying the population served, fiscal funding, and availability of services.

Runaway and Homeless Youth Reduction (RHYA): Where is My Home?

Introduction

Over the years, a staggering number of Americans are without homes (Robertson & Greenblatt, 2013). Per national studies on 31 medium-sized and large cities, an estimated 7,000 people are homeless; with controversial estimates ranging between 250,000 to 3 million homeless people nationwide (Robertson & Greenblatt, 2013). Reasons for individuals and families becoming homeless are vast and ever changing; however, a root cause of homelessness remains to be social welfare. Whether the issue falls on employment or mental health, leaders of our country can make this issue a state

of emergency. Vulnerabilities of this population open many risk factors and societal concerns for a poor transition to adulthood.

Some policies are intended to serve and provide resources for those in need, while others are more custodial/oppressive systems that only provide short-term relief. Thus, many policy objectives on homelessness have continued to exacerbate the issue, leaving both victims and change agents frustrated (Bonnie, Stroud, Breiner & Council, 2015).

Policy Landscape

The Runaway and Homeless Youth Act (RHYA) has been the dominant social policy utilized to serve our homeless youth population since 1974 (Glassman, Karno & Erdem, 2010). RHYA is the social tool that provides a definition and dissemination of interventions intended to reintegrate homeless youth into mainstream society and assist in reclaiming positive trajectories for their lives (Glassman, Karno & Erdem, 2010).

Under the administration of the U.S. Department of Health and Human Services (HHS), RHYA encompasses three major components for intervention. The Basic Center Program (BCP) offers short-term shelter and reunification strategies, the Transitional Living Program (TLP) assists with temporary housing efforts, and the Street Outreach Program (SOP) attempts to reach out to youth on the street who are at-risk for

sexual exploitation (Fernandes-Alcantara, 2014). Thus, federal legislation plays a major role in the focus and structure of these RHYA initiatives because the BCP and TLP must be licensed by the state (Glassman, Karno & Erdem, 2010).

The U.S. Interagency Council on Homelessness (USICH) has created a strategic plan on reducing homeless youth, which parallels the 2008 reauthorization of the RHYA policy. Since 2010, their program *Opening Doors* strives to end chronic homelessness, homeless youth, and other specific populations. In 2012, an amendment to the plan supported the *Federal Framework to End Youth Homelessness*, improving data collection on youth and pilot testing effective models of intervention. Benefits of this plan are providing estimates on the number of homeless youth as well as assessments

on their characteristics. Weaknesses of the policy are having no identification of the youth and limited communication between service providers (Fernandes-Alcantara, 2014).

Funding for the RHYA and initiatives aligned with the services, mirror the way funding is allocated for varying government programming. The model outlines how city or state governments should frame their work states that the governing board should create an Office of Homeless Youth Services, led by a Director who shall establish and support comprehensive strategies to contract with organizations and agencies, licensed by the office, to provide services for homeless youth (Wayman, n.d.). Researchers reported \$110 million were allocated to fund RHYA services in 2013 while SOP received a total of \$14.8 million nationwide (Bonnie, Stroud, Breiner & Council, 2015).

Los Angeles mayor, Eric Garcetti, followed the RHYA model in creating a Homeless Cabinet focused on meeting the needs of Angelinos.

Mr. Garcetti ordered a General Manager or Head of Department/Office to designate a senior manager as the Mayor's Homeless Liaison for the; and the Department/Office (Garcetti, n.d.). The Mayor's Homelessness Cabinet along with the Homelessness Policy Director will take a lead in coordinating the Comprehensive Homeless Strategy, which will incorporate best practices, including a coordinated entry system to navigate people from the streets into more stable housing options decriminalization of homelessness (Garcetti, n.d.). Mayor Eric Garcetti's Executive Directive reports an estimated cost of \$1.87 billion, of which Los Angeles intends to disperse equitably across all communities (Garcetti, n.d.).

Researchers reported \$110 million were allocated to fund Runaway and Homeless Youth Act services in 2013

Policy Implementation

The three programs of the policy are critical and have had mixed success, as they serve different populations. Some cases are aligned to middle-class values, rather than to the marginalized population in dire need of services and support (Glassman, Karno & Erdem, 2010). A weakness in the policy efficacy is the duration of the BCP because it utilizes a short term of a 21-day maximum strategy to support the initiative.

The SOP Is intended to counteract sexual exploitation of minors. Strengths of this initiative involve

condom distribution, counseling on sex, and mobile medical units for youths to test for STD's. However, availability of services from outreach programs do not align with the late nights and early mornings of our struggling youth; the programs are available during the day (Glassman & Karno, 2010).

Policies are created in response to a crisis or disaster, causing the RHYA to be created in the spirit of helping the youth. However, unintended consequences of the current policy approach treat youth as delinquents,

maladaptive to mainstream society, and if their problems persist as invisible (Glassman, Karno & Erdem, 2010). Homeless youths loitering, sleeping in cars, and in public places – including parks, buildings, and sidewalks – are all unintended consequences. The proliferation of new laws and ordinances coincide with rising rates of poverty and homelessness, causing recent recession, lingering impacts, and shrinking social safety net that has diminished capacity to respond to increased need (Issue Lab, 2014).

Future of the Policy

Through analysis of the policy's implementation, gaps include identifying the population served, fiscal funding, and availability of services. A major discourse on the efficacy of the RHYA policy is our nation's attempt to recognize and clearly define the population. Thus, different perspectives on childhood and youth in the twentieth century, as

well as the nation's discordant view on youth continue to cause confusion in effectively addressing the issue of homeless youth (Glassman, Karno & Erdem, 2010). This discourse on efficacy is a clear example of a policy Paradox of interest in the polis (Stone, 2012). The interest of the policymakers in 1974 is different from those of current times.

The inconsistencies of age requirements also create a gap that should be addressed in future amendments. An amendment to the RHYA policy is creating a transitional program that provides education, life skills, and housing services to youths who are 16 to 17 years old. Thus, services can be tailored to fit youths' need per age range.

Recommendations and Implications

Suggested revisions are to address fiscal impacts, availability of services, and identifying age requirements for programs. A possible resolution to limit the impact delayed federal funding is to include a clause that funding of the program shall continue despite the inability of Congress to pass a budget. This would help federal and local agencies to develop sound budgets, which will keep a continuity of services to the homeless youth. The potential limitation is the ability to override the Continuing Resolution Act to provide funding. As identified in the TLP, the targeted population is generally active during late nights and early mornings

because of the nature of their activities. There has been an increase in the probability of reaching this marginalized population within the homeless youth population because of creating capacity in the agency to have staff and service providers available during this time. Agencies may not think this is feasible because there would be a need to increase staff or change personal working hours. This is a limitation of the proposal however; this will sustain the agencies mission and vision to support this population. Currently, our society is experiencing a unique shift of identification of age norms and the ability for one to be

self-sufficient. Per Billari and Liefbroer, 2007, the Life-Course Theory “suggest(s) that age norms and age grading influence life-course decisions in general and leaving home in particular” (Billari, 2007, p.181). Revising the policy to address sensitive issues that homeless youth face during specific life-course limitations will address the age gaps in services that are identified in the TLP. This implementation would require funding for researchers and policymakers to examine the population based on life-span development as well as the living conditions.

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by Delphie Morales,
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60%
**of employers
would not
hire an
applicant
with a
criminal
record**

AB 218 **Employment Applications: Criminal History**

Introduction

In 2016, Los Angeles Homeless Services Authority (LAHSA) tallied 46,874 homeless individuals in the annual homeless count, a 5.7% increase from the previous year (Los Angeles Homeless Services Authority, 2016). Incarceration plays a significant role in homelessness as trends show individuals who were formerly incarcerated are four times as likely to experience homelessness especially in urban settings (Lutze, Rosky & Hamilton, 2014). The last 40 years have brought longer prison sentences to the criminal justice system, a factor that strains family relationships and makes it more difficult for released prisoners to reenter homes they previously inhabited (Raphael, 2011). Decreased employment opportunities exacerbate the homelessness issue as formerly incarcerated individuals face the reality of employers' reluctance, or flat out unwillingness, to hire convicted felons. Having a criminal record completely bans individuals from certain

occupations and stigmatizes them in others. A survey completed in multiple cities showed that over 60% of employers would not hire an applicant with a criminal record (Raphael, 2011).

With limited access to employment, formerly incarcerated individuals struggle to provide for themselves and can easily enter into homelessness, especially if they do not have a supportive family structure. The increased and stricter enforcement of drug laws results in prisons being filled with non-violent criminals, who face limited employment opportunities upon release for crimes that likely do not interfere with their ability to perform in a given occupation (Raphael, 2011). By limiting an employer's ability to screen applicants based on felony convictions, formerly incarcerated individuals will stand a far better chance at gaining employment and successfully reintegrating into the community. AB 218 is a step in the right direction.

Policy Landscape

California Assembly Bill 218 Employment Applications: Criminal History was signed into law by Governor Jerry Brown on October 10, 2013 and became effective on July 1, 2014 (leginfo.legislature.ca.gov). AB 218 added Section 432.9 to the Labor Code relating to employment application and criminal history, removing questions about convictions from state agency, city, county, and special district job applications, and postpones these

inquiries until later in the hiring process (Rodriguez & Avery, 2016). Its goal is to reduce discrimination for public sector job opportunities based on criminal history by postponing background checks as long as the applicant meets the minimum qualifications for the position. This does not prohibit an agency from conducting a background check if they are required by law to do so, such as health care agencies or local schools. There are 6,000 state and

local agencies that would be required to make changes to their written policies, forms, and staff training resources. As a result, these changes may incur costs which can be submitted for reimbursement if they exceed \$1,000. The expected total cost for AB0218 could exceed \$50,000 from the general fund, as well as \$15,000 dedicated to implementation of the bill's provisions.

One hundred and twenty-three

organizations support AB0218 such as 9to5 California, A New Way of Life Reentry Program, ACLU of California, All of Us or None of AV-Kern County Chapter, and Justice Now (leginfo.legislature.ca.gov). AB 218 was also endorsed by several major news outlets, including the New York Times, Los Angeles Times, and Sacramento Bee (Rodriguez & Avery, 2016). The Association of California Cities – Orange County, Association of California Water Agencies, California

District Attorneys Association, and 17 other organizations opposed the bill (leginfo.legislature.ca.gov).

Supporters of the bill argue that one in every four persons in California has an arrest or conviction on file, the majority of these individuals are people of color, therefore people of color are disproportionately impacted by required disclosure of criminal history on job applications (Emselem & Avery, 2016).

Policy Implementation

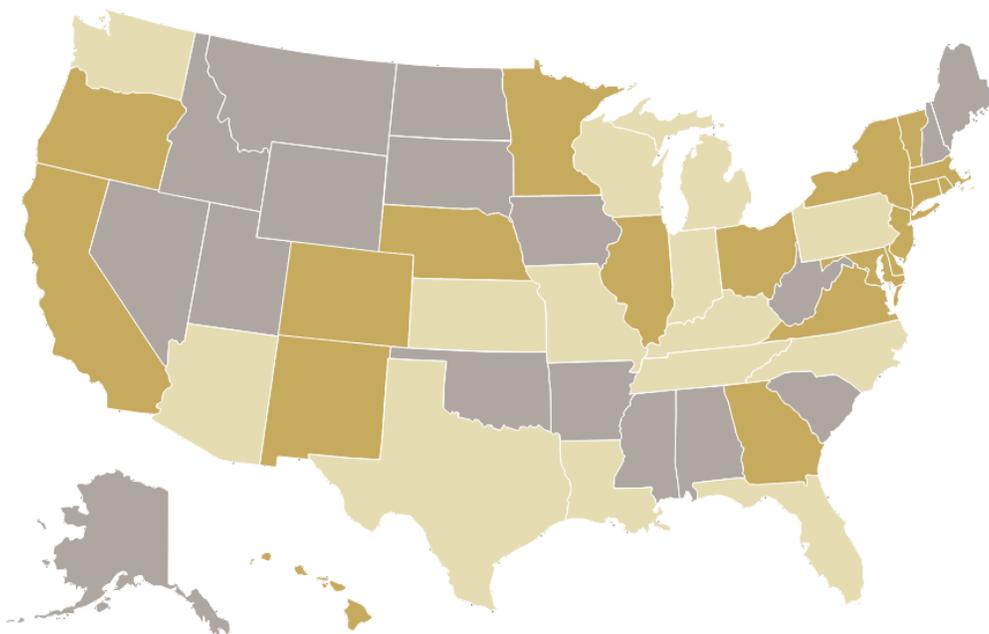
As of 2014, there have been 12 states and almost 70 cities and counties that have implemented fair chance policies (nelp.org). The policy has been shown to be effective in increasing the chances of receiving employment callbacks overall for previously incarcerated individuals. Banning the box on job applications has increased their chances of progressing in the employment process.

Strengths of AB 218 are found in its ability to reduce recidivism, reduce job unemployment, improve economic growth, and prevent consequences such as homelessness. This policy has been

widely accepted in the State of California, with minimal employer opposition to implementation. Further, employers have been shown to express gratitude for an increased pool of workers. Weaknesses can be found in its failure to address racially discriminatory employment practices based on name identification, where individuals perceives “black names” continue to be at a disadvantage when seeking employment.

Two important stakeholder groups that are affected by AB 218 are local and state employers, along with previously incarcerated African-Americans and Latino individuals. Ease of implementation by local and

state employers has been found to be the consensus (nelp.net). In the United States, African-American and Latino men are 6 and 2.3 times respectively more likely to be incarcerated when compared to their Caucasian counterparts (thesentencingproject.org). Though callbacks for previously incarcerated individuals have increased, unintended consequences have resulted in African-American men overall receiving fewer employment callbacks post-implementation of AB 218, reinforcing racially discriminatory employment practices.



■ Has a state policy or law (may also have city and county fair-chance policies)

■ Has at least one city or county fair-chance policy

**12 states
and almost
70 U.S. cities
and counties
have
implemented
fair chance
policies**

Future of Policy and Recommendations

Currently, the policy's gaps exist in its lack of providing certainty that criminal history will not be a factor in whether candidates obtain employment or not. AB 218 increases the chances of being considered as a potential employer, however a criminal record can still be accessed further into the hiring process, potentially delaying the exclusion process. Although AB 218 requires local and state employers to ban the box, it does not prevent local schools from implementing background checks in order to screen applicants. Although it seems reasonable for background checks to be conducted when student contact is a requirement, it greatly limits an educator's opportunities to teach. As one previously incarcerated individual states, "Some of those inmates would make great teachers, singularly suited to get through to the very kind of kids they once were" (huffingtonpost.com). Based on the gaps this policy fails to address, reinvention that addresses when and what is done once conviction history on a potential employee is obtained would be beneficial.

Further, banning the box for early application screening does not begin to rectify the need for the destigmatization of having a criminal record. The concept of punishment greatly outweighs that of rehabilitation when it comes to the criminal justice system in the U.S. Rehabilitation is a process that can happen both inside and outside of a prison cell. As people are released from prison, having a supportive and welcoming community in which to return will aid in the reintegration process. In addition to having employers ban the box, creating a network of employers who are committed to not only employing, but also supporting formerly incarcerated individuals post-hire is necessary. Many companies already provide employee assistance programs to their employees who are experiencing personal or work-related issues. These programs could be expanded for formerly incarcerated individuals and tailored to and informed by the trauma of prison-life and how to navigate civilian life.

1. Include the Private Sector

Expand the policy to include private sector hiring practices. As it stands, the policy only reaches public sector jobs and with current budgetary constraints those jobs are lacking. Expanding to the private sector would create more opportunities. Business groups, however, argue that Ban the Box initiatives create costly and time consuming hiring processes. However, Minneapolis found that implementation of their policy reduced the amount of time and resources needed for processing applicants by 28% (NELP & NLC, 2010).

2. Adopt the Policy Federally

Adopt the policy federally to include federal, state, and local governmental jobs as well as private sector employment. Denying hiring due to incarceration history impacts the U.S. economy. It was estimated that hiring discrimination against ex-offenders resulted in somewhere between \$57 and \$65 billion in lost output nationally (Schmitt & Warner, 2011).

3. Enact Hiring Incentives

Explore opportunities to enact "Second Chance Hiring" incentives for the private sector. In recent years, some cities have instituted new financial incentives for private employers to hire people with criminal records in their local communities. These incentives have taken the form of supplemental tax credits that build on the federal Work Opportunity Tax Credit (WOTC) available to employers that hire people with criminal records (NELP & NLC, 2010).

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Anna Cho Fenley, Crime Survivors for Safety and Justice Director, **Californians for Safety and Justice**

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POLICY BRIEF

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Summary

California has seen the proliferation of local ordinances that criminalize “acts of living” such as eating, sitting, sleeping, and panhandling in public spaces. These ordinances are intended to broadcast a zero-tolerance approach to homelessness and reduce the visibility of homelessness in communities. However, laws that criminalize homelessness fuel inflammatory attitudes, marginalize people, restrict constitutionally protected liberties, and overburden the courts and jails. This policy brief will discuss the effects of criminalizing homelessness and how legislation called the Homeless Bill of Rights can break the cycle of incarceration and homelessness.

The Poor Get Prison: The Homeless Bill of Rights

The Problem

One of the most profound issues facing American communities is the overuse of incarceration to address social problems. Due to economic policies of the federal and state government, homelessness exploded in the 1980s and worsened during the Great Recession.

Homelessness is a persistent crisis in California, which has the largest population of homeless persons in the nation (22%)¹. The state’s inadequate response to this widespread problem has forced local governments to address homelessness with local resources. Cities have responded by

enacting new vagrancy laws with a wide range of municipal codes that target homeless people. Anti-homeless laws are common in California. 58 California cities have enacted at least 500 anti-homeless laws restricting the basic rights of these individuals to stand, sit, and rest in public places².

East Bay Community Law Center argues that there is selective enforcement of these laws and that their clients are charged with loitering when engaged in normal activities such as standing on a public sidewalk or sitting on a public bench. People who are not homeless are not cited for the same activities³.

CRIMINALIZING HOMELESSNESS

(Since 2011)

- Citywide bans on camping in public places having increased by **60%**
- Citywide bans on begging in public have increased by **25%**
- Citywide bans on loitering, loafing, and vagrancy have increased by **35%**
- Citywide bans on sitting or lying down in certain public places have increased by **43%**
- Bans on sleeping in vehicles have increased by **119%**

Effects of Current Laws

Evidence strongly suggests that these anti-homeless laws do not reduce homelessness, but instead enhance the severity of the problem. Homeless people who are given “acts of living” citations are often unable to appear in court because they lack transportation, resulting in outstanding warrants and arrest. These citations and arrests give them criminal records which make them ineligible for benefits such as federal

housing subsidies, creating a cycle of incarceration and homelessness⁴.

Anti-homeless laws also place undue burdens on both the courts and the jail systems. The National Law Center on Homelessness & Poverty (NLCHP) cites that one night in jail costs approximately three times as much as one night in a shelter⁵.

Policy Landscape

The Homeless Bill of Rights is a social policy that would establish a statewide standard for the decriminalization of homelessness in California. This civil rights and criminal sentencing reform would curb the enforcement of local government ordinances which selectively target homeless persons. The Homeless Bill of Rights would provide legal protection to homeless

individuals inhabiting public spaces, including their rights to move freely, rest, eat, accept food, pray, and solicit donations without incurring civil or criminal sanctions. The law would also forbid local government interference in the distribution of food to homeless people by citizens or organizations. Additionally, the legislation would empower homeless persons to take civil action in

response to rights violations, and it would require law enforcement agencies to publish citations and arrests of homeless people. There are two primary objectives of the Homeless Bill of Rights: halting the discriminatory enforcement of laws that target homeless people, and breaking the costly cycle of incarceration and homelessness.

OPPONENTS	PROPONENTS
<p>Homeless Bill of Rights legislation was introduced to the California State Assembly in 2012 as Assembly Bill 5 (AB 5) and to the California State Senate in 2016 as Senate Bill 876 (SB 876). Both bills failed in committee due to vociferous lobbying from opponents of the policy. As many as 73 California cities rallied against the bills with the backing of the California League of Cities, objecting to a state law overturning their local ordinances. The California Chamber of Commerce opposed the bills on the grounds that homeless individuals in commercial areas are bad for business. Law enforcement agencies objected to the bills' limitations on their abilities to cite and arrest homeless individuals and increased risk of lawsuits filed on behalf of homeless individuals. Some local residents expressed skepticism about the policy, fearing threats to public safety and lowered property values where homeless people are tolerated⁶. Additionally, many Republicans in the California legislature opposed the bill after campaigning on platforms of being "tough on crime" and strong on law enforcement.</p>	<p>Proponents of the policy are planning to reintroduce Homeless Bill of Rights legislation in 2018. The Western Regional Advocacy Project (WRAP), a coalition of organizations specializing in homelessness and community organizing, is spearheading the effort.</p> <p>The Homeless Bill of Rights is supported by civil rights advocates such as the National Law Center on Homelessness & Poverty and the American Civil Liberties Union.</p> <p>Professional organizations for nurses, psychologists, and social workers have proven sympathetic to the policy. The law is supported by religious organizations whose faith-based work has been curtailed by ordinances against giving aid to homeless people. Democrats in the California legislature are often friendly to Homeless Bill of Rights laws: both AB 5 and SB 876 were sponsored by Democrats.</p>

Implementation: Costs and Benefits

The Homeless Bill of Rights is a non-appropriations bill. The law would not enact any program requiring funding, state or otherwise. The potential fiscal costs of the policy would be borne by local governments by creating liability. Homeless individuals could sue for damages for violations of their rights by law enforcement or city officials. While cities and law enforcement view this liability as a cost, greater accountability is actually a benefit for vulnerable homeless individuals and for California taxpayers who are footing the bill for needless

incarceration of homeless persons. The Homeless Bill of Rights also creates accountability by requiring law enforcement to publish citations and arrests of homeless individuals for public review. At a time when California prisons and jails are overcrowded, a major strength of the Homeless Bill of Rights is its capacity to relieve the criminal justice system of "offenders" whose only crime was to sit or eat in public spaces. A law decriminalizing homelessness also has the potential to shift responsibility for homeless individuals from law enforcement and the jails to social

workers and social service agencies. This shift would be fiscally sound, as one night spent in jail costs approximately 3 times as much as a night spent in a shelter⁵. For a fraction of the cost of jailing a homeless person, we can provide housing and social services that offer a way out of homelessness, rather than creating new obstacles that keep the individual on the streets and in the criminal justice system. The Homeless Bill of Rights creates incentives for local communities and the state to provide non-carceral solutions to homelessness.

Implementation: Future of the Policy

A Homeless Bill of Rights law is slated to be reintroduced to the California legislature in 2018. If the new bill is to stand a better chance than AB 5 and SB 876, advocates will need to reach out to opponents who have lobbied against the policy. Cities and law enforcement wonder, “If we cannot cite or arrest homeless people, what are we supposed to do? We have no other resources to address the problem.” Advocates for the homeless should work with cities and law enforcement to develop alternatives to criminalization. For instance, advocates can meet with law enforcement agencies that opposed AB 5 and SB 876 to discuss police programs that connect homeless individuals with shelters/housing, mental health agencies, and addiction treatment centers. Advocates can persuade the California Chamber of Commerce with arguments about safety and economic vitality. Research shows that anti-homeless ordinances do not improve safety or commercial activity⁷. Advocates can also partner more intensively with churches and faith-based organizations to lobby Republicans in the California legislature.

Multidisciplinary social innovation will be required to develop programs that solve, rather than criminalize, the problem of homelessness. Professionals and policy makers require a greater understanding of marginalized populations and co-occurring risk factors that create and perpetuate homelessness. Effective policy advancement depends on this understanding. Policy makers should understand the role of race, mental health, addiction, age, disability, and LGBTQ issues in the cycle of homelessness and incarceration⁸. The nature of both the criminal justice system and American homelessness lend themselves to bias and discriminatory policy and practices. From the “War on Drugs” to the criminalization of homelessness, American policy drives marginalized individuals through a cycle of poverty, lack of medical and mental health care, and insufficient public resources and support. Intensive services and supportive structures are required to prevent homelessness and recidivism in people released from jails and prisons⁹.

The state of California can encourage smarter policies on the local level by offering grants to law enforcement agencies to create programs similar to the Santa Monica Police Department’s Homeless Liaison Program, which links homeless individuals to mental health care and other services.

California can pursue statewide policies incentivizing affordable housing, like inclusionary zoning policies that encourage developers to create affordable housing for vulnerable people.

The state can also choose to invest in evidence-based permanent supportive housing programs for homeless individuals.

These local and state-level social reforms will enable the Homeless Bill of Rights to have maximal impact on homeless individuals’ ability to attain housing, health, and stability.

A Homeless Bill of Rights will serve as a foundation for social reinvention of community supports and public welfare.

This legislation creates accountability for law enforcement and local policy makers to create supportive and rehabilitative structures for addressing homelessness outside of the current practices criminalizing this population.

This law is necessary to ensure that all Americans have their basic human needs met in a country that promises all citizens the right to pursue happiness.

Recommendations and Implications

The California legislature faces three major options:

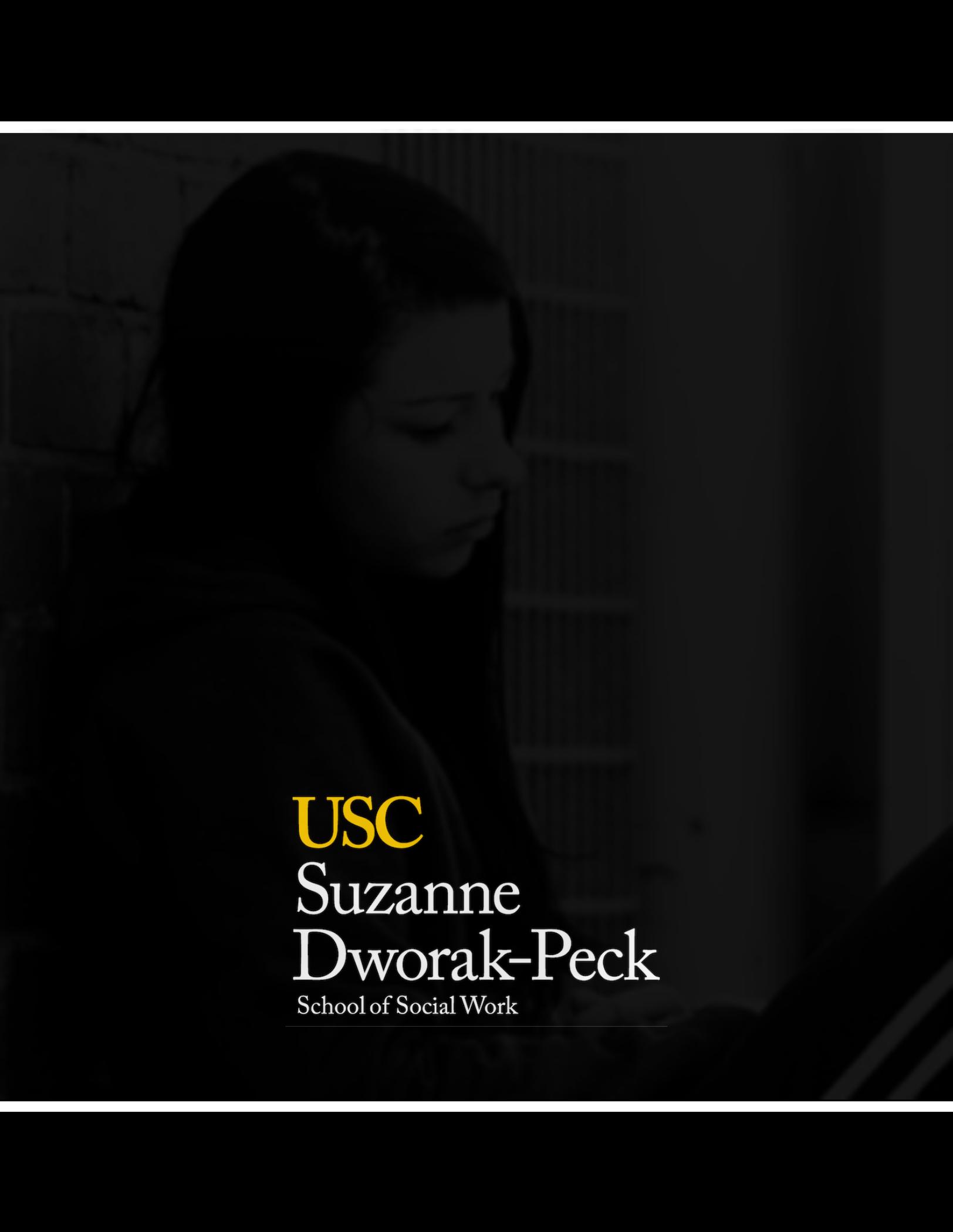
1. accepting the status quo of criminalizing homelessness,
2. decriminalizing homelessness with no further action, or
3. decriminalizing homelessness while expanding social services for homeless individuals.

As this policy brief has demonstrated, the status quo of criminalizing homelessness is inhumane and costly. If the state legislature allows local ordinances to stand, California will continue to bear the costs of homeless individuals cycling through the courts and jails. However, passage of a Homeless Bill of Rights law by the California legislature would not be a panacea. Decriminalization of homelessness alone does not create affordable housing, treat mental illness or addiction, or connect homeless individuals with services.

True and lasting change will require the California legislature to enact Homeless Bill of Rights legislation while concurrently supporting expanded social services. These measures, together, would shift responsibility for caring for homeless individuals from the criminal justice system to social service agencies.

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