

# LA REGIONAL POLICY COMMITTEE UPDATE

May 2019

## JOIN THE COMMITTEE

For more information on local, state and federal policy issues, we invite you to participate in our monthly committee meetings (3<sup>rd</sup> Thursday of each month).

### Next meeting:

June 20, 2019  
10:00 a.m. – 11:30 a.m.  
Legal Aid Foundation of LA  
1546 W. 8<sup>th</sup> Street  
Los Angeles, CA 90017

## POTENTIAL ELIMINATION OF CRIMINAL DV FINE

California Senate Bill 144 (Mitchell/Hertzberg) eliminates various criminal fees imposed on individuals at the time of arrest, prosecution or conviction. The purpose of the bill is to create more just criminal justice policies and enhance the economic security of populations that face a higher risk of becoming involved in the criminal system, such as low-income individuals and people of color.

The bill includes eliminating the \$500 minimum mandatory fee for persons placed on probation for a domestic violence offense. Two-thirds of this fee is used to fund the county's domestic violence programs. The California Partnership to End Domestic Violence is advocating to create an exception in the bill for the domestic violence fee. The bill is currently pending in the Senate.

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*For more information on the state legislation listed here, visit [leginfo.legislature.ca.gov](http://leginfo.legislature.ca.gov)*

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## EXPANDING VICTIM COMPENSATION ELIGIBILITY FOR SURVIVORS

Current law allows a claim for victim compensation benefits to be denied if a victim “actively and intentionally” interferes with law enforcement’s investigation of the crime, which includes failing to file a police report or delaying notification to the police.

California Assembly Bill 1449 (Garcia) reduces the standard used by the California Victim Claims Board (CalVCB) for denying victim compensation claims to “failure to reasonably cooperate” with law enforcement. The bill states that a DV victim’s conduct with law enforcement at the scene of the

crime cannot be considered in determining reasonable cooperation. The bill also states that a claim for restitution by a DV, sexual assault or human trafficking victim cannot be denied solely because the victim delayed reporting the crime to law enforcement. The bill is currently pending in the Assembly.

## DATA COLLECTION ON HOMELESS POPULATIONS

California Assembly Bill 67 (Rivas) requires the California Department of Housing and Community Development (HCD), in coordination with the Homeless Coordinating and Financing Council, to develop a statewide homeless integrated data warehouse for the purpose of creating a comprehensive picture of the homeless population in the state. Warehouse data



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## Contact Us

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will be compiled from agencies' Homeless Management Information Systems (HMIS) and will include: demographic information, disability status, veteran status, zip code, entry/exit dates for services and housing, stated reasons for homelessness, and number of unaccompanied youth experiencing homelessness.

Because most survivors are not entered into HMIS for safety and privacy reasons, there is a concern that the data warehouse will not accurately reflect the prevalence of domestic violence and sexual assault among homeless individuals and the needs of homeless survivors. The bill is currently pending in the Assembly.

## FEDERAL POLICY ISSUES

### HUD's proposed "Mixed-Status Family Rule" impacts immigrant families

On May 10, 2019, the U.S. Department of Housing and Urban Development (HUD) released a proposed rule prohibiting "mixed-status" families from living in federally subsidized public housing and Section 8 programs. Mixed-status families are defined as households that include both members who are eligible and ineligible for housing assistance based on their immigration status. "Ineligible" immigrants include more than just undocumented individuals. U Visa recipients are included in the category immigrants who are ineligible for housing assistance.

The rule also requires all residents under the age of 62 to have their immigration status screened by the Department of Homeland Security. Families with members who are deemed ineligible will be evicted from their housing after 18 months or sooner.

Currently, the law allows families to live together in subsidized housing even if one family member is ineligible, as long as the housing subsidy is reduced to exclude assistance for the ineligible person. According to HUD data, approximately 25,000 mixed-status families across the country will be forced to decide between breaking up their families or foregoing housing assistance. In these families, over 55,000 children will be harmed because their parents are ineligible immigrants.

### What can I do?

There is a 60-day comment period for the proposed rule. You can submit comments directly to HUD through the National Low Income Housing Coalition's and National Housing Law Project's joint website regarding the proposed rule: [www.keep-families-together.org](http://www.keep-families-together.org). The site also includes comment templates that agencies can modify and submit on their own at [www.regulations.gov](http://www.regulations.gov) (Docket ID: HUD-2019-0044). Comments are due by **July 9, 2019**.

### How can I get more information?

For more information, contact Elayne Weiss, Senior Policy Analyst for the National Low Income Housing Coalition, at [eweiss@nlihc.org](mailto:eweiss@nlihc.org), or Karlo Ng, Supervising Attorney at the National Housing Law Project, at [kng@nhlp.org](mailto:kng@nhlp.org).