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February 22, 2018

Council File No.: 17-0356
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Honorable Members of the City Council
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**ARTS, ENTERTAINMENT, PARKS, AND RIVER COMMITTEE UPDATE REPORT IN
RESPONSE TO CITY COUNCIL RECOMMENDATIONS PER CF 17-0356 PERTAINING TO
HOUSING VOUCHERS, HOMELESS SHELTERS, CULTURAL SENSITIVITY TRAINING,
FUNDING AND LEGISLATION DIRECTLY AFFECTING THE TRANSGENDER
COMMUNITY IN THE CITY OF LOS ANGELES**

SUMMARY

The Los Angeles Housing and Community Investment Department (HCIDLA) is submitting this report on behalf of the Human Relations Commission (City HRC) and the Transgender Advisory Council (TAC) in response to the request by City Council (CF 17-0356: O'Farrell, Bonin, Koretz, Martinez). The report further describes City processes and policy concerns that directly impact the transgender community.

This also includes the assessment of City policies used to manage and respond to alleged discriminatory practices related to housing vouchers, homeless shelter practices for transgender individuals within the Los Angeles County Continuum of Care, transgender sensitivity training for City staff, funding opportunities that may be available for services targeting the transgender community, and process for monitoring legislation that impacts the transgender community.

HOUSING SECTION 8 VOUCHERS

The impact of the lack of affordable housing affects all Angelenos. However, the transgender community carries an additional burden of discrimination when trying to access housing (Council File 17-0356). In addition to limited employment opportunities, transgender individuals also face stigma, discrimination, and high levels of poverty and homelessness. As such, housing is limited for many transgender individuals. As mentioned at TAC meetings and forums, transgender community members have also raised the issue of discriminatory practices they face when trying to redeem Section 8 vouchers. As of now, the Housing Authority of the City of Los Angeles (HACLA) has not received any complaints based on gender discrimination, according to their discrimination complaints process. This discrepancy between the experiences of transgender individuals and recorded violations of such incidents may exist because there is currently no mechanism available to file a complaint based on “gender identity and expression.” Unlike “gender,” “gender identity and expression” is not a protected class covered by the federal discrimination clause. So, while no individual is denied or excluded from receiving benefits or participating in HACLA-operated programs, it is possible that some are facing barriers in their ability to utilize these benefits. It should be noted that HACLA itself does not address complaints made when tenants have housing issues, rather it refers clients to the Legal Aid Foundation of Los Angeles or local Fair Housing advocacy groups for assistance.

Given the limited data available, it is difficult to quantify the issue aside from anecdotal evidence. HACLA does not employ a mechanism to count the number of vouchers it distributes to transgender and non-binary individuals, nor does it have a process to centrally track individuals discriminated on that basis.

TRANSGENDER HOMELESS INDIVIDUALS

Through the TAC’s work within the transgender community and through some members’ own experiences, the issue of homelessness in the transgender community has been established as a policy priority. As a community with high poverty rates as described in the report of the National Gay and Lesbian Task Force and National Center for Transgender Equality, “Injustice at Every Turn: A Report of the National Transgender Discrimination Survey”, transgender individuals often find it difficult to find space within the homeless shelter system, as well as face risks when it comes to personal safety. Examples that have been shared with the TAC by community members include restrictions on housing placement based solely on the gender assigned at birth and/or being turned away because personal safety in the shelter could not be guaranteed.

Although the Los Angeles Homeless Services Authority (LAHSA) has implemented the Department of Housing and Urban Development’s (HUD) Equal Access Rule, a policy that went into effect September 2016, there are still incidents being raised informally by transgender individuals at TAC meetings and community forums. The purpose of this new policy is to ensure that gender identity is respected at homeless shelters during placement and while providing services. LAHSA’s October 24, 2017 Memo “Strategy 70: Expanding Emergency Shelter and Improving Access” indicates that LAHSA has since provided cultural sensitivity training to all homeless service providers under its purview in collaboration with the LA LGBT Center. LAHSA also requires all of its providers to offer services for their clients based on their gender identity. LAHSA’s 2017 Homeless Count Demographic Survey also included a question to count non-binary homeless individuals, indicating a shift towards better data collection processes to evaluate the pathways of transgender individuals.

LAHSA has a grievance process established for clients to follow. The client can first approach their concern to the LAHSA-funded service provider where they experienced the incident. LAHSA provides training and support when and if these issues arise through their Bridge and Crisis Coordinators and Supervisors. If the client feels their concern was not addressed, they can elevate it to the attention of LAHSA as the overseer of the service provider agency. In the event the client feels both the service provider and LAHSA are not providing an adequate resolution, HCIDLA, as LAHSA's contract administrator, steps in to help address the client's concerns.

LAHSA has made significant strides toward transgender inclusivity in its Continuum of Care, particularly by implementing HUD's Equal Access Rule. It plans to continue providing technical support to its providers around transgender sensitivity through collaboration with the LA LGBT Center.

PERSONNEL

On December 13, 2017, the City Council instructed the Personnel Department to work with the City HRC and TAC to assess the cultural sensitivity training offered and needed for staff citywide. In 2017, the California Legislature and the Governor enacted Senate Bill 396 (Chapter 858, Statutes of 2017). This measure, which took effect on January 1, 2018, mandates that all employers with 50 or more employees include, as a component of their sexual harassment training program, training on harassment based on gender identity, gender expression, and sexual orientation. The Personnel Department became aware of this measure during its consideration by the State Legislature and, working with its vendor, ensures that the City's Sexual Harassment training that is mandatory for supervisor-level staff complies with the requirements of SB 396. Personnel's proactive effort demonstrates a genuine effort on behalf of the department to prevent discrimination in the workplace on the basis of gender identity and gender expression.

The City's training program, however, focuses on supervisory level staff. To fully address the City Council's instructions, the City Council may wish to expand this mandatory training to all public officials with public-facing roles and other employees that interface with community members. Such training should increase understanding and inform City staff on how to correctly address and effectively serve transgender community members during their daily interactions. Also, to ensure that the City's current training program properly and accurately reflects the issues facing the transgender community today, the City Council may wish to instruct Personnel to work with the TAC and the City's vendor to conduct a thorough review of the current training modules and make appropriate modifications, if necessary.

Working together, the City HRC, TAC, and Personnel Department should formalize and present to the City Council a training development plan that includes implementation strategies, recommends vendors with subject-matter expertise, and identifies pilot Departments in need of such training.

FUNDING

Similar to other Councils and/or Commissions, the Transgender Advisory Council receives some discretionary funding from City Council for programming and runs on a "Citizen-Volunteer Commission" model. Although some funding is made available through these avenues, it lacks a consistent and substantial revenue stream needed to carry out its mission as well as to develop supportive initiatives and programming. Within the City structure, the TAC has found an ally in the AIDS Coordinator's Office (ACO) under the Department on Disability. The ACO conducts special

outreach to the transgender community, found to be among the hardest hit and disproportionately affected by the HIV/AIDS epidemic.

The AIDS Coordinator's Office has a total operating budget of \$1,451,893 for FY 17-18. The budget is comprised of a baseline cost that covers a portion of the AIDS coordinator salary, the AIDS and HIV Policy and Planning portion covers remaining staff salaries, the technical assistance program, and annual research project; finally, the HIV prevention funds cover the 16 community-based HIV prevention contracts.

The ACO currently funds the following organizations, with a total commitment of \$195,000 per year, to provide services to the transgender community:

1. **AIDS Project Los Angeles Health and Wellness** – Provides programming, with an emphasis on the Native American population, including a leadership “academy” to equip transgender women with tools to become leaders.
2. **Children's Hospital LA** – Provides services, with an emphasis on transgender youth (24 and under), including outreach efforts, individual counseling, mental health services, health education and capacity building for other providers.
3. **LA LGBT Center** – Provides various services for homeless youth, including transgender youth.
4. **St. John's Well Child and Family Center** – Provides an economic empowerment prevention program for the transgender community.

Part of the ACO's scope of work is providing assistance to organizations that strengthen HIV/AIDS prevention efforts. Through its technical assistance program, they are able to provide 15 to 20 grants per year depending on availability and need. With this fund, the ACO was able to support the Job Readiness Workshop held at Los Angeles Trade-Tech College in collaboration with the Transgender Advisory Council on October 27, 2017. These grants are usually in the amount of \$3,000 and can be used for training, small events, capacity building and other projects that provide support for community members affected by HIV/AIDS and for the prevention of HIV/AIDS.

As part of its mission to alleviate transmission rates among the transgender community, the AIDS Coordinator's Office will assist the Transgender Advisory Council by monitoring grant opportunities available for the transgender community as part of their regular search for funding.

LEGISLATION

Each year, the California State Legislature considers thousands of bills on the variety of issues facing the state and its residents. Often, measures are introduced that could be helpful to further defining and refining State law and policies affecting the transgender community, both positively and negatively. To establish an official City position on any legislative proposals pending before the Legislature, the City's Legislative Program requires the introduction and adoption of a Resolution by the City Council and concurrence from the Mayor.

Recently various measures which could affect the transgender community have been introduced, such as the following measures:

- AB 2153 (Thurmond): This bill would require, within the first six weeks of every school year, each school to provide in-service training on school site and community resources for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils as well as strategies to increase support for LGBTQ pupils and thereby improve overall school climate.
- AB 3046 (Gibson): This bill would revise the right of those in foster care to be referred to by the youth's preferred name and gender pronoun, the right to maintain the privacy of the youth's lesbian, gay, bisexual, transgender, queer, and questioning status and gender identity, except as provided, and the right to have reasonable access to computer technology and the Internet.

To remain aware of legislative developments around the transgender community, the TAC will consider adding a legislative update as a standing item of its regular meeting. Furthermore, City HRC staff, with assistance from the Chief Legislative Analyst as needed, will continue to monitor relevant legislative action and will alert the TAC and the City Council regarding any measures that may warrant legislative action by the City.

RECOMMENDATIONS

The General Manager of HCIDLA, on behalf of the City HRC and the TAC, respectfully submits the following recommendations that the Mayor and City Council:

- I. REQUEST HACLA to begin tracking the number and type of vouchers that are provided to transgender individuals; monitor the rate of successful housing placements they experience compared to their cisgender counterparts; increase education and outreach to transgender individuals on how to secure a Section 8 voucher.
- II. REQUEST LAHSA to monitor and record its homeless shelters compliance with the Equal Access Rule and to report back on its enforcement policies and action.
- III. INSTRUCT Personnel, City HRC and the TAC with the assistance of the City Administrative Officer to review the City's current online training program on transgender awareness, and make appropriate modifications to that program to ensure that it is properly addressing the issues facing the transgender community, and; report on the feasibility and budgetary requirements of implementing an online mandatory training and an in-person training program that is geared towards City employees with public-facing roles and high levels of interaction with community members.
- IV. INSTRUCT City HRC to monitor relevant legislative action and alert the TAC, as needed, of any pending federal or state legislation affecting the transgender community and; request the TAC to add a legislative update as a standing item on its regular meeting agenda.

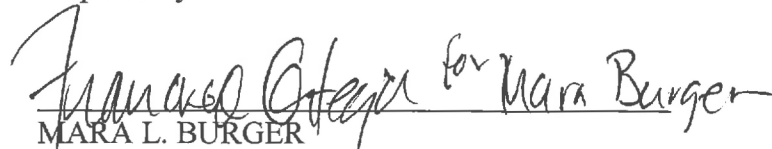
FISCAL IMPACT STATEMENT

Pending City Council's approval of recommendations, the necessary fiscal assessments will be conducted and submitted for review.

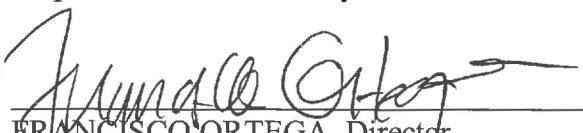
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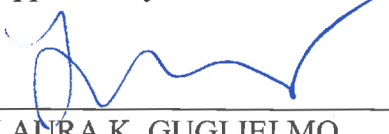
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