



For Immediate Release

Statement on the California Community Assistance Recovery, and Empowerment (CARE) Court Program

September 20, 2022 -- Washington, D.C. – The National Alliance to End Homelessness today expressed [its concerns following the signing of SB 1338](#) known as the Community Assistance, Recovery, and Empowerment (CARE) Court program. The organization has called on the Administration to take the bold steps needed to address homelessness by focusing on funding and scaling up evidence-based services and housing solutions.

“The CARE Court program creates a pathway into involuntary services and treatment for people with mental illness, which will include many people experiencing homelessness, but misses an opportunity to provide more resources for the vast majority of people experiencing homelessness who are actively seeking housing and services,” said Ann Oliva, CEO of the National Alliance to End Homelessness. “It is not aligned with the evidence for ending homelessness and serving people with mental illness, and distracts focus from addressing known resource gaps.”

The consensus among academics, practitioners, and people with lived expertise of homelessness is clear: the most effective way to end homelessness is to rapidly connect people to an array of housing options, with the ability to voluntarily engage in the supportive services that people need, be they in behavioral health, employment, substance use, mental health, or other services.

The need for robust, focused, and sustained investments to support this approach is also clear. Los Angeles County, for example, reports a backlog of tens of thousands of people in its homeless services system that have said yes to housing and services but are still waiting for an available resource. Similar gaps exist in mental health services: a recent RAND report found that California has a shortage of nearly 4,800 acute and subacute psychiatric beds and nearly 3,000 community residential beds. The CARE Court program fails to address these needs.

The National Alliance to End Homelessness calls on the Administration to adopt the following principles as it moves towards implementation of this program.

- **Avoid Environments that Reproduce or Reenforce Trauma:** The State must account for the histories of trauma, including racial trauma, that CARE Court participants are more likely to have experienced, and to design processes that avoid experiences that reproduce it.
- **Use a Strong Racial and Disability Equity Approach for All Steps of the Process:** CARE Court participants are significantly more likely to have extensive experiences of structural inequity. Participants will overwhelmingly (if not entirely) consist of people living with disability, and they are likely to reflect the makeup of the justice-involved and homeless populations: disproportionately Black/African American and other people of color. The Alliance calls on the Administration to transparently account for how it will engage with these

communities, and the culturally competent organizations that support them, in order to avoid reinforcing structural inequities.

- **Require Effective and Up-To-Date Training for Court Personnel:** The State must ensure that all personnel involved in CARE Court, including judges, are subject to rigorous training on the latest best practices in partnering with the state's most vulnerable populations. Similarly, the State must ensure the legal aid provided to CARE Court participants is high quality and well-trained in representing this population in legal proceedings.
- **Narrow the Referral Pathways into CARE Court:** California must adopt rigorous training standards so that only those people with adequate clinical training or specialized knowledge of potential participants' needs should be able to refer into CARE Court. Law enforcement should not be eligible to refer people into CARE Court, nor should homeless outreach workers lacking clinical training.
- **Prevent Diversion of Funds Away from Voluntarily Engaged Populations:** While recent amendments to the legislation represent a step forward, the Administration must ensure that counties do not divert funding away from State-funded homelessness programs that currently provide needed housing and services to people that are voluntarily engaging with existing systems. These include the Homeless Housing, Assistance, and Prevention (HHAP) program, the Homeless Disability Advocacy Program (HDAP), the Home Safe Adult Protective Services Program (APS), and others. These successful programs are all committed to Housing First approaches and are therefore allocating resources to people that are voluntarily engaging in housing and services programs. They must continue scaling up to house more people.
- **Evaluation and Monitoring:** While the legislation directs the State to contract with an independent, research entity to conduct ongoing evaluation and for the department to provide reports to the Legislature, more reporting to public bodies is needed to ensure accountability. The Alliance calls on the Administration to report these outcomes to the Legislature in a public hearing on at least an annual basis.

"The scope of the challenge in California is clear: it needs robust, ongoing funding for homeless services, thousands more affordable homes, strong investment in supportive services, and unwavering commitment to Housing First principles," said Oliva. "The CARE Court program sets a dangerous precedent for advancing involuntary and even carceral approaches in communities far beyond California. It is essential that the Administration implements this program carefully, intentionally, and responsibly."

About the National Alliance to End Homelessness

The National Alliance to End Homelessness is a nonprofit, non-partisan, organization committed to preventing and ending homelessness in the United States. As a leading voice on the issue of homelessness, the Alliance analyzes policy and develops pragmatic, cost-effective policy solutions; works collaboratively with the public, private, and nonprofit sectors to build state and local capacity; and provides data and research to policymakers and elected officials in order to inform policy debates and educate the public and opinion leaders nationwide.

CONTACT:

Tom Murphy
Director of Communications

202-942-8254

tmurphy@naeh.org

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