

SUBJECT: UPDATE ON PILOT PROGRAM FOR LGBT RUSSIAN ASYLUM SEEKERS

PREPARED BY: Elizabeth Savage, Director of Human Services & Rent Stabilization *ES*
David Giugni, Social Services Manager *DG*
Derek Murray, Social Services Program Administrator *DM*
Cally Hardy, City Council Intern *CH*

STATEMENT OF SUBJECT:

The City Council will receive an update on the working group discussion regarding a pilot program that would leverage existing resources and services to welcome, support, and assist LGBT immigrants, refugees, and asylum seekers.

RECOMMENDATIONS:

1. Receive and file a working group report and summary of discussion identifying the existing need and associated costs of developing a pilot program for LGBT asylum seekers from all countries, expanded from the initial council item of addressing asylum seekers from Russia.
2. Direct staff to include an annual budget request of \$2,000 for translation services for a resources and services guide for LGBT immigrants in the 2016-2018 city budget.
3. Direct staff to include in the City's legislative priorities the monitoring of ongoing federal legislation and support relevant Congressional-level action to expedite the processing period for LGBT asylum seekers and expand federal administrative capacity.
4. Direct the Social Services Division to provide information and referrals to local organizations for LGBT immigrants, refugees and asylum seekers.

BACKGROUND AND ANALYSIS:

Previous Council Action

On July 20, 2015 the City Council approved assessing the need for a pilot program/safe haven for LGBT Russian asylum seekers. This Item directed staff to form a working group that would conduct a needs assessment and develop a specific program for Russian LGBT asylum seekers, helping to make the City of West Hollywood a welcoming destination for LGBT Russians seeking to escape persecution. This staff report provides an update on the activities of that working group and describes the recommended next steps in addressing each of these items.

The pilot program would welcome, support, and assist LGBT immigrants fleeing oppression from Russia. By partnering with other local non-profits and religious organizations, the pilot program could not only raise awareness and obtain community support, it could ultimately provide access to much-needed assistance, including but not limited to: access to financial assistance, temporary housing, English language courses, legal services, employment, and family counseling. Such a pilot program would leverage a network of services to provide connections to resources for a wide range of LGBT immigrants, asylum seekers, and refugees.

Working Group Activities and Summary of Discussion

A working group met in February 2016 to discuss the pilot program and needs assessment for LGBT asylum seekers, considering the framework of Russian and Eastern European refugee issues (Attachment 1 – Agenda). The working group identified a need to provide support for Russian and Eastern European LGBT asylum seekers, as well as an equivalent need for LGBT refugees and asylum seekers from other countries. In addition, the working group provided background information about the unique challenges faced by LGBT refugees and asylum seekers: legal vulnerability, the need for safe and secure housing, difficulty finding stable and safe employment, and vulnerability to human trafficking (Attachment 2 - Summary Discussion of Working Group Meeting). While these challenges stem from larger issues that cannot be addressed at the City level, there is an opportunity for the City to provide a connection to service providers who are able to assist LGBT refugees and asylum seekers as they seek refuge in the United States.

During the meeting, staff presented a draft resource guide for LGBT immigrants. Following continued consultation with working group members, it was determined that agency partners such as the Los Angeles LGBT Center and Asylum Collaborative of Los Angeles are better qualified and in the process of developing similar resource guides, which provide more comprehensive resources than the draft prepared by staff. The working group also identified strategies for consideration by City Council.

Resource Guide Translation

In collaboration with working group members, the City of West Hollywood is in the process of identifying an appropriate resource guide for LGBT immigrants and asylum seekers to provide information related to legal services and other support. The City of West Hollywood has international visibility for being at the forefront of advancing LGBT rights. For this reason, asylum seekers look to the City for information and assistance. Once it is completed by agency partners, the City will maintain a copy of the manual at City Hall and on the website, ensuring that staff is able to connect refugees and asylum seekers with the wealth of asylum services that currently exist in the region. In order to connect a broader reach of LGBT asylum seekers with this resource, a budget will be needed for translating the welcome guide into Russian, Spanish, Farsi, and Arabic.

Legislative Advocacy

Delayed asylum processing periods increase risk and vulnerability to LGBT asylum seekers. Due to high volume of applicants, asylum processing can take up to four years.

During this period, asylum seekers have no protected legal status, and LGBT individuals are at a particularly high risk of becoming victims of human trafficking. There is a significant need to advocate for changes to this system. Federal policies which allow for expedited asylum processing would reduce this risk. Currently, expedited asylum processing is available only for youth, and occurs at the expense of reducing capacity for processing of other applications. As such, additional Federal resources are needed to expand capacity for asylum processing for all populations. As recommended in this item, the Legal Services and Legislative Affairs Division will work with Helyne Meshar & Associates, the City's lobbyist, to monitor ongoing legislation and actively advocate for policies to expedite the processing period for LGBT asylum seekers and expand administrative capacity.

Connectivity with Local Service Providers

Local social service providers such as Jewish Vocational Services, The Los Angeles LGBT Center, Bet Tzedek, and Legal Aid Foundation of Los Angeles, among others, offer robust services and expertise to assist LGBT immigrants, refugees, and asylum seekers. As a collective, these agencies provide the following support for LGBT immigrants, refugees, and asylum seekers in the Los Angeles region: employment and volunteer opportunities, financial documentation assistance, food assistance, health and mental health, help with daily living, housing assistance, legal services, human trafficking support, transportation services, and cultural competency training. Such organizations work closely with these populations, and have the best knowledge of what resources and support are needed. As recommended in this item, staff will remain up to date on local service providers, and provide connections and service referrals to LGBT asylum seekers on an as-needed basis. To monitor effectiveness, the Social Services Division will also keep a record of all service referrals provided and report referrals in the Goals and Accomplishments section of the annual budget.

The working group expressed deep appreciation that the City is building awareness and education about issues facing LGBT immigrants, refugees and asylum seekers. Such awareness and education is necessary for the City to provide accurate information and appropriate referrals to LGBT asylum seekers. This pilot program is an ongoing process of education and capacity-building, and updates on additional information will be provided as needed.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:

This item is consistent with the Ongoing Strategic Programs (OSP) of:

- OSP-5: Support People through Social Services.
- OSP-6: Value and Encourage our Broad Diversity of Cultures.
- OSP-11: Community Education.

In addition, this item is also consistent with the following goal of the West Hollywood General Plan:

- HS-1: Maintain and pursue humane social policies and social services that address the needs of the community.

EVALUATION PROCESSES:

Staff will track the number of individuals who are referred to services, and provide reporting in the Goals & Accomplishments section of the annual budget.

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

N/A

COMMUNITY ENGAGEMENT:

Community education and engagement is a critical component of the City's approach to this issue. The City currently sponsors and provides space for community events related to LGBT immigration and LGBT rights, such as the Transgender Economic Empowerment Project Job Fair held in October 2015, the ongoing Human Rights Watch speaker series, and the Transgender Asylum Seekers and Human Rights Town Hall event which took place on March 22, 2016.

On May 26, from 10am to noon, the Social Services Division will host its quarterly Transgender Service Providers Planning and Coordination meeting. The City invites contracted and collaborative agencies to discuss issues that pertain to service delivery for the West Hollywood transgender community. The meeting will focus on asylum and immigration and will include an in-service training by Daliah Setareh, from the Legal Aid Foundation of Los Angeles. The presentation will focus on the needs of transgender asylum seekers and the unique challenges transgender people face when seeking refuge in the U.S. After the presentation, there will be a discussion on available resources in West Hollywood and ways the City and agency partners can collaborate to deliver services to asylum seekers who come to West Hollywood for a safe haven.

OFFICE OF PRIMARY RESPONSIBILITY:

HUMAN SERVICES & RENT STABILIZATION DEPARTMENT/SOCIAL SERVICES DIVISION

CITY MANAGER'S DEPARTMENT/LEGAL SERVICES & LEGISLATIVE AFFAIRS DIVISION

FISCAL IMPACT:

None at this time. A budget request of \$2,000 per year for translation services will be incorporated into the regular budget request process for the FY2016-18 budget.

ATTACHMENTS:

Attachment 1 – Working Group Agenda, February 1, 2016

Attachment 2 – Summary Discussion of Working Group Meeting

ATTACHMENT 1
WORKING GROUP AGENDA

AGENDA

City of West Hollywood LGBT Asylum Seekers Resources & Support Guide Working Group

- Date:** Monday, February 1, 2016
Time: 9:30 – 11:00 a.m.
Location: City Hall, 3rd Floor Conference Room
8300 Santa Monica Boulevard
- Host:** Elizabeth Savage, Director of Human Services Division
Derek Murray, Social Services Program Administrator
- Participants:** City Staff, LA LGBT Center, Jewish Family Service, Bet Tzedek, Asylum Collaborative of Los Angeles, Legal Aid Foundation of Los Angeles
- Objective:** The purpose of this working group meeting is to explore a pilot program initiated by the Office of Mayor Pro Tempore Lauren Meister and approved by City Council that would leverage existing services and resources to welcome, support, and assist LGBT Immigrants from Russia to a better lifestyle. The City seeks further advice and information on available services and resources for Russian and other LGBT Immigrants and Asylum Seekers. If additional funding for programs and services is needed, the working group will provide these recommendations as well.
- Work Product:** The City will prepare an informational brochure and resource packet to provide contact information for some of the organizations that serve the people of the West Hollywood Area.
- Agenda:**
- I. **Welcome & Introductions** - 5 minutes, Elizabeth Savage
 - II. **Working Group Objectives** - 5 minutes, Elizabeth Savage
 - III. **Review Informational Brochure** - 50 minutes
 - a. Committee Discussion
 - i. Identify existing need
 - ii. Discuss additional resources
 - b. Outreach Strategy
 - i. Brochure and Resources available at City facilities: City Hall/online/Parks
 - ii. Distribute Brochure and Resources to LGBT & JFS Center, other immigration organizations
 - iii. Translation
 - IV. **Recommendations for Council** - 30 minutes

ATTACHMENT 2

SUMMARY DISCUSSION OF WORKING GROUP MEETING

City of West Hollywood
LGBT Asylum Seekers Resources & Support Guide Working Group
SUMMARY OF DISCUSSION

Date: Monday, February 1, 2016
Time: 9:30 – 11:00 a.m.
Location: City Hall, 3rd Floor Conference Room
8300 Santa Monica Boulevard

Introduction

The working group met to discuss the pilot program and needs assessment for LGBT asylum seekers, considering the framework of Russian and Eastern European refugee issues. The working group identified that there is a need to provide support for Russian and Eastern European LGBT asylum seekers, as well as an equivalent need for LGBT refugees and asylum seekers from other countries.

A critical component of this meeting was education and awareness-building. Working group members discussed how LGBT refugees and asylum seekers differ from other immigrants, as well as the unique challenges they face.

Individuals around the world are fleeing persecution based on their sexual orientation and gender identity. Today, 78 countries criminalize same-sex relations. Of those, seven countries apply the death penalty for consensual same-sex conduct (Organization for Refuge, Asylum & Migration). In many more countries, LGBT individuals routinely face harassment, arrest, interrogation, torture, and beatings, committed not only by state actors but also by family members, friends, neighbors, and community members. In particular, LGBT Russians are facing violence, harassment, and persecution under the anti-LGBT policies of Russian President Vladimir Putin. As a result, applications for asylum have increased by 34% in the past two years according to the U.S. Department of Homeland Security.

Definitions

According to the 1951 Refugee Convention, a **refugee** is someone who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his [or her] nationality, and is unable to, or owing to such fear, is unwilling to avail himself [or herself] of the protection of that country" (United Nations High Commissioner for Refugees). Refugees are distinct from other types of migrants in that they have to move in order to save their lives or preserve their freedom, and they have no protection from their own state. Refugee applications are filed in the individual's home country. Refugees do not have the right to select their host country; instead the United Nations assigns the host country.

Asylum seekers are one of the most vulnerable groups of immigrants in America. They are distinct from refugees in that they arrive in the host country without any protected legal status. When they arrive, they cannot legally work in the United States. They must

file for asylum within one year of arrival. To receive asylum, the applicant must demonstrate that there is a one-in-ten chance that they would be persecuted in their home country due to their sexual orientation, gender identity, or HIV status. If not granted asylum, the individual will most likely be deported. If granted asylum, individuals have the right to remain in the United States and the right to family reunification (with spouse and children). Eventually, they have the right to apply for U.S. citizenship.

Challenges

Resettling in the United States poses innumerable challenges for refugees and asylum seekers, as they must adapt to a new culture, learn a new language, and look for work with limited resources. LGBT refugees and asylum seekers are particularly vulnerable, are often confronted with additional obstacles during the resettlement process, and tend to lack critical support networks. To attain self-sufficiency, a critical first step for LGBT refugees and asylum seekers is to find safety and a supportive community.

Legal Vulnerability

Asylum seekers are not entitled to a free attorney from the government if they cannot afford one. Often, if immigrants are low-income, they are left to navigate a foreign legal system without a lawyer. This has a significant effect on the outcome of their case. Studies have shown that such individuals are much less likely to succeed in their legal cases without legal representation (LGBT Asylum Support Task Force). Delayed asylum processing periods greatly increase risk and vulnerability for LGBT asylum seekers. Due to a high volume of applicants and limited capacity, there is currently a four-year backlog for asylum seekers. An expedited processing period is available for minors, but this reduced capacity to process other applications. During this period, the legal status of asylum seekers is uncertain, and they are at a high risk of deportation, along with other vulnerabilities and challenges.

Safe and Secure Housing

Finding housing is a particular challenge for all immigrants, and exploitation is a common risk faced by LGBT refugees and asylum seekers when they do find housing. Oftentimes, individuals must rely on community networks within the United States to find housing. As such, individuals are at a particularly high risk of experiencing homelessness.

Stable Employment

As the legal status of LGBT immigrants, refugees and asylum seekers is often uncertain, it is difficult for individuals to find stable employment. Related to this issue is the need for individuals to receive additional education, training, and cultural competency education. The working group expressed that there is oftentimes a difference in job skill level among individuals coming from Eastern Europe as opposed to those coming from other countries. As such, it is common for Eastern European immigrants to find work in the skilled service sector, whereas other immigrants oftentimes find different employment opportunities.

Human Trafficking

LGBT refugees and asylum seekers are at a particularly high risk of becoming victim to human trafficking, even after they have arrived in the United States. Uncertain legal status, paired with precarious housing and difficulties finding employment, increase vulnerability for these individuals, especially if they become homeless.

LGBT Detention Center

If detained, some LGBT refugees and asylum seekers are held at an LGBT detention center in Santa Ana, CA. Working group participants discussed that currently, approximately 30 to 40 transgender women are held at this facility. The City of Santa Ana has begun discussion around the closure of this facility. It is not clear at this time what the result would be for detainees, but if they are released, there is no housing plan in place. As such, those individuals who are not already established in the United States may be in need of housing, and some may come to West Hollywood and surrounding areas seeking support.

Service Provider Competency Training

Organizations seeking to assist LGBT immigrants, refugees and asylum seekers should ensure that they are properly trained to serve these populations without triggering additional trauma. The Asylum Collaborative of Los Angeles provides competency training to service providers. Additionally, where translators are needed, it is important to seek culturally-sensitive translators.

Opportunities

The working group identified several opportunities for how the City can help address some of these challenges.

Connectivity to Service Providers

Central to this approach would be the leveraging and support of existing resources. Currently, several service providers and agency partners offer services tailored to the unique needs of LGBT immigrants, refugees, and asylum seekers. The City may best serve these individuals by providing connections and referrals to local service providers who have been vetted and properly trained to serve these populations.

Legislative Advocacy

Another key approach the City may consider taking would be to engage in legislative advocacy to help remove some of the barriers to integration and improve processing procedures for LGBT immigrants.

Staff continues to consult with the working group on this issue and collaborate on the production of a resource guide which will be made available through the City.