



NEW YORK
CITY BAR

**REPORT ON LEGISLATION BY THE
NEW YORK CITY BAR ASSOCIATION**

**A.5649-A
S.4561-A**

**M. of A. Reyes
Sen. Gonzalez**

AN ACT to amend the social services law, in relation to providing internet access to all individuals residing in temporary housing; and to amend the New York state urban development corporation act, in relation to the ConnectAll digital equity grant program

THIS BILL IS APPROVED

The undersigned committees of the New York City Bar Association (the “City Bar”) urge the adoption of A.5649-A/S.4561-A, which would provide internet access to individuals residing in temporary housing. For purposes of this bill, temporary housing shall include but not be limited to, shelters for adults, shelters for adult families, small-capacity shelters, shelters for families with children, domestic violence shelters, runaway and homeless youth shelters, shelters in hotels or shelters for refugees (this report uses the term “shelters” generally to include all of these forms of temporary housing).¹ The bill would create a new subdivision (k) and amend Section 17 of the Social Services Law, to require temporary housing facilities to provide internet access with sufficient strength to all residents in all common and private areas. The State would be required to reimburse temporary housing facilities for 100% of the cost of providing internet access through the ConnectAll program.

The Internet is an essential service, and this bill will ensure homeless shelter residents are provided access.

I. BACKGROUND: THE DIGITAL DIVIDE LEAVES HOMELESS NEW YORKERS BEHIND.

The digital divide is not a new problem, but it has only grown more dire since the outbreak of the COVID-19 pandemic. This unprecedented public health emergency and resulting economic freefall has only exacerbated New York City’s homelessness crisis. As of December 2022, there were 68,884 people, including 21,805 children, sleeping each night in the New York City

¹ S.4561-A (NYS 2023), <https://www.nysenate.gov/legislation/bills/2023/s4561> (all websites last visited March 2, 2023).

About the Association

The mission of the New York City Bar Association, which was founded in 1870 and has over 23,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world.

municipal shelter system.² New York’s shelters are overwhelmingly lacking in one essential service which could reduce the length of residents’ stay and facilitate their exit into permanent housing – internet access. The consequences of this stark digital divide on the lives of homeless New Yorkers is devastating.

In May 2020, the City Bar Justice Center (the “Justice Center”) released a report titled “Homeless Need Internet Access To Find a Home: How Access to Internet and Technology Resources can Support Homeless Families Transition out of Homeless Shelters” (the “Report”). The Report and its recommendations have been endorsed by a wide range of organizations, including law firms, legal services providers and community groups.³ The Report lays bare the devastating consequences of New York City’s stark digital divide on the lives of shelter residents. As a result of the findings of the Justice Center’s Report, the City Bar launched a #Wifi4Homeless campaign, which seeks to engage the public and partner organizations in raising awareness on the issue of lack of internet access and essential technology resources in New York City homeless shelters and urge the inclusion and prioritization of homeless shelters in any plans to expand broadband internet access for low-income New Yorkers.⁴ The City Bar’s support for the bill is based on the findings of the Justice Center’s Report and our campaign.

The Report found that only 6% of the homeless residents surveyed had internet access through their homeless shelter.⁵ Because shelter residents do not have reliable internet access, individuals and families are unable to search and apply for permanent housing, search and apply for jobs, participate in remote classrooms and complete assigned homework, apply for government benefits, stay connected to friends and family, access basic entertainment, or obtain necessary medical care. Accessing counseling, telehealth⁶ or any other service⁷ has become more difficult since the start of the pandemic, as many of these services have become reliant on Zoom or other internet-based platforms to allow patients and providers to safely meet with clients. Poor or no internet connectivity leaves many shelter residents unable to effectively participate in critical services needed for their well-being.

² “Basic Facts About Homelessness: New York City,” Coalition for the Homeless, <https://www.coalitionforthehomeless.org/basic-facts-about-homelessness-new-york-city/>.

³ Report available online at <https://www.citybarjusticecenter.org/wp-content/uploads/2020/05/Homeless-Need-Internet-Access-to-Find-a-Home-2020-Report.pdf>; list of endorsing organizations available at <http://documents.nycbar.org/files/CBJCInternetAccessHomelessSheltersEndorsingOrgs.pdf>.

⁴ “Close the Digital Divide! Help Ensure Internet Access for Homeless New Yorkers,” New York City Bar Association, Update Feb. 11, 2022, <https://www.nycbar.org/media-listing/media/detail/nyc-digital-divide-lack-of-internet-access-in-shelters>.

⁵ “Facts About Shelter Internet Access,” New York City Bar Association, http://documents.nycbar.org/files/2020744-InternetAccessHomelessShelters_FactSheet.pdf.

⁶ See i.e. “#Wifi4Homeless: A Virtual Existence with Virtually No Internet,” City Bar Justice Center, <https://www.citybarjusticecenter.org/client-stories/wifi4homeless-a-virtual-existence-with-virtually-no-internet/>.

⁷ See i.e. “#Wifi4Homeless: Inaccessible Internet, Inaccessible Housing,” City Bar Justice Center, <https://www.citybarjusticecenter.org/client-stories/wifi4homeless-inaccessible-internet-inaccessible-housing-2/>.

Providing internet to shelter residents is not just an issue of technology access, it is also an issue of racial justice. New Yorkers of color are disproportionately represented among those experiencing homelessness. Eighty-eight percent of homeless single adults and heads-of-household in family shelters identify as Black or Hispanic. An estimated 56% of people sleeping in DHS shelters are Black, compared with 24% of the New York City population.⁸ In 2020, 85% of New York City students experiencing homelessness were Black or Hispanic.⁹ Any policy that affirmatively bridges the digital divide homeless New Yorkers face, is an essential step to address racial disparities in both the City and the State.

The digital divide also disproportionately impacts at-risk populations, namely domestic violence survivors and LGBTQ+ individuals, particularly LGBTQ+ youth. The appendix to this report further explores the unique challenges facing these at-risk populations who are experiencing homelessness and the benefits that internet access can have on their lives.

Much of the focus around this issue has been on school-age children residing in shelters. At least 104,000 New York City students experienced homelessness during the 2021-2022 school year; more than 29,000 of those stayed in City shelters.¹⁰ Statewide, 148,554 students were identified as homeless during the 2018-2019 school year.¹¹ The overwhelming lack of reliable internet and the technology issues facing homeless students are extensive; while this was a significant problem prior to the pandemic, the lack of reliable internet or technology has severely disrupted students' ability to participate in remote learning. The City Bar has issued multiple reports which further outline the unique issues facing New York City's homeless students and their need for reliable internet access.¹²

While New York City has equipped certain shelters housing school-age children with internet access,¹³ this in no way reduces the need for the proposed bill. This bill will ensure that

⁸ State of the Homeless 2022, Coalition for the Homeless, March 2022, at 21, <https://www.coalitionforthehomeless.org/wp-content/uploads/2022/03/StateofThe-Homeless2022.pdf>.

⁹ "New Data Show Number of NYC Students who are Homeless Topped 100,000 for Fifth Consecutive Year," Advocates for Children, Dec. 3, 2020, <https://www.advocatesforchildren.org/node/1403>.

¹⁰ Rajamani, Maya. "NYC's student homelessness rises as enrollment dips: report," NY1, Oct. 26, 2022, <https://www.ny1.com/nyc/all-boroughs/news/2022/10/26/nyc-student-homelessness-report>. See also "Student Homelessness in New York City, 2021-22," Advocates for Children, Oct. 2022, https://www.advocatesforchildren.org/sites/default/files/library/nyc_student_homelessness_21-22.pdf?pt=1.

¹¹ *Supra* note 8.

¹² See *i.e.* "Letter from City Bar President & NYC Council Member Treyger to NYC Schools Chancellor Regarding Lack of Internet Access for Homeless Students," Jan. 28, 2021, <https://www.nycbar.org/member-and-career-services/committees/reports-listing/reports/detail/homeless-students-internet-access-for-continued-education>; "Support for Inclusion of the E-Let's Expand Access to Remote Now (E-LEARN) Act in the 2021-22 NYS Budget," March 26, 2021, <https://www.nycbar.org/member-and-career-services/committees/reports-listing/reports/detail/e-lets-expand-access-to-remote-now-e-learn-act-nys-budget>. See also "Barrier to Education: How Homeless Students Are Being Impacted by Remote Learning," New York City Bar Association, http://documents.nycbar.org/files/2020744-InternetAccessHomelessShelters_EducationFactSheet.pdf.

¹³ The Legal Aid Society, along with Milbank LLP and Coalition for the Homeless, Inc., secured a settlement with New York City in April 2021 that ensured that over 200 shelters housing school-age children were equipped with

all shelter residents across the State have internet access regardless of where their shelter is located. New York City's efforts also do nothing to help adult shelter residents engaged in GED, vocational, or college course work who do not live in qualifying shelters but face the same barriers to remote learning as school-aged children. Education is critical to an individual's ability to participate in society. It promotes the social, economic, and intellectual well-being necessary to live a stable life and avoid homelessness. For shelter residents, education may reduce the length of their shelter stay and facilitate their exit into permanent housing.

It is critical for all of the aforementioned reasons that all New Yorkers residing in the shelter system have access to reliable internet.

II. RECOMMENDATION

While the City Bar fully supports enactment of the bill as drafted, we want to take this opportunity to highlight that while reliable, high-speed internet is a critical resource, consideration should also be given to the devices that are needed to access the internet. Many shelter residents (students in particular) lack access to updated technology;¹⁴ this includes internet-ready computers, tablets, or other devices with keyboards; and wireless or Bluetooth printers with scanners, or printers that maintain connections with those devices. This technology is crucial to ensure shelter residents have full access to the internet and the resources they are accessing online. We urge the Legislature to consider what additional steps might be taken to ensure shelter resident have access to this technology and that the investment in technology access in shelters is a sustained one. Even though New Yorkers are back to participating in more in-person activities, including schooling, shelter residents will continue to need access to these vital resources.

III. CONCLUSION: THE PROPOSED LEGISLATION CAN NARROW THE DIGITAL DIVIDE AND ITS ADVERSE IMPACTS.

For the reasons outlined above, it is critical that the State act quickly to close the digital divide. This bill would represent a huge step forward by ensuring that all shelter residents across New York State are finally guaranteed reliable internet access.

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working WiFi. *See* Noah Goldberg, "NYC must finish WiFi installation in family homeless shelters by August: suit," NY Daily News, April 5, 2021, <https://www.nydailynews.com/new-york/ny-lawsuit-wifi-homeless-shelters-august-new-york-city-remote-learning-20210405-bp4lx2wfhzc65badzvspwihk4q-story.html>.

¹⁴ *Supra* note 3, Justice Center Report, at 8. *See also*, Nick Reisman, "Report: Students lacked access to devices for learning," May 5, 2021, <https://nystateofpolitics.com/state-of-politics/new-york/ny-state-of-politics/2021/05/05/report--students-lacked-access-to-devices-for-learning>.

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**This report was first issued in May 2021 during the terms of the following chairs: Katharine Deabler-Meadows, Chair, Social Welfare Law Committee; and Jarienn A. James, Chair, Education & the Law Committee.*

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APPENDIX

THE IMPACT OF THE DIGITAL DIVIDE ON VICTIMS OF DOMESTIC VIOLENCE AND LGBTQ+ INDIVIDUALS

This Appendix identifies how the digital divide disproportionately impacts at-risk populations, namely domestic violence survivors and LGBTQ+ individuals, particularly LGBTQ+ youth. It is critical that the State close the digital divide, so as to prevent further, irreparable harms to these aforementioned at-risk populations and support their human dignity.

I. BACKGROUND

Before the COVID-19 pandemic, homelessness was experienced at disproportional rates among survivors of domestic violence (including intimate partner violence), including people who identify as a sexual and/or gender minority (herein, “LGBTQ+”),¹ as compared to the general population.

Domestic violence is the leading cause of homelessness, particularly for women, according to the National Law Center on Homelessness & Poverty.² Individuals experiencing domestic violence are forced into homelessness by virtue of survival: they must flee their homes because they have no choice – to remain at home would be to risk further abuse.³ In 2002, in New York City almost half of all unhoused parents had been abused, and one in four unhoused parents were unhoused as a direct result of domestic violence.⁴ Later, in a 2014 survey of 25 U.S. cities, 15% of all unhoused adults were identified as survivors of domestic violence.⁵ For LGBTQ+ people,

¹ For purposes of this Appendix Report, we delineate these at-risk populations based on the primary indicator of their homelessness, either as a survivor of domestic violence or as a LGBTQ+ person absent any considerations of domestic violence. Homelessness disproportionately impacts Black and brown people, including youth. We seek to add the additional lens of gender and the law, focusing on survivors of domestic violence and LGBTQ+ people for purposes of this Appendix Report.

² National Homelessness Law Center, On Homelessness & Poverty, HOMELESSNESS IN AMERICA: OVERVIEW OF DATA AND CAUSES (Jan. 2015), https://homelesslaw.org/wp-content/uploads/2018/10/Homeless_Stats_Fact_Sheet.pdf (all websites last visited March 3, 2022).

³ ACLU, Women’s Rights Project, DOMESTIC VIOLENCE AND HOMELESSNESS 1 <https://www.aclu.org/sites/default/files/pdfs/dvhomelessness032106.pdf>.

⁴ Institute for Children and Poverty, THE HIDDEN MIGRATION: WHY NEW YORK CITY SHELTERS ARE OVERFLOWING WITH FAMILIES (April 2002), as cited in ACLU, Women’s Rights Project, DOMESTIC VIOLENCE AND HOMELESSNESS 4 <https://www.aclu.org/sites/default/files/pdfs/dvhomelessness032106.pdf> .

⁵ U.S. States Conference of Mayors, Hunger and Homelessness Survey: A STATUS ON HUNGER AND HOMELESS IN AMERICA’S CITIES – A 25-CITY SURVEY 2 (Dec. 2014), available at <https://www2.cortland.edu/dotAsset/655b9350-995e-4aae-acd3-298325093c34.pdf>.

domestic violence may be one of many possible causes for their homelessness; others include poverty, ethnic, racial, and other forms of discrimination, substance use, and mental health issues.⁶ For LGBTQ+ youth, homelessness is often caused by a parent or guardian's rejection of their sexual orientation or gender identity.⁷

Rates of homelessness are even more stark for LGBTQ+ people as compared to non-LGBTQ+ individuals. A national survey in 2020 found that, regardless of the cause, LGBTQ+ people experienced homelessness twice as often as the general population.⁸ In a report related to that survey, the Williams Institute found that, of those LGBTQ people who experienced homelessness, 20.2% of LGBTQ+ adults experienced homelessness before age 18, and 71.3% experienced homelessness at age 18 or older.⁹ Forty percent of homeless youth identified as LGBTQ+.¹⁰

The COVID-19 pandemic only exacerbated existing issues that could lead to domestic violence and/or homelessness: job and income loss, health risks and infection rates, isolation, a strain on mental health and relationships,¹¹ lack of control,¹² generalized uncertainty.¹³ To no one's surprise, a survey in August 2020, early in the COVID-19 pandemic, showed that 9% of respondents living with a partner reported an increase in domestic violence since the outbreak of COVID-19.¹⁴ We anticipate that more data about incidents of domestic violence during COVID-19 will be reported in the future.¹⁵ Studies also suggest that COVID-driven homelessness will

⁶ Brodie Fraser et al., *LGBTIQ+ homelessness: A review of the literature*, 16 *International Journal of Environmental Research and Public Health* 2677 (2019).

⁷ R. Barri Flowers, *STREET KIDS: THE LIVES OF RUNAWAY AND THROWN AWAY TEENS* 30 (2010), citing Kelly Dedel, *Juvenile Runaways* (Washington, D.C.: Office of Community Oriented Policing Services, 2006) 3, <http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=235092>; Jim Wade and Nina Biehal, *Going Missing: Young People Absent from Care* (Chichester, UK: Wiley, 1998); Joe Piasecki, "Throwaway Kids," *Pasadena Weekly* (June 26, 2006), available at <http://www.cachildlaw.org/Misc/Throw%20Away%20Kids.pdf>.

⁸ UCLA School of Law Williams Institute, *HOMELESSNESS AMONG LGBT ADULTS IN THE US* (May 2020), <https://williamsinstitute.law.ucla.edu/publications/lgbt-homelessness-us/>.

⁹ *Id.*

¹⁰ Our issue, *TRUE COLORS UNITED* (2021), <https://truecolorsunited.org/our-issue/>.

¹¹ Méliissa Godin, *As Cities Around the World World Go on Lockdown, Victims of Domestic Violence Look for a Way Out*, *Time*, 2020, <https://time.com/5803887/coronavirus-domestic-violence-victims/>.

¹² *Id.*; The Impact of the COVID-19 Pandemic on Homelessness in the United States, <https://unitedwaynca.org/blog/the-impact-of-the-covid-19-pandemic-on-homelessness-in-the-united-states/>.

¹³ States must combat domestic violence in the context of COVID-19 lockdowns - UN rights expert, *UNITED NATIONS HUMAN RIGHTS OFFICE OF THE HIGH COMMISSIONER* (2020), <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25749&LangID=E> (last visited Mar 3, 2022).

¹⁴ Katherine Carman & Shanthi Nataraj, *2020 American Life Panel Survey on impacts of COVID-19: Technical documentation*, (2020).

¹⁵ One study of the City of Chicago found that, while there was a decrease in total calls for police service in Chicago during the Illinois governor's stay-at-home order, there was a subsequent increase in domestic violence-related calls for police service. Although there was a drop in arrests for domestic violence crimes during the same period, this also points to an issue suspected early in the COVID-19 pandemic: under-reporting for fear of retaliation by the

continue to increase through 2023,¹⁶ though it is not clear whether such homelessness may also be caused by, or related to, domestic violence or LGBTQ+ identity. What is clear, though, is that, as the COVID-19 pandemic loosens its vice grip on society, these at-risk populations will begin to flee their homes once again because, for these at-risk populations, leaving home will be the only option.

II. THE BENEFITS OF INTERNET ACCESS FOR IMPACTED POPULATIONS

One immediate resource that could help mitigate the issues that may arise from homelessness for survivors of domestic violence and LGBTQ+ people is access to the internet. The internet is “how we access government services, look for work, find our homes, and stay connected in our day-to-day lives.”¹⁷ Thus, making the internet available in shelters would enable those residents who are survivors of domestic violence and LGBTQ+ to access support services and legal information, resolve information gaps and combat disinformation, enroll in healthcare and otherwise access health information, connect with others, and self-actualize.

a. Access Support Services and Legal Information

“The Internet [is] a powerful tool for anyone experiencing domestic violence, and can be essential for survivors to access help and information.”¹⁸ Making the internet readily available in shelters would enable survivors of domestic violence and LGBTQ+ people to access legal information, information about local law enforcement,¹⁹ information about other shelters in their area, and other support services, such as the National Domestic Violence Hotline’s online services.²⁰ For survivors of domestic violence, the Internet also empowers survivors to retain digital evidence or transmit it to law enforcement.²¹

abuser. Lindsey Rose Bullinger, Jillian B. Carr & Analisa Packham, *COVID-19 and Crime: Effects of Stay-at-Home Orders on Domestic Violence*, *American Journal of Health Economics* 249–280 (2021).

¹⁶ Daniel Flaming et al., LOCKED OUT: UNEMPLOYMENT AND HOMELESSNESS IN THE COVID ECONOMY (2021), <https://economicrt.org/publication/locked-out/> (last visited Mar 2, 2022).

¹⁷ Emily Stewart, GIVE EVERYBODY THE INTERNET (2020), <https://www.vox.com/recode/2020/9/10/21426810/internet-access-covid-19-chattanooga-municipal-broadband-fcc> (last visited Mar 2, 2022).

¹⁸ See, e.g., Internet Safety for Survivors, The Hotline (2021), <https://www.thehotline.org/plan-for-safety/internet-safety/>.

¹⁹ Lynn Westbrook, *E-government support for people in Crisis: An evaluation of police department website support for domestic violence survivors using “person-in-situation” information need analysis*, 30 LIBRARY & INFORMATION SCIENCE RESEARCH 22–38 (2008).

²⁰ National Domestic Violence Hotline, THE HOTLINE, <https://www.thehotline.org/>. See also NCADV: National Coalition Against Domestic Violence, THE NATION’S LEADING GRASSROOTS VOICE ON DOMESTIC VIOLENCE, <https://ncadv.org/resources>.

²¹ Fact Sheet: Understanding Encryption: The Connections to Survivor Safety, <https://www.internetsociety.org/resources/doc/2020/understanding-encryption-the-connections-to-survivor-safety/>.

b. Resolve Information Gaps and Combat Disinformation

For survivors of domestic violence, they may face information gaps about domestic violence or, worse, “powerful barriers in the form of information myths.”²² Like combating fake news, access to the internet would enable survivors to better understand their own circumstances, as well as accurate information about domestic violence. For example, the website for the One Love Foundation includes information about the signs of healthy and unhealthy relationships.²³

The same could be said for LGBTQ+ people. LGBTQ+ people may use the internet to seek out information unavailable to them elsewhere, for example about LGBTQ+ history and entertainment, as well as to combat disinformation. Access to the internet for LGBTQ+ people is important now more than ever, as LGBTQ+ disinformation is widespread,²⁴ and support of LGBTQ+ people, especially youth, and education about and access to LGBTQ+ related topics has become so controversial in certain states.²⁵ Many LGBTQ+ individuals experiencing homelessness came to New York City from states where LGBTQ+ rights are not respected.²⁶

c. Enroll In and Receive Healthcare, Including Telehealth, and Otherwise Access Health Information

According to a survey by the City Bar Justice Center, 63% of current and former family-shelter residents in Manhattan and the Bronx said that if the shelter had internet, they would use it to find medical care. Using the internet, for example, these at-risk populations could search for a doctor, a clinic, or engage a telehealth provider who may specialize in their immediate needs. However, as Angela Siefer, executive director of the National Digital Inclusion Alliance, notes, “Telehealth is considered this amazing new tool, but really it’s only amazing for some folks.”²⁷ Namely, those who have access to the internet, as access to the internet is a prerequisite for

²² Lynn Westbrook, *Information myths and intimate partner violence: Sources, contexts, and consequences*, 60 JOURNAL OF THE AMERICAN SOCIETY FOR INFORMATION SCIENCE AND TECHNOLOGY 826–836 (2009).

²³ One Love Foundation (2022), <https://www.joinonelove.org/>.

²⁴ Jamie Warren, TECH GIANTS ‘FAILING’ TO BLOCK GLOBAL LGBTQ CONVERSION THERAPY NETWORK (2022), <https://www.forbes.com/sites/jamiewareham/2022/01/12/tech-giants-failing-to-block-global-lgbtq-conversion-therapy-network/?sh=289646139297>. For a timeline of digital LGBTQ+-related disinformation online, see <https://www.glaad.org/digital>.

²⁵ See, e.g., Joe Hernandez, ‘DON’T SAY GAY’ BILL WOULD LIMIT DISCUSSION OF SEXUALITY AND GENDER IN FLORIDA SCHOOLS (2022), <https://www.npr.org/2022/02/09/1079541236/florida-dont-say-gay-bill> (last visited Mar 3, 2022); and Rina Torchinsky, IN TEXAS, AN UNRELENTING ASSAULT ON TRANS RIGHTS IS TAKING A MENTAL TOLL (2022), <https://www.npr.org/2022/02/25/1082975946/anti-trans-bills-texas>.

²⁶ See Rachel Aviv, *Netherland*, New Yorker (Dec. 2, 2012), <https://www.newyorker.com/magazine/2012/12/10/netherland> (profiling homeless LGBTQ+ youth who came to New York after fleeing families who rejected them).

²⁷ Michael Merschel, HIGH-SPEED INTERNET OFFERS KEY CONNECTION TO HEALTH, BUT MILLIONS LACK IT (2020), <https://www.goredforwomen.org/en/news/2020/08/05/high-speed-internet-offers-key-connection-to-health-but-millions-lack-it>.

telehealth services.²⁸ Providing internet to shelters would thereby enable survivors of domestic violence and LGBTQ+ people access to telehealth, at a time when in-person care is far less convenient.

Access to the internet would also enable these at-risk populations to seek out health information on their own, to better understand their reproductive and sexual health, because it is a way to immediately access credible information privately²⁹ and anonymously.³⁰ For LGBTQ+ youth, 81% of which use the internet to search for health information,³¹ the internet is especially important “because they did not have anyone to ask.”³²

d. Connect with Others

Using email, social media, and other means of electronic communication, these at-risk populations can (re)connect with others. For survivors of domestic violence, digital communication tools are “a vital part of their safety.”³³ The internet enables survivors of domestic violence to notify their trusted network, including friends, family, and job, of their whereabouts without risking a run-in with their abuser. On the other hand, though, usage of the internet may pose risks related to cyberstalking by their abuser.³⁴ However, these risks can be mitigated by certain physical and digital tools, such as shared computers, private social media profiles, and encryption.³⁵

For LGBTQ+ people, digital communication is critical, as 80% of LGBTQ+ adults use the internet for networking purposes,³⁶ and LGBTQ+ youth use the internet for identity formation. “LGBTQ+ youth may ... use online spaces to connect with peers who have similar experiences.

²⁸ Although studies have not examined the impact of internet connectivity on unhoused people, we need only look to a study on internet connectivity on health care access for housed populations to understand that the situation for unhoused people is likely much worse. See Krutika Amin et al., HOW MIGHT INTERNET CONNECTIVITY AFFECT HEALTH CARE ACCESS? HEALTH SYSTEM TRACKER (2020), <https://www.healthsystemtracker.org/chart-collection/how-might-internet-connectivity-affect-health-care-access/>.

²⁹ Michele Ybarra, HOW THE INTERNET IS CHANGING SEXUAL HEALTH EDUCATION ACCESS (2020), <https://www.psychologytoday.com/us/blog/connected/202002/how-the-internet-is-changing-sexual-health-education-access>.

³⁰ K. J. Mitchell et al., *Accessing sexual health information online: Use, motivations and consequences for youth with different sexual orientations*, 29 HEALTH EDUCATION RESEARCH 147–157 (2013).

³¹ LGBTQ+ AMERICANS NEED UNIVERSAL BROADBAND (2021), <https://www.lgbttech.org/post/lgbtq-americans-need-universal-broadband>.

³² K.J. Mitchell, *supra*, note 30.

³³ *Supra*, note 21.

³⁴ See Eric R. Buhi, Heather Clayton & Heather Hepler Surrency, *Stalking victimization among college women and subsequent help-seeking behaviors*, 57 JOURNAL OF AMERICAN COLLEGE HEALTH 419–426 (2009).

³⁵ LGBTQ+ AMERICANS NEED UNIVERSAL BROADBAND, *supra*, note 31.

³⁶ *Ibid.*

Safe, and affirming online LGBTQ+ spaces allow them to feel like they are part of a community and worthy of respect and celebration.”³⁷

e. Self-actualize

The internet enables at-risk populations to self-actualize – i.e., realize their potential by searching for permanent housing and a new job – to ultimately move out of a shelter and closer to self-sufficiency. Not having access to the internet would put these individuals at “even more of a disadvantage” because, in the majority of cases, everything from job applications, to apartment and utility applications, to bus schedules, are available online only now.³⁸ In fact, a 2017 report by the U.S. Congress Joint Economic Committee found that unemployed individuals are more likely to find a new job more quickly if they have Internet access, likely due to the ability to access online job search resources.³⁹

The internet can provide many benefits to survivors of domestic violence and LGBTQ+ people, but first it must be made available to them. That is why it is critical for the State to take action now, to support internet access at homeless shelters. This is not a matter of technology or infrastructure, it is a matter of human dignity.

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Drafter: Cory Lamz, Sex & Law Committee

³⁷ Dr. Natalie Ramos, a child and adolescent psychiatrist specializing in LGBTQ affirming mental health care, in How online communities and resources help LGBTQ+ youth live authentically, HUMAN RIGHTS CAMPAIGN, <https://www.hrc.org/resources/online-communities-and-lgbtq-youth>.

³⁸ Joe Supan, HOMELESSNESS AND THE DIGITAL DIVIDE: WHAT IT MEANS AND HOW TO HELP, ALLCONNECT (2021), <https://www.allconnect.com/blog/technology-and-homeless> (quoting Beth Vann-Turnbull, executive director of Housing Families First).

³⁹ AMERICA’S DIGITAL DIVIDE, U.S. Congress Joint Economic Committee, 5-6 (2017), https://www.jec.senate.gov/public/_cache/files/ff7b3d0b-bc00-4498-9f9d-3e56ef95088f/the-digital-divide-.pdf.