
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Nancy Skinner, Chair
2019 - 2020 Regular

Bill No: SB 1276 **Hearing Date:** May 27, 2020
Author: Rubio
Version: April 2, 2020
Urgency: No **Fiscal:** Yes
Consultant: NS

Subject: *The Comprehensive Statewide Domestic Violence Program*

HISTORY

Source: California Partnership to End Domestic Violence

Prior Legislation: AB 225 (La Follette), Ch.705, Stats. 1985
SB 91 (Presley), Ch.892, Stats. 1977

Support: Peace Officers Research Association of California

Opposition: None known

PURPOSE

The purpose of this bill is to eliminate a cash or an in-kind match requirement for domestic violence centers receiving state funding.

Existing law establishes the Comprehensive Statewide Domestic Violence Program in the Office of Emergency Services (OES) to, among other things, provide local assistance to existing service providers and to establish a targeted or directed program for the development and establishment of domestic violence services in currently unserved and underserved areas. OES will also provide financial and technical assistance to centers implementing services like 24 hour hotlines, counseling, emergency shelters and more. (Pen. Code, § 13823.15, subs. (a) & (b).)

Existing law authorizes OES and the advisory committee to manage and allocate state funds to centers that meet criteria for funding under the Comprehensive Statewide Domestic Violence Program. The centers receiving funding are required to provide 10 percent cash or an in-kind match of the funds received. (Pen. Code, § 13823.15, subd. (c).)

Existing law provides in order to be eligible for funding, a domestic violence shelter-based program shall demonstrate its ability to receive and make use of any funds available from governmental, voluntary, philanthropic, or other sources that may be used to augment any state or county funds appropriated for the purposes of this chapter. Each domestic violence shelter-based program shall make every attempt to qualify the domestic violence shelter-based program for any available federal funding. (Welf. & Inst. Code, § 18293, subd. (a).)

Existing law establishes a funding process for OES to distribute grants to Domestic Violence Shelter Service Providers (DVSSPs). (Pen. Code, § 13823.15, subd. (f).)

Existing law defines a DVSSP as an entity that provides safe emergency housing like hotels, safe houses and more, to victims of domestic violence and their children on a 24-hour basis. (Pen. Code, §13823.15, subd. (f)(15)(B).)

This bill includes the following findings and declarations:

- Current state funding requirements for domestic violence shelter service providers require 10 percent matching funds, using either cash or in-kind matching funds. This state law requirement is in addition to matching fund requirements from federal funding sources.
- Domestic violence programs rely on private funding, in-kind donations, or volunteer hours to meet this match requirement. In this time of crisis, flexibility is needed as programs adapt to the changing needs of the survivors, families, and communities they serve.
- During the COVID-19 crisis, service providers have been forced to cancel large annual fundraisers, and small business and individual donors who have been impacted by the crisis are unable to donate to the program, reducing the availability of private funds to meet the match requirement.
- During the COVID-19 crisis, volunteers are staying home and in-kind donations are dwindling severely. Securing, documenting, and reporting funding matches would be a significant burden for programs who are shifting operations and service delivery in a crisis. Programs need to focus on keeping survivors and their staff safe and healthy, not on administrative requirements such as matching fund documentation.
- In recognition of the need for flexibility during this crisis, the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act signed into law on March 27th, 2020, provided increased funding for domestic violence services through the Family Violence Prevention and Services Act (FVPSA) and waived the funding match requirement for these funds.

This bill removes the match requirement for domestic violence centers to provide cash or an in-kind match of 10% of the funds received from the state.

COMMENTS

1. Need for This Bill

According to the author:

The current requirement for domestic violence shelter service providers to provide a ten percent match of state funds, either through cash or in-kind, can create a number of financial and administrative challenges for the nonprofit organizations. Private funding, in-kind donations, and volunteer hours are the primary ways in

which programs meet their match requirements, and these resources are not always abundantly available in all communities. Tracking volunteer hours and donations for the match requirements can be a time intensive process for programs. Requiring that these resources be dedicated as matching funds for the activities outlined under the Penal Code section also means that programs lose the flexibility to utilize these resources for other purposes which may also be essential to provide the range of services survivors and communities need.

It is important to note that domestic violence service providers must meet match requirements not only on state funds, but also for federal funding sources as well. With scarce resources eligible to meet match requirements, programs can run out of resources to meet match requirements and be unable to pursue additional funding options where match is required.

During the COVID-19 shelter in place orders most domestic violence programs have been forced to cancel or delay annual fundraisers, stop accepting in-kind donations, and scale back or pause their volunteer programs. This greatly reduces the number of resources available to meet match requirements, and those resources that are available should be freed up to be utilized in the way most needed by the service provider. As we settle in to a “new normal”, we anticipate that the ongoing social distancing requirements and economic downturn will continue to negatively impact the cash and in kind resources available to domestic violence programs. Eliminating the match requirement can provide some flexibility and relief to programs providing essential services in our communities.

2. Match Requirements

Statewide domestic violence programs began with the passage of SB 91 (Presley, 1977), which created the first state funding for the programs. The Domestic Violence Shelter Based Programs Act requires any domestic violence shelter based program, in order to be eligible for state funds, to demonstrate its ability to receive and make use of funds from the federal government, donations, or through volunteer hours. AB 225 established the Comprehensive Statewide Domestic Violence Program and added Section 13823.15 to the Penal Code. This code section includes the 10% matching fund requirement for domestic violence programs that this bill would eliminate. The sponsor of the bill argues that the match requirement has generally been difficult for many service providers to satisfy, and COVID-19 has made it even more difficult due to the stay-at-home and social distancing orders. There are currently state-funded victim services programs, including programs that support rape victims and human trafficking victims, which are not required to match funds given to them by the state. Both of these programs offer similar services to domestic violence centers like 24-hour crisis intervention, counseling services, temporary housing and much more.

Through the Coronavirus Aid, Relief, and Economic Security (CARES) Act 2020, the federal government provided \$45 million dollars to the Family Violence Prevention and Services Act (FVPSA), and waived matching requirements to fund recipients. The FVSPA supports domestic violence services like emergency shelter and assistance programs for victims. There is also a bill in Congress, H.R 6685, that will waive non-federal match requirements on FVSPA grant funds during the COVID-19 pandemic. The mandated 20% match requirement is being removed due to the reality that many programs meet the match requirement through volunteer hours. As a result

of the stay-at-home order, programs will not be able to garner enough volunteer hours or fundraise to meet the match requirement.

The elimination of matching requirements removes financial burdens posed by COVID-19 and beyond. It allows grant recipients to use the cash, or other donations they had reserved for match requirements, for other pressing needs. The removal of this requirement also alleviates concerns about maintaining volunteer services while complying with stay at home and social distancing orders. Domestic violence centers can use these funds to continue supporting and providing direct services to domestic violence victims in need.

3. Domestic Violence Increase During COVID-19

The stay at home order issued in response to the COVID-19 pandemic has created an environment for increased domestic violence cases. More than 10 million Americans experience domestic violence, and experts project that isolation to homes, job loss, and overall stress associated with the pandemic will cause that number to increase¹. National domestic violence hotlines have reported a spike in calls since March 2020 when stay at home orders began being enforced. Police statistics reveal that in the city of Los Angeles, as of March 21, aggravated assault crimes, including those of domestic violence, have increased more than 4 percent. Many police stations have closed their reception area in response to the spread of COVID, forcing victims to contact departments via phone for restraining and emergency orders. However many domestic violence shelters have remained open during this time, accepting families and creating quarantine areas to protect those most in need. Domestic violence centers working with survivors are staying connected through increased tele-advocacy and remote intake. As domestic violence centers continue working and implementing social distancing protocols during this pandemic, it is greatly impacting their revenue and ability to raise funds. Cities across California are extending their stay at home orders and social distancing protocols, therefore the suspension of match requirements will allow domestic violence to continue channeling their resources where they are most needed.

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¹ <https://ncadv.org/blog/posts/what-dv-orgs-need-to-know-coronavirus>