

Introduced by Senators Bowen, Escutia, Kuehl, and Speier

February 21, 2003

An act to amend Section 124250 of the Health and Safety Code, relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

SB 914, as introduced, Bowen. State Department of Health Services: domestic violence prevention grant program..

Under existing law, the State Department of Health Services administers a grant program for the prevention of domestic violence.

This bill would make a technical nonsubstantive change to a provision relating to the grant program.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 124250 of the Health and Safety Code
- 2 is amended to read:
- 3 124250. (a) The following definitions shall apply for
- 4 purposes of this section:
- 5 (1) "Domestic violence" means the infliction or threat of
- 6 physical harm against past or present adult or adolescent female
- 7 intimate partners, and shall include physical, sexual, and
- 8 psychological abuse against the woman, and is a part of a pattern
- 9 of assaultive, coercive, and controlling behaviors directed at
- 10 achieving compliance from or control over, that woman.
- 11 (2) "Shelter-based" means an established system of services
- 12 where battered women and their children may be provided safe or

1 confidential emergency housing on a 24-hour basis, including, but
2 not limited to, hotel or motel arrangements, haven, and safe
3 houses.

4 (3) “Emergency shelter” means a confidential or safe location
5 that provides emergency housing on a 24-hour basis for battered
6 women and their children.

7 (b) The Maternal and Child Health Branch of the State
8 Department of Health Services shall administer a comprehensive
9 shelter-based services grant program to battered women’s shelters
10 pursuant to this section.

11 (c) The Maternal and Child Health Branch shall administer
12 grants, awarded as the result of a request for application process,
13 to battered women’s shelters that propose to maintain shelters or
14 services previously granted funding pursuant to this section, to
15 expand existing services or create new services, and to establish
16 new battered women’s shelters to provide services, in any of the
17 following four areas:

18 (1) Emergency shelter to women and their children escaping
19 violent family situations.

20 (2) Transitional housing programs to help women and their
21 children find housing and jobs so that they are not forced to choose
22 between returning to a violent relationship or becoming homeless.
23 The programs may offer up to 18 months of housing, case
24 management, job training and placement, counseling, support
25 groups, and classes in parenting and family budgeting.

26 (3) Legal and other types of advocacy and representation to
27 help women and their children pursue the appropriate legal
28 options.

29 (4) Other support services for battered women and their
30 children.

31 (d) (1) The Maternal and Child Health Branch of the State
32 Department of Health Services shall conduct a minimum of one
33 site visit per grant term to each agency funded to provide
34 shelter-based services to battered women and their children. The
35 purpose of the site visit shall be a performance assessment of, and
36 technical assistance for, each agency visited. The performance
37 assessment shall include, but need not be limited to, a review of all
38 of the following:

39 (A) Progress in meeting program goals and objectives.

40 (B) Agency organization and facilities.



- 1 (C) Personnel policies, files, and training.
- 2 (D) Recordkeeping, budgeting, and expenditures.
- 3 (E) Documentation, data collection, and client confidentiality.
- 4 (2) Subsequent to each site visit conducted under paragraph
- 5 (1), the Maternal and Child Health Branch shall provide a written
- 6 report to the agency summarizing the agency's performance, any
- 7 deficiencies noted, and any corrective action needed.
- 8 (3) Where an agency receives funding from both the Maternal
- 9 and Child Health Branch of the State Department of Health
- 10 Services and the Domestic Violence Branch of the Office of
- 11 Criminal Justice Planning during any grant cycle, the Maternal and
- 12 Child Health Branch and the Domestic Violence Branch shall, to
- 13 the extent feasible, coordinate agency site visits and share
- 14 performance assessment data with the goal of improving
- 15 efficiency, eliminating duplication, and reducing administrative
- 16 costs.
- 17 (e) In implementing the grant program pursuant to this section,
- 18 the State Department of Health Services shall consult with an
- 19 advisory council that shall remain in existence until January 1,
- 20 2006. The council shall be composed of ~~not to exceed~~ *no more than*
- 21 13 voting members and two nonvoting members appointed as
- 22 follows:
- 23 (1) Seven members appointed by the Governor.
- 24 (2) Three members appointed by the Speaker of the Assembly.
- 25 (3) Three members appointed by the Senate Committee on
- 26 Rules.
- 27 (4) Two nonvoting ex officio members who shall be Members
- 28 of the Legislature, one appointed by the Speaker of the Assembly
- 29 and one appointed by the Senate Committee on Rules. Any
- 30 Member of the Legislature appointed to the council shall meet
- 31 with, and participate in the activities of, the council to the extent
- 32 that participation is not incompatible with his or her position as a
- 33 Member of the Legislature.
- 34 The membership of the council shall consist of domestic
- 35 violence advocates, battered women service providers, and
- 36 representatives of women's organizations, law enforcement, and
- 37 other groups involved with domestic violence. At least one-half of
- 38 the council membership shall consist of domestic violence
- 39 advocates or battered women service providers from organizations
- 40 such as the California Alliance Against Domestic Violence.



1 It is the intent of the Legislature that the council membership
2 reflect the ethnic, racial, cultural, and geographic diversity of the
3 state.

4 (f) The department shall collaborate closely with the council in
5 the development of funding priorities, the framing of the Request
6 for Proposals, and the solicitation of proposals.

7 (g) (1) The Maternal and Child Health Branch of the State
8 Department of Health Services shall administer grants, awarded as
9 the result of a request for application process, to agencies to
10 conduct demonstration projects to serve battered women,
11 including, but not limited to, creative and innovative service
12 approaches, such as community response teams and pilot projects
13 to develop new interventions emphasizing prevention and
14 education, and other support projects identified by the advisory
15 council.

16 (2) For purposes of this subdivision, “agency” means a state
17 agency, a local government, a community-based organization, or
18 a nonprofit organization.

19 (h) It is the intent of the Legislature that services funded by this
20 program include services in underserved and ethnic and racial
21 communities. Therefore, the Maternal and Child Health Branch of
22 the State Department of Health Services shall do all of the
23 following:

24 (1) Fund shelters pursuant to this section that reflect the ethnic,
25 racial, economic, cultural, and geographic diversity of the state.

26 (2) Target geographic areas and ethnic and racial communities
27 of the state whereby, based on a needs assessment, it is determined
28 that no shelter-based services exist or that additional resources are
29 necessary.

30 (i) The director may award additional grants to shelter-based
31 agencies when it is determined that there exists a critical need for
32 shelter or shelter-based services.

33 (j) As a condition of receiving funding pursuant to this section,
34 battered women’s shelters shall do all of the following:

35 (1) Provide matching funds or in-kind contributions equivalent
36 to not less than 20 percent of the grant they would receive. The
37 matching funds or in-kind contributions may come from other
38 governmental or private sources.

39 (2) Ensure that appropriate staff and volunteers having client
40 contact meet the definition of “domestic violence counselor” as



1 specified in subdivision (a) of Section 1037.1 of the Evidence
2 Code. The minimum training specified in paragraph (2) of
3 subdivision (a) of Section 1037.1 of the Evidence Code shall be
4 provided to those staff and volunteers who do not meet the
5 requirements of paragraph (1) of subdivision (a) of Section 1037.1
6 of the Evidence Code.

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