Dedicated to Promoting Economy and Efficiency in California State Government

The Little Hoover Commission, formally known as the Milton Marks “Little Hoover” Commission on California State Government Organization and Economy, is an independent state oversight agency.

By statute, the Commission is a bipartisan board composed of five public members appointed by the governor, four public members appointed by the Legislature, two senators and two assemblymembers.

In creating the Commission in 1962, the Legislature declared its purpose:

...to secure assistance for the Governor and itself in promoting economy, efficiency and improved services in the transaction of the public business in the various departments, agencies and instrumentalities of the executive branch of the state government, and in making the operation of all state departments, agencies and instrumentalities, and all expenditures of public funds, more directly responsive to the wishes of the people as expressed by their elected representatives...

The Commission fulfills this charge by listening to the public, consulting with the experts and conferring with the wise. In the course of its investigations, the Commission typically empanels advisory committees, conducts public hearings and visits government operations in action.

Its conclusions are submitted to the Governor and the Legislature for their consideration. Recommendations often take the form of legislation, which the Commission supports through the legislative process.

Contacting the Commission

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This report is available from the Commission’s website at www.lhc.ca.gov.
# Table of Contents

- **Letter from the Chair** ................................................................. 4
- **Introduction** .............................................................................. 5
- **IPV Funding: The Federal and State Relationship** ................. 6
  - Roles and Responsibilities in Responding to Intimate Partner Violence
- **Domestic Violence Assistance Program (DVAP)** Funding ........ 7
- **Why DVAP Recipients?** ............................................................. 7
- **The Problem: Delays Between Providing Services and Receiving Reimbursement** ................................................. 7
  - From Service Delivery to Payment: The Reimbursement Process from the Provider’s Viewpoint
- **The Consequences** ................................................................... 8
- **Current Attempts to Mitigate Impacts of Reimbursement Delays** ................................................................. 9
- **The Little Hoover Commission’s View** ................................... 9
- **Recommendation** ....................................................................... 10
- **Get Help (1-800-799-SAFE)** ..................................................... 10
- **Appendix A: Hearing Witnesses and Advisory Committee Members** .......................................................... 11
- **Appendix B: Notes** ................................................................. 13
DEAR GOVERNOR AND MEMBERS OF THE LEGISLATURE:

Every day, people across California are physically, emotionally, financially, and psychologically abused by their partners. Law enforcement agencies in the state field 457 domestic violence calls in an average day. The shelter-in-place orders imposed in response to COVID-19 have caused already distressing rates of intimate partner violence to climb even higher.

Last fall, the Commission launched an assessment of the state’s response to the tragedy of such violence, and today we are submitting the first report stemming from this work. We anticipate an additional report on the topic of intimate partner violence later this year. During the course of its study, the Commission learned that organizations funded through the state’s Domestic Violence Assistance Program often face long delays in receiving their grants. As a result, providers – which tend to be nonprofits on tight budgets – often take out lines of credit to make payroll and keep the lights on until they’re reimbursed by the state.

In this initial report, we advocate a relatively straightforward solution to this problem. Current law allows recipients of the Domestic Violence Assistance Program to receive a 25 percent advance on the state funds in their award. The Commission recommends that amount be increased to 100 percent of state funds. No reasonable person could believe that providers should have to borrow money and pay interest on that money, or reduce hours and staff, while they await state reimbursement. In effect, they become the bankers of programs to help some of our most vulnerable Californians. This could not have been any lawmaker’s intent when they pushed the green button to create a statewide domestic violence program, but this is the consequence of current law.

It is the responsibility of the state’s policymakers to fix this and make it right.

The Commission respectfully submits these findings and recommendation, and stands ready to provide additional information or work with you on this important issue.

Sincerely,

Pedro Nava, Chair
Little Hoover Commission
Intimate Partner Violence: Getting Money to Those on the Front Line

Introduction

Intimate Partner Violence ("IPV") is profoundly harmful to Californians. One third of California women and one quarter of California men will experience intimate partner violence during their lifetimes.¹ Most victims first experience IPV by age 24, setting the stage for a lifetime of impact and recovery. Transgender people are even more at risk: 54 percent will experience IPV in their lifetimes.² IPV is the leading cause of homicide against women, and approximately 15 percent of murdered women are pregnant. A partner or ex-partner kills a woman in California every 43 hours.³

Aside from the obvious harm to victims, IPV imposes a tremendous cost on society. Law enforcement agencies in California field an average of 457 domestic violence calls per day.⁴ Looking at just one facet of domestic violence, sexual violence – 51 percent of female rape victims are raped by a current or former partner – the California Coalition Against Sexual Assault estimates it costs California taxpayers $2.9 billion each year, including police, courts, incarceration and other public services.⁵

This problem becomes yet more urgent in light of shelter-in-place orders in response to the COVID-19 virus. Rates of IPV increase during times of stress, particularly economic stress, and when families gather together, such as during Thanksgiving.⁶ COVID-19 social distancing measures combine both, and the emerging data and anecdotes reflect it:

“I spoke to a female caller in California that is self-quarantining for protection from COVID-19. ... Her partner strangled her tonight. While talking to her, it sounded like she has some really serious injuries. She is scared to go to the ER due to fear around catching COVID-19.”

More disturbingly, some professionals expect an increase in domestic violence reporting after the shelter-in-place is lifted, for the simple reason that victims sequestered with their abuser do not have the space to secretly request help. Katie Ray-Jones, CEO for the National Domestic Violence Hotline, told CNN, “We’re really bracing for a spike post-Covid-19 – that’s when law enforcement and advocates and courts are going to hear the really, really scary stuff going on behind closed doors.”²

After Governor Gavin Newsom issued a statewide shelter-in-place order, local officials and shelter staff around California began reporting significant increases in requests for assistance compared to the same time last year. In Sacramento, a crisis response shelter reported a 17 percent increase in calls;⁸ a Los Angeles-based shelter reported a 20 percent increase;⁹ a shelter based in San Francisco – which had been under a shelter-in-place order longer than other regions in California – reported calls nearly doubling,¹⁰ while the Fresno County Sheriff’s Department reported filing 77 percent more domestic violence-related reports compared to this time last year.¹¹
Understanding the need for an immediate, strategic approach to IPV, the Commission initiated its study to understand if state government is organized in a way that most effectively serves Californians affected by IPV, and if the state has chosen the best way to fund IPV services. This initial report addresses a problem which we believe has a fairly straightforward fix: the efficient and proper distribution of Domestic Violence Assistance Program grant funding. The Commission intends to release a larger report on more complex problems, such as data collection, gun violence, and strategic planning, later in 2020.

**IPV Funding: The Federal and State Relationship**

The relationship between the federal and state government when responding to intimate partner violence is clearly delineated: The federal government provides most of the money and creates the rules about how the state may use that money, and the state decides which programs and services will receive federal money within the parameters of the rules. Ultimately, California makes the final call on which survivors in which locations receive services.

California Governor’s Office of Emergency Services (Cal OES) administers federal funding for victim services in consultation with three advisory committees composed of subject matter experts. Responsibility for the final funding decision lies with the Cal OES director. Cal OES currently administers about $84 million in federal funds for programs focused on domestic violence, and another $5 million in federal funds for programs focused on domestic and sexual violence. In addition, it administers grants for seven federally-funded programs that allow recipients to choose which marginalized community to serve; currently 146 out of the 353 subrecipients in those seven programs have programs or components of programs that assist IPV survivors.13
In contrast, Cal OES administers $20.6 million in state funds for IPV survivors, all of which goes to the Domestic Violence Assistance Program.

**Domestic Violence Assistance Program (DVAP) Funding**

When providing direction to Cal OES on the state’s comprehensive statewide response to IPV, the Legislature delineated three goals:

1. Provide local assistance to existing service providers;
2. Maintain and expand services based on a demonstrated need; and
3. Establish a targeted or directed program for the development and establishment of domestic violence services in currently unserved and underserved areas.

It then outlined 14 services it deemed necessary to accomplish those goals, and directed Cal OES to provide financial and technical assistance to domestic violence centers providing those services. Cal OES fulfills this charge through the Domestic Violence Assistance Program (DVAP). Approximately $53 million is distributed to 102 shelter-based providers through this program. About 60 percent of the money ($33 million) comes from the federal government; about 40 percent ($20.6 million) comes from the state.

It is important to note that Cal OES administers 23 programs with 369 sub-awards that focus on IPV. There are many grant recipients who do not receive DVAP funding who encounter the challenges discussed in this report. However, because the state contributes to DVAP, it has the opportunity to move quickly on the portion it controls.

**Why DVAP Recipients?**

This report focuses on potential changes to the DVAP program for the following reasons:

1. It is the state’s primary IPV program;
2. State IPV-related general funds only go to DVAP, so these recipients are the only group for whom the state can quickly change the conditions of their funding; and
3. DVAP recipients fall into a special category of noncompetitive grant funding. By statute, the state must accept DVAP recipients’ reapplications for grant funding each year, barring severe performance failures. As part of that process, the Legislature has outlined specific monitoring and technical assistance requirements for Cal OES to implement with DVAP recipients to ensure responsible stewardship of taxpayer money. Due to this oversight, the Commission believes the state may lower bureaucratic hurdles for recipients to access their money without needing to create new monitoring regimes.

**The Problem: Delays between Providing Services and Receiving Reimbursement**

Grant recipients face a straightforward problem: If service providers immediately and accurately complete their reimbursement request, and the state meets all of its statutory timelines in processing reimbursements, then service providers wait about 79 days from Day 1 of providing the service until receiving reimbursement. This assumes service providers complete their paperwork immediately after the 30-day reporting period ends and pay for overnight delivery to Cal OES. If service providers need more than a day to complete their request, the wait can be up to around 109 days between Day 1 of providing services and reimbursement – providing everything runs smoothly.
Not everything runs smoothly, of course. For instance, sometimes recipients fill out forms incorrectly, emergencies pull Cal OES staff away from grants management, and recipients sometimes receive conflicting instructions, to their detriment. One member of the Commission’s advisory committee recounted that Cal OES instructed her to submit invoices one way, which she did, only to have them bounced back to her with instructions to submit them completely differently. New state IT ventures, such as Fi$Cal, outside of Cal OES’ control can interrupt prompt processing of payments. As a result, service providers wait even longer for payment. At the Commission’s October 2019 hearing, Beth Hassett, Executive Director for WEAVE, reported her organization was waiting on a million dollars in reimbursements from Cal OES. Some invoices had been submitted roughly four months earlier. For small organizations, long delays for such large amounts are a grave burden.

**The Consequences**

In the best-case scenario, service providers wait two or three months to be paid for services rendered. Most IPV service providers are small organizations that lack reserves to cover expenses until reimbursement checks arrive. Consequently, they must make hard decisions that benefit neither those directly affected by intimate partner violence nor California as a whole. These include:

- **Taking out lines of credit.** One service provider reported paying approximately $900 per month in interest to bridge reimbursement gaps for state and local grants. Another reported paying between $50 and $100 a week in interest for the same purpose without reimbursement.

Not all organizations qualify for lines of credit. Providers with shelters have some collateral they can put up for loans, but organizations that provide less tangible services, such as legal assistance providers, have no such recourse.

- **Leaving money on the table.** Service providers who doubt they can bridge the gap between providing the service and being reimbursed sometimes choose to leave grant money unspent – and victims unserved – to prevent more dire consequences. One member of the Commission’s advisory committee shared that she recently had left $125,000 in grant funds unspent because she had to choose between advancing the money on the state’s behalf for that project and paying her staff. “I chose to pay my employees,” she said.

- **Not applying for grants in the first place.** Some smaller service providers do not apply for these grants at all because they cannot afford the lengthy wait for reimbursement. Worse, the Commission learned, these often are programs working with the most marginalized communities. Alternatively, organizations that receive funding directly from the federal Office of Violence Against Women see their reimbursements directly deposited into their accounts within 72 hours of submitting their reimbursement request.
Current Attempts to Mitigate Impacts of Reimbursement Delays

Reimbursement delays are a systemic problem and the Commission does not cast blame on individual Cal OES staff members. The Commission found the staff members who work on IPV to be unfailingly dedicated and hard working. They are smart, capable, and understand the importance of the state’s response to IPV.

Cal OES currently is conducting a pilot program in which grant recipients can submit their reimbursement requests electronically by attaching them to an email. This does result in some quality of life improvements for the 23 pilot participants: no mailing costs and the submission of electronic signatures instead of the wet signatures currently required. This allows the organization’s finance officer and program manager to approve the forms remotely. However, since many organizations pay for expedited delivery services for their reimbursement requests, this pilot program only knocks a day or two off of the reimbursement timeline, and does nothing to address the need for borrowing by many organizations.

Organizations do have the ability to request up to a 25 percent advance of state grant funding received through the DVAP program, minus matching funds, to help cover startup costs and bridge payment gaps. (The ability to receive advance funding, however, applies only to DVAP recipients, not organizations receiving money through any other program.) To receive an advance, eligible organizations must certify that the project is “unable to pay its outstanding debts and obligations.” Then, the organization must go through the standard reimbursement process. Cal OES witnesses did testify that the agency will pay to expedite the advance check if necessary, but that Cal OES has not received very many requests for advances.

Cal OES’ Subrecipient Handbook does not particularly encourage requesting advances, stating:

Once the Grant Subaward is approved, Subrecipients should receive payment within 45 days of receipt of the Report of Expenditures and Request for Funds (Cal OES Form 2-201). Therefore, it may not be necessary to request an advance since the timelines may be the same. The project should take this into consideration prior to making an advance payment request.

The Little Hoover Commission’s View

It is unconscionable that organizations serving some of the most vulnerable people in California must incur borrowing costs because the state takes so long to reimburse them. These often are small organizations running on shoestring budgets, and the state should ensure that their resources go toward providing services. It is shocking that the state’s funding system frequently forces them to borrow money, leave money unspent, or not apply for it at all.

As an immediate and simple step, the state should provide the DVAP recipients the state’s portion of their grant funding up front. Currently DVAP recipients receive about half a million dollars a year, with roughly 60 percent of that coming from federal funds and the remaining 40 percent, or $200,000 per organization, from state coffers.

Although a periodic reimbursement model is the norm for many social service programs, the state should not shy away from changing the norm to efficiently and effectively serve the public good. California already allows for advance payments of grants for some programs. For example, the 2019-20 Budget Act, which includes language limiting the advance of DVAP funds to 25 percent, provides for
partial or full advance payment of grants for a variety of programs related to community corrections, emergency food delivery, and other topics.

Even with an advance payment of the state portion of the DVAP grant, recipients would still face extensive, existing auditing and reporting requirements, which the Commission believes will suffice to guard against the rare cases of fraud in this area.

**Recommendation**

The Legislature should enact, and the Governor should sign into law, a mechanism through which recipients of Domestic Violence Assistance Program funding, or any future program implementing California Penal Code §13823.15, receive the entirety of state's portion of the grant funding at the beginning of the grant period.

**Get Help**

If you, or someone you know, are experiencing domestic violence, please call **1-800-799-SAFE (7233)**.
Appendix A: Hearing Witnesses and Advisory Committee Members

Public Hearing on Intimate Partner Violence: The Perspective from the Field
October 24, 2019
Sacramento, CA

Lucia Corral Peña, Senior Program Officer, Blue Shield Foundation of California

Jeffrey L. Edleson, Ph.D., Professor and Dean Emeritus, School of Social Welfare, University of California, Berkeley

Beth Hassett, Chief Executive Officer & Executive Director, WEAVE

Matt Huckabay, Executive Director, The Center for Violence-Free Relationships

Tracy Lamb, Executive Director, Nurturing Empowerment Worth Safety (NEWS) Domestic Violence & Sexual Abuse Services

Andrew Moore

Krista Niemczyk, Public Policy Manager, California Partnership to End Domestic Violence

Julia F. Weber, JD, MSW, Attorney/Fellow, Giffords Law Center & Adjunct Professor, Domestic Violence Law, Golden Gate University School of Law

Public Hearing on Intimate Partner Violence: The State’s Response
February 27, 2020
Sacramento, CA

Stacy Alamo, Chief of the Safe and Active Communities Branch, California Department of Public Health

Leigh Bills, Chief, Victim Services and Public Safety Branch, California Governor’s Office of Emergency Services

Gina Buccieri-Harrington, Assistant Director, Grants Management, California Governor’s Office of Emergency Services

Amy Durrence, Director of Law and Policy, FreeFrom

Senator Susan Rubio, California Senate District 22
Appendix A Continued
Advisory Committee | January 24, 2020
Sacramento, CA

Lakin Ambriz, Housing Program Manager, Haven Women's Center of Stanislaus

Michele Piller, Executive Director, Plumas Rural Services

Taylor Campion, Housing and Employment Justice Attorney, Family Violence Appellate Project

Orchid Pusey, Executive Director, Asian Women’s Shelter

Rachelle Currie, Associate Director, Haven Women’s Center of Stanislaus

May Rico, Executive Director, Haven Women’s Center of Stanislaus

Virginia Duplessis, Program Director, Health, Futures without Violence

Maricela Rios-Faust, Executive Director, Human Options

Paul Durenberger, Assistant Chief Deputy District Attorney, Sacramento District Attorney’s Office

Terra Russell-Slavin, Deputy Director, Policy and Community Building, Los Angeles LGBT Center

Karen Earl, Chief Executive Officer, Jenesse Center

Yasi Safinya-Davies, Executive Director, Safe Alternatives to Violent Environments

Elizabeth Eastlund, Executive Director, Rainbow Services

Lidia Salazar, Co-Executive Director, Communities United Against Violence

Louis Gill, Executive Director, Bakersfield Homeless Center, Alliance Against Family Violence & Sexual Assault

Erin Scott, Executive Director, Family Violence Law Center

Karen Earl, Chief Executive Officer, Jenesse Center

Cris Sullivan, Director, Research Consortium on Gender-based Violence, Michigan State University

Kate Hart, Director of Programs, Safe Alternatives to Violent Environments

Jeanne Spurr, Chief Executive Officer, Empower Tehama

Angela Hauner, Batterer’s Intervention Coordinator, Plumas Rural Services

Cris Sullivan, Director, Research Consortium on Gender-based Violence, Michigan State University

Keely Linton, Executive Director, Strong Hearted Native Women’s Coalition

Anastacia Snyder, Executive Director, Catalyst Domestic Violence Services

Gabriela López-Zerón, Associate Director, Research Consortium on Gender-Based Violence, Michigan State University

Richard Thomason, Policy Director, Blue Shield of California Foundation

Erin Moore, Domestic Violence Unit Chief, Governor’s Office of Emergency Services

Nilda Valmores, Executive Director, My Sister’s House

Krista Niemczyk, Public Policy Manager, California Partnership to End Domestic Violence

Janine Williams, Chief, Sexual/Domestic Violence & Underserved Victims Division, Governor’s Office of Emergency Services

Annie Olea, Housing First Manager, Safe Alternatives to Violent Environments
Appendix B: Notes

1. This includes intimate partner physical violence, intimate partner sexual violence, and/or intimate partner stalking.


14. Stats. 2013, Ch. 352, Sec. 438. (AB 1317)
Appendix B: Notes Continued


**Little Hoover Commission Members**

**CHAIRMAN PEDRO NAVA** | Santa Barbara  

**VICE CHAIRMAN SEAN VARNER** | Riverside  
Appointed to the Commission by Governor Edmund G. Brown Jr. in April 2016 and reappointed in January 2018. Managing partner at Varner & Brandt LLP where he practices as a transactional attorney focusing on mergers and acquisitions, finance, real estate, and general counsel work. Elected vice chair of the Commission in March 2017.

**DION ARONER** | Berkeley  

**DAVID BEIER** | San Francisco  
Appointed to the Commission by Governor Edmund G. Brown Jr. in June 2014 and reappointed in January 2018. Managing director of Bay City Capital. Former senior officer of Genentech and Amgen, and counsel to the U.S. House of Representatives Committee on the Judiciary.

**CYNTHIA BUIZA** | Los Angeles  
Appointed to the Commission by Speaker of the Assembly Anthony Rendon in October 2018. Executive director of the California Immigrant Policy Center. Former policy director for the American Civil Liberties Union, San Diego, and policy and advocacy director at the Coalition for Humane Immigrant Rights of Los Angeles.

**BILL EMMERSON** | Redlands  
Appointed to the Commission by Governor Edmund G. Brown Jr. in December 2018. Former senior vice president of state relations and advocacy at the California Hospital Association, State Senator from 2010 to 2013, State Assemblymember from 2004 to 2010, and orthodontist.

**ASM. CHAD MAYES** | Yucca Valley  
Appointed to the Commission by Speaker of the Assembly Toni Atkins in September 2015. Elected in November 2014 to represent the 42nd Assembly District. Represents Beaumont, Hemet, La Quinta, Palm Desert, Palm Springs, San Jacinto, Twentynine Palms, Yucaipa, Yucca Valley, and surrounding areas.

**SEN. JIM NIELSEN** | Gerber  
Appointed to the Commission by the Senate Rules Committee in March 2019. Elected in January 2013 to represent the 4th Senate District. Represents Chico, Oroville, Paradise, Red Bluff, Yuba City, and surrounding areas.

**ASM. BILL QUIRK** | Hayward  

**SEN. RICHARD ROTH** | Riverside  
Appointed to the Commission by the Senate Rules Committee in February 2013. Elected in November 2012 to represent the 31st Senate District. Represents Corona, Coronita, Eastvale, El Cerrito, Highgrove, Home Gardens, Jurupa Valley, March Air Reserve Base, Mead Valley, Moreno Valley, Norco, Perris, and Riverside.

**CATHY SCHWAMBERGER** | Calistoga  
Appointed to the Commission by the Senate Rules Committee in April 2018 and reappointed in January 2019. Associate general counsel for State Farm Mutual Automobile Insurance Company. Former board member of the Civil Justice Association of California and the Capital Political Action Committee.

**JANNA SIDLEY** | Los Angeles  
Appointed to the Commission by Governor Edmund G. Brown Jr. in April 2016 and reappointed in February 2020. General counsel at the Port of Los Angeles since 2013. Former deputy city attorney at the Los Angeles City Attorney’s Office from 2003 to 2013.

*Full biographies are available on the Commission’s website at [www.lhc.ca.gov](http://www.lhc.ca.gov).*
“DEMOCRACY ITSELF IS A PROCESS OF CHANGE, AND SATISFACTION AND COMPLACENCY ARE ENEMIES OF GOOD GOVERNMENT.”

Governor Edmund G. “Pat” Brown, addressing the inaugural meeting of the Little Hoover Commission, April 24, 1962, Sacramento, California