



# Family Violence is *Not* an Option!

*The Failure of CalWORKs  
to Serve Battered Women with Children*

## Policy Brief

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The full report "Family Violence is *Not* an Option: the Failure of CalWORKs to Serve Battered Women with Children" written by Diana Spatz and Sheila Katz of Low-Income Families' Empowerment through Education (LIFETIME), a statewide membership organization of low-income parents in California, will be released summer 2005.

## I. Domestic Violence and Welfare Reform: Background

Research indicates that women receiving welfare experience domestic violence at double the rate of all American women.<sup>1</sup> Nationally, studies indicate that two-thirds of mothers receiving welfare have been victims of domestic violence. Moreover, studies of welfare mothers in California indicate that as high as 83% of CalWORKs mothers are survivors of domestic violence.<sup>2</sup>

Domestic violence derails mother's efforts to move off welfare; numerous studies find that **violence is frequently exacerbated when mothers seek education, training, or work**. Batterers often sabotage mothers' efforts to work or study by making threats, inflicting injuries before tests or interviews, preventing her from sleeping or studying, stalking her on campus or at work, saying negative things about her ability to succeed, or refusing to provide promised childcare. In a 1999 study of welfare mothers in Wisconsin, the Institute for Wisconsin's Future found that **63% were fired or forced to quit their jobs due to domestic violence**. A 1999 study of Colorado welfare mothers by the Center for Policy Research found that **44% were prevented from working by abusive ex-partners**.

Consequently, under Title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the Temporary Assistance for Needy Families (TANF) program included the Family Violence Option, which gave states the flexibility to offer protections to battered women with children in the welfare system. Under the Family Violence Option, states can temporarily waive welfare-to-work requirements for battered women with children, including weekly work requirements, time limits, the family cap option, and child support cooperation requirements. The waiver on time limits is particularly important, since domestic violence can create long-term physical and emotional problems that seriously limit a mother's ability to secure or maintain employment.

In 1998, California became one of 34 states to adopt the Family Violence Option in the California Work Opportunity and Responsibility to Kids (CalWORKs) program. However, through LIFETIME's work, a disturbing pattern emerged in which battered women with children in the CalWORKs program were not informed about and/or denied domestic violence services, counseling and/or waivers.

LIFETIME provides peer-based support and advocacy services to help hundreds of CalWORKs parents each year to enroll in, continue and complete education and training programs so they can attain career-path employment that support their families. LIFETIME's services include a comprehensive assessment to determine issues that may affect a parent's ability to complete school and transition off welfare, as well as qualify them for services, counseling, accommodations and waivers they may be eligible for under CalWORKs. This includes screening all clients for domestic violence.

Through this work, LIFETIME became concerned by the high number of mothers with histories of domestic violence, and who were unaware of their eligibility for services, counseling, and waivers under the Family Violence Option. In response, LIFETIME developed a training to help CalWORKs mothers use self-advocacy skills to gain access to services and counseling for domestic violence. With peer advocates as mentors, mothers began to request these services, and discovered a system as coercive and abusive as the men they fled. As one mother recounted, "I went from being abused by my man, to being abused by The Man." In response, LIFETIME began research in July 2003 to document the problem.

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<sup>1</sup> National Center for Children in Poverty 2002

<sup>2</sup> California Institute for Mental Health 2003

## II. LIFETIME's Research and Key Findings

The focus of LIFETIME's research is to determine how many CalWORKs parents experience domestic violence but are not informed about or not receiving counseling, services, or waivers for domestic violence. To answer this, LIFETIME surveyed 1,083 CalWORKs parents in fifteen counties in the Los Angeles Area, the Central Valley, the San Francisco Bay Area, and Northern California. We wanted to document the number of CalWORKs parents not receiving support services that would help their families get off welfare before they reached their five-year lifetime limit on aid. Parents' access to domestic violence counseling, services, and waivers was one of eight issue areas explored.

Through participatory action research, CalWORKs students in fifteen counties were trained to deliver the survey, which was conducted primarily in-person by snowball sample, except for the approximately ten percent of surveys conducted by phone. In addition, follow-up interviews and case studies were conducted with five percent of survey respondents.

To determine if the experience of survey respondents is representative of the larger CalWORKs population, LIFETIME analyzed state Welfare-to-Work activity reports from the California Department of Social Services for the state and the 14 counties the survey was conducted in. **LIFETIME found that the problem was systemic and much more severe.**

### KEY FINDINGS:

**One-third (29.8%) of mothers** who participated in LIFETIME's survey reported that they were victims of domestic violence but had never received information about their eligibility for domestic violence counseling and services, and/or had been denied access to domestic violence counseling, services, or waivers.

In 2004, on average during any given month, state data indicates that only **one percent of the state's welfare caseload received services for domestic violence.**

Although on average, Los Angeles County has the highest number of CalWORKs mothers receiving domestic violence services, as a percentage of the county's caseload, **less than 1.6% of the county caseload were receiving services in 2004.**

Of the 14 counties analyzed, from 1999 to 2004, 13 counties provided domestic violence services **to less than 4% of their CalWORKs caseload.**

Furthermore, even though mothers may receive domestic violence services, state data indicates that they are not being granted waivers from welfare to work requirements.

In 2004, an average of only 638 mothers statewide were granted domestic violence waivers, out of a caseload of 306,000 – **less than one-fifth of one percent of the state CalWORKs caseload.**

In Los Angeles County during October 2004, although 1,763 mothers were referred to or receiving domestic violence services, **none were granted waivers** from welfare to work activities. Moreover, since welfare reform was implemented in California in 1998, **Los Angeles County has never granted a single domestic violence waiver.**

Los Angeles County is not the only one. In October 2004, **forty-four of 58 or 76%** of California Counties, **granted no domestic violence waivers**; including Los Angeles, San Diego, Kern, Ventura, Fresno, San Joaquin, Monterey, and Stanislaus Counties.

In October 2004, **of the 538 mothers statewide who received domestic violence waivers, 46% (250) were from Orange County alone**. Although Orange County represents less than 3% of the total state CalWORKs caseload, they granted almost half of the total statewide domestic violence waivers.

In summary, both state data and survey results indicate a **complete failure** by the California Department of Social Services to provide the domestic violence services and waivers **required by law** under TANF's Family Violence Option.

### **III. LIFETIME's Analysis and Discussion**

The problem has several components; the four primary causes are discussed below. First, CalWORKs mothers are not being screened for domestic violence. This is mainly because caseworkers are still not trained on the domestic violence provisions under CalWORKs. As a result, many caseworkers do not know they exist. Furthermore, in the few counties with specialized domestic violence departments, caseworkers do not know to refer battered women there. Consequently, the need for domestic violence services goes unnoticed, or their requests are routinely outright denied.

Second, not only do workers ignore the policy, they often subject the mothers to further abuse. For example, one Los Angeles mother asked for help; her worker remarked that if she didn't talk back to her husband she would be fine, and to just go home and keep quiet. Another mother was afraid to make the request. "My worker gave me such a hard time approving my support services for this semester. . .I didn't get my book voucher for school until November . . .if I push her on the D.V. waiver, she might retaliate and make it even worse in the spring." She eventually made the request, only to have the worker respond, "I'll grant you a waiver – but only if you have bruises all over your body and you're still living with the man who's beating you."

Third, the policy is being applied inconsistently. Implementation varies from county to county, from welfare department to welfare department, and from caseworker to caseworker. For example, in Orange County an African American mother was stabbed by her husband, but despite her immediate danger, was denied a waiver. By contrast, a mother at the same welfare department was granted a waiver for four years, giving her time to get counseling for the long-term emotional toll the abuse had taken on her and her children. A third mother requested a waiver, only to be told that it was no longer Orange County's policy to grant domestic violence waivers. The disparity in their experiences is striking, and illustrates the arbitrary policy implementation and lack of accountability.

The fourth component is that the policy priorities under TANF never included protecting battered women with children. Work-first rhetoric drove the states to single-mindedly to push low-wage work, even as it endangered the lives of low-income mothers and children by preventing them from accessing the services that would ensure their families' safety. After all, protecting battered women in the welfare system was only an option for the states. Moreover, despite the prevalence of domestic violence in the TANF population, no TANF funding has ever been dedicated for domestic violence programs, services or counseling for battered women with children in the welfare system. Instead, Congress has proposed spending \$1.5 billion on unproven marriage promotion policies, which will further endanger the lives of low-income mothers and their children.

## **IV. Protect Battered Women under TANF Reauthorization**

### **LIFETIME's Recommendations:**

#### **Full Implementation of the Family Violence Option**

Under TANF, the states were given the option of providing protection for battered women with children. With the upcoming reauthorization of welfare reform, Congress has the chance to fix this mistake. Family violence programs and services should be mandatory under welfare reauthorization, not optional. Urge Congress to spend \$1.5 billion on child care, education and training, and domestic violence services and counseling for battered women under TANF reauthorization, not marriage.

#### **No Sanctions on Poor Children**

Under welfare reform, a parent can be sanctioned and lose their welfare benefits if they fail to comply with welfare work requirements. But in some states, including California, when a parent is sanctioned, their children may continue to receive welfare benefits. Under HR240, full family sanctions will be mandatory, and states will be required to sanction children, too.

#### **Leave Work Requirements Alone**

Under HR240, welfare work requirements will be increased to 40 hours per week, and states will be required to get more parents on welfare in jobs. However, given the current unemployment rate, increasing work participation rates will force states to create expensive workfare programs. The California Legislative Analyst Office estimates that this will cost the states \$11 billion to implement - \$2.9 billion in California alone - a cost the states can't afford!

#### **Provide Education and Training Opportunities for Mothers**

HR240 will limit the states ability to provide quality education and training opportunities for low-income mothers, who can only pursue extremely limited vocational education. Mothers who try to continue their schooling face sanctions and the loss of welfare benefits for their entire family. By contrast, HR240 encourages states to create programs to support fathers to take full advantage of education (and) job training . . . and secure career advancement.

#### **Do Not Mandate Government Intrusion Into Personal Decisions**

Marriage promotion is a threat not just to poor women, but to anyone who believes that liberty entails making important personal decisions without governmental interference. A survey conducted for the Annie E. Casey Foundation found that a solid 64% of those surveyed reject proposals to provide financial bonuses to mothers on welfare who marry the father of their children, and over 70% believe pushing people to get married is the wrong priority for Congress.

**Low-Income Families' Empowerment through Education (LIFETIME) is a grassroots membership organization that empowers low-income parents to pursue and complete higher education and training programs and attain jobs at wages that support their families, while organizing for public policies that will get their families off welfare - and out of poverty – for good!**

*LIFETIME's mission is to empower low-income parents to determine, pursue and achieve their goals for education, employment and economic security.*

**For more information about our work on welfare reauthorization, please visit [www.geds-to-phds.org](http://www.geds-to-phds.org), or call our office at 510-452-5192.**