

Date of Hearing: May 1, 2025

**ASSEMBLY COMMITTEE ON HUMAN SERVICES**

Alex Lee, Chair

AB 779 (Lackey) – As Amended March 12, 2025

**SUBJECT:** Child welfare services: domestic violence consultant pilot program

**SUMMARY:** Authorizes the County of Los Angeles (LA County) to establish a five-year pilot program in which the county partners with a domestic violence consultant from a community-based organization (CBO) to offer support and guidance to county social workers in addressing the complex dynamics of families who are potentially experiencing both domestic violence and child maltreatment. Specifically, **this bill:**

- 1) Authorizes the pilot program to enhance the social worker's knowledge of domestic violence and their ability to apply that knowledge to their work with parent survivors and their children through tailored engagement and intervention strategies and requires the domestic violence consultant to assist county social workers by doing, at a minimum, all of the following:
  - a) Provide education on domestic violence-related dynamics and services;
  - b) Discuss complicating factors, including, but not limited to, children witnessing or experiencing violence during domestic violence incidents, homelessness, and substance and alcohol use;
  - c) Discuss protective measures, including, but not limited to, implementing safety plans or restraining orders to protect parent survivors and their children, and child removal from homes affected by domestic violence;
  - d) Offer recommendations for accessing resources for families; and,
  - e) Navigate law enforcement responses to reports of domestic violence.
- 2) Permits the domestic violence consultant to also provide direct support to parent survivors by facilitating shelter access, referring their children to therapy, and providing information on other resources.
- 3) Requires, if LA County implements the pilot program, the county to conduct a comprehensive evaluation of the pilot program and report its findings to the Legislature on or before October 31, 2031.
- 4) Sunsets these provisions on January 1, 2032.

**EXISTING LAW:**

- 1) Makes the following legislative findings and declarations: that there is a present and growing need to develop innovative strategies and services to ameliorate and reduce the trauma of domestic violence. There are hundreds of thousands of persons in California who are regularly abused. In many cases, the acts of domestic violence lead to the death of one of the

involved parties. Victims of domestic violence come from all socioeconomic classes and ethnic groups, though it is the poor who suffer most from domestic violence, since they have no immediate access to private counseling and shelter for themselves and their children. Children, even when they are not physically assaulted, very often suffer deep and lasting emotional effects. (Welfare and Institutions Code [WIC] § 18290)

- 2) Defines “domestic violence” to mean abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child, or is having or has had a dating or engagement relationship. (WIC § 18291(a))
- 3) Defines a “domestic violence counselor” to mean a person who is employed by a domestic violence victim service organization, as defined, whether financially compensated or not, for the purpose of rendering advice or assistance to victims of domestic violence and who has at least 40 hours of training, as specified in 4) below. (Evidence Code [EVID] § 1037.1(a)(1))
- 4) Requires the 40 hours of training to be supervised by an individual who qualifies as a counselor, as described in 3) above, and who has at least one year of experience counseling domestic violence victims for the domestic violence victim service organization. Requires the training to include, but need not be limited to, the following areas: history of domestic violence, civil and criminal law as it relates to domestic violence, the domestic violence victim-counselor privilege and other laws that protect the confidentiality of victim records and information, societal attitudes towards domestic violence, peer counseling techniques, housing, public assistance and other financial resources available to meet the financial needs of domestic violence victims, and referral services available to domestic violence victims. (EVID § 1037.1(a)(2))
- 5) Defines “domestic violence victim service organization” means either of the following:
  - a) A nongovernmental organization or entity that provides shelter, programs, or services to victims of domestic violence and their children, including, but not limited to, either of the following: domestic violence shelter-based programs, as described; or, other programs with the primary mission to provide services to victims of domestic violence whether or not that program exists in an agency that provides additional services; and,
  - b) Programs on the campus of a public or private institution of higher education with the primary mission to provide support or advocacy services to victims of domestic violence. (EVID § 1037.1(b))
- 5) States that a child who comes within any of the following descriptions is within the jurisdiction of the juvenile court, which may adjudge that person to be a dependent child of the court: the child has suffered, or there is a substantial risk that the child will suffer, serious physical harm or illness, as a result of the failure or inability of a parent to adequately supervise or protect the child, or the willful or negligent failure of the child’s parent to adequately supervise or protect the child from the conduct of the custodian with whom the child has been left, or by the willful or negligent failure of the parent or guardian to provide the child with adequate food, clothing, shelter, or medical treatment, or by the inability of the parent or guardian to provide regular care for the child due to the parent’s or guardian’s mental illness, developmental disability, or substance abuse. A child shall not be found to be

a person described by this subdivision solely due to the lack of an emergency shelter for the family. (WIC § 300(b))

**FISCAL EFFECT:** This bill has been keyed non-fiscal by the Legislative Counsel.

**COMMENTS:**

**Background:** *Local Domestic Violence Consultant Program.* The provisions of *this bill* expand the locally operated Antelope Valley Domestic Violence Consultant Program to apply to additional regional child welfare offices across LA County as a pilot program. This program partnered LA Department of Child and Family Services (DCFS) offices with local domestic violence service providers to ensure that families experiencing domestic violence receive specialized, trauma-informed support.

Based on the success of this local program, *this bill* seeks to improve outcomes for children and families who are experiencing domestic violence by ensuring child welfare workers have specialized domestic violence consultants to guide interventions, provide trauma-informed services, and help keep families safely together when possible. Survivors would gain better access to shelters, legal protections, and support services, while their children would receive improved stability, and protections as well. The author is seeking to address systemic gaps in the child welfare system, by enhancing the capacity of social workers to respond to domestic violence in a way that prioritizes family stability and well-being.

*The University of California, Los Angeles (UCLA) Pritzker Center* launched a pilot study in 2023 in partnership with Valley Oasis and DCFS Lancaster as a response to findings from a 2020 report that examined the intersection of domestic violence and the child welfare system in LA County. The pilot study was conducted to respond to recommendations in the 2020 report.

The study focused on the Antelope Valley in part due to emergency room visits prompted by domestic violence being highest in the Antelope Valley compared to other parts of LA County from 2010-2014 (LA Domestic Violence Council, 2020). According to the report, strained service systems struggled to provide timely services to families experiencing domestic violence and the child welfare system in the Antelope Valley. The study showed that survivors of domestic violence struggled against numerous barriers in child welfare cases, including complex trauma, isolation in navigation, power dynamics, lack of differentiation, racial bias, secondary traumatic stress, financial strain, housing shortages, limited resources/transit, and service gaps for children. However, the study showed that collaboration between child welfare staff and domestic violence service providers improved support for parent survivors and their children. Training resulted in significant knowledge gains about domestic violence, and consultation improved the application of domestic violence knowledge and intervention strategies.

Among the recommendations provided by the UCLA Pritzker Center was the recommendation to enhance and scale collaborative efforts by fostering an ongoing partnership between DCFS Lancaster and Valley Oasis, and strategically scale similar collaborations throughout LA County to maximize impact.

Parent survivors of domestic violence are often expected to navigate their cases and complex systems alone and child welfare staff can unintentionally reproduce patterns of power and control. *This bill* would establish a five-year pilot program in LA County to partner with a

domestic violence consultant from a CBO to offer support and guidance to county social workers in addressing the complex dynamics of families who are potentially experiencing both domestic violence and child maltreatment in order to enhance the social worker's knowledge of domestic violence and their ability to apply that knowledge to their work with parent survivors and their children through tailored engagement and intervention strategies.

*Failure to Protect.* The current definition of abuse/neglect contains a “failure to protect” provision that states a child could be a dependent of the court if the child has suffered, or there is a substantial risk that the child will suffer, serious physical harm or illness, as a result of the failure or inability of their parent to adequately supervise or protect the child, or the willful or negligent failure of the child's parent to adequately supervise or protect the child from the conduct of the custodian with whom the child has been left, or by the willful or negligent failure of the parent or guardian to provide the child with adequate food, clothing, shelter, or medical treatment, or by the inability of the parent or guardian to provide regular care for the child due to the parent's or guardian's mental illness, developmental disability, or substance abuse.

“Failure to protect” statutes insinuate the survivor is the problem, according to a May 2021 UCLA Pritzker Center report, while shifting the burden away from the person who creates the harm to account for the violence in the relationship. In a UCLA Pritzker Center survey, 88% of respondents strongly agreed or agreed that survivors of domestic violence who stay with the person who perpetrates the harm may risk losing custody of their children due to “failure to protect.” The study notes that in conversations with survivor advocates and lawyers, they highlighted the ways in which child neglect framed as failure to protect faults the survivor and fails to acknowledge the barriers a survivor must overcome to leave a domestic violence situation. There is a myriad of personal, cultural, financial, and social obstacles that inhibit a victim's ability to leave their perpetrator. Some of these obstacles include fear of retaliation, lack of economic resources, immigration concerns, language barriers which prevent access to supportive services, isolation forced by the person who is controlling the survivor and thus a lack of a support network, and hope that one's partner will change. As noted in the report, a victim's perceived “inaction” is often the result of a calculation to maximize both the safety of the child and victim.

*This bill* would address the complexities of these issues by requiring the domestic violence consultant to assist social workers in discussing protective measures such as implementing safety plans or restraining orders as a way to protect parent survivors and their children, and to prevent child removal from homes affected by domestic violence.

**Author's Statement:** According to the Author, “[This bill] is a step toward ensuring that survivors of domestic violence and their children receive the support they need to stay safe and together. Too often, survivors are unfairly penalized by the child welfare system when they are already in vulnerable situations. By expanding the Antelope Valley's successful Domestic Violence Consultant Program, we can provide specialized guidance to child welfare workers, prevent unnecessary family separations, and connect survivors to life-saving resources.”

**Equity Implications:** The provisions of *this bill* seek to address inequities in the child welfare system by improving accessibility to specialized domestic violence services for those experiencing domestic violence and their children. Currently, survivors may face allegations of neglect due to abusive conditions imposed by another household member, often leading to child removals that cause further trauma. While it is sometimes necessary to remove a child, finding

ways to support and give resources to families to help them stay together is critical. The UCLA Pritzker study stated that, parent survivors from marginalized communities face additional challenges due to racial bias.

**Policy Considerations:** *This bill* limits the pilot program to just LA County, which operates one of the largest child welfare systems in the country. However, domestic violence plays a role in every county in our state and has impacts on child welfare-involved families. Additionally, the local program on which this pilot is based has been extensively studied and reported on by the UCLA Pritzker Center and has demonstrated positive outcomes as a result.

*Should this bill move forward, the Author may wish to consider broadening this pilot to apply to all counties who wish to participate.*

This bill requires counties to partner with a domestic violence consultant from a CBO, which are broad criteria.

*Should this bill move forward, the Author may wish to consider requiring the domestic violence consultant to be from a domestic violence victim service organization, as defined in existing law, as well as defining that the consultant shall also meet specified qualifications.*

This bill requires LA County to submit a report to the Legislature based on a comprehensive evaluation of the pilot program, but does not enumerate the data points required or how that evaluation will be conducted.

*Should this bill move forward, the Author may wish to consider requiring each participating county to submit a report to the Legislature based on the comprehensive evaluation and seek the input of stakeholders in the design and implementation of the evaluation.*

**Proposed Committee Amendments:** The Committee proposes amendments to address policy considerations stated above to do the following:

On page 2, in line 3, strike out “The” and insert: A

On page 2, in lines 3 and 4, strike out “of the County of Los Angeles”

On page 2, in line 6, strike out “community-based organization” and insert: domestic violence victim service organization, as defined in Section 1037.1 of the Evidence Code,

On page 2, in line 13, after the period insert: The consultant shall be a qualified domestic violence counselor, as defined in Section 1037.1 of the Evidence Code.

On page 3, in line 5, strike out “the County of Los Angeles” and insert: a county

On page 3, in line 8, after “2031.” insert: A participating county shall seek the input of the State Department of Social Services and stakeholders, including people with lived experience with domestic violence and child welfare, in the design and implementation of the evaluation. The report shall include, but not be limited to, all of the following:

(A) Data on each instance when safety plans or restraining orders were implemented in homes affected by domestic violence and the outcomes for each family utilizing protective measures.

(B) Data on the recommendations provided to families who were identified as needing to access resources and the outcomes of their use.

(C) Data on law enforcement responses to each report of domestic violence.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

All for Kids  
County of Los Angeles Board of Supervisors  
One private citizen

**Opposition**

None on file.

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