



CDSS

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DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

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ARNOLD SCHWARZENEGGER
GOVERNOR

April 6, 2009

ALL COUNTY INFORMATION NOTICE NO. I-27-09

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY REFUGEE COORDINATORS
ALL COUNTY FOOD STAMP COORDINATORS
ALL COUNTY CALIFORNIA WORK OPPORTUNITY AND
RESPONSIBILITY TO KIDS PROGRAM SPECIALISTS
ALL STATE ADVISORY COUNCIL MEMBERS
ALL MUTUAL ASSISTANCE ASSOCIATIONS
ALL VOLUNTARY AGENCIES
ALL COUNTY CONSORTIUM PROJECT MANAGERS

SUBJECT: FINAL REGULATIONS ON STATE-FUNDED BENEFITS FOR
VICTIMS OF HUMAN TRAFFICKING, DOMESTIC VIOLENCE OR
OTHER SERIOUS CRIMES

REFERENCE: ALL COUNTY LETTER (ACL) NO. 06-60, DATED DECEMBER 21,
2006; ACIN NO. I-41-07, DATED AUGUST 8, 2007; ACL 08-15,
DATED MARCH 4, 2008; AND MANUAL OF POLICIES AND
PROCEDURES (MPP) SECTIONS 30, 40, 42, 49, 63, 69

The regulations for state-funded benefits and services to noncitizen victims of human trafficking, domestic violence or other serious crimes were developed to implement Senate Bill (SB) 1569 (Chapter 672, Statutes of 2006). These regulations are finalized and can be found at: <http://www.cdss.ca.gov/ord/entres/getinfo/pdf/f020801r.pdf>.

Prior to having regulations in place, SB 1569 authorized the California Department of Social Services (CDSS) to implement the provisions of the legislation through ACLs or similar instructions from the CDSS Director. The first ACL providing instructions to the counties, ACL No. 06-60, was released on December 21, 2006. Other ACLs and all county information notices providing additional guidelines were released subsequent to that date.

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

Emergency state regulations were adopted on July 1, 2008, as required by the legislation. A public hearing was held on August 13, 2008, which allowed the public to provide comments on those regulations. As a result of public testimony received, CDSS amended the state regulations to provide additional clarity.

A few of the changes to the final regulations include the following:

- County eligibility workers are to use an individual's self-declaration that he/she is a human trafficking victim unless the county documents in writing an independent and reasonable basis to find the applicant not credible in accordance with standards set forth in MPP Section 42-715 for victims of domestic violence in the California Work Opportunity and Responsibility to Kids Program.
- Continued presence can only be requested by federal law enforcement. Continued presence is authorization for a trafficking victim to remain in the country to assist in the investigation or the prosecution of traffickers.
- Victims of human trafficking who are granted continued presence may assist local and state, not just federal, law enforcement officials.
- Victims who petitioned for U visa interim relief prior to the issuance of final federal regulations governing U visas, are eligible for state-funded benefits and services. Those federal regulations were effective on October 17, 2007.

If you have any questions, please feel free to contact Jeanette Robbins, Policy Unit Analyst, Refugee Programs Bureau, at (916) 653-8980.

Sincerely,

Original Document Signed By:

VENUS GARTH, Chief
Child Care and Refugee Programs Branch