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VIA CERTIFIED MAIL AND FACSIMILE (916-845-8511)

February 14, 2011

Attn: Hellen Lopez, Chief of Staff
California Emergency Management Agency
3650 Schriever Ave.
Mather, CA 95655

Re: Public Records Act Request; *Woods v. Horton* (2008) 167 Cal.App.4th 648

Dear California Emergency Management Agency:

I represented the plaintiffs in *Woods v. Horton* ("*Woods*") (2008) 167 Cal.App.4th 648, which held it is unconstitutional for the state of California and state-funded domestic violence ("DV") services to discriminate against male victims of DV.

Among other things, the published decision held: "domestic violence is a serious problem for both women and men"; "men experience significant levels of domestic violence as victims"; "male victims of domestic violence are similarly situated to female victims for purposes of the statutory programs and no compelling state interest justifies the gender classification"; that such discrimination violates 42 United States Code § 3789d(c)1; and that if a state-funded agency cannot mix the genders then it can at least provide a hotel arrangement for a male victim and his children.

On behalf of the National Coalition For Men ("NCFM") and all male DV victims in California, I am writing to:

(1) Inform you about discrimination against male victims of DV by state-funded agencies and request that you take corrective action; and,

(2) Make a Public Records Act request regarding the enforcement of *Woods*.

NOTICE OF SEX DISCRIMINATION IN STATE-FUNDED DV PROGRAMS

In early 2009, shortly after the *Woods* decision, I represented a male victim of DV in a divorce proceeding who was denied services by state-funded DV programs in Los Angeles County. On February 4, 2009, I called Haven Hills, Jewish Family Services, Genessee Center, YWCA of Glendale, and 1736 Family Crisis Center. I explained how I had a male victim who needed DV shelter and services. They each said they do not help male victims or give hotel vouchers and they can only refer male victims to Valley Oasis, which is far away in the desert community of Lancaster on the northern tip of the county.

That same date, I made a complaint to the Los Angeles County Board of Supervisors by mail and by email regarding the discrimination. My complaint resulted in a meeting on April 30, 2009 between representative from the County of Los Angeles ("County") and various agencies, battered men's advocates, and myself. The County provided the attached report claiming to be in compliance with *Woods*. But the last page, titled "Services to Male Victims (broken by agency)", shows that nine of the 26 publicly funded DV agencies provided no shelter or hotel arrangements to male victims but instead provided only a referral. The document is dated April 30, 2009. I have held off on writing to the State or taking legal action because certain agreements were reached at that meeting by consensus and I was waiting to see whether the County and its agencies would comply with the meeting. I feel it is now time to move forward.

Providing only a referral to male victims does not comply with *Woods*. The decision gave hotel vouchers as an example of the alternative forms of shelter available. If simply referring men somewhere else was sufficient, the example of a hotel voucher would not have been given at all. Allowing a mere referral leaves *Woods* with little viability in ensuring male victims and their children receive necessary emergency services without discrimination, and it limits the availability of shelter for these victims, especially when they are referred to a far-away shelter like Valley Oasis in Lancaster.

We now ask that you take corrective action to end sex discrimination against male victims in Los Angeles County and throughout the state, and to inform us of your actions.

PUBLIC RECORDS ACT REQUEST

This is a Public Records Act request for all documents and information regarding the enforcement of *Woods*, including but not limited to:

- All state funded DV services in California and what services they offer to male and female DV victims and their children.
- All efforts taken by the State of California and its agencies, from November 1, 2008 to the date of your response, to ensure compliance with and enforcement of *Woods* and to ensure that male victims of DV and their children receive services in DV programs throughout California that are funded by the State of California and/or any city or county within the State of California.

- The number of male victims of DV in California who called or sought services from DV services funded by the State of California or any county or city within California during the years 2009, 2010, 2011, and 2012.
- The number of male victims of DV in California who received on-site any residential housing services from DV service providers that are funded by the State of California or any county or city within California during the years 2009, 2010, 2011, and 2012, and which programs or services provided them.
- The number of male victims of DV in California who received hotel vouchers from DV service providers that are funded by the State of California or any county or city within California during the years 2009, 2010, 2011, and 2012, and which programs or services provided them.
- The number of male victims of DV in California who, either directly or through an advocate, contacted DV service providers that are funded by the State of California or any county or city within California and requested residential were referred to other programs rather than being providing residential DV shelter services that are provided to women by that agency, during the years 2009, 2010, 2011, and 2012, and which agencies they were.
- All actions that have been or will be taken by the State of California or any of its agencies or any county or city within the State of California to ensure that male DV victims and their children receive residential DV services and are not discriminated against by publicly funded agencies.
- The State of California's interpretation of the *Woods* decision and whether the State of California believes that providing only a referral to a male victim is in compliance with *Woods v. Horton* (2008) 167 Cal.App.4th 648, and why.
- All correspondence between the California Emergency Management Agency and/or surrogate and any other entity having anything to do with *Woods v. Horton* (2008) 167 Cal.App.4th 648, before or after the decision issued.

Thank you for your attention to this matter.

Sincerely,



Marc E. Angelucci, Esq.



**COMMUNITY AND SENIOR SERVICES
OF LOS ANGELES COUNTY**

BOARD OF SUPERVISORS

GLORIA
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ZEV YARO
DO
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3175 WEST SIXTH STREET • LOS ANGELES, CA 90020-1708 • (213) 738-2600 (213) 487-0379 FAX

CYNTHIA D. BANKS
Director

"To Enrich Lives Through Effective And Caring Service"

MEETING WITH CSS, ATTORNEY MARC ANGELUCCI, DVC, AND GUESTS

*Kenneth Hahn Hall of Administration
500 West Temple Street - Los Angeles, CA
Cafeteria Conference Room- Basement Level*

Thursday, April 30, 2009 – 1:00 pm to 3:00 pm

AGENDA

- 1. Introductions**
- 2. History of Complaints**
- 3. CSS Investigation and Results**
- 4. Presentation: Marc Angelucci, Attorney Areas of Concern**
- 5. Questions**
- 6. Adjourn**

LOS ANGELES COUNTY
DEPARTMENT OF COMMUNITY & SENIOR SERVICES



Administrative Report
DOMESTIC VIOLENCE PROGRAMS

Domestic Violence Shelter Based Program (DVSBP)

Date: April 30, 2009

Page 1 of 2

Subject: DVSBP SERVICES TO MALE VICTIMS OF DOMESTIC VIOLENCE

Introduction

This report examines the scope and level of domestic violence shelter based program (DVSBP) services provided to male victims of domestic violence in Los Angeles County. Included in this report are both a selection of statistical findings regarding DV services received by males and a brief background history regarding the matter.

Background

Community and Senior Services (CSS), and the County Board of Supervisors, received a request to investigate our DVSBP agencies regarding the alleged practice of denying male DV victims in need of DV services. This request was brought forth in light of the recent State Court of Appeal decision in *Woods v. Shewry*.

CSS proceeded to investigate the program in the following manner:

- 1) Interviewed, via telephone, the Executive Directors of those agencies named in the complaint;
- 2) Obtained the written protocol followed by all DVSBP Contractors when assessing male victims requesting services;
- 3) Called a meeting with all DVSBP Contractors to discuss current practice in serving male DV victims, contractual obligations, and the *Woods v. Shewry* appeal.

- 4) Surveyed all DVSBP Contractors on serving male DV victims; and
- 5) Conducted site visits at all DVSBP Contractor shelters wherein male client files (with all personal identifiers redacted) were reviewed (see attachments I and II).

Conclusion

The DVSBP Contract is structured in such a way as to be non-gender specific. Thus, the provision of domestic violence services under a DVSBP Master Agreement, in Los Angeles County, are not restricted to serving only female DV victims but are for all victims of domestic violence regardless of gender.

DVSBP funded agencies in Los Angeles County collectively offer the entire scope of DVSBP mandated services to both males and females. Thus we find that the County's DVSBP funded agencies are consistent with WIC Section 18294 and the *Woods v. Shewry* ruling.

Los Angeles County Department of Community and Senior Services

Domestic Violence Shelter Based Program (DVSBP)

DVSBP Services to Male Victims of Domestic Violence Administrative Report

Selected Findings:

- In total, 62 males received DV services in Los Angeles County within the past six month period¹
- 14 of the 62 male DV victims served received on-site shelter (22.58%)
- 6 of the 62 male DV victims served received hotel/motel vouchers in lieu of shelter (9.67%)
- Altogether, 20 of the 62 male DV victims served received shelter/temporary housing either on or off site (32.25%)
- 9 of the 19 DVSBP funded agencies provide hotel/motel vouchers³ (47.36%)
- 579 Domestic Violence Hotline callers were identified as male
- 520 of the 579 Domestic Violence Hotline calls placed by males were identified as inappropriate for DV services² (89.81% of total calls from males were non - DV related)
- Of the DV services that DVSBP agencies are mandated to provide, the following are the services in order of most frequently provided to male DV victims⁴:
 - Hotline Assistance (19.09%)
 - Referrals to Other Organizations (18.12%)
 - Psychological Support (15.86%)
 - Peer Counseling (14.89%)
 - Drop-In Center Services (12.94%)
 - Emergency Transportation (6.15%)
 - Food/Meals (5.18%)
 - Shelter/Temporary Housing (4.53%)
 - Minor Children School Arrangements (3.24%)

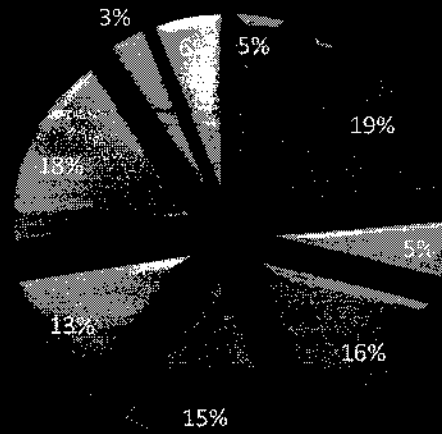
1 Six month period examined includes the months of October 2008 – March 2009

2 Hotline calls that were deemed inappropriate for DV services include, but are not limited to, requests for enrollment in batterers intervention programs/classes, homeless individuals looking for shelter, requests for parenting class, and individuals calling on behalf of another individual

3 Agencies that provide hotel/motel vouchers indicate that they are given on an as-needed basis; accessibility of vouchers depends on availability of funds

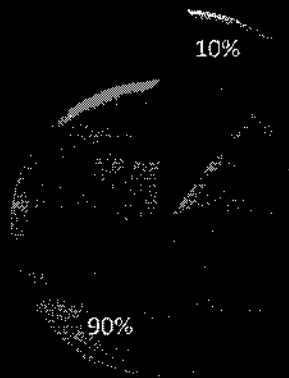
4 DVSBP services as mandated by WIC section 18294

Specific Services Received



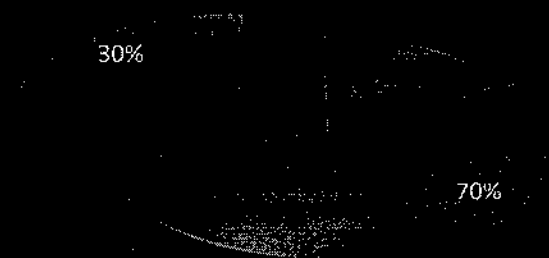
- Shelter/Temporary Housing
- Hotline Assistance
- Food/Meals
- Psychological Support
- Peer Counseling
- Drop-in Center

Male Hotline Callers



- DV related
- Non-DV related

Type of Shelter/Temporary Housing Received by Male DV Victims



- On-Site Shelter
- Hotel/Motel Voucher

**Services to Male Victims
(broken by agency)**

Agency	SUP	On Site	Hotel	Referral
1	2			X
2	2			X
3	4			X
4	4			X
5	5	X		X
6	5		X	X
7	3		X	X
8	4		X	X
9	1		X	X
10	2		X	X
11	3			X
12	1	X		X
13	1	X		X
14	4	X	X	X
15	2	X	X	X
16	3		X	X
17	3			X
18	4	X		X
19	4	X		X
20	4			X
21	4		X	X
22	1		X	X
23	1		X	X
24	4	X	X	X
25	5			X
26	5			X
Totals		8	12	26