



February 18, 2016

Honorable Kevin de León  
President pro Tempore, California State Senate  
California State Capitol  
Sacramento, California 95814

Honorable Toni Atkins  
Speaker, California State Assembly  
California State Capitol  
Sacramento, California 95814

RE: CalWORKs MFG Rule Should Be Repealed in the 2016 Budget

We are writing to request your continued support for repeal of the CalWORKs Maximum Family Grant Rule and urge you to do all you can to make sure that the repeal is included in the 2016 Budget.

The repeal has been endorsed as a priority policy for the 2015-16 legislative session<sup>i</sup> and was supported by the *LA Times*<sup>ii</sup> and the *Sacramento Bee* Editorial Boards.<sup>iii</sup> During the 2015 legislative session, legislation to repeal the rule received bi-partisan support in both houses and was supported by over 130 organizations ranging from California Latinas for Reproductive Justice to the California Catholic Conference and from Los Angeles County Board of Supervisors to the California Labor Federation.<sup>iv</sup>

California is one of the only Western states to maintain a backward and discriminatory family cap policy in our Temporary Aid to Needy Families (TANF) program. This rule, in California known as the Maximum Family Grant (MFG) rule, denies financial support to babies conceived and born while their families are receiving CalWORKs basic needs grants, and is based on the misguided belief that poor women are having babies in order to receive \$133 per month in assistance. Countless academic studies have shown that not only is this premise wrong, but the policy causes great harm to very poor children and invades the private reproductive decisions of families.

**Excluding infants and children endangers the health and wellbeing of all children in the home.**

Children who experience the toxic stress of deep poverty are more likely to experience health and physiological problems than those who do not and may be burdened with cognitive deficits and a reduced ability to cope with challenging situations. *The MFG rule, by reducing benefits, exacerbates poverty and its effects.*

The maximum monthly CalWORKs grant for a family of three is \$638. The average CalWORKs family—similar to the general population—has only 2 children. Upon repeal of the rule, most households would receive an additional benefit of \$133/month for a newborn. While recipient households will still live in poverty and be unable to afford basic necessities, this modest increase could reduce the frequency with which their basic needs would go unmet.

**The MFG rule goes against California's support for reproductive freedom and privacy.**

California has a long history of supporting a woman's personal reproductive decisions. This should be a goal sought for all women, regardless of income. In trying to limit births by poor women by pushing her entire family deeper into poverty, the MFG rule undermines California's support for reproductive freedom. The only exceptions to the MFG rule - for rape, incest, and the failure of certain long-acting contraceptives - also

force a woman to choose between receiving aid to feed and clothe her family and disclosing personal medical information. If a child is conceived due to rape or incest, a mother must prove it by disclosing her status as a survivor of sexual assault, which could cause additional emotional pain.

All women, regardless of income, deserve dignity and the right to make decisions that are best and healthiest for themselves and their families without harmful government overreach.

**Child exclusion rules like MFG are so ineffective that few other states still employ them.**

Out of the 24 states that initially adopted child exclusion policies, eight have now repealed them due to these policies' ineffectiveness and negative impact on families. Families on CalWORKs are striving to re-enter the workforce, and as California moves out of the recession, the CalWORKs caseload will decline. Prior to the recession, families on CalWORKs stayed in the program for an average of two years. But forcing families deeper into poverty by denying them aid for a newborn makes it harder for them to gather the resources they need to become employed and may actually contribute to an increase in caseload.

Repeal of the MFG rule will also free CalWORKs caseworkers to work with families to get them the services they need to move toward reentering the workforce. Instead of spending their limited time determining whether children are subject to the MFG rule, caseworkers can redirect their efforts toward the core mission of the CalWORKs program, which is to provide transitional support to low-income families.

**Please fight to repeal the MFG rule in the 2016 budget.**

We are writing with an urgent appeal to you, as leaders of the California State Legislature, to repeal the rule in 2016. We look forward to celebrating this important victory of restoring the dignity of equality to all children, regardless of the circumstances of their conception and birth. For more information, please feel free to contact Jessica Bartholow of the Western Center on Law & Poverty at [jbartholow@wclp.org](mailto:jbartholow@wclp.org).

Signed,

Sierra Harris, ACCESS Women's Health Justice  
Phyllida Burlingame, American Civil Liberties Union of California  
Marisol Franco, CA Latinas for Reproductive Justice  
Jill Adams, Center on Reproductive Rights and Justice, UC Berkeley  
Frank Mecca, County Welfare Directors Association of California  
Pete Woiwode, California Partnership  
Jessica Bartholow and Mike Herald, Western Center on Law and Poverty

CC: Honorable Anthony Rendon, Speaker Elect, California State Assembly  
Honorable Mark Leno, Chair of the California Senate Budget Committee  
Honorable Dr. Shirley Weber, Chair of the California Assembly Budget Committee  
Honorable Holly J. Mitchell, California State Senate, HHS Budget Chair  
Honorable Tony Thurmond, California State Assembly HHS Budget Chair  
Members of the California Senate Budget Committee  
Members of the California Assembly Budget Committee  
Mr. Will Lightbourne, Director of the California Department of Social Services  
Ms. Donna Campbell, Secretary, Office of Governor Jerry Brown

<sup>i</sup> [http://www.cadem.org/our-party/cadems-in-action/standing-committees/body/2015-Leg-August\\_-REPORT-2.pdf](http://www.cadem.org/our-party/cadems-in-action/standing-committees/body/2015-Leg-August_-REPORT-2.pdf)

<sup>ii</sup> <http://www.latimes.com/opinion/editorials/la-ed-calworks-20150821-story.html>

<sup>iii</sup> <http://www.sacbee.com/opinion/editorials/article11392913.html>

<sup>iv</sup> *The following organizations were listed in the Assembly Human Services Committee Analysis in Support of SB 23 to Repeal CalWORKs Family Cap Maximum Family Grant:* CWDA (Co-Sponsor); Western Center on Law and Poverty (Co-Sponsor); ACCESS Women's Health Justice (Co-Sponsor); California Latinas for Reproductive Justice (Co-Sponsor); American Civil

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Liberties Union (ACLU – CA) (Co-Sponsor); East Bay Community Law Center (Co-Sponsor); ACT for Women and Girls; Advancement Project; Alameda County Board of Supervisors; Alameda County Community Food Bank; Alameda County Social Services Agency; Alliance of Californians for Community Empowerment (ACCE); American Association of University Women (AAUW); American Federation of State, County and Municipal Employees (AFSCME), Asian Law Alliance; Bay Area Legal Aid; Binational Center for the Development of Oaxacan Indigenous Communities; Black Women for Wellness; Business and Professional Women of Nevada County; California Association of Food Banks; California Black Health Network (CBHN); California Catholic Conference of Bishops; California Family Health Council (CFHC); California Family Resource Association; California Food Policy Advocates (CFPA); California Hunger Coalition (CHAC); California Immigrant Policy Center; California Labor Federation; California Nurses Association; California Pan-Ethnic Health Network (CPEHN); California Partnership to End Domestic Violence; California Partnership; California Rural Legal Assistance Foundation (CRLAF); California WIC Association; Center for Law and Social Policy (CLASP); Center on Reproductive Rights and Justice, UC Berkeley; Central California Legal Services, Inc.; Child Care Alliance of Los Angeles; Child Care Law Center; Children Now; Children’s Defense Fund-California (CDF-CA); Citizens for Choice; City and County of San Francisco; Coalition of California Welfare Rights Organization; Consumer Attorneys of California; County Welfare Directors Association of CA (CWDA), co-sponsor; Courage Campaign; Ella Baker Center for Human Rights; Equal Rights Advocates (ERA); Family Violence Law Center (FVLC); First 5 Monterey County; Food for People, Inc., Humboldt County; Forward Together; Friends Committee on Legislation of California (FCLCA); Guam Communications Network; Having Our Say (HOS); Hunger Action Los Angeles; Hunger Advocacy Network; Jewish Family Service of Los Angeles (JFS); Latino Coalition for a Healthy California; Law Foundation of Silicon Valley; League of Women Voters of CA; Legal Services of Northern California; LIUNA Locals 777 & 792; Los Angeles County Board of Supervisors; Lutheran Office of Public Policy; Monterey County Board of Supervisors; National Association of Social Workers, CA Chapter (NASW-CA); 9to5, National Association of Working Women; National Council of Jewish Women of Jewish Women California; National Council of Jewish Women Contra Costa; National Council of Jewish Women Long Beach; National Council of Jewish Women Los Angeles; National Council of Jewish Women Sacramento; National Health Law Program (NHLP); National Lawyers Guild San Francisco San Francisco Bay Area Chapter (NLGSF); National Women’s Law Center; National Women’s Political Caucus of CA (NWPPCA); Pacific Islander Cancer Survivors Network; Parent Voices; Physicians for Reproductive Health; Planned Parenthood Action Fund, Santa Barbara, Ventura and San Luis Bispo Counties; Planned Parenthood Advocacy Project Los Angeles County; Planned Parenthood Affiliates of California (PPAC); Planned Parenthood Community Action Fund Orange and San Bernardino Counties; Planned Parenthood Northern California Action Fund; Planned Parenthood Pasadena and San Gabriel Valley; Public Interest Law Project; River City Food Bank; Riverside All of Us or None; Rubicon Programs; Sacramento County Hunger Coalition; San Diego Hunger Coalition; San Luis Obispo County; San Mateo County Board of Education; Santa Clara County Board of Supervisors; Santa Cruz County First District Supervisor; SEIU – California; Solano County Board of Supervisors; St. Anthony Foundation; Strong Hearted Native Women’s Coalition, Inc.; Stronger California Advocates Network; The Feminist Agenda Network; Time for Change Foundation; United Ways of California; Violence Prevention Coalition of Greater Los Angeles; Vision Compromiso; Voices for Progress; Western Regional Advocacy Project, (WRAP); Women Lawyers of Sacramento; Women’s Community Clinic; Women’s Foundation of California