



PREVENTING VIOLENCE  
AND DEVELOPING  
YOUTH LEADERS

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March 12, 2020

Assemblymember Shirley Weber  
California State Capitol, Room 3123  
Sacramento, CA 95814

Re: Assembly Bill 2649 (Weber) - Support

Dear Assemblymember Weber,

On behalf of Youth ALIVE!, Oakland’s anchor organization for violence prevention, intervention, and healing, I write in strong support of Assembly Bill 2649 (Weber) which would allow the California Victim Compensation Board (CalVCB) to better support families of homicide victims by removing barriers to eligibility, specifically for assistance with funeral and burial costs. The bill would make a change to existing laws governing CalVCB to ensure that a victim’s involvement in the events leading up to a crime shall not disqualify a victim’s family from receiving benefits related to funeral and burial costs.

Youth ALIVE!’s Khadafy Washington Project provides critical support to the families of homicide victims and helps connect them to vital resources in order to promote healing in the immediate aftermath of a killing. Our team assists families with funeral planning, connects them with grief counseling and mental health services, and helps them navigate through the process of applying for assistance through the California Victim Compensation Program. Unfortunately, there are barriers that can prevent these families from accessing benefits through the program, including limits on eligibility.

The California Victim Compensation Board (CalVCB) helps victims and their families pay bills and expenses that result from violent crime. However, victim applications can be denied if CalVCB determines the “victim was committing a crime that could be charged as a felony”, the “victim initiated the qualifying crime, or provoked or aggravated the suspect into initiating the qualifying crime”, or if the “qualifying crime was a reasonably foreseeable consequence of the conduct of the victim.”<sup>1</sup> While this broad language is designed to prevent abuse of available funds and resources, a determination of alleged involvement can even apply to the families of homicide victims based on speculation about the behavior of the deceased, completely preventing the family from receiving any benefits from CalVCB due to actions and circumstances outside of their control.

When a loved one dies suddenly, traumatically from violence, the family is always a victim. However, our state’s current system re-victimizes these families in their time of need, delivering incredibly harmful financial consequences upon them based on the actions of the deceased. This punitive approach toward these victims of homicide, the survivors, increases traumatization, reduces faith in government and engenders mistrust in law enforcement. Not only does the family suffer needlessly after already experiencing the darkest moment of their life, but the denial of funds to bury a loved one creates an atmosphere that makes criminal investigations harder to conduct. Simply put, the current policy governing CalVCB is not just inhumane, it is ineffective.

<sup>1</sup> California Government Code Section 13956

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The significant and unexpected cost of a funeral only exacerbates the trauma families experience after losing a loved one to violence. Therefore, one of the most pivotal benefits CalVCB offers is financial assistance with funeral and burial costs. The median cost of a funeral is \$7,640,<sup>2</sup> but approximately 40% of American adults would have difficulty covering an unexpected expense of just \$400.<sup>3</sup> When grieving families with very limited funds are denied this benefit from CalVCB, they find themselves struggling to bury their lost loved ones. Sometimes families wait weeks to hold a funeral, during which time they are forced to scabble together funds, borrow money, or rely on community-fundraising. Others may feel that taking on expensive credit card debt is necessary to cover the costs. Even then, families may be forced to turn to cremation over burial against their wishes because it is a more affordable option.

While the cost of covering these funerals can be financially devastating for low-income families, they may be minor and absorbable to the state. According to 2019 data from CalVCB, the agency received 2,756 applications for assistance with funeral and burial costs and approved 96.7% of those requests.<sup>4</sup> Out of the 3.3% of applications that were denied, only 3 were denied for alleged involvement in the events leading to the crime. While eligibility concerns may have discouraged some victims from applying, the average payout for each approved claim was just \$5,211.<sup>5</sup> Additionally, Governor Newsom's proposed 2020-2021 state budget includes a supplemental \$23.5 million investment in the Restitution Fund that supports CalVCB.<sup>6</sup>

Limiting eligibility for victim services has the greatest impact on communities of color, who experience disproportionately high rates of violent crime. Homicide is the leading cause of death for African American men ages 44 and younger,<sup>7</sup> and the second leading cause of death for Hispanic men of the same age range.<sup>8</sup> A recent report from the University of California, Berkeley, School of Law found that, in Oakland, most of the recipients of government financial assistance for family members of homicide victims were female and 66% were black.<sup>9</sup> Removing barriers to eligibility addresses the unequal burden of violence facing black and brown communities, especially the mothers, partners, and children of homicide victims, who are left to pick up the pieces after a loved one is taken from them through violence.

California's response to homicides must be informed by the understanding that violence is a public health issue. Hurt people hurt people and healed people heal people. A single act of violence can cause harm throughout a community; but also taking steps to heal just one family can have a healing impact on the community. While there is so much more support survivors need to heal, assisting families with the costs of holding a funeral for their loved ones is just the first step in promoting that healing.

For these reasons, Youth ALIVE! is proud to sponsor AB 2649.

Sincerely,

Anne Marks  
Executive Director

<sup>2</sup> National Funeral Directors Association, *Member General Price List Study 2019*.

<sup>3</sup> Federal Reserve Board. (2018). *Report on the Economic Well-Being of U.S. Households in 2018*.

<sup>4</sup> Gledhill, Lynda. Interim Executive Officer, California Victim Compensation Board. 24 Jan. 2020. Email.

<sup>5</sup> Ennes, Neil. Legislative Manager, California Victim Compensation Board. 24 Jan. 2020. Email.

<sup>6</sup> Governor Gavin Newsom (2020). *Governor's Budget Summary 2020-21*. 10 Jan. 2020.

<sup>7</sup> Centers for Disease Control and Prevention. (2019). *Leading Causes of Death – Males – Non-Hispanic Black. 2017*.

<sup>8</sup> Centers for Disease Control and Prevention. (2018). *Leading Causes of Death – Males – Hispanic 2016*.

<sup>9</sup> Altholz, Roxanna. *Living with Impunity: Unsolved Murders in Oakland and the Human Rights Impact on Victims' Family Members*. University of California, Berkeley, School of Law (2020).