

California Forced or Involuntary Sterilization Compensation Program

FAQs

What is this program?	2
Who is administering this program?.....	2
Who is eligible for compensation?	2
How do I know if I am eligible?	2
What if I am unsure if I was sterilized?.....	4
What if I am unsure if I am eligible?	4
What if the eligible individual died?	4
How much money will I receive?	4
When will I receive the compensation?.....	5
How do I apply?	5
How do I get an application form?	5
What if I need a large-print application?.....	5
What if English is not my primary language?	5
When can I apply?	6
What if I need help applying?	6
Can someone else apply on my behalf?	6
What kind of documentation would be helpful to attach to my application? ..	6
What if I don't have any documentation of my sterilization?	7
Is my application confidential?	7
What can I expect after I apply?	7
Will the compensation affect my public benefits?.....	7
Will I have to pay taxes on the compensation?	8
Can I direct the compensation to a trust or designate a beneficiary?	8
What if I want to spread awareness about this program?.....	8
What if I have more questions?	8

What is this program?

Between 1909 and 1979, California sterilized over 20,000 people living in state hospitals, homes, or mental institutions under its eugenics laws. After 1979, California continued to sterilize people without proper consent in state prisons and correctional facilities. People with disabilities, women, Latino/as, Black people, and LGBTQI+ people were disproportionately targeted for sterilization.

This Program provides monetary compensation (approximately \$25,000) to surviving individuals who were sterilized in a state-run facility, or referred for sterilization by a state-run facility. It also establishes an outreach program and a notification program for survivors of prison sterilization. Finally, it requires the placement of markers or plaques at designated sites, raising awareness of the harm caused by the unjust sterilization of thousands of people.

Who is administering this program?

The California Victim Compensation Board (CalVCB). You can learn more about CalVCB on their website: <https://victims.ca.gov>

Who is eligible for compensation?

Two groups of people are eligible for compensation:

1. Surviving individuals who were sterilized in a California state hospital, home, or mental institution between 1909 and 1979, and
2. Surviving individuals who were sterilized without proper consent by the California Department of Corrections and Rehabilitation after 1979.

How do I know if I am eligible?

People sterilized between 1909–1979 are eligible if they meet all of the following criteria:

1. The sterilization occurred between 1909 and 1979
2. The individual was sterilized at a California state hospital, home, or mental institution, including:
 - Agnews Developmental Center, formerly known as Agnews State

Mental Hospital

- Atascadero State Hospital
- Camarillo State Hospital and Developmental Center
- DeWitt State Hospital
- Fairview Developmental Center, formerly known as Fairview State Hospital
- Mendocino State Hospital
- Modesto State Hospital
- Napa State Hospital, formerly known as Napa State Asylum for the Insane
- Metropolitan State Hospital, formerly known as Norwalk State Hospital
- Frank D. Lanterman State Hospital and Developmental Center, formerly known as Pacific State Hospital or Pacific Colony
- Patton State Hospital, formerly known as Southern California State Asylum for the Insane and Inebriates
- Porterville Developmental Center, formerly known as Porterville State Hospital
- Sonoma Developmental Center, formerly known as Sonoma State Hospital, Sonoma State Home, or California Home for the Care and Training of the Feeble Minded
- Stockton Developmental Center, formerly known as Stockton State Hospital

3. The individual was alive as of July 1, 2021

People sterilized after 1979 are eligible if they meet all of the following criteria:

1. The sterilization occurred after 1979
2. The individual was sterilized while under the custody and control of the California Department of Corrections and Rehabilitations
3. The sterilization was not required to save the individual's life in an emergency medical situation
4. The sterilization was not due to a chemical sterilization program for convicted sex offenders
5. The sterilization meets one of the following criteria:
 - a. It was not medically necessary,

- b. It was for the purpose of birth control, OR
 - c. There was a lack of proper consent (including if consent was given less than 30 days before sterilization, if there was no counseling or consultation, if there was a lack of proper interpretation, or if there is not written consent)
6. The individual was alive as of July 1, 2021

What if I am unsure if I was sterilized?

Apply for compensation anyway. The California Victim Compensation Program (CalVCB) will look through state records and medical records to determine if you were sterilized. You can also submit your own evidence of sterilization, but you are not required to.

What if I am unsure if I am eligible?

Apply for compensation anyway. The California Victim Compensation Program (CalVCB) will look through state records and medical records to determine if you are eligible. They may also ask you follow-up questions to help determine your eligibility.

What if the eligible individual died?

Individuals who died prior to July 1, 2021 are not eligible to receive compensation under this program. If an otherwise eligible individual died on or after July 1, 2021, then that individual's legally authorized representative may apply for compensation and name a beneficiary who will receive the compensation.

How much money will I receive?

The exact amount of compensation will depend on how many survivors come forward and are confirmed eligible. The goal is approximately \$25,000 per person, but the actual amount may be more or less than that.

A total of \$4.5 million was set aside by the State Legislature. That amount will be evenly divided among all eligible applicants.

When will I receive the compensation?

Compensation will be paid in two payments. You will receive a first payment of \$12,500 within 60 days of receiving notice of your confirmed eligibility. You will receive a second payment by March 31, 2024, after all applications are processed. This second payment will evenly disburse all remaining program funding among all eligible applicants.

How do I apply?

Call CalVCB toll-free at [1-800-777-9229](tel:1-800-777-9229) or visit victims.ca.gov/fiscp to download an application form. Complete the form electronically or by hand. Then, submit the completed form by email, fax, or mail:

Email:

FISCP@victims.ca.gov

Fax:

916-491-6429

Mail:

PO Box 591

Sacramento, CA 95812-0591

How do I get an application form?

You can visit victims.ca.gov/fiscp to download an application form, or you can call CalVCB toll-free at [1-800-777-9229](tel:1-800-777-9229) to request they mail you an application form.

What if I need a large-print application?

Call CalVCB toll-free at [1-800-777-9229](tel:1-800-777-9229) or email them at FISCP@victims.ca.gov to request a large-print application form.

What if English is not my primary language?

CalVCB will make applications and supplementary information available in Spanish, Tagalog, Chinese, Arabic, Armenian, Cambodian, Farsi, Hindi, Hmong, Japanese, Korean, Punjabi, Russian, Thai, and Vietnamese.

Visit <https://victims.ca.gov/forms/> to download non-English forms. If you do not see your primary language listed, call CalVCB toll-free at [1-800-777-9229](tel:1-800-777-9229) or email them at FISCP@victims.ca.gov.

When can I apply?

CalVCB will accept applications from January 1, 2022 through December 31, 2023.

What if I need help applying?

CalVCB has customer service representatives to assist you with completing and submitting your application. You can contact CalVCB as follows:

Call Toll-Free: [1-800-777-9229](tel:1-800-777-9229)

Email: FISCP@victims.ca.gov

Can someone else apply on my behalf?

Yes, an application may be submitted on behalf of the survivor by a legally authorized representative, who must provide documentation showing proof of this designation.

What kind of documentation would be helpful to attach to my application?

You are not required to attach documentation to your application, but doing so may be helpful. Any documentation, of any type, that helps show you were sterilized by a state-run facility is beneficial to submit.

This documentation may include, but is not limited to documentation of the individual's sterilization, sterilization recommendation, surgical consent forms, relevant court or institutional records, or a sworn statement by the survivor* or another individual with personal knowledge of the sterilization.

*A sworn statement is a written and signed document, stating that you were sterilized. It does not need to be notarized and you do not need a lawyer to create it.

What if I don't have any documentation of my sterilization?

That's ok. While CalVCB welcomes you to submit documentation supporting your application, you are not required to. CalVCB will review state records and medical records to confirm your identity and eligibility.

Is my application confidential?

Yes, applications are completely confidential. CalVCB will not disclose to the public any record pertaining to your application.

For the limited purpose of verifying claimant eligibility, information may be confidentially shared with other entities. For our complete privacy policy, visit the CalVCB website at <https://victims.ca.gov/privacy>

What can I expect after I apply?

The individual submitting the application will receive a letter from CalVCB either confirming a complete application or requesting additional information.

Once the application is screened and deemed complete, the application will be considered for eligibility. Upon completion of the eligibility review, a letter will be sent out with the determination.

If eligibility **is** verified, a letter will be sent confirming that the claimant is qualified for compensation.

If eligibility **is not** verified, the application will be denied. Notification will be sent with information on how to appeal the decision.

Will the compensation affect my public benefits?

No. Compensation will not affect your Medicaid, Social Security, Food Assistance, or any other state or federal benefits that you receive now or will receive in the future.

Will I have to pay taxes on the compensation?

Yes. While compensation is exempt from state income tax, you may have to pay federal income tax on the compensation (apx. \$2,500).

Advocates are currently working on a fix to this problem, but there are no guarantees. Plan on having to pay federal tax on the compensation.

Can I direct the compensation to a trust or designate a beneficiary?

Yes, claimants can assign a trust as the recipient of compensation or designate a beneficiary. See the application form for instructions on how to do this.

What if I want to spread awareness about this program?

You can visit <https://dredf.org/california-forced-or-involuntary-sterilization-compensation-program/> to download a flyer and factsheet about the program. **We encourage people to circulate these materials widely.** Email them to your friends, colleagues, or listservs. Or print them out and post them at your local community center, health center, or independent living facility.

Spread the word on social media! Use our social media toolkit (also found at the above link) to help create your posts.

The more people we can reach, the better!

What if I have more questions?

Call CalVCB toll-free at [1-800-777-9229](tel:1-800-777-9229) or visit victims.ca.gov/fiscp

If you still cannot resolve your issue after contacting CalVCB:

Eugenics-Era Survivors (1909–1979): Contact the Disability Rights Education & Defense Fund (DREDF). DREDF cannot promise to help you, but they may be able to connect you with resources or referrals that can. Contact DREDF at [510-644-2555](tel:510-644-2555) or info@dredf.org

California Forced or Involuntary Sterilization Program Survivors (after 1979): Contact the coalition advocating for prisons sterilization survivors at comp4reprojustice@gmail.com