



Oregon

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Oregon Department of Human Services
Biennial ORS 411.154 Report on the Efficacy of the TA-DVS Program
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Introduction

Domestic violence affects many Oregon Department of Human Services (ODHS) customers. The success of the department's work, to a large extent, depends on the effectiveness with which the department can address the issues of abuse.

Estimates of the prevalence of Domestic Violence varies. *Welfare and Domestic Violence Against Women: Lessons from Research*¹ is a review of national studies from 1997 and 2001. It reports that more than 50 percent of the women receiving public assistance have experienced physical violence by an intimate partner within their lifetime. These varied studies demonstrate a prevalence of 'recent' domestic violence reported by public welfare recipients. The term recent is described differently for each study but is considered 'current or within the last twelve months' in the majority of the studies conducted. A range of 10.6 percent (Missouri study) up to 38 percent (Pennsylvania study) existed. The percent can be explained by the variance of the numbers and criteria of the base population surveyed.

Oregon Child Welfare statistics² for 2019 show 30.7 percent of child protective cases with founded abuse had domestic violence as a family stress indicator", making it the second most common family stress indicator.

In 2017-2019, 70 percent of the cases of abuse against older adults and people with disabilities, the reported perpetrator was a community member, meaning not an employee or a licensed residential facility³.

¹ http://vawnet.org/advanced-search/print-document.php?doc_id=317&find_type=web_desc_NRCDV

² <https://www.oregon.gov/dhs/CHILDREN/CHILD-ABUSE/Documents/2019%20Child%20Welfare%20Data%20Book.pdf> 2019 Child Welfare Data Book

³ <http://www.oregon.gov/ODHS/SENIORS-DISABILITIES/ADULT-ABUSE/Documents/2015%20Annual%20Report.pdf> - 2019 Report from APS Analysts

Legislative and Statute Overview

In 1997, the Oregon State Legislature passed HB 3112, now ORS 411.117, as Oregon's response to the Wellstone/Murray Family Violence Amendment of the 1996 federal welfare reform law. The "Family Violence Option" provides an opportunity for states to certify standards and procedures to screen for and identify individuals impacted by domestic violence.

ORS 411.117 Requirements when victims of domestic violence apply for or receive TANF; confidentiality.

- (1) *The Department of Human Services shall:*
- (a) *Identify applicants for and recipients of assistance under the temporary assistance for needy families program who are currently victims of domestic violence, have been victims of domestic violence or are at risk of victimization by domestic violence.*
 - (b) *Ensure that appropriate individuals on the local level who provide assistance to domestic violence victims participate in individualized case management with the department.*
 - (c) *Refer individuals identified under this subsection to appropriate counseling and support services.*
 - (d) *Waive or modify any temporary assistance for needy families program requirements that may make it more difficult for individuals identified under this subsection to escape domestic violence or place those individuals at risk of further or future domestic violence, including but not limited to:*
 - (A) *Time limits on receipt of benefits;*
 - (B) *Work requirements;*
 - (C) *Paternity establishment and child support cooperation requirements;*
 - (D) *Residency requirements;*
 - (E) *Family cap provisions; and*
 - (F) *Penalties for failure to comply with a program requirement.*
 - (e) *Maintain emergency assistance eligibility and payment limits for victims of domestic violence or persons at risk of victimization by domestic violence identified under this section at no less than the levels in effect on January 1, 1997.*
 - (f) *Allow eligibility for temporary assistance for needy families for persons identified under this section as victims of domestic violence or persons identified as at risk of victimization by domestic violence who would otherwise be eligible except for the fact that they are noncitizens.*
- (2) *All information received by the department in identifying the individuals described in subsection (1) of this section shall remain confidential.*
- (3) *For purposes of this section, "domestic violence" means the occurrence of one or more of the following acts between family members, intimate partners or household members:*
- (a) *Attempting to cause or intentionally, knowingly or recklessly causing physical injury or emotional, mental or verbal abuse;*
 - (b) *Intentionally, knowingly or recklessly placing another in fear of imminent serious physical injury;*
 - (c) *Committing sexual abuse in any degree as defined in ORS 163.415, 163.425 and 163.427; or*
 - (d) *Using coercive or controlling behavior. [1997 c.330 §2; 2011 c.9 §53]*

ORS 411.154 Report to Legislative Assembly. *The Department of Human Services shall report to each odd-numbered year regular session of the Legislative Assembly on the status and efficacy of:*

- 1. The domestic violence identification process under ORS 411.117;*
- 2. Emergency assistance utilization for victims of domestic violence; and*
- 3. Domestic violence training for department staff, information sharing and evaluation. [Formerly 411.118; 2011 c.545 §46]*

ODHS staff and partners jointly planned and implemented the provisions in ORS 411.117, effectively providing services to victims and survivors of domestic violence as well as a certified compliance with the TANF federal “Family Violence Option.”

ODHS and the Oregon Health Authority (OHA) became two entities through the 2013 legislative session. This report addresses ODHS domestic violence intervention efforts.

Intervention Overview

Domestic violence intervention is critical to the work done by ODHS and OHA. Both agency missions address the health of Oregonians. Domestic violence is a public health issue that is addressed by OHA as well as a safety issue for many ODHS customers. Domestic violence, too frequently, leads customers to require services from ODHS and OHA. For example, domestic violence impacts health care costs; is often a reason that customers apply for cash assistance; may be a factor in the need for Child Welfare intervention; is frequently seen in elder abuse investigations; and is often co-occurring with abuse of alcohol or drugs. Intervention in domestic violence is critical to the health and safety of Oregonians.

Planning groups of ODHS and OHA staff and partners meet to streamline methods to identify survivors of domestic violence, help develop processes and written materials related to responding to domestic violence and work to solve problems related to consistent services across ODHS that arise. The key focus of ODHS domestic violence intervention is the safety of survivors and their children. ODHS and the Oregon Health Authority (OHA) became two entities through the 2011 legislative session. In 2014 OHA decided to focus its’ state level work on Domestic Violence on supporting the Governor’s Domestic Violence Prevention and Response Task Force.

Coordinated Approach to Domestic Violence Intervention

ODHS Domestic and Sexual Violence (DSV) Council: The ODHS Domestic and Sexual Violence Council advises the ODHS and OHA Directors and their Cabinets on domestic violence policies, practices and training needs. The Council consists of at least 14 representatives; twelve membership positions for ODHS and OHA staff and two for community

partners. The DSV council added Sexual Violence to its scope and title in April 2018.

“Quality Assurance Standards for Domestic Violence Prevention and Intervention within Oregon Department of Human Services and Oregon Health Authority”⁴ were developed by the ODHS and OHA Domestic and Sexual Violence Council and adopted by the ODHS Cabinet in June 2005. The standards were updated in February 2010.

The standards include the following components for domestic violence intervention and prevention:

- Safety Centered Practices
- Comprehensive and Responsive Services
- Respect for Diversity
- Qualified Staff
- Effective Partnerships
- Monitoring and Evaluation

ODHS Domestic Violence Point People: Each ODHS district and many central office units have identified a domestic violence point person. The district point person coordinates local domestic violence training and awareness activities, provides feedback to central office on domestic violence related practices in the field, and is a central figure in the local response to domestic violence.

Central and field domestic violence point people include representatives from Child Welfare (CW), Self-Sufficiency (SSP) and Aging and People with Disabilities (APD) staff, including Adult Protective Services (APS).

In addition to the ODHS district and central office point people, ODHS has identified point people from local domestic violence service providers to participate in the planning and implementation of the ODHS domestic violence intervention response.

OHA and ODHS Cross Discipline Collaborations

Health Systems Division (HSD) is comprised of Medicaid and Behavioral Health. HSD created a policy in 2014 on Trauma Informed Services. Trauma training is available for staff at traumainformedoregon.org. Trauma Informed Oregon has supported OHA’s efforts to train providers statewide. These trainings have been available across disciplines.

The “Oregon Violence Against Women (VAW) Prevention Plan” was released by Public Health

⁴ Full standards are available at <https://www.oregon.gov/dhs/abuse/domestic/DVAG/pages/dvcouncil.aspx>

in May 2006. Key goals include:

- Identifying and acting to change societal factors that condone, perpetuate, or mediate VAW.
- Increasing institutional/sector capacity to prevent VAW.
- Increasing community capacity to prevent VAW.
- Promoting healthy non-violent relationships.
- Increasing the individual safety of girls and women in relationships and social environments.
- Promoting public health surveillance and epidemiology, program evaluation and research.

Employee Support for Survivors of Abuse: In 2007, the Governor issued an Executive Order EO 7-17 that required the Department of Administrative Services (DAS) to develop a policy for state agencies on the *Workplace Effects of Domestic Violence, Sexual Assault and Stalking*. The order also requires training on these issues for all state managers, supervisors and human resource staff. All employees must be offered training and new employees must be informed of the policy.

Although ODHS had workplace policies related to domestic violence since 2004, in 2010, ODHS adopted the DAS workplace effects of domestic violence, sexual assault and stalking policy. ODHS continues to work with department managers to ensure the required training is available and that managers, supervisors and HR staff have taken the training.

Since January 2015, both ODHS and OHA follow Department of Administrative Services (DAS), State Human Resources Policy #60.000.12, [‘Statutorily Required Leaves With and Without Pay’](#), now allows eligible employees up to 160 hours of paid leave per calendar year for specific purposes related to interpersonal violence, including domestic violence, sexual assault, harassment, and stalking.

Report Section I pursuant ORS 411.154:

Domestic Violence Identification Process Implementation.

In order to better identify and work with survivors, ODHS has devised and implemented new methods to screen and refer customers. Opportunities for applicants and customers to disclose domestic violence issues are afforded at every contact. Intensive training processes have been implemented to educate staff to identify and address domestic violence issues. Collaboration efforts have been expanded and existing partnerships strengthened.

The Oregon Department of Justice (DOJ) concluded its administration of the Pregnancy Assistance Fund Grant from the federal Office of Adolescent Health, HHS in September 2017. This demonstration grant supported advocacy interventions on-site in Child Welfare offices, Public Health departments and various health care clinics for pregnant and newly parenting women who are victims of intimate partner violence (IPV). The purpose of the grant funding was to improve how the Child Welfare system understands and responds to IPV. This was

demonstrated by placing full time co-located advocates in Child Welfare offices and training Child Welfare staff on the Safe & Together™ Model. Portland State University's Child Welfare Partnership was the primary trainer for this grant. Portland State University's Regional Research Institute conducted the evaluation of the project.

In 2006, the Oregon Department of Justice (DOJ) and the Oregon Department of Human Services (ODHS) established a joint formula for equitably distributing non-competitive federal and state grant funds to non-profit domestic violence and sexual assault (DVSA) advocacy organizations. The formula was recommended after completion of an 'Equity Allocation Study'. The formula is designed to cover the basic cost of critical response to survivors and not the full funding needs of DVSA programs and organizations statewide. A workgroup met in 2018 to discuss the future of the formula and any recommended changes should future significant increases in federal and state funds be acquired.

These grants provide the opportunity to improve identification of domestic violence requirements within ORS 411.117.

ODHS has implemented and expanded upon the required actions in the following areas:

► **Screen for Domestic Violence:** Processes to identify victims are in place statewide.

- Application packets for self-sufficiency programs have questions, developed in coordination with domestic-violence service providers, pertaining to abuse. Questions from the application as well as the "Safety Packet" includes information on safe ways to pursue child support or apply "good cause criteria" when it is not safe to pursue child support.
- Safety assessment forms are used to help assess the potential threat of domestic
- Posters, brochures, and safety plans are displayed in each ODHS field office affirming the department's concern about domestic violence and affording the opportunity to self-disclose in search of supports.
- ODHS Guidelines for Cases with DV and the CW DV Toolkit include engagement questions that can be used when working with the adult survivor and child, and with the abusive partner.
- Vocational Rehabilitation addresses domestic violence in one-on-one customer interviews.
- Vulnerable adults (older adults and those with psychiatric, physical, intellectual and developmental disabilities) are protected by the program areas which serve those adults. The Community Developmental Disability Program system responds to adults (18 and older) receiving services for I/DD or those who were previously deemed eligible for DD services before the age of 22; mental health responds to abuse of adults currently receiving treatment from a community mental health provider or licensed residential mental health provider.
- Adult Protective Services receives and investigates allegations of abuse of adults age 65 and over and/or who have a physical disability. This includes people living in their own homes and in facilities. Each year, the department and its partners receive thousands of

reports of abuse, including the most prevalent forms: financial exploitation, physical abuse, neglect, verbal/emotional abuse and self-neglect.

► **Ensure Community Staffing and Individualized Family Case Plans:** When domestic violence is identified as an issue for ODHS customers, individualized case plans are developed. Examples of case planning for domestic violence in the different service disciplines:

- ODHS Self-Sufficiency workers develop individual plans with TANF customers that address immediate safety needs, regain family stability, and long-term plans supporting, obtaining and maintaining safety and self-sufficiency. Self-sufficiency case plans can include referral to domestic violence/sexual assault providers, shelters, support groups, individualized counseling for survivors or their children, victim's assistance programs, legal services, and locating housing or relocation to another area.
- ODHS child welfare workers strive to meet the safety needs of the children by aligning with the Safe and Together Model's three core principles and five critical components, which includes partnering with the survivor parent/caregiver and engaging the abusive partner parent/caregiver to hold them accountable. Workers develop case plans in collaboration with families that include documentation of conversations and goals regarding supportive services for adult survivors and their children as well as programs such as batterer intervention for abusive partners, when appropriate.
- Vocational Rehabilitation staff provide support to victims of domestic violence through vocational counseling and community referrals.
- Aging and People with Disabilities (APD) provides services through a number of entry points. The APD Safety Unit provides safety planning as needed and identified for older adults, age 65 or older and for adults who have physical disabilities, age 18 to 64. The Safety Unit collaborates with the local office Adult Protective Service Specialist (APSS) and case managers, Long Term Facility Licensing staff, and other community stakeholders through various means to develop safety plans. The Safety Unit oversees the Reports of Serious Events (ROSE) system which is utilized as a reporting system for incidents of concern.

ODHS field staff from all disciplines work in partnership with local domestic violence service providers and other community partners to meet immediate and long-term needs of victims of abuse and their dependent children.

- Co-located Advocates were the result of funding approved originally by the 2011 Legislature. ODHS contracted with local non-profits to provide co-located domestic violence/sexual assault (DVSA) advocates in Self-Sufficiency and Child Welfare offices. In the 2017-2109 biennium, there were fifty-four advocates These positions provide culturally competent and sensitive support to customers experiencing domestic violence and increased access to safety for survivors. The supports are designed to assist survivors in overcoming domestic violence-related barriers to self-sufficiency; increasing the number of children remaining in the home of the non-offending parent; and increasing our staffs' knowledge of and skills around working with survivors of domestic and sexual violence.
- An enhanced focus on victim/survivor safety,

- Increased confidential advocacy services,
- Survivors receive assistance in negotiating barriers, and
- Institutionalization of the need for partnership.

► **Refer Individuals to Appropriate Counseling and Support Services:** ODHS field staff from all disciplines work in partnership with local domestic violence service providers and other community partners to meet immediate and long-term needs of victims of abuse and their dependent children.

Processes help staff assist individuals and ensure safety such as:

- Child abuse mandatory reporting in cases of domestic violence: Threat-of-harm guidelines, which outline when state child protective workers may intervene, help inform mandatory reporters when to report domestic violence.
- Child Welfare practices for cases with domestic violence: Practices are used by child welfare staff working with customers affected by domestic violence. This updated guide also aligns with the Child Safety Model adopted in Child Welfare.
- ODHS provides services in sixteen different districts. Districts have coordinated with their local domestic violence service providers to best support the needs of individuals affected by domestic violence.
- ODHS and OHA have taken the message of domestic violence intervention to contracted partners, such as substance abuse and mental health treatment providers and county health departments.
- The Family Support & Connections (FS&C) program increases collaboration and coordination between child welfare and self-sufficiency offices on joint cases. The primary goal of FS&C is to decrease the number of TANF customers whose children are placed in the foster care system.
- An ODHS domestic violence information phone line exists in Multnomah County. The line is available to clients, the community and ODHS staff.

► **Waive Temporary Assistance to Needy Families (TANF) Rules to Prevent Further Violence:**

Procedures and Oregon Administrative Rules are in place to both consider and allow the waiving of TANF program requirements related to the TANF and emergency assistance grants that would put the family at greater risk of violence or prevent them from escaping domestic violence situations. An example of a rule that can be waived is the exclusion of income controlled by the abuser or used to help flee.

Report Section II pursuant ORS 411.154:

Emergency assistance utilization.

From July 2018 through June 2019, a total of \$3,738,176 Temporary Assistance for Domestic Violence (TA-DVS) program funds were spent to help survivors of domestic violence and their children. In state Fiscal Year 2019, an average of 557 new families received services each

month, with 318 families receiving payments. Average payments per family was \$795, which covered the cost of housing, utilities, emergency medical, relocation, moving expenses, and other safety related payments. The total budget for TA-DVS for July 2018- June 2019 is \$4,364,713.

The department continues to maintain TA-DVS eligibility and payment limits at the same level in effect on January 1, 1997, as required by⁵ ORS 411.117.

In addition to TA-DVS, ODHS continues to support victims of domestic violence with other self-sufficiency programs, including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP) and Employment Related Day Care (ERDC).

Other financial services are offered to victims of domestic violence working with Child Welfare, though family-based services, the funds provided for domestic violence related services are not tracked discretely, and even if a child welfare case indicates domestic violence as a stress indicator, family-based services funds may be used for services not related to the domestic violence. APD, through special needs payments can minimally (up to \$1,000.00 in a 12-month period) meet the needs of some of their customers who need to move as a result of domestic violence. Funds that support domestic violence victims are not discretely tracked.

Report Section III pursuant ORS 411.154:

Domestic violence training for department staff, information sharing and evaluation.

► **Training for Department Staff:** A comprehensive plan to address the training needs of staff on domestic violence issues was developed in partnership with members of the domestic violence service provider community. This training plan was designed to meet the varied needs and learning styles of ODHS staff and partners. The ODHS DSV Council developed a recommended curriculum outline for DV 101 to better standardize the training that ODHS staff receive.

- ODHS partners with advocates provide training on appropriate responses to domestic violence. The ODHS Domestic and Sexual Violence Council will make recommendations to the ODHS director and Cabinet for increased and consistent support for training.
- Domestic violence education is available to ODHS staff from local DV service providers. ODHS has Domestic Violence Coordinators made of ODHS staff in each district. The DV Coordinators work with local domestic violence sexual assault providers to provide quarterly training about domestic violence to ODHS staff.

- Policy in the self-sufficiency Family Services Manual is consistently reviewed and updated to provide guidance to staff in supporting victims of domestic violence. TANF program requirements which may place the survivor at greater risk of domestic violence or prevent them from escaping can be waived or modified.
- The guidelines titled “Child Welfare Practices for Cases with Domestic Violence” are available online.
- Child Welfare case worker Essential Elements training includes three hours of training on domestic violence, including understanding the family dynamics and impacts of DV, as well as identifying case management strategies that are effective in working with families impacted by domestic violence. Case worker training also included Family Conditions, which includes an additional three hours focus on domestic violence and working with batterers. Essential Elements and Family Conditions are trained by Portland State University through the Child Welfare Partnership.
- Child Welfare Social Service Assistance Training includes one hour of domestic violence training.
- All Self-Sufficiency staff receive eight hours of basic training on domestic violence with a focus on the impacts of trauma. Depending on job classification two more training hours are spent on domestic violence as related to non-citizen populations. Those who determine TANF Eligibility or are engaging with survivors participating in employment and training services receive an additional twenty-one hours of training on empathetic listening techniques, coercive control, safety planning, TANF waivers related to domestic violence, and working with advocates for collective impact. Staff also have the option to engage in one hours of additional specialized training on the TA-DVS program monthly. There are also additional ad hoc training opportunities available in response to field needs.
- Self-Sufficiency staff that screen for domestic violence or do safety case planning with survivors of domestic violence are required to participate in policy training specific to domestic violence.
- Staff participates in other domestic violence training opportunities including domestic violence conferences across the state, trainings during staff meetings, domestic violence video presentations, Net Link (computer-based training), webinars, community planning sessions and Domestic and Sexual Violence Council meetings.
- Domestic violence point staff meet quarterly. These meetings include elements of training that can usually be taken back to the local offices as mini-trainings or information sharing opportunities.
- On-line training is available to ODHS staff on the “Workplace Effects of Domestic Violence, Sexual Assault and Stalking.” This is a mandatory training for all state managers, supervisors and human resource staff.
- Domestic violence videos and books are available and may be checked out from central office for field staff and partner use. Some districts have also developed local resource rooms with domestic violence information and publications.
- Co-located DV advocates provide training for ODHS Child Welfare and Self-Sufficiency staff. Training is customized to the need of the local branch or district.
- A staff tool web page is available for Self-Sufficiency and Child Welfare staff that includes many resources related to domestic violence and links to on-line domestic violence trainings available from a variety of sources.

► **Information Sharing and Public Awareness:** Domestic violence is a community issue that contributes to other problems, including juvenile crime, child abuse, teen pregnancy, elder abuse and homelessness. ODHS participation in a coordinated community response to end domestic violence is critical in addressing the health and safety of Oregonians. The department has coordinated with many partners in planning and providing services that support the safety of victims served by ODHS.

- The ODHS domestic violence web page is designed to bring the agency’s program responses and resources together in one area. Along with other domestic violence related information, a link to a map of Oregon’s domestic violence service providers is available and provides information on services for staff, partners and the public across the state. There were 67,995 page-views of the ODHS domestic violence web pages in 2018.
- Brochures and posters have been developed to better inform our customers and partners about domestic violence services.
- ODHS field staff has a longstanding practice of participating in domestic violence awareness activities statewide, including educational and fund-raising activities that benefit their local domestic violence service provider.
- In 2018, Washington County opened a Domestic Violence One-Stop Center named The Family Justice Center of Washington County. There is an ODHS self-sufficiency staff member out stationed in the center to provide direct services to survivors. Community Action for housing, Domestic Violence Resource Center for advocacy, Oregon Law Center for legal services, Voices Set Free for mental health, Hillsboro Police Department and Washington County Sheriff’s Office, and Victims’ Rights Law Center for sexual assault representation are all available in the Family Justice Center to provide needed supports to survivors.
- Core partners include:
 - Local domestic violence service providers from across the state
 - The Oregon Coalition Against Domestic and Sexual Violence (OCADSV)
 - The Attorney General’s Sexual Assault Task Force
 - The Oregon Department of Justice, Crime Victim and Survivor Services Division
 - The Department of Justice, Human Trafficking Advisory Committee
 - The Department of Justice, Oregon Fatality Review Board

The department will continue to partner with community programs that address domestic violence and attempt to expand the network of services that are available to customers.

ODHS is dedicated to identifying and assisting domestic violence survivors and their children to address their safety concerns and to stabilize their living situation. The key to identifying domestic violence is to have educated staff interacting with ODHS customers; available to screen and ready to provide resources and supports needed. We look forward to another biennium focused on consistent training of staff and successful safety plans for the families served.

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