

OVERVIEW OF THE DHS DOMESTIC AND SEXUAL VIOLENCE PROGRAM

2011

ORGANIZATION

The Department of Human Services (DHS) oversees the Domestic Violence and Sexual Assault Victims Funds. They are administered from the Child Protective Services Unit (CPS) in the Children, Adults and Families Division (CAF.) CAF is the child welfare and self-sufficiency section.

TYPES OF FUNDS

DHS administers four types of funding for domestic and sexual violence programs:

- A surcharge on marriages (MLT),
- Federal Family Violence Prevention and Services Act (FVPSA),
- Criminal Fine Assessment Account for Domestic Violence (CFAA/DV), and
- Criminal Fine Assessment Account for Sexual Assault (CFAA/SA).

SOURCES OF FUNDING

A. Marriage License Tax Fund.

In 1981, the Oregon Coalition Against Domestic and Sexual Violence successfully lobbied the Legislature to create a funding source for programs for victims of domestic violence. The Legislature passed a marriage license surcharge on all marriage licenses sold in Oregon. The surcharge was created to implement a "Family Violence Prevention Program" to fund programs to identify, prevent and treat family violence (Oregon Revised Statutes 409.290 to 409.300).

Priorities for funding are shelter homes, safe homes and crisis lines for victims of domestic violence and their children and training programs for professionals. What was then Children's Services Division in the Department of Human Services was selected as the State agency to administer the program and makes grants to private, non-profit or public agencies for services.

In 1981, the surcharge was \$20; it was raised to \$25 in Sept. 1987. The counties collect the tax and send it to DHS.

Beginning in February, 2008 domestic partnership registrations became available. A \$25 surcharge on those registrations also goes to the MLT Fund.

The Marriage License Tax Fund is divided into three primary program areas for

expenditures. They are:

- 1.) Crisis response and related services,
 - 2.) Training and technical assistance, and
 - 3.) Administration
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- 1.) The crisis response and related services program area is the primary funding recipient. All programs receiving domestic violence grant funds provide a crisis line and response, access to emergency shelter, safety planning, transportation, information and referral, advocacy, and peer support. Most also provide other services including children's services and community education.
 - 2.) CAF contracts with the Oregon Coalition Against Domestic and Sexual Violence to provide training and technical assistance to the domestic violence programs with MLT and Federal Family Violence Prevention and Services Act funding. As funding permits, we also contract for special projects and training.
 - 3.) CAF can claim up to 10% of the Marriage License Tax fund for administration, although CAF is currently claiming less than that amount. CAF also uses Federal Child Welfare funding as a match for the coordinator's position.

The amount of money available each year for contracts depends on the amount of revenue generated from the license sales. Each year we project the amount we think we will have to spend. The Advisory Committee and CAF agreed to keep a reserve fund of approximately \$100,000 to cover the possibility of revenues being less than projected.

The Marriage License Tax money can be used by programs as part of their general operating fund. It can go for administration or direct services and does not need to be tracked as a separate source of funds. As part of the general operating budget, programs do not need to specify how the funds will be used.

Programs are also required to provide 25% matching funds for the Marriage License Tax money. Matching funds can either be from some other source of revenue or can be from in-kind donations such as volunteer hours.

B. Federal Family Violence Prevention & Services Act Funding

Beginning in August 1986, Oregon has been awarded funding from the Federal Department of Health and Human Services through the Family Violence Prevention and Services Act (FVPSA). DHS was designated the state agency to administer that funding.

The FVPSA money must be primarily spent on direct services, but the programs can identify how they will spend it. Most programs use it to fund part of a staff position, either an advocate or the volunteer coordinator. Other uses include phone costs for the crisis line, transportation and subcontracting for counseling.

Finally, DHS-CAF claims 5% of the FVPSA funds for administration which funds travel and meeting costs for the Advisory Committee; some travel for the program coordinator; and some of the training and technical assistance through OCADSV..

The FVPSA funding runs on a federal fiscal year of October through September. Programs are required to provide 20% matching funds, either through other revenue or in-kind match such as volunteer hours.

C. Criminal Fine Assessment Account/Domestic Violence (CFAA/DV)

In 1995, the Oregon Legislature selected the DHS Domestic Violence Fund to receive a percentage of the Criminal Fine Assessment Account fund. The money in this fund is generated from fines imposed upon people convicted of crimes in circuit, district, justice or municipal court. In addition to the fines already established in statute, the Legislature also added a \$500 fine to be imposed after convictions for assaults and other crimes against persons. (The fines can be reduced or waived by the judge.)

The 2001 Legislature changed the CFAA allocation so that agencies receive up to a set amount, rather than a percentage.

CFAA funds are also designated for direct services with no more than 5% for administration. Funding is combined into the shelter and related services contracts.

D. Criminal Fine Assessment Account/Sexual Assault (CFAA/SA)

The 1999 Oregon Legislature created the Sexual Assault Victims Fund within DHS CAF funded through a percentage of the Criminal Fine Assessment Account fund. As with the CFAA/DV fund described above, the money in this fund is generated

from fines imposed upon people convicted of crimes in circuit, district, justice or municipal court.

The 2001 Legislature changed the CFAA allocation so that each fund receives up to a set amount, rather than a percentage.

CFAA/SA funds are restricted to fund sexual assault services, including salaries, crisis line costs, other related costs and/or administration.

ADMINISTRATION

A. Advisory Committee

The Domestic and Sexual Violence Fund Advisory Committee has up to fourteen members: one from OCADSV, five domestic and/or sexual violence programs appointed by OCADSV, two domestic and/or sexual violence programs elected by the Committee who not members of OCADSV, three DHS staff (one from a field office, one from CAF and one from Seniors and Persons with Disabilities), and three community representatives. The Advisory Committee usually meets between quarterly and advises DHS-CAF on all aspects of the program operation relating to the funds, the training and technical assistance program, administration and any other related issue.

The Advisory Committee is a crucial part of the success of the Domestic and Sexual Violence Program. CAF consults the Advisory Committee on all major decisions. Travel for Advisory Committee members is paid out of the Marriage License Tax or Federal Family Violence administration fund.

B. Collaboration with DOJ CVSD

The Dept. of Justice Crime Victims' Services Division (CVSD) also administers funding for domestic violence and sexual assault services. Their funds are the:

- Victims of Crime Act (VOCA) basic grant funds,
- STOP Violence Against Women Act (VAWA) formula grant, and
- Oregon Domestic and Sexual Violence Services Fund (ODSVS).

CAF and CVSD collaborate closely. The first joint planning meeting of all the advisory bodies occurred in 2004. Beginning in July, 2007 CAF and CVSD funds were combined into one funding allocation formula that uses a base amount and a per capita rate for each county. CAF and CVSD share information on statistics and

outcome measures, reducing the reporting that programs need to do. When there are decreases in one of the funds, available funding from another fund(s) may be used to keep total program grant amounts stable or to minimize the reduction.

Some DHS Fund Advisory Committee members also serve on a joint coordinating body with representatives of other funding advisory bodies from the Department of Justice - Crime Victims' Services Division.

JOINT ALLOCATION FORMULA DEVELOPMENT

DHS in collaboration with CVAS changed how funding is allocated beginning July 1, 2007.

Prior to July 1, 2007, DHS used a formula that took into account population and area served to allocate both the domestic violence and sexual assault funding. Other state domestic and sexual violence program funds had different methods or formulae for allocation. A joint planning meeting of the DHS Domestic and Sexual Violence Fund Advisory Committee and advisory bodies of other state administered funding held in 2004 recommended all funding formulae be reviewed to develop a more equitable system.

A. Equity Study

DHS and CVAS collaborated on funding a study of funding allocation (the Equity Study.) The consultants recommended that all basic funding be combined into one non-competitive, formula grant. The combined funds were the DHS funds, VOCA for domestic violence and sexual assault, VAWA for victims' services and ODSVS, other than legal services.

The formula uses counties as the allocation unit. Each county receives a base amount with the remaining funds allocated on a per capita basis. The goal for the State administered funding is to fund enough staff FTE to provide basic crisis response services in every county.

The consultants used low range prevalence data to determining staffing needs. They recommended that each county with a population over 2,000 receive a base amount of \$120,000 per year to cover staff costs for crisis services. No other costs were included in the calculation, i.e., nothing was included for shelter costs, phone lines, follow-up advocacy, children's services, prevention, any other non-crisis services, administration, occupancy or other overhead costs. The base amount

takes into account the need for at least 3 FTE to offer 24-hour crisis services, regardless of the county population.

Counties with populations over 30,000 would receive additional funding based on a per capita rate for each additional person.

The consultants determined that a minimum of just over \$16,000,000 a year (\$32,000,000 a biennium) was necessary to adequately implement the crisis response formula. At the time of the study, state administered funds were just over \$6,000,000 a year (\$12,000,000 a biennium). The consultants offered stop-gap implementation options for funding under the \$16 million a year base rate.

A committee was created with representatives from the DHS, VOCA, VAWA and ODSVS Advisory Committees to review the study and make recommendations back to the state funding advisory bodies. Those bodies then made recommendations to DHS and DOJ.

The basic recommendations of the Equity Study were adopted. Two values were approved to guide implementation:

- Provide meaningful access to survivors throughout the state, and
- Stabilize services throughout the state.

To meet those values, the state funding advisory bodies recommended that then current funding would not be reduced to any county. Because of the lack of adequate funding to meet the requirements for minimum a minimum crisis response, there would have been counties that would have lost funding, if the formula had not been adjusted. The VOCA Advisory Board recommended moving approximately \$550,000 in VOCA funds previously used for competitive projects into an implementation fund to keep funding stable.¹

The basic Equity formula included:

- Using counties as the unit of allocation except for the Tri-County area which was treated as a region,
- Combining all non-competitive funding into one allocation,

¹ The VOCA Advisory Board also reviewed its funding formula for other VOCA grant categories and moved funding from competitive to basic grants in those categories also to implement a new formula while stabilizing grantees.

- Setting a base amount of \$45,000 for those counties with populations over 2,000 with a program's primary office located in the county,
- Setting a pro-rated base amount using population for counties with only satellite offices located in them,
- Not granting a base amount to the 3 counties with populations under 2,000 (Gilliam, Sherman and Wheeler.)
- Counting all population in the counties when determining the per capita (above the base) amount, and
- Restricting funding to current grantees for the 07-09 biennium

In January of 2011, the Joint Fund committee revised the allocation formula so that counties with a population under 6,000 would not be eligible for a base amount.

Counties/areas with more than one program would go through a facilitated process to divide the county allocation among them.

The total state-administered funds available to allocate in 2007 was just over \$6 million a year before the stabilization fund was added. Looking ahead to an \$8.5 million a year total (\$17 million a biennium), the committees approved using an \$80,000 base with the 3 smallest counties receiving \$20,000. The total county population would be counted for the per capita rates.

B. Increases and Decreases

DHS and CVAS have made a commitment to back-fill decreases in funding whenever possible to meet our goal of stabilizing programs. Increases in funding are allocated according to the bump-plus formula, increasing the base amounts first, and then increasing the population based amounts first for the programs with the lowest percentage of their full population allocation.

Default funding levels have been set for multiple programs within the same county. The Multnomah county area is currently setting the allocation rates by consensus of the programs.

C. Decisions for further implementation

We need to have a plan to:

- Develop a process to allow new programs to enter the grant process.

JOINT REQUEST FOR APPLICATIONS

CAF is now issuing joint Request for Applications for non-competitive domestic violence and sexual assault services with CVSD. The joint RFA for 2007-2009 included all the CAF funding and the funds administered by CSVD. Programs submitted one application that was used for all the funds. The joint RFA will be made every two years, on the Oregon legislative biennium.

GRANT CONTRACTS

Effective July 1, 2007, CAF is issuing one grant agreement that includes all the CAF Domestic Violence Funds and the Sexual Assault Funds. The grant agreement lists the requirements that apply across all the funding sources. It also has specific exhibits with requirements applicable to either the Domestic Violence fund or the Sexual Assault fund. The majority of programs receive both types of funding. For those programs that only receive one type, the other exhibit would not apply to their program.

Once grant contracts are begun, they can be amended as Federal funds become available, to extend time limits, or to change amounts if funding changes. The amendment documents only include the sections that are to be changed.

SITE VISITS

DHS-CAF conducts annual site visits at each funded program. The visits are made by the program coordinator and a member of the Advisory Committee. A checklist is used to monitor if a program is meeting the minimum standards and providing the required services. The intent of the site visit is to assist programs through the sharing of information and resources.

PAYMENTS

All programs will receive automatic payments at approximately the middle of each month. Annual amounts are divided into twelve payments based on the state fiscal year for MLT and CFAA funds and on the federal fiscal year for FVPSA funds.

STATISTICAL REPORTS

Programs submit monthly statistics to DHS-CAF. Additionally, programs submit an annual narrative report for FVPSA. These statistics are shared with DOJ-CSVD for their ODSVS grant monitoring.

Beginning with the 2011 biennium, the joint funders will provide a database to

each funded program. This database will collect client level data and create aggregate reports for the various funding sources.

Every year the statistics are summarized and the report is posted on-line under Domestic and Sexual Violence Providers Annual Reports:

http://www.oregon.gov/DHS/abuse/domestic/dvdata_pub.shtml#dvsp

Also, an annual report is submitted to the U.S. Department of Health and Human Services for the federal fiscal year on the use of the FVPSA funds.

DOJ CSVD collects outcome measure summaries based on client feedback from the programs. CSVD shares this information with DHS-CAF. This collaboration reduces the administrative requirements for the programs.

FINANCIAL

Programs submit separate quarterly financial report forms on the Federal Family Violence funding and on both Criminal Fine Assessment Account funds.

Programs also submit an annual report on the match for MLT.