A. Program Intent and Overview

1. Program intent

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.

The Temporary Assistance for Domestic Violence Survivors (TA-DVS) program was created and is a TANF-funded program intended to provide temporary financial assistance and support to families affected by domestic violence during crisis or emergent situations when other resources are not available. TA-DVS is used to help the domestic violence survivor and the children address their safety concerns and stabilize their living situation, thus reducing the likelihood of the survivor returning to the abuser.

The worker’s role is to help determine eligibility for the TA-DVS Program, help the survivor to identify safety risks, refer them to domestic violence advocates and community resources that may address those needs and provide financial assistance to help the survivor and the children remain free from abuse.

Once the survivor is found eligible, an individualized case plan is developed with the client that includes activities that support the client’s goals related to safety and stabilization from the abuse; a plan to address how future housing costs will be covered; financial planning around the need for TA-DVS payments; as well as partner coordination and referral.

Some examples of situations where TA-DVS approvals and payments could be used to meet a survivor’s need:

- The domestic violence survivor and children are fleeing the abuser and need help to relocate to another state;

- The domestic violence survivor is unable to pay rent as a result of domestic violence:
  - Examples: the survivor used all her available resources to move from the household held with the abuser and she cannot pay rent this month, or the abuser stole the money).

In either case, TA-DVS would be used to stabilize her living situation so that she is less likely to be forced to return to the abuser’s household;
• The domestic violence survivor is in the process of fleeing domestic violence, is staying at a temporary shelter or is in a temporary living situation, and needs financial help to get into an apartment and set it up;

• The domestic violence survivor wants to stay in her home and needs new locks to increase her safety;

• The domestic violence survivor missed work due to the abuse and is unable to pay the rent;

• The roommate has been physically abusive and the survivor and her partner want to leave the situation;

• The domestic violence survivor has fled to Oregon from another state after a recent abusive situation and the person has concerns the abuser will follow or knows where she/he has moved to;

• The domestic violence survivor needs to move because the abuser has located her;

• The abuser was arrested. The case has not gone to trial. There has been no conviction and no jail release date has been set. Even though the abuser is in jail, the victim has no way of knowing how long he/she will be in jail. A potential safety risk still exists;

• The abuser was arrested and convicted of domestic violence. He will be in jail for one year. The victim wanted to stay in her home. The abuser’s family has started making threats on behalf of the abuser saying that he was going to take care of her when he gets out. The victim is afraid for herself and her children and wants to move. A safety risk still exists;

• The abuser has been in jail for five years and is being released. The victim is still living at the same address that he shared with the abuser. He is afraid the abuser will make good on threats he made prior to his arrest and incarceration. He wants to move to protect himself and his children.

Definitions for Chapter 461 Rule

461-001-0000 — Definitions for Chapter 461

Domestic violence; Specific Requirements Rule

461-135-1200 — Domestic violence; Specific Requirements

2. Program overview

The TA-DVS program supports domestic violence survivors by providing temporary financial assistance to flee domestic violence (DV) and to help domestic violence
survivors remain free of violence. To be eligible for TA-DVS, a survivor must have a current or future risk of domestic violence, meet eligibility guidelines, and the situation must fit into the following definition of domestic violence:

(A) Domestic violence is the occurrence of one or more of the following acts between family members, intimate partners, or household members:

(1) Attempting to cause or intentionally, knowingly or recklessly causing physical injury or emotional, mental or verbal abuse;

(2) Intentionally, knowingly or recklessly placing another in fear of imminent serious physical injury;

(3) Committing sexual abuse in any degree as defined in Chapter 163 of the Oregon Revised Statutes;

(4) Using coercive or controlling behavior.

(5) As used in this section, "family members" and "household members" mean any of the following:

(a) Spouse;
(b) Former spouse;
(c) Individuals related by blood, marriage, or adoption;
(d) Individuals who are cohabitating or have cohabited with each other;
(e) Individuals who have been involved in a sexually intimate or dating relationship; or
(f) Unmarried parents of a child.

CAUTION

A single or one-time instance of verbal abuse (e.g., name calling; cursing; putting a person down) or controlling behavior (e.g., telling a person what to do or how to do something) does not necessarily constitute a risk of further or future abuse. When there is a history of these behaviors or when the behaviors have escalated in frequency or type, or if the client is concerned that these behaviors will lead to physical abuse, there may be a higher risk of further or future abuse.

Example 1: Soto and her children are living with two other individuals. Soto is in the office applying for TA-DVS. The worker asked Soto what has occurred to bring her in to the office. Soto explains that Jim, her
landlord/roommate, has been informing her for the past few months that if she does not clean the house to his approval, he will not allow her to access the refrigerator for food, so she has been storing food away in her room. The reason she is in today, is that last week, Jim attacked her for not doing his laundry and she is scared of what he may do in the future. The worker determines that Jim is a household member and the situation Soto is describing meets the TA-DVS policy on domestic violence.

**Example 2:** Desiree is in the office applying for TA-DVS. She informs her intake worker that recently her neighbor Angie has been harassing her. Desiree states that Angie is crazy and accusing her of weird things. Desiree does not feel safe and would like to move. The worker confirms with Desiree that she has never lived with Angie, they are not relatives and they are not intimate or past intimate partners. The worker explains to Angie that even though her situation does sound unsafe and scary, her situation does not meet TA-DVS policy. The worker denies Desiree’s request but offers her the opportunity to speak with co-located advocate and offers resources in the community.

**Definitions for Chapter 461 Rule**

461-001-0000 — Definitions for Chapter 461