

## Fiscal Highlights

### Domestic Violence Shelters One-time Funding - Stephen C. Jardine

It is anticipated domestic violence shelters will ask for ongoing funding in the 2014 General Session. During its 2013 General Session, the Legislature provided \$474,700 one-time funding to 12 private nonprofit domestic violence shelters. Services provided in these shelters are mostly ongoing in nature. These domestic violence shelters have a varied history in their origin, size, scope and level of services, and support. As a result, per capita funding for the shelters across the state varies widely (see Table 1 below). The Division of Child and Family Services (DCFS) has made changes to its domestic violence shelter allocation formula to try to address this per-shelter per-capita discrepancy. DCFS also uses some of its funding to provide intervention for perpetrators, which some have questioned. DCFS defends the practice stating, among other reasons, that "DCFS pays for treatment of perpetrators because it is essential to keep children safe, strengthen families, and provide quality domestic violence services. Research tells us that preventing domestic violence requires a multi-systemic approach that includes supporting the needs of all family members with a coordinated community response." More detailed explanations and general background information follow.

During its 2013 General Session, the Legislature appropriated \$474,700 to 12 private nonprofit domestic violence shelters. This funding was for one year only. The services provided in these shelters are typically ongoing in nature. DCFS distributed this funding evenly to all 12 private nonprofit centers. A 13<sup>th</sup> shelter, Pathways in San Juan County, was privatized during the year and was not part of the original request to the Legislature.

DCFS uses some of its funding to provide treatment intervention for perpetrators. In FY 2013, DCFS spent \$861,400 for perpetrators. Some have questioned the use of state funding for this purpose, characterizing it as treating domestic-violence offenders with funds that they believe should be dedicated to serving victims.

In response to the question "why funds appropriated for domestic violence are being used to provide treatment to perpetrators," DCFS responded:

- "Utah courts can order perpetrators convicted of domestic violence to attend treatment with an accredited domestic violence treatment provider (perpetrators often help pay for the treatment). DCFS has contracted with domestic violence treatment providers throughout the state to ensure access to treatment services.
- Perpetrator treatment improves safety and stability by reducing risk factors and increasing strengths. Treatment that addresses aggressive behavior is critical to safety."

In response to the question, "are you aware of any statutory requirements related to requiring DCFS provide treatment to perpetrators," DCFS responded:

- "UCA [62A-4a-105](#) states that the division shall administer services to minors and families, including: child welfare services, domestic violence

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services and all other responsibilities that the Legislature or the executive director may assign to the division.

- UCA [35A-8-901](#) specifies DCFS has statutory responsibility to provide domestic violence services--not only to victims and families with DCFS involvement, but statewide domestic violence services. Domestic violence services means: a temporary shelter, treatment, and related services to a person who is a victim of abuse, the dependent children, and treatment services for a person who is alleged to have committed an act of domestic violence" [[UCA 62A-4a-101\(12\)](#)].

In response to the question, "do you have any helpful clarifying information regarding why DCFS pays for treatment for perpetrators," DCFS responded:

- "The DCFS mission is to keep children safe from abuse and neglect and provide domestic violence services by working with communities and strengthening families.
- DCFS pays for treatment of perpetrators because it is essential to keep children safe, strengthen families, and provide quality domestic violence services.
- Research tells us that preventing domestic violence requires a multi-systemic approach that includes supporting the needs of all family members with a coordinated community response.
- Evidence-based perpetrator treatment that is appropriate to the level of risk is key (Bourbon and Armstrong, 2006) and victim safety is always paramount. Research indicates the most effective outcomes come from treatment models promoting mental health and preventing mental illness.
- Not all perpetrators of IPV [intimate partner violence]/domestic and family violence have parental rights terminated or suspended. Perpetrators often continue to interact with their children, making it essential to ensure access to treatment for the entire family.
- By providing quality, comprehensive DV [domestic violence] services that address all angles of domestic and family violence, we have the potential to reduce domestic violence rather than merely managing the result of domestic and family violence."

DCFS provides federal and state pass-through funds to 12 private domestic violence shelters throughout Utah to serve adult and child victims of family violence. A 13<sup>th</sup> shelter, Pathways in San Juan County, was privatized during the year and was not part of the original 2013 General Session request to the Legislature. DCFS is currently operating two other shelters located in Price and Vernal to ensure adequate services are available in rural communities. Domestic violence shelters in Utah have a varied history in their origin and support. As a result, per capita funding for the various shelters across the state varies widely. DCFS has made changes to its allocation formula over the past few years to try and address this discrepancy. DCFS anticipates distributing \$3,394,500 to 12 private non-profit shelters for FY 2014. DCFS distributes the funds based upon four criteria: 1) a \$100,000 base amount to 12 shelters with an additional one time amount of \$840,000 also split equally between the

12 shelters, 2) a \$10,000 rural differential to seven rural shelters, 3) \$669,900 distributed based upon a shelters percentage of total shelter days provided (averaged across three years), and 4) a separate ongoing appropriation to Your Community Connections from the 2013 General Session of \$147,000.

DCFS is currently developing an advanced performance measure protocol for domestic violence services to enhance the limited current indicator of need (shelter days provided). While shelter days/nights are somewhat helpful as a performance measure, DCFS indicates "it does not take into account the array of cost effective services (outreach teams, crisis intervention services, nursery care, referral, case management) provided to support safety, stabilize families impacted by violence, and create a coordinated community response to domestic violence." Table 1 shows: 1) domestic violence shelters, the FY 2013 and FY 2014 amounts distributed to each shelter, 3) the 2011 population by county associated with each shelters catchment area, 4) the June 2012 beds available count, 5) the FY 2014 pass through amount per capita per shelter, and 6) the beds per 1,000 population associated with each shelters catchment area.

### Div. of Child and Family Services (DCFS) Public Funding to Domestic Violence Shelters

Location	Counties Served	State Funded Domestic Violence Shelters	FY 2013 State and SSBG Funds	FY 2014 State and SSBG Funds	2011 Population (a)	June 2012 Beds Available (b)	FY14 Pass Thru \$ per capita	Beds per 1,000
Logan	Cache and Rich	CAPSA (Community Abuse Prevention Services Agency)	75,608	138,100	116,997	32	\$ 1.18	3.7
Brigham City	Box Elder	New Hope Crisis Center	57,940	126,300	50,466	14	\$ 2.50	3.6
Ogden	Weber and Morgan	Your Community Connections (YCC)	93,155	234,600	242,909	28	\$ 0.97	8.7
Kaysville	Davis	Safe Harbor	76,486	151,300	312,603	32	\$ 0.48	9.8
West Jordan	Salt Lake	South Valley Sanctuary	102,809	167,900		53	(c)	(c)
Salt Lake City	Salt Lake	Women in Jeopardy Program, YWCA	250,277	299,700	(b)	181	(c)	(c)
		<i>Salt Lake Total</i>	<i>353,086</i>	<i>467,600</i>	<i>1,045,829</i>	<i>234</i>	<i>\$ 0.45</i>	<i>4.5</i>
Provo	Utah and Juab	Center for Women and Children in Crisis	90,340	156,200	541,112	25	\$ 0.29	21.6
Park City	Summit and Wasatch	Peace House	66,629	131,700	61,664	15	\$ 2.14	4.1
Cedar City	Iron, Beaver, Garfield	Canyon Creek Women's Crisis Center	81,255	137,300	58,531	28	\$ 2.35	2.1
St. George	Washington and Kane	D.O.V.E. Center	79,732	145,100	148,427	24	\$ 0.98	6.2
Richfield	Sevier, Millard, Piute, Sanpete, Wayne	New Horizons Crisis Center	101,309	138,500	65,953	45	\$ 2.10	1.5
Moab	Grand County*	Seekhaven	101,708	124,800	9,322	9	\$ 13.39	1.0
Total		Total	1,530,333	2,419,100	2,663,813		\$ 0.58	
		<i>FVPSA Funds allocated to shelters</i>	<i>1,043,800</i>	<i>975,400</i>				
			<i>68.2%</i>	<i>40.3%</i>				
		Total state and federal funding	2,574,133	3,394,500				

#### Additional Shelters:

Price	Carbon and Emery	Colleen Quigley Crisis Center	228,300	228,300	32,482	14	\$ 7.03	2.3
Tooele	Tooele	Pathways	205,000	205,000	59,133	11	\$ 3.47	5.4
Vernal	Uintah, Duchesne, Daggett	Women's Crisis Shelter	218,400	218,400	53,541	8	\$ 4.08	6.7
Blanding	San Juan	Gentle Ironhawk Shelter (d)			14,954	26	\$ -	0.6

(a) taken from "Utah's 2011 Population 2.8 Million" Issued by Governor's Office of Planning and Budget.

(b) 'June 2012 beds Available' from the Division of Child and Family Services

(c) West Jordan and Salt Lake shelters have been combined to calculate county information

(d) the Gentle Ironhawk Shelter in Blanding does not receive state funding.

Note: the Pathways shelter was privatized late last year. The above chart, therefore, reflects distribution to the 12 private nonprofit shelters that requested additional funding from the Legislature.

Table 1

DCFS has statutory responsibility to provide services which aid victims and perpetrators of domestic violence. This program includes: domestic violence caseworkers, domestic violence outpatient services, and family violence shelters. There are 15 domestic violence shelters operating in nearly half of the state's 29 counties, two (three until late last year) of which DCFS operates to ensure

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adequate services are available in rural communities. The Commission on Criminal and Juvenile Justice, the Administrative Office of the Courts, and the Office of the Attorney General also receive funding and play unique roles in domestic violence prevention and intervention. A private non-profit, known as the Utah Domestic Violence Coalition (UDVC) is the federally recognized, non-government organization designated as the state authority for domestic violence victim advocacy and receives approximately \$245,000 annually from the federal government. FY 2014 DCFS funding for domestic violence services (\$5,921,700) consists of:

- General Fund (32%),
- Federal grants (52%)
- Victims of Domestic Violence Services Restricted Account (16%).

In 2012 the U.S. Department of Justice issued a Special Report titled [Intimate Partner Violence, 1993-2010](#). The report showed that from 1994 to 2010 the overall rate of intimate partner violence in the U.S. declined by 64 % and that in 2010 5.9 females per 1,000 annually experienced intimate partner violence while 1.1 males per 1,000 annually experienced intimate partner violence. A 2005 Utah-specific study titled [Domestic Violence Incidence and Prevalence Study](#) indicated that 36.9 % of female respondents over age 18 identified themselves as victims of domestic violence.

The Division of Child and Family Services within the Department of Human Services provides services which aid victims and perpetrators of domestic violence. This program includes:

- **Domestic violence case workers:** provide other DCFS workers with information about domestic violence as it relates to child abuse, assist in risk determination, and provide resources and referrals to assist DCFS workers in keeping adult and child victims safe.
- **Domestic violence outpatient services:** provide assessment and treatment intervention to court-ordered and voluntary domestic violence perpetrators, victims of domestic violence, and child witnesses of domestic violence. This program is funded in part from the Victims of Domestic Violence Services Restricted Account ([UCA 51-9-406](#)) which revenues come from surcharges on criminal fines, penalties, and forfeitures imposed by the courts.
- **Family violence shelters:** there are 15 domestic violence shelters operating in nearly half of the state's 29 counties, two (three until late last year) of which DCFS operates to ensure adequate services are available in rural communities. DCFS contracts for services with 12 private non-profit shelters such as the YWCA program in Salt Lake City, South Valley Sanctuary in West Jordan, Center for Women and Children in Crisis in Provo, and Your Community Connections in Ogden. A 13<sup>th</sup> shelter, Pathways in San Juan County, was privatized during the year. These shelters provide abused adults and their children with a safe short-term refuge. Available services vary from shelter to shelter. Some of the services provided include a 24-hour crisis hot line, a 24-hour mobile crisis team, adult and child support groups, rape crisis intervention, education and training, assistance with protective orders, court advocacy, household

goods assistance, bilingual services, transportation, child care, and information and referral.

Although the Division of Child and Family Services is the primary state agency dealing with domestic violence services, the Commission on Criminal and Juvenile Justice, the Administrative Office of the Courts, and the Office of the Attorney General also have funding and play unique roles in domestic violence prevention and intervention. Table 2, based upon information provided from the Commission on Criminal and Juvenile Justice, shows public funding sources and general distribution of those public sources for domestic violence prevention and intervention in Utah.

## Utah Domestic Violence Public Funding Sources and Distribution

Federal Sources			State Sources
<b>Violence Against Women Act (Federal Grant)</b>	<b>Victims of Crime Act (Federal Surcharge on Offenders)</b>	<b>Family Violence Prevention Services Act (Federal Grant)</b>	<b>General Fund &amp; Restricted Fund (State Sales Tax and Court Fees on Fines)</b>
Distributing Agency in Utah	Distributing Agency in Utah	Distributing Agency in Utah	Distributing Agencies in Utah
CCJJ-Office on Victims of Crime	CCJJ-Office on Victims of Crime	DCFS	DCFS, AOC, AG
Distributed to/for:	Distributed to/for:	Distributed to/for:	Distributed to/for:
Prosecution	Address Child Abuse	13 Private Domestic Violence Shelters	2 DCFS-run Domestic Violence Shelters (DCFS)
Law Enforcement	Address Domestic Abuse	Annual Domestic Violence Conference	Treatment (Restricted Funds) (DCFS)
Victim Services	Underserved Victims	LINKline	Adult Victim/Perpetrator Treatment (DCFS)
Courts	All Victims of Crime Categories	State shelter monitoring program staff (5%)	Children's Treatment (DCFS)
Discretionary			DCFS Domestic Violence Workers
			Legal Services
			Children's Justice Center Domestic Violence Conference (AG)

**Acronyms:**

CCJJ - Commission on Criminal and Juvenile Justice  
 DCFS - Division of Child and Family Services  
 AOC - Administrative Office of the Courts  
 AG - Attorney General  
 UDVC - Utah Domestic Violence Coalition

Table 2

A private non-profit entity known as the Utah Domestic Violence Coalition (UDVC) receives approximately \$245,000 annually from the federal government. The source of the funding is the Family Violence Prevention Services Act (FVPSA). UDVC is the federally recognized domestic violence coalition in Utah, and it applies for and receives its FVPSA grant directly from the federal government. Coalitions, as authorized through both FVPSA and the Violence Against Women Act, are active partners with the state in assessing and prioritizing statewide needs for victims of intimate partner violence. The role of UDVC, and all statewide domestic violence coalitions, is: 1) training and technical assistance for victim service providers and others, 2) public education and prevention, and 3) public policy. UDVC also operates a statewide resource referral line that is available 24 hours a day, 7 days per week to provide free, confidential help to anyone seeking domestic violence resources.

FY 2014 funding for domestic violence services in the Division of Child and Family Services (\$5,921,700) consists of:

- General Fund (32%)
- Federal grants (52%)
- Victims of Domestic Violence Services Restricted Account (16%)

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## **General Fund**

The General Fund is one of the major funds used in state accounting and is defined as all revenues not otherwise provided for by law. The primary stream of income is from sales tax.

## **Federal grants**

DCFS uses three separate federal funding sources to pay for domestic violence services:

- **Social Services Block Grant (62% of total federal funding)** - a capped entitlement program available to states without a state matching requirement to help states achieve a wide range of social services policy goals. States are given wide discretion to determine the services to be provided and the groups that may be eligible for services.
- **Family Violence Prevention Services Act (35%)** - provides funding for shelter and supportive services for victims of domestic violence and their dependents and for public awareness about domestic violence.
- **Title IV-E (Social Security Act) Foster Care Assistance (3%)** - provides funding for (1) foster care maintenance to provide safe and stable out-of-home care for eligible children under the jurisdiction of the state child welfare agency until the children are returned home safely, placed with adoptive families, or placed in other planned arrangements for permanency; (2) training for public agency staff, foster parents, and certain private agency staff; and (3) administrative costs to manage the program.

All courts levy a surcharge on fines. Of the amount collected by these surcharges, 4.5 percent is allocated to the Victims of Domestic Violence Services Restricted Account ([UCA 51-9-406](#)). A portion of the collections (0.5 percent) goes to the Office of the Attorney General for training. The remaining four percent goes to DCFS for services to victims of domestic violence.

In 2012, the U.S. Department of Justice issued a Special Report titled [Intimate Partner Violence, 1993-2010](#), (Catalano). This report looks at trends in nonfatal intimate partner violence which includes "rape, sexual assault, robbery, aggravated assault, and simple assault committed by an offender who was the victims current or former spouse, boyfriend, or girlfriend." The report showed that in 2010 there were 5.9 females per 1,000 who experienced intimate partner violence (IPV) while 1.1 males per 1,000 also experienced intimate partner violence. Some of the major findings of the report include:

- From 1994 to 2010, the overall rate of intimate partner violence in the U.S. declined by 64 %.
- From 1994 to 2010, about 4 in 5 victims of intimate partner violence were female.
- Females ages 18 to 34 generally experienced the highest rates of intimate partner violence.

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- Separated females experienced the highest rate of intimate partner violence during the 18-year period even though this category's rate declined over the period like those rates associated with all other categories.
  - Intimate partner violence differed by race and ethnicity. All categories declined significantly over the survey period. The Hispanic origin female category had the largest decline. This category of intimate partner violence declined from 18.6 females per 1,000 in 1994 to 4.1 in 2010.

A previous report titled [National Intimate Partner and Sexual Violence Survey - 2010 Summary Report](#) (National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, 2011) found that 35.6 % of surveyed women and 28.5 % of surveyed men in the United States reported having experienced "rape, physical violence, and/or stalking by an intimate partner in their lifetime."

A Utah-specific study titled [Domestic Violence Incidence and Prevalence Study](#), Dan Jones & Associates, commissioned by the Utah Commission for Women and Families, 2005, identified 36.9 % of the 1,000 female respondents over age 18 as victims of domestic violence sometime during their lifetime. Domestic violence was defined for this study as:

Primarily, though not exclusively, a crime committed by men against women including: a pattern of assaultive and coercive behaviors; psychological, sexual, and physical abuse; behavior used by an individual to hurt, dominate, and control an intimate partner.

The Dan Jones & Associates study also concluded "there has been very little change - for the better or worse - in the incidence and prevalence of domestic violence and abuse in Utah since the 1997 study."

The Department of Public Safety has collected annual data since 2008 (see the topic Domestic Violence Report in the [minutes of the June 19, 2013 Law Enforcement and Criminal Justice Interim Committee](#)). H.B. 261, *Domestic Violence Statistics Reporting* (2013 General Session), required the Bureau of Criminal Identification in the Department of Public Safety "to compile the data that it had been collecting on domestic violence and present a report to the Law Enforcement and Criminal Justice Interim Committee." The [report](#) was provided to that interim committee in May, 2013 and provides information regarding the relationships of suspects and victims and the number of arrests and the charge associated with those arrests.

In addition, the Division of Child and Family Services provided additional information (e-mail to the Legislative Fiscal Analyst dated November 18, 2013), citing, among other sources shown below, the National Center for Injury Prevention and Control (2006), [Understanding Intimate Partner Violence fact sheet](#)):

- Since 2000, domestic violence-related homicides accounted for 39.9% of all adult homicides in Utah (DOH/VIPP).
- One-third of domestic violence perpetrators died by suicide after committing the homicide.

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- In Utah, female victims of domestic violence have higher rates of mental illness (29.8% vs. 13.7%) and binge drinking (9.8% vs. 4.3%) than women who have not experienced intimate partner violence (VIPP).
  - In 2011, more than 3,400 men, women, and children entered shelters to escape domestic violence.
  - CDC studies have shown that 60% to 75% of families with intimate partner violence have children who are also maltreated.
  - Being abused or neglected as a child increases the likelihood of arrest as a juvenile by 53% and of arrest for a violent crime as an adult by 38%.
  - The number of domestic violence victims turned away from shelter due to lack of beds rose from 1,677 in 2008 to 2,809 in 2012, an increase of 67%.