

Item 3: Department of Justice

Supplemental Funding for Victims of Domestic and Sexual Violence

Request: Establish an Other Funds expenditure limitation of \$4,000,000 for the Department of Justice for victims of domestic and sexual violence.

Description: On March 27, 2020, the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act became law. One of the many funding components the CARES Act contains is a \$150 billion Coronavirus Relief Fund (CRF). Through the CRF, the CARES Act provides for payments to state, local, and tribal governments to pay costs associated with the impact of COVID-19.

The CARES Act requires that payments from the CRF can only be used to cover expenses that:

- 1) Are necessary expenditures incurred due to the COVID-19 public health emergency;
- 2) Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the state or local government; and
- 3) Were incurred during the period between March 1, 2020 and December 30, 2020.

The expenditure of funds for victims of domestic and sexual violence are deemed an eligible use of CARES Act funding.

The Legislature in 2001 established the Oregon Domestic and Sexual Violence Services (ODSVS) program within the Department of Justice (DOJ) - Crime Victims Survivor Services Division (CVSSD) (ORS 147.450-471). The program provides non-competitive state-funded grants to an estimated 58 domestic and sexual violence service providers throughout the state, including federally recognized tribal governments. These non-profit and tribal entities use a combination of state and local funding to provide victims of domestic and sexual violence with crisis services, housing, safety plans, advocacy services, and access to legal services. In general, OSDVS funding is distributed using a two-part formula that includes a base amount plus a prorata share that is largely based on county population. An advisory committee, appointed by the Attorney General, makes recommendation to DOJ on the distribution of funding.

The 2019-21 legislatively approved budget for OSDVS totals \$13.5 million, of which \$13.2 million is General Fund and \$305,489 is Other Funds (punitive damage awards). OSDVS administrative cost are statutorily limited to ten percent of available funding; however, CVSSD limits such costs to five percent, which is sufficient to support one permanent full-time position and one permanent part-time position (1.50 FTE) to administer the grant and reporting processes.

The Legislature in 2019 enacted HB 2006 that, in part, provided \$3 million General Fund for domestic and sexual violence emergency housing. In response to the COVID-19 pandemic, the Emergency Board allocated an additional \$3 million General Fund for domestic and sexual violence emergency housing. Also, the Attorney General reprioritized, administratively, \$1.06 million of existing federal Victim of Crime Act grant funds and directed that they be distributed to domestic and sexual violence providers to enhance base-level services.

The COVID-19 pandemic is viewed as a catalyst for increased violence within the home. While statistical reporting and reporting related to previously approved supplemental funding is unavailable at this time, there continues to be anecdotal evidence of marked increases in the demand for

domestic and sexual violence services above current funding levels.

This request is for a one-time \$4 million Other Funds expenditure limitation for the following:

- 1) Supplemental (non-competitive) base-level funding for non-profit and tribal entities for: advocates, transportation, language services, establishing or expanding youth and children services, establishing remote capabilities in remote regions to facilitate application of various protective orders and increase access to services, outreach to underserved populations, civil legal services, infrastructure, emergency services, and mental health (\$1.5 million);
- 2) Supplemental grants for emergency housing assistance for maintaining or achieving long term sustainable housing, including: homelessness prevention, housing search assistance, tenant education and the payment of application fees, deposits, rent, utilities, moving costs, or safe emergency housing (\$1.5 million); and
- 3) Supplemental grants for mental health services to address the needs of survivors and their families, including: on-staff therapists, training external therapeutic partners, trauma recovery, youth and children services, transportation to providers, and partnerships with addiction providers (\$1 million).

These funds are to be distributed, on an expedited basis, in a manner consistent with ODSVS statute. In order to effectively distribute the supplemental funding, DOJ may need to combine the above funding into a single grant. Additionally, CVSSD is to undertake reasonable efforts to ensure that supplemental funding reaches rural and tribal communities.

Entities that receive funding are to report to CVSSD on the number of individuals and families that received assistance, as well as the type and cost of assistance provided. DOJ should be prepared to report on the distribution of funding between the state's urban, tribal, and rural communities.

The CARES Act funding will be transferred from the Department of Administrative Service to DOJ for deposit into the Oregon Domestic and Sexual Violence Services Fund. DOJ is to absorb the administrative costs associated with the distribution of the supplemental funding.

Recommendation: The Co-Chairs of the Emergency Board recommend establishing a \$4,000,000 Other Funds expenditure limitation for the Department of Justice for funding from the Coronavirus Relief Fund received by the Department of Administrative Services and transferred to the Department of Justice for victims of domestic and sexual violence.