

ANALYSIS

Item 20: Department of Justice Housing Stabilization for Survivors

Analyst: John Borden

Request: Increase Other Funds expenditure limitation by \$2 million for a Housing and Community Services Department transfer to the Department of Justice for distribution to nonprofit entities to assist survivors in maintaining or acquiring housing.

Analysis: During the 2021 legislative session, the Housing and Community Services Department (HCSD) received American Rescue Plan Act (ARPA) funding for the agency's Emergency Rental Assistance Program. HCSD is transferring \$2 million of this funding to the Department of Justice (DOJ) - Crime Victims and Survivor Services Division (CVSSD) for housing stabilization and/or acquiring housing for survivors of domestic and sexual violence and human trafficking. The transfer is an allowable ARRA expense under U.S. Treasury guidelines.

The Oregon Domestic and Sexual Violence Services program (ODSVS), which is within CVSSD, is designed to provide non-competitive state-funded grants to an estimated 58 domestic and sexual violence service providers throughout the state, including federally recognized tribal governments. These nonprofit 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.

The 2021-23 legislatively adopted budget for ODSVS totals \$15.9 million, of which \$15.6 million is General Fund and \$316,025 is Other Funds (punitive damage awards). Already included within this budget is \$5 million General Fund to assist victims of domestic violence and sexual assault with housing needs. If this request is approved, the \$2 million Other Funds transfer from HCSD will supplement this funding. The Legislature in 2019, and then the Emergency Board in 2020, made similar General Fund (\$3 million) and federal Coronavirus Aid, Relief, and Economic Security (\$7 million) investments to assist victims of domestic violence and sexual assault with housing and other assistance needs. Last biennium the Attorney General, in response to the pandemic, also reprioritized administratively \$1.06 million of existing federal Victim of Crime Act grant funds and directed that the funds be distributed to domestic and sexual violence providers to enhance base-level services.

The \$2 million transferred from the HCSD to DOJ is to be deposited into the Oregon Domestic and Sexual Violence Services Fund. CVSSD will distribute the funds, on an expedited basis, in a manner consistent with ODSVS statute (ORS 147.450-471). In general, ODSVS 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 recommendations to DOJ on the distribution of funding. The advisory committee and Attorney General should consider taking into consideration the strategic targeting of the \$2 million in funding rather than a prorata distribution. In order to effectively distribute the supplemental funding, CVSSD may need to combine the General Fund and HCSD transfer into a single grant.

ODSVS administrative costs are by statute limited to ten percent of available funding; however, CVSSD limits administratively such costs to five percent, which is sufficient to administer the program. DOJ may

choose to waive the administrative costs associated with the HSCD transfer, as the program has done in the past for other one-time supplemental funding streams.

CVSSD, in conjunction with HCSD, will need to meet all ARPA eligibility and reporting requirements. CVSSD should also require entities that receive funding under this request, if approved, 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 to the Legislature in 2023 on the distribution of funding as well as the allocation of the funding between the state's urban, tribal, and rural communities.

Recommendation: The Legislative Fiscal Office recommends that the Joint Interim Committee on Ways and Means include an increase of \$2,000,000 in the Other Funds expenditure limitation for the Department of Justice, Crime Victims and Survivor Services Division, in a budget reconciliation bill during the 2022 legislative session for distribution to nonprofit entities to assist survivors of domestic and sexual violence and human trafficking in maintaining or acquiring housing.

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Request: Increase existing Other Funds expenditure limitation by \$2,000,000 for one-time funding provided by the Oregon Housing and Community Services to support housing stabilization needs for survivors of domestic and sexual violence, stalking, and human trafficking.

Recommendation: Approve the request during the 2022 Legislative Session.

Discussion: The Department of Justice (DOJ), Crime Victim and Survivor Services Division (CVSSD) currently allocates General Fund for survivors of domestic and sexual violence, stalking and human trafficking. The Oregon Housing and Community Services (OHCS) is granting \$2.0 million Federal Funds from the Emergency Rental Assistance program, provided through the American Rescue Plan Act (ARPA) and administered by the U.S. Department of Treasury, to CVSSD as Other Funds revenue. The CVSSD request for an increase in Other Funds expenditure limitation will allow for the distribution of ARPA funding to Domestic and Sexual Violence advocacy providers throughout Oregon.

The OHCS inter-agency funding award is one-time in nature. This funding is in addition to the \$5.0 million General Fund CVSSD received in the current biennial budget for the same purposes.

The funding will be distributed using a 2007 adopted equity-based formula. Advocacy providers are required to report back on the number of survivors being assisted and how the funding will be used by each survivor. Additionally, the advocacy providers must report on a variety of outcomes, which includes the percentage of safe housing being provided at a three- and six-month period and must also provide survey results from recipients' perception on how the funding assisted them to feel safe, hopeful about their future, and achieve stability after receiving these funds.

Legal Reference: Increase the Other Funds expenditure limitation established by chapter 427, section 2(5), Oregon Laws 2021, for the Department of Justice, Crime Victim and Survivor Services Division, by \$2,000,000 for the 2021-23 biennium.



DEPARTMENT OF JUSTICE

October 15, 2021

The Honorable Senator Elizabeth Steiner Hayward, Co-Chair
The Honorable Senator Betsy Johnson, Co-Chair
The Honorable Representative Dan Rayfield, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301-4048

Dear Co-Chairpersons:

Nature of the Request

The Department of Justice requests \$2 million in one-time Other Funds expenditure limitation for funding being provided through an Interagency Agreement from the Oregon Housing and Community Services Agency to support housing stabilization for survivors.

Agency Action

The Oregon Housing and Community Services (OHCS) Agency is granting the Oregon Department of Justice (DOJ) \$2 million in federal rental assistance funds from the Emergency Rental Assistance program under the American Rescue Plan Act administered by the U.S. Treasury. DOJ currently allocates state general fund dollars designated specifically for the housing needs of survivors of domestic and sexual violence, stalking and human trafficking. This is accomplished through a sustained network of Domestic and Sexual Violence (DSV) advocacy providers in every county in the state of Oregon so that all victims/survivors have meaningful access to advocacy services and safety in the communities where they reside. Funding also provides infrastructure support, core advocacy services (i.e. crisis lines), and shelter.

The performance metrics reported by each program are as follows:

Required Outputs:

- Total number of survivors assisted by Survivor Housing Funds.
- Number of survivors provided financial assistance in the form of rent, deposits, or utilities to maintain their current housing.
- Number of survivors provided other financial assistance to maintain their current housing.

- Number of survivors provided financial assistance in the form of rent, deposits, or utilities to access new housing.
- Number of survivors provided other financial assistance to access new housing.
- Number of survivors directly provided housing by the organization.

Required Outcomes:

- Percent of survivors with safe housing three months after receiving housing assistance.
- Percent of survivors with safe housing six months after receiving housing assistance.
- Percent of survivors reporting that they feel better off than they did prior to receiving housing assistance.
- Percent of survivors reporting that they feel more hopeful about the future.
- Percent of survivors with children who report that their children are more safe and stable.
- Percent of survivors with children who report that they have seen an improvement in their child's mood, behavior, or stress levels.
- Percent of survivors stating that having stable housing has helped them: keep a job, get a job, attend school, receive medical/mental health services, or manage child custody.

In 2019-2020, the Oregon Legislature designated \$3 million for this purpose. DOJ provided technical support and training to non-profit domestic and sexual violence response agencies to assist these programs in developing the infrastructure to allow them to accept and utilize these funds. In January 2020, these funds were distributed to 42 programs. The recipient programs all follow the "Housing First" model, which means that programs have flexibility to utilize the funds to not only help survivors pay for rent, security deposits and application fees, but also for other expenses that have a direct impact on their ability to retain current housing. The new grant from OHCS will be added to the \$5 million in general fund housing dollars DOJ received for the current biennium to further support housing stabilization for survivors in maintaining or acquiring housing. These new funds will be distributed in a consistent manner according to the Equity Formula that awards recipients a base amount with incremental funding according to population. The Equity Formula is the distribution method used since 2007 for our non-competitive domestic and sexual violence service programs. It is based on a study conducted in 2006 on how best to provide stable funding to domestic and sexual violence response non-profit programs and is the methodology supported by the Legislature ever since.

OHCS is providing the Department of Justice with this federal funding through an Interagency Agreement. These funds will represent for DOJ, federal funds to be spent as Other Funds. DOJ is requesting Other Funds expenditure limitation to utilize these additional funds for housing stabilization needs of survivors

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Action Requested

The Department of Justice is requesting \$2 million in one-time Other Funds expenditure limitation to distribute funds provided by the Oregon Housing and Community Services Agency to nonprofit agencies to use to assist survivors in maintaining or acquiring housing.

Legislation Affected

Oregon Laws 2021, chapter 427, sections 2(5).

Sincerely,



FREDERICK M. BOSS
Deputy Attorney General

cc: Shannon Sivell, Director, Crime Victim and Survivor Services Division
William O'Donnell, DOJ Chief Financial Officer
Jennifer Friesen, DOJ Senior Budget Analyst
Melanie Ryburn, DOJ Budget Analyst
John Borden, Principal Legislative Analyst, LFO
Michelle Lisper, Policy and Budget Analyst, BAM