

**New York's Method for Funding Critical  
Domestic Violence Services is Antiquated,  
Unable to Support Increased Demand for Services During COVID-19**

**Major Reforms are Needed to Ensure Domestic Violence Survivors  
Get the Services They Need, When They Need Them**

*A Report by the New York State Coalition Against Domestic Violence  
January 2021*

**Executive Summary**

According to the DV Counts nationwide survey performed each year by the National Network to End Domestic Violence<sup>1</sup>, **New York State has one of the highest demands for domestic violence services in the country.** Data from the most recent Census indicate that, on one day alone in New York last year, nearly 6,000 victims of domestic violence received services. On that same day, nearly 800 requests for domestic violence services went unmet in New York because of critical funding and staffing shortages.

Even before the COVID-19 Pandemic hit, **funding for domestic violence services was not sufficient to keep up with DV victims' needs.** That's because New York's method for dispersing funding to DV agencies is antiquated, having been established more than 30 years ago when most DV victims sought emergency shelter. This focus on residential programs continues to be the primary method for funding DV service providers, yet not all DV survivors want to stay in emergency shelter. Rather, DV survivors want to stay in their homes, or with family or friends, while they obtain non-residential DV services such as counseling, legal services, child care, housing assistance, etc. New York's funding model must evolve in light of this new reality. In addition, the per diem reimbursement model requires DV service providers to dedicate an inordinate amount of time chasing down payments, rather than providing services to survivors. In many situations, DV service providers make the difficult decision to stop pursuing reimbursement as the increasing staff time involved would make the financial loss worse than simply writing off the uncollectible "bad debt."

The pitfalls of the existing funding model have become painfully clear during the current COVID-19 Pandemic. As frontline, essential workers, New York's DV advocates transitioned quickly to remote advocacy services. Significant resources were re-directed for the purchase of personal protective equipment for staff and shelter residents, cleaning supplies, paper goods, non-communal food service provision, computers, phones, remote technologies, etc. But because fewer DV victims are seeking emergency shelter, and because some shelter beds must remain open to comply with social distancing protocols, DV agencies are receiving less funding than before the Pandemic. Further, many DV programs have had to cancel significant fundraising events and donor activities which, for some programs, dramatically supplements available government funding.

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<sup>1</sup> National Network to End Domestic Violence (2020). 14th Annual Domestic Violence Counts Report. Washington, DC. Retrieved from: [NNEDV.org/DVCounts](http://NNEDV.org/DVCounts).

## **NYSCADV urges New York State to transform New York's funding model by:**

- (1) Re-structuring funding to support DV survivors' individual needs and desires and broadening the range of services and options available to them;
- (2) Integrating funding for residential and non-residential DV services to ensure DV survivors are able to access a variety of services and programs;
- (3) Establishing and relying on state funding instead of Temporary Assistance for Needy Families (TANF) as the primary funding stream for DV services in order to truly comply with Violence Against Women Act (VAWA) and Family Violence Prevention and Services Act (FVPSA) provisions;
- (4) Reducing administrative burdens placed on DV programs; and,
- (5) Enabling DV programs and DV survivors to determine when a survivor is ready to leave emergency shelter.

## **Section 1: Increasing Demand for Domestic Violence Services during Pandemic, Amidst Decreasing Per Diem Reimbursements, Highlighted Structural Funding Problem**

Even before the COVID-19 Pandemic hit, funding for domestic violence (DV) services was not sufficient to keep up with DV survivors' needs. Now, however, the limitations of New York's existing funding model have become painfully clear.

Numerous advocates have reported significant increases in the demand for DV services since the Pandemic began in March. For example:

- According to data released by Governor Cuomo, there has been a “dangerous uptick of domestic violence incidents” during the Pandemic. His report cited an overall 30% increase in DV reports in April compared to last year, and a 15% increase in the number of family offense-related calls to police in March compared to last year. Further, the number of intimate partner victimizations reported to large police departments outside of New York City increased 12% for the first quarter of 2020 compared to the same period last year.<sup>2</sup>
- The Mayor's Office to End Domestic and Gender-Based Violence reported to the New York Post that the NYC Hope website, an online DV resource, had 1,240 visits from March 18-30, an average of 95 visits a day – more than double the 45 visits NYC Hope had per day in 2020 before March 18. In addition, from March 18-30, 354 new visitors accessed NYC Hope's website, for a daily average of 27. Before March 18, only nine new visitors visited the website each day.<sup>3</sup>
- A Hudson Valley DV service provider reported calls to its local hotline increased 49% since the start of the Pandemic.
- A DV service provider on Long Island reported receiving 499 calls to its local hotline in August of 2020, a 31% increase compared to the same month last year. This correlated to a significant increase in requests for services.
- In response to a NYSCADV survey in November 2020, DV service providers reported the following (general geographic information is included where identified in the survey):
  - A 27% increase in hotline volume from April-October 2020, compared to the same period in 2019.
  - A 23% increase in hotline volume since the Pandemic began, compared with last year.
  - Double/treble increases in hotline volume every month between March and September (Western NY).

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<sup>2</sup> Governor Andrew Cuomo. (2020, May 22, 2020). *Following Spike in Domestic Violence During COVID-19 Pandemic, Secretary to the Governor Melissa Derosa & NYS Council on Women & Girls Launch Task Force to Find Innovative Solutions to Crisis* [Press Release]. Retrieved from <https://www.governor.ny.gov/news>.

<sup>3</sup> Calder, Rich. “NYC's domestic violence website sees rise in visitors amid coronavirus.” New York Post, April 1, 2020. Metro Section.

- A 30% increase in hotline volume since June. In July, call volume increased 60% over last year (Central NY).
- Requests for counseling more than doubled during the Pandemic, from 76 requests in all of 2019 to 167 in only the first eight months of 2020.
- In August 2020, requests for safe housing increased 25% over August 2019.
- A 400% increase in hotline volume over the same period last year.
- A 39% increase in requests for service for June/July – the highest number of new clients the agency has ever seen. The local Sheriff’s department also reported a 19% increase in DV-related calls for this same period.
- Approximately 300 more hotline calls per quarter in 2020 than in 2019 (Central NY).

In addition to increasing demand, DV advocates report the level of violence and complexity of service requests are increasing. DV service providers reported the following in response to NYSCADV’s November survey:

- “We have observed an increase in the intensity of the violence that victims are experiencing. Some clients come in with bad injuries that require medical attention. Clients also face many barriers finding housing after their shelter stay due to COVID-related obstacles.” (Hudson Valley)
- “We received a significant increase in requests for assistance with food, rent and car repairs. Survivors seeking shelter reported much more violent encounters in greater numbers than in the past.” (Long Island)
- “The physical injuries seem to be more severe.”
- “The program has seen an increase in the complexity of requests for service since the pandemic.” (Central NY)
- “Survivors are coming with more complex needs. Everything is magnified, harder, takes more advocacy.” (Central NY)
- “The numbers may not have increased significantly, but the situations continue to present more challenges.”
- “Clients are in significant financial crisis and having to survive the twin pandemics of racism and COVID while navigating their safety.” (NYC)

DV service providers are adapting their services so that they can provide safety and support during this period of increasing demand for services. They are:

- Re-directing significant resources for the purchase of personal protective equipment for staff and shelter residents, cleaning supplies, paper goods, and non-communal food service provision;
- Modifying facilities and communal spaces to comply with quarantine and isolation requirements, particularly in spaces that do not have appropriate stand-alone accommodations, kitchens or bathroom facilities; and,
- Investing in new remote technologies, equipment such as computers and cell phones for staff, and video and phone platforms such as Zoom, doxy and Google Phone.

**The costs for these modifications, PPE and cleaning supplies were unbudgeted and has overwhelmed many DV service providers.** Twenty-three (23) DV programs that responded to NYSCADV’s November survey report investing significant amounts of funding to cover these unbudgeted items. These costs range from \$2,000-\$900,000, depending on the size of the DV program and the number of clients served. On average, DV service providers spent more than \$137,172 to cover these unplanned expenses.

**Despite the increasing demand for DV services throughout the State, the increasing complexity of requests for service, and the need to invest significantly in unbudgeted COVID-related expenses, funding for DV services during the Pandemic is actually declining.** That’s because New York’s system of funding DV services is based on the number of DV survivors residing in emergency shelters each night. And although there is increasing demand for DV services, DV survivors in many communities are avoiding entering shelter or other residential settings. In addition, many DV service providers have had to deliberately decrease shelter occupancy in order to comply with social distancing, quarantine and/or isolation requirements.

Specifically, in a NYSCADV survey circulated to DV service providers in May 2020, 30 DV service providers reported having to keep 141 beds open each night for isolation and/or quarantine compliance. Using an average of the NYC and Rest of State per diem reimbursement rates (or \$120.52), this could amount to a loss of \$16,993.32 in revenues across the system each day.

In response to NYSCADV's November 2020 survey, DV service providers reported:

- A 10-15% decrease in shelter occupancy from March-June 2020, compared with the same period in 2019
- Shelter occupancy at 30-60% at any given time since March, compared with 85-100% occupancy pre-Pandemic (Long Island)
- A 55% decrease in shelter bed nights during April-October 2020, compared with 2019. "The decrease in bednights is due to both decreased number of available beds to ensure best safety practices and decrease request for shelter due to concerns related to health and safety in a congregate housing setting."
- Decreased shelter stays of about 27%, comparing April-October 2020 to same period in 2019.
- From April-October 2019, 94% occupancy with 171 clients. In 2020, for same time period, averaging 82% occupancy with 148 clients.
- Occupancy has decreased by more than 50%.
- A 30% decline over other years, due to increased concern about shared spaces and COVID risks. (NYC)
- A reduction in occupancy from 12 beds to 5 beds due to need for social distancing and/or quarantine. (Western NY)

Further, many DV programs have had to cancel significant fundraising events and donor activities which, for some programs, dramatically supplements available government funding.

**This means that many DV agencies are providing more intensive services to more DV survivors with less funding available. This is not sustainable for long.** In fact, although DV service providers responding to NYSCADV's November survey report they are fairly confident their program will be able to cover operating expenses related to service delivery and staffing over the next 30 days, confidence significantly wanes when asked about their ability to do the same over the next 90 days. One program director stated the program will be able to cover costs, but only by dipping into their reserves. Others report already using reserves or lines of credit (from \$10,000-\$75,000). Others used federal Payroll Protection Plan funds (from \$150,000-\$350,000) over the last several months, but are concerned these funds will soon be depleted.

## **Section 2: New York's Method for Funding Domestic Violence Services is Antiquated, Resulting in Diversion of Resources Away from Survivors**

New York's method for dispersing funding to DV service providers is antiquated, having been established more than 30 years ago when most DV victims sought emergency shelter. This focus on residential programs continues to be the primary method for funding DV service providers, yet not all DV survivors want to stay in emergency shelter. Rather, DV survivors want to stay in their homes, or with family or friends, while they obtain non-residential DV services such as counseling, legal services, child care, housing assistance, etc.

Residential DV service providers are reimbursed by the state for each night a DV survivor resides in a facility. These per diem reimbursements are often provided to residential DV service providers after the DV survivor's stay in shelter. The rate of reimbursement provided is set annually by OCFS. Local DSSs use the federal funding distributed by OCFS to reimburse DV service providers, after paperwork describing the shelter and services provided is submitted.

By using a per diem funding model, New York's system places an emphasis on residential services to the exclusion of other supports, such as primary prevention, legal services, children's services, coordinated community response efforts, immigration services, safety planning, and systems advocacy. Yet more DV survivors are seeking to obtain non-residential support today than ever before. According to the latest national census, in one day in 2019, more than 2,600 adults and children in New York received non-residential assistance and services, including individual counseling, legal advocacy, and children's support groups.<sup>4</sup> Assuming that request level remains somewhat consistent throughout the year, nearly one million requests for non-residential services would be made annually in New York.

The per diem reimbursement model requires DV service providers to place an inordinate amount of time chasing down payments, rather than providing services to survivors. Under the current per diem reimbursement model, the county where the survivor resides at the time the DV incident(s) occurred is responsible for issuing payments to the residential program where the survivor obtained shelter. In such cases, the DV service provider must spend a substantial amount of time on paperwork to obtain payment, which diverts critical resources away from service provision. When payment isn't received in a timely manner, the service provider must pester and prod the home county until payment is received. In cases where a county denies fiscal responsibility for the survivor, lengthy disputes between counties ensue. DV service providers remain unpaid during such disputes, despite having already provided services to the survivor and incurring costs. DV service providers report that it could take as long as two years to be reimbursed when such disputes arise. In many situations, DV service providers make the difficult decision to stop pursuing reimbursement as the increasing staff time involved would make the financial loss even worse than simply writing off the uncollectible 'bad debt' with the counties. This 'bad debt' can be tens of thousands of dollars per program per year.

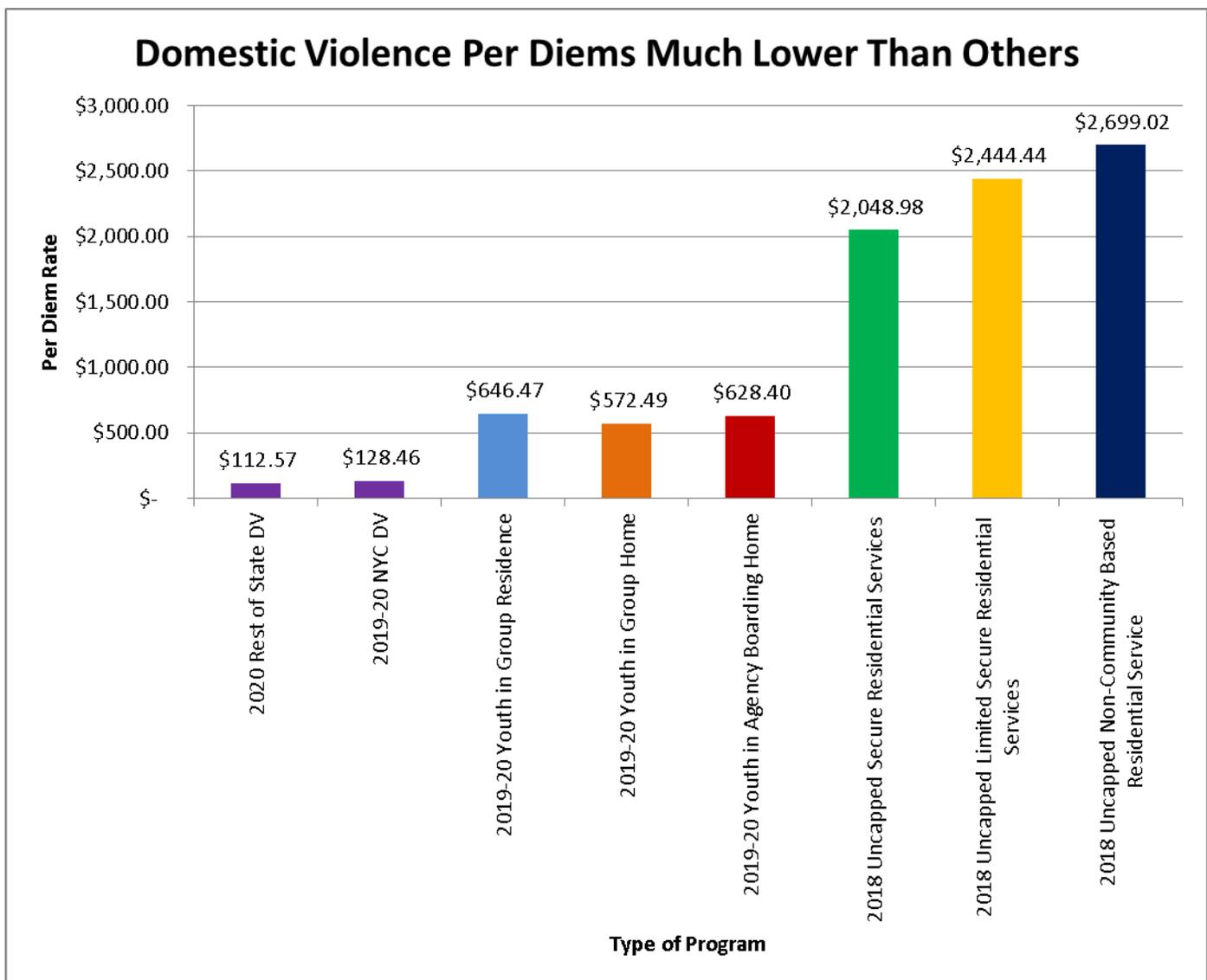
Other challenges of the current per diem reimbursement model include:

- DV service providers that consistently operate shelters at 100% occupancy generally can estimate how much reimbursement revenue they will receive during a specific time period. However, smaller programs with sporadic open beds have a far more difficult time estimating reimbursement revenue, resulting in an inconsistent revenue stream that wreaks havoc on operational budgets.
- Several external factors impacting the number of survivors that seek shelter make it very difficult to predict how many beds will be filled. For example, recent efforts by federal Immigration and Customs Enforcement officials to identify undocumented individuals in communities across the state caused a precipitous drop in the number of survivors seeking shelter. This is also occurring during the current COVID-19 pandemic (see next section). DV service providers received less revenue during these times despite being required to continue maintaining and staffing their facilities for full occupancy.
- DSSs, which are responsible for providing shelter reimbursements to DV service providers, often deny reimbursements. Reasons include a survivor's refusal to fill out paperwork; discrepancies with sign-in sheets or other monitoring requirements; or a survivor's shelter stay doesn't meet the criteria for how a bed night is defined. In these cases, DV service providers incur the costs of the shelter stay, but are not reimbursed. One DV service provider reported it lost \$80,000 in shelter reimbursements in 2018. Another service provider located in an Upstate, mostly rural community reported \$50,000 in residential non-payments in 2019.

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<sup>4</sup> National Network to End Domestic Violence, National Domestic Violence Counts Census 2019

- DSSs do not permit DV service providers to “hold a bed” for survivors who have to temporarily leave shelter for a court appearance in another county, to travel out of state for a funeral, to obtain medical services, or for a child required to visit with a parent living in another community. DV service providers often decide to hold a bed available in these cases, foregoing reimbursement.
- The per diem rate set by OCFS for DV shelter is far below what other related services and programs in New York receive. For example, if a youth stays in a 20-bed DV shelter for a night, the DV program operating the shelter will receive \$128.46 if the shelter is located in New York City, or \$112.57 if the shelter is located outside of New York City. Conversely, if that same youth stayed in a 25-bed group home, the county operating that facility will receive \$646.47, a difference of more than \$500. If the youth is placed in a secure residential facility, reimbursement rates are more than \$2,000 per night. Additional per diem rates set annually by OCFS are depicted in the chart below.



### **Section 3: New York Relies Almost Exclusively on Federal Grants to Fund Local Domestic Violence Services**

New York uses primarily federal dollars to fund New York's DV service delivery system. These federal dollars flow to various state agencies for distribution to not-for-profit agencies providing DV services. Agencies providing residential services are funded in a different manner than those providing non-residential services. New York is the only state in the country to bifurcate funding for DV services in this manner.

New York relies on federal funds to support DV services. Federal funds are primarily provided via Temporary Assistance for Needy Families (TANF), a Title XX Social Services Block Grant, and Federal Violence Prevention and Services Act (FVPSA). Additional federal funds used to support DV services come from the Violence Against Women Act (VAWA) STOP dollars, and Victims of Crime Act (VOCA) funding.

**New York's methodology for funding DV services has not changed since enactment of the 1987 Domestic Violence Prevention Act.** This law created a system whereby the state Office of Children and Family Services (OCFS) and state Office of Temporary Disability Assistance (OTDA) determine, on an annual basis, how much TANF and Title XX funding each county receives. Each county then decides how to use these funds to support all social services and welfare programs in their community – not just DV services.

The law also created different funding mechanisms for residential and non-residential DV services. Residential services are reimbursed in the form of bed night per diems, based on rates set annually by OCFS. New York State encourages individuals seeking DV services to apply for public assistance. If a DV survivor obtains TANF, the county Department of Social Services (DSS) will use a portion of its TANF allotment to reimburse the shelter for each night the survivor stays in shelter. If a DV survivor chooses not to apply for TANF, or is not eligible, the state has instructed county DSSs to use a portion of their Title XX allotment for the reimbursement. If a county DSS has depleted its Title XX grant, a county DSS may seek a 49% reimbursement from the state for eligible expenses.

For non-residential DV services, counties are statutorily required to either provide the services themselves or contract with a local not-for-profit agency to provide the services.

#### **Below is a summary of how federal funding is used to support DV services in NYS:**

- **Title XX Social Services Block Grant (Title XX SSBG).** The goal of Title XX SSBG is to develop and make available to families and individuals services that strengthen the ability of related persons to live together, encourage stability in living arrangements and provide for specialized care in residential settings when necessary and appropriate. Title XX SSBG is administered by the Federal Department of Health and Human Services as block grants provided to states based on population.

Each year, \$66 million of the State's Title XX grant is set aside for distribution to county DSSs "solely for reimbursement of expenditures for the provision and administration of adult protective services, residential services for victims of domestic violence who are not in receipt of public assistance during the time the victims were residing in residential programs for victims of domestic violence, and nonresidential services for victims of domestic violence."<sup>5</sup> OCFS and OTDA report that 29%, or

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<sup>5</sup> FY'20-'21 Aid to Localities Budget Bill (S7503/A9503), Office of Children and Family Services, Special Revenue Funds-Federal, Federal Health and Human Services Fund, Social Services Block Grant Account, signed by Governor Cuomo on April 15, 2020

\$19.14 million, of this adult protective services/domestic violence (APS/DV) allocation is spent specifically on domestic violence.<sup>6</sup>

OCFS determines how much Title XX funding each county receives each year. Each county then decides which social services to fund in their community and at what level. If a county's eligible APS/DV expenditures exceed its annual allocation, the county can ask the state to reimburse the expenditures at a 49% reimbursement rate, after any additional federal reimbursements are applied.

- **Temporary Assistance for Needy Families (TANF).** The purpose of TANF is to move families into the workplace through short-term training, job placement and provision of necessary support services such as child care, transportation and food stamps. TANF funds are administered by the Federal Department of Health and Human Services as block grants to all 50 states, territories and nations. **The annual federal TANF block grant has been frozen since its creation and lost about 40% of its value between 1997 and 2018 due to inflation.**<sup>7</sup>

In NYS, TANF is provided to OTDA for distribution to each county. Counties ultimately decide which specific social services programs in their community to fund and at what level. The 2018 TANF grant to NYS was \$2.7 billion and New York State matched funds with \$2.7 billion. According to the Center on Budget and Policy Priorities, that same year, NYS spent \$32 million – less than 1% of the total TANF grant and matching funds – on programs related to health, mental health, substance abuse, disability services, housing counseling, family support, and DV. **This was nearly \$15 million less than what NYS spent on these services in 2017.**<sup>8</sup>

In information provided to federal officials in 2018, OTDA reported spending \$54 million a year of its TANF grant on residential DV services.<sup>9</sup> In addition, NYS sets aside \$3 million of TANF for non-residential DV services, the same amount set aside 20 years ago when it was first proposed. If the funding was adjusted for inflation, it would have been set at \$4.58 million.

Some TANF funds are earmarked to each county as Flexible Fund for Family Services (FFFS) grants. Each county may transfer up to 25% of these funds to its Title XX Social Services Block Grant (see above). If transferred, these funds must be used for children and families with incomes below 200% of the federal poverty level and recipients must be U.S. citizens or qualified aliens. There are additional eligibility requirements for use of the funds for APS/DV services. The state's annual FFFS allocation is \$964 million.

- **Family Violence Prevention and Services Act Program (FVPSA).** FVPSA supports emergency shelter, domestic violence services, and state coalitions like NYSCADV so they can provide technical assistance and support to programs. FVPSA is administered by the Federal Department of Health and Human Services. The 2020 FVPSA grant to NYS was \$5.28 million.

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<sup>6</sup> New York State Office of Children and Family Services and New York State Office of Temporary and Disability Services, August 30, 2018, *Funding to Local Domestic Violence Programs Comprehensive Services, State Domestic Abuse Grant Program Revenue Sources and Amounts*.

<sup>7</sup> Center on Budget and Policy Priorities, February 25, 2020, *State Fact Sheets: How States Spend Funds Under the TANF Block Grant*, Retrieved from [https://www.cbpp.org/sites/default/files/atoms/files/tanf\\_spending\\_ny.pdf](https://www.cbpp.org/sites/default/files/atoms/files/tanf_spending_ny.pdf)

<sup>8</sup> Ibid.

<sup>9</sup> New York State Office of Children and Family Services and New York State Office of Temporary and Disability Services, August 30, 2018, *Funding to Local Domestic Violence Programs Comprehensive Services, State Domestic Abuse Grant Program Revenue Sources and Amounts*.

FVPSA funds flow to OCFS, which then distributes the funding via contracts to licensed residential and non-residential DV programs. DV programs are required to provide an additional 20% of the grant total in a cash and/or in-kind match for continuing projects.

- **Victims of Crime Act Program (VOCA).** VOCA funds are intended to provide direct services to crime victims, including sexual assault crisis centers, DV shelters, child abuse treatment facilities and community-based victim service organizations. In NYS, funding is administered by the state Office of Victim Services (OVS) and provided as sub-grants to eligible organizations or as financial assistance and reimbursement to victims for crime-related out-of-pocket expenses. Over the past several years, deposits to VOCA have decreased dramatically. **In fact, New York’s 2019 VOCA grants were nearly \$65 million less than in 2018.** OVS has warned DV not-for-profit agencies in April 2020 that it may have to “opt out” of existing two-year renewal options for current contracts and it may have to reduce funding levels in its next round of contracts. Nationally, declines are expected to continue, and potentially worsen, unless Congress takes action to improve the health of the Crime Victims Fund.<sup>10</sup>
- **Violence Against Women Act STOP Grants (VAWA STOP).** STOP grants, which are administered by the NYS Division of Criminal Justice Services (DCJS), are intended to improve the criminal justice system’s response to violence crimes against women and strengthen provision of services for women who are victims of violent crimes. STOP funding must be distributed according to the following formula: 25% to law enforcement; 25% to prosecutors; 30% to victim services; 5% to state and local courts; and the remaining 15% is discretionary. **New York’s VAWA STOP grant in 2019 was \$8.16 million less than in 2018.** According to its latest Request for Proposals, issued in 2020, DCJS estimates having approximately \$6.5 million available annually for sub-grantee awards.

## **Section 4: A New Statewide Funding Plan Needed for Survivor-Centered DV Services in New York State**

A transformation of New York’s funding model for provision of DV services statewide should achieve the following objectives:

**1. Become Truly Survivor-Centered:** Governor Cuomo’s COVID-19 DV Task Force issued a report in May concluding, “Honoring survivors’ desires and individual goals for themselves and their families must be a centerpiece of the service delivery system. Too often, existing systems and funding mechanisms have taken a ‘one-size-fits-all’ approach to domestic violence housing that offers survivors no choices.”<sup>11</sup>

New York’s DV advocates agree that the State’s DV service delivery system should prioritize the rights, needs and wishes of the survivor. The core principles of survivor-centered advocacy include respect, trust, healing, self-determination, physical and emotional safety, trauma response, cultural responsiveness and connection. It means survivors aren’t told what they ought to do. Rather, they are provided with comprehensive information to allow them to decide next steps for themselves. It means creating a supportive environment where survivors’ rights are respected, where they are treated with respect and dignity, and where their ability to identify and express individual needs and desires are promoted. It is incumbent upon New York to foster a survivor-centered system.

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<sup>10</sup> National Association of VOCA Assistance Administrators et al., *The Victims of Crime Act: Addressing the Crisis & Ensuring Sustainability to Meet the Needs of Victims*, July 24, 2020.

<sup>11</sup> The New York State Council on Women and Girls COVID-19 Domestic Violence Task Force, *COVID-19 Domestic Violence Task Force Recommendations*, May 28, 2020, pg. 3.

**2. Integrate non-residential and residential DV services to ensure survivors are able to access a variety of services and programs:** By using a per diem funding model, New York’s system places an emphasis on residential programs to the exclusion of other services, such as primary prevention, legal services, children’s services, broad-based support services, coordinated community response efforts, immigration services, safety planning, and systems advocacy. Yet more DV survivors are seeking to obtain non-residential support today than ever before. According to the latest national census, in one day in 2019, more than 2,600 adults and children in New York received non-residential assistance and services, including individual counseling, legal advocacy, and children’s support groups.<sup>12</sup> Assuming that request level remains somewhat consistent throughout the year, nearly one million requests for non-residential services would be made annually in New York.

**3. Establish and rely on state funding instead of TANF as the primary funding stream for DV services in order to truly comply with VAWA and FVPSA provisions:** New York State has twice committed to the federal government that it will use state-originating dollars, rather than TANF funding, to support DV services.<sup>13</sup> New York State estimated in its correspondence that \$60 million of TANF funding is used for this purpose. However, as of the FY’20-’21 State budget, the State is still relying on TANF to fund a majority of DV services in New York State.

The annual federal TANF block grant has been frozen since its creation and lost about 40% of its value between 1997 and 2018 due to inflation.<sup>14</sup> As a result, New York has not been able to keep pace with inflation, increased costs, and the increased demand for services. This has led to overall funding for New York’s DV providers being flat for years, leading to significant service gaps and inconsistent service delivery across the State. Currently, most DV providers are focused on the challenges of keeping their doors open, rather than investing in new, innovative programming that could better support DV survivors.

Insufficient funding also restricts DV programs’ ability to offer competitive wages and benefits to staff. Today, a significant number of program staff is paid little more than minimum wage, despite the high level of skills needed to provide comprehensive advocacy for adults and children who have experienced significant and severe trauma and abuse. This makes it extremely challenging for DV advocates to recruit and retain highly-qualified employees, which negatively impacts the delivery of services to survivors.

NYSCADV and DV advocates urge New York State to fulfill its commitment and establish a state funding source, administered by OCFS, rather than TANF funding, to support New York’s DV services.

**4. Reduce administrative burdens placed on DV programs:** Five New York State agencies share responsibility for implementing New York’s current funding and regulatory framework for DV providers — OCFS, OTDA, OVS, DCJS, and OPDV. In addition, county DSSs are responsible for providing TANF/Title XX per diem reimbursements to residential DV programs, and contracting with DV programs for non-residential services. Each state agency and DSS has its own reporting and oversight requirements, its own methodology for tracking DV services and outcomes, its own definitions for units of service, its own inspection/audit process, etc.

DV providers invest significant staff time and resources satisfying the myriad requirements placed upon them by these multiple agencies — time and resources that would be far better spent on providing services to DV survivors. Further, New York State does not fund or support one reporting database to track DV service providers’ activities and data, causing additional, unnecessary redundancy.

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<sup>12</sup> National Network to End Domestic Violence, National Domestic Violence Counts Census 2019

<sup>13</sup> Laura Velez, Deputy Commissioner, Child Welfare and Community Services, OCFS, to Kenya Fairley, Acting Director, Division of Family Violence Prevention and Services, Administration for Children and Families, U.S. Department of Health and Human Services, August 14, 2018 and November 21, 2018

<sup>14</sup> Center on Budget and Policy Priorities, February 25, 2020, *State Fact Sheets: How States Spend Funds Under the TANF Block Grant*, Retrieved from [https://www.cbpp.org/sites/default/files/atoms/files/tanf\\_spending\\_ny.pdf](https://www.cbpp.org/sites/default/files/atoms/files/tanf_spending_ny.pdf)

To reduce monitoring redundancy and onerous reporting requirements, DV advocates recommend:

- OCFS becomes responsible for contracting with DV service providers for all DV services, eliminating the bifurcation of residential and non-residential services. OCFS is already responsible for licensing and supervising New York's primary purpose DV service providers. OCFS is also responsible for establishing and updating comprehensive regulations addressing residential and non-residential DV programs in the state. Under this proposal, in addition to these duties, OCFS would become responsible for administering federal funding used to support DV services (Title XX, FVPSA, VAWA, VOCA). This would enable DV service providers to submit one annual report to OCFS, along with quarterly updates;
- Establishment and maintenance of one central database for DV service providers to report data and budgetary information. The database can be administered by OCFS in coordination with NYSCADV or by NYSCADV in coordination with OCFS, as is the practice in many other states; and,
- Re-establishing a monthly drawdown/payment process for all DV service providers.

**5. Enable DV programs and survivors to determine when a survivor is ready to leave shelter:** State statute limits a DV survivor's stay in shelter to a maximum of 180 days. Often, this isn't enough time for a survivor to address the impacts of the abuse. Nor does this length of time enable survivors to work with DV advocates to gather the resources needed for them to be physically, mentally, and economically prepared to transition out of shelter. More time may be needed to find affordable, accessible housing or employment, to obtain healthcare or resolve court proceedings. Without significant assistance, survivors and their children often end up in homeless shelters or on the streets, unable to turn their lives around and unable to remain safe.