

COMMITTEE REPORT
HOUSE

(11)

FURTHER:

3/27/85

Date: 3-27-85

The Committee on FINANCE has had SD 17

"An Act extending the termination date of the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

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[Signature]

[Signature]

[Signature]
CHAIRMAN

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

<p><u>REQUEST</u> Bill/Resolution No.: <u>SB 172</u> Title: <u>Extending termination</u> <u>date/Council on Dom.Vio.Sexual</u> Sponsor: <u>State Affairs Comm.</u> Requestor: <u>House Finance Comm.</u> Date of Request: <u>5/2/85</u></p>	<p><u>FISCAL DETAIL</u> Agency Affected: <u>Public Safety</u> Program Category Affected: _____ <u>Assault</u> BRU, Program or Subprogram(s) Affected: _____</p>
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EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-				
CAPITAL		-0-				
REVENUE		-0-				

FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS		-0-				
OTHER		-0-				
TOTAL		-0-				

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Al Adams, Chair *APA* Phone: 465-3706
 Division: House Finance Committee Date: 5/2/85

Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

Introduced: 2/21/85
Referred: State Affairs
and Finance

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE

2 SENATE BILL NO. 172

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act extending the termination date of the Council
7 on Domestic Violence and Sexual Assault; and provid-
8 ing for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 44.66.010(a)(11) is amended to read:

11 (11) Council on Domestic Violence and Sexual Assault
12 (AS 18.66.010) - June 30, 1989 [1985];

13 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
14 10.070(c).



Alaska State Legislature

HB
87

House of Representatives

Committee on State Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

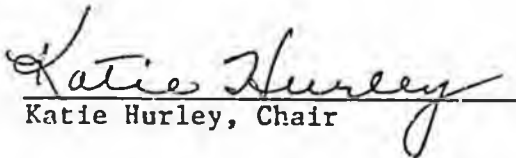
Representative Ben Grussendorf, Speaker
House of Representatives
Pouch V
Juneau, Alaska 99811

January 31, 1985 (907) 465-4963

Dear Mr. Speaker:

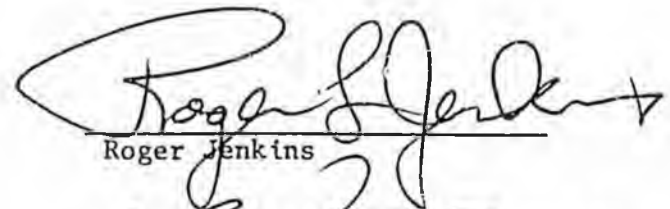
The House State Affairs Committee had under consideration for "Sunset Review" the Council on Domestic Violence & Sexual Assault pursuant to your referral under AS 44.66.050. The Committee has determined that there is a public need for the Council and recommends "do pass" to HB 87 "An act extending the termination date of the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

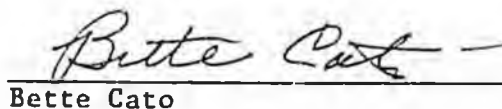
In accordance with statutory requirement a public hearing was held on the review of the Board and the Committee examined the performance audit of the activities of the Board prepared by the Legislative Budget & Audit Division.

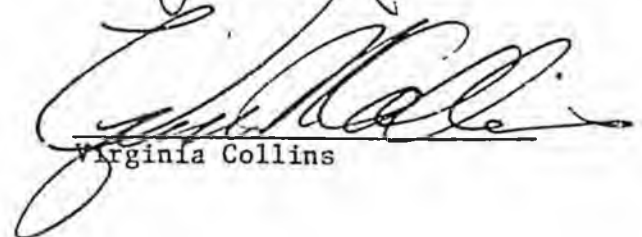

Katie Hurley, Chair

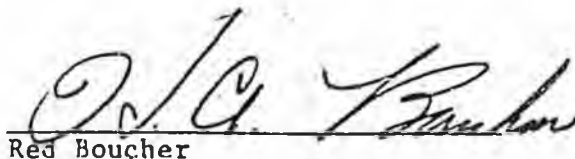

Mike Navarre, Vice-Chair


Mike M. Miller


Roger Jenkins


Bette Cato


Virginia Collins


Red Boucher



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 18, 1985

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that will extend the existence of the Council on Domestic Violence and Sexual Assault to June 30, 1989. Under the current AS 44.66.010(a)(11), the council is scheduled to "sunset" June 30, 1985. This extension is necessary to continue the help to adult and child victims of domestic violence and sexual assault provided by council-funded crisis intervention and prevention programs.

The council provides coordination, funding, and planning for programs serving victims of domestic violence and sexual assault. The council's composition and duties are set out in detail in AS 18.66.010 -- 18.66.900. In addition, the council has recently been assigned additional responsibilities by the "Child Sexual Abuse Agreement for Alaska," in response to the apparently increasing need for protecting children from sexual molestation. This agreement, between the Departments of Law, Public Safety, Corrections, and Health and Social Services, is a product of the criminal justice work group.

Domestic violence and sexual assault continue to be major problems in Alaska. In 1982, Alaska had the highest rate of rape and the second highest rate of homicide in the nation. In comparing relationships of homicide victims to perpetrators, Alaska continually has a higher rate among family members than nationally. The number of suspected child sexual abuse cases reported to the division of family and youth services, plus adjudicated cases of child sexual assault, has more than tripled from FY 80 to FY 83.

The council funded 23 domestic violence and sexual assault programs in FY 85. These programs provide shelter, crisis

intervention, counseling, and support to victims and their families. An example of increased demand on domestic violence/sexual assault programs is seen in the increased number of shelter and safe home nights that are used. In FY 83, council programs provided 26,243 shelter and safe home nights compared to 36,457 provided in FY 84.

I urge your favorable action on this needed measure.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Sheffield".

Bill Sheffield
Governor

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST
 Bill/Resolution No.: HB 87
 Title: Extending Termination Date
of Council on Domestic Violence
 Sponsor: _____
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL
 Agency Affected: Public Safety
 Program Category Affected: Council on Domestic
Violence and Sexual Assault
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Paul Conger Phone: 465-4338
 Division: Administrative Services Date: 12-4-84

Approved by Commissioner: [Signature] Date: 12/6/84
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

Representative Ben Grussendorf
Speaker
House of Representatives
Capitol Room 206

Page one

Dear Mr. Speaker:

In accordance with AS 44.66.050 the House State Affairs Committee commends that the Council on Domestic Violence and Sexual Assault be continued until 1989. The Committee found no compelling reason to sunset the Council. The Committee voted unanimously "do pass" to HB 87, an act relating to the Council on Domestic Violence. This bill would continue the Council until 1989. In accordance with statutory mandate, the Committee has made the following determination concerning the public need for the Council after taking into consideration the Legislative Budget and Audit Report:

FINDINGS

- I. The extent to which the council has operated in the public interest.

The major area in which the Council operates in the public interest is in funding, monitoring and providing technical assistance to community domestic violence and sexual assault program. These programs provide services to victims, their families and communities to reduce and prevent trauma associated with domestic violence and sexual assault.

The Council has developed and distributed several educational films and curriculum addressing the issues of domestic violence and sexual assault. Among these are "Village to Village", a film about domestic violence in rural Alaska; and "It's Okay to Say No", and "Aware not Afraid" films for children about their personal safety. These films are available to all interested persons, and the children's film has been used in several primary and secondary schools in Alaska.

- II. The extent to which the operation of the Council has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resources, and personal matters.
- A. The Council staff, through its program evaluations, and financial reviews, have provided technical assistance to grantees. The Council through these reviews, not only safeguards state funds but also ensures the quality of services to the public.
- B. The Council is in the process of developing a statewide plan for growth of domestic violence and sexual assault programs to ensure that services are available where they are most necessary. Implementation of this plan will enhance the operation of the Council.
- C. The Committee notes that the Council has not developed an adequate data system as required by AS 18.66.050 (a) (5) but believes the council is taking adequate steps to improve its data system.
- III. The extent to which the Council has recommended statutory changes which are generally of benefit to the public interest.
- A. The Council has aided in the passage of the following:
1. AS 18.68 - Sexual assault investigations. Provides for a uniform sexual assault examination kit; protocols governing the use and distribution of the kit; and training in the protocols and use of the kit.
 2. AS 18.65 - Police training about new domestic violence (DV) laws. How to handle DV incidents; and notification of the victim of rights and services provided by the State.
 3. AS 12.25.030 - Arrests of perpetrators of domestic violence on the charge of fourth degree assault. The police officer needs only reasonable cause to arrest on fourth degree assault.

4. AS 11.41 - Various definitions and grades of sexual assault.
5. AS 22.15.100 and AS 25.35 - Broadens the powers of a judge and the uses of the injunctive relief orders (or temporary restraining order). Also reaffirms the consequences to the perpetrator of disregarding a restraining order. Restraining orders allow the victim to remain in the home in relative safety for a limited time.

IV. The extent to which the Council has encouraged interested persons to report to it concerning the effects of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

A. The Council encourages interested parties to comment on its decision or regulations by publicly announcing its meetings. The Council also encourages input about its policies from the Alaska Network on Domestic Violence and Sexual Assault.

V. The extent to which the Council has encouraged public participation in the making of its regulations and decisions.

A. The Council has made extensive efforts to inform the public about domestic violence and sexual assault issues. A teleconference in December 1983 was preceded by mailing notices statewide to interested parties. In addition, the Council organized a statewide teleconference between Alaska and the U.S. Family Violence Task Force in Washington D.C.

B. The Council has encouraged participation in the making of its regulations by working closely with the Network on Domestic Violence and Sexual Assault. Preliminary drafts of regulation were disseminated to DVSA programs statewide for comments.

VI. The efficiency with which public inquires or complaints regarding the activities of the Council filed with it, with the department to which the Council is administratively assigned, or with the Office of the Ombudsman have been processed and resolved.

No problems in this area.

VII. The extent to which the state personnel practices, including affirmative action requirements, have been complied with by the Council to its own activities and other areas of interest.

No problems in this area.

VIII. The extent to which the statutory, regulatory, budgeting or other changes are necessary to enable the Council to better serve the interests of the public and to comply with the factors enumerated in this subsection.

A. It is the opinion of grantees interviewed by the Legislative Budget & Audit division and at least one Council member, that the composition of the Council should be changed. Most of the grantees agreed upon the following suggestions:

1. Appointments of representatives from more geographical regions of Alaska. At present five of the seven members reside in Southeast Alaska.
2. Appointment of a Council member who is involved in law enforcement.
3. Appointment of more public members.

RECOMMENDATIONS

The Committee recommends that the Council be continued until 1989. The Council serves as a funding and coordinating agency for domestic violence and sexual assault services. The Council has funded twenty-three community based programs to provide shelter, crisis intervention, support advocacy, and prevention/education services for victims, their families and communities. It is these programs that keep victims safe, provide emotional support during times of extreme trauma after a rape or beating. These programs have taught batterers mechanisms to stop their violence and to adopt to alternative behaviors. These programs train police officers, advocate for victims rights and coordinate with district attorneys, mental health centers, alcohol programs and social workers to better serve victims and their families.

The Council has also coordinated with school systems to teach children about their right to say no to an adult who is abusing them and how they can report abuse and get assistance. It is these programs that the Council coordinates, that have helped Alaskans face the tragic reality of domestic violence and sexual assault.

The Committee identifies no problems at this time and makes no further recommendations at this time in accordance with AS 44.66.050 (d).

Katie Hurley
Representative Katie Hurley, Chair

A PERFORMANCE REPORT ON THE
DEPARTMENT OF PUBLIC SAFETY
COUNCIL ON DOMESTIC VIOLENCE
AND SEXUAL ASSAULT

July 13, 1984

Audit Control Number

12-1178-84-R

Commissioner, Department of
Public Safety

Robert Sundberg

Members of the
Council on Domestic Violence and Sexual Assault

Chair	Peggy Ormasen
Public Member	Diane Carpenter
Public Member	Jana Varrati
Designee of the Commissioner, Department of Public Safety	Jos Mapranath
Designee of the Attorney General, Department of Law	James Fisher
Designee of the Commissioner, Department of Education	Alison Elgee
Designee of the Commissioner, Department of Health & Social Services	Michael Price

STATE OF ALASKA

AUDIT DIVISION
POUCH W
JUNEAU, ALASKA 99811

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

August 7, 1984

Members of the Legislative Budget
and Audit Committee:

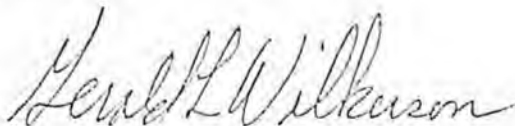
In accordance with the intent of Titles 24 and 44 of the
Alaska Statutes, the attached report is submitted for your
review.

A PERFORMANCE REPORT ON THE
DEPARTMENT OF PUBLIC SAFETY
COUNCIL ON DOMESTIC VIOLENCE
AND SEXUAL ASSAULT

July 13, 1984

Audit Control Number

12-1178-84-R



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

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PURPOSE AND SCOPE OF THE REPORT

Purpose

In accordance with the intent of Titles 24 and 44 (sunset legislation), we conducted an examination of the Department of Public Safety, Council on Domestic Violence and Sexual Assault (CDVSA), to determine if the Council has been operating in an efficient and effective manner and also if there is a public need for the program.

As required by legislative intent, this report shall be considered during legislative hearings in determining whether the CDVSA should be reestablished. Currently, the law specifies that this program will terminate as of June 30, 1985.

Scope

Our review consisted of evaluating the efficiency and effectiveness of the Council in (1) coordinating services provided by State and community agencies in response to domestic violence and sexual assault (DVSA) incidents; (2) developing, implementing, maintaining, and monitoring DVSA programs; (3) developing and implementing a standardized data collection system; (4) awarding grants and contracts; and (5) providing fiscal and technical assistance to grantee programs.

We reviewed the following sources of information:

1. Applicable statutes and legislative intent;
2. Budget documents;
3. Minutes of Council Meetings and attendance at the FY 85 funding meeting in June 1984;
4. Grantee performance and fiscal reviews prepared by Council and Public Safety personnel;
5. Interviews with various grantees;
6. Review of data collection forms and quarterly reports;
7. Interviews with various Council members; and
8. Office of the Ombudsman, State Equal Employment Opportunity Office, and the Human Rights Commission were contacted for information about complaints.

The policy and audit approach utilized by the Division of Legislative Audit for Performance Review can best be described as "audit by exception".

This methodology focuses audit effort on areas of an auditee's operations that have been identified by a preliminary survey as having a high degree of probability for needing improvements.

Therefore, by design, finite audit resources are used to identify where and how improvement can be made, and little time is devoted to reviewing well-run operations or programs. Consequently, this report highlights those areas needing improvement and does not emphasize those operations and programs that are properly functioning.

ORGANIZATION AND FUNCTION

Title 18 of the Alaska Statutes gives the Department of Public Safety the authority to ". . . provide for planning and coordination of services to victims of domestic violence or sexual assault or to their families and to perpetrators of domestic violence and sexual assault and to provide for crisis intervention and prevention programs." The Department has met these statutory duties by the establishment of the CDVSA.

A large part of the Council's responsibility is their directive to "receive and dispense State and Federal money and award grants and contracts from appropriations for the purpose to qualified local community entities for domestic violence, sexual assault, and crisis intervention and prevention programs." The Council is also responsible to provide technical assistance and monitor the activities of various contractors and grantees.

The Council consists of seven members, of which four are the commissioners, or their designees, of the Departments of Public Safety, Health and Social Services, Education, and Law. The balance of the Council is comprised of persons recommended by the Network on Domestic Violence and Sexual Assault (a non-profit, private organization), and appointed at the Governor's discretion.

As of the date of this report, the Council is staffed by an executive director, a project coordinator, and a secretary.

The Network on Domestic Violence and Sexual Assault is a federation of domestic violence shelters and counseling centers throughout the State. Prior to the creation of the Council by the 1981 Legislature, the Network provided much of the organizational structure of the State's domestic violence and sexual assault program.

The community programs, which make up the Network on Domestic Violence and Sexual Assault, provide a variety of services to the public. Most importantly, their efforts are directed toward providing the victim with a safe environment by use of shelter and safe home networks. In addition, the programs are involved in educating and counseling the victim about domestic violence and sexual assault issues.

The counseling approach used by the programs is described as "empowerment". Empowerment's objective is to acquaint the victim with the law and victim rights; the cycle of domestic violence; the availability of jobs, child care, food stamps, and medical assistance; and to support and encourage the victim while she is learning self-dependence. The goal of this counseling method is to change the victim's beliefs

about herself and to provide her with alternatives. It attempts to teach self-reliance.

Most recently, the Council has sponsored individual counseling programs for abusers which concentrate on reducing violent behavior. The community domestic violence and sexual assault programs, in cooperation with police and the court system, have implemented model projects in Dillingham and Anchorage that favor arrest, prosecution, sentencing, and counseling directed toward the batterer.

REPORT CONCLUSIONS

Policy Issues

This report contains policy issues raised as a result of our evaluation of various Council endeavors. The final policy decisions affecting these endeavors are not within the scope of this review but require legislative consideration. In debating these issues, the legislative oversight committees should consider the findings presented in this report so that the potential impact of policy changes can be evaluated.

Report Conclusions

In our opinion, the CDVSA should be reestablished. However, the Council should address the following issues in order to more effectively serve the public interest and perform its statutory duties.

1. The CDVSA should conduct their meetings in accordance with the State's public meeting law (see Recommendation No. 1).
2. The CDVSA should improve both the consistency and analysis of data collected from grantee programs (see Recommendation No. 2).
3. The CDVSA should develop and use coordinated, consistent, and comprehensive criteria in order to establish priorities for funding (see Recommendation No. 3).
4. The CDVSA should more actively promote a formal coordinated response by State agencies to the problems of domestic violence and sexual assault at both the State and local level (see Recommendation No. 4).

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Council on Domestic Violence and Sexual Assault (CDVSA) should conduct their meetings in accordance with the State's public meeting law.

On June 8, 1984, during the course of their funding meeting, CDVSA voted 5-1 to enter executive session. The stated reason for closing the meeting was to consider the impact of gubernatorial budget document language on grant funding decisions.

In addition to this most recent instance, our review of the minutes of the past CDVSA meetings indicated that CDVSA invoked executive session privileges on numerous occasions. Since October 9, 1982, CDVSA has entered executive session eight times. In two instances, the minutes do not reflect any stated reason for entering executive session.

AS 44.62.310(a) requires that all State agency meetings are to be open to the public with three exceptions set out in AS 44.62.310(c). These statutory exceptions allow executive sessions for discussion of the following topics:

1. Matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the government unit;
2. Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; and
3. Matters which by law, municipal charter, or ordinance are required to be confidential.

CDVSA's representative from the Department of Law advised that the Council's action on June 8, 1984, did not meet with these exceptions. Judicious use of executive session privileges not only assures compliance with the open meeting law, but also encourages public participation in the making of its regulations and decisions, which is a determinant of public need for CDVSA under the State's "sunset" statute (AS 44.66.050[c][5]).

Recommendation No. 2

The Council should improve both the consistency and analysis of data collected from grantee programs.

CDVSA is required by AS 18.66.050(a)(5) to develop and implement a standardized data collection system on domestic violence, sexual assault, and crisis intervention. In November 1981, CDVSA hired a Research Analyst to devise a system of data collection; to develop forms to standardize the system; and, to provide training to the various grantees in the use of the forms. The position was also responsible for the oversight and review of the system to ensure that the information being gathered was consistent, relevant, and valid.

However, due to the level of funding for personal services in the FY 84 budget, the Research Analyst was laid off in September 1983. Since that time, there has been limited review of the system and the data collected. As a result, much of the information being compiled is invalid and misleading.

The following examples show the problems with the data collection effort:

1. Definitions Inconsistently Applied

"Client Adult". The Council needs to decide what constitutes a client adult. This term refers to a person who has either witnessed an incident of domestic violence or sexual assault or is a relative or friend of a victim or perpetrator.

It appears that this term is overused as it does not seem reasonable to classify the following types of individuals as client adults:

- a. Persons who report an incident and receive information on what services are offered by a CDVSA program, but have no other contact.
- b. Teachers, medical professionals, or other like professionals, who may contact a program regarding a student or patient victim.
- c. Persons who accompany a victim to a program who receive no service other than responses to inquiries on behalf of a victim, e.g., a person who inquires of legal remedies available to a victim is currently counted as "legal assistance".

"Medical Accompaniment". This term is being applied to count not only the victim requiring medical attention but also a friend or relative who may be accompanying the victim.

"Crisis Counseling". This term is being applied in cases where the victimization occurred as many as

twenty years prior to becoming a program client. It is also being applied in cases where a professional, such as a teacher, contacts the program for what would more reasonably be termed professional consultation.

2. Incidence Data (number of occurrences of victimization) vs. Client Data (number of clients served)

Confusion exists on whether the aim of the data collection effort is to count incidences or count clients, which has resulted in overstated and misleading data.

- a. Individual clients who were victimized on more than one occasion (some many years previous) are being counted, in at least one grantee program, once for each incident in which they are involved.
- b. Individual clients who were victimized by more than one perpetrator are being counted, in some cases, once for each perpetrator.

3. Separation of Services

CDVSA grantees often offer a wide range of services from various funding sources. Reports submitted by grantee programs often include not only domestic violence or sexual assault, but all services provided by the grantee, which tends to overstate the data.

4. Compilation and Reporting of Data

Since September 1983, the burden of compiling the data into a quarterly report has shifted to the individual grantees. The time expended on this statistical function results in less time being spent on the provision of direct services. The grantees also cannot be expected to employ individuals with statistical or data management expertise, yet they are being relied on as data managers. The grantee programs submit their data forms to CDVSA on a monthly or quarterly basis. CDVSA stores the documents without review or analysis.

Many of the problems with the data system could have been rectified if proper review and oversight had occurred. In this instance, simply stating that lack of funding was the reason for laying off the research analyst is insufficient. The lack of funding is due in part, to the CDVSA not following Legislative intent in FY 82 when the Council was first formed.

The Fiscal Note that accompanied the CDVSA legislation in FY 82 intended that employees of CDVSA be paid at the following levels:

1. Project Coordinator, range 18
2. Research Analyst, range 16
3. Clerk - typist, range 7

However, CDVSA chose to reclassify and hire at the following levels:

1. Executive Director, range 24
2. Program Coordinator, range 20
3. Research Analyst, range 16
4. Secretary, range 10

Since FY 82, the Legislature has either increased or held constant the funding for personal services. Consequently, prior position reclassification decisions made by CDVSA appear to have been largely responsible for the budgetary constraints that resulted in the loss of the research analyst.

However, the data collection function remains an important aspect of CDVSA efforts, and we feel that the lack of consistency in applying the terms; the lack of a consistent aim of collecting incident or client data; and the absence of evaluation and analysis, is producing irrelevant and unreliable information. Without reliable data, CDVSA and the Legislature do not know the true extent of the problems nor the success of the treatment method.

In order for CDVSA to effectively comply with their statutory responsibility to implement a reliable data collection system on which Legislative decisions can be based, the Council should revise and monitor the current system.

Recommendation No. 3

CDVSA should develop and use coordinated, consistent, and comprehensive criteria in order to establish priorities for funding.

CDVSA's most visible and important activity is its allocation of appropriated grant funds among the various community nonprofit agencies that provide services related to domestic violence and sexual assault. The types of services and the service delivery organizational structure vary by locale. In order to sort through the demands made on the available grant funding, CDVSA must establish priorities and develop funding criteria that reflect those priorities.

We do not believe that CDVSA has effectively established a well coordinated and comprehensive approach for making decisions. It was our observation at the most recent funding meeting (June 7-9, 1984) that Council members seemed to shift emphasis among various criteria during the three day

deliberations. Grantees that we interviewed also expressed dismay with the process, commenting that they felt that the decision-making criteria used differed from the criteria stated in CDVSA's request for grant proposals.

For the FY 85 grants, the CDVSA staff reviewed all grant applications and made funding level recommendations to the Council. The Executive Director stated at the meeting that the staff recommendations were based on the following general CDVSA policy precepts:

1. Priority is given to programs who provide safety to victims of domestic violence and sexual assault.
2. Priority is given to ongoing programs over requests from new start-up programs.
3. Among new community or regional requests, priority is given to areas that demonstrate a viable, active volunteer commitment to domestic violence and sexual assault victims.

It appears to us that little consideration was given to the staff recommendations. A major reason for the limited use of staff recommendations seemed to be an increased emphasis on intent language contained in the Governor's budget request. The Executive Director had not considered that budgetary intent when formulating her recommendations, yet CDVSA members began relying on it heavily after they were reminded of its existence half-way through the three day funding meeting.

The criteria used to develop the staff recommendations and the budgetary intent language essentially differed in degree of detail. However, the Council members apparently did not know of the Governor's intent for CDVSA's FY 85 budget until the funding meeting and only then started making funding decisions in that context. We feel that CDVSA would have made better use of their resources and would have made better coordinated and consistent funding decisions had they given the staff more direction. CDVSA could have had staff use the more specific gubernatorial intent (and by approval of the budget request, implicit legislative intent) when staff reviewed grant requests in preparing recommendations.

We feel that the rather disjointed, ad hoc approach that CDVSA ultimately used in making funding decisions resulted in decisions that were inconsistent with stated CDVSA policy, legislative intent, and sound grant funding management.

The following are some examples of funding inconsistencies:

1. Men's Support Network (MSN) - MSN provides prevention through education series in the Anchorage area. The program includes community presentation on the changing roles of men in today's society and crisis and group counseling to men in transition. MSN, however, does not counsel men involved in violent relationships. Batterers are referred for counseling to the men's program at the Abused Women's Aid in Crisis (AWAIC) shelter. During the third quarter of FY 84, MSN received one crisis call and was involved in four counseling sessions.

Staff recommended the Council either defund MSN, due to the lack of funds to fully support the shelter programs, or to fund the program at the level at which it could effectively operate. MSN in FY 84 had been funded at \$17,500, an amount insufficient to run this type of program effectively. In fact, the FY 84 grant was perceived as a phase-out grant. The Council ignored staff options and funded MSN at \$18,300 for FY 85, an increase of \$800, seemingly prolonging the phase-out period for another year.

We feel the staff recommendation to defund MSN in a year of limited funding would have been more appropriate, especially since this program does not counsel batterers but refers them to AWAIC for services. In our opinion, the Council did not follow its stated criteria nor the intent expressed in the budget process when funding MSN.

2. Kodiak Women's Resource and Crisis Center (KWRCC) - The Kodiak program was subject to severe internal strife in February 1984, resulting in terminations of essentially the entire staff and resignations of at least one member of the KWRCC Board of Directors. According to the CDVSA program evaluation, the safety of victims residing in the shelter was in question. Similarly, the most recent program evaluation stated the program was in turmoil and unable to provide the quality of services required by CDVSA.

Staff recommended maintenance funding plus \$2,000 for rural outreach. This would have increased funding 1% over FY 84 grant level to \$177,000. However, the Council funded Kodiak at \$187,500, an increase of 14.3%. We feel that staff recommendations expressed a more appropriate funding level, especially when viewed within the context of victim safety. Until a follow-up evaluation of the Kodiak program was performed, we feel it would have been more prudent to follow the staff recommendation.

3. Men Emerging Now (MEN) - Juneau's MEN program received a FY 85 grant of \$107,500 which represented a 7.5% increase over their FY 84 \$100,000 grant. MEN provides counseling to men who batter.

CDVSA staff had recommended that MEN receive no increased funding. Of the seven shelter programs that received less of a percentage increase than MEN, six of them received less than or the same as the staff recommendations.

We feel that the staff recommendations were more in line with legislative intent that shelters and safe homes receive priority in funding over men's counseling programs (SJR 6, SLA 1982). CDVSA, by seemingly rejecting those recommendations, was not in accordance with legislative intent and CDVSA's guidelines to give priority to programs providing immediate safety to victims.

Recommendation No. 4

CDVSA should actively promote a formal coordinated response by State agencies to the problems of domestic violence and sexual assault at both the State and local level.

CDVSA is statutorily responsible for coordination of services provided by the Departments of Law (DOL), Education (DOE), Public Safety (DPS), Health and Social Services (DHSS), and other State or community groups dealing with domestic violence, sexual assault, and crisis intervention and prevention (AS 18.66.060[a][4]).

CDVSA has stressed to local community grantees the importance of developing cooperative working relationships with police, district attorneys, judges, and education, social service, and medical service agencies. However, we found through interviews with grantee managers that oftentimes the degree of cooperation in the community depends on the attitude and commitment of the individuals involved. As a result, cooperation and coordination is sometimes lacking and must be continually reestablished as individuals in the various positions change.

A contributing factor to this disjointed local coordinative effort is lack of clear and established statewide policy by affected agencies. For example, various DHSS offices in the local community should be able to look to their respective division directors for policy and guidance about how to coordinate service delivery with local domestic violence and sexual assault agencies. A more formal coordinated policy regarding domestic violence and sexual assault services from each affected State agency would help promote continuity.

increasing both the efficiency and effectiveness of service delivery to victims.

Besides providing better direction at the local level, various State agencies need to adopt a formal policy agreement at the State level. CDVSA, together with the Criminal Justice Working Group with DOL, has been involved with developing a Child Sexual Assault Agreement between DOL, DPS, DHSS, and the Department of Corrections. This agreement has been in progress for three years and has yet to be signed by all Departments, although we are told an agreement is near.

However, no policy has been drafted to develop guidelines for a coordinated approach to domestic violence issues. This is due in part to the difficulty of defining and agreeing to the limits of domestic violence. Most people will agree that any sexual approach to a child is morally and legally wrong. It is not as easy to gain a consensus of opinion on the moral and legal limits of domestic violence affecting adults.

Although we recognize the difficulties CDVSA has and will encounter in coordinating these services, more emphasis needs to be placed on formulating guidelines to deal with domestic violence. CDVSA has made some progress in their efforts to coordinate service delivery in Alaska, but much more effort is needed on the State and local level in order to fulfill CDVSA's statutory obligations.

AUDITOR'S COMMENTS

The following is a discussion of two recent studies that point out the importance of coordinated intervention in DVSA cases. The Duluth, Minnesota project was spearheaded by Minnesota Program Development, Inc. and titled Domestic Abuse Intervention Project (DAIP). The Minneapolis Domestic Violence Experiment was funded by the National Institute of Justice, the Minneapolis Police Department, and the Police Foundation, and was limited to assessing the effect of arrest on the occurrence of violence.

Domestic Abuse Intervention Project (DAIP)

The DAIP makes a strong case for a coordinated, comprehensive intervention program which emphasizes arrest, prosecution, sanctions, and counseling directed toward the batterer. The intervention methods used in violent cases in this project were not unique to DAIP, the primary difference was the cooperation of nine agencies when responding to DVSA cases. After six months, the project team evaluated the results of the program and found the following:

1. For those suspects arrested with the officer as the complainant instead of the victim, 70% pled guilty;
2. With the no drop policy, suspects were prosecuted and sentenced;
3. Counselors were convinced that treating the violence instead of the relationship was conducive to reducing violent behavior; and
4. Recurrences of violence between DAIP couples dropped 26%.

The DAIP intervention strategy was built around the following policy changes:

1. Police - Full utilization of the liberalized probable cause arrest law in domestic violence situations. Officer discretion for arrest would no longer be based on the reasons for the violence but strictly on whether there was probable cause to believe an assault had occurred. When responding to DVSA calls involving cohabiting adults, the officer would arrest if three conditions were met:
 - a. The alleged assault occurred within four hours of the officer's arrival and

- b. There are visible signs of injury or physical impairment on the victim and
 - c. Based on the statement of the parties and the officer's observations, the officer has probable cause to believe an assault had occurred.
2. Prosecution - The police officer, rather than the victim, would become the complaining witness; an advocate would be assigned to each victim to educate her about the court procedures and to encourage prosecution; and, a policy was adopted against dropping charges when the victim requested.
3. Court - If found guilty, the Court would have three choices for sentencing. Sentencing would be preceded by an investigation to determine which option would be most appropriate.
- a. Jail sentence with no probation;
 - b. Suspended sentence with the abuser required to attend DAIP counseling and education program; and
 - c. Any combination of jail and counseling.
4. Counseling - The approach would be shifted from focusing on improving or ending the relationship to focusing on the violence. Hopefully, this switch would make the batterer realize that regardless of what events led to the assault, the use of violence was unacceptable and illegal.
5. Women's Shelter - The shelter staff would be required to advocate with the victim for mandatory arrest and prosecution of the suspects. Previously, shelters had supported the victim's decision when she wanted charges dropped. Also, the shelter would be required to send an advocate to the victim's home following an arrest and to maintain contact with the victim during and after batterers' counseling.

The results of the study strongly suggest that arrest, prosecution, sentencing, and counseling when used as a coordinated response directed toward the batterer, do reduce violent incidents.

The Minneapolis Domestic Violence Experiment

In Minneapolis, the passage of a more liberalized arrest law paved the way for a new approach to domestic violence cases. This experiment was designed to test three police responses to determine which would have the most effect in reducing violence. When police received calls concerning domestic

violence, they were required to alternate between three options as follows:

1. Arrest when there is probable cause to believe an assault occurred;
2. Counsel both parties, or
3. Send the assailant away for several hours.

The results of the Minneapolis study strongly suggest that arrest is the best approach to domestic violence. In addition, when the police officer offered to listen and showed interest in the victim's side of the story, the effectiveness of arrest was enhanced.

After six months the study team evaluated the effectiveness of each of the three methods and found the following:

1. The percent of suspects repeating violence, based on 314 official police records:
 - a. arrest - 10%
 - b. advise - 19%
 - c. send suspect away - 24%
2. The percent of suspects repeating violence, based on 161 victim interviews:
 - a. arrest - 19%
 - b. advise - 37%
 - c. send suspect away - 33%
3. The percent of suspects repeating violence when police listened to victim and arrested based on 194 victim interviews:
 - a. arrest and listening - 9%
 - b. arrest only - 26%
 - c. advise - 35%

Previously, the traditional police response to cases of domestic violence had been to do as little as possible because police believed the offenders would not be punished by the Courts if arrested. This study, on the other hand, suggests that arrest alone has some deterrent even without prosecution and court sanctions.

Implications for Alaska

We believe these studies have important implications for the intervention programs in Alaska. With passage of a liberal arrest law in 1983, the road is open to implement a strong, coordinated response to domestic violence. In fact, two

areas in Alaska, Dillingham and Anchorage, have already implemented procedures which favor arrest, prosecution, sentencing, and counseling of the batterer. Although the approaches differ somewhat, each city has emphasized the importance of arrest, prosecution, and cooperation.

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses show both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive but to address those areas we were able to cover in our review.

- I. The extent to which the Council has operated in the public interest.
 - A. The Council has developed and distributed several educational films and curriculum addressing the issues of domestic violence and sexual assault. Among these are "Village to Village", a film about domestic violence in rural Alaska; and "It's Okay to Say No", a film for children about their personal safety. These films are available to all interested persons, and the children's film has been used in several primary and secondary schools in Alaska.
 - B. The Council, by disregarding the open meeting law three times since October 1982, has left itself open to criticisms of not operating in the public interest (see Recommendation No. 1).

- II. The extent to which the operation of the Council has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resources, and personnel matters.
 - A. The Council staff, through its program evaluations, and financial reviews, have provided valuable technical assistance to grantees. The Council, through these reviews, not only safeguards State funds but also ensures the quality of services to the public.
 - B. The Council is in the process of developing a statewide plan for growth of domestic violence and sexual assault programs to ensure that services are available where they are most necessary. Implementation of this plan will enhance the operation of the Council.
 - C. The Council has not developed an adequate data collection system as required by AS 18.66.050 (a)(5) (See Recommendation No. 2).

III. The extent to which the Council has recommended statutory changes which are generally of benefit to the public interest.

A. The Council aided in the passage of the following:

1. AS 18.68 - Sexual assault investigations. Provides for a uniform sexual assault examination kit; protocols governing the use and distribution of the kit; and training in the protocols and use of the kits.
2. AS 18.65 - Police training about new domestic violence (DV) laws. How to handle DV incidents; and notification of the victim of rights and services provided by the State.
3. AS 12.25.030 - Arrests of perpetrators of domestic violence on the charge of fourth degree assault. The police officer needs only reasonable cause to arrest on fourth degree assault.
4. AS 11.41 - Various definitions and grades of sexual assault.
5. AS 22.15.100 and AS 25.35 - Broadens the powers of a judge and the uses of the injunctive relief orders (or temporary restraining order). Also reaffirms the consequences to the perpetrator of disregarding a restraining order. Restraining orders allow the victim to remain in the home in relative safety for a limited time.

IV. The extent to which the Council has encouraged interested persons to report to it concerning the effects of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

A. The Council encourages interested parties to comment on its decision or regulations by publicly announcing its meetings. The Council also encourages input about its policies from the Alaska Network on Domestic Violence and Sexual Assault.

V. The extent to which the Council has encouraged public participation in the making of its regulations and decisions.

- A. The Council has made extensive efforts to inform the public about domestic violence and sexual assault issues. A teleconference in December 1983, was preceded by mailing notices statewide to interested parties. In addition, the Council organized a teleconference between Alaska and the U.S. Family Violence Task Force in Washington, D.C.
- B. The Council has encouraged participation in the making of its regulations by working closely with the Network on Domestic Violence and Sexual Assault. Preliminary drafts of regulations were disseminated to DVSA programs statewide for comments.
- C. However, improper use of executive session at public meetings suggest a certain disregard to encouraging public participation in making Council decisions (see Recommendation No. 1).

VI. The efficiency with which public inquiries or complaints regarding the activities of the Council filed with it, with the department to which the Council is administratively assigned, or with the Office of the Ombudsman have been processed and resolved.

A. We found no problems in this area.

VII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the Council to its own activities and the area of activity or interest.

A. We found no problems in this area.

VIII. The extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the Council to better serve the interests of the public and to comply with the factors enumerated in this subsection.

A. It is the opinion of all of the grantees we interviewed and at least one Council member, that the composition of the Council should be changed. Most of the grantees' agreed on the following suggestions:

- 1. Appointment of representatives from more geographical regions of Alaska. At present five of the seven members reside in Southeast Alaska.

2. Appointment of an Alaskan native, who understands the complexities of providing services to rural Alaskans.
 3. Appointment of a Council member who is involved in law enforcement.
 4. Appointment of more public members.
- B. See Recommendations No. 1 through 4 for further discussion.

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

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October 1, 1984

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OCT 02 1984

LEGISLATIVE
AUDIT

Dear Mr. Wilkerson:

Thank you for the preliminary audit report, dated July 13, 1984. A committee of the Council on Domestic Violence and Sexual Assault (Council) developed the following response to your recommendations:

Recommendation #1: The Council on Domestic Violence and Sexual Assault should conduct their meetings in accordance with the State's public meeting law.

The Council agrees that their meetings should be conducted in accordance with the State's public meeting law and will continue to adhere to the requirements of the statute. This recommendation addresses two issues: a) the calling for an executive session at the Council's June 8, 1984 meeting; and b) the lack of clear statements in certain minutes regarding purposes for executive sessions. The Council will respond to each of these issues.

a) Regarding the executive session at the June 8, 1984 meeting: the public meeting statute was read during the meeting and the Council determined that the discussion concerning the letters from the Governor's office could affect the funding process in motion and therefore have an adverse affect upon the finances of the governmental unit. AS 44.62.310(C)(3) was the stated reason for holding an executive session with additional language regarding the letters added as clarification. The Council considered the input of the representative of the Department of Law and made the decision to go into executive session in good faith and with good cause.

b) As can be documented in recent minutes, the Council has taken action to remedy the lack of clarity, in previous minutes, of reasons to call for executive sessions. This remedial action occurred prior to the Legislative audit. Within the last year, the reasons for executive sessions were clearly stated at meetings and accurately reflected in Council minutes. According to a Council member present at the October 9, 1982 meeting, the two executive sessions in which the October 9, 1982 minutes do not state a reason for holding the sessions, were to discuss the embezzlement of funds in the Women In Crisis - Counseling Assistance program. Executive sessions were required because confidential police reports and personalities were discussed.

The Council will (guided by AS 44.63.310(c)) continue to use executive sessions with discretion, clearly state the reasons and accurately reflect the reasons in the minutes.

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Recommendation #2: The Council should improve both the consistency and analysis of data collected from grantee programs.

The Council agrees that its data collection effort should be improved. In fact, the auditors were requested by the Executive Director to explore data collection as an area of concern. The Council understands the need for accurate data and has taken steps to accurately explain and use the information provided by its data.

A half-time Data Processing Clerk II has been hired and data processing equipment is in the FY 85 budget. The half-time position and new equipment should enable the Council to compile, review and analyze data submitted by its funded programs. The securing of the additional personnel and equipment will allow the Council to alleviate the following shortcomings identified in the audit report:

1. Individual clients victimized more than once being counted more than once (Rec.2-2a). Each client receives only one ID number, so the Council will be able to delete duplicates when the system is automated.
2. Compilation of data (Rec.2-4). As soon as the system has been implemented, the Council will be able to compile the program data from individual client data forms. The Data Processing Clerk II is now on staff and has begun to review data forms for errors and inconsistencies.
3. Definitions inconsistently applied (Rec.2-1). The Data Processing Clerk II will check the client intake forms to assure that data is consistently and correctly applied throughout the programs. The Council agrees that an individual reporting an incident or a professional receiving consultation does not meet the definition of "client adult". The Council provided programs with a data dictionary that defines client adult as a "person 18 years of age and over admitted into a program for treatment and/or intervention as a result of a domestic violence and/or sexual assault incident directed towards another person who is a relative, neighbor, friend, etc."
4. Separation of Services - The Council will monitor data to assure that data reflects only the Council sponsored portion of the program.

Besides enhancing office capabilities, the Council, its planning committee, and staff will take a thorough look at the purpose, use and collection of data and make appropriate revisions in the system. Admittedly, there are aspects of the data forms and definitions that could be enhanced, clarified, and/or deleted.

Some items discussed in the data section are inaccurate and require further explanation.

"Definitions Inconsistently Applied"

Medical Accompaniment and Legal Assistance

It is consistent with the Council's definition of a client, for programs

to give legal and medical advocacy to client adults. Often a victim is so traumatized she/he cannot understand legal options, so the person who accompanies the victim receives the services in order to be able to assist the victim at a later time. Also, a person who is concerned and traumatized by a loved one's sexual assault and accompanies the victim to the hospital requires support and advocacy in her/his encounter with the medical system. The crisis advocate is often required to go back and forth between the victim and client adult explaining procedures and the medical process and intervening for both parties with medical personnel. In some cases, a program assigns two advocates to a sexual assault crisis call.

Crisis Counseling - In many cases, it is appropriate to consider a victim's disclosure about victimization as crisis counseling even if the disclosure occurs long after the sexual assault. Victims often try to bury and deny a sexual assault, particularly if it occurred when they were children. At the point a person stops denying the incident or recognizes the trauma and pain she/he has suffered, she/he is often in emotional crisis.

Council Office - A previous audit conducted in 1982 cited the Council for hiring above intent as stated in a fiscal note accompanying the Council's legislation effective in October 1981. The Council responded that staff were hired commensurate with responsibilities and with staff in other agencies in state government. It should be noted that neither the Council nor the Department of Public Safety classified these positions. Titles and ranges of positions were determined by the Department of Administration. In FY 82 and 83, the Council had four full-time positions: the Executive Director, Program Coordinator, Research Analyst and Secretary. There was insufficient funding in FY 84 to maintain these positions. In FY 85, the Council office has three and a half positions: Executive Director (Range 24), Program Coordinator (Range 20), Secretary (Range 10) and Data Processing Clerk, 1/2 time (Range 9).

Recommendation #3: CDV/SA should develop and use coordinated, consistent, and comprehensive criteria in order to establish priorities for funding.

The Council agrees that allocation of appropriated grant funds is an important activity and will continue to work toward improving the system. The Council developed and utilized the following priorities in making grant funding decisions for FY 85:

1. Programs which do not have minimum funding levels to operate safely and legally.
2. Programs which provide essential crisis intervention services.
3. Programs which address the needs of child victims or children of victims.
4. Existing programs will have priority over new programs.

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5. Programs in regional centers which provide prevention and education services to a larger geographic area.
6. Areas of extreme or special need (e.g. sudden influx of workers in small community, rapid increase in violent crime, withdrawal of other resources, etc.).
7. Programs which have been providing shelter through local or other state funds, but which are without operating funds.
8. Programs providing services to male batterers and/or sex offenders.

Also used in the review process and presented in the grant application were the attached criteria.

The process of distributing limited resources for such important functions was very difficult. Although the process may have appeared disjointed to some, it manifested the need for the Council to gather and process a great deal of complicated information in order to make rational decisions. The process may have been a clear reflection of the complexity and sensitivity of the issues the Council is empowered to handle. Intent language in the Governor's budget concerning the Council's funding of certain grants was an important issue and probably should have been considered earlier. It must be pointed out that budget documents were prepared from Council documents and were consistent with priorities and criteria established by the Council. They did not conflict with stated Council priorities.

In response to the observation that little consideration was given to staff recommendations for funding grants, the Council submits that staff recommendations were considered and utilized along with a significant number of other considerations such as criteria established by the Council, program testimony at the meeting, funding availability, legislative concerns and statutory responsibilities.

Regarding the specific awards made, which the preliminary audit report states were inconsistent with stated Council policies, legislative intent and sound grant funding management, the Council has the following response:

- a. The FY 85 budget did not include a legislative intent. However, legislative intents in prior years specified that shelters and safe homes were the highest priority. This is consistent with the Council's first priority, safety. The Council adequately funded viable shelter and safe home programs.
- b. Men's Support Network (MSN) - The Council decided to fund MSN at \$18,300 which was \$800 above maintenance. The \$800 was to meet FICA requirements not budgeted for in FY 83. The Council felt that the program, the only one of its kind, is a vital aspect of the prevention of domestic violence and sexual assault. However, due to funding constraints and other Council priorities, there were insufficient funds to provide funding for a full-time position. The Council determined that MSN, which received some funds from the Municipality of Anchorage

could operate effectively on \$18,300. Staff recommended either to defund the MSN program or to fully fund the program. The staff option to defund MSN was not "due to lack of funds to fully support shelter programs", but because it was not as high a priority as other applicants.

- c. Kodiak Women's Resource and Crisis Center (KWRCC) - The Council determined KWRCC's grant award based on a maintenance budget, with an increase of \$8,000 for FICA (not budgeted in FY 83) and a need for increased rural outreach. The staff recommendation was \$177,000 with additional money to be added for FICA, if there were sufficient funds. The Council put \$2500 more in rural outreach than the staff had recommended because the need was apparent, and it was consistent with the Council's FY 85 budget document. The Council had discussed the Kodiak program at length during its May meeting and requested periodic program reports. In the short time before the funding meeting, the program had hired a new director and stabilized considerably. There were no indications that problems would continue at the same level. Steps had been taken by KWRCC before the funding meeting to assure client safety.
- d. Men Emerging Now, Inc. (MEN) - The MEN's program received an additional \$7,500 above staff recommendation as matching for a Jesuit volunteer's position. For that minimal additional funding, the program will be able to increase and improve rural outreach. The MEN's program in Juneau is; the only free standing batterers' program in the state. It is recognized that rural areas need services provided by the program, and the Council decided that increasing funds for this program was an extremely cost effective means of providing rural outreach.

Recommendation #4: CDV/SA should actively promote a formal coordinated response by State agencies to the problems of domestic violence and sexual assault.

The Council takes the responsibility to coordinate domestic violence and sexual assault services seriously. In the recent year, it has taken strong action to identify services provided by other agencies in order to facilitate and direct coordination. All appropriate departments were sent letters in March, 1984, asking them to provide the Council with information concerning the domestic violence and sexual assault services they provide. The Council realizes that this is the first step in determining specific plans for coordination. Also, for the past year, the Council has met with various representatives from programs that impact domestic violence and sexual assault services: Division of Family and Youth Services, Displaced Homemakers Program, Department of Corrections, Women's Mini-Cabinet, Governor's Office, etc. The Council and the Department of Corrections has developed a memo of agreement for an RSA in which the Council administers Corrections' funds for batterers' programs in correctional institutions. The Council has had a \$5,000 RSA from the Division of Public Health for the last two years to provide sexual assault training and information. Council staff has met often with representatives from the Department of Health and Social Services to discuss coordination efforts.

It should be noted that the Child Sexual Assault agreement, mentioned in the preliminary audit report, was originally written in 1982 by the Council member who represented the Department of Law. The agreement was not signed in 1982 by all parties. It was at the

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Council's instigation that the agreement was resurrected in 1984. The agreement has recently gone through a revision process that involved all affected agencies and has been signed (a copy of the agreement is attached).

As stated in the preliminary audit report, it is difficult to coordinate domestic violence services. However, a major aspect of coordination has already been addressed in Alaska statutes which require police officers to inform victims of domestic violence of the nearest shelter and other available services. Police officers' responses and referrals are key to successful domestic violence programming. The Council agrees that the Duluth and Minneapolis studies have important implications for Alaska. In order to assure that the most effective system is developed, the Council needs to determine the most appropriate response for Alaska. The Council has developed a draft plan to identify specific needs and strategies for coordination. In the meantime, Council members and staff will continue to be aggressive in coordination efforts.

The Council has further comments about the remainder of the report.

Organization and Function

It is not clear in the discussion of the Alaska Network on Domestic Violence and Sexual Assault (Network) how the Council relates to Network programs. The Council funds, monitors and provides technical assistance to twenty-three domestic violence and sexual assault programs in FY 85. Of the twenty-three programs, twenty-one Council funded programs belong to the Network, a non-profit corporation. The programs the Council funds provide the services you mention on page 3 and 4 as well as these additional services: crisis intervention for adult and child sexual assault and domestic violence victims; advocacy with medical and law enforcement; development and implementation of school curricula on sexual assault and domestic violence; counseling for non-offending parents as well as victims of child sexual assault; community education and training; training in domestic violence and sexual assault for other professionals; and transportation for victims, which often includes flights from rural areas.

In the discussion of empowerment, the major philosophical premise of empowerment was not stated; that is to give a victim the power to make her own decisions. Programs are careful not to make decisions for a victim, but as was stated, provide her with alternatives.

Analyses of Public Need

I. The extent to which the Council has operated in the public interest.

The major area in which the Council operates in the public interest is in funding, monitoring and providing technical assistance to community domestic violence and sexual assault programs. These programs provide services to victims, their families and communities to reduce and prevent the trauma associated with domestic violence and sexual assault.

IA. The Council has developed a child sexual assault curriculum called "Preventing Sexual Abuse of Children" that has two accompanying video tapes: "Aware Not Afraid" and "It's OK to Say No". The Council sent one copy of the curriculum to each school district, put PSA's on LearnAlaska and distributes additional copies of the curriculum upon request. As was stated in the preliminary audit, it is being used in several primary and secondary schools in Alaska. "Village to Village" is a video tape which has a manual that accompanies it. The Council provides copies of these materials to its programs as well as other people who request it. The Council has also produced the following documents and video materials that it distributes as widely as possible, within fiscal constraints:

- "Sexual Assault Training Manual: A Guide for Trainers"
- "Domestic Violence: A Curriculum for Officer Trainers"
- "Someone You Know" a video documentary on Domestic in Alaska
- Human Services and Law Enforcement Training Video tapes.
- Domestic Violence and Sexual Assault PSAs

IB. See response to Recommendation Number 1.

II. The extent to which the operation of the Council has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resources, and personnel matters.

IIB. The Council has developed a draft plan which has been distributed to Council funded programs for input.

IIC. See response to Recommendation Number 2.

IV. The extent to which the Council has encouraged interested persons to report to it concerning the effects of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

IV. The Council also provides time at meetings for public comments and sends major documents, such as its plan, to interested people.

V. The extent to which the Council has encouraged public participation in the making of its regulations and decisions.

VC. See response to Recommendation Number 1.

VIII. The extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the Council to better serve the interests of the public and to comply with the factors enumerated in this subsection.

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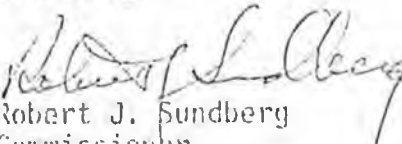
Four of the five members of the Council that reside in Southeast are designees of the Commissioners of Public Safety, Law, Education and Health and Social Services. Although they live in Juneau, they do not represent Southeast. They represent their departments' statewide perspectives.

A new Council member, Lola Tobuk was recently appointed to fill the position left vacant by Diane Carpenter of Bethel. Ms. Tobuk is an Alaskan Native from Nome.

The Council met with the Network on September 13, 1984 and discussed the Network's concerns with the Council's composition. The Network recommended adding public members. The Council feels that enlarging the Council would make it an unwieldy size and require additional travel funds and staff support. The Council also discussed specific appointments made by Commissioners. The Council feels that, since the agency is so new, it is important to have policy makers as members so they can speak for their department. Each Council member represents their total department. The representative from the Department of Public Safety represents all interests of the department, including law enforcement.

The Department of Public Safety and the Council on Domestic Violence and Sexual Assault are committed to directing Alaska's domestic violence and sexual efforts, so that violence will be reduced and quality services are provided to the people we serve. We are pleased to work cooperatively with you in this effort. If you have any questions about this response, please contact Barbara Miklos, Executive Director of the Council on Domestic Violence and Sexual Assault, at 465-4356.

Sincerely,


Robert J. Sundberg
Commissioner

cc: Members, Council on Domestic Violence and Sexual Assault

NOTE: The attachment, referred to in this response, can be obtained from the Department of Public Safety.

Introduced: 2/21/85
Referred: State Affairs
and Finance

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 SENATE BILL NO. 172
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act extending the termination date of the Council
7 on Domestic Violence and Sexual Assault; and provid-
8 ing for an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 44.66.010(a)(11) is amended to read:
11 (11) Council on Domestic Violence and Sexual Assault
12 (AS 18.66.010) - June 30, 1989 [1985]:
13 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
14 10.070(c).