

SB

158

THE
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Audit Report

DEPARTMENT OF PUBLIC SAFETY
COUNCIL ON DOMESTIC VIOLENCE AND
SEXUAL ASSAULT

October 31, 2001



Audit Control Number:

12-20014-02

Division of Legislative Audit
P.O. Box 113300, Juneau, Alaska 99811-3300

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

DIVISION OF LEGISLATIVE AUDIT

The Legislative Budget and Audit Committee is a permanent interim committee of the Alaska Legislature. The committee is made up of five senators and five representatives, with one alternate from the Senate and two from the House. The chairmanship of the committee alternates between the two chambers every legislature.

The committee is responsible for providing the legislature with audits of state government agencies. The programs and activities of state government now cost more than \$6 billion a year. As legislators and administrators try increasingly to allocate state revenues effectively and make government work more efficiently, they need information to evaluate the work of governmental agencies. The audit work performed by the Division of Legislative Audit helps provide that information.

As a guide to all their work, the Division of Legislative Audit complies with generally accepted auditing standards established by the American Institute of Certified Public Accountants and with government auditing standards established by the U.S. General Accounting Office.

Audits are performed as mandated by Alaska Statutes or at the direction of the Legislative Budget and Audit Committee. Individual legislators or committees can submit requests for audits of specific programs or agencies to the committee for consideration. Copies of all completed audits are available from the Division of Legislative Audit's offices in either Juneau, Anchorage, or our web site <http://www.legis.state.ak.us/legaud/web/default.htm>.

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SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 3/26/03

FURTHER: Health, Education and Social Services

Date of 5-Day Notice: 4/2/03
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 4/11/03

State Affairs Committee considered SENATE BILL NO. 158

SB 158 MOVE DOMESTIC VIOLENCE COUNCIL TO DHSS

"An Act transferring the Council on Domestic Violence and Sexual Assault from the Department of Public Safety to the Department of Health and Social Services; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

same title

new title

House Bill:

same title

technical title

new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DPS	4/8/03	✓		1
DHSS	4/8/03	✓		2

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>			X	
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>				
CHAIR: <i>[Signature]</i>			X	

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB 158
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
Title: Move Council on Domestic Violence & Sexual Assault from DPS to H&SS BRU: Council on Domestic Violence and Sexual Assault (CDVSA)
Sponsor: Senate Finance Committee Component: CDVSA and Batterers Intervention Program (BIP)
Requester: Senate State Affairs Component No.: 521 & 164

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services	(523.9)					
Travel	(61.5)					
Contractual	(1,255.3)					
Supplies	(12.3)					
Equipment	(6.2)					
Land & Structures						
Grants & Claims	(8,075.6)					
Miscellaneous						
TOTAL OPERATING	(9,934.8)	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
1002 Federal Receipts	(4,960.6)					
1004 GF						
1007 I/A Rcpts	(765.4)					
1050 PFD Fund						
1071 PFD Crim	(4,208.8)					
Other (Specify Type--Do not abbreviate)						
TOTAL	(9,934.8)	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

POSITIONS	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Full-time	-8	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This bill moves the Council on Domestic Violence and Sexual Assault (AS 18.66.010) and the Batterers Intervention Program from the Department of Public Safety to the Department of Health & Social Services.

Prepared by: Juanita Hensley, Special Assistant Phone 465-2649
Division: Office of the Commissioner Date/Time 4/8/03 9:41 AM
Approved by: William L. Tandeske, Commissioner Date 4/8/2003
Agency: Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: _____
() Publish Date: _____

Revision Date/Time (Note if correction): _____

Dept. Affected: Health & Social Services

Title MOVE DOMESTIC VIOLENCE COUNCIL TO DHSS

BRU Administrative Services

Component Commissioner's Office

Sponsor SENATE FINANCE COMMITTEE

Requester SENATE (STA)

Component No. 317

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services	523.9	523.9	523.9	523.9	523.9	523.9
Travel	61.5	61.5	61.5	61.5	61.5	61.5
Contractual	1,255.3	1,255.3	1,255.3	1,255.3	1,255.3	1,255.3
Supplies	12.3	12.3	12.3	12.3	12.3	12.3
Equipment	6.2	6.2	6.2	6.2	6.2	6.2
Land & Structures						
Grants & Claims	8,075.6	8,075.6	8,075.6	8,075.6	8,075.6	8,075.6
Miscellaneous						
TOTAL OPERATING	9,934.8	9,934.8	9,934.8	9,934.8	9,934.8	9,934.8

CAPITAL EXPENDITURES						
CHANGE IN REVENUES (0)						

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
1002 Federal Receipts	4,960.6	4,960.6	4,960.6	4,960.6	4,960.6	4,960.6
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other(1071 PFD Criminal & 1007 I/A)	4,974.2	4,974.2	4,974.2	4,974.2	4,974.2	4,974.2
TOTAL	9,934.8	9,934.8	9,934.8	9,934.8	9,934.8	9,934.8

Estimate of any current year (FY2003) cost: _____

Mark this box (X) if funding for this bill is Included In the Governor's FY 2004 budget proposal:

POSITIONS

POSITIONS	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Full-time	8	8	8	8	8	8
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SB 158 transfers the Council on Domestic Violence and Sexual Assault (AS 18.66.010) from Public Safety to the Department of Health and Social Services. The transfer includes grant funds for the Batterers Intervention Program.

The Council will be part of the DHSS Boards and Commissions BRU.

The other funding line includes:
1071 PFD Criminal receipts of \$4208.8
1007 Interagency Receipts of \$765.4

Prepared by: Janet Clarke, Director
Division: Administrative Services
Approved by: Joel S. Gilbertson, Commissioner
Agency: Department of Health and Social Services

Phone 465-1630
Date/Time 04/08/2003
Date 04/08/2003



Official Business

Alaska State Senate

Senate Finance Committee

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

Sponsor Statement for Senate Bill 158

“An Act transferring the Council on Domestic Violence and Sexual Assault from the Department of Public Safety to the Department of Health and Social Services; and providing for an effective date.”

Senate Bill 158 would transfer the Council on Domestic Violence and Sexual Assault (CDVSA) to the Department of Health and Social Services (DHSS). Alaska Statute 18.66 established the council under the Department of Public Safety in 1981. This statute gives the council 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.*” This coordination includes providing emergency safe housing, counseling, education/outreach services, and technical assistance to programs such as Advocates for Victims of Violence, Abused Women’s Aid In Crisis, Arctic Women in Crisis, Alaska Women’s Resource Center, South Peninsula Women’s Services, Standing Together Against Rape and Sitkans Against Family Violence to name a few.

The mission of DHSS is to “*promote and protect the health and well-being of Alaskans.*” DHSS has in place established programs and services that will be beneficial to the Council on Domestic Violence that include:

- Division of Administrative Services that deals with federal granting agencies
- Division of Alcoholism and Drug Abuse to assist in developing prevention and education
- Division of Family and Youth Services that have 29 field offices for child protective services in place

SB 158 would create a closer working relationship between CDVSA and the DHSS as required in AS 18.66.050 (12) & (14) for developing standards, procedures and continuing education on domestic violence. A 2002 sunset audit review performed by Legislative Budget and Audit showed that this had not yet been accomplished. Adoption of this bill will provide adequate resources to enhance their capabilities and become a more efficient CDVSA program under DHSS.

FRANK H. MURKOWSKI
GOVERNOR

GOVERNOR@GOV.STATE.AK.US



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JUNEAU

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March 17, 2003

Mr. William C. Bobrick, Chair
Council on Domestic Violence and Sexual Assault
Department of Public Safety
P.O. Box 111200
Juneau, AK 99811-1200

Dear Mr. Bobrick:

Thank you for writing to me regarding the Council on Domestic Violence and Sexual Assault and its location in the Department of Public Safety.

As you know through the budget preparation cycle, that issue was addressed and the council will remain in the Department of Public Safety. In this period of tighter budgets, I appreciate the efforts of the council to seek funding from federal and private sources to support Alaska victims of domestic violence and sexual assault.

Thank you and the council members for your dedication.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Frank H. Murkowski".

Frank H. Murkowski
Governor

cc: Commissioner William Tandeske, Department of Public Safety

RECEIVED
CDVSA

MAR 19 2003

Postmark _____

ALASKA NETWORK ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

Main Office & Legal Advocacy Project

130 Seward Street, Suite 209

Juneau, Alaska 99801

Phone: (907) 586-3650

Fax: (907) 463-4493

www.andvsa.org

Pro Bono Project

P.O. Box 6631

Sitka, Alaska 99835

Phone: (907) 747-7545

Fax: (907) 747-7547

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MFCC

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SCS

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SAFV

Unalaska

USAFV

Valdez

AVV

To: Senate State Affairs Committee
From: Lauree Hugonin *LH*
Date: 4/8/03
Re: CDVSA Funding Sources

The Council on Domestic Violence and Sexual Assault (CDVSA) funds community based victim advocacy programs, community and prison based batterers intervention programs and statewide initiatives to improve the systemic response to violence against women.

Possible funding sources for community based victim advocacy programs

General funds--historically state general funds have been used. Beginning in the mid-90's general fund dollars were systematically reduced each year and replaced with pfd felon/misdemeanant funds. All general fund dollars were deleted from this component during FY03.

PFD Felon/Misdemeanant funds--In 1993, AS 43.23.028 was amended to allow these funds to be used for grants for the operation of domestic violence and sexual assault programs. In the proposed budget for FY04, budget language would allow up to 10% of this funding source to be used for operations and grant administration.

Alcohol tax dollars--beginning in the proposed FY04 budget, \$376,000 are allocated to CDVSA for programs.

Family Violence Prevention and Services Act (FVPSA)--this is federal money distributed to states on a per capita basis. The base amount is \$600,000 to each state and then a population formula is used to determine from the total the remaining amount allocated to each state. Alaska receives approximately \$721,000 in FVPSA funds. CDVSA uses 5% of this funding source for administrative costs and uses the rest for grants.

Victims of Crime Act (VOCA)--this is federal money distributed to states in a population formula based on the amount appropriated by Congress from the federal crime fund. Each federal year allocation of VOCA funds can be expensed over a 3 state fiscal year period. CDVSA used 5% of this funding for administrative costs and uses the rest for grants.

Rape Prevention/Sexual Assault Prevention (RPE/SAP)--this is federal money distributed to states on a formula basis through the Center for Disease Control. 25% of the funding must be used for prevention/education activities to reach youth aged 11-19. It is allocated between grants to community programs and statewide education/awareness campaigns.

Temporary Assistance for Needy Families (TANF)--in 2000, the legislature determined that federal TANF dollars could be used to fund services to victims of domestic violence and replaced general fund dollars with TANF funds. TANF funds were available due to a pool of "TANF savings" that have since been

spent and the proposed FY04 budget deletes this source from CDVSA's funding allocations.

Possible funding for community based batterers intervention programs (bips)

General funds--the first year bips were placed into a separate bru, general funds were used to fund the programs. The proposed FY04 budget deletes general funds from the bips component.

PFD felon/misdemeanant funds--have been used to fund the programs

Grants to encourage arrest--this is a federal competitive grant. It is not distributed to states based on a formula. CDVSA must submit a grant application and compete against other potential grantees for the grant. CDVSA was awarded a grant for one year that included funds for bips.

Possible Funding for prison based batterers intervention programs

The department of corrections rsa's funds to CDVSA to grant to non-profit programs that provide prison programs in a couple of areas of the state.

Possible funding for statewide initiatives

VOCA--CDVSA has entered into a rsa with the department of corrections for the last couple of years to provide funds for their victim services coordinator.

In 1994 as part of the Crime Control bill, Congress passed the Violence Against Women Act (VAWA). VAWA provides for grants to states and local communities to combat violence against women. CDVSA is Alaska's designated VAWA Administrator which in part means all VAWA funds coming to the state are distributed through CDVSA and CDVSA is notified when non-state organizations receive VAWA funds (i.e. tribal entities or local units of government or non-profit groups).

In 2000, VAWA was reauthorized. One of the grant programs is the **Services* Training* Officers* Prosecutors (STOP)** program. It is primarily a formula driven program based on a state's population. VAWA requires STOP funding to be used for any of eleven specific purposes in three areas. 25% of the funds must go toward law enforcement activities, 25% toward prosecution, 30% for strengthening victim services, 5% for judiciary, and 15% is discretionary to be spread between the aforementioned components. Supplantation of state funds is prohibited.

Through the STOP program, CDVSA has distributed over \$1.1 million dollars to the department of public safety; over \$1.1 million to the department of law; over \$290,000 to the Alaska court system; and slightly over \$1.8 million to victim services and discretionary projects. CDVSA kept its administrative costs to a little over \$236,000 or 5% of the total amount distributed.

Mentioned under bips funding, **Grants to Encourage Arrest** is another VAWA grant program. It is a competitive grant and is not formula driven. Grants to encourage arrest encourage jurisdictions to implement mandatory or pro-arrest



City and Borough of Sitka

POLICE DEPARTMENT

304 Lake Street, Room 102 • Sitka, Alaska 99835

Robert C. Gorder
Chief of Police

Business 747-3245
Fax 747-1075

April 7, 2003

Senator Gary Stevens
State Capitol, Rm 417
Juneau AK 99801-1182

Re: SB 158

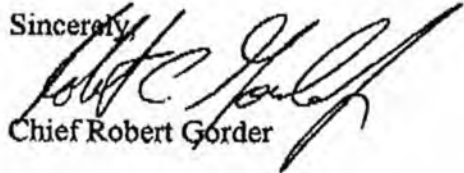
Dear Senator Stevens:

Please accept this letter as support for local Sitkans Against Family Violence (SAFV), our local domestic violence shelter's position to keep the Council on Domestic Violence and Sexual Assault (CDVSA) within the Department of Public Safety (DPS).

Although I can understand the logic of moving a mostly victim's services and support organization to Health and Social Services, I believe the current arrangement has and continues to enjoy success and obtains more public awareness under DPS. I believe the focus of criminalizing domestic violence and sexual assault is more effective and sends a clear message to Alaskans under DPS.

As the saying goes, "If it ain't broke, don't fix it." Thank you for the opportunity to voice my opinion. If I can be of any assistance, please do not hesitate to contact me.

Sincerely,



Chief Robert Gorder

Cc: Grace Brooks, Executive Director, SAFV

ALASKA NETWORK ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

Main Office & Legal Advocacy Project
130 Seward Street, Suite 209
Juneau, Alaska 99801
Phone: (907) 586-3650
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Pro Bono Project
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Fairbanks
IAC

Homer
SPWS

Juneau
AWARE

Kenai/Soldotna
K/SWRCC)

Ketchikan
WISH

Kodiak
KWRCC

Kotzebue
MFCC

Nome
BSWG

Palmer
AFRC

Seward
SCS

Sitka
SAFV

Unalaska
USAFV

Valdez
AVV

Governor Frank Murkowski
Office of the Governor
P.O. Box 110001
Juneau, Alaska 99811

February 28, 2003

Dear Governor Murkowski:

I am writing to you on behalf of the Alaska Network on Domestic Violence and Sexual Assault (Network). The Network is Alaska's statewide coalition of nonprofit programs which provide immediate safety services to victims of domestic violence and sexual assault, their children, and to the perpetrators of these crimes.

In December we wrote you regarding the composition of the Council on Domestic Violence and Sexual Assault (Council) in the Department of Public Safety. Today, we want to bring to your attention our strong belief that the Council should stay housed within the Department of Public Safety.

When the Council was first formed in 1981, the legislature took a long hard look at the many issues involved in what a state's response to domestic violence and sexual assault should be. The legislature recognized these were criminal issues and correctly placed the state's coordinating council for responding to these crimes in the Department of Public Safety. Alaska said to domestic violence and sexual assault victims that the crimes perpetrated against them were going to be taken seriously and *their* safety was a priority of public safety.

As you are aware, in 1994 Congress passed the omnibus crime act which included the violence against women's act. Most of the federal funds distributed to states to combat domestic violence and sexual assault go through the Violence Against Women Office which was established in the Department of Justice. Thirteen years after Alaska recognized these issues as crimes, the federal government did as well. The message was sent to millions of victims across the nation, that their safety was an integral part of the public safety.

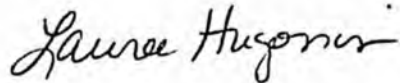
Maintaining the Council in the Department of Public Safety sends strong messages--it says to the victims of these acts that they are crimes and criminal justice help is available; it says to the perpetrators that the state has a vested interest in stopping their criminal activities; it says to all citizens that the state considers domestic violence and sexual assault serious crimes that must be addressed.

We appreciate your strong interest in protecting people from these heinous crimes. We've seen that interest most recently expressed in your selection of Mr. Tandeske

for the position of Commissioner for the Department of Public Safety. During his prior tenure with the Department he was firmly committed to combatting the crimes of domestic violence and sexual assault and we expect that he will continue to vigorously work to improve the state's response to these crimes.

Please allow the Council to continue to be housed within the Department of Public Safety. Do not step away from the philosophy that acknowledges to victims of domestic violence and sexual assault that they are victims of crimes and their safety is important to the state's public safety.

Sincerely,



Lauree Hugonin
Executive Director

cc. Jim Clark, Chief of Staff
Bill Tandeske, Commissioner of Public Safety

February 28, 2003

The Honorable Frank Murkowski
Governor
P.O. Box 110001
Juneau, AK 99811-0001

Dear Governor Murkowski:

The Council on Domestic Violence and Sexual Assault appreciates your strong support for the safety of Alaska's men, women, and children. Created in 1981, the Council has been very appropriately located in the Department of Public Safety for 22 years. The most dangerous call for any law enforcement officer is to respond to a domestic violence incident. Thirteen percent of law enforcement officers killed in Alaska have been in response to domestic violence incidents.

There is currently a proposal to move the Council to the Department of Health and Social Services. This undermines the main purpose of the Council which is to provide for the immediate safety of victims of the crimes of domestic violence and sexual assault. The proposed move implies this is a simple health or social service issue, when in fact there are complex critical issues of safety and lethality. The lives of men, women, children, troopers, and police officers are at stake every day. Part of law enforcement is also service for crime victims. As such, the Council belongs in the Department of Public Safety.

The Council is comprised of the commissioners or their designees from the departments of Public Safety, Law, Education and Early Development, and Health and Social Services, as well as three public members who are appointed by the Governor after consultation with the Alaska Network on Domestic Violence and Sexual Assault. All Council members have equal influence in important policy and funding decisions for the 21 domestic violence and sexual assault programs statewide and 15 batterers' intervention programs.

An argument has been made that more federal funds would be available if the Council were housed in the Department of Health and Social Services. The Council diligently and actively seeks new federal grants annually. We currently receive \$1,470,000 in Temporary Assistance to Needy Families (TANF) funds, \$30,000 in Sexual Assault Prevention funds (SAP) and \$92,114 in Rape Prevention and Education funds (RPE) from the Department of Health and Social Services. This close relationship will continue and expand as we tap the expertise of Commissioner Gilbertson through his department's representation on the Council.

The Honorable Frank Murkowski
February 28, 2003
Page 2

For other federal funding, the Council receives one federal grant from the United States Department of Health and Human Services through the Family Violence and Prevention Services Act (FVPSA). However, the majority of our federal funding comes from numerous grants from the Department of Justice. These include Victims of Crime Act (VOCA) and Violence Against Women Act (VAWA)—which includes many subgrants: Rural Domestic Violence and Child Victimization Enforcement; Grants to Encourage Arrest; and Services *Training *Officers *Prosecutors funds (S*T*O*P). The S*T*O*P funds are distributed by federal statute to Law Enforcement, Prosecution, Courts, Victim Services, and Discretionary.

The Council has a superb track record for procuring and distributing federal funds that are then granted to other departments. We are committed to sharing federal funds with other state departments to ensure a coordinated community response to the crimes of domestic violence and sexual assault. These funds have been given to the Department of Public Safety, the Department of Law, the Department of Corrections, and the Alaska Court System. The Council continually seeks every available funding opportunity.

The Council further expanded our ability to procure private funds by embarking on an ambitious capital improvement project last year that netted \$1.7 million in federal and private funds to make long overdue safety, structural, and equipment improvements and repairs in shelters statewide. The Rasmuson Foundation, Denali Commission, and Wells Fargo all made significant contributions to this effort, and expressed interest in ongoing relationships. All cited the importance of safe shelters in communities statewide to ensure Alaska's men, women, and children in peril have secure, safe, healthy places to go.

The Council on Domestic Violence and Sexual Assault provides a critical public safety function for Alaska's most vulnerable residents. We firmly believe we belong in the Department of Public Safety, and appreciate your support in keeping us there.

Sincerely,

William D. Bobrick
Chair

FRANK H. MURKOWSKI
GOVERNOR
GOVERNOR@GOV.STATE.AK.US



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

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March 17, 2003

Ms. Lauree Hugonin
Executive Director
Alaska Network on Domestic Violence
and Sexual Assault
130 Seward Street, Suite 209
Juneau, AK 99801

Dear Ms. Hugonin:

Thank you for writing to me regarding the Council on Domestic Violence and Sexual Assault.

During the budget preparation period the issue of location for the council was addressed and it was determined to leave the council within the Department of Public Safety. There had been discussion that location in the Department of Health and Social Services might provide a benefit in accessing federal funds. The council felt that the Department of Public Safety was the proper location, and they would work closely with the Department of Health and Social Services on funding issues.

Thank you also for your support of Commissioner Tandeske. He is dedicated to law enforcement in Alaska and will lead the state's fight against crimes of domestic violence and sexual assault.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Frank H. Murkowski".

Frank H. Murkowski
Governor

cc: Commissioner William Tandeske, Department of Public Safety

RECEIVED
CDVSA
MAR 15 2003

Postmark

Marcia Lynn McKenzie
PO Box 33977 Juneau, AK 99803
Phone: (907) 789-2362 Fax: (907) 789-3075
e-mail: marciamck@pci.net

APR 07 2002

April 3, 2003

Senator Gary Stevens, Chair
Senate State Affairs Committee
Alaska State Senate
State Capitol
Juneau, AK 99801-1182

Re: SB 158 moving the Council on Domestic Violence & Sexual Assault from Public Safety to Health & Social Services

Dear Senator Stevens:

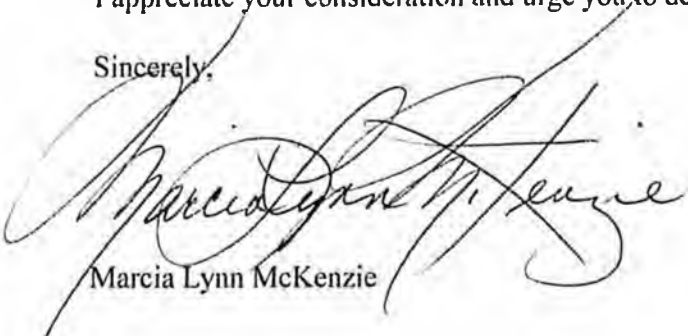
I recently learned about the referenced bill--SB 158--and am writing to my express my deep concern and opposition to the proposed transfer of the Council on Domestic Violence & Sexual Assault (CDVSA) from Public Safety (DPS) to Health & Social Services (H&SS). Currently, I am a private consultant working primarily with non-profits, including some of the women's shelter programs here in Alaska.

My personal experience and knowledge of the CDVSA date back to its creation in 1981. At that time, I was employed as the Program Budget Analyst within DPS. Prior to the Council's creation, a very small amount of grant money was appropriated to H&SS for domestic violence and sexual assault victims' programs. Domestic violence and sexual assault (DV/SA) were generally regarded as "women's issues" rather than as truly serious crimes that endanger lives. The Alaska State Legislature made a strong statement that DV/SA are not just "women's issues" but are criminal matters of life and safety by establishing the CDVSA in the Department of Public Safety. As the DPS Budget Analyst at that time, I was keenly aware of some of the philosophical issues involved, including some resistance by DPS to house the Council. Domestic violence and sexual assault were clearly two of the least favorite issues that law enforcement liked to deal with.

From 1990 until my retirement in 1996, I had the privilege of serving as the Program Coordinator for the CDVSA. I saw that in the fifteen years since the creation of the Council, attitudes within DPS had changed dramatically: Departmental and State Trooper management had become fully engaged; there was recognition that DV/SA is genuinely a significant issue of *public* safety. My concern is that if the CDVSA is moved to H&SS and loses its presence within DPS, law enforcement attitudes will revert to a de-emphasis on DV/SA while Alaska continues to have one of the highest per capita rates in the nation of these criminal assaults.

I appreciate your consideration and urge you to defeat SB 158.

Sincerely,



Marcia Lynn McKenzie

ALASKA NETWORK ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

Main Office & Legal Advocacy Project
130 Seward Street, Suite 209
Juneau, Alaska 99801
Phone: (907) 586-3650
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Pro Bono Project
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Organizational Members:

Anchorage
AWAIC
AWRC
STAR

Barrow
AWIC

Bethel
TWC

Cordova
CFRC

Dillingham
SAFE

Emmonak
EWS

Fairbanks
IAC

Homer
SPWS

Juneau
AWARE

Kenai/Soldotna
K/SWRCC)

Ketchikan
WISH

Kodiak
KWRCC

Kotzebue
MFCC

Nome
BSWG

Palmer
AFRC

Seward
SCS

Sitka
SAFV

Unalaska
USAFV

Valdez
AVV

Keep the Council on Domestic Violence and Sexual Assault in the Department of Public Safety

The safety of victims of domestic violence and sexual assault is the public's safety.

Domestic violence and sexual assault are crimes. The council that coordinates the state's response to these crimes should be housed within the department of public safety.

As one of the first responders to these crimes, advocates work most closely with law enforcement officers, prosecutors, clerks of court, magistrates—criminal justice system responders—not social services, in providing advocacy and support for victims.

Do not set the state back over 20 years when domestic violence was considered and treated as a private family matter. Domestic violence violates not only the direct victim, it also diminishes us as a community and deserves a community response.

Sexual assaults are almost always felony crimes. Working these cases does not fit easily into a social services treatment modality.

The Council's ability to secure federal funds for responding to domestic violence and sexual assault is not compromised by being housed in the department of public safety. While in the department, the Council has acquired federal Violence Against Women Act (VAWA) dollars through formula-based and competitive grants. These funds are distributed to community based programs; the court system; the department of public safety; the department of law; and the department of corrections. The Council also receives federal Victims of Crime Act (VOCA) dollars; Family Violence Prevention and Services Act (FVPSA) dollars; and Sexual Assault/Rape Prevention (SAP/RPE) dollars. VAWA and VOCA dollars come to states through the department of justice; FVPSA through health and human services; and SAP/RPE through the center for disease control. Being in the department of public safety has not kept the Council from obtaining dollars from any federal source.



CORDOVA
FAMILY
RESOURCE
CENTER

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907-424-5674 Fax 907-424-5673 cfr@ctcak.net

April 8, 2003

Cordova Family Resource Center wishes to express our concern over the proposed plan included in SB158 to move the Council on Domestic Violence and Sexual Assault from the department of Public Safety to the Department of Health and Social Services.

We strongly support leaving CDVSA in the Department of Public Safety as we believe that the issues of domestic violence and sexual assault are crimes and need to be seen and treated as such. The safety of victims is best dealt with through the Department of Public Safety, these are not private family matters, they are public policy.

Please do not set policy back after all the gains over the past 2 decades, do not move CDVSA to DHSS.

Thank you for your time.

A handwritten signature in cursive script that reads "Jill Simpson".

Jill Simpson, MSW
Executive Director

policies as an effective domestic violence intervention that is part of a coordinated community response to the problem. Only states, Tribal governments, and units of local governments are eligible to apply for this funding.

The **Rural Domestic Violence and Child Victimization** grants under VAWA are also competitive grants. The Rural Program provides assistance through a competitive grant process to states, Tribal governments, local governments of rural states, and other public or private entities of rural states. The primary purpose of the rural program is to enhance the safety of abused women and children living in rural areas by creating or enhancing collaborative partnerships between criminal justice agencies, victim services providers and community organizations to respond to violent crimes committed against women and children, and to provide services to victims of such violence.

Possible funding for capitol projects

CDVSA was successful in coordinating the acquisition of over \$1.7 million dollars from the Rasmuson Foundation, Wells Fargo and the Denali Commission to match the \$500,000 authorized by the legislature to be used starting in FY03 to upgrade safety and living conditions and provide security measures in shelters and rape crisis programs across the state.

We do not believe being in the department of public safety has hindered CDVSA's ability to acquire and dispense federal dollars, state dollars from other departments, or private foundation dollars.

APR 09 2002



City and Borough of Sitka

POLICE DEPARTMENT

304 Lake Street, Room 102 • Sitka, Alaska 99835

Robert C. Gorder
Chief of Police

Business 747-3245
Fax 747-1075

April 7, 2003

Senator Gary Stevens
State Capitol, Rm 417
Juneau AK 99801-1182

Re: SB 158

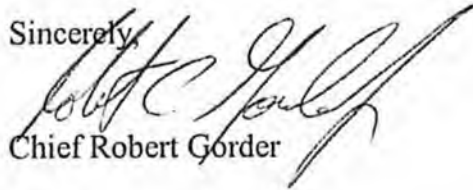
Dear Senator Stevens:

Please accept this letter as support for local Sitkans Against Family Violence (SAFV), our local domestic violence shelter's position to keep the Council on Domestic Violence and Sexual Assault (CDVSA) within the Department of Public Safety (DPS).

Although I can understand the logic of moving a mostly victim's services and support organization to Health and Social Services, I believe the current arrangement has and continues to enjoy success and obtains more public awareness under DPS. I believe the focus of criminalizing domestic violence and sexual assault is more effective and sends a clear message to Alaskans under DPS.

As the saying goes, "If it ain't broke, don't fix it." Thank you for the opportunity to voice my opinion. If I can be of any assistance, please do not hesitate to contact me.

Sincerely,


Chief Robert Gorder

Cc: Grace Brooks, Executive Director, SAFV