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Audit Report



DEPARTMENT OF PUBLIC SAFETY
COUNCIL ON DOMESTIC VIOLENCE
AND SEXUAL ASSAULT
SUNSET AUDIT

September 23, 2005

Audit Control Number:

12-20039-06

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

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November 23, 2005

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Title 24 and Title 44 of the Alaska Statutes (sunset legislation), the attached report is submitted for your review.

DEPARTMENT OF PUBLIC SAFETY
COUNCIL ON DOMESTIC VIOLENCE
AND SEXUAL ASSAULT

November 23, 2005
Audit Control Number
12-20039-06

This audit was conducted as required by AS 44.66.050 and under the authority of AS 24.20.271(1). Alaska Statute 44.66.050(c) lists criteria to be used to assess the demonstrated public need for a given board, commission, agency, or program subject to the sunset review process. Currently under AS 44.66.010(a)(5), the Council on Domestic Violence and Sexual Assault is scheduled to terminate on June 30, 2006. The Council would have one year from that date to conclude operations.

In our opinion, the termination date for the Council on Domestic Violence and Sexual Assault should be extended. The Council serves a public need and is operating in the public's interest. We recommend that the legislature extend the Council's termination date to June 30, 2014.

The audit was conducted in accordance with generally accepted government audit standards. Fieldwork procedures utilized in the course of developing the findings and discussion presented in this report are discussed in the Objectives, Scope, and Methodology.

A handwritten signature in cursive script that reads "Pat Davidson".

Pat Davidson, CPA
Legislative Auditor

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OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Titles 24 and 44 of the Alaska Statutes, we have reviewed the activities of the Council on Domestic Violence and Sexual Assault (Council) to determine if there is a demonstrated public need for its continued existence and if it has been operating in an efficient and effective manner. Currently, under AS 44.66.010(a)(5) the Council will terminate on June 30, 2006, having one year from that date to conclude its operations.

Objectives

There are two central, interrelated objectives of our report. They are:

1. To determine if the termination date of the Council should be extended.
2. To determine if the Council is operating in the public's interest. The assessment of the operations, and performance of the Council, was based upon AS 44.66.050(c). This statute sets out criteria to be used in determining a demonstrated public need for the Council.

Scope and Methodology

Our audit reviewed the operation and activities of the Council on Domestic Violence and Sexual Assault for the period of July 1, 2001 through June 30, 2005.

During the course of our examination, we attended the June 2005 funding meeting in Anchorage and interviewed various council members, staff, grantees, and individuals from state agencies. We also reviewed and evaluated the following:

- Applicable statutes and regulations
- Budget documents, session laws, and other legislative information related to the Council's operations
- Minutes of the Council meetings
- Grantee on-site monitoring performance and fiscal reviews prepared by the Council staff
- Statistical reports submitted by grantees
- Financial reports from the State Accounting System
- Other documents related to the Council's operations and mission, as necessary

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ORGANIZATION AND FUNCTION

The Council on Domestic Violence and Sexual Assault (Council) was established in the Department of Public Safety in 1981 by Alaska Statute 18.66. 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.*"

The primary functions of the commission include:

- developing, implementing, maintaining, and monitoring crisis intervention and prevention programs in coordination with authorities in the field of domestic violence and sexual assault;
- coordinating services with the Departments of Law, Education and Early Development, Public Safety, Health and Social Services, Corrections, and other state agencies and community groups;
- consulting with public employers, state and community agencies to provide continuing education programs for employees, and to formulate standards and procedures for health care employees;
- providing technical assistance to programs, state and community agencies; and
- dispensing, overseeing, monitoring, and coordinating existing services and developing expanded services/programs to meet the needs of victims of domestic violence, sexual assault, and other violent crimes.

The Council consists of seven members—four of whom are the commissioners or their designees—from the Departments of Public Safety (DPS), Health and Social Services (DHSS), Education and Early Development (DEED), and Law (DOL). The balance of the Council is comprised of persons from the public, appointed by the governor.

By statute, before making an appointment, the governor receives recommendations from and consults with the Alaska Network on Domestic Violence and Sexual Assault (Network) which is a nonprofit, private organization.¹

Council Members

As of November 23, 2005

Janna Stewart, Public Member, Chair
Susan Parkes, DOL, Vice Chair
Ann House, Public Member
Barbara Thompson, DEED
Karleen Jackson, DHSS
Kimberly Williams, Public Member
William Tandeske, DPS

The Council is staffed by an executive director, an administrative manager, three associate coordinators, a statistical technician, an administrative assistant, and an administrative clerk.

¹ The Alaska Network on Domestic Violence and Sexual Assault is comprised of 20 programs, many of which are council-funded programs.

The Council is authorized to receive and disperse both state and federal funds. Traditionally, a large part of the Council's responsibilities involve administering grants made to local community organizations for domestic violence, sexual assault, and crisis intervention and prevention programs. Grant administration includes providing technical assistance and monitoring the activities of the various grantees and contractors.

The community programs funded by the Council provide a variety of services to the public. Most importantly, their efforts are directed toward providing victims a safe environment, either through housing at a community shelter or the use of a network of designated "safe homes." Additionally, the programs are involved in educating and counseling the victim about domestic violence and sexual assault issues and providing a batterer's intervention services.

The Council's coordination role and responsibilities with other state and local agencies is extensive. For FY 06, the Council approved 19 community-based victim services programs, four community-based batterer's intervention programs, and two prison-based batterers' programs. (See Appendix A)

Funding Sources

The Council receives state general funds from two separate funding sources: the state general revenue and withheld Permanent Fund Dividends from convicted felons and misdemeanants who are incarcerated.

The Council also receives state and federal funds through the use of interagency receipts from the Department of Corrections (DOC) and DHSS. DHSS funds are: Sexual Assault Prevention (SAP), Rape Prevention and Education (RPE), Temporary Assistance for Needy Families (TANF), and Behavioral Health Alcohol Grant. Both SAP and RPE funds are part of the large Centers for Disease Control and Prevention grant administered by DHSS.

Additionally, many of the grants issued by the Council are supported by direct federal funds. Federal funds are received by the Council from sources such as:

- Family Violence Prevention Services Act
U.S. Department of Health and Human Services

The Family Violence Prevention Services Act provides federal funding to all states. This funding is used for domestic violence programs throughout Alaska. The programs receiving grants provide assistance funds to victims of domestic violence and their children. These programs operate shelter facilities which are staffed around the clock and provide a full spectrum of services, including basic food and immediate shelter, crisis intervention, counseling, and medical/legal/personal advocacy.

- Crime Victims Assistance
U.S. Department of Justice

This grant authorizes financial compensation for victims of crime and financial support for state and local agencies that provide services to crime victims. This fund is a U.S. Treasury account, generated entirely by the fines and penalties levied against criminals convicted of federal crimes. The majority of this funding is awarded directly to programs providing services to victims of domestic violence, sexual assault, and other violent crimes.

- Violence Against Women Act (VAWA)
U.S. Department of Justice

The grant services combine a series of federal sanctions and initiatives—as well as national, state, and local resources—to improve the response to crimes against women. These funds are delineated to five specific areas: prosecution, law enforcement, victim services, judicial, and discretionary. In April 1995, Governor Knowles designated the Council as lead agency for coordination and management of VAWA funds for the State of Alaska.

To accomplish this mission, the statewide Violence Against Women Planning and Implementation Committee (committee) was created.² The committee developed the annual plan for VAWA funding upon the Council's approval. The Council was then responsible for funding distribution, and subrecipient monitoring, of these projects.

In FY 04 the Council decided to disband the committee, citing inefficiency and duplication of duties performed by Council members and staff. The Council approves the spending plans of the Departments of Law and Public Safety, the Alaska Court System, and the Alaska Network on Domestic Violence and Sexual Assault for the prosecution, law enforcement, judicial, and victim services components, respectively. For the discretionary component, the Council distributes the fund through its Request for Proposal (RFP) grant process.

- Grants to Encourage Arrest Policies
U.S. Department of Justice

The Grants to Encourage Arrest Policies Program is a component of VAWA. This grant was focused on the development and implementation of laws, policies, and protocols that encourage or mandate the arrest of domestic violence offenders.

The Council currently receives supplemental funds to assist community-driven initiatives in providing regional state-tribal forums on domestic violence. The forums are attended by state troopers, local prosecutors, tribal/state judiciary, village public safety officers,

² The committee was comprised of 21 representatives of the VAWA components.

tribal members/citizens, victim advocates, probation/parole and other social service/care providers, to enhance their skills and develop a greater understanding of topics critical to the safety of women and their children, offender accountability, and coordinated response to domestic violence. The training is also designed to promote communication, cooperation, and a mutual respect among the tribal/state/federal response systems.

- Rural Domestic Violence and Child Victimization
U.S. Department of Justice

The Rural Domestic Violence and Child Victimization Enforcement Grant implements certain provisions of the Violence Against Women Act. While this grant closed out in FY 03, the program provided a unique opportunity for law enforcement and prosecution agencies, the courts and nongovernmental victim services, community organizations, businesses in rural communities, and Indian tribes to collaborate in creating protocols and strategies tailored specifically to meet the needs of rural populations.

- Supervised Visitation, Safe Havens for Children
U.S. Department of Justice

The Safe Havens programs provides an opportunity for communities to support the supervised visitation and safe exchange of children, by and between parents, in situations involving domestic violence, child abuse, sexual assault, or stalking.

The State of Alaska through the Council—and in a collaborative effort with the Cook Inlet Tribal Council, Inc., Alaska State Court System, and Abused Women's Aid in Crisis—implemented the only supervised visitation center in the State.

- Denali Commission

To continue the capital improvement project started in FY 02 with private grants from the Wells Fargo Bank and the Rasmuson Foundation, the Council pursued grant funding with the Denali Commission. In FY 04, the Denali Commission received congressional direction to allocate \$5 million toward the upgrade and construction of shelters for victims of domestic violence. The Council has provided the Denali Commission with preaward, advisory input, and technical assistance to make optimal funding allocation decisions. As of March 2005, \$3.95 million has been committed for repair/renovation, new construction projects, or conceptual planning/design of shelter buildings.

REPORT CONCLUSIONS

Under AS 18.66, the Council on Domestic Violence and Sexual Assault (Council) is authorized to provide for the State's planning and coordination of full-range services to victims, their families, and perpetrators of domestic violence and sexual assault. Combating domestic violence and sexual assault is identified as an ongoing priority at both the state and national level.

Aside from the operational concerns addressed in this report, the Council is serving a public need and is operating in the public's interest. Currently, AS 44.66.010(a)(5) requires the Council to be terminated on June 30, 2006. We recommend the legislature extend the Council's termination date to June 30, 2014.

The Council is still facing personnel issues resulting from continual staff turnover. The Council has worked on developing personnel policies, procedures, and desk manuals to assist the staff; but due to limited staff, the Council was forced to focus primarily on grant maintenance and monitoring responsibility. Two of the Council's statutory mandates were not addressed. (See Recommendation 2)

The Council intends to work on a strategic plan to assess the effectiveness of services currently being provided by grantees and other state and local entities. The plan's overall goal is to identify and address existing gaps in service. One of the missions of the Council is to provide leadership in meeting the needs of domestic violence and sexual assault victims. A long-term strategic plan is certainly needed to assist the staff in establishing priorities. The work plan will help Council staff to effectively plan and coordinate services with state and community agencies, as well as provide services previously not offered to reduce the causes and incidence of domestic violence and to alleviate their effects.

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FINDINGS AND RECOMMENDATIONS

The Council on Domestic Violence and Sexual Assault's (Council) prior sunset audit³ reported several administrative weaknesses. Recommendation No. 1 is not resolved and reinstated below as Recommendation No 2. Prior audit Recommendations No. 2 and 3 were resolved. Recommendations No. 4 and 5 were partially resolved and are readdressed and combined into Recommendation No. 1 below.

Recommendation No. 1

The Council should address its statutory responsibilities to consult with the Department of Education and Early Development and the Department of Health and Social Services.

Prior Finding

Statutory changes implemented in July 1, 1996, significantly increased the scope of the Council's responsibilities. In response, the Council's budgeted staff increased from four to eight positions. During our last sunset audit, the Council was unable to or ineffective in addressing some of their statutory responsibilities due to administrative weaknesses and lack of prioritization.

The prior sunset audit reported that grantees had varying degrees of success in gaining access to their local schools and used a variety of methods to address domestic violence and sexual assault education needs. In addition, although the Council collaborated with the Alaska Family Violence Prevention Project, Department of Health and Social Services (DHSS), on a domestic violence and child abuse workshops, the Council has not worked with DHSS to develop standards and procedures as required in AS 18.66.300.

Alaska Statute AS 18.66.050(3) and (12) states the Council shall:

(3) consult with authorities in the field, develop, implement, maintain, and monitor domestic violence, sexual assault, and crisis intervention and prevention programs, including education programs...and school curricula on the cause, prevention, and treatment of domestic violence and sexual assault. [emphasis added]

(12) consult with the Department of Health and Social Services in the formulation of standards and procedures for delivery of services to victims of domestic violence by health care facilities and practitioners of healing arts and personnel in those facilities as required in AS 18.66.300.

³ Audit Control Number 12-20014-02, Department of Public Safety, Sunset Audit on Council on Domestic Violence Assault dated October 31, 2001.

Legislative Audit's Current Position

The Council has faced personnel issues resulting from position turnover since FY 01, particularly in the executive director and associate coordinator positions. During the past four years, three individuals were hired for the executive director's position. The executive director and associate coordinators are key positions for the Council to fulfill its 14 mandates.

With limited staffing and several mandates, the Council chose to focus primarily on their grant funding and oversight role. This is to ensure continued funding of grant programs. Grant accountability and reporting is time consuming, but essential for the programmatic and administrative oversight of grants for victim services and batterers intervention programs.

However, there is still a need for a more coordinated effort with the Department of Education and Early Development (DEED) towards education in school districts throughout the State. AS 14.30.360(b) states "*the state board shall establish guidelines for a health and personal safety education program. Personal guidelines shall be developed in consultation with the Council on Domestic Violence and Sexual Assault...*" There are currently no health and personal safety education guidelines available on domestic violence and sexual assault for school personnel to use. The Council should consult with DEED, school district representatives, and grantees who have worked toward curriculum development, in creating a comprehensive standardized curriculum to be used within the schools statewide.

There is also a need for the Council to become involved with DHSS to ensure that standards and procedures are available for the delivery of services by health care facilities and its personnel. Council-funded grantees are often approached by health care providers on issues of domestic violence and sexual assault.

However, as the statewide representative, the Council should coordinate this effort at the departmental-level rather than at the grantee-level. The Council should consult with DHSS regarding development of comprehensive standards and procedures to be used by all agencies for the victims of domestic violence and sexual assault, including council-funded grantees and health care providers within the State.

AS 18.66.050(3) and AS 18.66.050(12) discuss the Council working with state departments to develop standards, procedures, and education programs. However, due to limited staffing and the Council's focus on grant maintenance and monitoring, the Council has been unable to fully address these statutory mandates. Given the significance of these mandates, we recommend that the Council take immediate action and implement procedures to address both statutes.

Recommendation No. 2

The legislature should amend the Council on Domestic Violence and Sexual Assault's statutes related to appointment of council members.

Prior Finding

The Network on Domestic Violence and Sexual Assault (Network) submits recommendations, to the Governor, of public members qualified to serve on the Council. The Network also receives grant funds from the Council. The Council consists of four state officials and three public members appointed by the governor. Alaska Statute 18.66.020(a)(1) and AS 18.66.020(b), in part, states:

(a)(1) The council consists of three persons appointed by the governor after consultation with the Network on Domestic Violence and Sexual Assault, a non profit corporation; The Network on Domestic Violence and Sexual Assault shall submit a list to the governor of persons recommended for appointment.

(b) ... A vacancy on the council shall be filled for the unexpired term by appointment by the governor after consultation with the Network on Domestic Violence.

The Network also annually receives a grant from the Council for a legal advocacy project. The grant is the victim services⁴ allocation of the Violence Against Women Act (VAWA) federal funding received by the Council.

The appearance of a conflict of interests exists when a council member reviews, evaluates, approves, and monitors a grant to the same nonprofit corporation which was responsible for recommending that individual to the council membership.

It is entirely appropriate for the governor to consult with any interested parties when making appointments to the Council. However, it is a statutory mandate for the governor to consult with the Network, over the appointment of public members, when the Network itself is a subgrantee of the Council that raises an appearance of a conflict of interest.

Legislative Audit's Current Position

Since the last audit, AS 18.66.020 has not been revised and the Network continues to get funding from the Council. However, of the last five public members appointed to the Council, only two were recommended by the Network.

⁴ The VAWA federal funds are distributed in the following manner: 5% for judicial; 25% for law enforcement; 25% prosecution; 30% for victim services; and 15% to discretionary funds.

To avoid any appearance of a conflict of interest between public member appointments and receiving funding, we continue to recommend the legislature amend AS 18.66.020 to: (1) eliminate the mandate for the Network to recommend individuals to the governor for appointment to the Council, and (2) eliminate the requirement for the governor to consult with the Network on the appointment or reappointment of the council's public members.

ANALYSIS OF PUBLIC NEED

The following analyses of board activities relate to the public need factors defined in AS 44.66.050(c). These analyses are not intended to be comprehensive, but address those areas we were able to cover within the scope of our review.

Determine the extent to which the board, commission, or program has operated in the public interest.

The Council has awarded and administered grant funds to local community organizations and programs that provide services to victims of domestic violence and sexual assault, batterer intervention services to perpetrators of domestic violence, and crisis intervention and prevention programs. The presentation element of the funding meeting is generally accepted and approved by all of the grantees. Public participation was encouraged and legislative intent was considered in the funding process. The Council strives to treat urban and rural participants fairly throughout the grant award process. The Council exercises oversight and performs on-site audits of most grant recipients.

The Council coordinates the efforts of many state and community agencies, working toward a comprehensive statewide system, to combat domestic violence and sexual assault. Overall, we conclude that the Council is performing its coordination duties.

The Council provides technical assistance in various forms to state agencies, law enforcement agencies, grantees, and community groups on a regular basis.

The Council worked on getting private and federal funding for capital improvement projects for the facilities of victim services providers. In addition, the State of Alaska, through the Council—in a collaborative effort with the Cook Inlet Tribal Council, Alaska State Court System, and Abused Women's Aid in Crisis—implemented the only supervised visitation center in the State with federal funding.

The Council has provided funds to assist in the development of training materials and participation in training events related to domestic violence and sexual assault. The Council has also provided statewide training with the regional State-Tribal forum on domestic violence. Training has been used by law enforcement officers, prosecutors, judicial officers, tribal citizens, probation/parole officers, social service providers, grantees, and community groups.

The Council provides domestic violence and sexual assault education on a local level through its grantees. The Council maintains a lending library with educational and reference materials available that are both adequate and appropriate to address the cause, prevention, and treatment of domestic violence and sexual assault.

Determine the extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices that it has adopted, and any other matter, including budgetary, resource, and personnel matters.

The Council's board members have been appointed in accordance with Alaska statutes. All appointed members have shown an interest in matters dealing with the domestic violence and sexual assault. In addition, the Council is in a position to facilitate the resolution of coordination issues at the local level with representatives who oversee these areas at the state level.

The Council installed a new web-based database system in early FY 05. Although fairly new, the database system will be able to provide accurate, unduplicated statistical programmatic information for decision making. Overall, this system is expected to meet a critical need for coordinated standardized measurement and recording of statistical data between agencies.

AS 18.66.050(10) requires the Council to submit an annual report to the governor, and notify the legislature about the availability of the report. Although the statute is silent if such report is to be based on the calendar year or fiscal year, customarily the Council has submitted reports on fiscal year basis. The Council submitted the report to the governor on time for FY 02; but a few months late for FY 03 and FY 04 due to staff vacancy.

For the FY 06 grant award, the Council did not fund new programs choosing to maintain core services with existing council-funded programs. With a shrinking budget, the Council faced tough grant-funding decisions. The Council's grant award process is objective. The Council members reviewed the overall needs, economies of scale, duplication of services within geographic areas, and sustainability of existing programs. During the FY 05 funding meeting, grantees presented their financial struggle in keeping staff due to increasing operational costs, such as heating, lighting, and health insurance.

Other than occasional operational costs, the victim services programs have not received substantial core services funding increases.⁵ In addition, the batterers intervention programs have not seen any increase in their grant awards. In fact, the community-based batterers intervention programs had their budget reduced from \$320,000 to \$200,000 in FY 04. The schedule of grants awarded between FY 03 through FY 06 is located on Appendix A.

The financial schedule shown in Exhibit 1 (on the following page) depicts the Council's actual operating expenditures and funding sources between FY 02 through FY 05. The Council's funding sources are federal, state general funds, permanent fund dividends⁶, and interagency receipts from DHSS and the DOC. Overall, the Council's operating budget has decreased between FY 02 and FY 05 and amounts paid by the general fund continue to fall.

⁵ Using carry over authorization from prior year federal grants, the Council funded an extra \$513,159 to cover health insurance cost increases in FY 03 for victim services programs. For the FY 06 grant awards, the legislature also appropriated an additional \$200,000 for the victim services programs to cover operational costs.

⁶ These are Permanent Fund Dividend amounts withheld from convicted felons and misdemeanants who are incarcerated. The PFD is the main source of funding for the Council's batterers intervention program.

Exhibit 1
Schedule of Operating Expenditure and Funding Sources

| | <u>FY02</u> | <u>FY03</u> | <u>FY04</u> | <u>FY05</u> |
|---|---------------------|---------------------|--------------------|---------------------|
| Expenditures: | | | | |
| Personal Services | 432,156 | 435,533 | 441,162 | 380,137 |
| Travel | 54,548 | 47,743 | 87,933 | 116,594 |
| Contractual | 544,252 | 536,279 | 539,782 | 529,788 |
| Supplies | 7,233 | 15,273 | 6,001 | 14,418 |
| Equipment | 4,474 | 1,997 | 9,382 | - |
| Grants to Programs ⁷ | 7,950,647 | 8,555,081 | 8,262,676 | 7,742,461 |
| Total Operating Expenditures | \$ 8,993,310 | \$ 9,642,906 | \$9,346,936 | \$8,783,398 |
| Funding Sources | | | | |
| Federal Receipts | 2,363,358 | 2,966,083 | 4,452,958 | 3,627,593 |
| Interagency Receipts from DHSS ⁸ | 1,351,840 | 1,592,114 | 494,237 | 1,007,221 |
| Interagency Receipts from DOC ⁹ | 155,382 | 174,565 | 174,700 | 157,990 |
| Other Miscellaneous Receipts | 291 | 507 | 701 | 438 |
| General Fund Appropriations | 5,122,439 | 4,909,637 | 4,224,340 | 3,990,156 |
| Total Funding Sources | \$ 8,993,310 | \$ 9,642,906 | \$9,346,936 | \$ 8,783,398 |

Additionally, in order to maintain funding for the grantee programs, the Council decided to fill their FY 05 budget shortfall through vacancies in Council staff. Although this is a reasonable decision, the Council has not fulfilled its statutory mandates due to limited staff resources, see Recommendation No. 1.

Determine the extent to which the board, commission, or agency has recommended statutory changes that are generally of benefit to the public interest.

The Council is generally asked by other agencies to review statutory changes contained in proposed legislation. Typically, Council members/staff review and comment on proposed legislation rather than developing and seeking support for its own measures. The Council discusses pertinent bills deciding which legislation the Council should support, remain neutral on, or oppose. The executive director develops, analyzes, and testifies on bills at the direction of the Council.

⁷ Grant amounts exclude capital improvement expenditures funded through capital appropriations.

⁸ Department of Health and Social Services' RSA mostly funds the victim services programs.

⁹ \$98,238 of the Department of Corrections' RSA funds the prison-based batterers intervention programs, with the remainder amount funding the administrative costs for both community-based and prison-based batterers intervention programs.

Legislation that was supported by the Council include the following:

- HB 332 (Chapter 91 SLA 2002) – amended the Council’s statute where the Council hires the executive director and the executive director now hires the staff. This legislation also placed the executive director and staff into exempt service.
- HB 328 (Chapter 15 SLA 2004) – related to certain victim’s rights and the Violent Crimes Compensation Board.
- HB 385 (Chapter 111 SLA 2004) – related to awarding child custody
- HB 398 (Chapter 19 SLA 2004) – established the domestic violence fatality review teams in areas of the State.

Determine the extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service that it has provided.

The Council encourages interested parties to comment on its decisions or regulations by publicly announcing its meetings. The Council holds at least four meetings per year, normally in Anchorage or Juneau. Meetings held in Juneau are typically teleconferenced statewide.

Determine the extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions.

The Council encourages public participation by posting the Council’s meeting schedule on their website. Time is provided on the agenda of every public meeting for public comment. Grantee agencies are allocated time to speak directly to the Council at the main “funding” meeting. Also at each of its meetings, the Council schedules time for presentations from the Network and other community groups involved in the field of domestic violence and sexual assault.

Determine the efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of victims’ rights or the office of the ombudsman have been processed and resolved.

We found no problems in this area. Complaint procedures are in place, followed when complaints are made, and files are maintained. No complaint activity was noted from FY 02 through FY 05.

Determine the extent to which a board or commission that regulates entry into an occupation or profession has presented qualified applicants to serve the public.

Since the Council does not regulate any occupations or professions, this is not applicable.

Determine the extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission, or agency to its own activities and the area of activity or interest.

No complaints against the Council were identified.

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

The previous sunset audit reported administrative issues with the line of authorities and undefined job responsibilities with the staff. Although the administrative weaknesses have been resolved, the Council is still facing personnel issues related to constant staff turnover. It takes considerable time to train new personnel and finish projects due to staff turnover.

The Council chose to concentrate on fulfilling its mandates through grant funding although with fewer resources, and focused less on its other mandates such as: (1) consultation with Department of Education and Early Development (DEED) to develop and implement standardized school curricula, and (2) Department of Health and Social Services (DHSS) to formulate standards and procedures for health care personnel.

There is still need for a more coordinated effort towards education in school districts across the State. The Council should consult with DEED's school district representatives and grantees, who have worked toward creating a comprehensive standardized curriculum to guide schools across the State.

There is also a need for statewide coordination efforts between the Council and DHSS, ensuring standards and procedures are available to health care facilities and practitioners of the healing arts and personnel in those facilities that provide services for victims of domestic violence in the communities across the State.

Determine the extent to which the board, commission, or agency has effectively attained its objectives and purposes and the efficiency with which the board, commission, or agency has operated.

The Council's purpose is to provide planning and coordination of services for victims of domestic violence or sexual assault or to their families, to perpetrators of domestic violence and sexual assault, and to provide for crisis intervention and prevention programs.

The Council, as the state agency responsible for administering the majority of crime victim assistance funding resources in Alaska, has been very effective with their coordination of services and outreach efforts through their grant award process. As an effective means to use and spread limited funds, the Council has ensured that Council-funded programs provide

coordinated efforts within the local communities such as law enforcement agencies, tribal groups, social service providers, hospitals, schools, courts systems, among others.

To continue with its mission, the Council plans to work on strategic planning to assess the effectiveness of services currently being provided by grantees and other state and local entities. The overall goal of the plan is to identify and address existing gaps in service.

Determine the extent to which the board, commission, or agency duplicates the activities of another governmental agency or the private sector.

One of the Council's major objectives is the coordination of agencies, both state and local, that share the similar objective of combating the effects of domestic violence and sexual assault. No other agency is in a position to have an impact on this issue in this manner. Its existence is to help ensure that various agencies work together to effectively respond to Alaska's high rate of domestic violence and sexual assault. As a result, its activities do not duplicate the activities of the governmental agencies or the private sector.

Appendix A
 Council on Domestic Violence and Sexual Assault
 Schedule of Grants Awarded FY 03 through FY 06
 (unaudited)

| | FY03 | FY04 | FY05 | FY06 |
|---|------------------|------------------|------------------|------------------|
| Victim Services Program Grants | | | | |
| Abused Women's Aid in Crisis (Anchorage) | \$ 843,816 | \$ 805,816 | \$ 805,816 | \$ 828,616 |
| Advocates for Victims of Violence (Valdez) | 237,598 | 213,181 | 213,181 | 219,576 |
| Aiding Women in Abuse and Rape Emergencies (Juneau) | 561,147 | 489,641 | 489,641 | 504,330 |
| Alaska Family Services (Palmer) | 418,486 | 418,486 | 418,486 | 453,575 |
| Alaska Women's Resource Center (Anchorage) | 215,636 | 197,836 | 197,836 | 199,634 |
| Arctic Women in Crisis (Barrow) | 244,703 | 242,571 | 242,571 | 249,848 |
| Bering Sea Women's Group (Nome) | 420,706 | 420,706 | 420,706 | 465,406 |
| Cordova Family Resource Center | 55,504 | 51,421 | 51,421 | 52,964 |
| Emmonak Women's Services | 180,855 | 183,599 | 183,599 | - |
| Interior Alaska Center for Non-Violent Living (Fairbanks) | 694,296 | 679,296 | 679,296 | 702,642 |
| Kodiak Women's Resource and Crisis Center | 285,551 | 264,326 | 264,326 | 272,256 |
| LeeShore Center (Kenai-Soldotna) | 413,389 | 397,401 | 397,401 | 409,323 |
| Safe and Fear-Free Environment (Dillingham) | 353,716 | 330,116 | 330,116 | 385,116 |
| Seaview Community Services (Seward) | 77,811 | 77,811 | 77,811 | 80,145 |
| Sitkans Against Family Violence | 339,766 | 303,401 | 303,401 | 312,503 |
| South Peninsula Women's Services (Homer) | 273,145 | 249,091 | 249,091 | 283,555 |
| Standing Together Against Rape (Anchorage) | 436,706 | 396,706 | 396,706 | 412,789 |
| Tundra Women's Coalition (Bethel) | 625,809 | 608,133 | 608,133 | 704,133 |
| Unalaskans Against Sexual Assault and Family Violence | 133,607 | 123,001 | 123,001 | 126,691 |
| Victims for Justice (Anchorage) | 53,199 | 26,078 | 26,078 | - |
| Women in Safe Homes (Ketchikan) | 557,183 | 517,183 | 517,183 | 532,698 |
| Total Victim Services Program Grants | 7,422,629 | 6,995,800 | 6,995,800 | 7,195,800 |
| Community Based Batterer Intervention Program Grants | | | | |
| Alaska Family Services (Palmer) | \$ 57,000 | \$ 55,812 | \$ 55,812 | \$ 55,812 |
| Interior Alaska Center for Non-Violent Living (Fairbanks) | 68,500 | 67,312 | 67,312 | 67,312 |
| Island Counseling Services (Sitka) | 42,500 | - | - | - |
| Ketchikan Indian Corporation | 52,500 | 51,313 | 51,313 | 51,313 |
| Sound Alternatives (Cordova) | - | - | - | - |
| South Peninsula Women's Services (Homer) | 29,500 | 25,563 | 25,563 | 25,563 |
| Tongass Community Counseling Center | 70,000 | - | - | - |
| Total Community Based Batterer Intervention Program Grants | 320,000 | 200,000 | 200,000 | 200,000 |

Appendix A
 Council on Domestic Violence and Sexual Assault
 Schedule of Grants Awarded FY 03 through FY 06
 (unaudited)

| | <u>FY03</u> | <u>FY04</u> | <u>FY05</u> | <u>FY06</u> |
|---|----------------------------|----------------------------|----------------------------|----------------------------|
| Prison Batterer Intervention Program Grants | | | | |
| Alaska Family Services (Palmer) | \$ 40,000 | \$ 50,589 | \$ 56,589 | \$ 56,589 |
| Interior Alaska Center for Non-Violent Living (Fairbanks) | 25,386 | 41,648 | 41,648 | 41,648 |
| Tongass Community Counseling Center (Juneau) | <u>32,851</u> | <u>-</u> | <u>-</u> | <u>-</u> |
| Total Prison Batterer Intervention Program Grants | <u>98,237</u> | <u>98,237</u> | <u>98,237</u> | <u>98,237</u> |
| | | | | |
| Violence Against Women Act (VAWA) Grants | | | | |
| Alaska Network on Domestic Violence and Sexual Assault | \$ 235,500 | \$ 223,440 | \$ 216,030 | \$ 216,315 |
| Dept. of Law Reimbursable Services Agreement | 196,250 | 186,200 | 180,025 | 180,263 |
| Dept. of Public Safety Reimbursable Services Agreement | 196,250 | 186,200 | 180,025 | 180,263 |
| Alaska Court System Reimbursable Services Agreement | 39,250 | 37,240 | 36,005 | 36,052 |
| Discretionary (See "Note" below) | <u>78,500</u> | <u>111,720</u> | <u>108,015</u> | <u>108,157</u> |
| Total VAWA Grants | <u>\$ 745,750</u> | <u>\$ 744,800</u> | <u>\$ 720,100</u> | <u>\$ 721,050</u> |
| | | | | |
| TOTAL | <u><u>\$ 8,586,616</u></u> | <u><u>\$ 8,038,837</u></u> | <u><u>\$ 8,014,137</u></u> | <u><u>\$ 8,215,087</u></u> |

Note: Between FY 02 through FY 05, the Council awarded the VAWA fund discretionary allocation to the Network, Wasilla Police Department, Safe and Fear-Free Environment (SAFE), South Peninsula Women's Services (SPWS), Aiding Women Against Rape Emergencies (AWARE), Tundra Women's Coalition (TWC), Standing Together Against Rape (STAR), and Bering Sea Women's Group (BSWG) for victim services projects.



State of Alaska
Department of Public Safety
Council on Domestic Violence & Sexual Assault

Frank H. Murkowski, Governor
William Tandeske, Commissioner

December 21, 2005

Pat Davidson
Alaska State Legislature
Legislative Budget and Audit Committee
Division of Legislative Audit
P.O. Box 113300
Juneau, Alaska 99811-3300

RE: Preliminary Report Response, Council on Domestic Violence and Sexual Assault.

Thank you for the opportunity to respond to the findings and recommendations of the November 2005 audit.

The Council agrees with Recommendation No. 1, and has already entered into discussions with the Department of Education and Early Development (DEED) about developing a closer working relationship consistent with the statutory mandate. In our initial contacts, for example, we determined that several years ago DEED collaborated with the Council on statewide teacher training. Currently DEED is developing modules on domestic violence and sexual assault (DVSA). DEED and the Council have already established a process for the Council to be included in reviewing those modules. We will collaborate through meetings, teleconferences, work groups, and other avenues as appropriate.

Regarding Recommendation No. 1 and the Department of Health and Human Services (DHSS), the Council has begun targeted discussions regarding the interface between the DHSS programs and DVSA issues. Many of the DHSS program areas assist individuals and families with multiple problems including DVSA as it impacts families, children, and elders. In reviewing potential areas of coordination and planning, we have identified some areas that should provide for fruitful collaboration, including the development of program staff training and the possibility of requiring relevant training for service providers under contract with DHSS. We will continue to coordinate through teleconferences, meetings, and workgroups, as appropriate, to assess and prioritize the impact of DVSA issues within DHSS.

Regarding Recommendation No. 2, while the Council recognizes and understands the merit of this issue, it is important to note that the Governor is not bound by any recommendation made by the Alaska Network on Domestic Violence and Sexual Assault (Network). Because of this safeguard, the Council believes that obtaining input from the Network, which has significant knowledge and expertise, outweighs any limitations or theoretical conflicts.

Finally, in general, the Council continues its strategic planning efforts, continues to explore grant and foundation funding for statewide domestic violence and sexual assault programs, and continues to strengthen and develop its own personnel and office resources.

Council on Domestic Violence & Sexual Assault
P.O. Box 111200 - Juneau, AK 99811 - Voice (907) 465-4356 - Fax (907) 465-3627

We appreciate the work of the Division of Legislative Audit and look forward to working with you in the future.

Sincerely,

Barbara A. Mason for Janna L. Stewart.

Janna L. Stewart
CDVSA, Chair

Cc: CDVSA Board Members

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HCS CS SB 250 (STA)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title: Domestic Violence/Sexual Assault RDU: CDVSA
 Component: Batterers Intervention Program
 Sponsor: Rules by Request of Legislative Budget & Audit
 Requester: House Finance Committee Component No.: 2241

Expenditures/Revenues (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2007 | FY 2008 | FY 2009 | FY 2010 | FY 2011 | FY 2012 |
|------------------------|------------|--------------|------------|------------|------------|------------|
| Personal Services | | | | | | |
| Travel | | | | | | |
| Contractual | | | | | | |
| Supplies | | | | | | |
| Equipment | | | | | | |
| Land & Structures | | | | | | |
| Grants & Claims | | 200.0 | | | | |
| Miscellaneous | | | | | | |
| TOTAL OPERATING | 0.0 | 200.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|-----------------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|-----------------------------|--|--|--|--|--|--|

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

FUND SOURCE (Thousands of Dollars)

| | | | | | | |
|--------------------------|------------|--------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | 200.0 | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| TOTAL | 0.0 | 200.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| Full-time | | | | | | |
| Part-time | | | | | | |
| Temporary | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This bill extends the termination date of the Council on Domestic Violence and Sexual Assault to June 30, 2008.

Prepared by: House Finance Committee
 Division: _____
 Approved by: Representative Meyer
Representative Chenault

Phone: 465 4945
 Date/Time: _____
 Date: 4/26/2006

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HCS CS SB 250(STA)
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
Title Domestic Violence/Sexual Assault RDU CDVSA
Component CDVSA
Sponsor Rules by Request of Legislative Budget & Audit
Requester House Finance Committee Component No. 521

Expenditures/Revenues (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2007 | FY 2008 | FY 2009 | FY 2010 | FY 2011 | FY 2012 |
|------------------------|------------|-----------------|------------|------------|------------|------------|
| Personal Services | | 604.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| Travel | | 83.5 | 0.0 | 0.0 | 0.0 | 0.0 |
| Contractual | | 947.4 | 0.0 | 0.0 | 0.0 | 0.0 |
| Supplies | | 12.3 | 0.0 | 0.0 | 0.0 | 0.0 |
| Equipment | | 16.2 | 0.0 | 0.0 | 0.0 | 0.0 |
| Land & Structures | | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Grants & Claims | | 9,277.6 | 0.0 | 0.0 | 0.0 | 0.0 |
| Miscellaneous | | | | | | |
| TOTAL OPERATING | 0.0 | 10,941.2 | 0.0 | 0.0 | 0.0 | 0.0 |

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| CAPITAL EXPENDITURES | | | | | | |
|-----------------------------|--|--|--|--|--|--|

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

FUND SOURCE (Thousands of Dollars)

| | | | | | | |
|-----------------------|------------|-----------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | 3,456.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1003 GF Match | | | | | | |
| 1004 GF | | 2,394.3 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1007 I/A Receipts | | 2,313.4 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1171 PFD Crim. | | 2,777.5 | 0.0 | 0.0 | 0.0 | 0.0 |
| TOTAL | 0.0 | 10,941.2 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| Full-time | | | | | | |
| Part-time | | | | | | |
| Temporary | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This bill extends the termination date of the Council on Domestic Violence and Sexual Assault to June 30, 2008.

Prepared by: House Finance Committee
Division: _____
Approved by: Representative Meyer
Representative Chenault

Phone 465-4545
Date/Time 04/26/06 9:04 a.m.
Date _____

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 26, 2006

SUBJECT: Title change (HCS SB 250(FIN), Work Order No. 24-LS1546Y)

TO: Representative Mike Chenault
Representative Kevin Meyer
Co-Chairs of the House Finance Committee
Attn: Nancy

FROM: Brian J. Kane *BJK*
Legislative Counsel

Enclosed is a draft of the changes you requested for SB 250. However, there is an issue I would like to bring to your attention regarding a title change.

The phrase "and eliminating statutory references to the network on domestic violence and sexual assault" has been deleted at a prior point from the title. This phrase was included in the title when the bill arrived in the second house.

Since this bill is in the second house, a title change cannot be made just deleting the phrase. Uniform Rule 35 sets out the rule in this area, providing in pertinent parts: "A motion or proposition on a subject that requires a change in the title of the bill as enacted in the house of origin, other than a clerical or technical change, is not in order in the second house." At your request, I can draft a title change resolution to go along with the committee substitute for SB 250.

If I may be of further assistance, please advise.

BJK:lmb
06-149.lmb

Enclosure

RO as amended
4-26

24-LS1546G

HOUSE CS FOR SENATE BILL NO. 250(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/12/06
Referred: Finance

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND
AUDIT COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act extending the termination date of the Council on Domestic Violence and Sexual
2 Assault."

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

4 * Section 1. AS 44.66.010(a)(5) is amended to read:

5 (5) Council on Domestic Violence and Sexual Assault (AS 18.66.010)
6 - June 30, 2008 [2006];

*failed
4-4*

CONCEPTUAL AMENDMENT

2

OFFERED IN THE HOUSE
TO: HCS CS SB 250 (STA)

BY: Representative Meyer

1 Page 1, line 2
2 After "Assault"
3 Insert "; and eliminative statutory references to the network on domestic violence
4 and sexual assault"

5
6 Page 1, Insert new section

7 Section 1. AS 18.66.020(a) is amended to read:

8 (a) The council consists of

9 (1) three persons appointed by the governor [AFTER CONSULTATION
10 WITH THE NETWORK ON DOMESTIC VIOLENCE AND SEXUAL
11 ASSAULT, A NONPROFIT CORPORATION; THE NETWORK ON
12 DOMESTIC VIOLENCE AND SEXUAL ASSAULT SHALL SUBMIT
13 A LIST TO THE GOVERNOR OF PERSONS RECOMMENDED FOR
14 APPOINTMENT];

15 (2) the commissioner of public safety or the designee of the commissioner of
16 public safety;

17 (3) the commissioner of health and social services or the designee of the
18 commissioner of health and social services;

19 (4) the commissioner of education and early development or the designee of
20 the commissioner of education and early development; and

21 (5) the attorney general or the designee of the attorney general.
22

23 Page 2, Insert new section

24 Section 2. AS 18.66.020(b) is amended to read:
25

1 (b) The term of office of a member appointed under (a)(1) of this section is two
2 years. A member appointed under (a)(1) of this section serves at the pleasure of the
3 governor and may not serve more than two consecutive terms. A vacancy on the council
4 shall be filled for the unexpired term by appointment by the governor [AFTER
5 CONSULTATION WITH THE NETWORK ON DOMESTIC VIOLENCE AND
6 SEXUAL ASSAULT].

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Renumber the remaining section accordingly.

*adopted
4-26*

CONCEPTUAL AMENDMENT

OFFERED IN THE HOUSE
TO: HCS CS SB 250 (STA)

BY Representative Meyer

- 1 Page 1, line 6
- 2 Delete "2008"
- 3 Insert "2010"
- 4
- 5
- 6
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HOUSE FINANCE COMMITTEE ROLL CALL

DATE: 4-24

Amendment: Amend. 2 - SB 250

MEMBER

Favor

Oppose

| | | |
|-----------|---|---|
| KELLY | ✓ | |
| KERTTULA | — | |
| MOSES | | ✓ |
| STOLTZE | ✓ | |
| WEYHRAUCH | | ✓ |
| FOSTER | ✓ | |
| HAWKER | — | |
| HOLM | | ✓ |
| JOULE | | ✓ |
| | — | |
| MEYER | ✓ | |
| CHENAULT | — | |

4-4

Through the Chair

Barbara Mason

House Finance SB 250
Presentation 4-25-06

4-26-06

I would like to thank the committee for giving me the opportunity to inform you all about the Council and the Sunset Audit that was just completed.

Our Mission is to implement a statewide system of services for the protection of individuals and families affected by domestic violence and sexual assault.

- The Council is comprised of seven members consisting of representatives from four state agencies and 3 public members.
 - Janna Stewart is our Chair and a public member,
 - Susan Parkes, is the Vice Chair and represents the Department of Law,
 - Commissioner Bill Tandeske represents the Department of Safety,
 - Barbara Thompson from the Department of Education and Early Development,
 - Bill Hogan, Department of Health and Social Services,
 - Ann House, Public Member
 - and Kim Williams, Public Member

I am very lucky in that this is a Council in which all of the members are very knowledgeable, concerned about the issue, and involved. The members take their participation very seriously and are very responsive. I have learned a great deal from working with with my Council members.

- At each quarterly meeting the Council reviews the reports sent in by the programs and notes concerns raised that are relevant to their departments in order to address the issues. For instance, if a concern is raised about prosecutors, Susan Parkes will follow up within her department. The same holds true for each of the members.
- The Legislative Sunset Audit is a very through audit, which lasts for several months. Its purpose is to determine whether or not the Council serving the purpose for which it was intended.

The auditors thoroughly reviewed several years of the Council's budget and records.

The Council members and staff were interviewed. The programs we fund and their association, the Network, were interviewed.

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

When all of the gathered information was analyzed, the recommendation was that the Council is overall meeting our statutory requirements and is providing a public service and should continue.

- There are two recommendations that came out of that audit.
 - The first recommendation states that "The Council should address its statutory responsibilities to consult with the Department of Education and early Development and the Department of Health and Social Services."

actively working on leg. recommendations and if you would like more specifics I would be happy to answer questions

- The Council needed to prioritize and chose to focus primarily on ensuring the continued funding and oversight of the programs and most of our other statutory requirements
- To address those concerns I contacted our Council members from the departments of education and health and social services to start planning what we could be doing in the short term and in the long term to address our statutory mandates.
- I spoke with Barbara Thompson, who represents the Department of Education and Early Development and she told me that her department is developing training modules for their professional staff and one is on domestic violence. I was put in contact with the individuals working on the module and I am currently reviewing the materials on this subject.

The next step is to assess which school districts have domestic violence and sexual assault curricula that are currently being used and which districts have none.

- I also contacted Bill Hogan with the Department Health and Social Services and we decided that the best place to start was to have me attend a meeting with all of their Division Directors. On April 17th I attended their meeting and did a presentation on the Council and our statutory mandates.

Of the Divisions within DHSS, Bill and I have agreed that our first focus is the Division of Health as they are specifically mentioned in statute. We would also like to focus in on the Divisions of Behavior Health and Office of Children Services as we feel that the populations we serve are interconnected.

- The second recommendation proposed by legislative audit concerns the statutory requirement around the Network on Domestic Violence and Sexual Assault.

- There is generally much confusion about the difference between the Council and the Network and I would like to take a moment to clarify some of the differences.

The Council is a governmental agency and one of our main duties is to manage the State and Federal funds to ensure services across the state.

The Network is a private non-profit entity who represents the programs.

These are the same programs that the Council funds.

The Programs pay annual dues to have the Network represent them at the legislature and if there are issues with Council.

The common goal between the two is to provide safety and intervention for those affected by DV/SA

- When the Sunset Audit came out, the Council responded by stating that although we recognized the merit of the Legislative Audit position, we felt that the Network's expertise outweighed any conflict concerns.

Because the Council does represent the public interest
Once the Legislative Audit recommendation made it into SB 250 and Leg. Audit testified about their concerns about the conflict of interest, the Council chose to support the Sunset Audit recommendations, with no disrespect intended towards the Network.

Since the Network can continue to make recommendations to the Governor and the Governor is still free to accept or decline the recommendation, the Council does not feel that the public interest will be harmed if the statute changes.

In conclusion I would like to state that I agree with the Legislative Sunset Audit that the Council provides a much needed public service and operates in the public interest.

*Support Leg Audit recommendations
extending the Council's
Sunset date.*

Alaska State Legislature

State Capitol, Room 102
Juneau, AK 99802
Phone: 465-2689
Fax: 465-3472
Toll Free (800) 665-2689
Representative_Paul_Seaton@legis.state.ak.us



345 W. Sterling Highway
Suite 102B
Homer, AK 99603
Phone: 235-2921
Fax: 235-4008

House State Affairs Committee Rep. Paul Seaton, Chair

Letter of Intent HCS SB 250 (STA)

It is the intent of the Legislature to request the Council on Domestic Violence and Sexual Assault to draft a strategic plan. This plan will assist the Council in fulfilling its statutory mandates at AS 18.66.010 through AS 18.66.990. It will assist the legislature in determining the effectiveness of the Council in addressing this vital concern of Alaskans. This report is to be submitted to the legislature on the first day of the 2007 legislative session. The report should detail the efforts of the Council on following issues:

1. Consistent with the recommendations of the 2005 LB&A audit, the Council needs to consult to a greater degree with the Department of Education and Early Development and develop curriculum on the cause, prevention, and treatment of domestic violence and sexual assault.
2. Also consistent with the recommendations of the 2005 audit, the Council needs to work with the Department of Health and Social Services to develop standards and procedures as required in AS 18.66.300 for the delivery of services to victims of domestic violence by health care facilities.
3. In its Missions and Measures the Council needs to provide updated results and strategies with measurable objectives that will indicate whether the Council is progressing on its objectives.
4. The Council needs to establish a written plan for coordination of departmental responses to domestic violence and sexual assault.
5. The Council is responsible for holding public hearings on domestic violence and sexual assault. The Council needs to establish a plan to ensure continued public input on the state's response to these crimes.

A handwritten signature in cursive script, appearing to read "Paul Seaton".

Representative Paul Seaton, Chair, House State Affairs Committee

COMMITTEE COPY

not taken up

24-LS1546A.10
Kane
4/5/06

Conceptual AMENDMENT 3 By Kerttula

OFFERED IN THE HOUSE

TO: SB 250

1 Page 1, line 2, following "Assault;":

2 Insert "adding qualifications on the appointment of persons to the Council on
3 Domestic Violence and Sexual Assault by the governor;"

4

5 Page 1, line 7, following "governor":

6 Insert "based on the following criteria:

7 (A) none of the persons may be a state employee of the
8 departments identified in (2) - (5) of this subsection;

9 (B) at least one member must have shown a past interest in
10 and knowledge of the crimes of domestic violence or sexual assault or have
11 experienced or had a family member experience domestic violence or
12 sexual assault; and

13 (C) at least one member shall reside in a rural community
14 in the state that is not connected by road or the Alaska marine highway
15 system to the main road system of the state"

16

17 Page 2, following line 14:

18 Insert a new bill section to read:

19 "** Sec. 4. The uncoded law of the State of Alaska is amended by adding a new section to
20 read:

21 APPLICABILITY. The provisions of AS 18.66.020(a)(1), as amended by sec. 1 of
22 this Act, apply to vacancies among public members of the Council on Domestic Violence and
23 Sexual Assault appointed by the governor that occur on or after the effective date of this Act."

FISCAL NOTE

replaced
4/26

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: SB 250
 (S) Publish Date: 3/6/06

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title: "An Act extending the termination date of the RDU Council on Domestic Violence & Sexual Assault
Council on Domestic Violence and Sexual Assault..." Component: CDVSA
 Sponsor: Legislative Budget and Audit Committee
 Requester: Senate Health, Education, Social Services Committee Component No. 521

Expenditures/Revenues (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2007 | FY 2008 | FY 2009 | FY 2010 | FY 2011 | FY 2012 |
|------------------------|---------|---------|---------|---------|---------|---------|
| Personal Services | | | | | | |
| Travel | | | | | | |
| Contractual | | | | | | |
| Supplies | | | | | | |
| Equipment | | | | | | |
| Land & Structures | | | | | | |
| Grants & Claims | | | | | | |
| Miscellaneous | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|-----------------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|-----------------------------|--|--|--|--|--|--|

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

FUND SOURCE (Thousands of Dollars)

| FUND SOURCE | FY 2007 | FY 2008 | FY 2009 | FY 2010 | FY 2011 | FY 2012 |
|--|---------|---------|---------|---------|---------|---------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| Other: (Specify Type--Do not abbreviate) | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY2006) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| Full-time | | | | | | |
| Part-time | | | | | | |
| Temporary | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

Passage of this legislation will not have a fiscal impact on the Department of Public Safety.

Prepared by: Special Assistant Cliff Stone
 Division: Commissioner's Office
 Approved by: Commissioner William Tandeske
 Agency: Department of Public Safety

Phone: 907-465-2649
 Date/Time: 2/16/06 6:27 PM
 Date: 2/16/2006

ALASKA STATE LEGISLATURE HOUSE FINANCE COMMITTEE

Representative Mike Chenault
Co-Chairman
(907) 465-3779

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716 W 4th Avenue
Anchorage, Alaska 99501

State Capitol, Juneau, Alaska 99801-1182

MEMORANDUM

DATE: April 25, 2006

TO: Senator Gene Therriault, Chairman
Legislative Budget and Audit Committee

FROM: Representative Kevin Meyer, Co-Chairman *Kevin Meyer*
House Finance Committee

RE: Audit Request-Council on Domestic Violence and Sexual Assault

In consideration of the House State Affairs version of Senate Bill 250 Domestic Violence/Sexual Assault, the House Finance Committee requests the Division of Legislative Audit conduct a follow-up audit to address the outstanding audit recommendations and the concerns expressed in the letter of intent adopted by the House State Affairs Committee.

Specifically, the House Finance Committee requests that the Legislative Budget and Audit Committee direct the Division of Legislative Audit to conduct an audit that addresses the following:

- The degree to which the Council has met its statutory responsibility under AS 18.66.050(3) which is to "*consult with authorities in the field, develop, implement, maintain, and monitor domestic violence, sexual assault, and crisis intervention and prevention programs, including education programs...and school curricula on the cause, prevention, and treatment of domestic violence and sexual assault.*"
- The degree to which the Council has met its statutory responsibility under AS 18.66.050(12) which is to "*consult with the Department of Health and Social Services in the formulation of standards and procedures for delivery of services to victims of domestic violence by health care facilities and practitioners of healing arts and personnel in those facilities as required in AS 18.66.300.*"

- The Council's progress on the development and implementation of a strategic plan and the plan's consistency with its adopted missions and measures and statutory responsibilities.

Further, the House Finance Committee directs the Council on Domestic Violence and Sexual Assault to include in their annual report, required by AS 18.66.300(10), an update on the Council's progress on prior, outstanding audit recommendations made by the Division of Legislative Audit, as well as the development and implementation of a strategic plan.

The House Finance Committee requests that the audit be available to the 25th Alaska State Legislature by January 1, 2008.

Thank you for your consideration of this request.

cc: Janna L. Stewart, Chair, Council on Domestic Violence and Sexual Assault
House Finance Committee members
House State Affairs Committee members

HOUSE CS FOR SENATE BILL NO. 250()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND
AUDIT COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act extending the termination date of the Council on Domestic Violence and Sexual
2 Assault; and eliminating statutory references to the network on domestic violence and
3 sexual assault."

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

5 * Section 1. AS 18.66.020(a) is amended to read:

6 (a) The council consists of

7 (1) three persons appointed by the governor [AFTER
8 CONSULTATION WITH THE NETWORK ON DOMESTIC VIOLENCE AND
9 SEXUAL ASSAULT, A NONPROFIT CORPORATION; THE NETWORK ON
10 DOMESTIC VIOLENCE AND SEXUAL ASSAULT SHALL SUBMIT A LIST TO
11 THE GOVERNOR OF PERSONS RECOMMENDED FOR APPOINTMENT];

12 (2) the commissioner of public safety or the designee of the
13 commissioner of public safety;

14 (3) the commissioner of health and social services or the designee of

1 the commissioner of health and social services;

2 (4) the commissioner of education and early development or the
3 designee of the commissioner of education and early development; and

4 (5) the attorney general or the designee of the attorney general.

5 * S. 2. AS 18.66.020(b) is amended to read:

6 (b) The term of office of a member appointed under (a)(1) of this section is
7 two years. A member appointed under (a)(1) of this section serves at the pleasure of
8 the governor and may not serve more than two consecutive terms. A vacancy on the
9 council shall be filled for the unexpired term by appointment by the governor [AFTER
10 CONSULTATION WITH THE NETWORK ON DOMESTIC VIOLENCE AND
11 SEXUAL ASSAULT].

12 * Sec. 3. AS 44.66.010(a)(5) is amended to read:

13 (5) Council on Domestic Violence and Sexual Assault (AS 18.66.010)

14 - June 30, 2010 [2006];

Alaska State Legislature

SENATOR
GENE THIERRIAULT
Chair



SESSION ADDRESS
State Capitol
Juneau, Alaska 99801-1182
(907) 465-4797
Fax: (907) 465-3884

Legislative Budget and Audit Committee SPONSOR STATEMENT SB 250

"An Act relating to the termination date of the Council of Domestic Violence and Sexual Assault; and eliminating references to the network on domestic violence and sexual assault.

This legislation stems from recommendations contained in the Legislative Audit Report entitled "Council on Domestic Violence and Sexual Assault Sunset Audit", dated September 23, 2005.

Legislative Audit concluded that the Council on Domestic Violence and Sexual Assault (Council) continues to serve a public need and is operating in the public interest. Accordingly, SB 250 extends the sunset date of the Council to June 30, 2014 for an eight-year extension.

Legislative Audit also recommended that the Legislature amend the Council statutes related to the appointment of Council members. Current law requires the Network on Domestic Violence and Sexual Assault (Network), a non-profit corporation, to submit a list of recommended candidates to the Governor for appointment when a vacancy occurs. Further, statutes require that the Governor fill any unexpired term of a Council member after consultation with the Network.

The Network annually receives a grant from the Council for a legal advocacy project and the appearance of conflict exists when a Council member reviews, evaluates, approves and monitors a grant to the same nonprofit organization that may have been responsible for recommending that individual be appointed to the Council. SB 250 deletes both statutory references that produce this appearance of conflict.

This audit was conducted under revisions made last session to the sunset process. The standard sunset period for occupational boards and non-occupational boards was changed from "not to exceed four years" to "not to exceed eight years". Additionally, to better measure operational performance, two new criteria were added to statute that must be considered in the course of a sunset review by the auditors:

- The extent to which the board, commission, or agency has effectively attained its objectives and the efficiency with which it has operated.
- The extent to which the board, commission, or agency duplicates the activities of another governmental agency or the private sector.

INTERIM ADDRESS

119 N. Cushman Suite 101, Fairbanks, Alaska 99701 • (907) 488-0857 • Fax: (907) 488-4271



Alaska State Legislature

Senate Majority Web: www.akrepublicans.org

Sponsor: Rules By Request of LEG BUDGET & AUDIT

Current Version: SB 250

Contact: W. Tom Maher, 465-3613

Fact Sheet for: Senate Bill 250

Short Title: DOMESTIC VIOLENCE/SEXUAL ASSAULT COUNCIL

Summary:

- Extends the termination date of the Council on Domestic Violence and Sexual Assault to June 30, 2014.
- Eliminates statutory references to the network on domestic violence and sexual assault.

Benefits:

- Continues the planning and coordination of full-range services to victims, families and the perpetrators of domestic violence and sexual assault.
- Helps combat domestic violence and sexual assault, an on-going priority at both the state and national level.

Background:

- SB 250 implements a recommendation of Legislative Audit to extend the Council on Domestic Violence and Sexual Assault. It also removes references to the Network on Domestic Violence and Sexual Assault to avoid potential conflicts of interest in the appointment process. The Network receives a grant from the Council and the appearance of conflict exists when a Council member may evaluate and approve a grant to the same non-profit organization that may have been responsible for recommending that individual be appointed to the Council.

States began adopting sunset laws in the 1970s as part of a national movement to increase the accountability of government and to reduce bureaucracy. The routine redetermination of the need for some aspect of government increases the likelihood that government growth is productive and deliberate.

The Challenge: Victim Safety in Alaska

A special report from the Alaska Network on Domestic Violence & Sexual Assault
On behalf of 20 member programs and thousands of Alaskan victims of violence

Safety for Alaskan victims of violence is at risk.

The Issue:

Alaska's Domestic Violence and Sexual Assault services are in crisis. Alaska leads the nation in sexual assault, homicides of women and child sexual assault while victim programs are going broke. Decreasing state funds, only small increases in federal funding, limited grant funding for operations and increasing competition for community contributions leave Alaska programs running "in the red" at a time when demand is at an all time high.

Alaska Stats – Way Too High:

- Child sexual assault 6 times the national average
- Rape rate 2.4 times the national average
- Highest rate in the U.S. of men murdering women
- Among the top 5 states in per capita rates of domestic violence
- Over 11,000 Alaskan women and children received Network program services to escape from violence in FY2005
- Over 6,000 incidents of domestic violence were recorded in FY2005



OUR GOAL
*Safety for all
Alaskans*

What do Network programs do to serve Alaskans?

- Save lives
- Respond to over 11,000 crisis calls a year
- Break down isolation of victims and their children
- Provide a safe and healthy environment for victims of violence
- Prevent homelessness
- Help people live free of violence and with hope for their families
- Connect victims and their children with essential needs: housing–employment–child care
- Facilitate victims' access to the protections of Alaska's legal system
- Educate professional groups, community members and children
- Work with communities to end domestic violence and sexual assault
- Prevent future generations from experiencing ongoing abuse

Why are costs increasing?

- More recipients are being served – 41% increase since 2001 (6,500 to 11,000)
- Nights spent at shelters and safe homes increased 58% (50,000 to 73,000)
- Facility costs are up –utilities by 15%; insurance & bonding by 30%
- Costs of helping victims travel to safe shelter are up 44%
- Costs of fuel, workers' compensation, payroll taxes and insurance are continuing to increase operational expenses

What about the funding?

- Federal and state funding for victim programs from the Council of Domestic Violence and Sexual Assault has only increased 4% in the last 5 years
- Some Network programs were saved from closure by increased funds for FY2006 operating expenses; the increase came from a minimal 3% overall budget increase and by "defunding" two programs, Victims for Justice and Emmonak Women's Services
- Maniilaq Family Crisis Center lost all their funding from Dept. of Health and Social Services and did not received Council funding in FY2006

What are programs doing to cope with the challenge?

- Reduce staff and/or hours
- Cut wages, health insurance, and pension plans (in turn leading to higher staff turn over – 60% in some agencies due to low wages and lack of other benefits)
- Reduce paid holidays, sick and vacation leave
- Apply for all possible grant funding (although most other grant funding cannot be used for operating costs)
- Increase requests for donations, municipal and in-kind supports

What is needed to continue basic safety and support for victims?

- 20% increase (from FY06) to cover shelter and advocate services \$1,439,260
- Fund Emmonak Women's Shelter (FY06 request-not funded) 228,290
- Fund Maniilaq Family Crisis Center (FY06 request-not funded) 354,922
- Total Basic Need \$2,022,472

What will happen with no increase in funding?

- Rural services for women and children are at risk of closure
- Services will be curtailed – advocacy services will be cut, including support to secure housing, child care and employment necessary to support victims' ability to be safe and financially independent of both their abuser and assistance programs
- Homelessness of at-risk women and children will increase
- Transportation to safety from villages/small communities will be reduced, leaving women and in dangerous and life-threatening living situations
- Children will continue to live in abusive environments, putting them at risk for chronic health problems, entry into the child welfare and/or juvenile justice system, and increasing the chance that they will continue the cycle of violence as adults

Why invest in services for Alaskan victims of violence?

- Save lives of women and children
- Help keep children out of the child welfare and juvenile justice system
- Relieve pressure on the law enforcement system
- Support victims to be economically stable, working and living healthy lives
- Reduce costs to justice and corrections systems
- Build healthy communities



Peggy Brown, Executive Director
(907) 586-3650

Council on Domestic Violence and Domestic Assault (CDVSA)

FACT SHEET

(February 2006)

The **Mission of the Council on Domestic Violence and Sexual Assault is to implement a statewide system of services for the protection of individuals and families affected by domestic violence and sexual assault.**

The goals of CDVSA are threefold;

- Manages the State and Federal funds to programs that provide services to those affected by domestic violence, sexual assault, and other violent crimes.
- Coordinate with the Departments of Public Safety, Law, Education and Early Development, Health and Social Services, Alaska Court System and community groups dealing with domestic violence, sexual assault, crisis intervention and prevention.
- To provide statewide leadership and coordination in addressing the issues of domestic violence, sexual assault, and meeting the needs of victims of violent crimes.

In order to address the mission and goals, CDVSA:

- Coordinates services with the Departments of Law, Education, Public Safety, Health and Social Services, and other state and community groups dealing with our identified population.
- Manages the funds received from the State of Alaska and the Federal Government.
- Distributes funds through a Request for Proposals (RFP) process to the providers.
- Oversees and audits the funded programs.
- Administers the state certified Batterer Intervention Programs (BIPS).
- Provides training on issues of domestic violence and sexual assault to government agencies and to communities.
- Uses a proprietary database to capture information from funded CDVSA programs.
- Conducts public meetings on a quarterly basis.

There are seven members on the Council board, designated by state statute, and currently eight staff members.

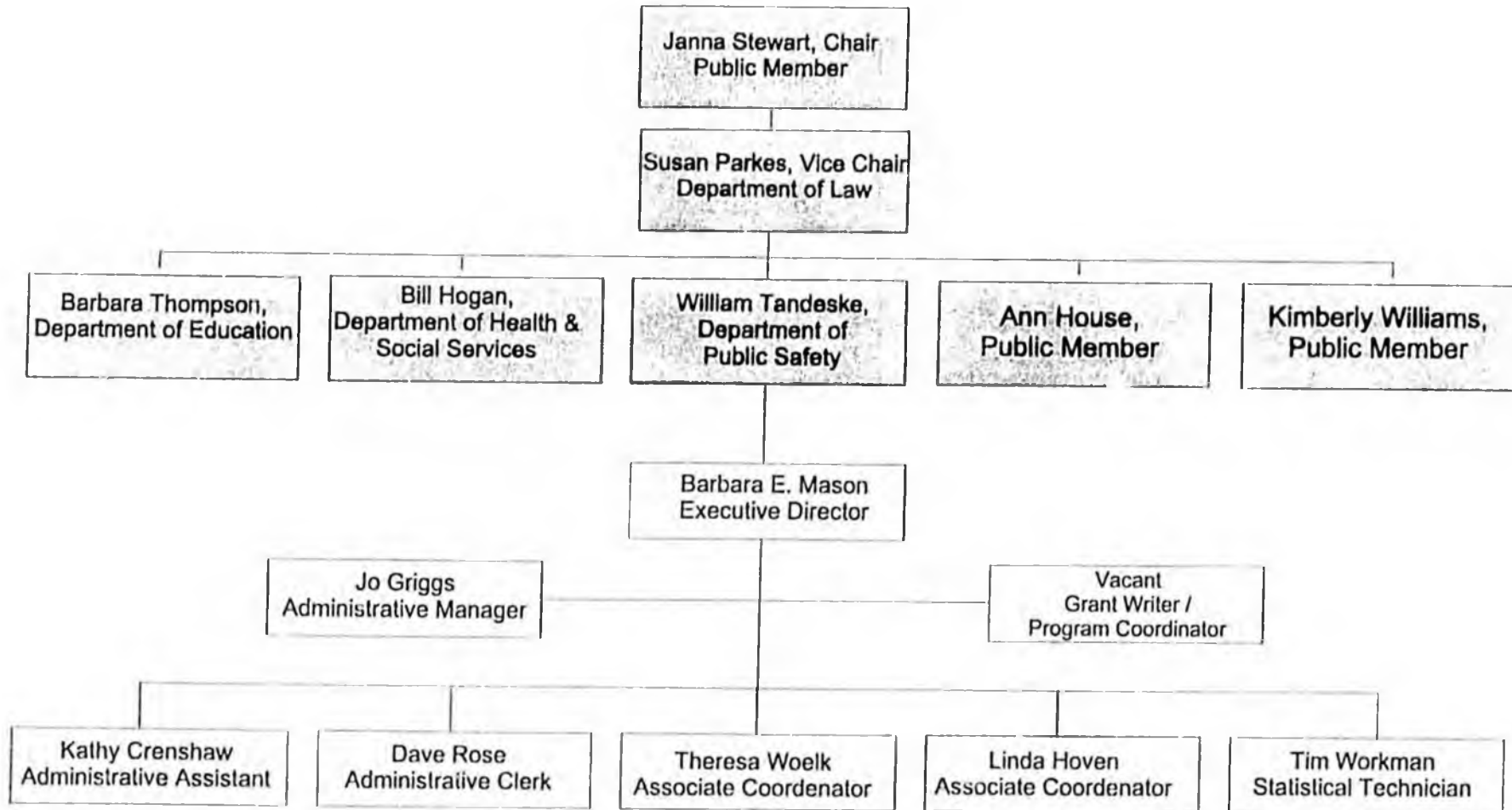
Council Members

Janna Stewart, Chair, Public Member
Susan Parkes, Department of Law, Vice Chair
Bill Tandeske, Department of Public Safety
Barbara Thompson, Department of Education
Bill Hogan, Dept. Health & Social Services
Ann House, Public member
Kimberly Williams, Public Member

Council Staff

Barbara E. Mason, Executive Director
Linda Hoven, Associate Coordinator
Theresa Woelk, Associate Coordinator
Jo Griggs, Admin Manager
Kathy Crenshaw, Administrative Assistant
Tim Workman, Statistical Technician
David Rose, Administrative Clerk
Sherrie Goll, GTEA Coordinator
Vacant, Grant Writer/Program Coordinator

**DEPARTMENT OF PUBLIC SAFETY
COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT
FY 2006**



CDVSA, FY 2006 Budget

| | Total | Programs Victim & BIP & Other Services* | CDVSA |
|------------------------------|-----------------------------------|---|----------------------------|
| Interagency Receipts | | | |
| DHSS SAP/RPE | 107,981.00 | 88,822.00 | 19,159.00 |
| DHSS TANF | 550,000.00 | 550,000.00 | 0 |
| DHSS Alcohol | 367,200.00 | 367,200.00 | 0 |
| DOC (BIP) | 68,500.00 | 0 | 68,500.00 |
| DOC (PBIP) | 106,200.00 | 98,200.00 | 8,000.00 |
| PFD Criminal Funds | 2,585,600.00 | 2,585,600.00 | 0 |
| Federal | | | |
| VOCA | 1,311,290.00 | 1,252,000.00 | 59,290.00 |
| FVPSA | 750,567.00 | 687,686.00 | 62,881.00 |
| VAWA | 759,000.00 | 721,100.00 | 37,900.00 |
| GTEA/Safe Havens | 294,966.00 | 250,966.00 | 44,000.00 |
| General Funds | 2,306,700.00 | 1,719,492.00 | 587,208.00 |
| | <u>Totals 9,208,004.00</u> | <u>8,321,066.00</u> | <u>**886,938.00</u> |
| Denali Commission Project | 10,509.00 | 0 | 10,509.00 |
| | <u>Totals 9,218,513.00</u> | <u>8,321,066.00</u> | <u>897,447.00</u> |
| Unrealized I/A Auth. | 113,519.00 | 0 | 0 |
| Unrealized Fed. Auth. | 324,068.00 | 0 | 0 |
| | <u>Total 9,656,100.00</u> | | |

*Other Services included VAWA, Training, and Safe Haven Programs

** This is 9.6% of the total funds received from state and federal sources.



State of Alaska
Department of
Public Safety

Frank H. Murkowski, Governor
William Tandeske, Commissioner

February 21, 2008

The Honorable Senator Gene Theriault
State Capitol
Room 119
Juneau, AK 99801-1182

Dear Senator Theriault:

Thank you for the opportunity to comment on proposed amendments to SB250 extending the sunset date for the Council on Domestic Violence and Sexual Assault (CDVSA). The Department of Public Safety (DPS) supports the extension of CDVSA to June 30, 2014 as proposed.

As to proposed amendments, I offer the following comments:

DPS does not oppose removal of the requirement that the Alaska Network on Domestic Violence and Sexual Assault (ANDVSA) be consulted by the Governor prior to public member appointments.

DPS does not oppose the designation of one public member position being from a rural area; however, the exclusion of small communities served by the marine highway system but not a traditional road seems overly restrictive. DPS has advocated for a representative from rural areas on the council as seen in the most recent appointment of a resident of Dillingham.

DPS opposes the designation of the two remaining public member positions to a survivor, counselor, or advocate and an expert in domestic violence and sexual assault program service delivery.

The staff of CDVSA and the programs funded through CDVSA bring those qualities to the day-to-day operations and discussions. Public involvement in government is essential. Public members with a wide variety of life experience are valuable to any board or commission. The proposed changes overly restrict the appointment of qualified and interested citizens. Further, the checks and balances of the current process would be eroded by the mandatory inclusion of public members that are from the precise disciplines funded through the CDVSA.

DPS opposes the addition of the executive director of the ANDVSA as an ex-officio, non-voting member of the council. I believe it is critical for the CDVSA to maintain objectivity and keep the programs they are responsible for evaluating and funding at a professional "arms length." The executive director of ANDVSA is employed by the programs funded through CDVSA. Although CDVSA and ANDVSA must work closely together at an operational level, the inclusion of the ANDVSA executive director at the council level is inappropriate.

DPS opposes the proposed prohibition of state employees serving as public members. There are excellent candidates for the council who also happen to be employed by the state. An alternative to the

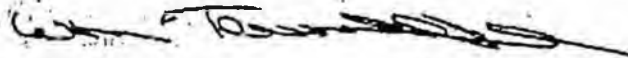
The Honorable Senator Gene Theriault
February 21, 2008
Page 2

current proposal may be to prohibit appointment of a PX or EX official other than the four designated in statute. That would allow qualified state employees who have interests in domestic violence and sexual assault issues to volunteer their services. CDVSA has had a number of highly motivated and productive public members who were state employees. It would be unfortunate to lose a candidate because of their unrelated employment.

As I have evaluated the proposed amendments to SB 250, I have tried to consider a number of questions, including: What needs to be fixed? How will these changes make the Council better? I am concerned that a number of the proposed changes will not improve CDVSA and only raise more challenges.

The views I am expressing are those of DPS and not the CDVSA, of which I am a member. I appreciate the opportunity to provide comments. As always, I am available to discuss this with you or your staff should you wish.

Sincerely,



William Tandeske

cc: Jana Stewart, CDVSA Chair
Barbara Mason, Executive Director, CDVSA



State of Alaska
Department of Public Safety
Council on Domestic Violence & Sexual Assault

Frank H. Murkowski, Governor
William Tandeske, Commissioner

December 21, 2005

Pat Davidson
Alaska State Legislature
Legislative Budget and Audit Committee
Division of Legislative Audit
P.O. Box 113300
Juneau, Alaska 99811-3300

RE: Preliminary Report Response, Council on Domestic Violence and Sexual Assault.

Thank you for the opportunity to respond to the findings and recommendations of the November 2005 audit.

The Council agrees with Recommendation No. 1, and has already entered into discussions with the Department of Education and Early Development (DEED) about developing a closer working relationship consistent with the statutory mandate. In our initial contacts, for example, we determined that several years ago DEED collaborated with the Council on statewide teacher training. Currently DEED is developing modules on domestic violence and sexual assault (DVSA). DEED and the Council have already established a process for the Council to be included in reviewing those modules. We will collaborate through meetings, teleconferences, work groups, and other avenues as appropriate.

Regarding Recommendation No 1 and the Department of Health and Human Services (DHSS), the Council has begun targeted discussions regarding the interface between the DHSS programs and DVSA issues. Many of the DHSS program areas assist individuals and families with multiple problems including DVSA as it impacts families, children, and elders. In reviewing potential areas of coordination and planning, we have identified some areas that should provide for fruitful collaboration, including the development of program staff training and the possibility of requiring relevant training for service providers under contract with DHSS. We will continue to coordinate through teleconferences, meetings, and workgroups, as appropriate, to assess and prioritize the impact of DVSA issues within DHSS.

Regarding Recommendation No. 2, while the Council recognizes and understands the merit of this issue, it is important to note that the Governor is not bound by any recommendation made by the Alaska Network on Domestic Violence and Sexual Assault (Network). Because of this safeguard, the Council believes that obtaining input from the Network, which has significant knowledge and expertise, outweighs any limitations or theoretical conflicts.

Finally, in general, the Council continues its strategic planning efforts, continues to explore grant and foundation funding for statewide domestic violence and sexual assault programs, and continues to strengthen and develop its own personnel and office resources.

We appreciate the work of the Division of Legislative Audit and look forward to working with you in the future.

Council on Domestic Violence & Sexual Assault
P.O. Box 111200 - Juneau, AK 99811 - Voice (907) 465-4356 - Fax (907) 465-3627

Sincerely,

Janna L. Stewart
CDVSA, Chair

Cc: CDVSA Board Members

Council on Domestic Violence & Sexual Assault
P.O. Box 111200 - Juneau, AK 99811 - Voice (907) 465-4356 - Fax (907) 465-3627

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

FRANK H. MURKOWSKI, GOVERNOR

P.O. BOX 110607
 JUNEAU, ALASKA 99811-0607
 PHONE: (907) 485-3030
 FAX: (907) 407-3068

February 22, 2006

Senator Gene Theriault, Chair
 Senate Legislative Budget and Audit Committee
 State Capitol, Room 119
 Juneau, AK 99801-1182

Dear Senator Theriault:

Thank you for giving me the opportunity to comment on proposed changes to SB 250. As you know this bill extends the sunset date for the Council on Domestic Violence and Sexual Assault (CDVSA) to June 30, 2014. The Department of Health and Social Services (DHSS) supports this proposed extension.

However, DHSS does have some concerns regarding proposed changes or amendments.

- (1) DHSS recognizes the importance of maintaining a positive working relationship with all of the members of the Alaska Network on Domestic Violence and Sexual Assault (ANDVSA) as well as the many other stakeholders that make up the domestic violence and sexual assault "services" system in Alaska. Because this system includes not only services for victims but other organizations such as the police, hospitals, programs for batterers, mental health and substance abuse providers, etc. we do not support a single group (ANDVSA) being identified in statute as having "exclusive" consultative authority re: appointments to the CDVSA.
- (2) DHSS supports the designation of one public member position being from a rural area. We think it's vitally important the Council is provided with a "rural perspective" when making programmatic and fiscal decisions. DHSS, however, does not support the overly restrictive language in the proposed amendment.
- (3) DHSS does not support the designation of a survivor, counselor or advocate for the two remaining public member positions. As indicated under number one (1), our system is much broader and therefore we should not "restrict" membership to these specific "categories" of individuals. In all likelihood there are people in the business community, as well as in the broader health and social services community, who have an interest in preventing and dealing with domestic violence and sexual assault.
- (4) DHSS does not support the addition of the Executive Director of the ANDVSA as an ex-officio, non-voting member of the CDVSA. This appears to create a potential "conflict of interest". Since the council makes recommendations for funding member agencies of ANDVSA, it would be inappropriate for the Executive Director of ANDVSA to be involved in these or decisions.

● Page 2

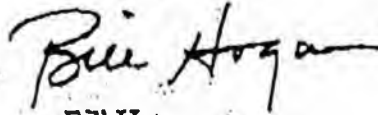
February 22, 2006

(5) DHSS does not believe there should be a prohibition against state employees serving on the council. As suggested under number three (3), there are individuals both in the private and public sector (i.e. state employees) who would be excellent candidates for the council. I don't believe we should restrict our pool of qualified and committed potential council members.

In conclusion, I hope this provides the Department of Health and Social Services perspective on SB 250. We support the extension of the sunset date to June 30, 2014, but have several concerns and reservations about the proposed changes or amendments to the bill. These have been articulated above.

If you wish clarification or want to discuss this further please let me know.

Sincerely,



Bill Hogan,
Deputy Commissioner
Board Member CDVSA

BH: dj

cc: Senator Fred Dyson, Chair, Senate Health, Education and Social Services Committee
Janna Stewart, CDVSA Chair
Barbara Mason, Executive Director, CDVSA

Jason Hooley

From: Susan Parkes (Susan_Parkes@law.state.ak.us)
Sent: Tuesday, February 21, 2006 3:24 PM
To: Jason Hooley
Cc: Tom Maher
Subject: SB 250

Jason - I am the Department of Law representative on the Council on Domestic Violence and Sexual Assault. This morning I received a letter sent to me on Friday requesting written comments regarding SB 250 and proposed amendments. I hope that this email will suffice; I apologize for its informality. I was traveling to Juneau today and have a 4:00 p.m. budget hearing.

I have seen a copy of Commissioner Tandeske's February 21, 2006 letter to Senator Therriault regarding SB 250. I support and echo his position regarding the bill and amendments. I would like to just make a few additional comments. First, the Network is a valuable resource to the Council. The Network has always been welcome at our meetings and have been given time on our meeting agendas to make a report to the Council.

We often solicit their input on other specific agenda items when we believe it would be valuable to our decision making. I believe they have a "voice" on the Council, without being made an "ex-officio member which creates the conflict discussed in Commissioner Tandeske's letter.

Finally, I also oppose the amendment which would exclude state employees as public members. Not only does it discourage good candidates who happen to work for the State, but it also creates a problem for any public member who may during the course of their appointment to the Council become employed with the State. It would require the individual to choose between continuing on the Council or a State job.

I hope that these comments are useful. Please let me know if you need anything further. I will be attending the hearing tomorrow on behalf of the Department of Law.

Susan

Alaska Commission on Aging

11 Members - Seven persons appointed by the Governor based on their knowledge and demonstrated interest in the concerns of older Alaskans; plus the chair of the Pioneers Homes Advisory Board; the commissioner of the commissioner of the Dept. of Commerce Community and Economic Development or designee; and the commissioner of the Dept. of Health and Social Services or designee; and a senior services provider-regardless of age. Names of persons qualified for and interested in serving will be requested from senior citizens' organizations. Appointments shall be made to assure representation of low-income and minorities and rural/urban areas and statewide geographical representation. At least 6 persons appointed by the Governor shall be 60 years of age or older, 2 of whom shall be 65 years of age or older. Each must be a resident of the State of Alaska.

Alcohol/Drug Abuse

15 members: 14 public members appointed by the Governor, and the Director of the Division of Alcoholism and Drug Abuse ex officio (Karen, the statute actually says the commissioner of health and social services ex officio). The 14 public members shall consist of the following: one member who is licensed to practice medicine in the state; one member who is admitted to practice law in the state; four members who are chronic alcoholics with psychosis who are recovering; three members who are substance abuse treatment professionals who represent public and private providers of substance abuse prevention and treatment services; and five members who have shown an interest in the problems of alcoholism or drug abuse and who have knowledge of the social problems associated with alcoholism or drug abuse.

Board of Governors of the Alaska Bar

12 members: 3 non-attorneys appointed by Governor: (subject to legislative confirmation); plus 9 active members (Alaska Bar) elected by active members of Alaska Bar (2 from 1st judicial district, 4 from 3rd judicial district, 2 from 2nd/4th judicial districts and 1 at-large); triennial rotation regarding judicial districts used for appointments (see statute).

Function: Governs Alaska Bar; administers Bar exam; approves/recommends rules concerning practice of law to State Supreme Court; provides disciplinary actions; provides continuing legal education and membership services.

Alaska Childrens Trust Board

Seven members: Four public members appointed by the Governor giving a preference to persons who have experience and expertise in children's or prevention programs or private sector finance; plus the Governor or a designee of the Governor; the

Commissioners or their designees of the Dept. of Health and Social Services and the Dept. of Education.

Alaska State Community Service Commission

Commission shall consist of at least 15, and not more than 25 members. All appointed by the Governor. Required members: Individual with expertise in the education, training, and development needs of youths, particularly disadvantaged; Individual with experience in promoting the involvement of older adults in service and volunteerism; Representative of community-based agencies or community-based organization; Commissioner of Commerce; Representative of local governments; Representative of local labor organizations; Representative of business; Individual between age 16 and 25 who is a participant or supervisor in a national service program; Other members may include: local educators, experts in the delivery of human, education, environmental, or public safety services to communities and persons; Representative of Indian tribes; Members of out-of-school youths or other at-risk youths; Representatives of entities that receive assistance under the Domestic Volunteer Service Act of 1973; Corporation for National Service Representative. The Governor may also appoint, as ex officio nonvoting members representatives of state agencies operating community service, youth service, education, social service, senior service, and job training programs.

Board of Education and Early Development

7 members appointed by governor: with consideration of recommendations made by recognized educational associations in the state; 1 representing each judicial district; 3 at-large; at least 1 representing regional educational attendance areas. Board designates chair. Members serve at pleasure of the Governor. (Non-voting advisory members include: student representative nominated by the Board of Directors of the Alaska Association of Student Governments and selected by the board; and military representative nominated by the ranking General of the Alaska Command and selected by the board -- 4 AAC 03.025).

Statewide Independent Living Council

Members are appointed by the Governor: including at least 1 director of a center for independent living chosen by the directors of such centers within the state; a representative from the designated state unit and representatives from other state agencies that provide services for individuals with disabilities (ex officio, nonvoting). In addition, the Governor may appoint other representatives from centers for independent living; parents and guardians of individuals with disabilities; advocates of individuals with disabilities; representatives from private businesses; representatives from organizations that provide services for individuals with disabilities; and other appropriate individuals. A majority of members shall be persons with disabilities and not employed by any state agency or center for independent living. Council elects chair from among membership.

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5 members appointed by the Governor: appointments are made with due regard for representation of the ethnic, racial, gender and cultural populations of the state: 1 member who resides in the first judicial district, 1 in the third judicial district, and 1 member who resides in either the second or fourth judicial districts; at least 1 appointee must have experience in the field of criminal justice. Governor appoints chair.

Alaska Pioneers' Homes Advisory Board

5 members appointed by the governor from among citizens of the state; 1 member appointed who is a veteran of active service in the armed forces; 1 member who is the chair of the Alaska Commission on Aging; and one who is chair of the Alaska Veterans Advisory Council.

Board of Professional Counselors

5 members appointed by the Governor: 4 licensed professional counselors, of which at least one shall be employed in the private sector and at least one should be employed in the public sector; and 1 public member who has never been a licensed professional counselor or employed in a commercial or professional field related to counseling; or lives in a household with a person who is or has been a licensed professional counselor or employed in a commercial or professional field related to professional counseling.

Statewide Suicide Prevention Council

The council consists of 15 members, 11 of whom shall be appointed by the Governor as follows: 2 employees of the executive branch of state government; 1 member of the Advisory Board on Alcoholism and Drug Abuse; 1 member of the Alaska Mental Health Board; 1 individual recommended by the Alaska Federation of Natives; 1 individual who is employed as a counselor in a secondary school; 1 adult who is active in a statewide youth organization; 1 individual who has experienced the death by suicide of a family member; 1 person who resides in a rural community in the state that is not connected by road, or the Alaska marine highway, to the main road system of the state; 1 individual who is a member of the clergy; and one individual who is under the age of 18. In addition, the President of the Alaska State Senate shall appoint 2 members of the Senate, one member of the majority and one member of the minority, and the Speaker of the House shall appoint 2 members of the Alaska House of Representatives, one member of the majority and one member of the minority.

Violent Crimes Compensation Board

3 members appointed by Governor: at least 1 member must be a medical or osteopathic physician licensed to practice in Alaska, or holding a retired status license in Alaska; 1 member must be an attorney licensed to practice in Alaska, or retired from practice in Alaska; Governor designates chair; serve at pleasure of Governor.