

# ALASKA STATE LEGISLATURE

## LEGISLATIVE BUDGET AND AUDIT COMMITTEE

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SUMMARY OF: A Sunset Review of the Department of Public Safety, Council on Domestic Violence and Sexual Assault, November 23, 2005.

### PURPOSE OF THE REPORT

In accordance with Title 24 and Title 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Council on Domestic Violence and Sexual Assault (Council). The purpose of this audit was to determine if there is a demonstrated public need for the continued existence of the Council.

### REPORT CONCLUSIONS

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.

### FINDINGS AND RECOMMENDATIONS

The Council's prior sunset audit reported several administrative weaknesses. Two of those recommendations have been resolved. Those issues that have not been resolved are reiterated in this report.

#### 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.

Alaska Statute 18.66.050(3) and AS 18.66.050(12) discuss the Council working with state departments, to develop standards and 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.

Since the last audit, AS 18.66.020 has not been revised and the Alaska Network on Domestic Violence and Sexual Assault (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.

To avoid any appearance of a conflict of interest between public member appointments and receiving funding, we continue to recommend that 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.

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.

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.<sup>1</sup>

### 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.

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<sup>1</sup> 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.<sup>2</sup> 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,

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<sup>2</sup> 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 audit<sup>3</sup> 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.*

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<sup>3</sup> 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 services<sup>4</sup> 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.

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<sup>4</sup> 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.

## AANALYSIS OF PUBLIC NEEDD

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.<sup>5</sup> 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 dividends<sup>6</sup>, 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.

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<sup>5</sup> 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.

<sup>6</sup> 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	486,533	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 <sup>7</sup>	7,950,647	8,555,081	8,262,676	7,742,461
<b>Total Operating Expenditures</b>	<b>\$ 8,993,310</b>	<b>\$ 9,642,906</b>	<b>\$9,346,936</b>	<b>\$8,783,398</b>
Funding Sources				
Federal Receipts	2,363,358	2,966,083	4,452,958	3,627,593
Interagency Receipts from DHSS <sup>8</sup>	1,351,840	1,592,114	494,237	1,007,221
Interagency Receipts from DOC <sup>9</sup>	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
<b>Total Funding Sources</b>	<b>\$ 8,993,310</b>	<b>\$ 9,642,906</b>	<b>\$9,346,936</b>	<b>\$ 8,783,398</b>

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.

<sup>7</sup> Grant amounts exclude capital improvement expenditures funded through capital appropriations.

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

<sup>9</sup> \$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)

	<u>FY03</u>	<u>FY04</u>	<u>FY05</u>	<u>FY06</u>
<b>Victim Services Program Grants</b>				
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	<u>7,422,629</u>	<u>6,995,800</u>	<u>6,995,800</u>	<u>7,195,800</u>
<b>Community Based Batterer Intervention Program Grants</b>				
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	<u>320,000</u>	<u>200,000</u>	<u>200,000</u>	<u>200,000</u>

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>
<b>Prison Batterer Intervention Program Grants</b>				
Alaska Family Services (Palmer)	\$ 40,000	\$ 56,589	\$ 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)	32,851	-	-	-
Total Prison Batterer Intervention Program Grants	<u>98,237</u>	<u>98,237</u>	<u>98,237</u>	<u>98,237</u>
<b>Violence Against Women Act (VAWA) Grants</b>				
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)	78,500	111,720	108,015	108,157
Total VAWA Grants	<u>\$ 745,750</u>	<u>\$ 744,800</u>	<u>\$ 720,100</u>	<u>\$ 721,050</u>
<b>TOTAL</b>	<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.

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