



**Office for the
Prevention of
Domestic Violence**

ANDREW M. CUOMO
Governor

KELLI OWENS
Executive Director

SHANNON A. CANTIELLO
Deputy Director

March 8, 2021

To: NYSCASA Members and Rape Crisis Providers

Re: February 24, 2021 NYSCASA Advocate Questions

Dear Valued Colleagues and Partners:

Thank you for your questions. Attached you will find our response. We are hopeful that you will find our answers helpful and informative and that our commitment to a shared goal of serving survivors is apparent. We look forward to continued regular and intentional conversations about the State's response to the needs of survivors and of the service providers. We are appreciative of your candor and are eager to respond to any other questions or concerns that arise. If you would like to discuss any such questions, please feel free to reach out to OPDV's Executive Director, Kelli Owens, at kelli.owens@opdv.ny.gov or the Director of Women's Affairs, Emily Kadar, at emily.kadar@exec.ny.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelli Owens", written in a cursive style.

Kelli Owens
Executive Director



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Questions from Rape Crisis Advocates Regarding the Proposed OEDGV

How will the proposed expansion reduce the ongoing “bean-counting”? How will the proposed expansion result in uniform reporting? Will the proposed expansion decrease or complicate reporting/auditing requirements? Is the plan for all federal and state SA and DV funding to be administered by the proposed office? How flexible will parameters around funding be?

The proposal to create a consolidated funding panel and application for relevant state agencies is intended to reduce administrative burdens, streamline grant applications and reporting, and to align the policies behind funding decisions. The reimagining of the Office for the Prevention of Domestic Violence (OPDV) into the Office to End Domestic and Gender-Based Violence (OEDGV) is separate and apart from any proposal around consolidating funding applications and/or streamlining reporting. OEDGV will, however, prioritize efforts to make funding more accessible for survivors, and thus coordination of the consolidated funding panel will be a key responsibility of the Office.

The full work of the panel and how policies may ultimately be streamlined is to be determined and will span over the course of a year or more. More information about the Governor’s proposal can be found [here](#).

There is no plan to shift the administration of funding from existing agencies, with the exception of the Enough is Enough programmatic and technical assistance funding, which will shift from DOH to OEDGV. The consolidated funding application panel as described above will seek to simplify administrative barriers to efficient funding amongst state agencies.

Will only state agencies serve on the panel? Direct service providers need to have a seat at the table. Can this be included as a requirement for the panel? When will the panel begin meeting? How often will the panel meet? How will OPDV ensure service providers’ comments/feedback and survivor needs are heard when developing the consolidated funding application?

State Finance Law directs funding agencies to determine appropriate procurement methodologies and structure for application, scoring, and administration of grants. The role of OEDGV will be to consistently engage both coalitions, which are the voices of service providers, as well as non-member/non-traditional programs.

The panel will begin to meet regularly in Spring of 2021. More information about the panel’s plans will be released as it is available.

Will OPDV expect local programs to provide data/information with quick turnaround times? Will OPDV share how they use requested data for the benefit of survivors and programs?

OPDV currently works with local programs to gather information in response to the public and policymakers' need for data, particularly to better understand how existing programs and funding support the needs of survivors. As COVID showed us all, the need for real-time data around domestic, sexual, and gender-based forms of violence is crucial to developing appropriate policy. We will strive request information with a reasonable turnaround time and will offer programs to provide support and context to requests in a transparent way. Programs can be assured that any requested data from OPDV or any other state agency are in service to survivors' needs and required reporting.

How will adding OPDV to the list of rape crisis program funders simplify things? Do we need a new office to break down barriers that survivors and advocates face, or do we need existing offices to do the work that they're already tasked to do and break down these barriers? How will the proposed changes affect the EiE contracts and funding? Does OPDV have the staff in place to manage this? Will OPDV include the rape crisis programs in discussions before making any changes to assess what is working and what hasn't worked with the EiE initiative thus far? Will funding eventually be taken away from rape crisis programs?

Having an agency dedicated to ending domestic and gender-based violence will formally institute and centralize program and policy that influence rape crisis programming and will also guarantee that NYSCASA has a permanent and statutorily mandated voice in policymaking in state government. We believe this proposal will be successful in serving both survivors and service providers.

We do not foresee any immediate changes to contracts or funding. We will have staff to manage the contracts once the transition has been made. Any future potential changes over which we have control will be fully discussed and vetted with the coalition and other relevant entities.

There are no foreseeable reasons that rape crisis program funding would be diminished due to any of these proposals. OEDGV will strongly advocate against any elimination or reduction of funding.

What are the potential cost savings of the proposed expansion? How will the cost savings be transferred to frontline services?

This proposal is cost neutral. In centralizing policy and programmatic direction into one office, resources will be better spent to direct them to survivors in a way that is responsive their needs.

Will there be funding to support upstream prevention efforts? OPDV doesn't seem to have taken the lead regarding prevention programming/community mobilization. How will that affect the work that the RCPs are doing? Will there be funding to support expanding programs' technological infrastructure?

OPDV has many years of working in the field and understands, through both research and experience, the importance of prevention programming as part of a large cadre of programs for survivors of all gender-based violence. To this end, as OEDGV the office will aggressively pursue

the prioritization of such programming and will engage with programs to solicit feedback on recommendations for best practices and statewide implementation, where possible.

Administrative needs are of the utmost importance to the State as we examine how to support service providers and be as survivor-centered as possible. Accordingly, addressing technological needs as an eligible funding category will be prioritized whenever possible.

Does OPDV have information about lessons learned and best practices from similar offices, like the NYC Mayor’s Office to End Domestic and Gender-Based Violence (ENDGBV), which was created in 2018, or state agencies like this that have been established in other states? How will this be incorporated into the new office?

OPDV has been and continues to engage other states in determining best practices and valuable lessons for New York. We have also actively engaged with both coalitions and sought their feedback prior to and throughout this process. Additionally, OPDV and the Governor’s Office have been in conversation with the Mayor’s Office on the issue.

How will the new office engage/interact with other state agencies that have a stake in sexual violence prevention and response in NY?

It is one of the primary tasks of OEDGV to engage with state agencies that are stakeholders in sexual violence prevention and response. These relationships are already formed and functioning.

Will the office have a role in supporting prevention and intervention programs geared towards people who are at risk of doing harm and people who have done harm?

It has been a consistent theme raised by survivors and programs that serve them that the State must examine the efficacy and safety of programs for people who choose to harm. Accordingly, OEDGV will pursue comprehensive research, stakeholder input, and informed programming in this field.

Can we slow down the process long enough to ensure voices are heard, issues are represented and understood, and effective communication with providers around the state who have the “on the ground” perspective is valued sufficiently?

The State, in partnership with programs, national experts, and the coalitions, has pursued engagement and input from all those mentioned and will continue to do so as policy and program are implemented. This proposal provides a timely opportunity to institutionalize a voice for survivors in state government ongoing.

Regarding the definitions proposed for domestic violence and gender-based violence, were the definitions developed with the input of direct service providers? Would OPDV adopt an ongoing definition as created/modified/adjusted by NYSCADV/NYSCASA?

The process for drafting budget language does not allow for consultation with, or input from, entities outside of state government. That input was sought out in the thirty days after the budget is introduced, when amendments to such language may be made. Such requests for feedback have been made by OPDV and the Governor’s Office.

If proposed modifications fit the requirements of our statutory construction and the purposes for which this agency is being created and are offered within time frameworks we are bound by.

What kind of training have OPDV staff had related to sexual assault/sexual violence? What kind of training do they need, and who will provide it? How will OPDV engage in a process to learn about sexual assault, the local rape crisis programs, and NYSCASA? How will OPDV recognize and ensure that on-the-ground advocacy/expertise is reflected in their work?

Many OPDV/OEDGV staff have extensive backgrounds in sexual assault response, prevention, and public policy work. All of our professional staff have extensive qualifications to work with survivors and properly administer programs and training. Additionally, with respect to the administration of the Enough is Enough program and the administration of sexual assault prevention, programming and policy, we will be hiring staff with experience and expertise in these issues. Training will be provided on the topics, including providers as relevant.

The proposed statute intentionally requires OEDGV to consult with, and work closely with, the coalitions, program advocates, and survivors in doing our work and addressing policy issues. Any qualifications of professionals in the field as well as OPDV staff will be discussed through ongoing stakeholder engagement in an effort to ensure that survivors are provided with advocacy of the highest quality.

Will OPDV stop calling themselves advocates? It contributes to role confusion.

Those of us who came to this work via direct services work with survivors continue to value our experiences in that role, and see the work we are doing within state government as part of being advocates for survivors as much as we were when we were sitting in emergency rooms, police stations, or courts with individual victims. Now, our advocacy is directed at bigger picture improvements, but it is still advocacy and we will continue to claim the word, and the role.

Will the proposed expansion discount or undermine the essential role of the coalition? A significant number of the duties, responsibilities, and activities outlined in the statutory language for OPDV duplicate the work of the coalitions. Can those items be removed to establish a clearer line between the work of OPDV and the work of the coalitions?

State government can never take over the role of the state coalitions, and there is no plan or desire to do so. Those duties, responsibilities and activities in the proposed statute are integral parts of the work OPDV has done, and OEDGV will do. In fact, our hope is always that we can supplement the work the coalitions do, and act as an advocate for the coalitions within State government, as needed. Work is done most effectively in collaborations of those within, and outside of, governments and other bureaucracies. Each of those roles has powers and opportunities, as well as limitations, and neither can be as effective without the other.

The proposed name of the new office sweeps sexual assault under an umbrella of other work. Can the office name specify “sexual assault”? Can the office name list “sexual assault” first?

The decision was made to use the encompassing term “gender-based violence.” The proposed statute defines gender-based violence as including sexual assault. The mission of the agency would establish and codify the new Office’s commitment to preventing and responding to sexual assault.

SA/RCPs have not been on OPDV’s radar. How will OPDV become familiar with us and our work?

OPDV has worked at the intersection of domestic violence and sexual assault. We have always kept informed about the work of SA/RCPs, and have provided input into legislation and policy we believe affected those services. We have funded the NYS Domestic and Sexual Violence Hotline and worked with NYSCASA to include the PREA hotline services. This is not a new frontier for the agency, but rather an expansion of our authority that provides us with the ability to officially, and more strongly address these issues.

OPDV, under the new statute, will be required to engage rape crisis programs via the state coalition for input and feedback. We look forward to this close collaboration.

Will the new office take more initiative in advocating for survivors with other state agencies than in the past? For example, advocating to remove the requirement that sexual violence & domestic violence survivors have to file a police report (or, in the case of sexual assault, get a FRE) in order to access VOCA funding/OVS compensation. Would OPDV advance legislation that addresses the needs of sexual violence survivors?

One of the main roles of executive agencies is to advance legislation that benefits its constituents. We are always happy to take suggestions from anyone who has ideas about statutory additions or changes that would help survivors. Also, with our newly expanded purview and enhanced statute, we will quickly formalize the way in which we engage with the statewide coalition in exploration of new policy and legislation on an ongoing basis.

The NYS Council on Women and Girls’ COVID-19 Domestic Violence Task Force recommended the following: implementing policies & practices that emphasize mobile advocacy, flexible funding, and housing choice; incorporating cultural competency; and using an intersectional lens. How will this new office address those recommendations? How will the office address systemic racism and how it impacts BIPOC survivors’ access to services?

Those recommendations came out of several years of work done by OPDV, in conjunction with other state agencies, NYSCADV, and individual programs, in understanding the needs of programs and survivors. These are all highest priorities of the agency, no matter what we are called or whether our mission expands. Much work is already being undertaken regarding these issues, and will continue to be done, although none of these is something that will be accomplished quickly or without support from those affected the most.

We are very aware of the issues of systemic racism and how it affects access to services and this awareness will be predominate lens that is placed upon every aspect of our agency. Engaging culturally specific programs and ensuring that we celebrate voices that have traditionally been

excluded from policymaking will be our priority. We look forward to ensuring that programs across the field join us in this work to collaboratively and actively dismantle systemic racism and eliminate barriers to services for all survivors, especially those impacted by the scourge of racism.