



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Jacky Morales-Ferrand
Edgardo Garcia

SUBJECT: DOMESTIC VIOLENCE

DATE: May 23, 2018

Approved

Date

5-24-18

REPLACEMENT

BACKGROUND

In the Mayor's March Budget Message for Fiscal Year 2018-2019, as approved by the City Council, the Administration was directed to use \$150,000 to implement a pilot program that will offer flexible options for the Housing Department and advocates to offer emergency housing and/or assistance for up to 100 families impacted by domestic violence. The Proposed Budget allocates those funds as directed.

The Administration was also directed to work with service providers and bring forth an analysis to address increasing housing or shelter options of a more permanent nature through the anticipated Notice of Funding Availability (NOFA) to be issued to affordable developers this year. In addition, the Administration was directed to assess the potential impact of other investments, such as staffing in the San José Police Department's Domestic Violence Unit, police officer training, and community outreach. This memorandum addresses these issues, as well as responds to questions that were raised as part of the Budget Study Sessions regarding sexual assault prevention education and outreach.

ANALYSIS

This memorandum addresses the direction to evaluate two separate concepts to address domestic violence: 1) increasing housing options; and 2) other investments in the Police Department.

Housing Options

The Housing Department has completed a preliminary evaluation of different options to house domestic violence survivors.

Shelter Beds: The Department has contacted the agencies that provide shelters for domestic violence survivors. The existing locations do not have the capacity to expand the number of beds

that are offered. Currently, there are no plans to develop a new facility. Such an endeavor would require significant time and resources. Most of the Housing Department's funding for development of affordable housing has restrictions that limit the use of funds for shelters. Should the City find willing partners to fund and develop such a facility, it would take a minimum of one to two years to locate a new facility in addition to identifying sufficient funding to support the annual operations for the facility.

Motel Vouchers: Additional funding for motel vouchers provides the most expeditious means of assisting someone who is in immediate need to find an alternative place to live. However, it is also the most expensive option costing no less than \$100 per night per unit or approximately \$300,000 for 100 families for 30 days.

Homeless Prevention: Additional funding could be used to assist women who have experienced domestic violence to remain safely in their home. In these instances, the perpetrator is no longer living in the home. Short-term financial assistance can help the family remain in their home. The benefits of staying in the home include stability for the family, an ability to stay close to support networks, and the opportunity to continue their lives with less disruption.

Tenant Based Rental Assistance: The Housing Department has \$4,661,000 in funds for Tenant Based Rental Assistance (TBRA). These funds are used to help low-income individuals and households pay for rents in the City's deed-restricted affordable housing and market rate apartments, as well as pay for supportive services. While the TBRA program provides a more effective housing solution than the previously mentioned options, it can still take an individual several months to find housing.

Deed Restricted Affordable Housing: The Housing Department is planning on releasing a NOFA for new affordable housing developments by summer 2018. The Department has in the past prioritized funding for developments that serve unhoused residents. Domestic violence survivors meet the federal definition of homeless and therefore have access to both the City and the Santa Clara County Affordable Housing Bond, Measure A funding. The Department will work with domestic violence organizations and developers to create opportunities for developing housing that would be used to serve this population. As with the shelter bed option, development of affordable housing can take years to complete.

Funding Considerations

The Housing Department supports providing additional resources to house domestic violence survivors. Given the amount of funds available to house domestic violence survivors, the Department recommends that they be used to provide short-term housing assistance to fund: 1) additional hotel vouchers for families that need to leave their home; and 2) financial assistance to keep a family in their home. The Department will work with its nonprofit partners to determine if it would be helpful and feasible to offer security deposits or other forms of assistance from the \$150,000 allocated in the 2018-2019 Proposed Operating Budget as directed by the March Budget Message.

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The City Council could also choose to redirect existing housing resources to provide additional funds for rapid rehousing. The Housing Department's funding sources have limitations which restrict how they can be used. As such, the most flexible sources are in the highest demand. However, the Department has approximately \$20 Million in Housing Authority Litigation Award (HALA) funds that are budgeted for the development of new affordable housing. The HALA funds may also be used for rapid rehousing. The Department's Affordable Housing Plan that will be presented to City Council on June 5, 2018 demonstrates that it has insufficient resources to meet the demand for affordable housing or to reach the 10,000-unit goal. If the City Council were to reallocate HALA funds, it would result in reduced funding to finance new, permanent affordable housing apartments. For example, for every \$125,000 reallocated, the City would lose one new affordable housing unit that would remain affordable for 55 years. If those funds were redirected for rapid rehousing, the funds could provide housing rent subsidy of \$2,500 per month per family per year, or for a total of four families for one year.

Any housing option, whether permanent affordable housing, tenant based rental assistance, or hotel vouchers, will need to protect the privacy of the individuals needing assistance. The Department will work with its nonprofit partners to determine the most effective means to ensure that the safety of domestic violence survivors is maintained.

Potential Police Department Investments

Domestic violence or intimate partner violence investigations fall under the purview of the Police Department's Family Violence Unit (FVU). The responsibilities include all types of violence or abuse within familial relationships. Investigators serve in three details (teams): Domestic Violence, Threat Management, and Child/Elder/Dependent Adult Abuse. The Domestic Violence Detail investigates incidents committed against anyone who is a spouse, former spouse, cohabitant, former cohabitant, person with whom the suspect has had (or is having) a child, and a person with whom the person has had (or is having) a dating/engagement relationship, including same-sex relationships and juveniles. The approach to these cases is to make an arrest in every situation where legally permissible and to ensure victims have access to resources to assist them through the legal and/or civil process. The Domestic Violence Detail currently consists of one sergeant and two officers. The two officers assigned to the Domestic Violence Detail each carry a case load of approximately 140 cases. The amount of domestic violence occurrences has risen over the last five years. According to recent statistics provided by the Crime Analysis Unit, in calendar year 2013, there were 2,087 occurrences of domestic violence. In comparison, in 2017 there were 2,632 occurrences of domestic violence. This is an increase of 545 occurrences or 26% over four years.

Several options are under exploration by the Police Department to provide additional resources related to domestic violence prevention and response, as summarized and discussed below.

Program Expansion	Estimated Annual Cost	Funding Notes
1.0 Crime Analyst position for the FVU	\$76,000	This position would be added in future years once existing vacancies are filled.
Protective Order Violation Arrest Program (Overtime)	\$114,000	Office on Violence Against Women (OVW) grant funding request for \$114,000 previously submitted; notification expected October 2018.
Family Justice Center Court and Sexual Assault Unit Advocates	\$130,000	OVW grant funding request for \$130,000 previously submitted; notification expected October 2018.
<i>Safe Dates</i> Training Program (Crime Prevention Specialist and supplies)	\$77,000	

Currently, the Department is managing staffing shortages throughout the Bureau of Investigations, and FVU currently has six vacant officer positions. Once staffing is stabilized department wide, authorized sworn staffing for the Family Violence Unit will be restored, bringing the number of officers assigned to the Domestic Violence Detail to six.

The unit would also benefit from the addition of one civilian crime analyst (\$76,000). The crime analyst would give the FVU the ability to identify trends and repeat offenders, analyze data, and with the unit being fully staffed, allow the FVU to take a more proactive approach in its attempt to reduce the number of intimate partner violence occurrences. The addition of a crime analyst would assist in faster identification of perpetrators with a high likelihood for recidivism or lethality and the ability to determine which cases need to be given a higher priority. Given the existing vacancies within this classification, this would be recommended as a future year item.

The appropriation of approximately \$114,000 in additional overtime funds would be used to create a proactive, protective order violation arrest program. In the past, this type of proactive arrest program was funded through a grant through the Federal Office on Violence Against Women (OVW) within the Department of Justice. This program has proven to be successful as it incorporates officers on overtime working in conjunction with the District Attorney's office. Between July 2016 and the end of September 2017, FVU investigators conducted 40 protective order violation arrest operations utilizing grant funding. These operations resulted in the procuring of 251 arrest warrants, which netted 137 arrests. The Department has submitted an OVW grant request for approximately \$114,000 in overtime funds for the continuation of the protective order violation arrest program. Notification of the grant award is expected in October of 2018.

Two advocates, funded through an OVW grant, were assigned to the Family Justice Center Court between June 2016 and September 2017. During this time, the advocates served approximately 1,202 clients. The advocates proved to be a valuable tool in assisting survivors with their cases. Ongoing support for the two advocates would allow the City of San José to serve the needs of the survivors of family abuse who come to the Family Justice Center Court seeking: assistance in filing restraining orders against their abusers, counseling, safety planning, and other valuable

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resources. In addition to the valuable support and comfort these advocates provide survivors, their presence frees up FVU detectives to concentrate on addressing their investigative caseloads. The annual cost of two advocates is approximately \$130,000. Funding for two advocates, one at the Family Justice Center Court and one embedded in the Department's Sexual Assaults Unit, is included in the OVW grant request. Notification of the grant award is expected in October of 2018.

Currently, there is an opportunity to engage and partner with Santa Clara County Public Health by co-sponsoring a teen dating violence prevention training on the evidence-based program, *Safe Dates*. This one-day training is for youth-serving organizations, educators, and other youth providers. *Safe Dates* is an evidence-based training, which includes a 10-session curriculum addressing attitudes and behaviors associated with dating abuse and youth violence. The curriculum helps middle and high school youth recognize the difference between caring, supportive relationships and controlling, manipulative, or abusive dating relationships. The training is designed to build capacity of staff to deliver a dating abuse and youth violence prevention curriculum to youth. Upon completion of the training, participants will be able to: raise students' awareness of dating abuse, its causes, and consequences; equip students with the skills and resources to help themselves or friend; and equip students with the skills to develop healthy dating relationships. Researchers studied a group of students who participated in *Safe Dates* four years later and found that the students who participated in the *Safe Dates* program reported 56% to 92% less physical, serious physical, and sexual dating violence victimization and perpetration than teens who did not participate in the program.

The total cost for the one-day training for 45 youth-serving organizations, educators, and other youth providers is approximately \$12,000. The costs does not include personnel time for outreach and coordinating training. Funding for a full-time Crime Prevention Specialist (CPS) (\$65,000) as part of the Domestic Violence Team can provide outreach and community presentations on preventing teen dating and intimate partner violence at schools and in the community. The CPS can partner and build relationships with government and community based organizations currently providing services in communities impacted by violence and trauma.

COORDINATION

This memorandum was coordinated with the City Manager's Budget Office.

/s/

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/s/

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