

Testimony from Mary Kay Bernosky, Esq., CEO of Safe Berks (formerly Berks Women in Crisis) regarding the consolidation of the Departments of Health and Human Services:

Safe Berks has been providing comprehensive services to victims of domestic violence and sexual assault for more than 40 years. Although a small part of the state budget is allocated for domestic violence and sexual assault services, these issues are often the root causes of and/or contributing factors to the larger issues of homelessness, drug and alcohol addiction, and youth violence that we all face in our communities.

In 2005, 50 percent of U.S. cities surveyed, including Philadelphia, reported that domestic violence is a primary cause of homelessness. A 2003 survey of homeless mothers around the country found that one quarter had been physically abused in the past year, and almost all had experienced or witnessed domestic violence over their lifetimes. Forty-seven percent of homeless school-aged children and 29 percent of homeless children under five have witnessed domestic violence in their families, according to a 1999 report. A 1997 survey of homeless parents in ten cities around the country found that 22 percent had left their last residence because of domestic violence. Among parents who had lived with a spouse or partner, 57 percent of homeless parents had left their last residence because of domestic violence. According to a 1990 study, half of all homeless women and children are fleeing abuse.

The complex link between domestic violence and substance abuse creates unique challenges to treatment, including relapse, and perpetuates the cycle of violence. Forty to sixty percent of domestic violence incidents involve substance abuse, according to a 2014 article published by the American Society of Addiction Medicine. More than one in five male abusers admitted to using substances before the most recent and extreme acts of violence, highlighting that drugs and alcohol may exacerbate violent behaviors.

Per the United States Bureau of Justice Statistics, 85 percent of domestic violence victims are women. Substance-using women are more vulnerable to domestic violence than their non-using counterparts. Similarly, women in violent relationships are more prone to have substance abuse issues than women in nonviolent relationships. A study of expectant mothers in North Carolina

revealed that domestic abuse victims were more susceptible to using substances before and during pregnancy compared to expectant mothers in nonviolent relationships.

Women who are physically abused by their partners experience high rates of toxic stress, chronic traumatic stress disorder, anxiety, depression, sleep deprivation and physical pain. A high number suffer repeated traumatic brain injury. Survivors may resort to using substances to self-medicate or attempt to dissolve their traumatic memories.

Because of the anxiety and depression associated with domestic violence, medical providers typically prescribe tranquilizers, sedatives and painkillers to address the symptoms. Survivors may become dependent upon these medications, leading to a substance use disorder.

In Berks County, we serve more than 4,000 survivors of domestic violence and sexual assault annually. More than 800 of the survivors we serve, including children, become homeless because of the violence and access our shelter services. Additional direct services provided by Safe Berks include transitional housing, counseling, legal advocacy and representation, and crisis response to local hospitals and the courthouse. Safe Berks offers evidence-based prevention programs in schools, and community-wide awareness programming.

Currently, Safe Berks receives funding from the Department of Human Services (“DHS”) through two (2) State Coalitions – the Pennsylvania Coalition Against Domestic Violence (“PCADV”) and the Pennsylvania Coalition Against Rape (“PCAR”). Each Coalition receives a 10% administrative fee from DHS to administer the contract; in addition, each coalition requires a percentage of the sub-contracted funds to each program be returned to the Coalition for “administrative expenses.” For PCADV percentage is 2%, and for PCAR it is 1.5% (recently reduced from 2%).

PCADV funding comprises 19% of the Safe Berks budget, 14% of which is funded directly from state funds appropriated in the domestic violence line item. PCAR funding comprises 9% of the Safe Berks budget, 6.5% funded directly from state funds appropriated in the rape crisis line item.

In the past, efforts to challenge the imposition of the additional administrative fee on the programs have been ineffective; and questions regarding the process of funding programs, selecting programs to receive contracts, and others, have been unanswered – when pursued through DHS. We suspect this is because these funds comprise such a small percentage of the overall DHS budget.

To be more specific, DHS indicated to Safe Berks that they were unaware of the imposition of the additional administrative fee imposed on the programs. They stated that no one from DHS had ever reviewed or approved the sub-contract between PCAR/PCADV and the programs, and that DHS, given existing law, was unable to directly contract with programs for domestic violence and rape crisis services.

Recently, DHS performed a two-year audit of PCADV, which resulted in the repayment of misallocated funds by PCADV to DHS. The Executive Director of PCADV resigned following the completion of this audit. PCADV receives a sole source, noncompetitive contract from DHS to administer the domestic violence funds. During the pendency of the audit, PCADV required for the first time competitive bidding of Civil Legal Representation (“CLR”) funding among programs. At a Coalition meeting, I directly asked the PCADV Executive Director why it was determined to competitively bid CLR funding for the first time in decades. I was informed that this was a negotiated resolution to ensure that DHS would not require competitive bidding for the Coalition Contract and the core domestic violence service contract for programs. I have been unsuccessful in obtaining any confirmation of this from DHS. The competitive bidding of the CLR project resulted in programs who had created the original CLR projects losing their funding – at a time when they were in the midst of litigating complex cases on behalf of domestic violence survivors. It also resulted in a loss of faith in the integrity and transparency of the Coalition’s handling of program funding and contracts.

Additionally, the PA Coalition Against Rape receives a sole source contract to administer the statewide rape crisis funding. Individual programs, however, have just completed (in March 2017) an open and competitive PCAR application process to retain funding for rape crisis

programs in our counties. As I write this statement, I am unsure whether our program will be selected to continue to receive the contract for provision of rape crisis services in Berks County.

The domestic violence and rape crisis line item currently comprises less than .0001% of the DHS overall budget.

The concern of Safe Berks and similar programs with the consolidation of these departments is that we will have an even smaller voice concerning the allocation and provision of domestic violence and sexual assault funding and services in the state, and that the two State Coalitions will have even more autonomy to create administrative burdens and requirements on programs that do not support the work being done in our communities. It is apparent that DHS, as currently configured, has no interest in opening the statewide contract for provision of domestic violence and sexual assault services and providing more oversight and support for programs. It is much less likely that they will ever do so when these programs comprise an even smaller portion of the overall budget.

It is also worth noting that currently both state Coalitions are undergoing major transitions in leadership – PCADV due to the resignation of the Executive Director after the DHS audit, and PCAR due to the recently announced retirement of its long-time CEO. Given these circumstances, and the reality that 70% of the programs statewide serve victims of both domestic violence and sexual assault, a review of the statewide network including the feasibility of a dual Coalition is in order – with the goal of eliminating duplicative administrative functions, streamlining administrative burdens on community programs, amplifying the voices raised on behalf of survivors, and maximizing the use of technology to better serve survivors, among other possibilities.

The state budget impasses and funding cycles of the past few years have illustrated that many of our community programs are precariously funded, and have resulted in the closure of domestic violence shelters and other programs. Those challenges will remain, and require the active participation by the DHS to study the needs of rural, suburban and urban programming and make recommendations to secure the sustained provision of the programs to ALL Pennsylvanians.

Safe Berks has been fortunate. Over the past five years, we have secured over \$5 million in private funding to construct an efficient and accessible facility to house our programming, as well as unrestricted funding to weather the loss of state funding. Many of our sister programs have not been able to do the same.

We request that should the consolidation occur, there is a specific mechanism created to ensure more robust oversight, assistance and support for the community programs that offer critical programming in Pennsylvania communities.