



OFA State and Tribal Technical Assistance and Resources *Intimate Partner Violence in the Time of COVID-19:* *TANF's Vital Role in Prevention Webinar* Audience Q&A Follow Up

Data from the Centers for Disease Control and Prevention (CDC) show that approximately 25% of women and 10% of men have experienced intimate partner violence (IPV). In communities where financial insecurity is present, the rate of IPV is even more prevalent. A survey of TANF participants revealed that one-third of respondents had experienced IPV in the past year with half sustaining an injury, and close to one-third noting that they had trouble working due to the violence they were experiencing.

On October 28, 2020, the Office of Family Assistance (OFA) held a webinar titled *Intimate Partner Violence in the Time of COVID-19: TANF's Vital Role in Prevention* to address the prevalence of IPV among TANF participants. The webinar centered around a panel discussion featuring Janet Mickish, Ph.D., Lead Trainer, Staff Development Division, Colorado Department of Human Services; Marium Durrani, Director of Policy, National Resource Center on Domestic Violence (NRCDV); and Jessie Kendall, Senior Manager, ICF. Speakers explored and discussed: 1) the role TANF programs play in preventing IPV and supporting survivors; 2) barriers to TANF access among IPV survivors; and 3) Colorado TANF's approach to leveraging funds, partnerships, and other resources to support IPV survivors. Following the moderated panel discussion, presenters engaged in a Q&A session with the audience. This document provides the questions and answers that were submitted to Dr. Mickish but not asked due to time constraints.

QUESTIONS AND ANSWERS

The following responses have been provided by a representative from the state of Colorado and apply to Colorado only. Each state has its own IPV rules and regulations, and the federal TANF program has specific guidance that may differ in some areas. Colorado's responses are for information purposes only. Please check with your state's, tribe's, or county's IPV policies and your federal Regional Program Manager for specific questions.

Question #1:

Can Janet talk more about waivers? How long are the waivers? What is the percentage of Intimate Partner Violence (IPV) survivors who utilize them?

Answer:

The waivers may be for as long as the client meets basic criteria for participating in the Colorado Works program and meets the federal criteria for one or more of the waivers. See the Desk Aid and citations below. Waivers must be reviewed at least one time every six months.

Because the waivers are used to help the customer achieve economic security, depending on the client's situation, a waiver may be implemented, then withdrawn. Therefore, our database does not record how many survivors receive one or more Family Violence Option (FVO) waivers.



For example, Pat, a client, qualifies for and wants a waiver because a perpetrator (Mel) is stalking her. She and her child hide at her sister's home. A month later, Mel is arrested and goes to jail for 6 months. Together, the client and case manager decide that neither Mel nor Mel's friends and family are going to stalk her now and that she would like to go to work. The waiver is withdrawn. Pat gets a job. Then, Mel is given probation. Pat does not know if Mel is going to come after her again. So, Pat and the case manager decide to implement the waiver for a week or so to ensure Pat is safe. Mel does not pursue Pat. Pat and the case manager decide to withdraw the waiver, and Pat goes back to work. Six months later, Mel begins to harass and stalk Pat. Pat discusses options with her case manager. Refer to your state and county rules.

Question #2:

Can you explain perpetrator treatment and how individuals participate in this service? Are they mandated by court?

Answer:

Colorado has a sentence enhancer for defendants convicted of a crime for which the underlying fact situation is domestic violence. When a defendant is convicted of a crime for which the underlying fact situation is IPV, in addition to a sentence for the crime, the court must sentence the defendant to an evaluation conducted by a certified perpetrator treatment provider. The certified treatment providers use evidence-based methods and meet rigorous training and standards.

During my OFA webinar presentation and during the FVO workshops I facilitate, I stress that unless perpetrators stop their behavior, they will continue to generate victims and survivors. It is essential that we all work to stop perpetrators. Therefore, it is important to work with evidence-based perpetrator treatment providers to understand perpetrators, develop strategies, and provide clients with treatment that stops their violence.

For more information, see:

- Domestic Violence Offender Management Board: <https://dcj.colorado.gov/boards-commissions/domestic-violence-offender-management-board>
- Find a Treatment Provider for Domestic Violence Offenders: <https://dcj.colorado.gov/dcj-offices/domestic-violence-and-sex-offender-management/find-a-treatment-provider-for-domestic>
- Colorado's Differentiated DV Offender Treatment Aims to Address Offender Risks, Needs and Responsivity: <https://www.bwjp.org/resource-center/resource-results/colorado-dv-offender-treatment.html>
- Standards for Treatment with Court Ordered Domestic Violence Offenders: <https://cdpsdocs.state.co.us/dvomb/Research/Evaluation.pdf>

Question #3:

Dr. Mickish mentioned Colorado's Earned Income Tax Credit (EITC). Are EITC claimants in Colorado required to file a joint return if they are married? This may prevent survivors from accessing financial support.

Answer:

No, they may file separately. Note: the tax credit is for the person earning income. If both earn income, they may both be eligible. If only one person earns income, only the wage earner is eligible for the EITC.



Question #4:

Dr. Mickish shared the importance of increasing collaborative work with agencies/advocates in order to assist non-custodial parents who may desire abuse prevention and/or anger management classes, etc. Can Dr. Mickish share more feedback about how to reach those non-custodial parents? Is there a screening to ascertain their interest in violence prevention programming, for example?

Answer:

Child support services are unique to each state. Refer to your state’s child support services for information. Colorado’s Child Support Services are focused on collaborating with parents to help them and their family achieve and maintain economic security. This may mean such things as changing terminology from “absent parent” to “non-custodial parent” and “Child Support Enforcement” to “Child Support Services.” Programs can implement the change in terminology by helping the non-custodial parent obtain and maintain employment and by providing easy methods of payment via kiosks in convenient locations, as well as providing 100 percent pass-through of those payments. Information about Colorado’s Child Support Services may be found at: <https://childsupport.state.co.us/>.

Colorado - client statement made to a worker who has completed the 8 hour training

GOOD CAUSE

- ✓ **HOW TO DETERMINE:** *prudent person principle* (9 CCR 2503-5)
- ✓ **GOOD CAUSE FOR OFFERING / GRANTING WAIVER**
 - ❖ **WORK ACTIVITIES AND/OR 60 MONTH TIME LIMIT:**
anything that would potentially endanger or unfairly penalize a participant or the participant's family if he/she participated in the county's standard program/work activity requirements
 - ❖ **CHILD SUPPORT REQUIREMENTS:**
anything that is not in the best interest of the child, e.g., potentially endanger or unfairly penalize the individual or child if the individual cooperated with child support enforcement

FAMILY VIOLENCE OPTION

- ✓ **PURPOSE**
The FVO is a provision of the Personal Responsibility and Work Opportunity Reconciliation Act. It is designed to ensure that survivors of domestic violence can receive TANF services and assistance and meet TANF requirements without jeopardizing their safety and/or the safety of their children.
- ✓ **THREE (3) FAMILY VIOLENCE OPTIONS**
 - ❖ Offer / grant waiver exempting survivors from meeting any or all of the work requirements
 - ❖ Offer / grant waiver extending the 60-month time limit
 - ❖ Offer / grant waiver of child support services
- ✓ **BENEFITS**
 - ❖ TANF participants are more likely to succeed if workers identify and address barriers to economic security
 - ❖ States may claim reasonable cause for not meeting work participation rates (WPR) or for exceeding the 60-month limitation for receipt of federal assistance

Information obtained from:

- Code of Colorado Regulations 9 CCR 2503-6:
<https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=7731>



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330 C Street, S.W., Suite 3026, Washington, DC 20201
www.acf.hhs.gov

- Electronic Code of Federal Regulations (e-CFR) Title 45, Subtitle B, Chapter II, Part 260: <https://www.ecfr.gov/cgi-bin/text-idx?node=pt45.3.260&rgn=div5> and Compilation of the Social Security Laws: (https://www.ssa.gov/OP_Home/ssact/title04/0402.htm) as of January 21, 2020.

Note: content may change. Please consult the code of Federal regulations for current, complete laws.