

Robert P. Astorino
County Executive

Department of Social Services

Kevin P. Mahon
Commissioner

11216

Date: April 30, 2010

To: Board of Acquisition and Contract

From: Kevin P. Mahon
Commissioner

Subject: Resolution authorizing the County of Westchester to enter into an agreement with Hope's Door, Inc. (formerly known as Northern Westchester Shelter, Inc.) to operate a special needs shelter for adult women and their minor children who are victims of domestic violence for the period July 1, 2010 through June 30, 2011 for an amount not to exceed \$485,705, \$20,000 of which is exclusively designated to cover the cost associated with the uncompensated overstay for Westchester County residents, to be paid monthly at an approximated per-diem of \$102.92 based upon utilization pursuant to an approved budget and subject to appropriation.

The County of Westchester is requesting authorization to enter into an agreement with Hope's Door, Inc. (formerly known as Northern Westchester Shelter, Inc.) to operate a domestic violence shelter known as Hope's Door Shelter for adult women and their minor children who are victims of domestic violence for the period July 1, 2010 through June 30, 2011 for an amount not to exceed \$485,705, \$20,000 of which is exclusively designated to cover the cost associated with the uncompensated overstay for Westchester County residents, to be paid monthly at an approximated per-diem of \$102.92 based upon utilization pursuant to an approved budget and subject to appropriation. Uncompensated overstay is defined as a continuous stay in a domestic violence shelter that exceeds the allowable 135 days. There has been no increase in the amount requested for the proposed agreement.

The County proposes to enter into this agreement to provide emergency shelter placements for victims of domestic violence. The Domestic Violence State Aid Rate (DVSAR) that has been approved by the New York State Office of Temporary and Disability Assistance for the period January 1, 2010 through December 31, 2010 is currently \$102.92 per person per day based upon the shelter's capacity of 16 residents. This rate is subject to modification by the State prior to June 30, 2011. The County is therefore requesting authorization to adjust the current per-diem rate to conform to the revised DVSAR when it is issued by the State.

The **public purpose of the proposed agreement** is ensuring the safety and general welfare of the victims of domestic violence and their minor children while aiding

in the reduction of family violence in Westchester County through intervention and proactive prevention. Shelter and services offered by Hope's Door Shelter to victims enhance their safety. By coming to the shelter, the victims are removed from a home with violence to a shelter where each person's safety and dignity are upheld. Victims living in Hope's Door Shelter are provided with a safe place in which to explore their options, learn needed skills for self-sufficiency and receive the guidance to move forward safely, particularly in regards to offender accountability procedures.

The **goals and objectives** of the proposed agreement are as follows:

- provide a safe environment to women and their minor children experiencing domestic violence.
- offer on-site counseling services and support groups.
- increase responsiveness to the criminal justice system to the needs of battered women and their minority children by offering legal services, advocacy and accompaniment services for Court hearings and visits to the District Attorney's Office.

The goals and objectives are in **the best interests of the County in terms of public health and safety**, as they are aimed at ensuring and enhancing the health and safety of the targeted population. NYS Office of the Prevention of Domestic Violence reported between 2007-2008, New York saw an increase in indicators of domestic violence.

- 45 intimate partner homicides in counties outside New York City were reported in 2008, an increase of 45% from 2007. (Division of Criminal Justice Services)
- In 2008, 50% of females aged 16 and older who were victims of homicides were killed by an intimate partner. Four (4%) of male homicides victims were killed by an intimate partner. (Division of Criminal Justice Services)
- In 2008, the number of applicants for public assistance who indicated danger due to domestic violence increased 20% from 2007. (OTDA)

The County enhances public safety by providing a safe haven in the form of emergency housing to victims of domestic violence and their minor children. Individual and group counseling sessions are structured around empowerment, independency and self - sufficiency to reduce the number of families returning to their abusers. In the event a resident's length of stay exceeds the allowable 135 days, this program provides additional funding to allow said resident to remain in a safe haven until appropriate housing is arranged.

The goals and objectives of this contract are also in the **best interests of the County as regards fiscal responsibility** in that abused victims helped to be safe are not as likely to return to dependence on their abusers, thereby reducing the financial burden to the taxpayers for public safety, medical, and public assistance costs. The services provided through this agreement further reduce the financial burden to taxpayers in other areas directly or indirectly related to the consequences of domestic violence, such as expenses incurred by the Department of Corrections, Medicaid, Children's Protective Services, the legal profession and the court system. Failure to provide these services can result in increased costs in the following areas:

- Emergency response expenses
- Department of Corrections expenses as a result of repeated arrests and prosecution of perpetrators
- Medicaid expenses because of injuries due to domestic violence assaults
- Costs for Children's Protective Services as women will have no ability to leave the abuser resulting in an increased number of calls to the CPS Registry

Failure to provide this service would result in the County being out of compliance with NYS laws and regulations requiring the provision of emergency housing for victims of domestic violence. Without this program, the Department will have a reduced capacity to provide housing for women and their minor children who are victims of domestic violence. Further, the Department's permanent capacity to provide domestic violence shelter placements will be reduced since its ability to open new domestic violence shelters is limited.

Although the Domestic Violence Shelter is monitored by New York State, **the goals and objectives will be tracked and monitored** by the Department using the performance measurement indicators developed by the Department and approved by the Westchester County Budget Office. The agency is required to submit monthly reports to the Department in accordance with the performance measurement indicators.

The **Department is able to report that the vendor's Performance Measurement Indicators** reflect that the aforesaid program has met its goal of housing eligible customers referred by the Department. The facility accepted 100% of appropriate referrals during the 2009 - 2010 contract period. As of 3/31/10, this program effectively provided shelter and supportive services for sixty-three (63) families and ten (10) single individuals from the County of Westchester. The average length of stay for Westchester County residents was 103 days. Thirty-five (35) Long-Term Safety Plans were developed and signed by the residents.

This contract is exempt from the Westchester County Procurement Policy under Section 3 (a) xiv as this contract is with a not-for-profit organization for the purpose of providing aid, care and support services to those who are in need of public assistance.

Accordingly, the County of Westchester is requesting authority to enter into an agreement with Hope's Door, Inc. for the above said purpose.

A resolution requesting the same is attached for your Honorable Board's approval.

RESOLUTION

Upon a communication from the Commissioner of Social Services, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement with Hope's Door, Inc. (formerly known as Northern Westchester Shelter, Inc) to operate a special needs shelter known as Hope's Door Shelter for adult women and their minor children who are victims of domestic violence for the period July 1, 2010 through June 30, 2011 for an amount not to exceed \$485,705, \$20,000 of which is exclusively designated to cover the cost associated with the uncompensated overstay for Westchester County residents, to be paid monthly based upon utilization at an approximated per diem of \$102.92 pursuant to an approved budget; and be it further

RESOLVED, that the contract per diem rate of \$102.92 is subject to change as may be prescribed by the New York State Office of Temporary and Disability Assistance; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to amend the aforementioned agreement subsequent to execution of the same in order to adjust the per diem rate to conform to the anticipated future modification of the said rate by the New York State Office of Temporary and Disability Assistance at such time as the County is notified by the State of such modification of the rate provided that such rate does not exceed the amount authorized herein; and be it further

RESOLVED, that this contract is subject to County Appropriation; and be it further

RESOLVED, that this agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s) to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his authorized designee is empowered to execute any document necessary to implement this Resolution.

Account to be Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2010	101	22	8900	5850	-----	\$242,853
2011	101	22	8900	5850	-----	\$242,852

Budget Funding Year(s): 2010-2011
(must match resolution)

Start Date: 7/01/10

End Date: 6/30/11

Funding Source

\$485,705
(must match resolution)

Tax Dollars: 25%
State Aid: 25%
Federal Aid: 50%
Other _____