



SEXUAL VIOLENCE & ECONOMIC SECURITY OVERVIEW OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM

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SEXUAL VIOLENCE & ECONOMIC SECURITY

OVERVIEW OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM

Sexual violence and economic insecurity are intricately linked. Poverty and unemployment are community and societal risk factors for the perpetration of sexual violence (U.S. Department of Health and Human Services, Centers for Disease Control and Prevention [CDC], 2009). Economic insecurity is a risk factor for sexual victimization throughout the world (Jewkes, Sen, & Garcia-Moreno, 2002). Poverty can make it harder for people to access the services they need to be safe or to heal from sexual violence.

Sexual violence can interfere with survivors¹ education and employment, which can mark the beginning of an economic downward spiral. For others, sexual violence occurs within an existing context of poverty where sexual exploitation goes hand-in-hand with survival.

The economic effects of sexual violence can cause victims to find themselves in need of public assistance as a temporary bridge. Advocates play a critical role in engaging public assistance offices in systems advocacy and

in connecting survivors to the assistance they need.

This guide was developed primarily for advocates at community-based sexual assault programs who provide direct services to survivors of sexual violence or engage in prevention education and community collaborations. The goal of this guide is to support advocates in both connecting victims to the Temporary Assistance for Needy Families (TANF) Program and ensuring that the TANF Program is responsive to the needs of sexual violence victims. This guide includes:

- A discussion of the connections between sexual violence and economic insecurity
- An overview of TANF
- A discussion of the Family Violence Option
- TANF advocacy strategies

¹Throughout this document, the terms “victim” and “survivor” are used interchangeably to be inclusive of the various ways people who have experienced sexual violence may identify. The National Sexual Violence Resource Center (NSVRC) recognizes and supports the use of person-first terminology that honors and respects the whole person, which is also reflected in this document. Finally, NSVRC acknowledges that individuals should ultimately choose the language that is used to describe their experiences and therefore, supports advocacy approaches that are person-centered and that use the terminology preferred by individuals they serve.

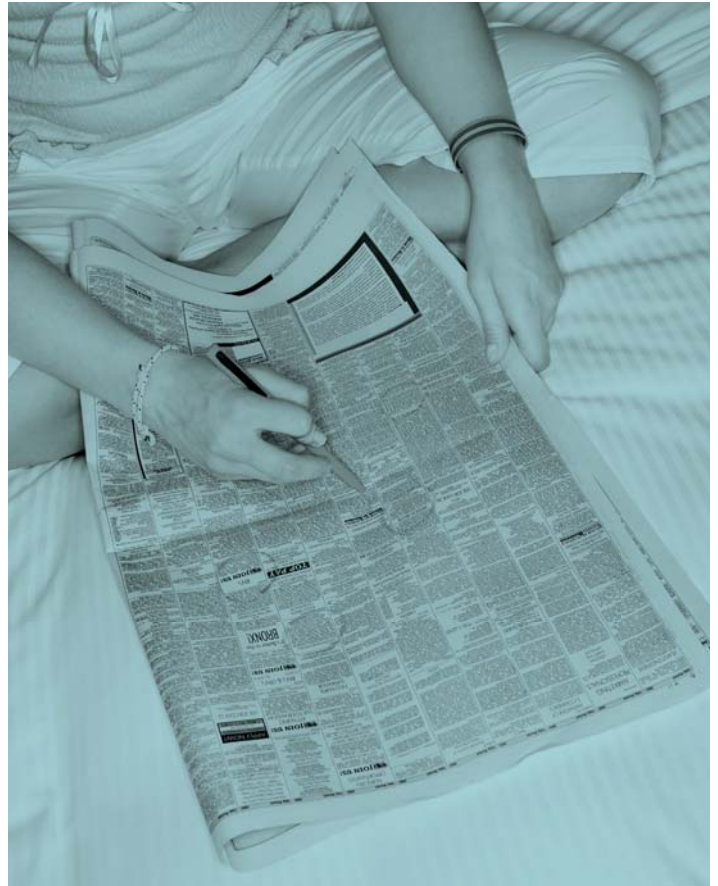
CONNECTIONS BETWEEN SEXUAL VIOLENCE & ECONOMIC INSECURITY

COSTS OF SEXUAL VIOLENCE

Surviving sexual violence can be costly. Victims often incur costs associated with criminal justice proceedings, medical care, mental health care, transportation, housing, child care, lost wages, interrupted education, property damage, and less tangible costs stemming from a decreased quality of life and well-being. In 2008, researchers estimated that nationally each rape costs a survivor approximately \$151,423 (DeLisi et al., 2010). These costs are not simply unexpected; they can push individuals and families over an economic edge. Economic impacts can be felt in both the immediate aftermath of sexual violence and over the course of the life span. There are many ways that sexual violence can interfere with a person's job and economic stability. Examples follow.

INTERRUPTED EDUCATION

Sexual violence in childhood, adolescence, and young adulthood can interrupt education, which can limit a person's ability to compete in the job market for a living wage. Victims often endure long-term economic costs associated with sexual violence, particularly in terms of lifetime earnings. One study found that when sexual violence occurs in adolescence, one of the most immediate results is a disinvestment in education; this can lead to lower occupational status and personal income during adulthood, with an estimated lifetime income loss due to sexual assault being \$241,600 (MacMillan, 2000).



INTERRUPTED EMPLOYMENT

Following sexual violence, a person could need to attend counseling, criminal justice, medical, and other appointments, which can cause them to miss work and lose wages. *The National Violence Against Women Survey* found that almost 20% of adult female victims of rape, and almost 10% of adult male victims of rape, lost time from work (Tjaden & Thoennes, 2006). Another study reported that 50% of rape victims lost employment or were forced to quit their jobs in the year following their rapes

TRAUMATIC EXPERIENCES, SUCH AS SEXUAL VIOLENCE,
CAN INTERFERE WITH CAREGIVING OBLIGATIONS,
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because of the severity of their reactions (Ellis, Atkeson, & Calhoun, 1981). For many victims, the effects of trauma and need for time off to attend appointments that enable them to heal can result in them being fired or having to quit their jobs. Women who were physically and sexually abused in adulthood were unlikely to work at least 30 hours a week for six or more months (Lyon, 2002). Additionally, even when sexual violence occurs in the distant past, work might be interrupted. Adverse childhood experiences, including child sexual abuse, can lead to poor job performance and work absenteeism in adulthood (Anda et al., 2004).

SUBSTANCE USE

Some victims might use drugs or alcohol as a way to cope with the effects of sexual violence, which can undermine their productivity. Nearly 90% of women who struggle with alcoholism were sexually abused as children or suffered severe violence at the hands of a parent (Jennings, 2004). Seventy-five percent of women in treatment programs for drug and alcohol abuse report having been sexually abused (Jennings, 2004). In a study of 100 adults who abused multiple drugs, 70% of female and 56% of male drug users had been sexually abused before the age of 16 (Jennings, 2004). Stress is a powerful trigger for using alcohol or drugs and often contributes to relapses among individuals in recovery (Bloom, 2002).

MENTAL HEALTH AND DISABILITY

Following sexual violence, sleeplessness, anxiety, depression, fear, and other mental health struggles can make it difficult to concentrate at work. Between 50% and 95% of women develop post-traumatic stress disorder (PTSD) after being raped, which can have severe and long-lasting physiological and psychological effects, interrupting a person's concentration and general well-being (Johns Hopkins University School of Public Health, 1999), and increase the risk for concurrent use of drugs and alcohol. The Adverse Childhood Experiences (ACE) Study found a direct link between child maltreatment – including sexual abuse – and depression, psychotropic medication use, and low mental health scores in adulthood (Chapman et al., 2004). Adult survivors of childhood sexual violence can experience long-term problems such as depression, physical or somatic ailments, eating disorders, suicidal thoughts and attempts, and substance use disorders (Yuan, Koss, & Stone, 2006). Traumatic experiences, such as sexual violence, can interfere with caregiving obligations, pursuit of goals, and the ability to hold a job (Bassuk, Melnick, & Browne, 1998).

RELOCATION

Victims report that more than 50% of all rape/sexual assaults occur either at their home or



within one mile of their home (Greenfield, 1997). When sexual violence happens at or near one's home, it can create a dire need to relocate. In a survey of 251 sexual assault advocates, 88% of participants said that sexual violence victims need to relocate quickly after an assault (National Sexual Violence Resource Center [NSVRC], 2011). Families might need to relocate quickly, because a perpetrator could be living in the home or close by. They may need to enroll children in new child care/school, meet with child-protective services, or respond to other concerns related to a child's well-being. Accessing safe, affordable housing options poses significant challenges in volatile economic climates. Because victims of sexual violence often experience economic insecurity, finding safe and affordable housing

options can be extremely difficult. Relocation – whether to an apartment, house, hotel, shelter, or other housing option – can take time and resources. The need to relocate might add to factors that can result in missed days at work or school, or lost wages for many victims.

SEXUAL VIOLENCE AND POVERTY

Economic insecurity is a critical primary-prevention issue. While poverty or unemployment do not directly cause sexual violence, both have been identified as contributing risk factors to its occurrence (Jewkes et al., 2002; CDC, 2009). Poverty is a risk factor for victimization, increasing people's risks for sexual exploitation in the workplace,

schools, and in prostitution, sex trafficking, and the drug trade (Jewkes et al., 2002). People with the lowest socioeconomic status are at greater risk for violence (Jewkes et al., 2002). Individuals who lack sufficient economic resources to meet their basic needs often are sexually exploited by perpetrators who force them to barter sex for essential goods as a way to survive (Jewkes et al., 2002).

Poverty can be a *catch-22*, where sexual exploitation and violence go hand-in-hand with survival. For example, should a person:

- Stay at a job and endure sexual exploitation or quit and be unable to feed the family?
- Stay in a home where sexual harassment by the landlord is an ongoing occurrence or leave and become homeless?
- Trade sex for money (which inherently includes risk of injury by the people buying sex acts) or risk injury by a pimp, or go without basic needs such as shelter, food, and clothing?

Layers of sexual exploitation often exist in the lives of people living in poverty.

Furthermore, sexual violence can exacerbate the daily struggles that victims face in meeting basic needs. Getting necessary support in the aftermath of sexual violence often competes with other needs such as putting food on the table, keeping a roof overhead, holding down a job, finishing school, paying for child care, or putting gas in the car.

SEXUAL VIOLENCE AND PUBLIC ASSISTANCE

Sexual violence and poverty affect women and children disproportionately. Therefore, it is critical to examine the ways in which sexual

violence can create a need for economic-support systems, such as public assistance. While public assistance programs such as TANF can provide some level of support to victims, the very nature of sexual violence can create barriers to work and to adhering to the requirements of the TANF program. This makes the role of an advocate critical in helping survivors navigate TANF and avoid harsh sanctions and/or time limits while they attend to their health, mental health, criminal justice, family and other needs in the aftermath of sexual violence.

While the research on sexual violence victims' need for and use of public assistance is limited, available data are helpful in shedding light on this issue:

- In a national survey of 600 domestic and sexual violence advocates and other anti-poverty advocates, responses showed that "TANF can be an important and necessary resource for [sexual assault victims]," but that more research is needed to better understand the specific needs and experiences of sexual violence victims within the TANF program (Casey, Davies, Gifford, & Menard, 2010).
- More than half of all women receiving welfare experienced physical abuse. When asked, most of the women receiving welfare also reported physical and/or sexual abuse in childhood (Lyon, 2002).
- Sixty percent of welfare recipients have suffered from violence at some point in their lives (Laakso & Drevdahl, 2006).
- Thirty-eight percent of women interviewed in a Washington state study on the links between teenage pregnancy, child abuse, and welfare dependence were sexually abused as children (Laakso & Drevdahl, 2006).

OVERVIEW OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

WHAT IS PUBLIC ASSISTANCE?

When people hear the terms “public assistance” or “welfare,” they sometimes think of cash assistance, or the TANF program. In reality, the continuum of public assistance is much broader and includes health care, housing, food/nutrition, and other types of assistance for millions of children and adults of all ages throughout the U.S.

There also is a misperception that only people with low incomes benefit from governmental assistance. In reality, people of all walks of life and income brackets receive government aid in one form or another. Government assistance can include career development; child care and child support; counseling; health care; housing and shelter; disability assistance; disaster relief; educational grants, scholarships, fellowships; loans; social security; tax assistance; veterans and active duty assistance; and other kinds of aid (U.S. General Services Administration [GSA], 2012).

WHAT IS TANF?

TANF is a public assistance program that provides cash assistance and other work-related support to families that have no income or earn low wages and have children or are expecting children.

In other words, TANF is a critical program for single mothers and their children, who are disproportionately impacted by poverty throughout the United States.

Prior to 1996, this assistance was provided

TANF IS A CRITICAL PROGRAM FOR SINGLE MOTHERS AND THEIR CHILDREN.

through the Aid to Families with Dependent Children (AFDC) program, which was established in 1935 under the Social Security Act. In 1996, with a push to “end welfare as we know it,” TANF was created through the federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) (Personal Responsibility, 1996).

With TANF came several significant philosophical and programmatic shifts in the provision of cash assistance. These shifts are important because they affect how TANF is implemented throughout the country, the benefits that are available, and the broader context that influences the ways that recipients are treated.

With TANF came a greater emphasis on moving recipients off of welfare and into employment in private-market jobs. Both the work requirements and sanctions for failure to meet them increased for recipients. Aid to immigrants was significantly decreased. A greater emphasis on marriage as a way out of poverty emerged with TANF. In addition, TANF ushered in a heightened effort to reduce and prevent out-of-wedlock pregnancies. Philosophically, through PRWORA, welfare was no longer framed as an entitlement program or as a right to an economic safety net. Instead,

it was offered as a time-limited, temporary program with strict work requirements and sanctions. Finally, the passage of TANF decentralized oversight of the program from

the federal to state level. This resulted in TANF looking very different across states and tribes, with states having greater responsibility and flexibility in implementing the program.



SECTION THREE

TANF ELIGIBILITY CRITERIA

There are a variety of ways TANF is implemented across states, territories, and tribes. Eligibility criteria also vary. This section describes general information about eligibility, which was defined in PRWORA. Advocates can find more information about their local TANF criteria by contacting their state departments of public welfare or human services and local legal aid, domestic violence, and anti-poverty programs.

INCOME

TANF is a means-tested, needs-based program. This means that eligibility for TANF is largely determined by family income. This income threshold varies across states, territories, and tribes. In 2009, the maximum monthly incomes for a family of three were between \$269 in Alabama and \$1,641 in Hawaii (U.S. Department of

Health and Human Services, Administration for Children and Families [HHS], 2012b, Table 12:4).

FAMILY STRUCTURE

TANF is restricted to families with minor children and/or families with a woman who is pregnant. Adults without children could be eligible to receive another form of public assistance called General Assistance (GA). However, GA is becoming an extinct resource for people living in poverty throughout the U.S.

U.S. CITIZENSHIP

Prior to PRWORA, legal immigrants were generally eligible to receive TANF if they fit their state's criteria. The passage of PRWORA in 1996 severely restricted legal immigrants' access to cash assistance. Currently, most legal immigrants are not eligible to receive TANF assistance – including cash assistance, child care, transportation, and job training – until they have been in the U.S. for at least five years (Schott, 2011). While states are able to use their own funds to provide TANF to individuals who have recently emigrated, fewer than half do (Schott, 2011). In some locations, welfare can be accessed



for children who are U.S. citizens, even if their parents are without legal status. However, many families without legal status may be reluctant to access assistance due to fears of deportation, losing their children, and other potential negative consequences. Advocates can assist by connecting individuals to immigration attorneys who can help immigrant families navigate their legal options and rights.

SECTION FOUR

TANF RECIPIENTS

The majority of TANF recipients are single mothers and their children, who experience high rates of poverty in the United States. In 2010, there were 1,847,155 U.S. households receiving TANF (U.S. Department of Health and Human Services [HHS], Administration of Children and Families, 2012a, Table 1). On average, 2.3

family members received TANF in households throughout the United States. "Child-only" cases represented 46% of total TANF family caseload, meaning that in these cases the only family members who received assistance were children (HHS, 2012a, Table 5). Child-only cases are often a result of adult recipients being sanctioned and/

or exceeding the time limits of the program. The following data are from U.S. Department of Health and Human Services, Administration for Children and Families.

ADULTS

An estimated 1,084,828 adults receive TANF (HHS, 2012a, Table 18). The overwhelming majority of adult recipients are females between the ages of 20 and 40 (HHS, 2012a, Table 20). Only 14.4% of TANF recipients are married (HHS, 2012a, Table 22). In 2010, less than 15% of adult recipients were men (HHS, 2012a, Table 19). Nearly 90% of adult recipients were heads of household (HHS, 2012a, Table 24). The largest racial/ethnic groups are white (36.8%), African American (33%), and Hispanic (23.7%) (HHS, 2012a, Table 21). More than 92% of adult recipients are U.S. citizens (HHS, 2012a, Table 26).

CHILDREN

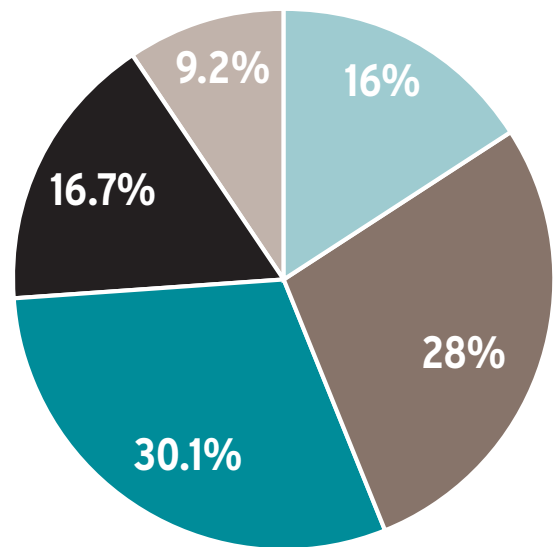
An estimated 3,280,153 children receive TANF (HHS, 2012a, Table 31). Seventy-four percent of children receiving TANF are under the age of 12 (HHS, 2012a, Table 31). Teens represent 796,926 of child recipients, with 11.9% having teen parent status (HHS, 2012a, Table 10). The percentage of children living in poverty who actually receive TANF has declined over time, as have the percentages of eligible families that actually receive assistance (Legal Momentum, 2009).

REDUCTION IN ELIGIBLE FAMILIES RECEIVING ASSISTANCE

According to a report on welfare reform, “Since 1996, the number of welfare recipients has declined by almost two thirds, falling from 4.8 million families with 9.0 million children in 1995

to 1.7 million families with 3.0 million children in 2008” (Legal Momentum, 2009, p. 1). This decrease is the result of several possible factors: reduction in the enrollment of families eligible for TANF, more stringent eligibility standards, and cases being closed because of time limits and sanctions (Legal Momentum, 2009). A reduction in TANF recipients does not mean that would-be and former TANF recipients are better off economically. Rather, declines in TANF participation have been linked to increases in the number of families – the majority being single mothers and their children – living in extreme poverty. In 2004, more than 1.7 million single-mother families earned less than \$3,000, signifying a striking increase in extreme poverty (Legal Momentum, 2009).

PERCENTAGE OF CHILDREN RECEIVING TANF BY AGE



- AGES 0-1
- AGES 2-5
- AGES 6-11
- AGES 12-15
- AGES 16-19

Most recent data from 2010

(HHS, 2012a, Table 31)

SECTION FIVE

TANF PROGRAM REQUIREMENTS

Because there is wide variation in how TANF is implemented across states, advocates are encouraged to contact their state departments of health and human services and/or public welfare to find out the specific TANF program requirements in their local communities. What follows is a general overview of the TANF requirements expected of many program participants. An important take-away message from this discussion is that over time, the TANF program has become increasingly restrictive through sanctions and work requirements. Because sexual violence may greatly impede a person's ability to work, it is helpful for advocates to understand the TANF program requirements and ways that they can advocate on behalf of the victims they serve.

WORK REQUIREMENTS

TANF recipients are required to work as soon as they are "job-ready" and within two years of enrolling in the program. Single parents receiving TANF must work or participate in work-related activities 30 hours each week, or 20 hours a week if they have a child under the age of six (HHS, 2009). Two-parent families are required to engage in work or work activities 35 hours per week, or 55 hours per week if they receive federal child care subsidies (HHS, 2009).

Work activities can include (HHS, 2009):

- unsubsidized employment
- subsidized employment (where the government pays some or all of the salary)
- on-the-job training



- job search and job readiness assistance – not to exceed six weeks in a 12-month period and no more than four consecutive weeks (but up to 12 weeks if a state meets certain conditions)
- work experience (where people engage in work efforts in exchange for cash assistance until they can secure unsubsidized employment)
- community service
- vocational educational training – not to exceed 12 months
- job skills training
- education directly related to employment
- satisfactory secondary school attendance
- providing child care services to individuals who are participating in community service

SANCTIONS

States might sanction or penalize individuals if they do not meet these requirements, which can result in a reduction or complete termination of

benefits (HHS, 2009). Exceptions are made for single parents with children younger than six who are unable to find adequate child care and for individuals experiencing domestic and sexual violence (see the Family Violence Option and TANF advocacy strategies sections of this guide for more information).

INDIVIDUAL RESPONSIBILITY PLAN

Once individuals are enrolled in the TANF program, they might be required to complete a plan with their caseworker that describes how they will secure employment. This is often called the *Responsibility Plan*, which is an optional program that states can choose to implement. This plan can include the following components:

- an employment goal for private-sector employment that leads to employment as quickly as possible
- obligations of individuals such as attending school, maintaining grades, ensuring children are in school and immunized, attending classes, and doing other activities that will lead to employment
- services provided by the state, which will support the individual in maintaining employment such as job counseling services
- possible treatment for drug or alcohol problems

TIME LIMITS

TANF is time-limited. Most recipients cannot receive assistance for more than a total of five years or 60 months in their lifetime. Time

TEEN PARENT REQUIREMENTS

Teen parents are required to engage in educational or training activities in order to receive TANF. They also are required to live with an adult or in a setting with adult supervision, unless these environments are violent or abusive. States are responsible for locating adult-supervised settings for teens who cannot live at home.

CHILD SUPPORT

States must operate a *Child Support Enforcement program* in order to receive federal TANF funds. Per PRWORA, states are required to “provide services relating to the establishment of paternity or the establishment, modification, or enforcement of child support obligations, as appropriate, under the plan with respect to each child for whom assistance is provided” (“Personal Responsibility,” 1996, p. 95). There are fiscal incentives for states to increase the percentage of fathers identified. If a TANF recipient has a “good cause” not to cooperate with the Child Support Enforcement program (e.g., their child was the result of a rape or the father of the child is abusive), they are eligible for a waiver, which is discussed in the Family Violence Option section of this guide. Good cause exemptions are determined by individual states.

SECTION SIX

TANF PROGRAM BENEFITS

limits can be lifted, at state option, for victims of domestic and sexual violence (see Family Violence Option section of this guide for more information), for up to 20% of the total state

TANF caseload. Some states could lift this limitation and the 20% caseload cap. For more information, advocates are encouraged to contact their state departments of health and human services and/or public welfare offices.

FAMILY CAP

Some states have a family cap restriction for TANF recipients. This means that babies born to existing TANF recipients are not factored into the family's total grant calculation. This means recipients do not receive additional funds when a new child enters the family. The family cap precedes TANF and began in the early 1990s as a way for states to limit cash assistance and discourage women from having additional children while receiving cash assistance. Some states might consider waiving the family cap if the child was conceived as a result of rape or incest.

This policy is highly controversial, with some arguing that it jeopardizes the health and well-being of newborns and infants and leaves women with low incomes – particularly women of color – with few reproductive and economic choices and freedoms (Levin-Epstein, 2003). Therefore, some states have revised or removed the family cap. To find out more about family caps, contact your state department of health and human services and/or public welfare.

CASH ASSISTANCE BENEFITS

Despite some public thinking, monthly cash assistance amounts do not enable recipients to “live off of the government.” Monthly TANF

AVERAGE MONTHLY BENEFITS

Family size	Monthly benefit
All families with children	\$391.93
Households with 1 child	\$327.39
Households with 2 children	\$412.38
Households with 3 children	\$496.72
Households with 4 or more children	\$594.14

Most recent data from 2010 (HHS, 2012a, Table 41)

benefits are too low to enable a family to rise out of poverty. In 2008, the benefits in all but one state were less than 50% of the federal poverty level; in 20 states, the benefits were below 25% of the poverty level (Schott & Levinson, 2008). In 2010, families with one child received \$327.39 per month. Families with two children received \$412.38. Families with three children received \$496.72 and families with four or more children

received \$594.14 per month (HHS, 2012A, Table 41). Given the costs of child care, transportation, health care, food, housing, and other basic needs, it is clear that monthly TANF benefits alone do not enable families to meet their basic needs in life, nor do monthly benefit amounts increase dramatically for every additional child.

THE FAMILY VIOLENCE OPTION (FVO)

Decades of academic research and advocates' experiences confirm that sexual violence is a common barrier to work and to economic security. While TANF can serve as a temporary source of assistance to offer some relief to a survivor of sexual violence, the short and long-term traumatic impact of sexual violence can interfere with a person's ability to comply with TANF-work requirements and time limits.

WHAT IS THE FAMILY VIOLENCE OPTION?

The FVO allows states to temporarily exempt victims of violence from certain requirements and restrictions. The FVO applies to TANF recipients who have been "battered or subjected to extreme cruelty" ("Personal Responsibility," 1996, p. 34). The FVO was created out of an understanding that the effects of violence can interfere with a person's ability to work and that work sometimes puts people at risk for further abuse. Therefore, the FVO provides victims of violence some flexibility while they address the consequences of violence in their lives, allowing them time to heal and safely remove barriers to work that were caused by violence and abuse. This includes:

- Physical acts that resulted in, or threatened

to result in, physical injury to the individual

- Sexual abuse
- Sexual activity involving a dependent child
- Being forced, as the caretaker relative of a dependent child, to engage in nonconsensual sexual acts or activities
- Threats of, or attempts at, physical and sexual abuse
- Mental abuse
- Neglect or deprivation of medical care

HOW DOES THE FVO WORK?

FVO is not mandated; states can choose to participate in the waiver option. However, all states participate in FVO or have a comparable policy (Casey et al., 2010).

There is variation in how FVO is implemented. However, states that adopt FVO certify that they will engage in the following four efforts:

- Screen for domestic violence
- Protect victims' confidentiality
- Refer victims to supportive community-based services
- Waive such program requirements as time limits, work requirements, or child-support enforcement if such requirements would make it more difficult to escape violence or unfairly punish victims of violence.

SCREENING AND REFERRALS

States that choose to administer FVO might screen for violence within the TANF application or verbally by a caseworker by asking about

experiences with abuse. Some public assistance offices will distribute information about domestic and sexual violence and community-based victim services via posters or brochures on bulletin boards, in restrooms or waiting rooms. Given how difficult it can be for victims to disclose their experiences and the safety issues surrounding such disclosures, collaboration between TANF offices, and community-based sexual and domestic violence centers is critical.

CONFIDENTIALITY

Privacy and confidentiality are of the utmost importance for safety. They also are critical in creating an environment in which individuals feel comfortable disclosing their experiences and getting the support and assistance they deserve and need throughout the TANF process and beyond. However, TANF office environments might not be conducive to private, confidential, or safe disclosures of violence and abuse. Not all survivors will feel comfortable or safe disclosing abuse to a TANF worker. For some victims, it might not be clear that their victimization is connected to work and/or their experiences in the TANF program. Regardless of whether violence is disclosed, victims of violence deserve protections and flexibility when participating in the TANF program. Advocates can play an important role in ensuring that screening and referrals are grounded in the needs and rights of victims. They also are critical in helping victims navigate the TANF program and assisting them in making helpful connections between their experiences with violence and how those experiences affect their employment and economic security.

GOOD CAUSE WAIVERS²

There are several components of TANF that could be waived for FVO participants because of a risk of further violence or because of the barriers that violence can create to fulfilling certain programmatic requirements. To obtain a waiver – Domestic Violence Verification Form – documentation of violence is required by the state. This often can be provided by an advocate, medical provider, mental health counselor, child-protective services representative, court representative, or other social service provider on behalf of the victim, or could be a sworn statement by the victim.

FVO waivers can include the following:

- **Child support enforcement:** Cooperating with child support enforcement procedures, such as establishing paternity or pursuing child support, could be waived for victims of violence.
- **Work requirements:** Requirements to look for a job, employment, or participate in school or job-training activities might be temporarily waived for victims of violence.
- **Time limitations:** Time limits on eligibility to receive TANF benefits could be lifted for victims of violence.
- **Teen parent live-at-home:** Teen parents who are not married and are under the age of 18 are required to live at home or with an adult to receive TANF. If doing so would put the parent and/or their child at risk for violence, this requirement can be waived.
- **Other requirements, possible penalties or sanctions:** Other requirements could be waived for victims of violence if such requirements could put a person at further risk or if the effects

² From the Domestic Violence and Welfare Benefits: Family Violence Option Advocacy Manual, by T. Fromson, L. Sorrentino, A. Hirsch, J. Whitelaw, J. Blazer, & P. Zurflieh, 2003. Retrieved from <http://www.pcadv.org/Resources/Welf.Manual2003Ch.1.pdf>. Copyright 2003 by the Pennsylvania Coalition Against Domestic Violence. Adapted with permission.

of violence make such requirements difficult to fulfill. For example, administrative procedures such as verifying information about violence that has been provided in an application or contacting third-parties to confirm such information could cause difficulties or risks for victims of violence. Advocates can work with TANF offices to ensure that these practices do not put victims at risk of further physical or emotional violence. In addition, victims should not be sanctioned or punished if the effects of violence prevented them from meeting programmatic requirements – regardless of whether they have applied for the FVO.

Advocates play an important role in protecting the rights of victims and helping them voice their needs when accessing the FVO and the larger TANF program.

ARE SEXUAL VIOLENCE VICTIMS/ SURVIVORS ELIGIBLE FOR FVO?

The federal FVO language defining “battered” and “extreme cruelty” includes sexual abuse, threatened sexual abuse, and sexual abuse against a child without specific mention of the relationship of the perpetrator. States that choose to use the federal language in implementing FVO may allow sexual violence victims to participate, whether or not their perpetrator was a family member or lives in the same home.

However, not all states use the federal language. Therefore, many sexual violence victims whose perpetrators are non-family members (i.e., coworkers, classmates, neighbors, acquaintances, strangers, or others) might not be eligible for the FVO. Even in states that use federal language, sexual violence survivors could fall through the cracks, because the name of the FVO program emphasizes “Family Violence.” Also, sexual violence victims might not identify



with the words “Family Violence,” especially when their experiences did not involve a family member. Caseworkers and advocates might not realize that sexual violence survivors are eligible for the program. See the TANF Advocacy Strategies section for more information.

According to the *Family Violence Option: State By State Summary*, the following states do not use federal language: Alabama, Alaska, California, Colorado, Delaware, Florida, Hawaii, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New York, North Carolina,

Oregon, Texas, Vermont, and Washington (Legal Momentum, 2004). According to the same report, it is unknown if the following states extended the FVO to non-family related sexual violence: Arkansas, Georgia, Indiana, Nebraska,

Ohio, South Carolina, South Dakota, Tennessee, Wisconsin, and Wyoming. When states do not use federal language, sexual violence victims/survivors could face greater barriers to being informed about and accessing the FVO.

SECTION SEVEN

TANF ADVOCACY STRATEGIES

Poverty is a contributing risk factor for sexual violence perpetration and victimization. Sexual violence can interfere with work and economic security. Public assistance, including the TANF program, can serve as a bridge while victims of sexual violence rebuild their lives. TANF can potentially assist in preventing further trauma and abuse by giving victims an economic alternative and vehicle for leaving abusive homes and situations. During harsh economic times, TANF can become critical for the communities served by sexual assault advocates.

TANF does provide some support, but it is not the complete answer to economic insecurity and poverty. While a person might transition from TANF to employment, this is not necessarily an indicator of economic stability. Persistent unemployment and an insufficient federal minimum wage make it difficult for people to exit poverty permanently. Studies show that people experience multiple hardships while receiving TANF and after transitioning to employment, including lack of medical insurance and unmet medical needs, inadequate housing, insufficient food, and disconnected utilities (Heflin, 2006). A national study of the TANF program found that domestic and sexual violence survivors

experience barriers to accessing TANF throughout various points of the program's administration (Casey et al., 2010). For example, this study found that victims experience difficulties with the application, poor treatment by TANF staff, inadequate assistance, inconsistencies and inadequacies in the implementation of the FVO, and even some practices that further jeopardize their safety and well-being. For an in-depth discussion of the current state of the TANF program as experienced by domestic and sexual violence victims, see *Not Enough: What TANF offers family violence victims*, a joint report by Legal Momentum and the National Resource Center on Domestic Violence (Casey et al., 2010).

Advocates play a critical role in connecting survivors to TANF as well as working toward more comprehensive and effective tools to address economic insecurity or poverty. This section includes strategies that community-based advocates can consider when advocating for victims in the TANF system, but is by no means exhaustive. Partnerships and collaborations – especially with domestic violence and other economic justice advocates – are crucial to this process.

INDIVIDUAL ADVOCACY

- Screen survivors about economic insecurity during intake and the first counseling session. Sample language might include the following:

“It is common to experience financial difficulties after experiencing sexual violence, even if it was in childhood. Many people find they are unable to work due to the effects of sexual violence. Is there anything I can do to help you find resources in making ends meet? For instance, would public assistance be helpful?”

- Know which public assistance programs are available to people and families experiencing economic insecurity and develop relationships with key personnel in those agencies so they are informed about the impact of sexual violence and the needs of victims.
- Determine if there are emergency funds available in the community.
- Provide survivors with information and referrals about public assistance programs, including TANF and their eligibility for the FVO-waiver program.
- Determine where the local public assistance offices are, their hours of operation and process for accepting new applications.
- Learn the average amount of time that passes between application and receiving first payments, so survivors can anticipate when they will receive money.
- Determine barriers to applying, such as victims preferring not to disclose rape or sexual assault, privacy concerns about disclosure, ramifications of disclosing that a survivor has quit (rather than was fired) from employment, and potential negative responses from personnel. Assist victims in accessing resources to address these challenges.

- Assist survivors with their applications, individual responsibility plans, and other paperwork to ensure that their realities and needs are reflected throughout, and that any literacy and language barriers are addressed.
- Accompany victims to TANF offices to assist and support them in navigating the system.
- When appropriate, connect victims to legal services attorneys and immigration attorneys to assist with legal matters and rights.

ORGANIZATIONAL ADVOCACY

- Build relationships with public assistance offices, caseworkers, and personnel by participating in community task forces addressing community needs such as welfare, poverty, housing or lack of affordable health care.
- Learn about public assistance offices, processes, climates, challenges, and opportunities for collaboration. Observe how things work and what the expectations and procedures are like on any given day. Talk with survivors and TANF advocates regarding common experiences within the public assistance office environment.
- Engage in cross-training with public assistance personnel and anti-poverty advocates to learn more about the intersections between sexual violence and public assistance and ways to work together to ensure that survivors of sexual violence have access to waivers and options. Identify key goals and messages to address in cross-training.
- Consult with public assistance offices to inform their screening and referral processes. Individual screening might not be possible or recommended because of the lack of privacy in public assistance offices, confidentiality, safety concerns, time constraints, and inadequate

training or comfort levels of individual caseworkers on sexual violence issues. Universal screening – providing everyone with information about the FVO exemption and local domestic and sexual violence resources – might be another strategy to ensure that survivors of domestic and sexual violence are connected to the services they need in a way that is safe and anonymous. Universal screening could include posters, brochures, palm cards, and other awareness materials that are posted in restrooms and common areas at public assistance offices, as well as on websites.

PUBLIC AWARENESS AND POLICY ADVOCACY

- Work with public assistance offices, policymakers, and caseworkers to ensure that the FVO is made available to victims of sexual

and domestic violence who need waivers, and that victims are informed of local services and programs for sexual and domestic violence needs.

- Develop public awareness materials for victims, including posters, brochures, and palm cards about how to get help and disseminate the materials at local public-assistance offices.
- Build partnerships with economic justice advocates, domestic violence advocates, and others to ensure that public assistance programs are funded and accessible, and that sexual violence prevention and intervention is integrated into anti-poverty programs and policies.
- Inform legislators and communities about the needs of sexual and domestic violence survivors, and how TANF and the FVO can be strengthened to ensure victims are able to access the assistance and services they need in the aftermath of violence.

SECTION EIGHT

ADDITIONAL RESOURCES

- **Center for Law and Social Policy:**

www.clasp.org

- **Center on Budget and Policy Priorities:**

www.cbpp.org

- **The Pennsylvania Coalition Against Domestic Violence:**

www.pcadv.org

- **National Alliance to End Sexual Violence:**

www.naesv.org

- **National Organization of Sisters of Color Ending Sexual Assault:**

www.sisterslead.org

- **National Resource Center on Domestic Violence:**

www.nrcdv.org

- **National Sexual Assault Coalition Resource Sharing Project:**

www.resourcesharingproject.org

- **Pennsylvania Coalition Against Rape:**

www.pcar.org

- **The Urban Institute:**

www.urban.org

- **U.S. Department of Health and Human Services:**

www.hhs.gov

- **VAWnet:**

www.vawnet.org

- **Victim Rights Law Center:**

www.victimrights.org

- **The Welfare Rules Database, operated by The Urban Institute:**

<http://anfdata.urban.org/wrd/WRDWelcome.cfm>

Contributors

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National Sexual Violence Resource Center

Founded by the Pennsylvania Coalition Against Rape in 2000, the National Sexual Violence Resource Center (NSVRC) identifies, develops and disseminates resources regarding all aspects of sexual violence prevention and intervention. NSVRC activities include training and technical assistance, referrals, consultation, systems advocacy, resource library, capacity-building, integrating research findings with community-based projects, coordinating Sexual Assault Awareness Month, cosponsoring national conferences and events, and creating Web-based and social networking resources.

Victim Rights Law Center

The Victim Rights Law Center (VRLC) is a nonprofit organization based in Boston, Massachusetts, with a satellite office in Portland, Oregon. The mission of the VRLC is to provide legal representation to victims of rape and sexual assault to help rebuild their lives, and to promote a national movement committed to seeking justice for every rape and sexual assault victim. The VRLC meets its mission through direct representation of victims in Massachusetts (in education, immigration, privacy, employment, housing, physical safety, and other civil and administrative matters) and national legal advocacy, training, and education regarding civil remedies for victims of sexual assault. The VRLC has a particular focus on meeting the needs of victims of non-intimate partner sexual assault. The breadth of VRLC's work reflects the deep and reverberating impact of sexual assault throughout all aspects of a victim's life, as well as the importance of holding offenders accountable for the consequences of their actions.

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