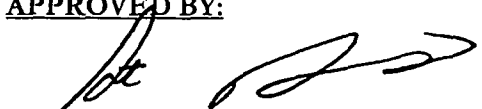


**NEW YORK CITY  
DEPARTMENT OF HOMELESS SERVICES**

PROCEDURE NO. 11-002

<b><u>SUBJECT:</u></b> Domestic Violence Referrals	<b><u>APPLICABLE TO:</u></b> Staff of DHS' Intake Center for Families with Children and Adult Families	<b><u>EFFECTIVE DATE:</u></b> August 9, 2010
<b><u>ADMINISTERED BY:</u></b> NYC DHS Divisions of Family Services and Adult Services	<b><u>APPROVED BY:</u></b>  Commissioner	

**I. PURPOSE**

This procedure sets forth the definition of domestic violence ("DV") to ensure appropriate referrals to the Human Resources Administration's No Violence Again ("NoVA") Project located within DHS' family intake facilities. This procedure also describes the steps to be followed by DHS' family intake staff ("DHS Staff") when an applicant alleges DV.

Project NoVA provides assessment, crisis counseling, placement, referral and information services to families who assert that they are homeless due to issues of DV and/or who are conditionally placed within DHS' shelter system and have disclosed issues of DV.

**II. DEFINITIONS**

A victim of DV, for purposes of this policy, means any person over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of an act which would constitute a violation of the Penal Law, including, but not limited to acts constituting disorderly conduct, harassment, menacing, reckless endangerment, kidnapping, assault, attempted assault, or attempted murder; and:

1. such act or acts have resulted in actual physical or emotional injury or have created a substantial risk of physical or emotional harm to such person or such person's child; and
2. such act or acts are, or are alleged to have been, committed by a family or household member.

A family or household member means the following individuals:

1. persons related by blood or marriage;
2. persons legally married to one another;
3. persons formerly married to one another regardless of whether they still reside in the same household;
4. persons who have a child in common regardless of whether such persons are married or have lived together at any time;
5. unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; or
6. unrelated persons who have had intimate or continuous social contact with one another and have access to one another's household.

### **III. NoVA REFERRALS AND ASSESSMENTS**

Staff must promptly refer to NoVA any applicant who, prior to or following the eligibility interview, claims to be or whom staff have reason to believe is a DV victim. For the latter, in making a referral, staff should consider factors such as the applicant's physical and emotional demeanor, documentation, and/or information from collateral sources. If an applicant alleges or is suspected to be a DV victim during the interview process, staff should complete the interview and then make the referral to NoVA. Pending NoVA's evaluation and determination, DHS' eligibility investigation must cease. NoVA will provide DHS with the outcome of the NoVA assessment on a completed PATH Determination form ("Determination form"). DHS staff may consult with NoVA regarding the information provided on the Determination form, including the NoVA Eligibility determination and any preclusion information.

The possible outcomes of NoVA's assessment, and DHS' actions following each outcome, are described below.

#### **A. NoVA Eligible**

If NoVA determines that the applicant is eligible for the NoVA Program, NoVA will offer the applicant placement in a DV shelter.

##### **1. Applicants Who Accept DV Shelter Placement**

If the applicant accepts DV shelter, NoVA will attempt to place the applicant in a DV shelter that same day. If NoVA places the applicant in a DV shelter, the NoVA worker will indicate this outcome on the Determination form. If the applicant is in HI status at Intake, i.e., pending placement in a DHS conditional placement, DHS will code the applicant "WD" in CTS to reflect the placement in a DV shelter.

If NoVA needs additional time to secure a DV shelter placement, the NoVA worker will request DHS placement for the applicant, and document on the Determination form that the applicant is being temporarily placed in the DHS shelter system pending placement in

the DV shelter system. DHS will place the applicant in an available unit within the DHS shelter system, taking into account any areas of preclusion (see Section III(C), below). If NoVA is later able to locate a DV shelter placement for the applicant, NoVA will provide DHS with another Determination form indicating the DV placement outcome. Thereafter, DHS will code the applicant "WD" in CTS and enter the corresponding exit code 98 to reflect the exit from DHS shelter and placement in a DV shelter. If the applicant subsequently declines DV shelter placement, NoVA will provide DHS with another Determination form indicating that the "client refuses placement," and DHS staff will code the applicant as eligible in CTS.

2. Applicants Who Do Not Accept DV Shelter Placement

If a NoVA eligible applicant refuses DV shelter at Intake, NoVA will indicate on the Determination form that the "client refuses placement." DHS will then code the applicant as eligible in CTS and place the applicant in DHS shelter, taking into account any areas of preclusion.

**B. Not NoVA Eligible**

If NoVA determines that the applicant is ineligible for the NoVA Program, NoVA will indicate on the Determination form that the applicant is Not NoVA Eligible and include the reason for this finding. These potential reasons are:

1. No DV Information Elicited

If the applicant does not allege DV during the assessment, the Determination form will indicate "no domestic violence information elicited."

2. DV Information Does Not Rise to the Level of NoVA Eligibility

If the applicant alleges DV which does not rise to the level of eligibility for DV shelter, the Determination form will indicate that "DV Shelter Screening Criteria Not Met; referral made to non-residential domestic violence services."

DHS will then continue its investigation of the applicant's eligibility for temporary housing assistance, taking into account any preclusion information (see Section III(C), below), and render an eligibility determination based upon the totality of the circumstances.

**C. Preclusions**

If an applicant found Not NoVA Eligible provides information during his/her NoVA assessment which indicates that a person or location may be unsafe for the applicant, NoVA may preclude that person or location from DHS' investigation. NoVA will provide any such preclusion information on the Determination form, including the name(s) of the perpetrator(s), the perpetrator's relationship to the applicant, and address(es). DHS will not investigate or consider any persons or locations precluded by NoVA as part of its eligibility and placement process.

If an applicant does not provide any information during the assessment to indicate that a person or location may be unsafe for the applicant, NoVA will indicate on the Determination form "No Preclusions Based on Current Assessment."