Sexual Assault Claims Overview

The Temporary Assistance for Needy Families (TANF) program was established in 1996 as a replacement for Aid to Families with Dependent Children (AFDC). TANF funds must be spent to address one of four purposes:

1. Provide assistance to needy families so that children can be cared for in their own homes
2. Reduce the dependency of needy parents by promoting job preparation, work and marriage
3. Prevent and reduce the incidence of out-of-wedlock pregnancies
4. Encourage the formation and maintenance of two-parent families[[1]](#footnote-1)

Congress in writing TANF legislation, and the Administration for Children and Families (ACF) in interpreting it, were purposely not prescriptive about the programs that could be funded, and provided states wide latitude to design programs that accomplish the four purposes. In their guide to funding services through the TANF program ACF stated: “TANF funds are much more flexible than funds under the prior entitlement programs. **So States should start with the assumption that they may use these funds in innovative ways to achieve the critical goals laid out in the TANF statute.**”[[2]](#footnote-2)

Information related to specific sexual assault services that can potentially eligible be funded with TANF in Maine is provided below:

**Helpline**

States can use TANF funds to “…identify and service children in needy families who are at risk of abuse or neglect…”, including directing funding towards specific problems.[[3]](#footnote-3) The sexual assault hotline is used to identify and screen children who have are victims of sexual abuse. If necessary, the hotline staff provides referrals to other allowable services, including counseling and the children’s advocacy center. Receiving services allows parents to gain greater self-sufficiency, which allows for children to be cared for safely in their own homes, and ensures abused children receive the services necessary to remain in their homes, thus fulfilling TANF purpose 1. Additionally, ACF has identified services for domestic violence including those to, “…screen and identify victims; develop safety and service plans; provide appropriate counseling, referrals and other related services…”[[4]](#footnote-4) as allowable uses of TANF. The definition of domestic violence provided by the Office on Violence against Women (OVW), part of the Department of Justice, includes: “**Sexual Abuse:** Coercing or attempting to coerce any sexual contact or behavior without consent. Sexual abuse includes, but is certainly not limited to, marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner.”[[5]](#footnote-5) As sexual assault in some circumstances is included in the definition of domestic violence, the sexual assault helpline in Maine screens and identifies potential domestic violence victims, which is an allowable use of TANF.

**School-Based Education**

ACF allows for the use of TANF funds on educational activity: “States may use Federal TANF funds to pay for pre-kindergarten, kindergarten, or other educational costs under purpose 3 or purpose 4, if these activities are not part of a State’s general free education system.”[[6]](#footnote-6) School-Based Sexual Assault education teaches children to interact with others in a healthy manner, communicate well, have higher self-esteem, identify and develop healthy relationships, and recognize and avoid abuse. Purpose 3 and 4 of TANF are to:

* Prevent and reduce the incidence of out-of-wedlock pregnancies
* Encourage the formation and maintenance of two parent families.[[7]](#footnote-7)

School based education clearly meets these purposes, by helping children to develop the skills that will lead to healthy relationships, and thus two-parent families, and reduce out of wedlock pregnancies.

**Children’s Advocacy Center (CAC)**

ACF specifically allows for the funding of child welfare services. States can use TANF funds to “…identify and service children in needy families who are at risk of abuse or neglect…”, including directing funding towards specific problems.[[8]](#footnote-8) Children’s Advocacy Centers are a national service delivery model. Centers are, “a child-focused, facility-based program in which representatives from many disciplines, including law enforcement, child protection, prosecution, mental health, medical and victim advocacy, and child advocacy work together to conduct interviews and make team decisions about investigation, treatment, management and prosecution of child sexual abuse cases.”[[9]](#footnote-9) Sexual Assault CAC advocates work directly with families and other providers to assist children in overcoming past trauma, prevent future trauma, and keep children safe. This directly fulfils purpose 1 by allowing children to be cared safely in their own home.

1. [Social Security Act § 401,](https://www.law.cornell.edu/citation/2-300#2-340_3) 42 U.S.C. § 601(a). Accessed at: https://www.ssa.gov/OP\_Home/ssact/title04/0401.htm. [↑](#footnote-ref-1)
2. Helping Families Achieve Self-Sufficiency: A guide to Funding Services for Children and Families through the TANF Program, Administration for Children and Families, page 6. Accessed at: http://files.eric.ed.gov/fulltext/ED449307.pdf. [↑](#footnote-ref-2)
3. Helping Families Achieve Self-Sufficiency: A guide to Funding Services for Children and Families through the TANF Program, Administration for Children and Families, page 22. Accessed at: http://files.eric.ed.gov/fulltext/ED449307.pdf. [↑](#footnote-ref-3)
4. Helping Families Achieve Self-Sufficiency: A guide to Funding Services for Children and Families through the TANF Program, Administration for Children and Families, page 20. Accessed at: http://files.eric.ed.gov/fulltext/ED449307.pdf. [↑](#footnote-ref-4)
5. https://www.justice.gov/ovw/domestic-violence [↑](#footnote-ref-5)
6. TANF-ACF-PI-2005-01 (Domestic Violence Awareness Month: Opportunities and TANF Resources For Prevention and Action). Accessed at: https://www.acf.hhs.gov/ofa/resource/tanf-acf-im-2014-03. [↑](#footnote-ref-6)
7. [Social Security Act § 401,](https://www.law.cornell.edu/citation/2-300#2-340_3) 42 U.S.C. § 601(a). Accessed at: https://www.ssa.gov/OP\_Home/ssact/title04/0401.htm. [↑](#footnote-ref-7)
8. Helping Families Achieve Self-Sufficiency: A guide to Funding Services for Children and Families through the TANF Program, Administration for Children and Families, page 22. Accessed at: http://files.eric.ed.gov/fulltext/ED449307.pdf. [↑](#footnote-ref-8)
9. http://www.cacmaine.org/what-are-cacs/ [↑](#footnote-ref-9)