

Virginia State Crime Commission

Sexual and Domestic Violence Victim Service Agency Funding

2014

Sexual and Domestic Violence Victim Service Agency Funding

Executive Summary

House Bill 885 was introduced by Delegate Christopher Peace during the Regular Session of the 2014 General Assembly and was passed by the legislature and signed into law by the Governor. The main text of the bill extended the time period in which certain claims for compensation by victims of crime could be considered by the Criminal Injuries Compensation Fund, and increased the amounts that could be awarded for various types of expenses. House Bill 885 also contained a second enactment clause, which directed the Crime Commission to study the current federal and state funding streams for local programs that assist victims of sexual and domestic violence. Specifically, the Crime Commission was directed to:

“...convene a stakeholder workgroup to include state and local representatives from the sexual and domestic violence coalition; representatives from the Department of Criminal Justice Services, the Department of Social Services, the Department of Health and the Criminal Injuries Compensation Fund; and representatives from other relevant state or local entities to support an efficient and comprehensive streamlining of current federal and state sexual and domestic violence victim service agency funding, including general fund, non-general fund, and special fund monies.”

The work group had to complete its work by September 30, 2014. The purpose of the study was to look at the statewide system, as a whole, with the main objective of seeing what efficiencies could be brought to the grant funding process for local sexual and domestic violence agencies. Per the second enactment clause, three work group meetings were held and representatives from all state agencies, the Action Alliance, local sexual and domestic violence agencies, and other stakeholders attended.

In order to address the study mandate, Crime Commission staff met individually with all relevant state agencies, the Action Alliance, and many local sexual and domestic violence agency directors. Staff also surveyed all relevant state agencies, the Action Alliance, and all local sexual and domestic violence agency directors. The work group was convened on three separate occasions during 2014: June 11, July 30, and September 10. Recommendations were developed based on work group discussions, survey results, and independent staff analysis of the topic.

The Crime Commission reviewed study findings at its November and December meetings and directed staff to draft legislation for several key issues. As a result of the study effort, the Crime Commission endorsed several of the following recommendations at its December meeting:

Recommendation 1: Statutorily require the creation of an Advisory Committee on Sexual and Domestic Violence Programs. The advisory committee would be similar to the existing Advisory Committee on Juvenile Justice. This 15 member Advisory Committee would help coordinate and provide communication between state agencies and local sexual and domestic violence agencies, review ways in which operational

efficiencies in awarding and monitoring grant funds can be achieved, and make recommendations on needs and priorities for the development and improvement of local services to victims of sexual and domestic violence in Virginia. It would also develop a comprehensive plan for data collection on sexual and domestic violence. Membership would consist of the heads of the state agencies that award grant funds to sexual and domestic violence agencies, as well as the Attorney General of Virginia, a member of the Virginia Senate and a member of the House of Delegates, the Chair of the Virginia State Crime Commission, representatives from sexual and domestic violence agencies, a member of a victim/witness organization, and the Executive Director of the Action Alliance, or their designees.

Recommendation 2: Amend Va. Code § 9.1-102 to require the Va. Department of Criminal Justice Services to establish an Accreditation Center for local sexual and domestic violence agencies, in a manner similar to the Virginia Law-Enforcement Accreditation Center. The accreditation of local sexual and domestic violence agencies that receive funding from the state is a function that should be more directly overseen and managed by the state; if accreditation is tied to funding or the receipt of extra funds, the standards and evaluations should be carried out by an impartial body.

Recommendation 3: Request that the Virginia Department of Social Services review the hotline needs of local sexual and domestic violence agencies to see if more of them can locally manage a hotline, and evaluate the feasibility of assuming responsibility for a state hotline for local sexual and domestic violence agencies that are not able to maintain their own 24 hour hotline system.

Recommendation 4: The Virginia Department of Criminal Justice Services should assume control over the portion of the Victims of Crime Act federal funds that go towards the Domestic Violence Prevention and Services Grant and are currently administered by the Virginia Department of Social Services.

Recommendation 5: The portion of the Victims of Crime Act federal funds that go towards the Child Abuse and Neglect Treatment grant administered by the Virginia Department of Social Services should remain at the Virginia Department of Social Services.

Recommendation 6: The Virginia Department of Social Services should retain control over the Family Violence Prevention and Services Act federal funding stream that they currently administer via Virginia's Domestic Violence Prevention and Services Grant.

Recommendations 1, 2 and 3 were voted on and endorsed; Recommendations 1 and 3 were endorsed unanimously by the Crime Commission.

Recommendation 1 was introduced by Delegate Jennifer McClellan as House Bill 1954, and by Senator Janet Howell as Senate Bill 1057, during the 2015 Regular Session of the Virginia General Assembly. Both House Bill 1954 and Senate Bill 1057 were amended in the nature of a substitute, and were incorporated into other bills. House Bill 1954 was incorporated into House Bill 2092, and Senate Bill 1057 was incorporated into Senate Bill 1094. Both bills, after amendment, contained the substance of Recommendation 1, and created the Advisory Committee on Sexual and

Domestic Violence. Both of the amended bills were passed by the General Assembly, and were signed into law by the Governor.

Recommendation 2 was introduced by Delegate Chris Peace as House Bill 2092, and by Senator Janet Howell as Senate Bill 1094, during the 2015 Regular Session of the Virginia General Assembly. Both House Bill 2092 and Senate Bill 1094 were amended in the nature of a substitute; both bills, after amendment, contained the substance of Recommendation 2, and created the Virginia Sexual and Domestic Violence Program Professional Standards Committee. The Committee would receive staffing assistance from the Department of Criminal Justice Services, and would consist of six directors of local sexual and domestic violence programs appointed by the Advisory Committee on Sexual and Domestic Violence Programs, and six directors of local sexual and domestic violence agencies appointed by the Action Alliance, as well as one non-voting member appointed by the Department of Criminal Justice Services, and one non-voting member appointed by the Action Alliance. Both of the amended bills were passed by the General Assembly, and were signed into law by the Governor.

For Recommendation 3, a letter was sent to the Virginia Department of Social Services, requesting them to review the current state hotline system in 2015, evaluate whether it would be feasible for the Department to assume responsibility for a hotline that might be less expensive for local programs to use, and report their findings back to the Crime Commission by December 1, 2015.

The Crime Commission unanimously voted to pass by Recommendations 4, 5, and 6.

Background

House Bill 885 (HB 885) was introduced by Delegate Christopher Peace during the Regular Session of the 2014 General Assembly and was passed by the legislature and signed into law by the Governor.¹ The main text of the bill extended the time period in which certain claims for compensation by victims of crime could be considered by the Criminal Injuries Compensation Fund (CICF), and increased the amounts that could be awarded for various types of expenses.

When the bill was in the Senate, two floor amendments in the nature of substitutes were introduced, but were not adopted. The first substitute contained an enactment clause which would have created a joint subcommittee, with members appointed by the Chairmen of the House Appropriations Committee and the Senate Finance Committee, to examine current grant funding structures at state agencies that are used to support SDVAs. The joint subcommittee “may recommend a comprehensive and streamlined grant funding process...including the possible administration of such structure at the Criminal Injuries Compensation Fund.”² The second substitute contained an enactment clause that stated that the CICF “shall convene a stakeholder workgroup to include state and local representatives from the sexual and domestic violence coalition, representatives from the Department of Criminal Justice Services, the Department of Social Services, and the Department of Health; and representatives from other relevant state or local entities to support an efficient and comprehensive streamlining of...funding...” A third floor amendment in the nature of a substitute was adopted by the Senate; this substitute used much of the enactment language from the proposed second substitute, but directed the Crime Commission to convene the stakeholder workgroup. This substitute was passed by the Senate, was agreed to by the House, and was the version of the bill that ultimately became law. Under this enactment language, the Crime Commission was specifically directed to:

“...convene a stakeholder workgroup to include state and local representatives from the sexual and domestic violence coalition; representatives from the Department of Criminal Justice Services, the Department of Social Services, the Department of Health and the Criminal Injuries Compensation Fund; and representatives from other relevant state or local entities to support an efficient and comprehensive streamlining of current federal and state sexual and domestic violence victim service agency funding, including general fund, non-general fund, and special fund monies.”

The work group had to complete its work by September 30, 2014. The purpose of the study was to look at the statewide system, as a whole, with the main objective of seeing what efficiencies could be brought to the grant funding process for local sexual and domestic violence victim service agencies (SDVAs). Per the second enactment clause, three work group meetings were held and representatives from all relevant state agencies, the state coalition (Action Alliance),³ local sexual and domestic violence agencies (SDVAs), and other stakeholders attended.

There are a total of 53 SDVAs across Virginia that perform an array of critical services in communities throughout the Commonwealth. While each agency is unique, with 13 SDVAs focusing solely on domestic violence, 7 SDVAs focusing on sexual violence only, and 33 SDVAs providing both types of services, they often are important providers of victim counseling and general support in their areas. Many agencies assist victims in navigating the court system, both as witnesses and as plaintiffs seeking legal redress or protective orders. Some agencies maintain safe havens or temporary housing for victims of domestic violence; all agencies find themselves helping refer victims to other available services and programs, both public and private. Local sexual and domestic violence agencies also frequently offer community education, including violence prevention programs, and help raise public awareness of the issues surrounding sexual and domestic violence. Funding for some SDVAs can be challenging. All agencies rely upon a combination of private donations, general fundraising, private grants obtained from various sources, and state and federal grants. Typically, any federal grants obtained by SDVAs in Virginia are funneled, as required by federal law, through a state agency.

To assist SDVAs, the Action Alliance serves as their general coalition organization. They provide information, guidance, and some training opportunities to local agencies, and serve as a collective voice to these diverse programs at a statewide level. Other important work done by the Action Alliance is the collection of data on the number of people served by programs, the operation of a 24 hour telephone hotline system that can be utilized by programs that are unable to maintain their own local hotline system, assistance with accreditation for SDVAs,⁴ assistance for SDVAs in their interactions with state agencies, and general lobbying efforts with the state legislature.

In order to address the study mandate, Crime Commission staff met individually with all relevant state agencies, the Action Alliance, and many local SDVA directors. Staff also surveyed all relevant state agencies, the Action Alliance and all local SDVA directors. Recommendations were developed based on work group discussions, survey results, and independent staff analysis of the topic.

Federal Funds and Their Legal Limitations

Overview of Federal Grant Funds

Several Virginia agencies administer federal funds connected with SDVAs, including the Virginia Department of Criminal Justice Services (DCJS), the Virginia Department of Social Services (VDSS), the Virginia Department of Health (VDH), the Virginia Department of Housing and Community Development (DHCD), and the CICF. It is their role, in this context, to receive various sources of federal funding, and then distribute the funds to SDVAs in accordance with federal and state requirements. For example, all federal criminal justice funds that are distributed to the states must be received, in each state, by an official State Administering Agency (SAA), which is chosen by the Governor. In Virginia, the SAA is DCJS; they are the only agency which may directly receive federal criminal justice funds. All of the Virginia state agencies that disburse federal grant money, including criminal justice funds, play the key role of deciding which local programs will receive the limited amount of federal and state funding that is available. It is also their role to monitor and ensure that funds are used properly, for the limited purposes allowed by federal and state laws and regulations. And, they help verify that the required accountings for these funds are performed correctly. Some federal funds are passed directly by the state agency to the recipient SDVAs; in other instances, federal funds are combined with state funds, and it is this “combined” state grant to which SDVAs apply for funding. Lastly, it should be noted that some federal funds, such as VOCA, are given to multiple state agencies to administer.

Table 1 illustrates the relevant federal funds, their acronyms and who administers each in Virginia.

Table 1: Overview of Relevant Funding Streams

Name of Federal Fund	Acronym	Who Administers
Victims of Crime Act	VOCA	DCJS, VDSS, CICF
Virginia- Services, Training, Officers, and Prosecution	V-STOP	DCJS
Sexual Assault Services Program	SASP	DCJS
Family Violence Prevention and Services Act	FVPSA	VDSS
Rape Prevention and Education	RPE	VDH
Emergency Solutions Grant	ESG	DHCD

Source: Virginia State Crime Commission.

All federal funds that are received must be used only for their intended and limited purposes. Legally, the Virginia General Assembly cannot “direct” the Governor to reallocate federal funds in a manner that would be inconsistent with the authorizing federal act.⁵ Each federal grant is very specific about what the money can be used for, including who is an eligible recipient or sub-grantee, if matching state funds must be provided, and what audits or reporting requirement must be performed. Each grant has different requirements.

*VOCA Funds*⁶

Victims of Crime Act (VOCA) funding is a major source of federal grant money to all states, including Virginia, which received \$10.7 million in 2013 for victim assistance.⁷ VOCA funds are distributed by the Office for Victims of Crime, an office within the United States Department of Justice (DOJ). The enabling statutes for VOCA funds are found in the U.S. Code, at 42 U.S.C. § 10601 *et seq.* Some VOCA

funds go towards crime victim compensation, per 42 U.S.C. § 10602, and are made directly to a crime victim compensation program. In Virginia, this is the CICF, established by Va. Code § 19.2-368.18, which is under the Virginia Workers' Compensation Commission. The CICF received \$1.16 million during State Fiscal Year 2013 (FY13).⁸

The VOCA funds that go toward victim assistance, per 42 U.S.C. § 10603, must go to “the chief executive of each State for the financial support of eligible crime victim assistance programs.” The chief executive must certify that the funds are used in accordance with the requirements listed under 42 U.S.C. § 10603(a)(2). Under the definitional subsection, 42 U.S.C. § 10603 (d)(5), the chief executive can include “a person designated by a chief executive to perform the functions of the chief executive.” Per the VOCA Final Program Guidelines, the Governor designates which state agency will administer these funds. The certifications required for VOCA grants mean that a non-executive branch agency probably would not be able to administer them—the governor, or any chief executive he designated, would probably not be willing to provide a certification about the compliance of an agency that is outside of his purview and direct authority.

There are additional requirements for receipt of VOCA funds. First, funds that are used for victim compensation can only go to state agencies that will provide compensation for victims of federal crimes, and will use the same criteria for out-of-state and in-state victims. Second, grants received cannot be used to supplant State funds otherwise available for victim compensations. Third, VOCA funds that are used for victim assistance must give priority to assistance programs that serve victims of sexual assault, spousal abuse, or child abuse. Fourth, no more than 5% of the funds received may be used for training and the administration of the victim assistance program. Fifth, with some exceptions, there must be 20% matching contributions of non-federal monies to each VOCA funded project. Sixth, VOCA recipients must maintain records that clearly show the source, amount, and period during which these matching funds were allocated. They must also maintain records on all disbursement of funds, daily time and attendance records, client files, and other records which facilitate an effective audit. Seventh, in-patient treatment facilities are not eligible for VOCA funds. Eighth, VOCA can be used for training non-VOCA funded service providers; however, VOCA funds cannot be used for management and administrative training for executive directors, board members, and other individuals that do not provide direct services. Finally, VOCA funds can be used to purchase equipment, such as furniture, that provides direct services to crime victims; however, the funds cannot be used to support the entire cost of an item that is not exclusively used for victim services—instead, the cost of the item must be prorated. Therefore, for example, the CICF, which is not an executive branch agency, would probably not be granted the authority by any governor of the Commonwealth to administer VOCA funds.

*V-STOP Funds*⁹

Services, Training, Officers, and Prosecutors (STOP) funding is another important source of federal funding to all states, including Virginia, which received \$2.8 million in 2013.¹⁰ In Virginia, these funds are known as Virginia-STOP or V-STOP funds. This funding comes from the federal Violence Against Women Act Grant Program (VAWA), which is the ultimate source for a number of criminal justice grant programs that are distributed or awarded to the states. These funds are distributed by the federal Office on Violence Against Women (OVW), an office within DOJ. STOP funding is authorized by 42 U.S.C. § 3796gg *et seq.* Unlike VOCA funding, the relevant subsections under § 3796gg refer simply to “the State,” and not the “chief executive.” For example, per § 3796gg(i), “A State applying for a grant under this part shall develop an implementation plan...” However, the STOP Program Guide specifically requires that the Governor of each state be the person responsible for ensuring these requirements are met. Therefore, as with VOCA funds, the CICF, which is not an

executive branch agency and is not under the direct authority of the governor, would probably not be granted the authority to disburse V-STOP funds by any governor of the Commonwealth.

STOP funding requires, per 42 U.S.C. § 3796gg-1(c)(2), implementation plans, and with:

- The State sexual assault and domestic violence coalition;
- Law enforcement entities within the State;
- Prosecutors' offices and state and local courts;
- Representatives from underserved populations;
- Victims service providers and population specific organizations; and,
- Other entities identified as needed.

STOP funding also specifies, per 42 U.S.C. § 3796gg-1(c)(3), minimum percentages that shall be granted to each group:

- No less than 25% to law enforcement;
- No less than 25% to prosecutors;
- No less than 30% to victims services, of which at least 10% shall be to culturally specific community-based organizations; and,
- No less than 5% to courts.

Further, at least 20% of the total must go to programs, in at least two of these group allocations, that meaningfully address sexual assault.

V-STOP funds may not be used for certain expenses or activities, such as indirect costs, food expenses, national training expenses for V-STOP grantees, or services to children younger than 11, unless those services are tied to primary service of an adult parent. Finally, V-STOP does not allow more than 15% of services to be provided to male victims.

SASP Funds¹¹

The Sexual Assault Service Program (SASP) is also funded through VAWA. Sexual Assault Service Program funding specifically is authorized by 42 U.S.C § 14043g *et seq.* Virginia received \$274,000 in CY14.¹² For SASP grants that are awarded to states, there must be an identified state agency that is responsible for the administration of programs and activities, per 42 U.S.C. §14043g(b)(3)(B). In Virginia, DCJS is responsible for administering these grants. There is also a requirement that each eligible entity that desires a grant must include in its application “procedures designed to ensure meaningful involvement of the State sexual assault coalition,” which in Virginia is the Action Alliance.

FVPSA Funds¹³

The Family Violence Prevention and Services Act (FVPSA) is authorized by 42 U.S.C. § 10401 *et seq.* and comes from the U.S. Department of Health and Human Services, rather than the U.S. Department of Justice. It requires the “chief executive officer of a State” to be the one who applies for any FVPSA formula grants going to that state, per 42 U.S.C. § 10407(a)(1). Virginia received \$2.1 million in FY13.¹⁴

In the application, the chief executive office must “specify the State agency to be designated as responsible for the administration of programs within the jurisdiction of the State.” In Virginia, that agency is VDSS. Federal law, per 42 U.S.C. § 10406(d), requires the state to submit an annual performance report to the federal Secretary of Health and Human Services describing the grantee and sub-grantee activities that have been carried out with the grant funds, and containing an evaluation of the effectiveness of such activities. Similar to V-STOP funds, because the Governor is responsible for selecting the agency that will distribute FVPSA funds, that responsibility would probably not be given to a non-executive branch agency, such as the CICF. In Virginia, FVPSA funds are combined with a portion of VOCA funds received from DCJS, and additional state general fund monies. The VOCA funds provided for this grant program were \$2.3 million in FY13, and the additional state general fund monies were \$2.75 million.¹⁵

RPE Funds¹⁶

The Rape Prevention and Education (RPE) Initiative funding is authorized by federal statute, 42 U.S.C. § 280b-1b, which permits the disbursement of VAWA funds by the United States Secretary of Health and Human Services to states via the federal Centers for Disease Control (CDC). Per 42 U.S.C. § 280b-1b, these funds are “to be used for rape prevention and education programs conducted by rape crisis centers, State sexual assault coalitions, and other public and private nonprofit entities.” These funds are sent directly to the VDH. The amount received in FY14 was \$653,000.¹⁷ Since the RPE funding comes directly from the federal CDC to VDH, in a general “public health” context, rather than one of “victim services,” it is unclear if the CDC would be willing to send these grant funds to a different state agency, even if so requested.

ESG Funds¹⁸

Emergency Solutions Grant (ESG) funding comes from the federal Department of Housing and Urban Development, and is distributed by the Virginia Department of Housing and Community Development (DHCD). A portion of these funds is used to help support shelters for victims of domestic violence, although it should be noted that the main purpose of these federal funds is to help alleviate homelessness in general (e.g., people suffering from substance abuse, mental illness, displaced as a result of financial circumstances, etc.). Federal regulations, in particular 24 C.F.R. § 576.400, require that ESG fund recipients must consult with a “Continuum of Care” (CoC) that serves the recipient’s jurisdiction, in order to coordinate with other targeted homeless services in the area. In other words, it is the CoC or local planning group that proposes which grantees in a given jurisdiction will carry out the activities of funding (and thus receive funds). Federal requirements, and Virginia’s Homeless Solutions grant process, would make it extremely difficult to transfer ESG funds from DHCD to another state agency. During FY13, \$2.4 million was awarded from the ESG funds distributed to Virginia.¹⁹

Overview of State Agencies that Administer Funding for SDVAs

Virginia Department of Criminal Justice Services

The Virginia Department of Criminal Justice Services is responsible for administering numerous grant programs covering an array of criminal justice topics. There are four grant programs that are relevant to SDVAs: the Sexual Assault Grant Program (SAGP), the Sexual Assault Services Program (SASP), the Virginia Sexual and Domestic Violence Victim Fund (the Victim Fund), and the V-STOP grant programs. Each of these grant funds is unique, not only in the goal or purpose for the fund,

but also in how it receives its funding; i.e., solely from a federal funding stream, solely from state general funds, or through a combination of the two. The grants that SDVAs receive from DCJS vary:

- 64% (34 of 53) received the SAGP grant in FY14;
- 57% (30 of 53) received the SASP grant in CY14;
- 38% (20 of 53) received the Victim Fund grant in CY14; and,
- 53% (28 of 53) received the V-STOP grant in CY14.²⁰

SAGP

The Sexual Assault Grant Program distributes funds to local sexual assault crisis centers and to statewide programs that provide or enhance direct services to victims of sexual assault. This program receives its funds from two sources: state general funds, and VOCA funds. It awarded \$3.4 million in FY14 to sexual assault crisis centers.²¹

Table 2: Sexual Assault Grant Program (SAGP) Breakdown

Name of Grant Program:	Sexual Assault Grant Program (SAGP)
Administered By:	DCJS.
Funding Stream:	Combination. 1 Federal (VOCA) and 1 State Grant (State General Funds).
Grant Cycle:	State Fiscal Year.
Proposal Process:	Typically written for 2 year grants. Awards made each year. Multiple hard copies submitted (1 original, 4 copies).
Selection Process:	DCJS staff and external subject matter experts make rec's to the Victim Services Grant Review Subcommittee who then makes rec's to the full Criminal Justice Services Board (CJSB). CJSB approves grants to programs during scheduled meetings.
Submission of Materials:	Online (GMIS).
Disbursement of Funds:	Advance quarterly payment via EDI.
Financial Reports:	Quarterly vouchers and financial reports via GMIS.
Progress/Final Reports:	Semi-annual basis via GMIS. On-site review at least once every 4 years.
Accreditation Preference:	No.
VAdata Requirement:	No. However, programs sign release form to allow DCJS to see data.
Outcome Measure Requirements:	Yes. 7 required and 2 optional service objectives; 3 additional program objectives (2 for VOCA/state match and 1 for non-match state funds).
Renewal Option:	Yes.
Budget Amendments:	Yes. No more than 2 amendments.
Match Requirement:	Yes. However, state fund portion is used for matching requirement of federal grant.
Unique Restrictions:	Cooperative agreements strongly encouraged.

Source: Virginia State Crime Commission in conjunction with the 2014 SDVA Funding Work Group.

SASP

The Sexual Assault Service Program provides funds to rape crisis centers and other nonprofit, nongovernmental organizations that provide direct services and other assistance to victims of sexual assault. It consists solely of federal funds, specifically VAWA funds that are distributed by the federal Office on Violence Against Women (OVW). The Department of Criminal Justice Services limits the awarding of SASP funds to sexual assault crisis centers that already receive a SAGP grant; the SASP funds are used to supplement those agencies. In FY13, DCJS awarded a total of \$204,532 to eligible sexual assault crisis centers.²²

Table 3: Sexual Assault Service Program (SASP) Grant Program Breakdown

Name of Grant Program:	SASP
Administered By:	DCJS.
Funding Stream:	Federal (SASP).
Grant Cycle:	Calendar Year.
Proposal Process:	Application for predetermined amount of funding. Multiple hard copies of proposal are submitted.
Selection Process:	DCJS staff and external subject matter experts make rec's to the Victim Services Grant Review Subcommittee who then makes rec's to the full Criminal Justice Services Board (CJSB). CJSB approves grants to programs during scheduled meetings.
Submission of Materials:	Online (GMIS).
Disbursement of Funds:	Advance quarterly payment via EDI.
Financial Reports:	Quarterly vouchers and financial reports via GMIS.
Progress/Final Reports:	Annual basis via GMIS.
Accreditation Preference:	No.
VAdata Requirement:	No.
Outcome Measure Requirements:	Yes. SASP Target Form (Service Objectives).
Renewal Option:	Yes.
Budget Amendments:	Yes. No more than 2 amendments.
Match Requirement:	No.
Unique Restrictions:	Must also receive funding from SAGP grant; must be a sexual assault crisis center (non-profit) <u>or</u> government-based agency that operates like a sexual assault crisis center (not a part of the criminal justice system).

Source: Virginia State Crime Commission in conjunction with the 2014 SDVA Funding Work Group.

The Victim Fund Program

The Victim Fund Program is used to support the prosecution of domestic violence cases, law enforcement efforts, and general victim services, including victims of sexual assault, domestic violence, or stalking. One half of the grants from the Victim Fund are dedicated to supporting prosecutions; the other half are dedicated to a variety of victim services programs connected with sexual and domestic violence. The Victim Fund consists solely of state funds that are generated from court costs. More specifically, it is funded through the Virginia Sexual and Domestic Violence

Victim Fund (VSDVVF), which was created by the Virginia General Assembly in 2004 as the Virginia Domestic Violence Victim Fund; the fund was given its current name in 2006. The ultimate source of this funding is a \$2 court cost that is assessed against defendants that have been convicted of a misdemeanor. Over the most recent two year period, approximately \$2.4 million was deposited into the VSDVVF fund for the purposes of funding victims' services programs, and an additional \$2.4 million was deposited for the purposes of funding local attorneys for Commonwealth's Attorneys' Offices.²³

Table 4: Victim Fund Grant Program Breakdown

Name of Grant Program:	Victim Fund
Administered By:	DCJS.
Funding Stream:	State (VSDVVF).
Grant Cycle:	Calendar Year.
Proposal Process:	Typically 2 year grants. Awards are made each year. Multiple hard copies of proposals submitted (1 original, 3 copies).
Selection Process:	DCJS staff and external subject matter experts make rec's to the Victim Services Grant Review Subcommittee who then makes rec's to the full Criminal Justice Services Board (CJSB). CJSB approves grants to programs during scheduled meetings. Competitive applications are evaluated using a scoring point system.
Submission of Materials:	Online (GMIS).
Disbursement of Funds:	Advance quarterly payment via EDI.
Financial Reports:	Quarterly vouchers and financial reports via GMIS.
Progress/Final Reports:	Quarterly basis via GMIS and SDVVF Report (a different online system).
Accreditation Preference:	No.
VAdata Requirement:	No.
Outcome Measure Requirements:	Must submit goals & objectives to include services and/or training, and coordination/ collaboration.
Renewal Option:	Yes.
Budget Amendments:	Yes. No more than 2 amendments.
Match Requirement:	No. However, localities submit in-kind match to demonstrate agency's commitment to project.
Unique Restrictions:	May not be used for perpetrators; required cooperative agreements with professionals in project service area.

Source: Virginia State Crime Commission in conjunction with the 2014 SDVA Funding Work Group.

V-STOP

The V-STOP grant program is used to develop and strengthen the response of the criminal justice system to cases involving domestic violence, sexual assault, and stalking, as well as support and enhance services for victims. This program is made up entirely of STOP federal funds and is distributed by the OVW to Virginia. Virginia received \$2.8 million in 2013;²⁴ DCJS distributed these funds to law enforcement agencies, Commonwealth's Attorneys' Offices, courts, sexual assault crisis centers, and domestic violence programs.

Table 5: V-STOP Grant Program Breakdown

Name of Grant Program:	V-STOP
Administered By:	DCJS.
Funding Stream:	Federal (STOP).
Grant Cycle:	Calendar Year.
Proposal Process:	Typically 2 year grants. Awards are made each year. Multiple hard copies of proposals submitted (1 original, 3 copies).
Selection Process:	DCJS staff and external subject matter experts make rec's to the Victim Services Grant Review Subcommittee who then makes rec's to the full Criminal Justice Services Board (CJSB). CJSB approves grants to programs during scheduled meetings.
Submission of Materials:	Online (GMIS).
Disbursement of Funds:	Advance quarterly payment via EDI.
Financial Reports:	Quarterly vouchers and financial reports via GMIS.
Progress/Final Reports:	Semi-annual basis via GMIS.
Accreditation Preference:	No.
VAdata Requirement:	No.
Outcome Measure Requirements:	Yes. Goals and objectives must fall into VAWA purpose areas (1 or more). Also must include coordination, collaboration, training, or services.
Renewal Option:	Yes. Contingent upon funds.
Budget Amendments:	Yes. No more than 2 amendments.
Match Requirement:	Yes. 25% match required except programs funded in the victim services category are exempt.
Unique Restrictions:	May not be used for youth (under 11) or perpetrators. Encourage cooperative agreements.

Source: Virginia State Crime Commission in conjunction with the 2014 SDVA Funding Work Group.

Virginia Department of Social Services

The Virginia Department of Social Services administers two relevant grant programs that SDVAs receive: the Domestic Violence Prevention and Services (DVPS) Grant Program and the Child Abuse and Neglect Treatment Grant Program. The vast majority, 83% (44 of 53) of SDVAs received the DVPS Grant while only 23% (12 of 53%) received the Child Abuse/Neglect Treatment Grant.²⁵

DVPS Grant Program

The Domestic Violence Prevention and Services Grant Program is used to help fund SDVAs that focus on domestic violence prevention and services. This program is made up of federal VOCA funds, which are initially received by DCJS and then transferred to VDSS; federal FVPSA funds, which are received directly by VDSS from the U. S. Department of Health and Human Services; state funds received from the Virginia Family Violence Prevention Program (VFVPP); and general state funds. All of these funding sources are combined by VDSS into the large, DVPS Grant Program, to which those SDVAs that work in the area of domestic violence can apply. The total amount of grants awarded by this program was \$7.1 million in FY13.²⁶

Table 6: Domestic Violence Prevention and Services Grant Program Breakdown

Name of Grant Program:	DV Prevention & Services
Administered By:	VDSS.
Funding Stream:	Combination. Combines 2 Federal (VOCA and FVPSA) and 2 State Grants (VFVPP and a combination of general and non-general state funds).
Grant Cycle:	State Fiscal Year.
Proposal Process:	Annual proposal; however, contract is sometimes/usually extended for another year or two. Extensions do not require full re-write, but usually just new budget and work plans. Multiple hard copies of proposals are submitted (1 original, 5 copies, 1 CD). Optional oral presentation.
Selection Process:	Proposals are evaluated by a multidisciplinary panel of individuals who have expertise in areas such as domestic violence, family violence, contracts management, program development, non-profit management and other related fields of experience. The evaluation panel makes programmatic and budgetary recommendations for contract awards. “Best Value Acquisition” (BVA) to rank.
Submission of Materials:	Mail and email.
Disbursement of Funds:	Reimbursement monthly or quarterly via EDI.
Financial Reports:	Invoices submitted monthly or quarterly. Original copies are mailed.
Progress/Final Reports:	Semi-annual basis via email.
Accreditation Preference:	Yes.
VADATA Requirement:	Yes.
Outcome Measure Requirements:	Yes. DOW federal outcome measures and VDSS outcome measures.
Renewal Option:	Yes. Up to 2 years.
Budget Amendments:	Must have prior written VDSS approval. No more than 2 amendments permitted. None approved within 60 days of the end of grant year.
Match Requirement:	Yes. 20% for established programs; 35% for new programs.
Unique Restrictions:	Must update VADATA on a daily basis.

Source: Virginia State Crime Commission in conjunction with the 2014 SDVA Funding Work Group.

Child Abuse/Neglect Treatment Grant Program

The Child Abuse/Neglect Treatment Grant Program receives its funding from federal VOCA funds, which are initially received by DCJS and then transferred to VDSS. This amount was \$1.7 million in FY14.²⁷ The Child Abuse/Neglect Treatment Grant Program is used for an array of services, not all of which involve SDVAs. In FY13, roughly \$600,000 was distributed to SDVAs to provide specific services for children.²⁸

Table 7: Child Abuse and Neglect Treatment Grant Program Breakdown

Name of Grant Program:	Child Abuse/Neglect Treatment
Administered By:	VDSS.
Funding Stream:	Federal (VOCA).
Grant Cycle:	State Fiscal Year.
Proposal Process:	Annual proposal; however, contract is sometimes/usually extended for another year or two. Extensions do not require full re-write, but usually just new budget and work plans. Multiple hard copies of proposals are submitted (1 original, 5 copies, 1 CD).
Selection Process:	Proposals are evaluated by a multidisciplinary panel of individuals who have expertise in areas such as: child abuse and neglect, mental health treatment services, criminal justice, community-based family support programs, contract management, program administration, program development, or program evaluation. Using the criteria, the panel makes programmatic and budgetary recommendations for contract awards. “Best Value Acquisition” (BVA) to rank.
Submission of Materials:	Mail and email.
Disbursement of Funds:	Reimbursement quarterly via EDI. (Can be monthly in cases of hardship).
Financial Reports:	Invoices and reports submitted quarterly or monthly. Original copies are mailed.
Progress/Final Reports:	Quarterly narrative via email. (VOCA Narrative and Statistical Reports).
Accreditation Preference:	No.
VAdata Requirement:	Yes.
Outcome Measure Requirements:	Yes. Receive a rating of “fully met requirements” or “exceeds requirements” on 75% of the criteria.
Renewal Option:	Yes. Up to 2 one-year periods.
Budget Amendments:	Must have prior written VDSS approval. No more than 2 amendments permitted. Must be submitted at least 30 days prior to intended effective date.
Match Requirement:	Yes. 20% match from nonfederal sources.
Unique Restrictions:	Must not be used for perpetrators; Must have volunteer component; Must assist victims in securing victim compensation funds. Must promote within the community, coordinated public and private effort to aid crime victims; Must provide services to crime victims at no charge through the VOCA-funded project.

Source: Virginia State Crime Commission in conjunction with the 2014 SDVA Funding Work Group.

Virginia Department of Health

The Virginia Department of Health administers one relevant grant program for SDVAs, the RPE grant, which is received directly by them from the CDC. Seventeen percent (9 of 53) of SDVAs currently receive Rape Prevention Education Grant funds; approximately \$352,000 was distributed, in total, in federal FY13.²⁹

Table 8: Rape Prevention and Education Grant Program Breakdown

Name of Grant Program:	RPE
Administered By:	VDH.
Funding Stream:	Federal (RPE).
Grant Cycle:	Adjusted Federal Fiscal Year (February 1-January 31). Current contract year runs November 1-October 31, there will be an option to extend these to January 31.
Proposal Process:	Annual proposal; however, contract is typically extended with new budget and work plans. Multiple hard copies of proposals are submitted (1 original, 5 copies); optional oral presentation.
Selection Process:	Point system to rank (100 points).
Submission of Materials:	Mail and email.
Disbursement of Funds:	Reimbursement quarterly.
Financial Reports:	Invoices and financial reports submitted quarterly via mail. Must include copies of receipts.
Progress/Final Reports:	Quarterly basis via email.
Accreditation Preference:	No. (But used to be.)
VAdata Requirement:	No.
Outcome Measure Requirements:	Yes. Narrative response to at least 1 of 4 specified goals/outcomes.
Renewal Option:	Yes. Up to 4 one-year periods.
Budget Amendments:	Yes. Submitted electronically.
Match Requirement:	No.
Unique Restrictions:	Must involve primary prevention programming; attend annual VDH contractors meeting; Complete primary prevention guidelines assessment tool, complete assessment of cultural relevance, and full participation in at least one of the State Plan Implementation Workgroup Subcommittees.

Source: Virginia State Crime Commission in conjunction with the 2014 SDVA Funding Work Group.

Virginia Department of Housing and Community Development

The Virginia Department of Housing and Community Development administers one relevant grant program that SDVAs receive: the Virginia Homeless Solutions Program. The source of this funding is federal ESG funding, as well as some funding from the federal Housing Opportunities for Persons with AIDS/HIV. These two funding streams are combined with three state funding streams that are from state general funds: the Child Services Coordination Grant, Homeless Assistance, and Homeless Prevention. Although the main focus of the Homeless Solutions Program is homelessness in general, rather than the temporary housing needs of the victims of domestic violence, a portion of the funds support such shelters. However, local SDVAs that provide shelters are required to apply for their funding in conjunction with other organizations in the locality, as part of an overall plan presented in a CoC proposal, to reduce homeless in the area. Nearly half, 47% (25 of 53), of SDVAs received some portion of the total funding distributed in FY15, which was approximately \$15 million.³⁰

Table 9: Virginia Homeless Solutions Grant Program Breakdown

Name of Grant Program:	VA Homeless Solutions
Administered By:	DHCD.
Funding Stream:	Combination. Combines 2 Federal (Emergency Solutions Grant and Housing Opportunities for Persons with AIDS/HIV) and 3 State Grants (Child Services Coordination Grant, Homeless Assistance, and Homeless Prevention state general funds).
Grant Cycle:	State Fiscal Year.
Proposal Process:	Bi-annual; Proposals are submitted electronically via CAMS, as part of the local planning group or Continuum of Care's (CoC) proposal. Must be submitted by CoC or Balance of State local planning group online via CAMS. CoC/local planning group proposes which grantees will carry out the activities of funding. The grantees must be approved by DHCD, but it is the community that proposes which organization will be a part of the proposal. Competitive process.
Selection Process:	Point system. Must score 60 points out of possible 100 points to be considered for funding. DHCD reserves the right to fund CoCs and local planning groups scoring below the 60 point threshold to assure statewide access to VHSP. Community-based application process.
Submission of Materials:	Online (CAMS).
Disbursement of Funds:	Remittances via CAMS; payments via EDI.
Financial Reports:	Remittances submitted 6 times per year via CAMS, which tracks balances.
Progress/Final Reports:	Annual basis via CAMS. Moving to quarterly reporting.
Accreditation Preference:	No.
VAdata Requirement:	No.
Outcome Measure Requirements:	Yes. Assessment system and tool requirements. PIT count. The goals and outcomes associated with the funding are to: reduce the # of homeless; shorten the length of time of homelessness; and, reduce the # that return to homelessness.
Renewal Option:	Grants will be renewable based on performance, compliance and available funding for a second year.
Budget Amendments:	Yes. Submitted electronically.
Match Requirement:	Yes. 25% match required from private or local sources (may include cash, in-kind or volunteer labor).
Unique Restrictions:	CoC participation required; MOUs/agreements must be submitted; funding is to support a community-wide emergency response system to homelessness; must use local centralized or coordinated assessment system; all participants must be assessed with community-based common assessment tool; must use "Annual Point in Time" (PIT) count; recertification requirement (every 3 months for financial and every 12 months for services/case management).

Source: Virginia State Crime Commission in conjunction with the 2014 SDVA Funding Work Group.

Limitations on the Transferring of Federal Grant Funds

As noted previously, funding received from federal grant programs may only be used in a manner consistent with the requirements and regulations governing those grants. An Attorney General Opinion from May 31, 2002, explicitly reinforced this obvious restriction, by stating that the Virginia General Assembly cannot "direct" the Governor to reallocate federal funds in a way that would be inconsistent with the authorizing federal act.³¹

In addition, VOCA, V-STOP, SASP, and FVPSA funds are the direct responsibility of the Governor, or his designee, who must certify to the relevant federal agency that the funds have been used appropriately and with all required conditions met. While any of these funds could, in theory, be transferred from one state agency to another, as long as they were used for their intended purposes, it remains a fact that the Governor would only likely transfer them to an executive branch agency. Otherwise, it would be problematic for him to certify or guarantee that all funds were lawfully used. This is why it is doubtful that the CICF, which is not an executive branch agency, would ever be selected to be the agency responsible for disbursing these federal funds. Practically speaking, RPE funds likely cannot be transferred either, as they are directly sent from the federal CDC to the Virginia Department of Health for a specific purpose, and the CDC would probably be reluctant to send this grant money to a state agency that was not connected with health and human services. And, ESG funds could not be transferred easily to another agency, as these funds are intended to help with housing, and can only be disbursed by a state agency to local CoC groups that have created a coordinated plan to address homelessness in a given jurisdiction.

It should also be noted that while the purview of this study is primarily limited to the streaming funds noted above, SDVAs also rely upon additional grant sources, including private foundations, private donations, the United Way, corporations, the *Combined Federal and Virginia Campaign*, direct federal grants, trust funds, and local governments.³²

Survey Findings and the SDVA Funding Work Group

Survey Findings

In order to gain a better understanding of SDVA funding, staff disseminated a survey to local SDVA directors.³³ The purpose of the survey was to provide a mechanism where all SDVAs had the opportunity to provide feedback regarding grant funding processes in a confidential manner and to identify what is working well and areas needing improvement. All SDVA directors were asked to complete a detailed, online survey, as well as submit their CY13 VAdata Report and FY13 profit/loss statement to include itemized budget. The response rate was excellent with 96% (51 of 53) of SDVA directors responding.

SDVA Profiles

As mentioned earlier, there exists much diversity across Virginia's 53 SDVAs. On average, SDVAs serve 5-6 localities and have been established anywhere from less than 5 years to over 100 years. Over 75% have been in existence for over 20 years. Most agencies, 62% (33 of 53), provide dual services, with another 25% (13 of 53) providing domestic violence services only and 13% (7 of 53) offering sexual violence services only.³⁴ Most SDVAs, 89% (47 of 53), are accredited with an additional 6% (3 of 53) in the process of accreditation. Six percent (3 of 53) of SDVAs are currently not accredited.³⁵ Current SDVA directors had served anywhere from less than a year to around 30 years in their positions and within the general sexual and domestic violence field. Staffing levels at SDVAs also varied greatly; from 2 to 35 full-time employees; 0 to 40 part-time employees; and/or, 0 to 300 volunteers/interns.

Grant Workload

Staff attempted to determine the number of grants each SDVA managed per grant cycle, as well as the total amount of time dedicated to managing such grants. The total number of grants that each SDVA managed fluctuated, with over 60% of responding SDVAs managing four or fewer grants:

- 30% (16 of 53) managed 0-2 grants;
- 32% (17 of 53) managed 3-4 grants;
- 28% (15 of 53) managed 5-6 grants; and,
- 9% (5 of 53) managed 7-8 grants.³⁶

Likewise, the number of hours per year dedicated to managing grant programs varied enormously across SDVAs. Directors reported spending anywhere from 20 hours to hundreds or thousands of hours per grant cycle depending on how many grants they managed and how they defined “managing grants.”

Overall SDVA Directors’ Satisfaction with Grant Programs

One of the main findings of the survey was that SDVA directors, on average, are “somewhat to mostly satisfied” with the vast majority of grant funding processes and grant-related services provided by all of the state agencies. This is an important finding because it shows that there are currently many things that are being done well. There was no single state agency that stood out in terms of being good, bad, or otherwise. All state agencies received positive feedback. SDVA directors noted many things that they liked with how state agencies administered grant-related services, such as the grant application and award process being facilitated in a timely manner, consistency and simplicity of guidelines and the grant application process, clarity in instructions, grant monitors who were knowledgeable about sexual and domestic violence issues and responsive to calls for assistance, timely reimbursement/disbursement of funds, reports that were user-friendly, and electronic/on-line submission of materials and communication. The Action Alliance also received a lot of positive feedback from SDVA directors. For instance, many directors reported that they were satisfied with the Action Alliance’s advocacy for state funding and legislative changes, as well as the informative training opportunities provided.

Overall SDVA Directors’ Concerns with Grant Programs

While there was much positive feedback, there were also some overall areas of concern that SDVA directors consistently mentioned. It is important to note that some of these concerns overarched more than one state agency, while other concerns were state agency-specific. As will be discussed in more detail later, staff developed initial recommendations based on these findings for the work group to consider and discuss. A general discussion of these concerns is provided below.

Grant cycles

First, many directors voiced their frustration over the lack of consistency in the grant cycles and how such variation impacts their workload. While some noted in the work group that smaller SDVAs can sometimes benefit from variations in the grant cycle, most stressed that consistency is helpful to plan services for the upcoming year and noted that work is sometimes disrupted when there are multiple budget cycles. This concern was specifically noted for DCJS where both a fiscal year and a calendar year is used depending on the grant program, as well as VDH, where the fiscal

year grant cycle varies. Since the grant program administered by VDH is dependent upon the release of funds from the federal Centers for Disease Control, the timing of the grant cycle tends to differ.

Grant monitors

Staff found that SDVA directors' experience with grant monitors varied tremendously in terms of quality, responsiveness and accountability. Some directors reported having a very good relationship with their grant monitors. For instance, many SDVA directors expressed that VDSS grant monitors were very responsive to calls for assistance and were knowledgeable about domestic violence issues. Similarly, other directors noted that both VDH and DHCD grant monitors had helpful, friendly and knowledgeable staff. It should be noted that the state agencies who received the most positive comments about their grant monitors also had a more thorough evaluation system in place. On the other hand, a significant number of directors noted that DCJS grant monitors could be doing a better job in their response time, accessibility, and the information they provided. DCJS was aware of this issue and had already undertaken steps to address the concern by hiring additional grant monitors, and creating program manager positions. During the same time frame of this study, DCJS conducted their own independent review of victim services funding and a needs assessment of SDVAs.

Reimbursement/disbursement of funds

A third issue dealt with the reimbursement and disbursement of funds. SDVA directors expressed concern that when money is not reimbursed or disbursed in a timely manner, it can have an undesirable impact on their agency. Sometimes this issue is exacerbated by a lack of communication or miscommunication with a grant monitor that may create subsequent delays in funds being reimbursed or disbursed. Staff turnover at SDVAs can also be problematic if the new staff member is not knowledgeable with the administration of grants. Directors reported satisfaction with the timely disbursement of funds from DCJS grant programs, as well as that DCJS is willing to consider requests to disburse funds in advance. Others noted difficulty in receiving funds in advance from VDSS' procurement (reimbursement)-based grant programs. Staff conducted a preliminary legal analysis of whether VDSS grant funding could be changed from a reimbursement based system to one that awards grant funds before expenses are incurred. Staff was unable to identify any federal prohibition to such a change. However, staff concluded that this action may require statutory changes in Title 63.2 and the Virginia Public Procurement Act (Chapter 43 of Title 2.2), as well as budget language.

At the work group, the importance of SDVAs having an enormous amount of cash reserve and/or lines of credit for protection was noted. Training is available to SDVA staff but when there is turnover, new employees often struggle to understand the requirements of each grant program. State agency representatives at the work group pointed out that they are bound to finance rules where monies must be reimbursed or disbursed to SDVAs within so many days of approval.

Electronic submission of materials

Findings on this issue were very clear: electronic submission of grant materials is preferred. Directors expressed a clear desire for not only progress and financial reports to be submitted electronically, but also grant application materials. Currently, DCJS and DHCD have electronic options for submitting grant materials for progress and financial reports.³⁷ However, VDSS and VDH currently do not have a mechanism for submitting grant materials electronically. Further, except for

DHCD, none of the agencies have a mechanism for electronically submitting grant applications. Affording the ability to submit all grant materials electronically would be more cost and time efficient.

Budget amendments and other guidelines

Additional concerns revolved around the limited number of budget amendments permitted and other restrictive guidelines. For example, several directors explained how having only two budget amendments per year can be problematic in addressing routine changes relating to staff turnover, extended leave (such as maternity), or increases in salary or other compensation. Directors appeared to prefer that positions or services be funded rather than specific individuals. Naturally, most directors noted that they would like to have more autonomy in how they utilize their funds, but acknowledged that many of the guideline restrictions, while frustrating, were likely out of the control of the state agency if the restriction is a federal requirement.

Training/Meetings

Another theme that emerged in regard to all state agencies dealt with trainings and meetings. Directors clearly expressed that they would like state agencies to consider/continue teleconferences and webinars in order to limit travel expenses. Additionally, directors would like to see training offered more consistently in various locations across the state.

SDVA Coalition/Action Alliance Services

There were three general areas of concern relating to services that the Action Alliance provides to SDVAs, including accreditation, the VAData system, and the state hotline.

Accreditation

The accreditation process was a concern consistently mentioned by directors. Many acknowledged the importance of accreditation as a measure of baseline services provided and legitimacy; however, many also felt that there needed to be a reevaluation of accreditation standards and oversight thereof. This is an important concern as accreditation status is linked to some of the funding streams. There was mixed support for linking accreditation to funding. Most directors supported the idea if they were only competing against other SDVAs for grant funding, but opposed the idea if they had to compete in a pool of applicants that included non-SDVAs, as they are not held to the same requirements. Many of the directors also mentioned, as a general concern, that the accreditation process should be managed in such a way as to avoid appearances of favoritism, and that all objective criteria be applied consistently to all agencies. The costs of the accreditation process were also mentioned as a concern by some of the directors.

VAData

VAData is an electronic, web-based system that collects statewide data from SDVAs. The system was implemented in April 1996 through the support of VAWA's V-STOP funds.³⁸ There is an annual fee of \$600 for those who are members of Action Alliance; however, this fee may be waived for accredited SDVAs.³⁹ Many directors noted that VAData was helpful in some aspects, but was a limited tool that requires much needed upgrades and improvements.⁴⁰ Further, some directors felt that the VAData system was not fully capturing local agency needs. For instance, many SDVAs use the VAData system to comply with accreditation, but also use an additional program or case

management system to better capture their agency's data. As a result, SDVAs must then enter duplicative information into an additional locally-based system that better fits their needs and local requirements.

Family Violence & Sexual Assault Hotline

Some SDVAs are able to independently operate a 24-hour crisis hotline. The total cost of this service to these agencies can vary widely; anywhere from hundreds to thousands of dollars per year depending on how they choose to staff the hotline and what technology they utilize. Other SDVAs may only be able to partially operate a hotline during certain days and times; others are not able to operate a hotline at all. In order to assist those SDVAs that are not able to monitor a hotline 24-7 (a condition for accreditation), the Action Alliance developed a statewide hotline that SDVAs can contract with to provide this service. The cost for this service varies between approximately \$3,000-\$6,000 annually depending on the outcome of the formula that Action Alliance uses to determine cost. The Action Alliance's statewide Family Violence & Sexual Assault Hotline responded to 1,970 hotline calls and 15,449 calls on behalf of 27 local SDVAs from June 2013 to April 2014.⁴¹

Concerns relating to the cost and consistency of services provided by the state hotline were frequently mentioned by directors. While it is difficult for some agencies to afford access to the 24-hour crisis hotline, it may be the only option they have in order to be accredited, which is also tied to some of the grant program requirements. Ultimately, the goal is for more SDVAs to locally manage their own hotlines so that they can provide the most *direct* assistance to clients in their localities.

Funding Formulas, Administrative Changes and Streamlining Processes

There were mixed findings as to whether SDVA directors favored or opposed a funding formula grant process versus a competitive grant process. On one hand, formulas could be helpful because an agency would know the total amount of funds they will receive; however, some fear a formula would cause their agency to lose or receive less funding. Some directors mentioned a potential for a combination of the two approaches: a baseline amount of funds based on a formula, plus a competitive grant process for additional funds. In sum, directors supported actions that would maintain or increase their funding levels, and, opposed actions that would decrease or make funding levels uncertain.

Administrative changes at the state-level are also a concern for SDVAs. During any administrative change, directors are concerned about the impact it may have on their agency and level of funding. Many directors felt that there needed to be protections in place to avoid funding being subject to political fluctuations. Directors reported wanting the services that they provide to remain uninterrupted and consistent, regardless of administrative changes at the state-level.

Directors were asked to what degree they favored or opposed streamlining grant programs into one agency. The findings were somewhat mixed, with 61% (28 of 46) of responding directors favoring the idea to some degree. Yet, it is important to note that 33% (15 of 46) of responding directors opposed it. Directors were then asked who they would prefer to administer the grants if funds were streamlined into one state agency. There was an equal distribution of support between DCJS, VDSS and maintaining the status quo in terms of directors' preferences. The vast majority of directors emphasized that there is a greater need for the *overall process* to be more efficient regardless of who administers the grant programs.

SDVA Funding Work Group

The second enactment clause mandated that Crime Commission staff convene a work group to discuss the topic of sexual and domestic violence funding. Representatives from the following agencies participated:

- Action Alliance;
- Children’s Advocacy Centers of Virginia;
- Commonwealth’s Attorneys’ Services Council;
- Criminal Injuries Compensation Fund;
- Department of Criminal Justice Services;
- Department of Health;
- Department of Housing and Community Development;
- Department of Social Services;
- Family and Children’s Trust Fund;
- Local Sexual and Domestic Violence Agency Directors;
- Office of the Attorney General;
- Office of the Executive Secretary of the Supreme Court of Virginia;
- Prosecutors;
- SANE Nurse;
- Victim Network of Victims and Witnesses of Crimes;
- Virginia Chiefs of Police Association;
- Virginia Sheriffs’ Association; and,
- Worker’s Compensation Commission.

The work group met on June 11, July 30, and September 10, 2014, to discuss the issues delineated in the second enactment clause of HB 885. At the meetings, survey findings and the general legal parameters guiding the administration and disbursement of these funds were reviewed. Open discussion was encouraged as to the practical difficulties SDVAs face in either applying for, or utilizing, grant monies received from these programs. Prior to the September meeting, all work group members were asked if they had any proposals, either specific or general in nature, which they thought might improve Virginia’s current SDVA funding systems. Staff provided the opportunity for work group members to submit these to staff confidentially. Crime Commission staff presented the submitted proposals by work group members, as well as proposals developed from the initial survey to SDVA directors, in an anonymous manner to the work group. Work group members were then given the chance to evaluate each proposed recommendation, also in an anonymous manner. The specific list of proposed recommendations evaluated by the work group, along with the rationale for each included:⁴²

1. All grant programs should be on a consistent state fiscal year grant cycle (July 1- June 30).
Rationale: Having different cycles is inefficient, time consuming and challenging for grantees to manage.
2. Allow grantees to submit grant application materials electronically.
Rationale: Submitting materials in a hard copy format or via mail is inefficient and costly.

3. Allow grantees to submit all grant materials (progress and financial reports, budget amendments, etc.) electronically.
Rationale: Submitting routine grant materials in a hard copy format or via mail is inefficient and costly.
4. Develop new processes to determine what procedures, forms, etc. can be combined, eliminated or otherwise made more efficient for grantees.
Rationale: By having all state agencies collaborate to encourage improved efficiencies across all programs, efficiency should be improved and duplicative efforts reduced.
5. Allow grantees to budget by job functions/services rather than by name of individual.
Rationale: Eliminates need for personnel budget amendment requests, which can be cumbersome.
6. Allow grantees to request carryover funding into the next fiscal year without penalty.
Rationale: This approach would allow for flexibility in budgeting for different operation expenses during the end of one fiscal year and the start of the next.
7. Remove accreditation as a factor in funding decision-making.
Rationale: The accreditation process can be inconsistent, unclear, and/or unreasonable.
8. Conduct an independent review of Vadata.
Rationale: Independent needs assessments are beneficial in identifying areas of need and improvement.
9. Data collection efforts should be the responsibility of a state agency.
Rationale: Data collection from SDVAs should be the responsibility of a state agency. Duplicative data entry into multiple systems is inefficient and unnecessary.
10. Alternatives to the current hotline system should be considered.
Rationale: The current hotline system is expensive and there may be more cost-effective options available to programs.
11. VDSS should provide one-quarter (3 months) of funding at the start of the grant period, and then make future disbursements contingent upon meeting outputs, outcomes, or milestones during the first quarter.
Rationale: This only puts one-quarter of the funding at risk for non-performance, but provides upfront cash flow for the programs.
12. All grant programs should operate under a grant philosophy rather than procurement.
Rationale: By having funds provided upfront, it makes budgeting for local programs much easier, and helps them avoid cash flow problems.
13. VDSS should review budgetary percentage allocation and budget amendment requirements.
Rationale: Flexibility in reallocating budget funds would help local programs respond to unexpected expenses or unforeseen, necessary changes in program activities.
14. DCJS should retain the VOCA funds that are now granted to VDSS.
Rationale: Maintaining VOCA funding at one agency streamlines the grant process.

15. VDSS should continue to maintain the DV Prevention and Services Grant Program Funds, provided they can update to an electronic system.

Rationale: VDSS currently does not have an electronic system, which is preferred.

16. VDSS should become responsible for two grants currently administered by DCJS (SASP and SAGP).

Rationale: Streamlines the grant process.

17. DCJS should be responsible for handling all DV and SV grant programs, excluding DHCD's Homeless Solutions Program grant, 25% of VDH's RPE grant, and V-STOP funds that do not currently go to SDVAs.

Rationale: Consolidation of all funding sources into one state fund could allow for efficiencies in applying for and monitoring of all these grants to local programs.

18. VDSS should be responsible for handling all grant programs.

Rationale: VDSS has a good working knowledge of domestic and sexual violence and is the best candidate as their sole purpose is working with agencies that deal with family violence.

Two additional recommendations were developed at the work group meeting and added to the list for evaluation:

19. VDSS should be responsible for handling all DV and SV grant programs, excluding DHCD's Homeless Solutions Program grant, 25% of VDH's RPE grant, and V-STOP funds that do not currently go to SDVAs.

20. DCJS should be responsible for handling all grant programs.

The work group's evaluation of proposed recommendations showed that a majority had strongly supported Recommendations 1, 2, 3, 4, 8, 10, and 12. The remaining recommendations had mixed levels of support. A follow-up survey was then sent to all SDVA directors to gauge their support or non-support for the same list of preliminary recommendations. Over half, 58% (31 of 53), of SDVA directors responded and the results showed a similar level of support for the seven recommendations strongly supported by the work group.

Preliminary recommendations that received a general consensus were reviewed by staff, in conjunction with all survey results, to determine what improvements feasibly could be made in Virginia, and were presented to the Crime Commission.

Summary and Recommendations

House Bill 885 contained a second enactment clause directing the Crime Commission to study the current federal and state funding streams for local programs that assist victims of sexual and domestic violence and create a work group.

There are eight grant streams administered by four state agencies to these local programs, referred to as SDVAs, which are relevant to HB 885 discussions. The Department of Criminal Justice Services manages four grant programs for SDVAs: the Sexual Assault Grant Program (SAGP), is derived from federal VOCA funds and state General Fund money. DCJS also administers federal STOP funds,

which in Virginia are known as V-STOP, as well as the federal SASP funds. Finally, DCJS administers the disbursement of grants from the Virginia Victim Fund, which is derived from fees collected from defendants convicted of misdemeanor crimes in Virginia.

DCJS also provides some VOCA funds to VDSS, which they utilize in the two grant programs they administer. The first grant program administered by VDSS is the Domestic Violence Prevention and Services Program, which in addition to the VOCA funding, is also made up of federal FVPSA funding, and state general funds. The other grant program administered by VDSS is the Child Abuse and Neglect Treatment Grant Program, which consists entirely of federal VOCA fund money.

The Virginia Department of Health administers the RPE Grant Program, which consists of federal VAWA funds, known as RPE Initiative funding, given directly to the Department by the CDC. The last of these grant programs is the VA Homeless Solutions program, administered by the Virginia Department of Housing and Community Development, which combines two federal funds (Emergency Solutions Grant funds and Housing Opportunities for Persons with AIDS/HIV) with three state grants (the Child Services Coordination Grant, the Homeless Assistance Grant, and Homeless Prevention state general funds).

Due to the certification requirements of these grants, none of them would likely be transferred to a state agency that was not in the executive branch of government. In addition, the RPE Grant Program receives its funding directly from the CDC, which would be unlikely to transfer its funding to a state agency that did not focus on health and human services. The VA Homeless Solutions Grant Program explicitly requires that its funds be used to address homelessness in given locales, and that all applications must be made by local planning groups or Continuums of Care, that have submitted coordinated plans of actions for the entire area. Thus, it would be impractical, to the point of impossibility, for those portions of this grant fund that goes to victim shelters to be administered by a different state agency.

Both surveys and individual interviews revealed that, overall, SDVAs are at least “somewhat satisfied” with the vast majority of grant funding processes and grant-related services. There are many things about how grant programs and services are administered that SDVAs liked. However, there were a number of concerns as well, including grant cycles, grant monitors, reimbursement/disbursement of funds, submission of materials, lack of electronic reporting systems, budget amendments, guidelines, accreditation, VADATA, the statewide hotline, and access to trainings and meetings. In particular, the majority of respondents expressed thoughts that the accreditation process might be changed in order to avoid appearances of favoritism. Clear majorities also expressed curiosity as to whether or not the statewide hotline could be made more efficient, or an alternative hotline system could be developed which would be less expensive for local programs to use. Finally, a number of respondents indicated that they thought the VADATA system was antiquated, and oftentimes proved to be more of a burden than a useful data compilation system, at least from the perspective of local programs.

There were mixed findings as to whether SDVA directors favored or opposed a funding formula grant for the grant programs. It is important to note that one-third of responding SDVAs opposed streamlining grant programs into one agency. If streamlining to one agency were to take place, no one agency stood out among the rest, as there was an equal distribution of support as to where the grant programs should be administered: VDSS, DCJS, or the status quo. The vast majority of SDVAs indicated support for the overall process to be more efficient regardless of who administers the grant programs. In sum, SDVAs supported actions that would maintain or increase their funding levels, and opposed actions that would decrease or make funding levels uncertain.

The Crime Commission reviewed study findings at its November and December meetings and directed staff to draft legislation for several key issues. As a result of the study effort, the Crime Commission endorsed several of the following recommendations at its December meeting:

Recommendation 1: Statutorily require the creation of an Advisory Committee on Sexual and Domestic Violence Programs. The advisory committee would be similar to the existing Advisory Committee on Juvenile Justice. This 15 member Advisory Committee would help coordinate and provide communication between state agencies and local sexual and domestic violence agencies, review ways in which operational efficiencies in awarding and monitoring grant funds can be achieved, and make recommendations on needs and priorities for the development and improvement of local services to victims of sexual and domestic violence in Virginia. It would also develop a comprehensive plan for data collection on sexual and domestic violence. Membership would consist of the heads of the state agencies that award grant funds to sexual and domestic violence agencies, as well as the Attorney General of Virginia, a member of the Virginia Senate and a member of the House of Delegates, the Chair of the Virginia State Crime Commission, representatives from sexual and domestic violence agencies, a member of a victim/witness organization, and the Executive Director of the Action Alliance, or their designees.

Recommendation 2: Amend Va. Code § 9.1-102 to require the Va. Department of Criminal Justice Services to establish an Accreditation Center for local sexual and domestic violence agencies, in a manner similar to the Virginia Law-Enforcement Accreditation Center. The accreditation of local sexual and domestic violence agencies that receive funding from the state is a function that should be more directly overseen and managed by the state; if accreditation is tied to funding or the receipt of extra funds, the standards and evaluations should be carried out by an impartial body.

Recommendation 3: Request that the Virginia Department of Social Services review the hotline needs of local sexual and domestic violence agencies to see if more of them can locally manage a hotline, and evaluate the feasibility of assuming responsibility for a state hotline for local sexual and domestic violence agencies that are not able to maintain their own 24 hour hotline system.

Recommendation 4: The Virginia Department of Criminal Justice Services should assume control over the portion of the Victims of Crime Act federal funds that go towards the Domestic Violence Prevention and Services Grant and are currently administered by the Virginia Department of Social Services.

Recommendation 5: The portion of the Victims of Crime Act federal funds that go towards the Child Abuse and Neglect Treatment grant administered by the Virginia Department of Social Services should remain at the Virginia Department of Social Services.

Recommendation 6: The Virginia Department of Social Services should retain control over the Family Violence Prevention and Services Act federal funding stream that they currently administer via Virginia's Domestic Violence Prevention and Services Grant.

Recommendations 1, 2 and 3 were voted on and endorsed; Recommendations 1 and 3 were endorsed unanimously by the Crime Commission.

Recommendation 1 was introduced by Delegate Jennifer McClellan as House Bill 1954, and by Senator Janet Howell as Senate Bill 1057, during the 2015 Regular Session of the Virginia General Assembly. Both House Bill 1954 and Senate Bill 1057 were amended in the nature of a substitute, and were incorporated into other bills. House Bill 1954 was incorporated into House Bill 2092, and Senate Bill 1057 was incorporated into Senate Bill 1094. Both bills, after amendment, contained the substance of Recommendation 1, and created the Advisory Committee on Sexual and Domestic Violence. Both of the amended bills were passed by the General Assembly, and were signed into law by the Governor.

Recommendation 2 was introduced by Delegate Chris Peace as House Bill 2092, and by Senator Janet Howell as Senate Bill 1094, during the 2015 Regular Session of the Virginia General Assembly. Both House Bill 2092 and Senate Bill 1094 were amended in the nature of a substitute; both bills, after amendment, contained the substance of Recommendation 2, and created the Virginia Sexual and Domestic Violence Program Professional Standards Committee. The Committee would receive staffing assistance from the Department of Criminal Justice Services, and would consist of six directors of local sexual and domestic violence programs appointed by the Advisory Committee on Sexual and Domestic Violence Programs, and six directors of local sexual and domestic violence agencies appointed by the Action Alliance, as well as one non-voting member appointed by the Department of Criminal Justice Services, and one non-voting member appointed by the Action Alliance. Both of the amended bills were passed by the General Assembly, and were signed into law by the Governor.

For Recommendation 3, a letter was sent to the Virginia Department of Social Services, requesting them to review the current state hotline system in 2015, evaluate whether it would be feasible for the Department to assume responsibility for a hotline that might be less expensive for local programs to use, and report their findings back to the Crime Commission by December 1, 2015.

The Crime Commission unanimously voted to pass by Recommendations 4, 5, and 6.

Acknowledgements

The Virginia State Crime Commission extends its appreciation to the following agencies and organizations for their assistance and cooperation on this study:

Domestic Violence and Sexual Assault Funding Work Group Members

Local Sexual and Domestic Violence Agencies

Virginia Sexual and Domestic Violence Action Alliance

Virginia Department of Criminal Justice Services

Virginia Department of Health

Virginia Department of Housing and Community Development

Virginia Department of Social Services

¹ 2014 Va. Acts ch. 665.

² During the Regular Session of the 2014 General Assembly, there were also two bills that would have placed the Criminal Injuries Compensation Fund in charge of funds “to be used for sexual and domestic violence prevention, intervention, or prosecution, unless otherwise required by state or federal law to be directed elsewhere.” H.B. 1, 2014 Gen. Assem., Reg. Sess. (Va. 2014); S.B. 4, 2014 Gen. Assem., Reg. Sess. (Va. 2014). Neither of these bills passed.

³ The state coalition is properly known as the Virginia Sexual and Domestic Violence Action Alliance; they are commonly referred to as the Action Alliance.

⁴ The Action Alliance was instrumental in creating the original standards for SDVAs to become accredited in Virginia, and has helped update the standards periodically. They also play an important role, indirectly, in the accreditation process for SDVAs in Virginia.

⁵ Va. Att. Gen. Opinion, May 31, 2002.

⁶ General information on VOCA funding can be found on the DOJ’s Office for Victims of Crime website, retrieved at <http://ojp.gov/ovc/grants/>; additional information can be found on the DCJS website, retrieved at <http://dcjs.virginia.gov/grants/grantDescription.cfm?grant=23>.

⁷ Information available on DOJ’s Office for Victims of Crime website, searchable by state and year, retrieved at http://ojp.gov/ovc/grants/grant_award_search.html.

⁸ *Id.*

⁹ General information on V-STOP funding can be found on the DCJS website, retrieved at <http://dcjs.virginia.gov/grants/grantDescription.cfm?grant=22>.

¹⁰ Information provided by DCJS; *see also* Office of the Attorney General of Virginia, Domestic and Sexual Violence in Virginia 2013 Annual Report, p. 19 (2013).

¹¹ General information on SASP funding can be found on the DCJS website, retrieved at <http://dcjs.virginia.gov/grants/grantDescription.cfm?grant=88&code=9>.

¹² Information provided by DCJS; *see also* Office of the Attorney General of Virginia, Domestic and Sexual Violence in Virginia 2013 Annual Report, p. 20 (2013).

¹³ General information on FVPSA funding can be found on the Dept. of Health and Human Services, Family & Youth Services Bureau website, retrieved at <http://www.acf.hhs.gov/programs/fysb/programs/family-violence-prevention-services/about>.

¹⁴ Information provided by VDSS; *see also* Office of the Attorney General of Virginia, Domestic and Sexual Violence in Virginia 2013 Annual Report, p. 21 (2013).

¹⁵ Information provided by DCJS; *see also* Office of the Attorney General of Virginia, Domestic and Sexual Violence in Virginia 2013 Annual Report, pgs. 18, 24 (2013).

¹⁶ General information on RPE funding can be found on the CDC website, retrieved at <http://www.cdc.gov/violenceprevention/rpe/states.html>.

¹⁷ Information provided by VDH.

¹⁸ General information on ESG funding can be found at the Department of Housing and Urban Development website, retrieved at <https://www.hudexchange.info/esg>.

¹⁹ Information provided by DHCD.

²⁰ Information provided by DCJS.

²¹ Information provided by DCJS; *see also* Office of the Attorney General of Virginia, Domestic and Sexual Violence in Virginia 2013 Annual Report, pgs. 24-25 (2013).

²² Information received from DCJS; *see also* Office of the Attorney General of Virginia, Domestic and Sexual Violence in Virginia 2013 Annual Report, pgs. 24-25 (2013).

²³ Office of the Attorney General of Virginia, Domestic and Sexual Violence in Virginia 2013 Annual Report, pgs. 21-22, 26 (2013).

²⁴ Information received from DCJS; *see also* Office of the Attorney General of Virginia, Domestic and Sexual Violence in Virginia 2013 Annual Report, p. 19 (2013).

²⁵ Information provided by VDSS.

²⁶ Information provided by VDSS; *see also* Office of the Attorney General of Virginia, Domestic and Sexual Violence in Virginia 2013 Annual Report, p. 24 (2013).

²⁷ Information provided by VDSS.

²⁸ Information provided by VDSS.

²⁹ Information provided by VDH.

³⁰ Information provided by DHCD.

³¹ *Supra* note 5.

³² As reported by local SDVA directors in the Crime Commission's 2014 *SDVA Director Survey*.

³³ Copies of the 2014 *SDVA Director Survey* are available upon request.

³⁴ Information provided by the Virginia Sexual and Domestic Violence Action Alliance.

³⁵ *Id.*

³⁶ Information provided by DCJS, VDSS, VDH and DHCD.

³⁷ DCJS utilizes the GMIS system and DHCD utilizes the CAMS online system.

³⁸ *See* <http://vadata.org/>.

³⁹ *See* <http://vadata.org/information.html>.

⁴⁰ This issue is not unique. Many of the state-wide data collection systems are also antiquated and could benefit from updates.

⁴¹ *See*,

<http://storage.cloversites.com/virginiasexualdomesticviolenceactionallianc/documents/2013%20Annual%20Report-FINAL-SPREAD2.pdf>.

⁴² *See* <http://vscc.virginia.gov/VSCC%20SDVA%20WG%20Polling%20Results%20Sept%2010%202014.pdf>.

2014 Domestic Violence and Sexual Assault Funding Work Group Membership

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