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L E G I S L A T I V E A N A L Y S T ' S O F F I C E

LAO
75
YEARS OF
SERVICE

Improving State Programs for Crime Victims

Presented to:

Senate Budget Subcommittee No. 4

On State Administration and General Government
Hon. Richard D. Roth, Chair

Senate Budget Subcommittee No. 5

On Corrections, Public Safety, and the Judiciary
Hon. Loni Hancock, Chair





Overview

- ☑ The 2015-16 budget included a total of about \$225 million to support programs targeting victims of crime. These programs are primarily administered by the Victim Compensation and Government Claims Board (VCGCB) and the Governor's Office of Emergency Services (OES).
- ☑ VCGCB is a board comprised of three members—the Secretary of the Government Operations Agency, the State Controller, and a Governor's appointee. VCGCB's primary responsibility is administering the California Victim Compensation Program (CalVCP) as well as a few other victim programs, such as grants supporting Trauma Recovery Centers (TRC). The board also administers some programs unrelated to victims, such as the Government Claims Program which processes claims for money or damages against the state. The Governor's budget for 2015-16 included \$106 million—\$81 million in state funds and \$25 million in federal funds—for VCGCB's victim programs.
- ☑ OES is primarily responsible for assuring the state's readiness to respond to and recover from emergencies. In addition, OES administers the Victim Witness Assistance Program, various other victim grant programs, as well as certain victim-related task forces. The Governor's 2015-16 budget included \$119 million—\$77 million in federal funds and \$42 million in state funds—for various OES victim-related programs.



Programs Administered by VCGCB



CalVCP

- CalVCP helps pay for certain expenses that result when a violent crime occurs and are not paid for by another source (such as the victim's health insurance). Upon approval of a victim's application for funding, CalVCP will either reimburse the victim or the provider up to a certain rate depending on the type of service provided to the victim.
- CalVCP is supported by the Restitution Fund and federal Victim of Crime Act (VOCA) grant funds. Restitution Fund monies are used as a match to draw down federal funds under the VOCA grant program. Specifically, CalVCP receives 60 cents in federal VOCA grant funding for each state dollar spent to provide qualifying victims with services.



TRC Grants

- TRCs are centers that directly assist victims in coping with a traumatic event (such as by providing mental health care and substance use treatment). Currently, six TRCs receive state funding—three in the Los Angeles region, one in San Francisco, one in Stockton, and one in Fairfield.
- Beginning in 2016-17, the amount of funding available to TRCs could more than double due to savings resulting from the implementation of Proposition 47 (2014), which reduced the penalties for certain crimes and required that some of resulting savings be spent on TRCs.



Programs Administered by OES



Victim Witness Assistance Program

- The Victim Witness Assistance Program provides grants to each of the state's 58 counties and the City of Los Angeles to fund victim witness assistance centers—most of which are based in district attorney's offices.
- These centers provide multiple services to roughly 150,000 victims each year, but primarily focus on assisting victims through the justice system and with accessing other victim programs through a victim advocate.



Various Other Victim Grant Programs

- OES also administers about 40 other grant programs that fund various activities related to assisting victims. These programs generally fund victim services provided through community-based organizations or local agencies.
- Some programs also provide training and other assistance to law enforcement, first-responders, and community-based providers in developing effective approaches to assisting victims.



Victim-Related Task Forces

- OES administers five victim-related task forces—such as the Children's Justice Act Task Force and the Violence Against Women Act Implementation Committee—that bring together expertise on specific types of victims in order to collect and disseminate information on victim needs and best practices.
- They also provide recommendations to OES on how to allocate the funding associated with its various victim programs. In addition, the task forces can recommend the creation of new grant programs or changes to existing programs.



2015 LAO Review of State Victim Programs

- Programs Lack Coordination.*** Our review found that the state's victim programs lack coordination. For example, staff at both VCGCB and OES indicated that the two departments generally do not collaborate on the administration of the state's largest victim programs. Rather the departments administer their programs independently, each with separate goals, processes, and subject matter expertise, which limits the effectiveness and efficiency of programs. For example, the task forces administered by OES do not share their subject matter expertise with the staff at VCGCB.

- Likely Missing Opportunities for Federal Funds.*** We found that the state is likely not maximizing the amount of federal matching funds that could be drawn down. Currently, VCGCB determines the amount of state expenditures that are used as a match to draw down federal funds based on the amount of qualifying CalVCP expenditures from the Restitution Fund. However, it appears that some state expenditures in other victim programs also meet the eligibility criteria for these federal funds. Thus, the state may be missing out on millions of dollars in additional federal funding for victim programs.

- Numerous Small, Duplicative Programs Reduces Efficiency and Effectiveness.*** We found that many state victim grant programs appear duplicative and provide relatively small grant awards. Such an approach does not result in the most efficient and effective use of funds. First, since state staff and other administrative resources are required for each program, less funding ends up being available to directly serve victims. Second, such an approach forces entities to apply for funding from multiple programs, which requires them to navigate through and keep track of the different rules and eligibility requirements of each program.



2015 LAO Review of State Victim Programs (Continued)

- Narrowly Targeted Grants Undermine Prioritization.*** In addition, having many small, narrowly targeted programs may not effectively prioritize the state's limited funding to assist victims. Such a structure can limit the flexibility to target resources to the areas of greatest need, which can change over time. By restricting each grant program to a relatively small subset of potential applicants, applicants who are providing services that could be deemed of a higher priority would not be considered for funding.



LAO Recommendations



Restructure VCGCB to Better Focus on Victim Programs.

We recommend that the Legislature shift non-victim programs from VCGCB to DGS as this will allow the reorganized VCGCB to focus on victim services. Additionally, in order to ensure that VCGCB is well positioned to focus on and administer only victim programs, we recommend changing the membership of the VCGCB board by (1) removing the Secretary of the Government Operations Agency and State Controller from the board and (2) adding board members with expertise in victim issues. We also recommend that the Legislature appoint some of the board members and specify that all appointed members serve fixed terms to increase their independence.



Shift OES Victim Programs to the Restructured VCGCB.

We recommend the Legislature adopt statutory changes to shift all victim programs in OES (along with program staff) to the restructured VCGCB as these programs were never consistent with OES's primary mission to plan and to coordinate the state's response to emergencies. This consolidation of programs would allow for better coordination among the state's largest victim programs.



Required Restructured Board to Develop Comprehensive Strategy.

We recommend that the Legislature require the new restructured board to develop a comprehensive strategy for the state's victim programs. The strategy should (1) assess the appropriate number, scope, and priority of the state's existing victim grant programs; (2) consider ways to ensure that the state receives all eligible federal grant funds; (3) assess whether there are more efficient ways to manage the CalVCP program; and (4) establish a process for periodic evaluations of victim programs.



LAO Recommendations

(Continued)

- Utilize Proposition 47 Funds for TRCs to Improve Access to Services.*** We recommend that the Legislature provide more guidance to VCGCB on TRC grants to ensure that TRCs are effective. Specifically, we recommend that the Legislature (1) structure the grants to ensure funds are spent in an effective and efficient manner, (2) ensure that qualifying services provided by TRCs are being included in the state's application for federal reimbursement funds, (3) require the evaluation of TRC grant recipients based on outcomes, and (4) require VCGCB to prioritize funding regions that currently do not have TRCs.



Information on Reorganization of Victim Programs Requested by the Legislature

- Supplemental Reporting Language (SRL) on Victim Services.*** The Legislature enacted supplemental reporting language as part of the 2015-16 budget package requesting the administration work with VCGCB and OES to submit a report by January 10, 2016 on a plan to reorganize the administration of the state's victim programs to bring all of the state's victim programs under the same administering entity. The report shall include a proposed timeline for the new administering entity to develop a comprehensive strategy for victim programs that, at a minimum (1) evaluates and recommends changes to the number, scope, and priority of state victim programs, and (2) ensures the state receives all eligible federal funds for victim programs.

- Report Submitted on January 8, 2016.*** In response to the above requirement, the administration submitted a two-page report on January 8, 2016. In the report, the administration provides some background on VCGCB's and OES's respective roles related to victim services and states that it does not believe that a consolidation of victim programs is warranted at this time. According to the administration, the existing programs are working together to ensure that victims are well-served and able to easily access the programs available to them.



Administration Did Not Provide Information Requested by the Legislature

- **Report Does Not Include a Reorganization Plan.** While the administration (and VCGCB and OES) may find that the consolidation of victim services is not warranted, the reporting language did not request an assessment on whether a reorganization was warranted. Rather, the Legislature specifically requested a plan outlining how to begin reorganizing the administration of victim programs in order to provide itself with the necessary information to decide whether to move forward with a reorganization. Such information was not provided.
- **Direct Administration and Departments to Report in Budget Hearings.** We recommend that the Legislature direct the administration, VCGCB, and OES to report in budget hearings on the information requested in the SRL. This information can be helpful as the Legislature continues its discussions on whether to move forward with a reorganization of victim programs.