

From: Rep.Horlacher

Sent: Friday, December 16, 2016 2:40 PM

To: Snyder, Rachel <Rachel.Snyder@legis.wisconsin.gov>; Amy Wochos <amy.wochos@wicourts.gov>; Anderson, Bethany <Bethany.Anderson@legis.wisconsin.gov>; Anderson, Terry C. <Terry.Anderson@legis.wisconsin.gov>; Ann Olson <ann.olson@wicourts.gov>; Ballweg, Joan <Joan.Ballweg@legis.wisconsin.gov>; David Pifer <dap@legalaction.org>; David Prosser <David.t.prosser@gmail.com>; Erin Boyd <ebvirginia@gmail.com>; Gregg Moore <gregg.moore@co.eau-claire.wi.us>; James Gramling Jr. <velagram2@aol.com>; Judge Yamahiro <glenn.yamahiro@wicourts.gov>; Kimberly Haas <khaas@judicare.org>; Koch, Eric <Eric.Koch@legis.wisconsin.gov>; Machgan, Miranda <Miranda.Machgan@legis.wisconsin.gov>; Madden, Zachary <Zachary.Madden@legis.wisconsin.gov>; Mautz, Kelly <Kelly.Mautz@legis.wisconsin.gov>; Michael Rust <mrust@mediationwrc.org>; Moore, David <David.Moore@legis.wisconsin.gov>; Morouney, Lonna S - DCF <LonnaS.Morouney@wisconsin.gov>; Pienkos, Stephen <Stephen.Pienkos@legis.wisconsin.gov>; Rep.Ballweg <Rep.Ballweg@legis.wisconsin.gov>; Rep.Horlacher <Rep.Horlacher@legis.wisconsin.gov>; Rick Esenberg <rick@will-law.org>; Sen.Stroebele <Sen.Stroebele@legis.wisconsin.gov>; Sen.Wirch <Sen.Wirch@legis.wisconsin.gov>; Stuck, Amanda <Amanda.Stuck@legis.wisconsin.gov>; Subeck, Lisa <Lisa.Subeck@legis.wisconsin.gov>; Juno, Sandy L. <Juno_SL@co.brown.wi.us>; Mickey Beil <beil.mickey@countyofdane.com>; Mueller, Virginia <Virginia.Mueller@legis.wisconsin.gov>; Plotkin, Adam - OSPD <plotkina@opd.wi.gov>; Rep.OttJ <Rep.OttJ@legis.wisconsin.gov>; Sarah Diedrick-Kasdorf <diedrick@wicounties.org>; Tony Gilbert <tonyg@endabusewi.org>

Subject: RE: Additional Bill Draft for December 19, 2016 Meeting

Greetings Members of the Study Committee on Access to Civil Legal Services:

Attached please find a Legislative Fiscal Bureau Memo that was requested by Rep. Horlacher regarding the *Federal Grants Identified in the U.S. Department of Justice Presentation to the Legislative Council Study Committee on Access to Civil Legal Services*. If you have any questions please feel free to reach out any time.

Sincerely,

Anna C. Schwarz
Legislative Assistant
Office of Representative Cody Horlacher
33rd Assembly District
608-266-5715

From: Snyder, Rachel

Sent: Tuesday, December 13, 2016 3:39 PM

To: Amy Wochos <amy.wochos@wicourts.gov>; Anderson, Bethany <Bethany.Anderson@legis.wisconsin.gov>; Anderson, Terry C. <Terry.Anderson@legis.wisconsin.gov>; Ann Olson <ann.olson@wicourts.gov>; Ballweg, Joan <Joan.Ballweg@legis.wisconsin.gov>; David Pifer <dap@legalaction.org>; David Prosser <David.t.prosser@gmail.com>; Erin Boyd <ebvirginia@gmail.com>; Gregg Moore <gregg.moore@co.eau-claire.wi.us>; James Gramling Jr. <velagram2@aol.com>; Judge Yamahiro <glenn.yamahiro@wicourts.gov>; Kimberly Haas

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Subject: Additional Bill Draft for December 19, 2016 Meeting

Members of the Study Committee on Access to Civil Legal Services:

As mentioned in the email sent yesterday with materials for the meeting on Monday, December 19, we are sending you a bill draft that provides explicit authority for agencies to allocate federal block grant funds to civil legal services. The bill draft is attached to this email but may also be viewed on the committee website at: <https://docs.legis.wisconsin.gov/misc/lc/study/2016/1492>.

If you have any questions prior to the meeting, please feel free to contact either of us at the phone numbers and e-mail addresses below.

Sincerely,

David & Rachel

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December 13, 2016

TO: Representative Cody Horlacher
Room 17 North, State Capitol

FROM: Michael Steinschneider, John Gentry, and Rachel Janke

SUBJECT: Federal Grants Identified in the U.S. Department of Justice Presentation to the
Legislative Council Study Committee on Access to Civil Legal Services

At your request, this memorandum provides information on federal grants that were identified by Karen Lash, Deputy Director of the Office for Access to Justice, U.S. Department of Justice, in her presentation to the Legislative Council Study Committee on Access to Civil Legal Services on November 14, 2016 (attached). These federal grants include: (a) victim assistance funding under the Victims of Crime Act; (b) temporary assistance for needy families funding; (c) community development block grants; (d) services, training, officers, and prosecutors (STOP) violence against women formula grants; (e) community services block grants; and (f) Title II funding under the Juvenile Justice and Delinquency Prevention Act. Federal grants are typically awarded to the state on a federal fiscal year (FFY) basis, which operates from October 1st through September 30th.

Victim Assistance Funding under the Victims of Crime Act

Under the federal Victims of Crime Act (VOCA), Wisconsin receives federal grant funding under the victim assistance formula grant program. These amounts are administered by the state Department of Justice Office of Crime Victim Services. Victim assistance formula grant funds are utilized to support services to victims of crime administered by the state or by eligible local community-based organizations and public agencies. Services to victims of crime include those efforts that respond to the emotional and physical needs of crime victims, assist primary and secondary victims of crime to stabilize their lives after a victimization, assist victims to understand and participate in the criminal justice system, and provide victims of crime with a measure of safety and security such as boarding-up broken windows and replacing or repairing locks.

In establishing the 2015 federal budget, Congress significantly increased the amount of funding that could be provided to the states under the victim assistance formula grant. In federal fiscal year 2015, Wisconsin received \$34,957,500 from the victim assistance formula grant, while

in federal fiscal year 2016, Wisconsin received \$39,393,100. As a point of comparison, in federal fiscal year 2014, Wisconsin received \$8,189,800 in victim assistance funds. Note that DOJ may allocate federal victim assistance grant funding received in a given federal fiscal year over a three year period (for example, DOJ has until September 30, 2018, to allocate amounts received from the FFY 2015 award).

Federal guidelines associated with victim assistance funding require the following: (a) that states should ensure that only eligible organizations receive VOCA funds, and that these funds are used only for services to victims of crime, except those funds that the state grantee uses for training victim service providers and administrative services; (b) that victim assistance funds provided to state and local public agencies be used to enhance or expand services and will not be used to supplant state and local funds that would otherwise be available for crime victim services; (c) that 10% of each federal fiscal year grant generally be utilized for services to victims of sexual assault, domestic abuse, and child abuse (for a total of 30% of the annual grant); (d) that an additional 10% of each annual grant be allocated to victims of violent crime who were "previously underserved"; and (e) that not more than 5% of funds be utilized for training purposes and the administration of grant funds.

Organizations eligible to receive victim assistance funds from the state are those that are operated by a public agency or a nonprofit organization that: (a) provide services to victims of crime; demonstrate a record of providing effective services to victims of crime and financial support from sources other than victim assistance funding or provide substantial financial support from sources other than victim assistance funding; (b) utilize volunteers in providing crime victim services, unless there is a compelling reason to waive this requirement; (c) promote within the community served coordinated public and private efforts to aid crime victims; (d) assist potential recipients in seeking crime victim compensation benefits; and (e) do not discriminate against victims because they disagree with the way the state is prosecuting the criminal case. "Previously underserved" crime victims include, but are not limited to, victims of federal crimes, survivors of homicide victims, and victims of assault, robbery, gang violence, hate and bias crimes, intoxicated drivers, bank robbery, economic exploitation and fraud, and elder abuse.

In addition to these federal guidelines, for federal fiscal year 2015 awards, DOJ's Office of Crime Victim Services (OCVS) in conjunction with the VOCA Planning Committee (a group of victim assistance stakeholders from throughout the state) identified the following priority areas for the allocation of funding: (a) enhancing the mental health of victims; (b) enhancing the cultural competency of service providers; (c) strengthening capacities in rural areas; (d) enhancing the emotional and physical well-being of sexual assault victims; (e) enhancing the emotional and physical well-being of child victims; and (f) strengthening capacities of programs that serve victims of bullying, child pornography, hate crimes, labor trafficking, sex trafficking, identity theft, fraud, financial crimes, kidnapping, vehicular victimizations, stalking, harassment, teen dating violence, terrorism, and the violation of a court order.

Appendix I identifies the allocations made by the Department of Justice from the victim assistance funding received under VOCA from federal fiscal year 2015, as well as the counties served by the various subgrantees. Of the \$34,957,500 received by Wisconsin in federal fiscal year

2015, DOJ has allocated \$27,218,700. The Department of Justice has until September 30, 2018, to spend the unallocated funds. The Department has indicated it will allocate the remaining FFY 2015 funds during the next grant cycle (October 1, 2017, through September 30, 2018).

To date, DOJ has not allocated FFY 2016 victim assistance VOCA funding. The Department is still utilizing funds received from the FFY 2014 and FFY 2015 awards. Federal fiscal year 2016 funds will begin to be allocated during the next grant cycle. The Department anticipates that FFY 2016 funding will be primarily utilized to make awards to current subgrantees, as a continuation of their current grants.

Federal guidelines provide that VOCA victim assistance funding may be utilized for legal service agencies. To the extent that funding is allocated by DOJ to legal service agencies, funding allocations would need to meet the federal requirements of victim assistance funding discussed above. In its presentation to the Study Committee on November 14, 2016, the U.S. Department of Justice identified the following examples of legal assistance that could be supported with victim assistance funding: (a) securing protective order and restraining orders against a stalker or abuser; (b) services in family, custody, contract, housing, and dependency matters for victims of intimate partner violence, child abuse, sexual assault, and elder abuse; (c) legal assistance to victims of human trafficking; (d) intervention with creditors, law enforcement (to obtain police reports), and other entities on behalf of victims of identity theft and financial fraud; and (e) intervention with administrative agencies, schools and colleges, tribal entities, and other circumstances where legal advice or intervention would assist in addressing the consequences of a person's victimization. As identified in Appendix I, \$1,422,700 in FFY 2015 victim assistance funds were allocated to various Legal Action of Wisconsin offices across Wisconsin.

Temporary Assistance for Needy Families Funding

The federal temporary assistance for needy families (TANF) program funds public assistance benefits with block grants to states. The TANF program allows states to develop, operate, and implement their own public assistance programs. The Department of Children and Families (DCF) oversees administration of TANF block grant funds in Wisconsin.

TANF-related revenues and expenditures are budgeted jointly in accordance with s. 49.175 of the statutes. This is due in part because federal law allows states to carry forward unexpended TANF funding without fiscal year limitation. As shown in Table 1, the projected TANF-related ending balance at the end of the 2015-17 biennium is estimated to be \$181.8 million (which will carry over into the 2017-19 biennium). Notwithstanding the ending balance, it is projected that ongoing expenditures will exceed ongoing revenues by \$20.6 million in 2016-17. As a result, although the ending balance could potentially provide a funding source for legal aid programs, it must be noted that a structural deficit in the TANF balance may reduce the ending balance in the 2017-19 biennium.

There are three ways in which a state may use TANF funds. First, a state may transfer up to 30% of the TANF block grant to the programs funded by the federal child care block grant and the social services block grant (current federal regulations limit the amount that can be transferred to

the social services block grant to 10% of TANF funds). Second, a state may expend TANF funds for any use that was allowable under TANF's predecessor public assistance programs (such as aid to families with dependent children, emergency assistance, and child care).

Third, a state may expend TANF funds in any manner that is reasonably calculated to accomplish one of the purposes of the TANF program. There are four purposes specified in federal law. These are: (a) to provide assistance to "needy families" so children may be cared for in their homes or in the homes of relatives; (b) to end the dependence of "needy parents" on government by promoting job preparation, work, and marriage; (c) to prevent and reduce the incidence of out-of-wedlock pregnancies; and (d) to encourage the formation and maintenance of two-parent families.

TANF revenues may fund legal aid to the extent such aid furthers one of the four purposes of TANF. For example, legal aid to assist with problems that pose a threat to family stability (such as an eviction) or that undermine the employment of needy parents (such as a suspended driver's license or expungement of a criminal record) would further purposes one and two.

TABLE 1
TANF-Related Revenues and Expenditures

| | Actual <u>SFY 16</u> | Reestimate <u>SFY 17</u> |
|---|-------------------------|-----------------------------|
| <u>Revenues</u> | | |
| State General Purpose Revenue (GPR) | \$159,781,600* | \$160,373,800 |
| TANF Block Grant (FED) | 312,713,400 | 313,896,000 |
| TANF Contingency Fund (FED) | 30,827,300 | 10,463,200 |
| Child Care Block Grant (FED) | 94,916,500 | 95,200,900 |
| TANF and CCDF Recoveries (FED) | 4,798,300 | 4,287,600 |
| Carryover from Prior Year (All Funds) | 145,791,700 | 201,961,700 |
| Child Support Collections (PR) | 3,914,500 | 3,010,800 |
| Child Care Licensing Fees (PR) | 1,688,100 | 1,650,000 |
| Income Augmentation Receipts (PR) | 4,730,300 | 0 |
| AFDC Recoveries, State Share (PR) | 81,000 | 160,600 |
| SSBG from DHS (PR) | 100,000 | 100,000 |
| Public Benefits Funding (SEG) | <u>9,139,700</u> | <u>9,139,700</u> |
| Total Available | <u>\$768,482,400</u> | <u>\$800,244,300</u> |
| <u>Expenditures</u> | | |
| <i>Wisconsin Works</i> | | |
| Subsidized Employment Benefits | \$52,097,400 | \$55,000,000 |
| W-2 Service Contracts | 48,882,000 | 55,000,000 |
| <i>Other TANF Employment Programs</i> | | |
| Transform Milwaukee/Transitional Jobs | 3,841,700 | 8,500,000 |
| <i>Child Care</i> | | |
| Direct Child Care Subsidies | 255,359,800 | 280,719,700 |
| Quality Care for Quality Kids | 17,088,000 | 15,492,700 |
| Child Care State Administration | 34,970,700 | 33,185,500 |
| <i>Other Benefits</i> | | |
| Kinship Care Benefits | 20,621,600 | 21,435,000 |
| Caretaker Supplement for Children of SSI Recipients | 23,449,800 | 31,338,200 |
| Emergency Assistance | 6,592,000 | 7,000,000 |
| <i>Child Support Related to W-2</i> | | |
| Children First | 673,600 | 1,140,000 |
| <i>Administrative Support</i> | | |
| State Administration | 13,533,500 | 15,295,800 |
| Local Fraud Aids | 515,800 | 605,500 |
| <i>Grant Programs</i> | | |
| Grants to Boys and Girls Clubs of America | 1,163,100 | 1,175,000 |
| Wisconsin Community Services | 380,200 | 400,000 |
| Fostering Futures - Connections Count | 0 | 360,300 |
| GED Testing | 47,300 | 115,000 |
| Adult Literacy | 15,500 | 41,600 |
| Legal Services | 252,800 | 500,000 |
| <i>Expenditures in Other Programs</i> | | |
| Earned Income Tax Credit | 67,600,000 | 69,700,000 |
| SSBG Transfer to DHS/Community Aids | 15,018,700 | 14,653,500 |
| Child Welfare Safety Services | 3,101,700 | 5,392,700 |
| Child Welfare Prevention Services | <u>1,315,500</u> | <u>1,389,600</u> |
| Total Expenditures | <u>\$566,520,700</u> | <u>\$618,440,100</u> |
| Ending Balance | \$201,961,700 | \$181,804,200 |

*Does not include \$592,200 GPR lapsed pursuant to 2015 Act 55.

Programs that meet the first or second purposes of TANF must serve "needy" families or parents with minor children. Generally, "needy" means having income and assets at or below the income or asset levels set by the state in the TANF plan submitted to the federal government. Therefore, the state may establish the level at which a family or parent is considered needy. However, the state must be able to justify that the income limit chosen is a low-income standard. In Wisconsin, the income limits range from 115% of the federal poverty level for Wisconsin Works employment positions and up to a maximum of 300% of the federal poverty level for domestic violence services by local domestic violence service providers to assist victims of domestic violence.

There are currently two TANF programs for legal aid. First, sections 1749m and 9106(2q) of 2015 Act 55 provided for annual grants in the amount of \$500,000 to the Wisconsin Trust Account Foundation in the 2015-17 biennium to fund legal services for low-income families. Various limitations were applied to such funding, such as that legal aid could not be used for suits against the state and that eligibility was limited to 200% of the federal poverty level. Second, pursuant to s. 49.1635, state law provides permissive authority for DCF to distribute an additional \$100,000 of TANF funds to the Wisconsin Trust Account Foundation. However, funding for this program was eliminated in the 2003-05 biennial budget and it has not been funded in the budget process since that time. DCF has not allocated funding under this provision since state fiscal year 2002-03.

Community Development Block Grants

Under the community development block grant (CDBG) program, the state Department of Administration (DOA) receives federal funding to award eligible applicants grants for a variety of community development purposes such as housing rehabilitation, acquisition of real property, construction of public facilities, public services, economic development, and job creation and retention activities. Eligible applicants for funding through DOA include most cities, villages, and towns with populations under 50,000 and all counties except Dane, Milwaukee, and Waukesha. Those municipalities with populations of 50,000 or more and Dane, Milwaukee, and Waukesha Counties are deemed "entitlement municipalities" and are eligible to receive CDBG funds directly from the federal government.

In addition to utilizing funds for public facilities and planning as well as housing, DOA utilizes CDBG funds to administer a CDBG emergency assistance program. Under this program, DOA makes awards to local units of government to provide grants to property owners to recover from property damage that occurred as a result of a natural or man-made disaster. To be eligible for assistance, property owners may have incomes up to 80% of the county's median-income level. Emergency assistance program funds may be used to address housing damage caused by a disaster that is not covered by insurance. Eligible activities include: (a) repair of damage to the dwelling unit, including repair or replacement of plumbing, heating, and electrical systems; (b) acquisition and demolition of dwellings that cannot be repaired; and (c) down payment and closing cost assistance for the purchase of replacement dwellings. The funds cannot be used for: (a) costs covered by insurance or other federal or state assistance; (b) cleaning; (c) replacement of furniture, food, clothing, or other personal items; or (d) any repairs not directly related to the disaster.

Finally, DOA also utilizes CDBG funds to support the supplemental security income (SSI) and social security disability insurance (SSDI) outreach, access, and recovery program. This program is designed to increase access to SSI and SSDI benefits for people who are homeless or at risk of becoming homeless and have a mental illness or co-occurring substance use disorder. The Department provides funding to programs in the state where individuals are trained to facilitate the expediting of SSI and SSDI applications for this population. In addition to CDBG funds, federal funds from the Substance Abuse and Mental Health Services Administration are utilized to support this program.

In FFY 2015, DOA was awarded \$16,701,000 in CDBG funding. Of this amount, \$16,100,000 was utilized for grants while the remaining \$601,000 was utilized for administration and technical assistance. In FFY 2016, DOA was awarded \$24,713,100 in CDBG funding. Of this amount, \$23,871,700 was allocated to grants and \$841,400 was allocated to administration and technical assistance. Funds are administered on a program year basis, which for FFY 2016 corresponds to April 1, 2016, to March 31, 2017. The Department indicates it has made grants of \$10.1 million for the current program year, and intends to fully expend funds for additional grants in accordance with its budgeted allocation of funding. It should be noted that if the amount of actual reimbursable costs of disaster events is less than funds allocated to emergency assistance, DOA has the authority to shift funds between CDBG program categories to effectively utilize the remaining funding. Grant awards made from FFY 2015 and 2016 funding, including \$3,342,800 FED awarded to Vernon County relating to flooding that occurred in September, 2016, are identified in Appendix II.

The U.S. DOJ indicates that CDBG funds can be used for specific types of legal services, in accordance with federal regulations for the program that allow funds to be used for public services. According to the U.S. DOJ's presentations, such legal services could include: walk-in legal counseling; foreclosure mitigation and prevention; landlord and tenant matters; veterans and public benefit appeals; child support orders; reasonable accommodations for persons with disabilities; consumer protection; any services provided by a nonprofit development group that are specifically designed to increase economic opportunities such as legal services to secure or retain employment; assisting local street outreach relating to chronic and veteran homelessness through disability services; legal assistance to rural communities; homelessness prevention services such as assistance with evictions, securing public benefits, or assisting victims of domestic violence; or assistance to homeless persons in obtaining public benefits.

STOP Violence Against Women Formula Grants

The 1994 federal Violence Against Women Act (VAWA) authorized the services training officers prosecutors (STOP) violence against women formula grant program. Under this grant program, state and territories are awarded funding to enhance the capacity of local communities to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women and to develop and strengthen victim services in cases involving violent crimes against women. The program requires that states and territories receiving funds must allocate 25% of the funds towards law enforcement, 25% towards prosecutors, 30% towards victim services (of which at least 10% must be distributed to culturally specific community-based

organizations), 5% to state and local courts, and 15% for discretionary distribution within the guidelines of VAWA.

The Department of Justice allocates STOP violence against women funds for a variety of purposes, including, but not limited to: (a) regional violence against women prosecutor positions; (b) community coordinated response and sexual assault response teams; (c) sexual assault nurse examiner training; (d) sexual assault forensic exams; (e) victim services; (f) local technical assistance; (g) enforcement of violence against women violations; and (h) administration of STOP violence against women funds.

In federal fiscal year 2015, Wisconsin received \$2,474,000 under the STOP violence against women formula grant program. In federal fiscal year 2016, Wisconsin received \$2,732,900. Table 2 identifies the awards that have been made to date by the Department of Justice from the STOP violence against women FFY 2015 and FFY 2016 awards. Note that while the entirety of FFY 2015 funds has not been awarded, the Department has a plan for full utilization of FFY 2015 funds. Further, the Department likewise intends to fully utilize unallocated FFY 2016 funds for program purposes.

TABLE 2

STOP Violence Against Women Allocations from Federal Fiscal Year 2015 and 2016 Awards

| Federal Fiscal Year 2015 | | Federal Fiscal Year 2016 | |
|---|---------------|---|---------------|
| <u>Grantee*</u> | <u>Amount</u> | <u>Grantee*</u> | <u>Amount</u> |
| Association for the Prevention of Family Violence | \$46,800 | Association for the Prevention of Family Violence | \$46,800 |
| ASTOP, Inc. | 74,500 | ASTOP, Inc. | 74,500 |
| Dane County District Attorney's office | 63,500 | Brown County District Attorney's office | 67,200 |
| Department of Justice planning, assessment and evaluation | 23,100 | Dane County District Attorney's office | 83,100 |
| Department of Justice sexual assault nurse examiner training | 107,600 | Eau Claire County District Attorney's office | 51,000 |
| Department of Justice sexual assault forensic exam grant | 34,500 | End Domestic Abuse Wisconsin - local technical assistance | 94,400 |
| Eau Claire County District Attorney's office | 110,200 | Family Support Center | 26,300 |
| Eau Claire County District Attorney's office | 55,300 | Freedom Inc. | 42,000 |
| End Domestic Abuse Wisconsin - local technical assistance | 86,200 | Lutheran Social Services | 42,200 |
| End Domestic Abuse Wisconsin - local technical assistance | 31,900 | Milwaukee County District Attorney's office | 66,500 |
| End Domestic Abuse Wisconsin - community coordinated response/sexual assault response team technical assistance | 101,400 | Northwoods Women/New Day Shelter | 37,700 |
| Family Support Center | 5,200 | Sojourner Family Peace Center | 45,800 |
| Family Support Center | 7,300 | The Healing Center | 63,700 |
| Freedom Inc. | 42,000 | The Women's Community, Inc. | 56,500 |
| Lutheran Social Services | 49,500 | UMOS, Inc. | 44,700 |
| Lutheran Social Services | 7,300 | Waukesha County District Attorney's office | 77,700 |
| Northwoods Women/New Day Shelter | 45,000 | Wisconsin Rapids Family Center | 52,600 |
| Northwoods Women/New Day Shelter | 7,300 | Wisconsin Coalition Against Sexual Assault - local technical assistance | 119,600 |
| Sojourner Family Peace Center | 51,300 | Women & Children's Horizons, Inc. | <u>32,100</u> |
| The Healing Center | 42,500 | | |
| The Healing Center | 7,300 | | |
| The Women's Community, Inc. | 52,900 | Total | \$1,124,400 |
| UMOS, Inc. | 44,800 | | |
| Waukesha County District Attorney's office | 92,400 | | |
| Wisconsin Rapids Family Center | 60,900 | | |
| Wisconsin Coalition Against Sexual Assault - community coordinated response/sexual assault response team technical assistance | 90,000 | | |
| Wisconsin Coalition Against Sexual Assault - local technical assistance | 114,400 | | |
| Wisconsin Coalition Against Sexual Assault - prison rape elimination act | 116,200 | | |
| Women & Children's Horizons, Inc. | <u>40,400</u> | | |
| Total | \$1,611,700 | | |

*Multiple allocations were made to certain grantees from the FFY 2015 STOP violence against women grant with differing grant project periods. Further, many grantees receive split funding from more than one federal fund year STOP violence against women formula grant.

In its presentation to the Study Committee, the US Department of Justice indicated that STOP violence against women funds could be utilized to support certain legal services. These legal services could including housing issues, family law, public benefits, and other similar matters. The use of STOP violence against women funds for legal services could be a part of the 30% of funding that must be allocated towards victim services, or as part of the 15% of discretionary funding. Regardless, any grant funding allocated for legal services would need to meet the program requirements under VAWA.

Community Services Block Grants

The community services block grant (CSBG) provides federal funding to states in order to reduce poverty, revitalize low-income communities, and support self-sufficiency through grants to community action agencies (CAA) and other locally based organizations. Wisconsin received \$8.1 million in CSBG funds in FFY 2014, \$8.2 million in FFY 2015, and \$8.7 million in FFY 2016.

Use of CSBG funds is flexible under federal and state law, so long as expenditures further the stated goals and purposes of CSBG and s. 49.265 of the state statutes. Legal aid potentially reduces the causes of poverty and helps individuals obtain and maintain employment, housing, and self-sufficiency, and thus may qualify for CSBG funding. For example, both the Lakeshore Community Action Program (serving Door, Kewaunee, Manitowoc, and Sheboygan Counties) and Northwest Wisconsin Community Service Agency, Inc. (serving Douglas, Ashland, Bayfield, Iron and Price Counties) provide some legal services as part of their parental and family support services. However, CSBG funds do not currently provide for direct support of legal aid programs.

Eligibility for CSBG funding is limited to families having incomes no larger than 125% of the federal poverty level. CAAs must review household income as part of their participant intake process. CAAs may set other eligibility criteria (such as serving homeless populations).

CSBG funds are administered by DCF and are distributed as required by federal law and s. 49.265. First, federal law requires that at least 90% of CSBG funds must be distributed to CAAs or other eligible entities. Table 3 shows the CAA distribution for calendar year (CY) 2016. This funding helps support services for low-income families, including food programs, transportation services, energy assistance, economic development, employment training, and parental support.

TABLE 3

CSBG CY 2016 Contract Allocations

| | |
|--|---------------|
| ADVOCAP, Inc. | \$355,883 |
| CAP Services, Inc. | 405,059 |
| Central WI CAA, Inc. | 267,471 |
| Community Action, Inc., Rock/Walworth | 375,139 |
| Community Action Coalition for SC WI, Inc. | 1,112,925 |
| Couleecap, Inc. | 308,341 |
| Foundation for Rural Housing | 132,286 |
| Indianhead Community Action Agency, Inc. | 192,478 |
| Lakeshore CAP, Inc. | 238,861 |
| North Central CAP, Inc. | 261,968 |
| NE WI Community Action Program, Inc. | 642,258 |
| NW WI Community Services Agency, Inc. | 157,376 |
| Racine/Kenosha CAA | 510,385 |
| Social Development Commission | 2,180,926 |
| SW WI CAP, Inc. | 178,360 |
| United Migrant Opportunity Services | 405,151 |
| West Central WI CAA, Inc. | 391,989 |
| Western Dairyland Economic Opportunity Council, Inc. | 291,697 |
| WI CAP Association, Inc. | <u>98,000</u> |
| Total | \$8,506,553 |

CAA funding is not currently open to applications and is only available to already established eligible entities. Under federal law, DCF may not reduce or terminate CSBG funding for an eligible entity unless it determines that cause exists and provides notice and a hearing for review. "Cause" for reducing CAA funding includes redistribution due to new census data, designation of a new eligible entity, severe economic dislocation, or failure of an entity to comply with the state plan or its agreement with DCF.

Second, under federal law no more than 5% of CSBG funds may be used for state administrative expenses. For state fiscal years 2015-16 and 2016-17, \$170,100 of the CSBG funds were budgeted to support administration, including two full-time-equivalent positions.

Third, the remainder of CSBG funding may be awarded under the discretion of DCF as approved under the CSBG plan submitted to the federal Department of Health and Human Services. Under the state CSBG plan, this includes 4% of CSBG funds (\$323,500 in FFY 2016) distributed to Wisconsin's 11 federally recognized tribes as part of the Family Services Program. The remaining funds are allocated for various other discretionary uses, such as training and technical assistance for CAAs, funding for innovation initiatives, and quarterly meetings of CAAs.

Finally, as discussed above, more than 94% of CSBG funding in Wisconsin supports services for low-income families. Absent an increase in federal funding, reallocating the

distribution of CSBG funds to include legal aid programs may require a decrease in funding for CAA or tribal programs.

Title II Funding under JJDP

The federal Juvenile Justice and Delinquency Prevention Act (JJDP) authorizes the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) to provide formula grants (known as Title II block grants) to states for juvenile justice and delinquency prevention programs. In order to receive a formula grant, a state is required to submit a plan for carrying out the requirements of the JJDP, which include: (a) providing that no status offenders are placed in juvenile detention or juvenile detention facilities, except for violations of valid court orders; (b) providing that no alleged or adjudicated delinquents are detained or confined in any institution in which they have contact with incarcerated adults; (c) reducing the overrepresentation in juvenile detention and correctional facilities of juveniles who are members of minority groups; and (d) providing that no juveniles are detained or confined in any adult jail or lockup. However, juveniles alleged to have committed a delinquent offense may be held in an approved juvenile portion of an adult jail or lockup for up to 24 hours outside a standard metropolitan statistical area (urban area). In addition, in standard metropolitan statistical areas, a juvenile may be held in an approved juvenile portion of an adult jail or lockup for up to six hour (an administrative hold). Juveniles detained for longer periods must be held in secure juvenile detention facilities. The JJDP requirements do not apply to juveniles who have been waived into adult court for felony offenses.

Federal program requirements require that at least two-thirds (66%) of the funds received by the state be utilized to support programs of units of local government, programs of local private agencies, or programs of Indian tribes that perform law enforcement functions. This two-thirds requirement may be waived by the Administrator of OJJDP.

Prior to 2013 Act 20, Wisconsin's Office of Justice Assistance (OJA) administered the JJDP formula grant and reported to OJJDP on the status of the state's compliance with the JJDP requirements. With the dissolution of OJA under Act 20, these responsibilities were transferred to the Department of Justice.

In January, 2014, the Department of Justice received a letter from OJJDP indicating that the state's compliance with the requirement associated with federal JJDP funds was under audit. The audit pertained to the state's monitoring of facilities (such as local law enforcement agencies, jails, mental health facilities, and other facilities) for compliance with the JJDP requirements, from 2009 through 2015. The audit was completed in August, 2016.

On August 23, 2016, the Department of Justice received a letter from OJJDP identifying the conclusion of the audit. The letter stated, in part, that, "In summary, OJJDP concluded that the State did not have an adequate system of monitoring with respect to identification and classification of the monitoring universe and the number of facilities inspected from 2009 to 2015." To address concerns with Wisconsin's current compliance monitoring system, OJJDP made 13 recommendations to the state. The Department of Justice has provided documentation to OJJDP identifying how Wisconsin would address each recommendation. As a result, OJJDP has indicated

that, "Based on OJJDP's review of documentation submitted by the State, OJJDP considers all recommendations closed."

In federal fiscal year 2015, Wisconsin received \$631,800 in Title II JJDPA formula grant funding. In federal fiscal year 2016, Wisconsin was to receive \$666,900. However, as a result of the audit, Wisconsin's federal fiscal year 2016 award was reduced to \$259,700. In addition, unspent funds dating back to 2011 were frozen by the federal government. As of this writing, while the funds remain frozen, it is anticipated that the funds will be unfrozen in the future. [In addition, DOJ indicates that, "It is also unclear at this time whether these FY15 funds will also be retroactively affected by the penalties Wisconsin received in FY16 as a result of non-compliance in certain areas related to the JJDPA. If these penalties are retroactively assessed, remaining funds will be prioritized to restore compliance with the JJDPA."]

When FFY 2015 and 2016 funds become available, DOJ intends to utilize the funding to implement a three-year strategic funding plan that was developed by the Governor's Juvenile Justice Commission and approved by the federal OJJDP. The plan includes utilizing FFY 2015 and 2016 funds as identified in Table 4. As part of the funding intended for local initiatives for alternatives to detention, reduction of disproportionate minority contact, juvenile justice system improvement, mental health services, and substance abuse services, the Department indicates that an emphasis will be placed on funding mental health and substance abuse initiatives. In addition, funding will be allocated towards juvenile detention alternatives initiative expansion sites.

TABLE 4

**Allocation Plan for JJDP A Title II Formula Grants,
Federal Fiscal Years 2015 and 2016**

| <u>Allocation</u> | <u>FFY 2015 Amount</u> | <u>FFY 2016 Amount</u> |
|---|----------------------------|----------------------------|
| Planning and administrative expenses, which are primarily composed of costs related to program staff and travel to local meetings and conferences and to monitor contracts and grants with local providers. | \$63,200* | \$26,000* |
| The Governor's Juvenile Justice Commission, which includes costs related to quarterly meetings, member education including on-site education and technical assistance, and attendance to national and regional conferences. | 10,000 | 10,000 |
| Compliance monitoring functions, which includes DOJ's costs of monitoring and reporting statewide compliance with JJDP A's requirements. | 102,900 | 161,000 |
| Native American pass-through grant | 3,300 | 3,500 |
| State disproportionate minority contact (DMC) coordinator position, which supports one part-time employee who will manage DMC initiatives, which includes subgrant management and monitoring DMC initiatives. | 41,200 | 59,200 |
| Local initiatives for alternatives to detention, reduction of DMC, juvenile justice system improvement, mental health services, and substance abuse services. | <u>411,200</u> | <u>0**</u> |
| Total | \$631,800 | \$259,700 |

*The Department of Justice will provide a state GPR match equaling these amounts for planning and administrative expenses.

**The Department indicates that it is requesting a waiver of the requirement that two-thirds of the funding be allocated to local programs in order to utilize the majority of funding towards restoring compliance with the JJDP A.

In its presentation to the Study Committee, the US Department of Justice identified the following examples of legal services that could be supported by Title II funding: (a) support for children with disabilities as alternatives to suspension or expulsion; (b) assistance with restraining orders, guardianships, and adoption when schools identify victims of domestic violence, abuse, and neglect; (c) record sealing for youth; and (d) ensuring that at-risk youth and families have access to public benefits. However, as indicated in Table 4, Title II funding received in federal fiscal year 2016 has been primarily allocated by the Department of Justice for compliance monitoring functions.

We hope this is of assistance.

MS/JG/RJ/sas
Attachment

APPENDIX I

Grant Awards from Federal Fiscal Year 2015 Victims of Crime Act Victim Assistance Funding

| <u>Grantee</u> | <u>Counties Served</u> | <u>Award</u> |
|--|---------------------------------------|--------------|
| Advocates of Ozaukee | Ozaukee and Milwaukee | \$211,600 |
| ARC Community Services, Inc. | Dane | 85,800 |
| Association for the Prevention of Family Violence | Walworth | 145,400 |
| ASTOP Sexual Abuse Center, Inc. | Fond du Lac, Green Lake, and Waushara | 141,000 |
| ASTOP Sexual Abuse Center, Inc. | Fond du Lac and Green Lake | 209,500 |
| AVAIL, Inc | Langlade | 209,800 |
| Bad River Band of the Lake Superior Tribe of Chippewa Indians | Ashland | 36,300 |
| Beloit Domestic Violence Survivor Center | Rock County | 97,800 |
| Bolton Refuge House | Buffalo County | 30,100 |
| Bolton Refuge House | Eau Claire, Buffalo, and Jackson | 145,700 |
| Canopy Center, Inc. | Dane | 207,900 |
| Canopy Center, Inc. | Dane | 296,100 |
| CAP Services, Inc. | Portage, Waupaca, and Waushara | 217,400 |
| CAP Services, Inc. | Portage, Waupaca, and Waushara | 720,100 |
| CASA of the Fox Cities | Outagamie | 82,600 |
| Center Against Sexual and Domestic Abuse | Douglas | 312,600 |
| Children's Hospital of Wisconsin | Milwaukee | 275,800 |
| Children's Hospital of Wisconsin | Milwaukee | 172,700 |
| Children's Hospital of Wisconsin - Fox Valley Child Advocacy Center | Winnebago | 210,900 |
| Children's Hospital of Wisconsin - Kenosha | Kenosha | 117,800 |
| Children's Service Society of Wisconsin - Chippewa Valley Child Advocacy Center | Eau Claire | 116,800 |
| Children's Service Society of Wisconsin - Milwaukee | Milwaukee | 467,300 |
| Children's Service Society of Wisconsin - Racine | Racine | 122,300 |
| Children's Service Society of Wisconsin - Walworth County | Walworth | 164,600 |
| Children's Service Society of Wisconsin - Wausau | Marathon | 127,100 |
| Christine Ann Domestic Abuse Services, Inc. | Winnebago | 155,500 |
| Coalition of Wisconsin Aging Groups | Statewide | 157,300 |
| Community Referral Agency, Inc. | Polk | 216,300 |
| Dane County Department of Human Services | Dane | 68,700 |
| Dane County District Attorney's Office | Dane | 94,300 |
| Dane County District Attorney's Office | Dane | 299,200 |
| Daystar, Inc. | Milwaukee | 108,700 |
| Deaf Unity | Statewide | 160,500 |
| Disability Rights Wisconsin | Statewide | 474,800 |
| Domestic Abuse Intervention Services | Dane | 88,000 |
| Domestic Abuse Intervention Services | Dane | 179,000 |
| Dunn County District Attorney's Office | Dunn | 115,900 |
| Eau Claire Area Hmong Mutual Assistance Association | Eau Claire, Chippewa, and Dunn | 116,800 |
| Eau Claire County District Attorney's Office | Eau Claire | 36,700 |
| Eau Claire County District Attorney's Office | Eau Claire | 85,000 |
| Embrace Services, Inc. | Rusk, Price, and Washburn | 561,700 |

| <u>Grantee</u> | <u>Counties Served</u> | <u>Award</u> |
|--|--|--------------|
| Family Advocates | Grant, Iowa, and Lafayette | \$216,800 |
| Family and Children's Center - Stepping Stones | La Crosse, Buffalo, Monroe, Trempealeau, and Vernon | 58,000 |
| Family and Children's Center - Stepping Stones | La Crosse, Buffalo, Trempealeau, Monroe, and Vernon | 29,300 |
| Family Service Madison, Inc. | Dane | 150,800 |
| Family Service of Waukesha | Waukesha | 172,400 |
| Family Services of Northeast Wisconsin, Inc. | Brown, Door, Oconto, and Marinette | 388,400 |
| Family Services of Southern Wisconsin and Northern Illinois - CASA of Rock County | Rock | 220,800 |
| Family Services-SWANI-Sexual Assault Recovery Program | Rock and Green | 218,600 |
| Family Support Center | Chippewa | 155,100 |
| Forest County Potawatomi Community | Forest | 148,000 |
| FORGE | Milwaukee | 72,700 |
| Freedom, Inc. | Dane | 346,700 |
| Friends of Abused Families | Washington | 72,300 |
| Friends of Abused Families | Washington | 135,800 |
| Golden House | Brown | 144,400 |
| Green County Human Services | Green | 83,400 |
| Green Haven Family Advocates, Inc. | Green | 111,600 |
| Gundersen Lutheran Medical Center, Inc. | La Crosse, Monroe, Trempealeau, and Crawford | 190,800 |
| Gundersen Lutheran Medical Center, Inc. | La Crosse, Monroe, Crawford, Vernon, Jackson, and Trempealeau | 173,400 |
| Harbor House Domestic Abuse Program | Outagamie and Calumet | 41,100 |
| Haven, Inc. | Lincoln | 70,500 |
| Haven, Inc. | Lincoln | 159,400 |
| Hmong American Women's Association | Milwaukee | 369,600 |
| Hope House of South Central Wisconsin | Sauk, Columbia, Juneau, Adams, and Marquette | 376,300 |
| Hope House of South Central Wisconsin | Sauk, Columbia, Adams, Juneau, and Marquette | 158,200 |
| Kenosha Human Development Services, Inc. | Kenosha | 196,400 |
| Kenosha Human Development Services, Inc. | Kenosha | 263,700 |
| Kids Matter Inc. | Milwaukee | 188,000 |
| Kids Matter Inc. | Milwaukee | 188,000 |
| Kids Matter Inc. | Milwaukee | 300,100 |
| La Crosse Police Department | La Crosse | 82,500 |
| Lac Courte Oreilles Band of the Lake Superior Chippewa Indians | Sawyer | 116,900 |
| Lac Courte Oreilles Band of the Lake Superior Chippewa Indians | Sawyer | 47,400 |
| Lac Courte Oreilles Oakwood Haven | Sawyer | 141,900 |
| Lakeshore CAP | Manitowoc | 23,300 |
| Legal Action of Wisconsin | Southern 38 counties | 893,100 |
| Legal Action of Wisconsin | Buffalo, Crawford, Grant, Jackson, Juneau, La Crosse, Monroe, Richland, Trempealeau, and Vernon | 124,500 |
| Legal Action of Wisconsin | Milwaukee | 151,000 |
| Legal Action of Wisconsin | Racine | 254,000 |
| Lutheran Social Services | Racine | 139,200 |
| Manitowoc County Domestic Violence Center | Manitowoc | 94,200 |
| Manitowoc County Domestic Violence Center (DBA In Courage) | Manitowoc | 43,000 |
| Marathon County District Attorney's Office | Marathon | 107,700 |
| Marshfield Clinic - Child Advocacy Center | Wood and Sawyer | 593,800 |
| Menominee Indian Tribe of Wisconsin | Menominee | 159,600 |
| Milwaukee Center for Children and Youth, Inc. | Milwaukee | 151,000 |
| Milwaukee County District Attorney's Office | Milwaukee | 114,400 |

| <u>Grantee</u> | <u>Counties Served</u> | <u>Award</u> |
|---|--|--------------|
| Milwaukee County District Attorney's Office | Milwaukee | \$321,300 |
| Milwaukee LGBT Community Center | Milwaukee | 200,000 |
| Milwaukee LGBT Community Center | Milwaukee | 149,900 |
| Monroe County Sheltercare Inc. - Brighter Tomorrows | Monroe | 21,800 |
| New Horizons Shelter and Outreach Centers, Inc. | La Crosse, Trempealeau, Vernon, Monroe, and Crawford | 150,100 |
| New Horizons Shelter and Outreach Centers, Inc. | La Crosse, Jackson, Monroe, Vernon, Buffalo, Trempealeau, and Crawford | 278,100 |
| Northwoods Women, Inc./New Day Shelter | Ashland and Bayfield | 128,900 |
| Passages Inc. | Richland, Vernon, and Crawford | 179,100 |
| Pathfinders Milwaukee, Inc. | Milwaukee | 210,900 |
| Pathfinders Milwaukee, Inc. | Milwaukee | 287,900 |
| Peaceful Solutions Counseling | Marathon, Lincoln, and Langlade | 67,500 |
| People Against a Violent Environment | Dodge | 157,000 |
| People Against Domestic & Sexual Abuse | Jefferson | 48,500 |
| Personal Development Center, Inc. | Wood, Marathon, and Clark | 151,600 |
| Personal Development Center, Inc. | Clark | 54,300 |
| Personal Development Center, Inc. | Wood | 55,300 |
| Personal Development Center, Inc. | Wood, Marathon, and Clark | 143,000 |
| Racine County Victim Witness Assistance Program | Racine | 113,800 |
| Rainbow House Domestic Abuse Services - Marinette Office | Marinette and Oconto | 160,200 |
| Rape Crisis Center | Dane | 222,600 |
| Rape Crisis Center | Dane | 189,000 |
| Reach Counseling Services | Winnebago, Outagamie, and Calumet | 194,400 |
| Rusk County Sheriff's Office | Rusk | 30,800 |
| Safe Harbor Child Advocacy Center | Dane | 67,900 |
| Safe Harbor Child Advocacy Center | Dane | 111,700 |
| Safe Harbor of Sheboygan County Inc. | Sheboygan | 214,200 |
| Safe Harbor of Sheboygan County Inc. | Sheboygan | 138,400 |
| Safe Haven | Shawano | 145,800 |
| Sexual Assault Crisis Center - Fox Cities, Inc. | Outagamie and Calumet | 140,900 |
| Sexual Assault Crisis Center - Fox Cities, Inc. | Outagamie and Calumet | 71,000 |
| Sexual Assault Treatment Center, Aurora Health Care | Milwaukee | 714,600 |
| Sexual Assault Treatment Center, Aurora Health Care | Milwaukee | 329,000 |
| Sojourner Family Peace Center | Milwaukee | 192,000 |
| Sojourner Family Peace Center | Milwaukee | 707,000 |
| Solutions Center Shelter and Support Services, Inc. | Fond du Lac | 216,200 |
| St. Croix County Victim Witness Assistance Program | St. Croix | 41,700 |
| St. Croix Valley Sexual Assault Response Team, Inc. | St. Croix, Pierce, and Polk | 22,200 |
| Taylor County District Attorney's Office | Taylor | 18,400 |
| The Bridge to Hope | Dunn and Pepin | 139,300 |
| The Women's Center, Inc. | Waukesha | 109,000 |
| The Women's Center, Inc. | Waukesha | 161,200 |
| The Women's Community, Inc. | Marathon | 209,200 |
| Town of Grand Chute -Fox Cities Victim Crisis Response Team | Winnebago, Outagamie, and Calumet | 144,900 |
| Tri-County Council on Domestic Violence & Sexual Assault | Oneida, Forest, and Vilas | 164,600 |
| Turningpoint for Victims of Domestic and Sexual Violence, Inc | Pierce and St. Croix | 108,000 |
| UMOS, Inc. | Milwaukee | 172,900 |
| UNIDOS Against Domestic Violence | Dane | 80,800 |

| <u>Grantee</u> | <u>Counties Served</u> | <u>Award</u> |
|---|------------------------|---------------|
| Violence Intervention Project, Inc. | Kewaunee | \$97,100 |
| Violence Intervention Project, Inc. | Kewaunee | 100,000 |
| Waukesha County District Attorney's Office | Waukesha | 70,000 |
| Waukesha County District Attorney's Office | Waukesha | 183,000 |
| Wausau Police Department | Marathon | 186,400 |
| Wisconsin Department of Corrections--Office of Victim Services and Programs | Statewide | 177,200 |
| Wisconsin Department of Justice - Division of Criminal Investigation | Statewide | 52,600 |
| Wisconsin Department of Justice - Office of Crime Victim Services | Statewide | 399,100 |
| Wisconsin Department of Justice - Office of Crime Victim Services | Statewide | 303,600 |
| Wisconsin Judicare, Incorporated | Northern 33 counties | 193,500 |
| Wisconsin Rapids Family Center | Wood | 202,600 |
| Wise Women Gathering Place | Brown and Outagamie | 338,400 |
| Women & Children's Horizons, Inc. | Kenosha | 383,900 |
| YWCA of La Crosse | Monroe | 27,100 |
| YWCA of Rock County | Rock | <u>85,800</u> |
| Total | | \$27,218,700 |

APPENDIX II

Department of Administration Community Development Block Grant Federal Fiscal Year 2015 and 2016 Allocations

Federal Fiscal Year 2015 Allocations

| <u>Grantee</u> | <u>Amount</u> |
|---|------------------|
| <i>Public Facilities and Planning</i> | |
| Village of Cashton | \$500,000 |
| Town of Daniels | 500,000 |
| City of Dodgeville | 157,000 |
| Village of Gratiot | 148,800 |
| City of Hayward | 497,000 |
| Village of Junction City | 500,000 |
| Town of Knight | 439,500 |
| Village of Luck | 500,000 |
| City of Menomonie | 414,800 |
| Village of Minong | 210,000 |
| Village of Muscoda | 500,000 |
| City of New Lisbon | 500,000 |
| City of Niagara | 500,000 |
| Village of Osceola | 488,600 |
| City of Owen | 500,000 |
| City of Platteville | 500,000 |
| City of Princeton | 500,000 |
| Village of Randolph | 500,000 |
| City of Rhinelander | 500,000 |
| City of Rice Lake | 420,400 |
| Village of Woodville | 461,900 |
| City of Waupaca | <u>25,000</u> |
| Subtotal | \$9,263,000 |
| <i>Housing</i> | |
| Douglas County | \$2,016,800 |
| Langlade County | <u>2,007,100</u> |
| Subtotal | \$4,023,900 |
| <i>SSI/SSDI Outreach, Access, and Recovery (SOAR) Program</i> | |
| Outagamie County | \$25,000 |
| Racine County | <u>50,000</u> |
| Subtotal | \$75,000 |
| <i>Emergency Assistance Program</i> | |
| Vernon County* | \$2,738,100 |
| Total Federal Fiscal Year 2015 CDBG Grants | \$16,100,000 |

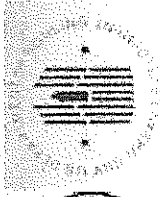
Federal Fiscal Year 2016 Allocations

| <u>Grantee</u> | <u>Amount</u> |
|---|------------------|
| <i>Public Facilities and Planning</i> | |
| Village of Browntown | \$340,000 |
| City of Clintonville | 25,000 |
| City of Colby | 500,000 |
| Village of Dorchester | 500,000 |
| City of Fox Lake | 500,000 |
| Village of Frederic | 12,500 |
| City of Glenwood City | 496,500 |
| Village of Hixton | 500,000 |
| City of Hurley | 500,000 |
| City of Independence | 500,000 |
| Village of Kendall | 217,800 |
| City of Kewaunee | 500,000 |
| Village of Linden | 500,000 |
| City of Markesan | 500,000 |
| Village of Milltown | 234,400 |
| City of Phillips | 500,000 |
| City of Port Washington | 20,000 |
| Village of Radisson | 500,000 |
| City of Shullsburg | 500,000 |
| Town of Somerset | 8,300 |
| Village of South Wayne | 500,000 |
| Village of Taylor | 500,000 |
| City of Westby | 500,000 |
| Village of Webster | <u>440,500</u> |
| Subtotal | \$9,295,000 |
| <i>SSI/SSDI Outreach, Access, and Recovery (SOAR) Program</i> | |
| Dunn County | \$59,000 |
| Outagamie County | 18,200 |
| Racine County | 50,000 |
| Oconto County | 59,200 |
| La Crosse County | <u>53,700</u> |
| Subtotal | \$240,100 |
| <i>Emergency Assistance Program</i> | |
| Vernon County* | \$579,700 |
| Total Federal Fiscal Year 2016 CDBG Grants | \$10,114,800 |

*Emergency assistance funding was awarded to Vernon County in November, 2016, from a combination of FFY 2015 and FFY 2016 funds, relating to flooding that occurred in September, 2016. Funding awarded to Vernon County represents an approved budget for disaster expenses. Actual expenses could differ from the estimated budget.

Wisconsin Legislative Council
Study Committee on Access to Civil Legal Services

How Federal Block Grants Can Support Civil Legal Services · Nov. 14,
2016



Karen Lash

U.S. Department of Justice Office for Access to Justice
White House Legal Aid Interagency Roundtable

Roadmap

- U.S. Department of Justice Office for Access To Justice and Legal Aid Interagency Roundtable
- Block grants overview
 - Temporary Assistance for Needy Families (TANF) (HHS)
 - Victims of Crime Act - Victims Assistance (VOCA) (DOJ)
 - STOP (Services, Training, Officers, and Prosecutors) Violence Against Women Formula Grant Program (DOJ)
 - Community Development Block Grant (HUD)
 - Community Services Block Grant (HHS)
 - Title II Formula Grants Program (Juvenile Justice) (DOJ)
- Discussion



Big Idea Behind the Legal Aid Interagency Roundtable:

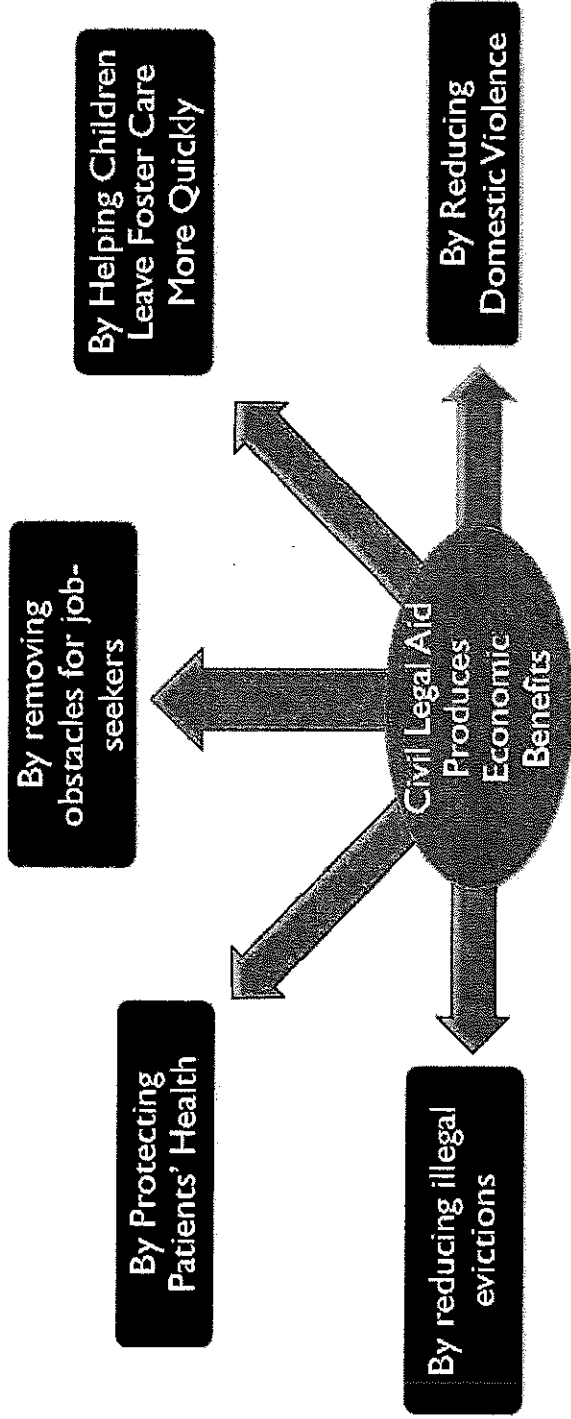
Many federal, state, tribal, and local government programs aimed at increasing opportunities for education, employment, housing, health care, and improving public safety and family stability are more effective and efficient when they include legal aid.

1. Low Public Awareness of Legal Aid

Most low-income people – and the social service providers they work with – do not identify a wide-range of problems as having a possible legal solution



2. Economic Benefits of Investing in Legal Aid



Research Says...

Evidence suggests that legal interventions such as expungement stem the decline in earnings and may even boost earnings. Halting the decline in earnings suggests that the interventions make a meaningful difference in people's lives and are key components of an effective employment reentry strategy.

~Jeffrey Selbin and Justin McCrary, University of California, Berkeley School of Law, *Got Clean Slate? New Study Suggests that Criminal Record Clearing May Increase Earnings (2014)*

5 of the top 10 unmet needs of homeless veterans involve legal assistance for: eviction foreclosure prevention; child support issues; outstanding warrants/fines; discharge upgrades; and restoring a driver's license. Other top 10 unmet needs often have a legal component: family reconciliation assistance; financial guardianship; and credit counseling.

~Findings from the VA's 2014 Project CHALENG for Veterans survey

Civil legal aid saves public money by helping children leave foster care more quickly. In Washington State, parents who receive high-quality representation in child welfare proceedings resulted in children exiting foster care at a rate of 11% higher and adoptions nearly doubling. When civil legal aid programs speed family reunification and adoption, they reduce public spending in the form of payments to foster parents, subsidies for children's medical care, cash benefits, and the expense of monitoring the foster family.

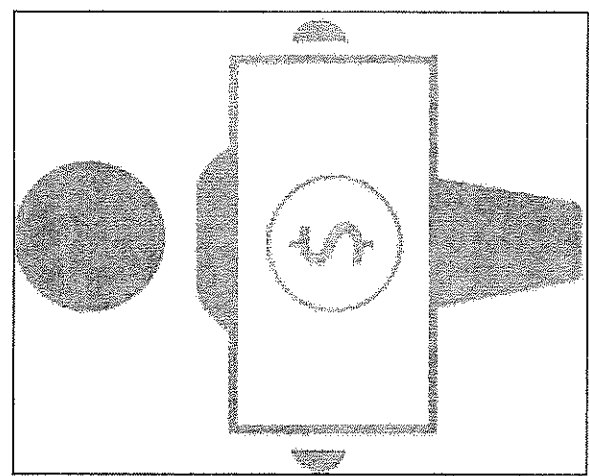
~Laura Abel, National Center for Access to Justice, "Economic Benefits of Legal Aid"

Studies suggest that access to legal services can be a critical tool in helping domestic violence victims escape from abusive relationships and that access to counsel has helped to decrease the number of domestic violence victims by as much as 21%.

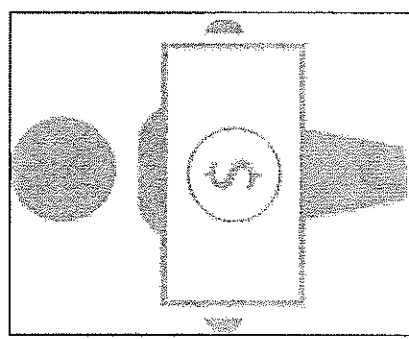
~Amy Farmer and Jill Tiefenthaler, *Explaining the Recent Decline in Domestic Violence*, 21 *Contemp. Econ. Pol'y* 158 (April 2003)

Block/Formula Grants

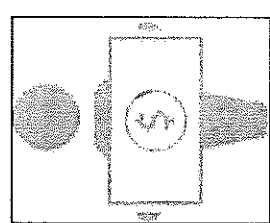
Federal Funds Granted to and Administered by
State and Local Governments



federal agencies



state and local
governments



community groups, social service
providers, and civil legal aid

US Department of Justice Office for Victims of Crime (OVC)

Vision 21 Final Report:

- Vision 21 Final Report, Chapter 2, “Meeting the Holistic Legal Needs of Crime Victims,” pp. 9-15;

http://ovc.ncjrs.gov/vision21/pdfs/Vision21_Report.pdf

Crime Victims Fund:

- 2014: \$745M
- 2015: \$2.361B
- 2016: \$3.042B - Victim Assistance share = \$2.252B

Victims of Crime Act (VOCA):

- 10% of award to services for: (1) child abuse, (2) domestic violence, (3) sexual assault, and (4) underserved.
- Examples of legal assistance new rules allow:
 - *Protective and restraining orders against a stalker or abuser;*
 - *family, custody, contract, housing, and dependency matters for victims of intimate partner violence, child abuse, sexual assault, and elder abuse;*
 - *victims of human trafficking;*
 - *intervention with creditors, law enforcement (e.g., to obtain police reports), and other entities on behalf of victims of identity theft and financial fraud;*
 - *intervention with administrative agencies, schools/colleges, tribal entities, and other circumstances where legal advice or intervention would assist in addressing the consequences of a person's victimization.*



US Department of Health and Human Services

Office of Family Assistance

Temporary Assistance for Needy Families(TANF)

TANF program is designed to help needy families achieve self-sufficiency. States receive block grants to design and operate programs that accomplish one of the purposes of the TANF program.

Four purposes of the TANF program:

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

<http://www.acf.hhs.gov/programs/ofa/programs/tanf/about>



TANF

<http://www.acf.hhs.gov/programs/ofa/resource/q-a-use-of-funds?page=2>

Q&A: Use of Funds TANF Program Policy Questions and Answers

Q19: May States use TANF funds for costs associated with providing legal representation to members of needy families who are pursuing SSI benefits?

A19: Yes, States may use TANF funds in connection with legal representation for members of needy families who are pursuing SSI benefits. Receipt of SSI benefits can further purpose one of TANF by helping needy families care for children in their own home. Further, although OMB Circular A-87, which applies to Federal expenditures under the TANF program, prohibits the use of Federal funds for "prosecution of claims against the Federal government", under the Circular's definition of "claims," this prohibition would not restrict the provision of legal support in connection with an SSI application (from pre-filing through the administrative appeals process).

Q20: May States use TANF and MOE funds to help resolve personal or family legal problems?

A20: Yes, States may use their funds in this way as long as such expenditures are consistent with the purposes of the program (e.g., where legal problems are a threat to family stability or undermine the employment of needy parents).

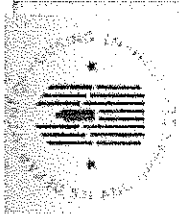
Q21: May States use TANF and MOE funds to help needy families resolve bad debt and credit problems?

A21: Yes, States may use TANF and/or MOE funds for these purposes. Even under prior law, States helped needy families avoid eviction by providing them with funds to cover their rent arrearages. Likewise, clearing up other kinds of debt (e.g., credit, car payments, etc.) would be consistent with the goals of TANF.



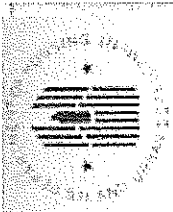
Examples of TANF-funded legal assistance:

- Domestic violence and sexual assault
- Public benefits including SSI
- Helping to reinstate drivers' licenses
- Criminal records expungement and removing RAP sheet errors
- Help untangling fines/fees
- Family law (adoption, custody, guardianship)
- Help with school accommodations for children with disabilities
- Help with abusive debt collection practices



U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG)

- *The CDBG program works to ensure decent affordable housing, to provide services to the most vulnerable in our communities, and to create jobs through the expansion and retention of businesses. CDBG is an important tool for helping local governments tackle serious challenges facing their communities. The CDBG program has made a difference in the lives of millions of people and their communities across the Nation. The annual CDBG appropriation is allocated between States and local jurisdictions called "non-entitlement" and "entitlement" communities respectively.*
- *A grantee must develop and follow a detailed plan that provides for and encourages citizen participation. This integral process emphasizes participation by persons of low or moderate income, particularly residents of predominantly low- and moderate-income neighborhoods, slum or blighted areas, and areas in which the grantee proposes to use CDBG funds...*



State CDBG Guide to National Objectives and Eligible Activities

<https://www.hudexchange.info/onecpd/assets/File/CDBG-State-National-Objectives-Eligible-Activities-Chapter-2.pdf>

Public services include, but are not limited to:

- Health care,
- Job training,
- Fair housing activities,
- Services for senior citizens,
- Services for homeless persons, and victims of domestic violence,
- ...,
- Legal services (including walk-in legal counseling, foreclosure mitigation and prevention, landlord/tenant matters, veterans and public benefit appeals, child support orders, reasonable accommodations for persons with disabilities, and consumer protection).



State CDBG Guide to National Objectives and Eligible Activities

Public services:

There are two situations in which public services activities carried out by nonprofit development groups can be excluded from the limitations placed on public services expenditures (for example, the 15 percent cap):

- *Any services provided by a nonprofit development group that are specifically designed to increase economic opportunities through job training and placement and other employment support services (for example, peer support programs, legal services to secure or retain employment, counseling, child care, transportation, and other similar services), and...*

Examples of CDBG-funded legal assistance:

- Assisting local street outreach to end chronic and veteran homeless through disability work
- Help for rural communities
- Homeless prevention work, including help with evictions, securing appropriate public benefits, assisting victims of domestic violence
- Helping homeless families in shelters in obtaining public benefits



US Department of Justice Office on Violence Against Women STOP (Services, Training, Officers, and Prosecutors) Violence Against Women Formula Grants

The STOP Grants are awarded to states to develop and strengthen the criminal justice system's response to violence against women and to support and enhance services for victims. Each state and territory must allocate 25 percent of the grant funds to law enforcement, 25 percent to prosecution, 5 percent to courts, and 30 percent to victim services. The remaining 15 percent is discretionary within the parameters of the Violence Against Women Act (VAWA). Grant awards are made to state governments, and interested tribes and organizations should contact their respective State Administrative Agency for information about obtaining funding from this program.



Frequently Asked Questions About STOP Formula Grants

<https://www.justice.gov/ovw/file/827531/download>

1. Can legal services be supported with STOP funds?

Yes. . . . states can now provide a full range of legal services, such as housing, family law, public benefits, and other similar matters. . . .

4. What types of entities are eligible for the 30 percent for victim services?

The 30 percent is “for victims services.” Victim services is defined in VAWA as “services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information, and referrals, culturally specific services, population specific services, and other related supportive services.” . . .



U.S. Department of Health and Human Services Community Services Block Grant

- *Community Services Block Grant (CSBG) provides funds to alleviate the causes and conditions of poverty in communities.*
- *CSBG funding supports projects that:*
 - *Lessen poverty in communities; Address the needs of low-income individuals including the homeless, migrants and the elderly; Provide services and activities addressing employment, education, better use of available income, housing, nutrition, emergency services and/or health*
- *With the support of CSBG funding, states and CAAs work together to achieve the following goals for low-income individuals:*
 - *Increased self-sufficiency; Improved living conditions; Ownership of and pride in their communities; Strong family and support systems*



US Department of Justice Office for Juvenile and Delinquency Prevention Title II Formula Grants Program

- *The Office of Juvenile Justice and Delinquency Prevention's (OJJDP's) Formula Grants program supports State and local efforts in planning, operating, and evaluating projects that seek to prevent at-risk youth from entering the juvenile justice system or intervene with first-time and non-serious offenders to provide services that maximize their chances of leading productive, successful lives.*
- *Each State must use at least two-thirds of its award funds for programs that local public and private agencies operate and for eligible American Indian tribal programs.*
- *35 program areas that Congress has defined:*
 - *9. Delinquency prevention: Programs to prevent youth at risk of becoming delinquent from entering the juvenile justice system or to intervene with first-time and non-serious offenders to keep them out of the juvenile justice system.*
 - *20. Mental health services: Psychological and psychiatric evaluations and treatment, counseling services, and/or family support services for at-risk juveniles and/or first-time and non-serious juvenile offenders.*
 - *27. School programs: Education programs and/or related services to prevent truancy, suspension, and expulsion. School safety programs may include support for school resource officers and law-related education.*
 - *33. Youth advocacy: Projects to develop and implement advocacy activities focused on improving services for and protecting the rights of youth affected by the juvenile justice system.*



Examples of legal services that further Title II Program Areas:

- Supports for children with disabilities as alternatives to suspension or expulsion
- When schools identify domestic violence, abuse and neglect -- assist with restraining orders, guardianships, adoption
- Records sealing to give youth a second chance
- Ensure at-risk youth and families have access to public benefits

Discussion

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