



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #542

Crime Victim Services Grants and Victims of Crime Act Funding Modifications (Justice -- Victim and Witness Services)

[LFB 2023-25 Budget Summary: Page 381, #3 and Page 382, #4]

CURRENT LAW

The Department of Justice's Office of Crime Victim Services (OCVS) has awarded federal Violence Against Women Act (VAWA) and Victim of Crime Act (VOCA) grants. Victim of Crime Act victim assistance grants are provided to private and public agencies to support direct services to victims of violent crime. Services provided under this program include safety planning, community service referrals, counseling, crisis intervention and legal advocacy.

Federal funds from the VOCA grant are generated from a number of sources, including penalties from federal deferred prosecution and non-prosecution agreements, criminal fines collected from defendants convicted of federal offenses, penalty assessments on federal felony or misdemeanor convictions, and the proceeds of forfeited federal appearance bonds and bail bonds. The federal VOCA program matches 75% of state funding for crime victim compensation.

DISCUSSION POINTS

1. The VOCA grant is formulaic and awarded on a federal fiscal year (FFY) basis (October 1 to September 30). In federal fiscal year 2022, Wisconsin's share of the VOCA grant was \$27,659,262, comprised of \$2,424,000 for victim compensation and \$25,235,262 for victim assistance. The table below shows the Victim Assistance portion of the grant going back to FFY 2014.

VOCA Victim Assistance Award from FFY 2014 to 2022

<u>Federal Fiscal Year</u>	<u>Total Victim Assistance Award</u>
2014	\$8,189,763
2015	34,957,532
2016	39,393,093
2017	32,661,004
2018	58,568,542
2019	39,619,715
2020	29,294,541
2021	18,258,383
2022	25,235,262

2. Due to declining funding available for these grants as shown above, on July 22, 2021, the VOCA Fix to Sustain the Crime Victims Fund Act of 2021 was signed. Among other changes, the Act required monetary penalties from federal deferred prosecution and non-prosecution agreements to go into the Crime Victims Fund to assist in replenishing the fund. It is unclear when this adjustments will result in higher awards to states.

3. In order to temper the volatility of the award, OCVS spreads each yearly award over three years. Despite this tactic, OCVS had to cut awards by 15% for FFY 2022-23 and another 15% in FFY 2023-24. To replace reduced VOCA funding, OCVS was provided with \$20 million in ARPA funding from August 1, 2021 through December 31, 2024 (approximately \$8 million in 2023-24 and \$12 million in 2024-25).

4. According to the ARPA MOU, this funding was to support "services to victims of crime and distribute funding to organizations supporting victims of crime and their families, including court-appointed special advocates, child advocacy centers, county victim witness services programs, and other organizations eligible for VOCA and VAWA grant awards."

5. The ARPA funding is currently being used to maintain total award levels at \$43.9 million in FFY 2023 and 2024. However, after ARPA funding ends, grantees will realize the reductions. The Department indicates that GPR funding would partially address this reduction in federal funding. This item could allow them to maintain current levels of funding for organizations serving victims of crime on an on-going basis.

Crime Victim Services Grants

6. Assembly Bill 43/Senate Bill 70, would provide \$5,000,000 GPR annually to a continuing appropriation which would allow DOJ to make grants to organizations that provide services for crime victims. The bill does not specify any program or grant criteria. Rather, grants would be provided based on DOJ's determinations in line with VOCA requirements. In order to lessen the impact of reductions in federal funding, the Committee could provide \$5,000,000 annually to provide grants to organizations that support victims of crime. [Alternative A1] Under a continuing

appropriation, funding appropriated may be used over multiple fiscal years until fully expended. As a result, the OCVS would have a \$5,000,000 annual base, plus any unexpended funding from prior fiscal years. A continuing appropriation would allow the OCVS to align funding with the federal fiscal year as well.

7. Given that ARPA funding is being used to bolster the VOCA awards until FFY 2024 and OCVS could build up the balance in a continuing appropriation until the funding is needed, the Committee could provide support but at a lower level. [Alternative 2a or b] This alternative would provide \$3,000,000 or \$1,000,000 annually to provide grants to organizations that support victims of crime in a newly-created continuing appropriation.

8. Five percent of the VOCA grant awards may be used for administrative costs. If OCVS does not spend all of the administrative funds, it is able to make additional awards to eligible grantees. With the reduction in VOCA funds, this administrative funding has been reduced by the same amount as grantee awards. Currently, VOCA funds 10.35 positions in OCVS, of which 8.35 are currently filled and 2.0 have been vacant for less than six months. Like grantees, OCVS was provided with \$375,000 in ARPA funding for administrative purposes, and once ARPA funds are fully utilized, OCVS will have to make administrative reductions.

Administrative Funding

9. The bill would provide \$817,000 GPR, -\$817,000 FED and 5.0 GPR, and -5.0 FED positions annually for administrative funding and positions for crime victim services. [Alternative B1] Since the less that OCVS has to spend on administrative costs the more funding is available for VOCA grantees, the Committee could decide to support approximately half of VOCA positions with GPR.

10. Given that cuts to VOCA recipients were about 30%, the Committee could decide to fund 30% of VOCA supported positions. [Alternative B2] This alternative would provide \$633,800 GPR, -\$633,800 FED and 3.0 GPR, and -3.0 FED positions annually to provide state funding and positions for crime victim services.

11. If the Committee takes no action, since the ARPA funding provided to VOCA recipients does not expire until December, 2024, 30% reductions in awards would take place for FFY 2025. [Alternative B3]

ALTERNATIVES

A. Crime Victim Grant Funding

1. Provide \$5,000,000 GPR annually to provide grants to organizations that support victims of crime in a newly-created continuing appropriation.

ALT A1	Change to Base
GPR	\$10,000,000

2. Provide \$3,000,000 GPR or \$1,000,000 GPR annually to provide grants to organizations that support victims of crime in a newly-created continuing appropriation.

ALT A2a	Change to Base	
GPR	\$6,000,000	

ALT A2b	Change to Base	
GPR	\$2,000,000	

3. Take no action.

B. Appropriation Funding

1. Provide \$817,000 GPR, -\$817,000 FED and 5.0 GPR, and -5.0 FED positions annually to provide state funding and positions for crime victim services.

ALT B1	Change to Base	
	Funding	Positions
GPR	\$1,634,000	5.00
FED	<u>-1,634,000</u>	<u>-5.00</u>
Total	\$0	0.00

2. Provide \$633,800 GPR and -\$633,800 FED and 3.0 GPR, and -3.0 FED positions annually to provide state funding and positions for crime victim services.

ALT B2	Change to Base	
	Funding	Positions
GPR	\$1,267,600	3.00
FED	<u>-1,267,600</u>	<u>-3.00</u>
Total	\$0	0.00

3. Take no action.

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