

Justice

Victim and Witness Services

(LFB Budget Summary Document: Page 381)

LFB Summary Items for Which an Issue Paper Has Been Prepared

<u>Item #</u>	<u>Title</u>
1	County Victim Witness Program Funding (Paper #540)
2	Sexual Assault Victim Services Grants (Paper #541)
3 & 4	Crime Victim Services Grant and Victims of Crime Act Funding Modifications (Paper #542)

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<u>Item #</u>	<u>Title</u>
5	Crime Victim Compensation Staffing



Legislative Fiscal Bureau

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June 6, 2023

Joint Committee on Finance

Paper #540

County Victim Witness Program Funding (Justice -- Victim and Witness Services)

[LFB 2023-25 Budget Summary: Page 381, #1]

CURRENT LAW

Under current law, counties are eligible to receive reimbursement from the state for not more than 90% of the costs incurred in providing victim and witness services. To be eligible for reimbursement, a county must provide all of the following services to victims and witnesses:

- Court appearance notification services, including cancellation of appearances;
- Victim compensation and social services referrals, including witness fee collection, case-by-case referrals and public information;
- Escort and other transportation services related to the investigation or prosecution of the case, if necessary or advisable;
- Case progress notification services which may be combined with court appearance notification services;
- Assistance in providing the court with information pertaining to the economic, physical and psychological effect of the crime upon the victim of a felony;
- Employer intercession services;
- Expedited return of property services;
- Protection services;

- Family support services, including child and other dependent care services; and
- Waiting facilities.

In addition to these victim and witness services, counties are encouraged to provide the following additional services on behalf of children who are involved in criminal or delinquency proceedings as victims or witnesses:

- Explanation, in language understood by the child, of all legal proceedings in which the child will be involved;
- Advice to the judge, when appropriate and as a friend of the court, regarding the child's ability to understand the proceedings and questions;
- Advice to the district attorney concerning the ability of a child witness to cooperate with the prosecution and the potential effects of the proceedings on the child; and
- Information about and referrals to appropriate social services programs to assist the child and child's family in coping with the emotional impact of the crime and the subsequent proceedings in which the child is involved.

Reimbursable County Costs. Under administrative rule Jus 12.02(15), the following categories of county costs are reimbursable under the program:

- Salaries and benefits;
- Overtime and night differentials;
- Travel expenses;
- Space rental;
- Staff development, including registration fees, travel to and from training and conferences, meals, lodging, membership dues, subscriptions, and library materials;
- Public information, including the printing of brochures and similar projects;
- Local and long distance telephone costs;
- Maintenance, repair and replacement of equipment;
- Office supplies;
- Equipment or non-expendable personal property having a useful life of more than one year and acquisition cost of more than \$500; and
- Contractual services.

Program Administration and Funding. If a county wishes to be reimbursed, the county board must annually submit a program plan to the Department of Justice (DOJ) for approval. The plan must describe the level of services to victims and witnesses that the county plans to provide; the personnel or agencies responsible for programs and services; proposed staffing for the program; proposed education, training and experience requirements for program staff; and the county's budget for implementing the program. The plan must also provide that the district attorney, local law enforcement agencies, and the courts will make all non-confidential reports and files available to program staff, as required to carry out their responsibilities.

To receive reimbursement, a county board must file a reimbursement claim with DOJ. The Department, in turn, determines the level of services for which a county may be reimbursed based on a county's level of staffing for the program. The approved level of staffing is determined by the caseload, number of prosecutors, and justified need.

DISCUSSION POINTS

1. The actual percentage of county costs that is reimbursed varies each year depending upon the availability of state funds, the costs of the counties' approved programs, and the number of counties operating approved programs. In 2021-22, counties reported aggregate costs of \$12,632,200 (all funds) under the program. Table 1 summarizes, for the last 10 fiscal years, the reported annual county costs for approved programs of participating counties, the annual state reimbursements, and the percentage of county costs actually reimbursed. Attachment 1 summarizes the amounts reimbursed to each county during this same 10-year period.

TABLE 1

State Reimbursement to Counties

<u>Fiscal Year</u>	<u>Reported County Costs</u>	<u>Amount of State Reimbursement</u>	<u>Percentage of Counties' Cost Reimbursed</u>
2012-13	\$10,906,700	\$5,125,700	47%
2013-14	11,375,600	6,328,300	56
2014-15	11,302,500	6,209,900	55
2015-16	11,716,800	6,361,100	54
2016-17	11,996,600	6,348,400	53
2017-18	12,369,400	6,082,500	49
2018-19	12,626,500	6,119,300	48
2019-20	12,915,700	5,848,900	45
2020-21	12,833,900	5,158,500	40
2021-22	12,632,200	6,189,500	49

2. Prior to 2013 Wisconsin Act 20, reimbursement payments to the counties for victim and witness services were funded from both general purpose revenue and program revenue sources. Under 2013 Act 20, \$1,267,200 GPR in base funding was eliminated and reimbursements to counties was entirely funded from the following program revenue sources: (a) the crime victim and witness assistance surcharge; (b) the delinquency victim and witness surcharge; and (c) the penalty surcharge. In addition to PR funding, under 2021 Act 58, \$709,000 GPR in 2021-22 and \$839,000 GPR in 2022-23 was provided in a new annual appropriation to reimburse counties for services provided to victims and witnesses of crime.

3. In 2021-22, \$5,489,600 program revenue (PR) was provided to the counties as reimbursement for victim and witness services; comprised of: (a) \$4,731,600 from the crime victim witness surcharge and delinquency crime victim witness surcharge; and (b) \$748,900 from the penalty surcharge. In addition to PR funding, \$709,000 GPR in 2021-22 was provided.

4. The crime victim and witness surcharge is assessed against any person who is convicted of a misdemeanor or felony violation of state law, and may not be waived, reduced, or forgiven for any reason. The surcharge totals \$67 for each misdemeanor count on which a conviction occurs and \$92 for each felony count on which a conviction occurs. The crime victim and witness surcharge is also imposed on civil offenses if: (a) a person is charged with one or more crimes in a complaint; and (b) as a result of the complaint being amended, the person is charged with a civil offense in lieu of one of those crimes. The amount of the surcharge applied to the civil offense is based on whether the original underlying charge was a felony charge (in which case a \$92 surcharge would be assessed), or a misdemeanor charge (in which case a \$67 surcharge would be assessed). The delinquency crime victim witness surcharge is imposed on any juvenile adjudged delinquent. The surcharge is \$20.

5. Table 2 details the amounts of crime victim and witness surcharge revenues collected during each of the last 10 fiscal years. Included in the amounts listed Table 2 is revenue generated from the delinquency crime victim and witness surcharge.

TABLE 2
Crime Victim and Witness Surcharge Revenues Collected

<u>Fiscal Year</u>	<u>Amount*</u>	<u>Fiscal Year</u>	<u>Amount*</u>
2012-13	\$5,460,400	2017-18**	\$6,553,000
2013-14	5,793,800	2018-19	5,658,200
2014-15	5,669,300	2019-20	5,015,300
2015-16	5,456,200	2020-21	4,576,000
2016-17	4,371,400	2021-22	5,243,500

*Amounts include revenue from both the crime victim and witness surcharge and the delinquency crime victim and witness surcharge.

**Note that \$1,097,600 of the revenue in 2017-18 was collected by the Department of Corrections in 2016-17.

6. The bill would provide \$5,724,700 GPR in 2023-24 and \$6,004,200 GPR in 2024-25 to increase the reimbursement provided to county victim witness offices to an estimated 90 percent of county costs (the current statutory maximum) when combined with PR funding.

7. In order to increase the amount that counties are reimbursed for their victim and witness programs, the Committee could provide additional GPR for the program. [Alternative A1] Including base GPR funding (\$839,000 GPR), this alternative would result in \$6,563,700 GPR in 2023-24 and \$6,843,200 GPR in 2024-25 to reimburse counties for services provided to victims and witnesses of crime.

8. Given that statutes specify that state support for county victim services may be up to 90% of reimbursable costs, and that actual state support for county victim services has been below 50% for the last five years, the Committee could provide additional GPR support but at a lower reimbursement rate than 90%. [Alternative A2 a thru c] This alternative would result in increased GPR funding to bring reimbursement of estimated county expenditures on crime victims and witness programs up to 60% (a change to base of \$1,503,400 GPR in 2023-24 and \$1,901,400 GPR in 2024-25), 70% (\$2,829,900 GPR in 2023-24 and \$3,294,100 GPR in 2024-25) or 80% (\$4,156,200 GPR in 2023-24 and \$4,686,800 GPR in 2024-25).

9. If base funding is maintained, estimated state reimbursement of county victim services costs would be approximately 49% in 2023-24 and 46% in 2024-25. [Alternative A3]

County Victim and Witness Services and the Penalty Surcharge

10. Under current law, when a court imposes a fine or forfeiture for most violations of state law or municipal or county ordinance, a penalty surcharge is imposed totaling 26% of the fine or forfeiture. Revenue from the penalty surcharge is deposited in the Department of Justice's (DOJ) penalty surcharge; receipts appropriation (henceforth called the penalty surcharge fund). Penalty surcharge revenue received by the fund is transferred to state agencies to support various programs related to the criminal justice system. In 2021-22, the fund was statutorily required to support the amounts identified in Table 3 below.

TABLE 3**Penalty Surcharge Fund Obligations, 2021-22**

<u>Obligation</u>		<u>Amount Appropriated in 2021-22</u>
Justice	Law enforcement training fund; local assistance	\$4,425,000
	Law enforcement training fund; state operations	3,407,200
	Drug enforcement intelligence operations	2,270,000
	Reimbursement for county victim-witness services	748,900
	Transaction information management of enforcement (TIME) system	742,300
	Drug crimes enforcement; local grants	717,900
	Youth diversion grant program	672,400
	Law enforcement programs and youth diversion - administration	143,500
Public Instruction	Aid for alcohol and other drug abuse programs	1,284,700
	Alcohol and other drug abuse programs	628,500
Corrections	Correctional officer training	2,927,000
	Victim services and programs	301,100
Circuit Courts	Court interpreters	232,700
Public Defender	Conferences and training	<u>218,800</u>
Total		\$18,720,000

11. In recent years the penalty surcharge fund has operated in deficit. In 2021-22, the penalty surcharge fund concluded the fiscal year with a cumulative deficit of \$27,867,400. Table 4 identifies the opening balance of the fund, revenues, actual expenditures (including pay plan supplements) and the ending balance. The Department of Justice estimates that the penalty surcharge fund will close the 2022-23 state fiscal year with a cumulative deficit of \$32,043,500.

TABLE 4**Penalty Surcharge Fund Condition, 2017-18 thru 2021-22**

	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
Opening Balance	-\$7,971,900	-\$10,631,400	-\$12,607,100	-\$17,565,100	-\$23,015,500
Revenues	14,448,100	15,583,300	13,128,000	12,600,500	14,200,600
Obligations	17,107,600	17,559,000	18,086,000	18,050,900	18,882,400
Ending Balance	-10,631,400	-12,607,100	-17,565,100	-23,015,500	-27,697,300

12. In order to partially address the deficit in the penalty surcharge appropriation, the Committee could replace funding currently provided by the penalty surcharge with GPR for the program. [Alternative B1] This alternative would result in \$748,900 GPR and -\$748,900 PR annually for county victim and witness service programs to replace penalty surcharge funding with GPR.

13. While lessening the potential overdraft of the penalty assessment, shifting the county victim and witness services program to GPR will not eliminate the appropriation overdraft. As such, any amount of GPR provided for the program will begin to reduce the use of penalty assessment revenues. To this end, a lesser amount of GPR could be provided. For example, to help address the deficit by decreasing demand on the appropriation, the Committee could provide half the amount of GPR, and maintain half the PR funding for the program. [Alternative B2] This alternative would reduce the program's reliance on the penalty surcharge and result in \$374,500 GPR and -\$374,500 PR annually for the program.

14. On the other hand, Committee may not wish to take action. [Alternative B3]. As a result, the grant program would remain funded from PR provided through the crime victim witness surcharge and penalty surcharge revenues.

ALTERNATIVES

A. Additional GPR Funding

1. Provide \$5,724,700 in 2023-24 and \$6,004,200 in 2024-25 to increase the reimbursement provided to county victim witness offices to an estimated 90 percent of county costs (the current statutory maximum).

ALT A1	Change to Base
GPR	\$11,728,900

2. Choose one of the following, provide reimbursement of up to (a) 60%, (b) 70% or (c) 80% annually of estimated county expenditures on crime victims and witness programs.

a. Reimbursement at an estimated 60%: \$1,503,400 GPR in 2023-24 and \$1,901,400 GPR in 2024-25.

ALT A2a	Change to Base
GPR	\$3,404,800

b. Reimbursement at an estimated 70%: \$2,829,900 GPR in 2023-24 and \$3,294,100 GPR in 2024-25.

ALT A2b	Change to Base
GPR	\$6,124,000

c. Reimbursement at an estimated 80%: \$4,156,200 GPR in 2023-24 and \$4,686,800 GPR

in 2024-25.

ALT A2c	Change to Base
GPR	\$8,843,000

3. Take no action.

B. Replace Penalty Surcharge Funding

1. Provide \$748,900 GPR and -\$748,900 PR annually for county victim and witness service programs to replace penalty surcharge funding with GPR.

ALT B1	Change to Base
GPR	\$1,497,800
PR	<u>-1,497,800</u>
Total	\$0

2. Provide \$374,500 GPR and -\$374,500 PR annually provided from the penalty surcharge for the program.

ALT B2	Change to Base
GPR	\$749,000
PR	<u>-749,000</u>
Total	\$0

3. Take no action.

Prepared by: Sarah Wynn
Attachment

ATTACHMENT

Reimbursement to Counties Administering Victim and Witness Services Programs

<u>County</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
Adams	\$31,000	\$31,400	\$26,200	\$26,100	\$25,500	\$19,900	\$26,800	\$32,900	\$34,000	\$38,200
Ashland	27,700	32,800	33,200	33,200	32,900	31,400	31,800	29,900	30,600	29,900
Barron	41,400	50,800	50,200	50,600	44,400	41,100	39,800	42,700	33,800	49,300
Bayfield	19,800	22,000	21,900	21,300	22,000	21,200	24,600	21,300	19,800	23,000
Brown	116,200	130,400	128,100	128,300	129,800	128,000	131,600	151,100	149,900	144,200
Buffalo	24,000	28,800	27,800	27,900	26,100	25,700	19,700	21,400	21,000	24,400
Burnett	30,900	37,300	36,000	37,100	36,500	41,300	23,300	29,500	27,500	33,000
Calumet	36,900	48,000	55,000	55,100	56,100	56,000	57,200	53,800	48,000	59,400
Chippewa	40,800	80,700	75,800	85,000	89,900	80,400	80,500	71,700	70,400	86,000
Clark	27,800	33,000	29,500	34,600	33,100	50,100	31,400	24,000	25,400	24,400
Columbia	66,200	77,800	79,500	82,300	80,500	72,700	74,500	70,400	63,700	73,700
Crawford	23,100	27,500	9,600	31,200	31,800	30,500	30,200	28,100	26,400	29,600
Dane	537,800	653,900	658,200	671,700	679,600	650,100	668,300	638,200	554,000	722,600
Dodge	65,900	73,900	81,400	83,600	79,700	74,200	72,000	67,600	60,100	77,200
Door	35,000	41,800	40,400	40,300	41,100	39,200	41,100	40,600	35,000	45,200
Douglas	72,300	64,300	59,900	63,900	63,600	62,200	60,800	57,300	58,200	59,000
Dunn	43,700	53,800	61,800	59,300	59,600	55,800	54,200	53,500	41,000	29,100
Eau Claire	69,800	103,200	100,900	93,400	99,800	92,800	90,000	86,100	72,900	83,600
Florence	14,700	17,300	17,000	16,200	17,200	15,800	15,400	13,000	10,500	11,100
Fond du Lac	67,800	83,400	81,800	66,500	63,200	60,200	50,100	51,500	49,800	49,900
Forest	15,200	17,800	17,700	12,700	11,600	14,500	15,500	14,400	12,900	16,200
Grant	31,600	39,600	37,900	17,700	32,800	30,900	31,200	29,100	25,900	31,400
Green	22,900	27,200	29,200	36,300	27,400	30,100	28,400	27,100	27,700	33,900
Green Lake	27,700	33,700	33,400	33,300	32,300	38,300	39,100	36,700	20,700	28,000
Iowa	25,500	31,200	31,100	32,000	33,700	30,800	31,100	30,000	27,100	31,100
Iron	33,500	41,500	36,800	43,400	42,000	38,200	37,100	35,300	33,100	37,200
Jackson	26,000	35,500	35,600	37,400	37,400	34,100	34,300	31,400	29,600	32,500
Jefferson	48,600	58,200	50,200	43,900	41,900	39,400	41,400	38,600	35,100	42,600
Juneau	26,200	32,200	32,000	32,700	33,700	31,200	31,800	29,900	27,700	33,000
Kenosha	245,900	281,000	249,900	253,400	250,300	242,400	238,100	229,200	216,000	246,000
Kewaunee	23,000	27,400	26,900	27,700	29,200	26,800	27,400	26,200	24,400	28,300
La Crosse	87,800	107,800	102,200	98,300	105,800	93,000	90,500	82,800	72,500	92,400
Lafayette	12,200	16,600	16,000	16,000	15,600	15,400	21,800	19,800	19,600	25,000
Langlade	11,000	13,400	12,800	15,000	14,200	13,700	14,200	11,700	9,600	15,100
Lincoln	28,600	34,900	35,200	36,200	35,900	33,300	34,000	32,200	30,300	36,100
Manitowoc	30,700	33,700	35,700	37,100	35,400	35,100	24,500	25,300	25,700	27,200
Marathon	62,300	81,900	100,300	107,000	100,700	97,100	84,700	87,000	79,600	89,900
Marinette	26,200	30,900	31,300	31,300	35,600	30,700	31,600	30,500	25,700	35,200
Marquette	26,800	33,100	33,400	36,000	36,800	36,100	37,300	35,800	32,700	25,300
Menominee*	---	---	---	---	---	---	---	---	---	---
Milwaukee	1,116,400	1,476,800	1,455,700	1,502,100	1,487,700	1,410,900	1,424,100	1,284,600	1,069,700	1,310,800
Monroe	30,500	43,400	23,100	35,000	40,900	38,000	38,300	22,800	31,200	43,300
Oconto	27,100	32,900	34,000	33,400	34,700	31,700	32,300	33,600	30,100	36,700
Oneida	14,600	16,400	14,900	15,300	15,100	14,000	14,800	13,900	27,200	36,600
Outagamie	95,800	118,200	120,500	121,300	115,200	112,800	118,800	113,300	109,800	135,400
Ozaukee	50,200	59,400	59,700	61,500	62,700	59,300	62,200	59,900	45,200	53,300
Pepin	13,300	15,700	15,500	14,900	13,400	11,000	9,300	4,200	4,200	6,200
Pierce	31,000	41,300	36,000	49,700	43,100	42,600	34,800	32,000	29,000	34,600
Polk	55,100	69,100	65,900	65,300	71,900	70,400	70,600	69,900	49,600	59,200
Portage	42,800	55,800	42,200	50,400	56,300	54,900	56,500	47,100	47,000	55,400
Price	12,300	16,300	16,200	16,500	16,100	16,600	17,000	15,800	14,600	19,300

<u>County</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
Racine	\$168,900	\$207,200	\$195,700	\$191,800	\$196,300	\$204,200	\$211,300	\$201,900	\$185,500	\$212,300
Richland	28,400	35,100	35,300	30,200	25,100	23,000	22,500	20,900	20,400	22,200
Rock	185,000	200,700	210,200	223,000	195,900	194,900	199,500	214,300	163,200	180,900
Rusk	17,100	23,000	21,300	23,300	22,700	19,600	21,100	18,900	14,800	20,300
St. Croix	123,400	150,400	144,500	147,400	140,100	128,600	145,600	128,200	51,400	72,700
Sauk	31,600	50,800	57,300	58,400	58,400	57,600	104,500	55,900	27,100	37,100
Sawyer	---	---	---	---	12,500	25,200	46,700	30,800	57,900	68,800
Shawano	53,300	64,200	64,800	69,000	61,800	55,600	46,400	71,800	142,000	152,000
Sheboygan	134,000	160,300	162,700	165,200	163,500	156,900	108,700	203,900	103,900	138,600
Taylor	24,500	29,000	26,800	29,400	28,500	23,800	22,400	21,100	19,700	22,500
Trempealeau	35,900	38,800	35,200	35,800	37,100	29,400	36,900	35,800	32,800	39,300
Vernon	25,600	31,400	28,400	32,200	30,300	26,200	29,400	29,300	24,000	29,300
Vilas	31,200	40,000	39,600	40,200	39,100	37,600	36,100	33,500	31,200	37,500
Walworth	62,500	74,100	66,000	70,900	68,700	66,800	71,500	70,500	75,600	87,900
Washburn	29,300	35,800	35,600	37,300	39,700	36,000	37,600	34,800	33,000	39,600
Washington	60,400	81,200	86,800	80,800	81,900	79,600	77,100	74,600	64,800	91,600
Waukesha	229,600	257,900	259,300	273,500	265,600	244,600	250,300	217,100	224,800	284,400
Waupaca	41,500	49,800	50,300	50,300	59,100	51,300	51,500	48,600	44,000	50,300
Waushara	16,700	20,000	20,500	20,700	28,600	36,200	37,000	36,600	28,300	27,900
Winnebago	74,600	91,200	91,600	87,100	92,600	86,700	96,900	101,700	96,000	117,500
Wood	<u>58,600</u>	<u>72,400</u>	<u>72,500</u>	<u>75,200</u>	<u>74,100</u>	<u>76,800</u>	<u>70,300</u>	<u>64,000</u>	<u>52,600</u>	<u>66,800</u>
Total	\$5,125,700	\$6,328,300	\$6,209,900	\$6,362,100	\$6,343,400	\$6,082,500	\$6,119,300	\$5,848,900	\$5,158,500	\$6,189,500

* Menominee County receives indirect support through payments to Shawano County.



Legislative Fiscal Bureau

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June 6, 2023

Joint Committee on Finance

Paper #541

Sexual Assault Victim Services Grants (Justice -- Victim and Witness Services)

[LFB 2023-25 Budget Summary: Page 381, #2 and Page 372, #7 (part)]

CURRENT LAW

Under 1993 Act 16, a sexual assault victim services grant program (SAVS) was created, beginning January 1, 1995. Grants are provided by DOJ to eligible nonprofit corporations or public agencies to provide (or subcontract to provide) all the following services for sexual assault victims:

1. Advocacy and counseling services;
2. 24-hour crisis telephone services;
3. Educational programs on professional intervention and community prevention; and
4. Services for persons living in rural areas, men, children, elderly or physically disabled persons, minority groups or other groups of victims that have special needs within the service area of the nonprofit corporation or public agency.

An eligible organization may not receive more than 70% of its operating budget from grants provided under this program and may not contract, subcontract or enter into agreements with other organizations or individuals to provide all of the required services. When DOJ reviews grant applications, it must consider local needs for sexual assault victim services, the coordination of the applicant's services with other victim resources, the needs of rural and urban communities, and the needs of existing and proposed programs and services.

DISCUSSION POINTS

1. Sexual assault victim services grants are awarded on a calendar year basis. In 2023, 47 agencies were awarded grants totaling \$2,226,800. The attachment identifies the agencies which

received SAVS grants in 2023, as well as the award each agency received, the city of each agency's main office, and the counties the agencies serve.

2. In 2021-22 and 2022-23, \$2,235,400 GPR was appropriated for providing SAVS grants and administering the program. In 2021-22, the child pornography surcharge generated \$276,000 PR. Of this amount, \$75,800 was utilized for the SAVS grant funding. In 2022-23, DOJ estimates that the child pornography surcharge will generate \$250,000 to use for the SAVS grant funding.

3. Table 1 shows the number of people that grantees served in 2021 and 2022, by type of sexual assault service. Under 2021 Act 58, SAVS funding was increased by \$100,000 GPR annually.

TABLE 1

Number of People Served by Sexual Assault Victim Services Grantees by Service Type

	<u>2021</u>	<u>2022</u>
Community Education, Outreach, Prevention (individuals attending presentations)	170,962	108,105
24 Hour Crisis Response/Information referral	30,444	39,847
Personal/Legal/Criminal Advocacy	13,059	15,175
Medical Advocacy	1,534	2,012
Support Groups	1,289	2,124
Therapy	2,053	1,908

A. Sexual Assault Victim Services Expansion

4. The bill would provide an additional \$5,000,000 GPR annually for SAVS grants. This funding is intended to expand grant availability to providers of sexual assault victim services. [Alternative A1] Base funding for grants and program administration is \$2,236,600 GPR with 0.4 GPR position.

5. The SAVS grant funding expansion is not based on specific identified demand. As a result, the Committee could provide increased support but at a lower level than under the bill. [Alternative A2] This alternative would result in an additional \$3,000,000 GPR [Alternative A2a] or \$1,000,000 GPR [Alternative A2b] annually in SAVS grants.

B. Wisconsin Coalition Against Sexual Assault

6. The Wisconsin Coalition Against Sexual Assault (WCASA) provides "advocacy for the sexual assault service providers in WI, otherwise known as technical assistance (TA). TA is one way we provide support to providers through phone conversations, emails, web conference calls, in-person meetings, training and program visits. Training is provided, statewide, regional, as webinars and program-specific." The Office of Crime Victim Services has historically contracted with WCASA to provide technical assistance, but federal Victims of Crime Act funding used for this purpose has decreased in recent years. Since WCASA provides technical assistance and not direct services, DOJ indicates that WCASA is not eligible to apply for SAVS grants under current law. In 2021, the Office

of Crime Victim Services provided WCASA with a \$200,000 grant from ARPA funds.

7. In order to support WCASA, which could provide additional training and technical assistance to ensure high quality sexual assault services, the Committee could, as provided in AB 43/SB 70, specify that of the amount provided above, \$343,000 GPR annually be provided to the WCASA and that the Coalition may also apply for additional grants under the program. [Alternative B1] Funding of \$343,000 GPR represents 5% of the \$6,857,000 GPR that would be available for grants to other organizations.

C. SAVS Administration

8. Further, OCVS is generally responsible for providing direct assistance to victims and witnesses of crimes and administering programs that support services to crime victims. Currently, there are 8.0 grant specialists in OCVS, of which 7.6 are FED positions. In order to assist OCVS with the expansion of the SAVS program, the bill would provide an additional grant specialist and \$79,300 GPR in 2023-24 and \$97,500 GPR in 2024-25 and 1.0 GPR position annually to assist with grant administration. [Alternative C1] If the Committee expands the SAVS grant program additional administrative resources could be provided.

9. If no action is taken, funding for SAVS grants would remain at base level funding of \$2,493,500 annually (\$2,236,600 GPR and \$256,900 PR) and no grant to WCASA would be specified.

ALTERNATIVES

A. Sexual Assault Victim Services Expansion

1. Provide \$5,000,000 GPR annually to increase grants to providers of services to victims of sexual assault.

ALTA1	Change to Base
GPR	\$10,000,000

2. Provide \$3,000,000 GPR or \$1,000,000 GPR annually to increase grants to providers of services to victims of sexual assault.

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

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

3. Take no action.

B. Wisconsin Coalition Against Sexual Assault

1. Of the amount specified in the Alternative A1 or A2, specify that \$343,000 GPR annually be provided to the Wisconsin Coalition Against Sexual Assault and that the Coalition may also apply for additional grants under the program.

2. Take no action.

C. SAVS Administration

1. Provide the Office of Victim Services \$79,300 GPR in 2023-24 and \$97,500 GPR in 2024-25 and 1.0 GPR position annually.

ALT C1	Change to Base	
	Funding	Positions
GPR	\$176,800	1.00

2. Take no action.

Prepared by: Sarah Wynn
Attachment

ATTACHMENT

2023 Sexual Assault Victim Services (SAVS) Grants January 1 – December 31, 2023

Agency	City of Main Office	Area(s) Served	Award
Advocates of Ozaukee	Saukville	Ozaukee County	\$40,699
Association for the Prevention of Family Violence, New Beginnings	Elkhorn	Walworth County	\$41,942
ASTOP, Inc.	Fond du Lac	Fond du Lac and Green Lake Counties	\$70,000
Aurora Sinai Medical Center, Aurora Healing and Advocacy Services	Milwaukee	Milwaukee County	\$80,923
AVAIL, Inc.	Antigo	Langlade County	\$38,825
BeLEAF Survivors	Racine	Racine County	\$55,733
Bolton Refuge House	Eau Claire	Jackson County	\$17,975
Monroe County Sheltercare-Brighter Tomorrows	Sparta	Monroe County	\$26,279
CAP Services, Inc.	Stevens Point	Portage, Waupaca, and Waushara Counties	\$56,345
Caring House, Inc.	Iron Mountain, MI	Florence County	\$12,871
Center Against Sexual and Domestic Abuse	Superior	Douglas County	\$46,891
Cia Siab, Inc.	La Crosse	La Crosse County	\$67,193
Community Referral Agency	Milltown	Polk and Burnett Counties	\$25,510
DOVE, Inc.	Ironwood, MI	Iron County	\$39,416
Embrace Services, Inc.	Ladysmith	Rusk, Price, and Washburn Counties	\$50,661
Family Advocates	Platteville	Grant, Iowa, and Lafayette Counties	\$43,933
Family Services of Northeast Wisconsin-Sexual Assault Center	Green Bay	Brown, Oconto, Marinette, and Door Counties	\$130,140
Family Services of Southern WI and Northern IL-Sexual Assault Response Program	Beloit	Rock and Green Counties	\$45,777
Family Support Center	Chippewa Falls	Chippewa and Eau Claire Counties	\$53,530
Friends, Inc.	West Bend	Washington County	\$35,616

HAVEN, Inc.	Merrill	Lincoln County	\$34,498
Hmong American Friendship Association	Milwaukee	Milwaukee County	\$29,555
Hmong American Women's Association	Milwaukee	Milwaukee County	\$41,895
Hope House of South Central Wisconsin	Baraboo	Sauk, Columbia, Adams, Juneau, and Marquette Counties	\$158,450
In Courage, Inc.	Manitowoc	Manitowoc County	\$28,014
Milwaukee Center for Children and Youth	Milwaukee	Milwaukee County	\$56,383
New Horizons Shelter and Outreach Centers	La Crosse	Trempealeau County	\$46,646
Northwoods Women, Inc./New Day Shelter	Ashland	Ashland and Bayfield Counties	\$39,021
Passages, Inc.	Richland Center	Richland, Vernon, and Crawford Counties	\$57,225
PAVE, Inc.	Beaver Dam	Dodge County	\$45,780
Personal Development Center	Marshfield	Clark County	\$29,619
Rape Crisis Center	Madison	Dane County	\$90,042
Reach Counseling Services	Neenah	Winnebago, Outagamie, and Calumet Counties	\$84,510
Safe Harbor of Sheboygan County	Sheboygan	Sheboygan County	\$42,910
Safe Haven	Shawano	Shawano and Menominee Counties	\$41,221
Stepping Stones	Medford	Taylor County	\$23,500
The Bridge to Hope	Menomonie	Dunn and Pepin Counties	\$30,000
The Women's Center	Waukesha	Waukesha County	\$25,125
The Women's Community	Wausau	Marathon County	\$34,895
Tri-County Council on Domestic Violence and Sexual Assault	Rhineland	Oneida, Vilas, and Forest Counties	\$33,855
Turningpoint for Victims of Domestic and Sexual Abuse	River Falls	Pierce and St. Croix Counties	\$34,288
United Migrant Opportunity Services, Latina Resource Center	Milwaukee	Milwaukee County	\$40,440

Violence Intervention Project	Algoma	Kewaunee County	\$38,803
We All Rise, African American Resource Center	Green Bay	Brown County	\$56,383
Wisconsin Rapids Family Center	Wisconsin Rapids	Wood County	\$53,526
Women & Children's Horizons	Kenosha	Kenosha County	\$49,956
Total Amount for 46 Grants			\$2,226,800



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June 6, 2023

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.

Prepared by: Sarah Wynn