

Victim Services in California: A Recommendation for Combining the State's Victims' Programs

A Report to the Governor and the Department of Finance

Prepared by:
Governor's Office of Emergency Services and
California Victim Compensation Board



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES



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Executive Summary

Last year alone, nearly 1.2 million Californians became victims of crime, according to the California Department of Justice. Crime victims, their family members, and the survivors of those murdered bear an unimaginable physical, emotional and financial burden. Victims and survivors need to know where to turn for services and they need services to be easily accessible. Importantly, to meet their varied and complex needs, services must be nearby and appropriate. Providing services to victims and survivors in a state as large and culturally and geographically diverse as California is no easy task. However, in very large part, two governmental entities endeavor to make the availability of those services a reality: the Governor's Office of Emergency Services (Cal OES) and the California Victim Compensation Board (CalVCB).

Cal OES combines federal and state funding to support more than 1,200 projects in victim service providers throughout the state. The projects, found in all 58 counties, may be located in community-based organizations or the criminal justice system. Cal OES has experienced a significant increase in the grant funds administered, rising from \$116,255,973 in fiscal year 2014/15 to \$486,534,210 in fiscal year 2018/19.

CalVCB also combines federal and state funding—all from fines and restitution orders paid by offenders convicted of traffic infractions, misdemeanors or felonies—to offer compensation directly to, or on behalf of, victims and survivors who are injured or threatened with injury. Last year, CalVCB approved more than 52,000 applications and provided over \$57 million in compensation for crime-related expenses, including income and support loss, medical and dental care, funeral and burial expenses, and other pecuniary losses not reimbursable from another source.

Cal OES and CalVCB have enjoyed a history of collaboration. However, in the rapidly changing environment of the California criminal justice system and evolving victim needs and services, close coordination is more critical than ever. With this in mind, Cal OES and CalVCB were asked to develop options and a recommendation for combining the state's victims' programs into a single lead agency to best serve crime victims. This report, *Victim Services in California: A Recommendation for Combining the State's Victims' Programs*, is in response to that request.

Background

The idea of combining California's victims' programs into one entity is not new; rather, it has been studied and discussed in at least seven different reports

during the last 16 years. From a Bureau of State Audits report published in 2002, to a Legislative Analyst's Office report from 2015, each effort brought forth a discussion about consolidating victim assistance and victim compensation in a single entity. Through the years, California has consolidated most funding for victim services within Cal OES, affording California a coordinated, agile funding mechanism. However, victim compensation has remained separate, in part, due to the significant logistical challenges in consolidating bringing the entities, as well as the need to avoid negative impacts to those who receive funding and services to support victims and their families.

Research and Analysis

Immediately upon passage of the Budget Act of 2018, the state established the Consolidation Working Group who worked together to obtain the significant information needed for this report and recommendation. The Group examined the numerous studies, reports, and analyses conducted on victims' services programs dating back to 2002, and conducted many planning sessions. In addition, the Group sought input from key stakeholders via a survey and facilitated input forums throughout California. Finally, the Group surveyed other states and conferenced with leaders in Pennsylvania, New York, South Carolina, and Washington—states that offer different examples to the coordination of victim assistance and compensation programs.

After completing extensive research and analysis, the Working Group recommends a phased approach to consolidation with coordination and planning for strategies to overcome the inevitable challenges that consolidating Cal OES and CalVCB, and their combined funding of more than one-half billion dollars, will bring.

Recommendations

Cal OES and CalVCB are mindful of the significant risk to the stakeholders and victims served that would result from immediate consolidation. Consequently, the Consolidation Working Group recommends a phased approach to consolidation, with greater coordination and co-location. The Working Group offers the following recommendations for first steps, in furtherance of a phased approach:

1. Continue supporting Cal OES/CalVCB's Strategic Planning effort and the implementation of specific objectives and actions that include performance measures;

2. Co-locate or establish “hoteling” space so Cal OES and CalVCB staff can work together on initiatives and program priorities;
3. Establish a rotation program for analysts and first-line managers so that Cal OES and CalVCB can share staff for cross-training and education;
4. Establish regular meetings between program staff from Cal OES and CalVCB;
5. Establish procedures describing:
 - General principles of operation for areas where VOCA rules allow either victim assistance or victim compensation to pay for crime-related losses
 - Mass violence event protocols and responsibilities
 - Collaboration efforts
 - Development and maintenance of the Victim Services Strategic Plan
 - Committee membership
6. Where appropriate and allowable, include CalVCB representatives on Cal OES standing committees, and include Cal OES representatives on CalVCB standing committees;
7. Establish a Victims Services State Agency Coordination Group that would meet quarterly, co-chaired by Cal OES and CalVCB, that includes all state entities administering victims' services programs and funding;
8. Create a comprehensive web portal that serves as the main information source for all victims' programs and resources from all state entities;
9. Continue planning efforts by beginning discussions with Fi\$Cal and the Office of Violence Against Women and the Office for Victims of Crime at the United States Department of Justice to explore the feasibility of consolidation within a two to three years' time period; and
10. Issue a detailed consolidation plan in December 2019, with recommendations for additional improvements, as may be identified through coordinated efforts.

Introduction

The United States and California have long recognized that victims may suffer tremendous injury during, and in the aftermath, of crime. The primary categories of injuries suffered include physical, emotional, and financial. If not promptly and appropriately addressed, these injuries can lead to devastating secondary injuries. In the face of this reality, every state has a victim compensation program that helps victims pay for vital services, and a variety of victim assistance programs that provide essential supportive services.

Victim compensation and victim assistance programs are, in large part, funded by six formula-based grant programs offered by the federal government. The purpose and objectives of these grant programs overlap, but generally fall into three broad categories: (1) direct services to victims, including advocacy, shelter, and transportation; (2) improvements to the criminal justice system's response to, and treatment of, victims; and (3) victim compensation, including reimbursement to victims for their crime-related expenses. Some states utilize a single entity to administer these assistance and compensation programs, while other states offer a decentralized system of delivering victims' services. The size, complexity, and unique needs of each state and the victims served determines the approach employed.

California currently utilizes a coordinated and decentralized system for the administration of victim compensation and victim assistance programs and service delivery. This report focuses on the history and coordination between the primary victim services entities in California: the California Victim Compensation Board (CalVCB) and the California Governor's Office of Emergency Services (Cal OES), as required by Senate Bill 840, the Budget Act of 2018, approved by the Governor on June 27, 2018.

The Budget Act included the following provisional language:

The Office of Emergency Services and the California Victim Compensation Board shall work together to develop options and a recommendation for combining the state's victims' programs under one organization. Given the significant impact that the state's programs have on victims and their survivors, the state shall consider combining the state's victims' programs into a single lead agency to best serve crime victims. A report shall be provided to the Department of Finance and the Governor by October 15, 2018, for

consideration in the 2019-20 Governor's Budget. A report shall also be provided to the chairpersons of the appropriate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee by January 10, 2019.

This report, *Victim Services in California: A Recommendation for Combining the State's*

Victims' Programs, provides options and a recommendation for restructuring the state's victims' programs. The Consolidation Working Group completed the report after conducting many planning sessions, surveying other states, interviewing leaders in other states that have both consolidated and decentralized programs, and soliciting input from stakeholders via a survey and facilitated input forums conducted throughout California. In addition, numerous studies, reports, and analyses conducted on victims' services programs, some dating back to 2002, informed the Working Group's analysis and recommendation. These reports are briefly summarized below, with links to the full reports for historical context and further review and consideration.

Current Structure for Delivery of Victims' Services

While several governmental entities administer programs with victim service components, Cal OES and CalVCB administer the vast majority of funding for victims services in California. California also provides victim services across several [other Agencies, Departments, and Commissions](#). These programs focus on rape prevention and education, domestic violence prevention, prevention and delinquency intervention, adult protective services, elder abuse and exploitation, and restitution, outreach and support for victims, among other vital services.

A. Governor's Office of Emergency Services

History

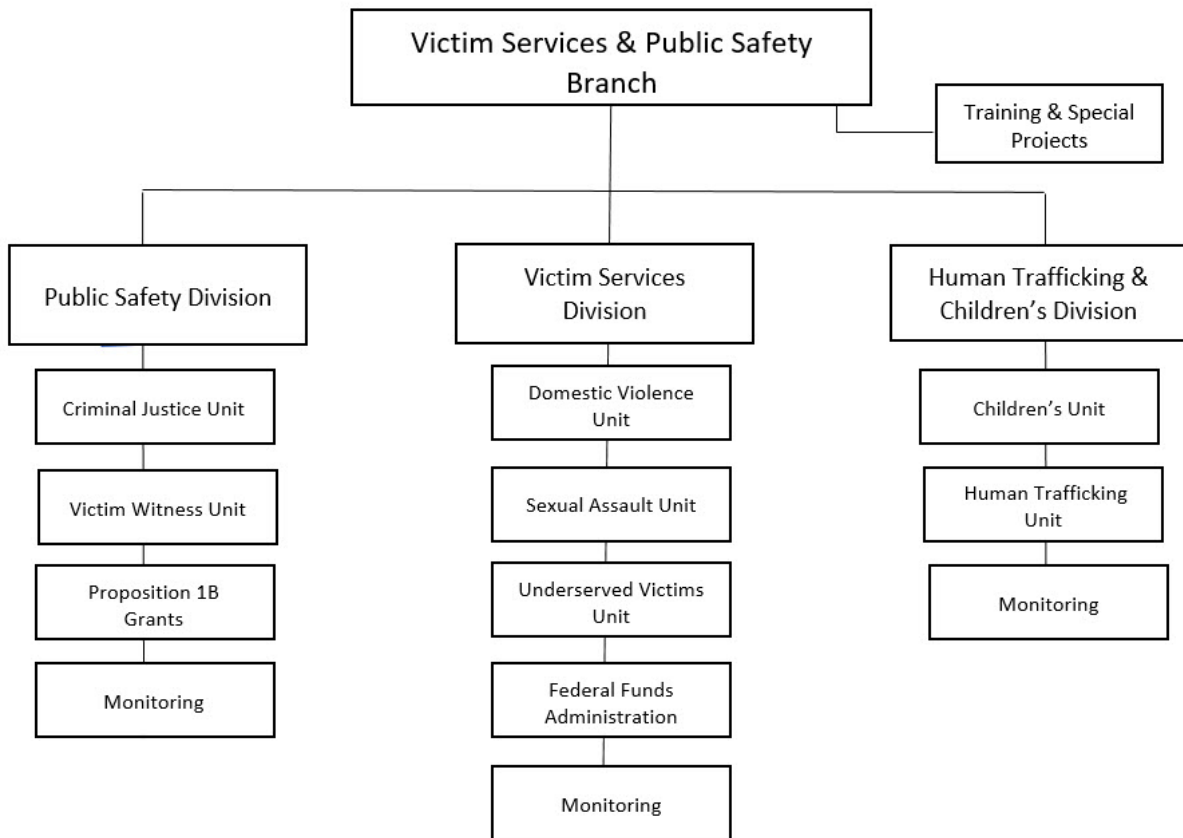
Cal OES began administering victim service programs in January 2004. Before then, the Governor's Office of Criminal Justice Planning (OCJP) administered these programs. When the Legislature and Governor abolished OCJP, in an interim plan, the Department of Finance determined that these programs and program-specific staff should be temporarily transferred to Cal OES.

Cal OES had extensive experience in administering grant and reimbursement programs to local and non-profit entities, and had robust automated systems to track and disperse funding. The transfer of state-funded programs was seamless. However, transferring federal grants from one state agency to another in a short time frame proved challenging. During the transition, the federal government placed a hold on some grant programs resulting in payment delays that lasted several months. The delayed reimbursement had a dramatic impact on community-based organizations (CBOs). Indeed, several CBOs furloughed employees or reduced hours, decreased operating hours, or—much worse—closed down.

In the years since, Cal OES has continued to improve the grant administration process by engaging stakeholders, streamlining the solicitation approval process, providing ongoing regional trainings for subrecipients, and creating innovative programs frequently highlighted as best practice at federal meetings.

Organizational Structure

Cal OES is a cabinet-level agency with more than 1,000 employees organized across five Directorates: (1) Planning, Preparedness, Prevention; (2) Response & Recovery Operations; (3) Logistics Management; (4) Finance & Administration; and (5) Executive. The Grants Management Section of the Finance and Administration Directorate consists of three divisions: Victim Services, Public Safety, and Human Trafficking & Children's Division. These divisions are organized into seven units, with roughly 70 full-time equivalent staff, who perform grants management, grants monitoring, federal fund administration, and training or special projects.



Oversight Committees / Governance

The state and federal grant funds administered by Cal OES have specific statutory requirements, program rules, and regulatory mandates. Further, some fund sources require oversight committees, with membership specifically delineated. In addition to these mandatory committees, Cal OES established committees to assist with identifying gaps in services and training for victim services.

Cal OES consults the following victim-related committees, as mandated by the California Penal Code:

- Domestic Violence Advisory Council (DVAC): this 15-member committee is statutorily mandated by Penal Code section 13823.16, which expressly provides, Cal OES “shall collaborate closely with the council in developing funding priorities, framing requests for proposals, and soliciting proposals” for the Comprehensive Statewide DV Program (called the Domestic Violence Assistance (DV) Program at Cal OES).
- State Advisory Committee on Sexual Assault Victim Services (SAC): this 14-member committee is statutorily mandated by Penal Code section 13836. The SAC is authorized to advise Cal OES on program development and implementation, to develop criteria for awarding funds, to assist in the development of training courses for prosecutors that investigate and prosecute sexual assault cases, and to approve grants awarded to the rape crisis, child sexual abuse, and child sexual exploitation and intervention programs.

Cal OES administers the following victim-related committees, as mandated by federal law and fund source program guidelines:

- Children's Justice Act (CJA) Task Force: This 24-member committee is mandated by the Department of Health and Human Services. In order to receive this federal funding, Cal OES must establish and maintain a Child Abuse Prevention and Treatment task force that shall be responsible for identifying programs—including pilot victim service programs—and allocating funds.
- Violence Against Women Act (VAWA) Implementation Plan Committee: This 19-member committee is mandated by the United States Department of Justice, Office on Violence Against Women (OVW) in order to receive federal funds. The committee is responsible for the development of an implementation plan in conjunction with Cal OES.

Cal OES administers the following victim-related committees, as mandated by federal fund source program guidelines or other directives:

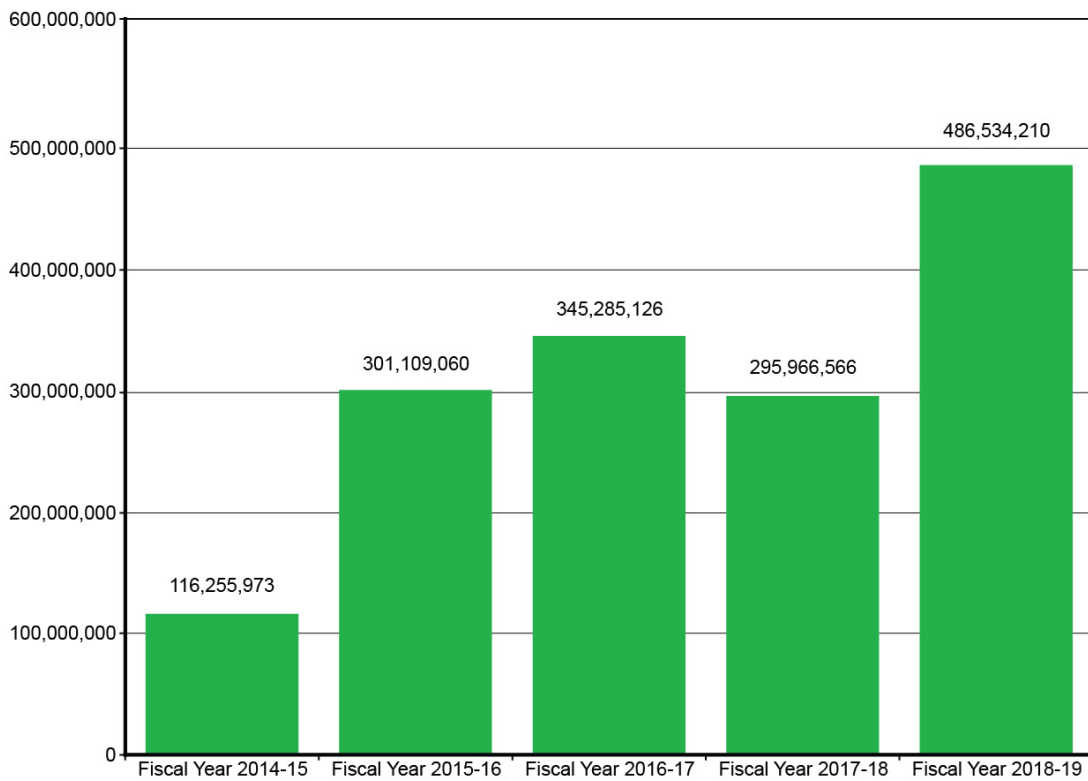
- Victims of Crime Act (VOCA) Steering Committee: The 15-member VOCA Steering Committee is highly encouraged by OVC for victim assistance

administrators. The committee is responsible for assisting in strategic planning by identifying victim services needs and prioritizing the needs when appropriate.

State and Federal Funding

Cal OES administers state and federal funds for programs that respond to victims' needs or promote an effective criminal justice system response to victims. Cal OES has received a significant increase in grant funds administered, rising from \$116,255,973 in fiscal year 2014/15 to \$486,534,210 in fiscal year 2018/19. The overall funding for each fiscal year, including state funds and federal grant awards, is illustrated in the chart below, which does not reflect the Budget Authority available for Federal Trust Funds.

Funding Information



Cal OES administers eight different federal grant programs, including:

Cal OES Victim Service & Public Safety Branch - Federal Grant Awards			
Federal Grant	Authorizing Act	Program Acronym	Federal Awarding Agency
Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program	Victims of Crime Act	DOJ	Office of Justice Programs
Services*Training*Officers*Prosecutors (STOP) Violence Against Women Formula Grant Program	Violence Against Women Act	DOJ	Office on Violence Against Women
Sexual Assault Services Formula Program (SASP)	Violence Against Women Act	DOJ	Office on Violence Against Women
Child Justice Act (CJA) Grants to States Program	Child Abuse Prevention and Treatment Act	DHS	Administration on Children, Youth and Families
Family Violence Prevention and Services (FVPS) Grant to States for Domestic Violence Shelters and Support Services Program	Family Violence Prevention & Services Act	DHS	Administration on Children, Youth and Families
Project Safe Neighborhood - Eastern (PSNE) Program	Public Law No. 115-31, 131 Stat 135, 203	DOJ	Office of Justice Programs

Federal Grant	Authorizing Act	Program Acronym	Federal Awarding Agency
Forensic Sciences Improvement Act (FSIA) Program	42 USC 3797j-3797o ; 28 USC 530C	DOJ	Office of Justice Programs
Post-conviction DNA Testing Assistance Program (DNAP) Program	Public Law No. 114-113, 129 Stat 2242, 2308 ; 28 USC 530C	DOJ	Office of Justice Programs

Cal OES must apply for each of these programs annually. Although performance periods for federal grants range from two to four years, award letters often are not received until the end of the first fiscal year of the performance period, reducing the viable performance period. Moreover, each program has legislated and programmatic requirements.

Programs Administered

Cal OES utilizes the state and federal funds to administer more than 86 victim service and public safety programs, with nearly 1,200 subrecipients across all of California's 58 counties. For the most part, subrecipients provide direct services to victims or offer training programs. The training programs funded by Cal OES focus on properly preparing providers, first responders, and criminal justice system personnel to work with victims of crime and improve the response to victims. The direct service programs, on the other hand, provide a broad array of services to victims and their families, including, but not limited to, shelter and housing assistance; crisis intervention, counseling and advocacy; emergency financial assistance; legal assistance; and criminal justice system accompaniment.

California's size and diversity necessitates a comprehensive approach to serving victims. Cal OES strives to ensure victims can access a variety of trauma-informed, victim-centered services in settings comfortable to them. To this end, Cal OES supports a wide range of programs. Some programs are based in the criminal justice system, though the majority are in community-based organizations.

Some programs serve all victims of crime and others specialize in serving victims of a particular crime type or victim group. Cal OES has large programs that serve child abuse, domestic violence, sexual assault, human trafficking, and elder abuse victims. Other programs allow agencies to provide services to underserved or marginalized victim groups; indeed, approximately 200 of Cal OES' subrecipients operate programs that focus on providing specialized services to one or more underserved or marginalized victim groups.

For a complete list of programs, including descriptions, subrecipients, and funding allocations, see Cal OES' [Joint Legislative Budget Committee Reports](#).

Approximately 200 subrecipients provide specialized services for one or more of the following victim groups:

- Boys and Men of Color
- Farmworkers
- Immigrants
- Incarcerated
- LGBTQ Communities
- Native Americans
- Refugees
- Transitioning-age Youth
- Victims with Disabilities

B. California Victim Compensation Board

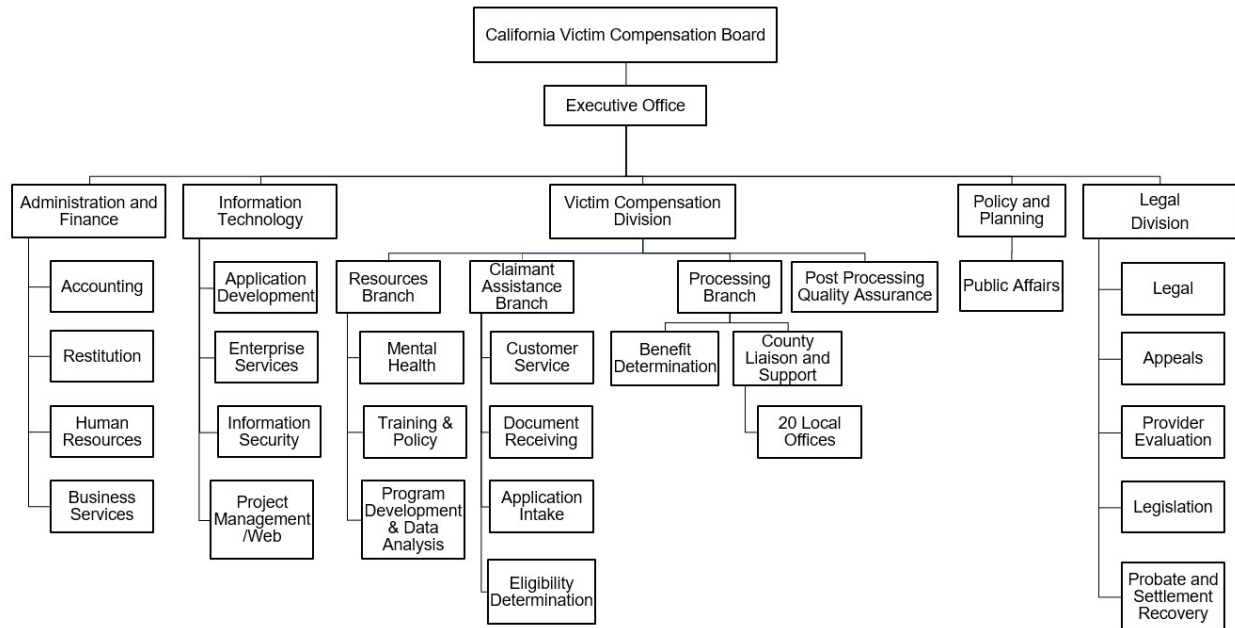
History

CalVCB administers California's victim compensation program. Created in 1965, California's compensation program is the oldest and second-largest in the nation, surpassed this year for the first time in history by Texas. Last year, CalVCB allowed more than 52,000 applications and provided over \$57 million in compensation to victims for crime-related expenses, including income and support loss, medical and dental care, mental health treatment, funeral and burial expenses, and vehicle and home modification, among other pecuniary losses not covered by another source.

Organizational Structure

CalVCB is governed by a three-member Board consisting of the Secretary of the Government Operations Agency, the State Controller or his/her designee, and a third member appointed by and serving at the pleasure of the Governor. The

Board appoints an executive officer to oversee its day-to-day operations. CalVCB has 259 permanent positions, organized across five divisions with 18 branches.

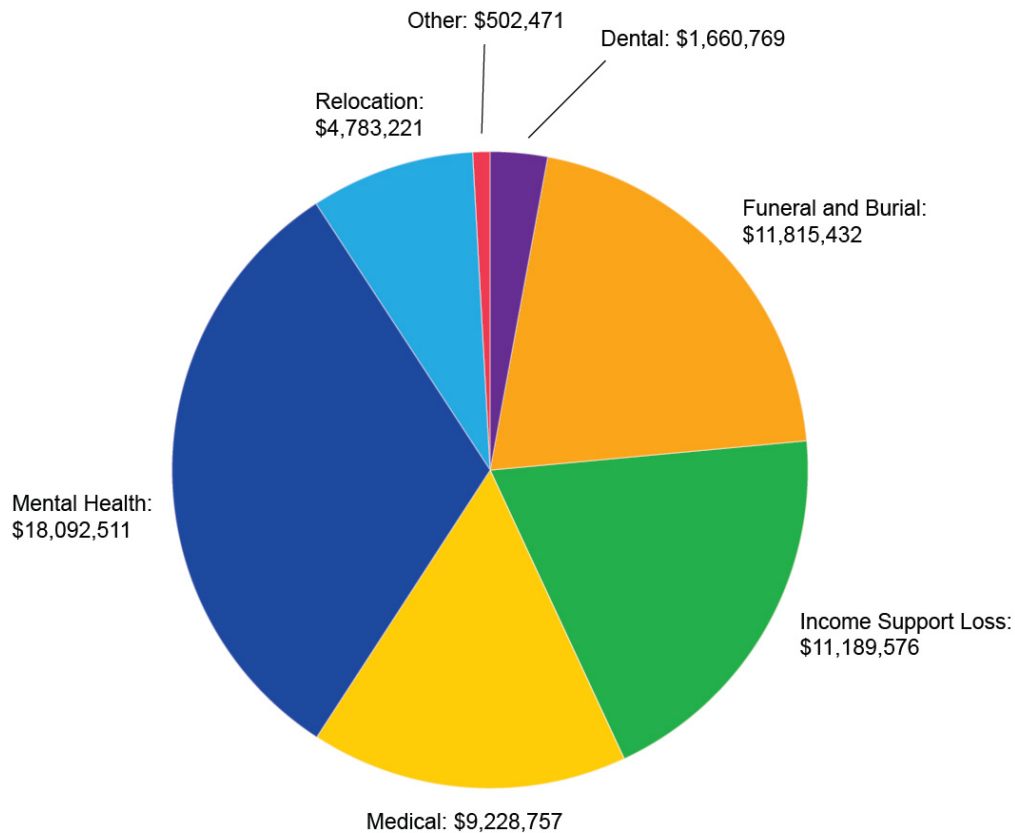


Programs Administered

CalVCB administers several victim-related programs, including the Victim Compensation Program, the Good Samaritan Program, the Missing Children Reward Program, Trauma Recovery Center grants funded with Proposition 47 monies, and the Erroneously Convicted Person Program. Through its largest program—victim compensation—CalVCB provides compensation to, or on behalf of, victims of violent crime who are physically injured or threatened with physical injury. Compensation is available to California residents (even if the qualifying crime occurred in another state or country) and non-residents victimized while visiting California. For eligibility purposes, qualifying crimes include domestic violence, child abuse and molestation, sexual and physical assault, homicide, robbery, and vehicular manslaughter, among others.

CalVCB assists crime victims and their families with crime-related expenses when those expenses are not covered by another source, such as health insurance, workers' compensation benefits, vehicle insurance, life insurance, or settlements reached after litigation. Some of the crime-related expenses covered by CalVCB include medical and dental services, mental health treatment, funeral and burial expenses, income and support loss, and vehicle and residential modification. Currently, the maximum amount that a victim may receive for all expenses is \$70,000.

CalVCB Payments by Category (FY 2017-18)



State and Federal Funding

CalVCB does not receive any taxpayer dollars; instead, CalVCB receives funding from restitution fines and orders, penalty assessments levied on persons convicted of crimes and traffic offenses, and federal Victims of Crime Act funds. During fiscal year 2017/18, CalVCB received the following funds to administer the Victim Compensation Program: \$130,000 from the General Fund; \$87,902,000 from the Restitution Fund; and \$24,854,000 from federal VOCA funding.

During the same fiscal year, CalVCB received \$4,518,000 from Safe Neighborhoods and School Act (SNSA) funds, used exclusively for funding trauma recovery center (TRC) grants. TRCs provide trauma-informed mental health treatment and case management services to underserved crime victims who may not be eligible for victim compensation or who may be fearful of reporting a crime to law enforcement. CalVCB currently provides grant funding to 12 TRCs throughout the state.

Funding Challenges

Just as the rainy day fund protects California's budget from uncertainties in the economy, maintaining a prudent reserve in the Restitution Fund is critical to the stability of victim compensation services. Fluctuations in funding for both the Restitution Fund and the State Penalty Fund reduced CalVCB's fund balance over the last decade, jeopardizing the long-term health of the Restitution Fund and CalVCB's ability to assist victims and survivors of violent crime.

In fiscal year 2018/19, for example, CalVCB received only \$6.5 million from the State Penalty Fund, an 88 percent reduction from the \$53 million received 10 years earlier. In the eight years between fiscal years 2009/10 and 2016/17, restitution fines and orders collected by counties declined 13 percent. However, the total reimbursements for victim compensation each year have declined from \$79 million a decade ago to \$57 million in fiscal year 2018/19, partly due to the number of Californians who now have access to health insurance as a result of the Affordable Care Act. The downward trend in revenues and outlays is unstable year to year and must be monitored and addressed in order to continue offering necessary compensation to all victims of violence crime in California.

CalVCB continues to address programmatic and budgetary challenges by increasing efficiencies and embracing innovation. For example:

- Cares – CalVCB's Compensation and Restitution System (Cares) is a web-based system, initially implemented in 2006, which supports approximately 150 users at the Board and several hundred users at satellite offices throughout the state. Cares provides a fully functional and documented database and application architecture that has the capability to expand for future functionality. CalVCB updated the system in March 2017, providing increased security, and improved data integrity and reporting.
- In 2016, CalVCB completed an analysis of how victims use and access compensation in California, a needs assessment, a gap analysis and a plan for addressing those needs and gaps. A number of actions, including extensive outreach, translation of materials into 13 languages, and statutory changes to increase accessibility to compensation have been accomplished as a result of this project, funded through a federal grant. Complete information can be found on the CalVCB website.
- CalVCB Online: CalVCB is developing an online application portal, CalVCB Online, that will enable applicants, victim advocates, service providers and law enforcement agencies to apply for compensation online or with a mobile device, upload documents directly to our claims

management system, and verify application and payment status, among other activities. CalVCB Online will decrease operating costs by reducing the need for manual data entry, paper correspondence, and incoming telephone calls to the customer service hotline. CalVCB Online became available to providers in October 2018. The second phase of the project, an online application for crime victims and survivors, will debut in spring 2019.

C. Overview of Victim Services Funding

Although all states provide some level of funding for victims' services, the major sources of funding for victim services are federal funds authorized by the Victims of Crime Act and the Violence Against Women Act. California receives additional funds from the federal Family Violence Prevention and Services Program.

VOCA Funding

The Victims of Crime Act of 1984 (VOCA) authorized development of the Crime Victims Fund (CVF), which has become a major funding source for crime victim services throughout the nation. Federal criminal fines, forfeitures, and special assessments on federal convictions primarily fund the CVF. The Office for Victims of Crime administers the funds, and offers formula-based and discretionary grants.

Although the CVF has accumulated billions of dollars, since the late 1990s, the federal government has capped fund distribution. More recently, the VOCA distribution cap increased more than six-fold from \$705 million in federal fiscal year 2011, to \$4.4 billion in fiscal year 2018. The significant increase in the cap resulted in unprecedented growth in victim assistance programs around the country. However, proposals for federal fiscal year 2019 may cut the funds by one-third and cap annual contributions to the CVF, leading to considerable shortfalls in the future.

The federal government distributes VOCA funds in two ways—with formula-based grants and discretionary grants. A number of local and statewide victim service programs in California receive discretionary VOCA grants. Formula grants, which make up the majority of funding, are distributed to states for victim assistance and victim compensation. While the federal government allocates grant funds evenly between compensation and assistance, each half is distributed differently.

States receive reimbursement from OVC for 60 percent of the state funds spent on compensation. Such distribution essentially limits the amount of money allocated for compensation to 60 percent of the amount that each state is able to reimburse with state funds. Accordingly, a large percentage of VOCA funds allocated to compensation are not spent, and any unspent funds roll over to the funds available for victim assistance. In federal fiscal year 2018, OVC allocated \$128.7 million for compensation and \$3.3 billion for assistance. By comparison, a decade ago, in federal fiscal year 2008, OVC allocated \$171 million for compensation and \$309 million for assistance.

Federal funding for compensation has fallen because many state compensation programs are under-resourced at the state level. State reimbursements for victims' services have decreased for a variety of reasons, including a lack of resources and the Affordable Care Act. Many state programs, California included, have seen their payouts for medical bills fall because so many more Americans now have offsetting support through health insurance.

VAWA Funding

The Violence Against Women Act of 1994 (VAWA) authorized an appropriation of federal funds to address violence against women, including, among other crimes, domestic violence, sexual assault and stalking. VAWA differs from VOCA in that Congress and the Administration must periodically reauthorize the funding. Congress has reauthorized the funding three times since 1994: 2000, 2005, and 2013, with the current authorization expiring in 2018.

Funding from VAWA flows to two federal agencies, the Health and Human Services Administration (HHS) and the Department of Justice. HHS distributes a large portion of its funding through the Centers for Disease Control (CDC). CDC uses the funds for prevention, education and research on violence against women. On the other hand, the federal Office on Violence Against Women (OVW) administers funds directed to the Department of Justice. OVW uses the funds to provide victim services and improve law enforcement's response to violence against women.

In California, CDC must direct its VAWA funding to the Department of Public Health (DPH). OVW distributes its VAWA funding to Cal OES. In 2018, California received about \$40.2 million in VAWA funding from OVW, of which \$16 million went to Cal OES for distribution to local victim service programs. OVW distributed the remaining VAWA funds to state and local victim service programs through discretionary grant programs. State compensation programs do not receive VAWA funding.

FVPSA Funding

HHS also distributes federal Family Violence Prevention and Services Act (FVPSA) funding. Such funding, which dates back to 1984, is intended to ensure that victims receive emergency shelter, advocacy, crisis counseling, legal aid, housing assistance and other support services to address domestic and dating violence. In California, FVPSA funding is distributed to Cal OES. In federal fiscal year 2017, Cal OES received \$9.3 million for distribution to domestic violence programs throughout the state.

Cal OES also receives \$1.7 million in federal Children's Justice Act funding.

State Funding for Victim Services

The Restitution Fund supports CalVCB. The Restitution Fund is funded with mandatory restitution fines imposed in all felony and misdemeanor convictions, as well as collection of restitution orders owed directly to CalVCB by criminal defendants. Until recently, by statute, California directed a portion of the Penalty Assessment Fund to the Restitution Fund. In recent years, California's budget redirected between \$15 and 25 million from the Restitution Fund to other agencies, such as CalOES, the California Department of Justice and the California Department of Corrections and Rehabilitation. However, some, but not all, of the reduction in Penalty Assessment revenue has been offset by the cessation of those payments to other agencies beginning in fiscal year 2017/18.

In fiscal year 2018/19, Cal OES is slated to receive \$70 million dollars in state funding for victim services. Part of the funding, \$20 million, is a one-time appropriation designated for domestic violence. Generally, Cal OES receives about \$40 to \$50 million from the General Fund each year.

A Balancing Act

California is dependent on federal funding to provide its broad array of services to crime victims and survivors throughout the state. Cal OES carefully balances a number of unpredictable, sometimes volatile, sources of federal and state funding in order to provide steady support to local victim service providers. Because of the unprecedented amount of VOCA funding presently available, Cal OES has worked hard to deliver sustainable additional money to the field, adding subrecipients and expanding into numerous previously underserved communities. However, VOCA and VAWA funding is subject to change and it can, and has, changed substantially from year to year.

While federal funding for victim assistance has increased substantially, compensation has not seen a similar increase.

Because the state can expend most federal funds over a three-year period, both Cal OES and CalVCB carefully modulate the use of each year's funding. For example, Cal OES may fund one program for a grant cycle with some state money, some VOCA funds from the fiscal year 2016/17 award, and some VAWA funds. Although this approach keeps the vagaries of funding invisible to the field, the funding mechanism is complex to administer.

Additionally, OVC published new federal guidelines for how VOCA victim assistance funds may be spent in 2016, blurring the lines between services provided by assistance and compensation programs. Victim assistance programs may now use VOCA funding to cover relocation, medical bills, mental health treatment and other expenses incurred directly by victims—expenses typically covered through compensation programs. This significant change, along with issues related to state and federal funding, reveals the necessity of continued coordination and planning between CalVCB and Cal OES.

D. Strategic Planning Efforts

In March 2018, Cal OES and CalVCB initiated a statewide strategic planning effort to develop a comprehensive victims' services and compensation plan for the state of California and to facilitate continued, long-term interagency collaboration. The strategic planning steering committee meets on a bimonthly basis, and researches and analyzes the state's victim assistance and compensation programs, along with local assistance programs.

The committee collaborated to develop a draft vision, mission, and goal statements that will support a coordinated approach to victim services and compensation. The committee envisions a California where all people impacted by crime have access to the resources they need to recover and heal, and endeavors to help people impacted by crime receive the resources they need through a coordinated and effective service delivery system. The steering committee has identified several goals towards meeting its vision and mission, including:

- Ensure an efficient and effective service delivery system;
- Provide services that meet diverse needs;
- Ensure accessibility of resources; and
- Build awareness of available resources.

Some of the strategies under consideration by the steering committee include:

- Assessing the provider network to identify gaps in services and capacity to deliver;

- Creating a comprehensive web-based portal to serve as the main information source for all victims' programs and resources;
- Improving victim-centered services to underserved populations by encouraging, funding, and evaluating innovative services; and
- Ensuring services are available and accessible to diverse cultures, population groups, and geographic areas throughout our vast state.

As planning progresses, state, local and community agencies with an interest in serving victims of crime will be included in the process of reviewing and contributing to the plan. The strategic plan, once completed, will be a living document that guides and informs our long-term and short-term implementation of victim services statewide.

Background of Consolidation Discussions

California's approach to delivering victims' services—spreading programs across numerous state entities—has been the subject of debate and criticism over the years. Since at least 2002, several governmental entities have evaluated California's victim services programs, including the Bureau of State Audits, the Urban Institute Justice Policy Center, the Little Hoover Commission, the Legislative Analyst's Office, and the California State and Consumer Services Agency. Each evaluation has called for—at a minimum—improved communication and coordination between the entities that administer victims' services, or a complete consolidation of the administration of victims' services within a single entity. Those reports informed the recommendation made herein, and are discussed more fully below (with links to the full reports) to provide context and necessary historical information.

A. October 2002, Bureau of State Audits Report

In February 2002, the Legislature held hearings regarding domestic violence funding issues at the Office of Criminal Justice Planning (OCJP) and the Department of Health Services (DHS). At the time, OCJP was responsible for providing financial and technical assistance to state agencies, local governments and the private sector for criminal justice programs, such as crime prevention, victim and witness services, law enforcement, and juvenile justice. In response to the serious concerns identified during the hearings, the California Women's Legislative Caucus requested an audit of OCJP's grant administration and the domestic violence programs administered by OCJP and DHS. The Joint Legislative Audit Committee approved the request.

On October 24, 2002, the Bureau of State Audits submitted its audit report, [*Office of Criminal Justice Planning: Experiences, Problems in Program Administration, and Alternative Administrative Structures for the Domestic Violence Program Might Improve Program Delivery*](#). The audit report criticized the State's delivery of services and concluded that California could improve by moving toward greater coordination or consolidation of DHS and OCJP's respective programs.

Recommendations

The Bureau of State Audits identified significant overlap between the domestic violence shelter-based programs established by state law and administered by

OCJP and DHS, including the application and oversight activities, and recommended implementing one of the following four alternatives:

- Increase coordination between the departments;
- Develop a joint grant application for DHS and OCJP's shelter-based programs;
- Combine both shelter programs at one department; and
- Consolidate all DHS and OCJP domestic violence programs.

Result/Action Taken

None. However, seven years later, in October 2009, state funding for the Comprehensive Domestic Violence Shelter Based Program was transferred from the California Department of Public Health (formerly DHS) to Cal OES.

B. April 2003, Urban Institute Justice Policy Center

Pursuant to a grant from the National Institute of Justice, in April 2003, the Urban Institute Justice Policy Center submitted a research report, *The National Evaluation of State Victims of Crime Act Assistance and Compensation Programs: Trends and Strategies for the Future*. (Report [Part 1](#), [Part 2](#), [Part 3](#))

The research study assessed the efficiency and effectiveness of victim compensation and victim assistance programs at delivering a seamless web of support to assist victims in their struggle to recover from the financial, emotional, physical, and psychological effects of crime.

Recommendations

The report, based on an in-depth analysis of California and five other states, urged greater collaboration between victim compensation and victim assistance programs:

- All victim compensation and assistance programs should engage in active collaboration;
- Coordination should be increased by consolidating funding streams into a single agency or by adopting shared advisory boards; and
- Co-location of victim compensation and assistance programs may contribute to the success of collaboration efforts because closely aligned programs had significant logistical advantages, including shared office space, ease of communication among program staff, and more frequent communications.

Result/Action Taken

No immediate actions. However, CalVCB and Cal OES have since increased stakeholder engagements, utilized Advisory Boards and Committees, and are currently working together on strategic planning to improve service delivery, coordination, and communication.

C. July 2003, Little Hoover Commission Report

On July 8, 2003, the Little Hoover Commission submitted a report, [*Improving Public Safety: Beyond the Office of Criminal Justice Planning*](#), to the Governor and members of the Legislature. The report called for the elimination of OCJP, created in 1973 to administer grants and perform the strategic planning mandated by the federal government. The Little Hoover Commission concluded that OCJP poorly administered grants to local agencies – its primary function – and failed to align state and local programs to reduce crime and violence and the abuse of alcohol and drugs.

Recommendations

The Little Hoover Commission concluded that OCJP persistently failed to champion public safety, efficiently administer grant programs, or guide policy-makers and community leaders toward effectively reducing crime, violence, and drug and alcohol abuse. The Commission recommended that California eliminate OCJP, and transfer its grant-making programs to other departments already administering similar programs. However, rather than simply move programs to other departments, the Little Hoover Commission recommended the consolidation of nearly identical programs.

Result/Action Taken

The same year, by executive order, the Governor abolished OCJP. Juvenile justice programs and applicable staff were transferred to the Board of Corrections (now the Board of State and Community Corrections) and victim service/other public safety programs and applicable staff were transferred to Cal OES.

D. 2003/04, Legislative Analyst's Office Report

The Governor's 2003/04 Budget proposed to transfer the Domestic Violence Program from OCJP to DHS. In response to the Governor's Budget proposal, the [Legislative Analyst's Office](#) analyzed major issues influencing the judiciary and criminal justice in California.

Recommendations

The LAO recommended that OCJP's programs shift to other departments, given OCJP's poor performance in program administration, and the significant overlap of its mission and programs with those of other departments, including DHS and the California Victim Compensation and Government Claims Board (now CalVCB). The LAO stated that such a program shift would improve the efficiency and service delivery of state government, save general fund monies, and free-up more than \$3.7 million in federal funds for other programs. The LAO agreed that the Governor's proposal to transfer the State's Domestic Violence Program to DHS was a good first step, but opined that all of OCJP's victim programs should transfer to CalVCB.

Result/Action Taken

None.

E. November 2003, State and Consumer Services Agency Report

On June 28, 2002, the Governor signed Assembly Bill 2435, requiring the State and Consumer Services Agency (SCSA) to submit a report to the Legislature on crime victims' services in the State. The Legislature requested the report after finding and declaring that victims need a coordinated response to their injuries; services are not easily accessible; and victims should receive seamless, integrated responses and high quality services. The report, [Strengthening Victim Services in California: A Proposal for Consolidation, Coordination, and Victim-Centered Leadership](#), was completed in November 2003.

Recommendations

SCSA recommended that California establish a single state entity to distribute the more than \$245 million in state and federal funds spent on victim services. It further recommended that an executive officer, appointed by an oversight

board, lead the single entity, with input from a Victim Services Advisory Committee. At the time of SCSA's report, 28 states consolidated state and federal funding for victim compensation and assistance programs, while 22 states utilized a decentralized approach to delivering services.

Although the single state entity would absorb only the victims' services provided by three major state entities—OCJP's Victim Services Division, CalVCB's compensation functions, and DHS's shelter program—the report acknowledged that California may want to consolidate its other victim programs into the new entity. A list of California's 15 victims' services programs in existence at the time can be found [here](#).

Result/Action Taken

Before SCSA submitted its report, the Governor and Legislature agreed to dismantle OCJP and transfer its programs to other departments. (See Stats.2003, c. 229 (A.B. 1757).) The Legislature determined that "victims' services shall be transferred to [CalVCB] or other appropriate entity as determined by the Director of Finance," until an agency is designated. (See former Pen. Code, § 13820, subd. (c).) As required in the dismantling legislation, the Department of Finance submitted an [interim plan](#) for the transfer of OCJP's programs, and provided that victim services programs would be placed with Cal OES. Governor Gray Davis was to submit a Reorganization Plan to the Legislature by March 1, 2004. It does not appear that a reorganization plan was submitted, likely because Governor Davis was recalled in a special election on October 7, 2003, and Governor Arnold Schwarzenegger took office on November 17, 2003.

F. March 2015, Legislative Analyst's Office

As part of the Governor's Budget for 2015-16, the administration proposed a reorganization of the Victim Compensation and Government Claims Board (VCGCB), currently known as CalVCB. The reorganization plan involved shifting the Government Claims Program from CalVCB to the Department of General Services (DGS). The Governor proposed the shift in program administration because (1) the Government Claims Program was better aligned with DGS's mission to provide services to departments throughout California and (2) the change would allow CalVCB to primarily focus on victim programs.

In response to the proposed reorganization, the LAO submitted a report and analysis, [Improving State Programs for Crime Victims](#). The LAO found that California lacked a comprehensive strategy for assisting crime victims primarily because the state lacked a lead agency to coordinate efforts to assist victims.

The LAO identified five challenges related to coordination, funding, duplication of efforts, and administration.

Recommendations

The LAO stated that the Governor's proposal to reorganize CalVCB was a step in the right direction, and suggested that additional changes were needed to improve the state's victims' programs. The LAO made four recommendations to the Legislature, including (1) restructure CalVCB to better focus on victims' programs; (2) shift all major victims' programs to the restructured CalVCB, except the victim services provided by CDCR and DOJ; (3) develop a strategic plan; and (4) utilize Proposition 47 funds to improve program access.

Result/Action Taken

In July 2016, the Department of General Services assumed responsibility for the Government Claims Program, and CalVCB developed a strategic plan to better serve victims of crime. CalVCB also utilized Proposition 47 funds to develop a trauma recovery center grant funding program, which currently provides funding to 12 centers.

G. July 2015, Legislative Analyst's Office

In the [Supplemental Report](#) of the 2015/16 Budget Package issued by the LAO in July 2015, the Legislature requested that CalVCB and Cal OES report on a plan to reorganize the administration of the state's victims' programs to bring all of the programs under a single entity. On January 8, 2016, CalVCB submitted a [response to the Legislature](#). The two-page response briefly described the services provided by CalVCB and Cal OES, and commented on current collaboration efforts:

CalVCB and Cal OES are collaborating to ensure effective delivery of an array of victim services, including direct services to victims and compensation of crime-related expenses. The current efforts underway include bi-monthly meetings between CalVCB and Cal OES management to coordinate collaborative efforts, planning the joint implementation of regional trainings for victim service providers, creation and joint dissemination of outreach materials to reach underserved victims of crime, and an evaluation of other options to best serve victims.

Recommendations

Due to the collaboration efforts, CalVCB concluded that a consolidation of victim programs was not warranted. The report also noted that CalVCB and Cal OES had a mutual interest in fully serving crime victims and would continue to collaborate in furtherance of that goal.

Result/Action Taken

None. The LAO found that CalVCB's response did not adequately address the Legislature's request because it failed to include a reorganization plan. [The LAO recommended](#) that the Legislature direct the administration, CalVCB, and Cal OES to report in budget hearings on the information requested in the Supplemental Reporting Language. The budget hearings occurred in April 2016, but did not result in further consolidation efforts or a reorganization plan.

California Victims' Programs Consolidation Timeline

2003/2004

- Office of Criminal Justice Planning (OCJP) abolished.
- Juvenile justice programs transferred to the Board of Corrections (now the Board of State and Community Corrections).
- DOF submitted interim plan for the transfer of OCJP's programs
- Victim service/other public safety programs transferred to Cal OES.

2009

- State funding for Comprehensive Domestic Violence Shelter Based Program transferred from CDPH (formerly DHS) to Cal OES

2016

- Government Claims Program transferred from CalVCB to Department of General Services (DGS) as it was better aligned with DGS's mission to provide services to departments throughout California.

2016

- CalVCB strategic planning effort begins.

2016

- CalVCB begins utilizing Prop 47 funds to develop Trauma Recovery Center grant funding program.

2018

- Budget Act of 2018 directs Cal OES and CalVCB shall work together to develop options and a recommendation for combining the state's victims' programs.
- Cal OES and CalVCB joint strategic planning effort begins.

Research and Analysis Conducted

The Consolidation Working Group completed this report after conducting many planning sessions, conferencing with leaders in other states—New York, Pennsylvania, South Carolina, and Washington—that have consolidated programs, surveying other states, and soliciting input from stakeholders via a survey and facilitated input forums conducted throughout California. Those efforts are detailed more fully below.

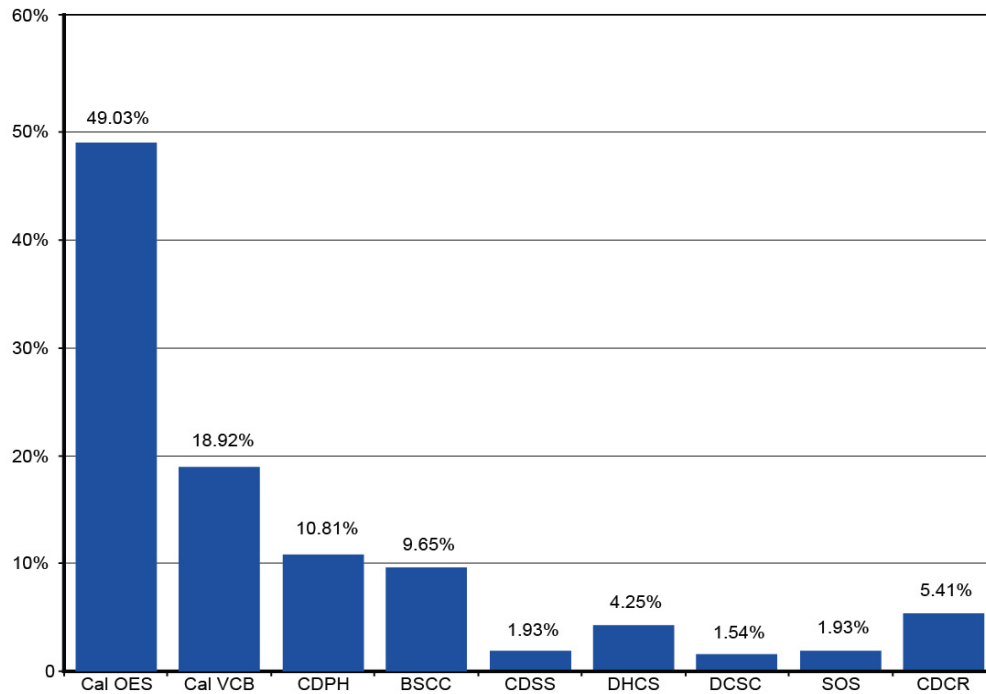
A. Stakeholder Survey

In July 2018, Cal OES and CalVCB issued a [Stakeholder Feedback survey](#)—administered by the State Library's California Research Bureau—to service providers statewide. The survey was deployed to 1,144 stakeholders to solicit feedback on current operations and potential consolidations of victims' services programs. Survey recipients included Cal OES subgrantees, trauma recovery centers, family justice centers, District Attorneys, Victim Witness Assistance Centers, CalVCB service providers, community based organizations, and law enforcement agencies. The survey was active from July 25, 2018 through August 10, 2018, and 259 individuals responded.

Of those who responded, 34 percent were from law enforcement, 32 percent were non-profit victim services providers, and 14 percent were city or county victim services providers. Geographically, Southern California made up 42 percent of responses, while Northern California accounted for only 27 percent.

Agencies surveyed reported receiving funding from state agencies as follows:

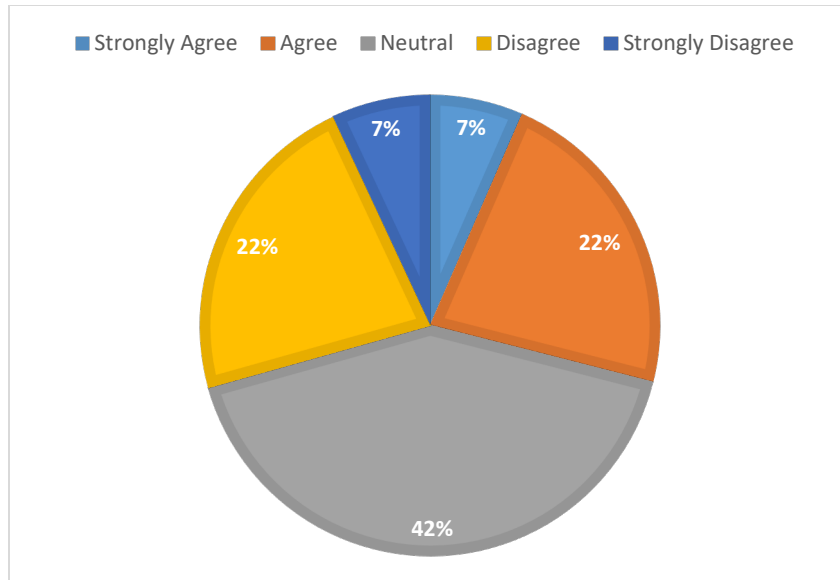
Agencies Surveyed Reported Receiving Funding From



The survey provided Cal OES and CalVCB with valuable information on staff performance and current processes. Cal OES and CalVCB are already using the information during strategic planning to improve operations at both Cal OES and CalVCB. Responses more directly related to the purpose of this report include:

Managing Funding from Multiple Entities

Respondents were given the following statement: I find the process of managing funds from multiple entities easy to understand and administer. The majority of respondents were neutral with the remaining respondents equally split between agreement and disagreement.



Benefits/Concerns About Consolidation

Respondents agreed there could be benefits to consolidating victim services programs. The top three benefits selected were:

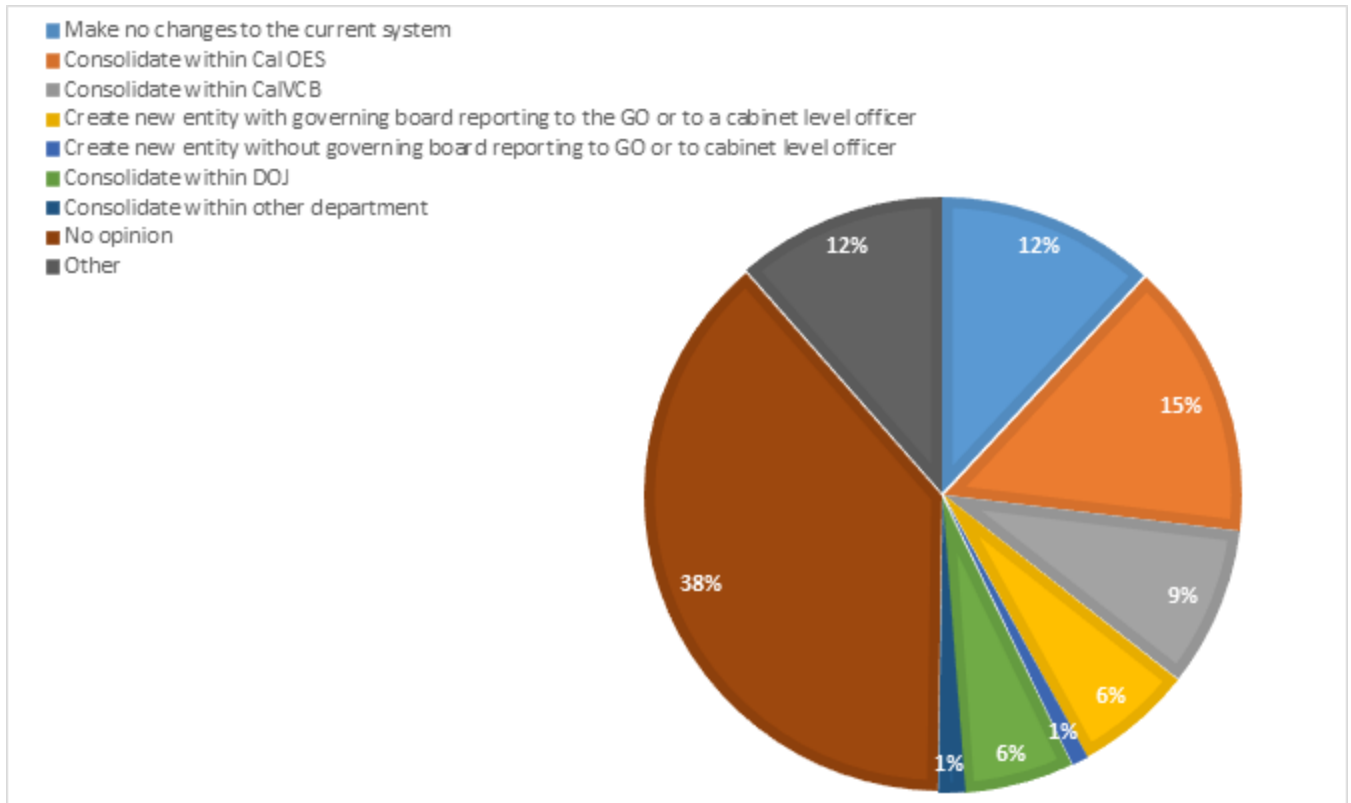
- 67 percent, it would be easier to collaborate on grant funding activities
- 66 percent, reporting processes could be streamlined
- 60 percent, there would be reduced duplication among state agencies

When presented with concerns related to consolidation, the percent of respondents that were neutral was higher (43 to 53 percent). The top three concerns selected included:

- 49 percent, funding could be reduced if administrative costs increase at the state level
- 46 percent, changes to funding distribution/grant funding process would negatively impact my agency
- 42 percent, there could be increased paperwork and reporting

Best Strategy for Crime Victims

Fifty percent of respondents supported some form of consolidation of victim services and expressed openness to change; 12 percent indicated no change is needed; while 38 percent had no opinion, of the respondents that supported change, by a variable of three percent, the majority supported consolidation within Cal OES.



B. Stakeholder Forums

In August and September 2018, Cal OES and CalVCB hosted three forums to provide stakeholders with survey results and to obtain additional feedback from the field about the ways in which CalVCB and Cal OES can best serve crime victims.

Cal OES and CalVCB held the forums throughout the state: in Sacramento on August 28, 2018; in Oakland on September 13, 2018; and in Los Angeles on September 18, 2018. A total of 109 victim services providers attended either in-person, or remotely, via webinar:

Date	Location	Number of Stakeholder Participants
August 28, 2018	Sacramento	29
September 13, 2018	Oakland	36
September 18, 2018	Los Angeles	44
Total	No total for location	109

Cal OES and CalVCB informed all attendees about the provisional language in the Budget Act of 2018, and advised that the three forums would be used to develop a recommendation to the Governor and the Department of Finance about how best to proceed to serve crime victims.

At each forum, a high-level summary of the survey results were shared and then a facilitated group discussion was initiated to find out what attendees thought about how victim services were managed in California, and what could be improved upon.

Generally speaking, attendees were pleased with how victim services funding and programs are administered in California and asked that no changes be made to the current structure. Although attendees wanted no changes made to the current structure, they were quite vocal about some improvements that could be made within Cal OES and CalVCB to lessen the administrative burden and to streamline the process for themselves and the victims they serve.

C. Survey of Other States and Discussions with New York, Pennsylvania, South Carolina, and Washington

The Consolidation Working Group [surveyed other states](#), and discovered that the majority of states (28) consolidate state and federal funding for victim compensation and victim assistance programs within one department. Moreover, on August 17, 2018, the Consolidation Working Group participated in a conference call with leaders from other state compensation and assistance programs, including Elizabeth Cronin, Executive Officer, New York State Office of Victim Services and Jeffrey Blystone, Deputy Director, Pennsylvania Office of Victims' Services. Both New York and Pennsylvania utilize a single entity to administer victim compensation and victim assistance programs.

In separate calls, working group members also spoke with Scott Beard, Director of the Crime Victim Compensation Program in the South Carolina Crime Victim Services Division in the Office of the Attorney General and with Cletus Nnanabu, Program Manager with the Washington Crime Victim Compensation Program within the Washington State Department of Labor and Industries. South Carolina recently consolidated all crime victim programs within the Attorney General's Office, while Washington State considered consolidation several years ago, but ultimately decided to maintain its existing structure.

New York Office of Victim Services

New York created its Office of Victim Services more than 50 years ago as a full-time Board that funded compensation and local assistance programs. When VOCA funds became available in the early 1980s, New York utilized the federal funds to expand their existing programs. New York remained a Board, with members appointed by the Governor and approved by the Senate, until 2010. At that time, technology and changes in their investigation processes caused them to reorganize as an Agency, removing redundancies created by the Board.

The Office of Victim Services, which reports directly to the Governor, administers VOCA grants and state funds only. The Department of Justice administers Violence Against Women Act funds, and Child Protective Services administers prevention funds. New York has realized two advantages from reporting to the Governor: (1) victim services are separate from law enforcement, making victims the sole focus and (2) opportunities to suggest legislative changes directly to the Governor, increasing success with getting legislation passed.

Executive staff makes all funding decisions, with input from an advisory committee, appointed by the executive officer. The executive officer accepts recommendations for appointments to the committee, but ensures that the committee consists of state partners, some advocates, and at least one crime victim. The advisory committee surveys organizations to learn more about each community's program and funding needs.

Because New York administers compensation and assistance programs from a single entity, there is no overlap in funding and no "double-dipping" by program participants. Further, executive staff from compensation and assistance are very aware of current issues and needs because they meet every other week. During those meetings, staff discusses compensation payment trends and uses the information to inform assistance spending. For example, after an increase in compensation payments for housing, victim assistance provided additional grant funding to community-based organizations that provide transitional housing. In addition, New York's single entity approach allows compensation and assistance programs to speak with one voice, strengthens communication and collaboration, and allows agility when responding to mass casualty incidents, such as 9/11.

Pennsylvania Office of Victims' Services

The Pennsylvania Office of Victims' Services (OVS) administers all victim compensation and assistance funds, including VOCA, VAWA, Byrne JAG, and prevention monies. The Victim Services Advisory Committee, a legislated committee comprised of 25 individuals who meet quarterly, drives funding decisions. Committee members represent mental health providers, coalitions against sexual assault, child advocacy centers, and criminal justice professionals, among others. Staff from OVS may provide input on funding decisions, but the committee makes the final decision.

OVS has realized several benefits from having its victim compensation and assistance programs administered by a single entity. First, the compensation and assistance programs have stronger communication and more opportunities to collaborate. For example, following the issuance of a grand jury report related to victim compensation, staff created a one-page fact sheet and shared it with the assistance grant managers. The grant managers then mass distributed the fact sheet to stakeholders throughout the state. Also, compensation and assistance staff share information, which has proven invaluable. Further, compensation staff are more aware of VOCA guidelines, and direct victims to grant-funded agencies that provide emergency funding in instances where compensation cannot pay first. Finally, legal issues are dealt with consistently and legislation addresses compensation and assistance needs.

South Carolina Office of the Attorney General

In 2017, South Carolina enacted legislation that brought all state victim grant programs under the Attorney General. This included the State Office of Victim Assistance (which administered the victim compensation program and oversaw grants to prosecutor-based victim witness programs), the Crime Victim Ombudsman, and the portions of the Office of Highway Safety and Justice in the Department of Public Safety that handled VOCA, VAWA and other crime victim services grants. These entities were reorganized into one department within the Office of the Attorney General, the Crime Victim Services Division.

In the short time that the Crime Victim Services Division has been operational, staff has realized a number of benefits. For instance, the Department of Crime Victim Compensation, the Department of Crime Victim Assistance Grants, and the Department of the Crime Victim Ombudsman all worked together to train newly elected Sheriffs this year, something that would not likely have happened prior to the consolidation. The departments have already identified instances

where the ability to communicate quickly, in real time, has enabled them to create effective, timely changes.

South Carolina is the state that has most recently consolidated these programs, soon to be followed by Maryland, where the Legislature recently enacted consolidation legislation. For South Carolina, the most delicate, and critical aspect of the consolidation process was working with the Office of Justice Programs in the United States Department of Justice to ensure a smooth transfer of grant funding between state entities in South Carolina. This process was accomplished seamlessly and without disruption to the field, but required intensive planning and coordination.

Washington Victim Compensation Program

Three departments within Washington state government handle assistance for crime victims. The Washington Crime Victim Compensation Program (CVCP) is located within the Department of Labor and Industries, VOCA and VAWA funds are distributed by the Office of Crime Victim Advocacy(OCVA) in the Department of Commerce, and domestic violence funding, including FVPSA and some VOCA funding, flows through the Washington State Department of Social and Health Services (DSHS).

In 2011 a review of all crime victim programs was undertaken by the Washington State Auditor's Office. The purpose of the review was to determine whether efficiencies could be created by consolidation. The audit concluded that moving the CVCP from the Department of Labor and Industries would be cost prohibitive because the claims management system used by the program was interwoven with the Workers' Compensation system. The report did recommend consolidating the OCVA funding with the DSHS funding within DSHS. However, that consolidation never took place. The idea was shelved, in part because of concerns from the field about potential disruptions in funding.

There is no formal process for collaboration or strategic planning among the three entities assisting crime victims, however, in recent years, communication has increased due to changes in leadership. The OCVA has invited the CVCP to participate in a strategic planning process for distribution of the increased VOCA funding.

Consolidation Approaches Considered

The Consolidation Working Group considered—and took to stakeholders when conducting the survey—five options for restructuring or consolidating California's victim compensation and assistance programs. The Working Group considered leaving the programs as they are, and consolidating both programs into a single entity, with variations on which entity would be the lead: Cal OES, CalVCB, or a newly created department. Due to the complexities of each program and the impact on victims' services providers, thousands of crime victims and their families, and law enforcement, the Working Group agreed that additional research and planning should be conducted before a structural or permanent organizational change can be made. While such research and planning continues, the Working Group recommends following a phased approach, with specified objectives that will provide performance measures and additional data for analysis and consideration of next steps.

A. Option 1: Leave Programs “As-Is”

Doing nothing is not an option for this group. The Consolidation Working Group agreed that, although it is too soon to make any recommendations for structural or permanent organizational changes, many actions can be implemented to greatly improve coordination and communication that will better serve victims, their families, and our state, local, tribal, and non-profit partners throughout the state.

B. Option 2: Consolidate Victim Programs within Cal OES, CalVCB, or a New Entity

The Working Group identified a number of benefits and disadvantages related to consolidation, regardless of which entity serves as the lead agency.

The potential benefits of consolidation include:

- Enabling stronger collaboration and coordination efforts between compensation and assistance, as well as among state, local, federal, tribal and non-profit partners;
- Creating new opportunities to collaborate and leverage funding sources;
- Establishing a cohesive decision-making structure;
- Enabling Cal OES and CalVCB to engage in effective long-term strategic planning and performance measurement for victim services;

- Allowing the experience of CalVCB working directly with victims of crime, in addition to front-line service providers, to enhance Cal OES's knowledge of the needs of crime victims.

Some of the potential challenges identified include:

- Any consolidation requires appropriate change management and time to transition administrative, programmatic, and budgetary processes;
- Challenges with mission alignment and integrating goals will take time;
- Merging and integrating technology (software and hardware) and automated systems needs to be planned out, funding identified, and details worked out; and
- Some stakeholders are concerned that any changes could have a negative impact on prompt and reliable receipt of funds based on what happened in 2003 and 2004 when the Governor and Legislature disbanded OCJP.

With regard to how and where consolidation would occur, the Working group considered three basic options:

1. Consolidation within Cal OES

Potential benefits identified:

- Cal OES has an existing structure to administer, coordinate, and report on large federal grant awards;
- Federal grant funds would not need to be transferred to a new agency, thereby avoiding potential delays in payments to subrecipients;
- The majority of victims' services federal funds are consolidated at Cal OES;
- Cal OES has undertaken significant process improvement and technology initiatives;
- Cal OES has received significant funding from federal and state granting authorities which could help support CalVCB; and
- Cal OES is an Office of the Governor.

Potential challenges identified:

- Due to the current placement of victims' programs within Cal OES' Finance and Administration Grants Management Directorate with other public safety and homeland security grant programs, Cal OES would

need to consider reorganizing to ensure the optimal organizational structure for a victim services consolidation;

- Regular staff deployments for hazards may disrupt delivery of services to subrecipients, impacting the administration and delivery of compensation services;
- Cal OES is a large bureaucracy, which sometimes impedes the ability to make changes or decisions in a timely manner; and
- Victim services are not the primary focus at Cal OES.

2. Consolidation within CalVCB

Potential benefits identified:

- CalVCB has a single mission that is directly aligned with victim service issues;
- The full structure of CalVCB could be dedicated to support Cal OES programs;
- Existing operations and resources, such as legal, information technology, web design and public affairs staff would also be dedicated to Cal OES functions and activities;
- CalVCB has existing and future technology enhancements that could benefit both entities; and
- CalVCB has an established history of victim services and is known throughout the state and nation as a leader in victim compensation.

Potential challenges identified:

- The structure to administer a variety of large federal grant awards would have to be transferred to CalVCB, potentially delaying the delivery of money to the field;
- Cal VCB funding is not as stable as Cal OES funding; and
- Merging and integrating technology (software and hardware) and automated systems needs to be planned, with funding identified and details worked out.

3. Consolidation within a new entity

Potential benefits include:

- A new agency would have the opportunity to start with a new brand, vision, mission, goals, and strategies solely dedicated to victims of crimes; and
- A new agency may provide a higher profile and stronger voice for crime victims.

Potential challenges include:

- Creating a new entity is inconsistent with the Governor's priority for the last eight years to streamline government although, admittedly, one agency-CalVCB-would be eliminated; and
- Additional funding would be required to create and stand up a new department, with branding, signage, office space, technology, staffing, Internet/Intranet, and other changes.

C. Option 3: A Phased Approach to Consolidation with Greater Collaboration and Co-Location

Under this consolidation option, recommended by the Consolidation Working Group, Cal OES and CalVCB would engage in a phased approach which will provide additional data to create a more detailed plan that could ultimately lead to consolidation. Any consolidation efforts require at least one or two years of planning in order to responsibly make the necessary changes and avoid disruption of services to the thousands of stakeholders, crime victims and survivors, and law enforcement that rely on compensation and assistance programs. Together, Cal OES and CalVCB would engage in a number of strategies to improve collaboration in the short term and enable analysis and planning for future consolidation. These strategies are outlined in the Recommendation section, below. However, in summary, the potential benefits and challenges under this option include:

Potential benefits include:

- The structure to administer, coordinate, and report on both entity's grants programs remain in place, and eliminates unnecessary expenditures and disruption;
- This approach provides additional time and analysis to recommend a fully researched structure and methods to optimize efficiency for victim services programs; and

- The additional time will allow for more comprehensive and substantive input from the stakeholders in the field, which is necessary given the breadth, complexities, and funding in both programs.

Potential challenges include:

- This approach requires additional time for the comprehensive analysis and planning needed for consolidation.

Recommendation

Because the Consolidation Working Group recommends a phased approach, following specified objectives that will provide performance measures and additional data for analysis, consideration and planning, the Working Group recommends the following actions be undertaken:

1. Continue supporting Cal OES/CalVCB's Strategic Planning effort and the implementation of specific objectives and actions that include performance measures;
2. Co-locate or establish "hoteling" space so Cal OES and CalVCB staff can work together on initiatives and program priorities;
3. Establish a rotation program for analysts and first-line managers so that Cal OES and CalVCB can share staff for cross-training and education;
4. Establish regular meetings between program staff from Cal OES and CalVCB;
5. Establish procedures describing:
 - General principles of operation for areas where VOCA rules allow either victim assistance or victim compensation to pay for crime-related losses
 - Mass violence event protocols and responsibilities
 - Collaboration efforts
 - Development and maintenance of the Victim Services Strategic Plan
 - Committee membership
6. Where appropriate and allowable, include CalVCB representatives on Cal OES standing committees, and include Cal OES representatives on CalVCB standing committees;
7. Establish a quarterly Victims' Services State Agency Coordination Group, co-chaired by Cal OES and CalVCB, that includes all state entities administering victims' services programs and funding;
8. Create a comprehensive web portal that serves as the main information source for all victims' programs and resources from all state entities;

9. Continue planning efforts by beginning discussions with Fi\$Cal, OVW and the Department of Justice to explore the feasibility of consolidation within a two to three year time-period; and
10. Issue a detailed consolidation plan in December 2019, with recommendations for additional improvements, as may be identified through coordinated efforts.

Conclusion

Crime affects millions of Californians each year, leaving victims, their family members, and survivors with unfathomable physical, emotional, and financial burden. Through Cal OES and Cal VCB, California is a national leader in coordinating and funding victims' services programs, successfully meeting the varied and complex needs of victims. Cal OES and CalVCB have enjoyed a history of collaboration; however, California's cultural and geographic diversity, the rapidly changing environment of the criminal justice system, recent amendments to the VOCA guidelines, and state and federal funding challenges have made close coordination more critical than ever. Cal OES and CalVCB are actively engaged in strategic planning; however, it may be time to consolidate their compensation and assistance programs—and combined funding of more than one-half billion dollars—into a single entity. Since immediate consolidation presents significant risk to stakeholders and victims, the Working Group recommends a phased approach to consolidation, beginning with greater coordination and co-location to explore the feasibility of consolidating Cal OES and CalVCB's victims' compensation and assistance programs within two to three years.

Glossary of Acronyms

AGPA	Associate Government Program Analyst
BSCC	California Board of State & Community Corrections
Byrne JAG	The Edward Byrne Memorial Justice Assistance Grant Program
Cal OES	California Governor's Office of Emergency Services
CalVCB	California Victim Compensation Board
Cares	CalVCB's Compensation and Restitution System
CBO's	Community-Based Organizations
CDCR	California Department of Corrections & Rehabilitation
CDPH	California Department of Public Health
CDSS	California Department of Social Services
CJA	Children's Justice Act
CVCP	Washington State Crime Victim Compensation Program
DHCS	California Department of Health Care Services
DHS	Department of Health Services
DNAP	Post-conviction DNA Testing Program
DSCS	California Department of Community Services & Development
DSHS	Washington State Department of Social and Health Services
DVAC	Domestic Violence Advisory Council
FI\$Cal	The Financial Information System of California
FSIA	Forensic Sciences Improvement Act
FVPS	Family Violence Prevention and Services
FVPSA	Family Violence Prevention and Services Act (Federal)
JRJ	John R. Justice Program
LAO	Legislative Analyst's Office
OCJP	California Office of Criminal Justice Planning
OCVA	Office of Crime Victim Advocacy
OVC	Office for Victims of Crime (Federal)
OVS	Pennsylvania Office of Victims' Services
PSNE	Project Safe Neighborhoods – Eastern Program
SAC	State Advisory Committee on Sexual Assault Victim Services
SCSA	State and Consumer Services Agency
SNSA	Safe Neighborhoods and Schools Act (Prop 47)
SOS	California Secretary of State
STOP	Services, Training, Officers and Prosecutors
TRC	Trauma Recovery Center

VAWA	Violence Against Women Act
VCGCB	Victim Compensation and Government Claims Board
VOCA	Victims of Crime Act