

*Michigan Department
of Community Health*



The Michigan Crime Victim Services Commission

Seventh Annual VOCA Council of Advocates December 01, 2004 Report Summary

**Prepared by:
The Michigan Public Health Institute
Center for Collaborative Research in Health Outcomes & Policy**



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Meeting Summary

Historical Background

Each year the Michigan Crime Victim Services Commission (CVSC) and the Michigan Public Health Institute (MPHI) host a day-long meeting with a small group of crime victim advocates in Michigan—the VOCA Council of Advocates. Meetings have occurred annually since fiscal year 1999 and largely take the form of a focus group and roundtable discussion. Every participating advocate is an employee of a Michigan agency that receives Victim of Crime Act (VOCA) funds administered by the CVSC. Additionally, each advocate represents an agency specializing in services to one or more diverse victim populations, such as child abuse, domestic violence, drunk driving crashes, sexual assault, crime victims in American Indian communities, those accessing hospital-based services, and victims working with prosecuting attorneys.

The annual gathering of the VOCA Council of Advocates serves several purposes. The CVSC is required to receive feedback from VOCA Grantees with respect to prospective changes to the grant administration process. Of equal importance, these meetings serve to enhance the sharing of valuable information concerning crime victim services in Michigan and allow the participants to network with each other and the respective staff members of the CVSC and MPHI. Following is a summary of the Seventh Annual VOCA Council of Advocates held during fiscal year 2005 at the Kellogg Hotel & Conference Center in East Lansing, Michigan.

I. Welcome/Participant Introductions

The FY2005 Annual VOCA Council of Advocates meeting was attended by:

Mike Fullwood	Crime Victim Services Commission, Lansing
Leslie O'Reilly	Crime Victim Services Commission, Lansing
Rhonda Baxter Todd	Kalamazoo County Prosecutor's Office, Kalamazoo
Ruth Oja	Hannahville Indian Community
Julie Boggs	Wayne County Prosecutor's Office, Detroit
Phyllis VanOrder	Battle Creek Health System, Battle Creek
Jennifer McEldowney	SAFE Place, Battle Creek
Valerie Hoffman	Underground Railroad, Saginaw
Dr. Katherine Tucker	Detroit Receiving Hospital, Detroit
Barbara Glasson	First Step, Inc.
Sue Johnson	Every Women's Place
Joyce Seigel	Battle Creek Health System, Battle Creek
Nancy Skula	Macomb County Child Advocacy Center/Care House
Anna Rogers Stott	Sault Ste. Marie Tribe
Jessica Leiby	Michigan Public Health Institute, Okemos
Shari Murgittroyd	Michigan Public Health Institute, Okemos

II. Remarks from the CVSC-Open Discussion/Q & A

The following are the CVSC's responses to questions posed to the Crime Victim Services Commission in advance of and during the meeting.

1. *Could the CVSC provide an update on the state of VOCA funding?*

For general review purposes, under the Victims of Crime Act, all federal fines and forfeitures are deposited into the Crime Victim's Fund at the U.S. Treasury. The Victims of Crime Act then specifies a formula by which those funds are granted to the states. In recent years we have seen Congress, in the appropriations process, insert itself into that mechanism as well. In the early years of the program, it was fairly cut and dry. A certain amount of money came in, the formula was applied, and that is how most of that money was distributed to the states. In the late 90's, some very large super-fines were deposited into the Crime Victims Fund and a new trend emerged for the distribution of funding. Congress strived to maintain a consistent level of funding distribution despite the fluctuating deposits from year-to-year, in order to establish some certainty in levels of funding. Given what has happened during the course of the last few years, where we have seen collections go down after we had a great surplus of money, one can see the wisdom in this decision to hold back some of the surplus to be used to supplement funding when deposits into the Crime Victims Fund are scarce.

One issue with VOCA funding over the last several years is that many various types of white-collar crime, corporate offenses, and other cases of this nature are being prosecuted under civil laws rather than as criminal offenses federally. Therefore, such fines and forfeitures are not being deposited into the Crime Victims Fund. The good news is that last year there were three fairly large settlements resulting in fines being paid into the fund. In theory we can safely extend our horizons to 2007 at current funding levels, Congressional appropriation action notwithstanding. One challenge specifically related to the VOCA fund is that there appears to be a lot of pressure from other federal agencies desiring to do good works for crime victims too, to receive some of this funding. These are all issues related to the federal side of VOCA funding.

The state of VOCA funding in Michigan is as follows: The CVSC receives a new grant every year and has four years to expend it. Our goal is to level out, as much as possible, the peaks and valleys as they present themselves to us so that VOCA-Grantees are not affected with half the funding this year, twice as much next year, three-quarters less the following year, and so on. Adjustments occasionally need to be made in order to meet our statewide obligations.

Congressional Update on the Crime Victims Fund from the CVSC:

Since the COA meeting there have been important developments regarding the status of the Crime Victims Fund. The current proposed federal budget for FY 2006 includes a "rescission" of \$1.267 billion from the Fund. If adopted, this rescission will equate to the liquidation of the Fund's assets by October 1, 2006. Efforts are underway by supporters of VOCA to defeat this proposal.

On June 23, the full Senate Appropriations Committee concurred in its subcommittee's recommendation to reject the attempted rescission of the Crime Victims Fund and is recommending a VOCA cap for FY 2006 of \$625 million. The full Senate may take action on the bill (H.R. 2862) sometime the week of July 5. **Even though it appears likely that the Appropriations bill passed by both houses will not include the rescission, it is still possible to Congress to change course as part of the budget reconciliation process. Therefore, it is still important to continue informing Congress of the importance of VOCA and the need to retain the entire Crime Victims Fund.**

The House has passed its appropriation bill (June 16) rejecting the rescission and setting the FY 2006 VOCA cap at \$625 million. Despite its defeat in the House, the Administration is still trying to rescind the Crime Victims Fund. In a June 14 "Statement of Policy" in response to the House appropriations bill, the Administration stated,

"Each year, the Congress enacts obligation limitations for the Crime Victims Fund. Without the obligation limitation, the formula under which most funds are spent would result in a dramatic spike in mandatory spending over the prior year - based on unspent balances carried in the Fund in recent years. As a result of these funding delays, discretionary savings have been credited when no reduction in spending is fully implemented. For 2005, the Committee has delayed the expenditure of \$1.3 billion from the Crime Victims Fund. In recent years, roughly the same amount in savings has been claimed each year by including similar language. The Administration urges the House to achieve permanent savings by canceling, rather than temporarily blocking, the excess funding for this program."

Important actions:

Governor Granholm and 16 other Governors signed a letter dated June 9, 2005 to leaders of the Senate and House opposing rescission of the Crime Victims Fund.

Governors Granholm and Barbour on behalf of the National Governor's Association sent a letter dated May 26, 2005 to House Appropriation leadership opposing rescission of the Crime Victims Fund and reduction in Byrne justice assistance funding.

For more information on the status of the Crime Victims Fund, visit frequently the National Association of Victim Assistance Administrators website at www.navaa.org to keep updated on the efforts to Save the Crime Victims Fund. In addition, *Nova Joins the Campaign to Save the Crime Victims Fund* is an excellent article, which is included with this mailing and is available on the National Organization for Victim Assistance website at www.trynova.org.

[Question from participants: *Two or three years ago we all experienced a 5% decrease in funding and have since maintained that level. Will that be happening again or can we expect a 5% increase this year?*]

The CVSC has not yet made any decisions about that. To the extent possible, we would like to look at the current funding level as our baseline in order to keep it steady over the next 3-4 years. Again, this year, we are not certain what will happen federally in year 05; however we do not anticipate any reductions this year.

[Question from participants: *While trying to support escalating personnel costs, can VOCA-Grantees use the match column as opposed to charging the VOCA grant for such items as the supplies? In order to allow for health insurance and salary increases, it may be that we cannot afford to fit the supply costs within the VOCA budget any longer; is it okay to shift that over into the match column? It is understood that the match column has primarily been used for volunteer services in the past.*]

There is no requirement that an agency's match be volunteer services, although many agencies have found that to be the easiest way to meet the match requirement. In order for the match to be allowable, it has to be cash or in-kind services devoted exclusively to the project and those particular cash items cannot be federally funded.

[Question from participants: *Does the CVSC administer just the VOCA funds, or do you have money from other federal sources?*]

The VOCA funds from the Department of Justice are currently the only federal source of funding. In the past the CVSC administered a special program for victim assistance in Indian Country, however the Office for Victims of Crime began administering those funds directly.

2. *Will VOCA-funded positions be in jeopardy if agency budget issues affect the VOCA match positions?*

With respect to match paid positions, the requirement is a 20% cash or in-kind match (5% match for assistance programs in Indian Country). If budget issues affect cash match positions, it would be incumbent upon the agency to find some other way to meet the 20% requirement. That is a statutory requirement and the CVSC does not have any flexibility with this requirement. We also do not place any limitations on the match that agencies build into their budgets—other than what's mandatory under the federal guidelines. As stated earlier, the match must be entirely devoted to the project and cannot be money from federal funds. It is not viewed in terms of VOCA-funded positions being in jeopardy, rather the amount of support sought in an agency's proposal that cannot be covered internally with the 20% match. If agency budget issues affect the ability to meet that 20% match, then the budget will have to be restructured to a lower federal funding level.

3. *Can the CVSC explain the change in the VOCA grant review and site visit process?*

The CVSC wishes to preface this response by indicating that we are extremely pleased and appreciative of all the work that has been done by MPHI staff to bring us to this point in the site visit process. MPHI has been involved in this process for over six years. The only concrete change that has been determined is that the CVSC will hire a state employee to in-source the activities that MPHI has done with respect to the site review process. As you all know, Leslie O'Reilly is an excellent Program Manager and she already has many expectations placed upon

her—she is a program manager, a grant reviewer, a financial analyst...and I cannot, in good conscience, ask her to also be a site reviewer. Therefore, the CVSC will hire new staff to perform this activity.

There are some pending decisions at the federal level that could possibly impact the site review process because of requirements that we will have on our state grant. We are trying to influence some of those decisions that are made at the federal level including universal requirements that may be placed on all of the states regarding criteria for program evaluation and the timing of grant compliance reviews. We have limited, but good input on the federal funding issues.

It is still of the utmost priority to maintain a non-adversarial review process and the CVSC wishes to emphasize that this review is not meant to serve as a determinant for agency funding cuts. The CVSC and MPHI have spent six years trying to build confidence in and respect for this process and we are not going to do anything to change that. And, if we start doing things that change that, we want to hear about it and will respond to such issues as best we can.

The primary impetus for this change relates directly to what we view as good government, and the administration in place for the state of Michigan supports this concept; that is why we are able to make this change. The concept is basically that if the state, the entity of government, has an ongoing programmatic responsibility—state employees should be performing that function. The administration in place believes that if the state has a job to perform, the state should be performing that function and only contract for short-term needs or special expertise. As long as there is a need for specialized expertise in areas such as program evaluation training and the publication of *The Michigan Advocate* newsletter, contractual agreements with Dr. Cris Sullivan and MPHI will continue. The high quality, academically based program resources and sensitivity to victim services offered by Dr. Sullivan and MPHI are valuable attributes recognized by the CVSC.

Finally, by having a representative of the CVSC conduct site reviews, we hope to achieve the goal of supplying immediate assistance to resolve compliance-related issues and respond to technical assistance needs. The MPHI does not have the authority of the Commission and can not speak on behalf of the Commission; the new state reviewer will have that authority and will be empowered to resolve issues immediately on-site. This will be a great improvement to the overall Grant Compliance Review & Needs Assessment process.

4. ***Does VOCA have a role and/or interest in the medical forensic training of registered nurses in Michigan? If so, how could VOCA assist in the Michigan Great Lakes Chapter of the International Association of Forensic Nurses SANE (Sexual Assault Nurse Examiner) Training, which will be held at least annually?***

The CVSC does have an interest in the medical forensic training of registered nurses in Michigan. And, we have a role as it relates to funded staff within our VOCA-funded projects—although it is somewhat of a broader role and less direct in terms of the whole populace of professionals out there. There is an entire bureau dedicated to the oversight of licensing and registration in the Michigan Department of Community Health and they trump all others in terms of authority. To the extent there are resources available, the CVSC would be interested in assisting with training and has supported this concept in the past. However, there are a number of issues that present themselves related to this. First of all, multidisciplinary clinical training relates to training of medical personnel—falling outside the immediate purview of the CVSC. Interdepartmental meetings and collaboration will likely have to occur to ensure the appropriateness of such trainings. Once we get our additional staff on board, we will have more time to look closely at

some of the cross-training possibilities. Secondly, the CVSC has just installed the online training application, which will be tested and reviewed in the near future. The CVSC asks that proposals for training be submitted through the online system by an eligible VOCA agency. Finally, we would need to incorporate our mission to support, protect, and enhance the health, safety, dignity and rights of victims across the state into all training opportunities we help facilitate.

Last year the CVSC supported three advanced trainings offered by the Michigan Victim Assistance Academy on Sexual Assault Nurse Examiner/Sexual Assault Response Teams. We have supported the concept and have tried to encourage the community multidisciplinary training to better inform and educate providers across the state with respect to SANE services. The Commission, through the VOCA grant, currently has 1% of our grant available for training opportunities. Again, we have focused on utilizing training monies for the multidisciplinary training that we supported through the Michigan Victims Assistance Academy through Michigan State University. We have also used those training dollars to support a grant to the Michigan Judicial Institute for the Crime Victims Rights manual. That also allowed for training of court personnel on the Victims Rights Act in the state of Michigan. The Crime Victim Rights manual was distributed to our contract agencies, victim service agencies in the state, prosecutors, and court personnel around the state. It is now the model for the National Crime Victims Rights project that is being undertaken by the Office for Victims of Crime. We supported the Children's Advocacy Centers' annual conference this year. We have in the past supported the Michigan Coalition Against Domestic and Sexual Violence's annual conference. In addition to those training opportunities, your individual grants have allowed for professional development opportunities by providing funding to allow your agency staff to attend trainings. The CVSC seeks to support you and your work in serving crime victims throughout the state by endorsing these trainings.

5. Will VOCA financially support or assist Sexual Assault Nurse Examiners in becoming nationally certified?

[Question posed by the CVSC to participants: *What are the criteria for certification?*]

There is an application process that is actually quite lengthy. You have to document that the practitioner has attended a medical training that meets the International Association of Forensic Nurses (IAFN) guidelines. Trainings must have two necessary components: 1) a didactic component that meets a minimum number of hours; and 2) a clinical component that meets a certain number of hours. The application must be notarized before it is submitted and reviewed. If the application is approved, then a written examination including 250 questions must be completed.

The CVSC reports that the VOCA financial support for certification would be an allowable item to be considered for funding under the grant and would be proper to include in the personnel budget detail worksheet as a fringe benefit item.

6. When VOCA conducts its audit of funded programs, will SANE programs be audited? If so, will the auditor be familiar with forensic nursing?

Because of the variety and diversity of agencies that receive VOCA funds, the review process is structured in a way that captures only the VOCA-related information, regardless of the type of agency. There will be no clinical components to any of the reviews that we do. We understand that you probably have a multitude of organizations and entities in place that specialize in reviews and certifications related to the clinical component of the SANE programs. The fact that your

nurse examiner programs are held accountable by other entities is sufficient in and of itself—the CVSC does not need to further audit the clinical aspect of your SANE programs.

7. *What is the likelihood of VOCA funding increases for program expansions in the near or distant future?*

This subject was previously explored in the response to Question #1; please see answer above.

8. *Specific to the grant-reporting process: For employee training during the year, is there a way to enter the same training for all employees without retyping each time? We have four staff that attended the same trainings last year.*

This is a topic that we will have to address through upgrades to the system and we will be certain to add that item to the list of issues considered for modification. With respect to the process of the grant reporting of trainings, we have considered taking this out of the final report and putting it in the quarterly report so it is a little more immediate. Further details of this modification and its feasibility will be reviewed in the near future.

9. *Is VOCA interested in funding more Child Advocacy Center projects?*

Yes, the CVSC is interested in funding more Child Advocacy Center projects and accordingly has indicated that is one of our priorities for new funding, as opposed to other services, for the last few years. To the extent that resources are available, we feel that for every community it is a need. It is always a question of resources and trying to balance resources. Everything being equal, we would like to see more facilities for child victims.

[Question/situation posed by participant to all Council of Advocate members: *I have an advocacy question related to protecting child crime victims. Over the last few years there has been a push for videotaping a child's testimony, actually the child's interview, in abuse cases. This has caused a number of problems in some communities. Our agency is one of the pilot projects in Michigan—the result of a request by the Governor's Taskforce on Children's Justice. This taskforce is largely comprised of judicial representation, including prosecutors, who really wanted to have videotaping of child interviews. This is a controversial topic. We did work with them for about two years to help write legislation to protect the children. The legislation was very important for us to in terms of agreeing to go forth and serve as a pilot project for videotaping children. The legislation originally was drafted to include the provision of not releasing videotapes to the defense. At the last minute, compromises were made and this included. Now, the tapes are also being used in custody battles and most recently turned up in the hands of an alleged perpetrator. We have been working very hard to rewrite this legislation and hope to get it introduced to rectify this problem. Is there any general information you can provide to help address this issue?]*

Further discussion was held by participants with respect to creating a statewide network of every county that has a Child Advocacy Center to help gain momentum to pursue this legislative endeavor. Investigating what other states are providing, in terms of legislation to protect children being videotaped, was also recommended. Participants conveyed that if agencies are considering videotaping children, it may be prudent to wait until appropriate legislation is passed to adequately protect children.

III. VOCA Online Application & Reporting Update

The CVSC continues to make upgrades to the online application and reporting processes. Most recently the system was down to accommodate administrative upgrades and install the training grants application that will allow the CVSC to offer an online training grant function. This will not be available on a normal grant application cycle. It will be available on a concept paper basis. If an agency is interested in offering training within its community, on a statewide basis, or for agency staff, you would submit a concept paper to the CVSC for consideration. If the basic concept is approved, then an application would be created allowing you to finalize and submit that application online for review and processing—just as a regular grant application would be.

We also now have access to a function called *dynamic help screens* that allows us to open and revise the help screen text just like a Word document. This function will facilitate more immediate response and updates to the help instructions. Previously, any modifications of the system would require the contractor to perform the activity, which meant it had to go on a task list and had to be budgeted and planned out for the next fiscal year. This new function will provide a much more efficient process.

IV. Grant Compliance Review & Needs Assessment Update

As mentioned earlier, the CVSC will be hiring a new state employee to conduct the Grant Compliance Review and Needs Assessment process for VOCA grantees. Our personnel department has been decimated and is rebuilding and there has been a delay in the hiring process. The request for this position was submitted in March of 2004 and it was meant to be effective for October 2004. Therefore, it is doubtful, at this point, that we will complete the entire schedule of site reviews for FY2005. After we get someone hired, oriented and transfer the specific duties, we will get back up to speed and conduct the reviews regularly again—visiting your agencies once every four years.

Participants were asked to share suggestions for improvement in the site review process. They indicated the Self-Review and Document Checklists were very helpful and they appreciate getting these in advance to help better prepare for the site review process. Emphasis was also made with respect to giving grantees as much notice of the site visit as possible in order to allow adequate time to prepare for the review. Lastly, participants conveyed they very much appreciate the non-adversarial and helpful nature during the on-site Grant Compliance Review & Needs Assessment.

V. *The Michigan Advocate* Newsletter

The Michigan Advocate is a statewide newsletter generated by the CVSC and MPHI that shares ideas and resources important to crime victim service providers, professionals, and victims. Recipients of *The Michigan Advocate* include all VOCA grantees, additional state programs serving crime victims, prosecuting attorney offices, VOCA administrators in other states, national association colleagues, and federal offices. In an effort to conserve resources, the newsletter is no longer disseminated in printed hard copies, but is now published electronically and hosted by a new website at www.michiganadvocate.org.

The council members discussed article topics from the previous year, as well as suggestions for upcoming issues. The CVSC and MPHI extended an invitation to participants to propose topic ideas, nominate authors, and/or author an article. Suggested article topics follow:

- ❖ Cultural diversity articles with educational components to learn more about different cultures were requested to help agencies provide culturally competent services to victims of

crime. Specifically, attention was brought to the Arab-American population and culture—participants relayed that Michigan has the largest population of Arab-Americans existing outside the Middle East. Agencies would benefit from more information and resources in this regard.

- ❖ Translation resources and services for non-English speaking victims of crime would be beneficial for agencies. Challenges were raised with respect to the various dialects that exist within one language and that important details and content can be lost during translation services. Issues of confidentiality were raised as well, including the problematic situation of having family members—possibly of the alleged perpetrator—serve as interpreters for child victims. The CVSC reiterated that interpretive services for crime victims are allowable under the VOCA grant. www.freetranslation.com was also cited as a good resource for language interpretation services.
- ❖ Resources and information to assist hearing impaired crime victims is another need expressed by VOCA agencies.
- ❖ Having a comprehensive resource page available at *The Michigan Advocate* website to address issues of cultural competency, language and translation, and services for the hearing impaired would be a tremendous benefit for VOCA grantees.
- ❖ Providing best practices in a variety of victim areas would be helpful for service providers.
- ❖ Suggestion was made to link to the Child Advocacy Centers – Michigan Chapter website so service providers could determine if there is a Child Advocacy Center in their community.

VI. Program Evaluation Trainings

Program evaluation is key for administrators and service providers to adequately assess quality assurance and the overall effectiveness of crime victim services. Not to mention, it is typically a funding requirement for most agencies. To that end, the CVSC has partnered with Dr. Cris Sullivan and MPHI to conduct several trainings for VOCA-funded agencies over the last five years. Two trainings will be offered in fiscal year 2005, with space for 50 participants at each. In order to address travel constraints, the first training is slated to take place on June 24 and will be held in northern Michigan to accommodate agencies in that region. The second training is scheduled for August 24 in Lansing, a relatively central location for the remaining agencies.

Overall, the workshops continue to yield very positive feedback with respect to Dr. Sullivan's presentations and the evaluation training materials provided. We strive to tailor the trainings and materials according to the survey feedback expressed by participants. Surveys are administered after each training to help Dr. Sullivan identify challenges and enhance trainings to better reflect agency needs. Last year Dr. Sullivan incorporated new material in the training manual addressing the evaluation of logic models as participants have expressed many challenges in this realm.

Council of Advocate members were invited to share challenges or concerns regarding their program evaluation efforts, as well as suggestions for improvement of the program evaluation trainings. Topics of discussion are listed below:

- ❖ Participants conveyed the long-standing barrier to program evaluation of low response rates to written surveys. Strategies to address this barrier were briefly discussed among

meeting members, including the method of administering questionnaires verbally while in the presence of the client rather than requesting a return by mail. However, a valid point was raised that with this method you are compromising anonymity—which can affect the integrity of the client’s feedback.

- ❖ A thoughtful dialogue ensued exploring quantitative versus qualitative data. Some participants conveyed that meaningful evaluation can be carried out by using numbers (quantitative data) from client records or other sources that represent the services provided, as opposed to trying to capture more descriptive, qualitative data. A blending of both qualitative *and* quantitative data has often been cited by experts as being a very effective way to evaluate program activities.
- ❖ Some participants expressed that administering client satisfaction surveys is not appropriate for every culture and/or community. In response, other methodologies taught in Dr. Sullivan’s trainings were briefly reviewed including focus groups, staff reporting and documentation, and client records.
- ❖ A need for broader evaluation of macro-level systems serving crime victims and their effectiveness was expressed by agency representatives. Helping victims navigate complex, and sometimes insensitive, criminal justice systems is a huge feat for service providers.
- ❖ Finding new alternatives and information addressing diversity and cultural competency issues surrounding program evaluation efforts is vital for advocates and programs serving crime victims.

VII. Conclusion

Council members from all agencies were each thanked for their participation and feedback on the process of improving VOCA grant management and victim services throughout Michigan. Council members representing VOCA-funded agencies expressed their desire to hold the 8th Annual Council of Advocates at the Kellogg Center in East Lansing again because of its central location. Participants indicated the timing of this year’s COA coincided with the annual Domestic Violence Director’s meeting and Children’s Advocacy Center Director’s meeting and proved to be very convenient with respect to time and travel. Participants suggested giving more advanced notice of the meeting so they can reserve space on their calendars. Council members expressed gratitude to the CVSC for hosting an event dedicated to an open dialogue that values the work crime victim service agencies perform and allows the agencies a voice in vital crime victim issues and the VOCA grant administration.