

PUBLIC TESTIMONY SUMMARY

I-900 STATE AUDITOR'S PERFORMANCE AUDIT:

Crime Victims Programs (June 13, 2011)

As Heard by the Joint Legislative Audit & Review Sub-Committee on I-900 Performance Audits
on June 23, 2011

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Title: Crime Victims Programs
Department of Commerce; Department of Labor & Industries (L&I);
Department of Social and Health Services (DSHS)

Audit Scope and Objectives:

SAO states that, to identify opportunities to cut costs, reduce duplication and improve service, it conducted a performance audit of the programs that account for 98 percent of the state's spending for victim services: the Crime Victims Compensation (CVC) program at L&I, the Office of Crime Victims Advocacy at Commerce, and two programs for victims of domestic violence at DSHS.

SAO indicates it designed the audit to answer the following questions:

- What is the long-term financial stability of the CVC program at the Department of Labor & Industries? Does the state have opportunities to increase revenue or lower costs?
- Could consolidation or other reorganization of programs that serve victims of crime and domestic violence reduce administrative costs and/or improve services to victims?

SAO reports that it focused primarily on the programs' operation during fiscal year 2010; to evaluate financial options for the CVC program, SAO indicates it examined data beginning in fiscal year 2005 and projected its finances through 2017.

SAO also notes that, while the audit was being completed, the Legislature and Governor acted on Substitute Senate Bill 5691 (2011), a bill related to crime victims benefits.

SAO Findings:

- We found the CVC program should be financially stable through the 2011-13 biennium, primarily because of lawmakers' decision in 2010 to temporarily reduce crime victim benefit levels. Legislation enacted in 2011 would make permanent the state benefit reductions and savings. However, a projected federal funding reduction in 2014 could increase future state funding requirements.

SAO Findings (continued):

- We identified opportunities for the state to further reduce program expenses and improve efficiency by capping certain benefits and simplifying L&I’s benefit payment process.
- We found significant overlap among the crime victims and domestic violence grants programs at Commerce and DSHS. Consolidating them at DSHS could improve their efficiency, reduce operating costs and streamline service to organizations that serve victims across the state.
- It would be cost-prohibitive to merge the CVC program at L&I with the grant programs, especially in the current state budget environment.

SAO Recommendations:

Recommendations to the Legislature:

- Extend or make permanent the 2010 crime victims benefit reductions. SAO notes that this was mostly, but not completely, accomplished in the 2011 legislation.
- Authorize the L&I director to reduce benefit levels when CVC funding levels fall short.
- Cap the amount paid for sexual assault exams.
- Consolidate the three grant programs for victims of crime and domestic violence at Commerce and DSHS into a single program within DSHS.

Recommendations to the agencies:

- L&I should streamline the benefit claims process.
- L&I should automate the CVC program’s medical billing system and the process for updating reimbursement rates to reduce the amount of time employees spend manually entering medical bill information.
- If the Commerce and DSHS grant programs are consolidated, DSHS staff should streamline the grant application process, develop a unified procedure manual and design a simplified monitoring process to improve efficiency and avoid duplication.
- We recommend Commerce and DSHS officials communicate with service providers and victim advocates to learn their ideas on how best to consolidate the grant programs and to provide information about any consolidation-related changes that will affect them.

Agency Responses in Audit Report?	Yes, beginning on page 39.
Legislative Action Requested?	Yes; see key recommendations to the Legislature above.

Agencies Testifying:

The Department of Labor & Industries was available for questions (Carole Washburn, Deputy Director)

Summary of Testimony from Audited Agencies:

(No audited agencies signed up to testify)

Other Parties Testifying:

Mary Ellen Stone, King County Sexual Assault Resource Center
Lonnie Johns-Brown, Washington Coalition of Sexual Assault Programs
Grace Huang, Washington State Coalition Against Domestic Violence
Shana Burmeister, Citizen

Summary of Testimony from Other Parties:

The staff with the Office of Crime Victims Advocacy have shown extraordinary leadership. They have provided technical assistance and visionary ideas for methods, planning, and structures to enable Washington to be a leader in the country when it comes to an accreditation process, service standards, and outcomes for victims. Recently a visiting consultant from the East Coast noted how advanced this program is compared to other states. We are proud to be associated with OCVA. We have not had the same experience from DSHS. It is hard to believe that it would improve the OCVA system to consolidate it with DSHS, an agency that is certainly having some challenges right now. The recommendation to consolidate may look like a good idea on the surface, but it could hurt victims of sexual assault.

We hope that the Legislature will at some point have the discussion about consolidating all crime victims programs in one place, including crime victims compensation. DSHS and Commerce may not be the right place for that. We have real concerns about capping the costs of rape exams. These exams are for the gathering of forensic evidence, which is the groundwork for the successful prosecution of rape. The Legislature did discuss this idea earlier in the session and rejected it; we would ask you to continue to reject it. We also have concerns about saying we will never again revisit the levels of benefits paid to crime victims. There should be examination of what the impacts have been to victims from lowering those benefits. There is some worry about ratcheting down the state funding without fully examining what that may mean in terms of losing federal funding.

With regard to the consolidation recommendation, sexual assault funding used to reside partially at OCVA and partially at DSHS. A statute was put in place over ten years ago to consolidate the funding at OCVA. While logically Commerce may not seem like the best home, Commerce has supported us in seeking new funding and in the accreditation process and improving our services, has been a great partner in expanding services for victims of crime other than sexual assault and domestic violence, and has helped us secure federal dollars and other grants. Given the crisis orientation of DSHS, the sexual assault programs have no desire to consolidate our services back over at DSHS.

There would be significant challenges in trying to consolidate the grant programs, and we know there would need to be a significant stakeholder process. We do agree with the audit report that there is a better mission fit at DSHS than there is at Commerce. We agree with a finding in the audit report that not all domestic violence victims are crime victims, so we want to be sure it is recognized that there are needs of domestic violence victims that do not fit within the criminal legal system. Our membership supports the recommendation for the streamlining of grant administration, better uniformity in applications, and funding distribution. Our programs have to spend a lot of time dealing with different grant applications and requirements. To the extent that can be made easier, domestic violence programs can spend more time providing services. If the Legislature does move ahead to consolidate programs, we hope that the savings are put back in to services for survivors.

In a perfect system, it makes sense that similar government functions would be housed in the same agency. There does need to be focus on the most cost-effective way to deliver services to the citizens of the state; however, unsubstantiated or estimated cost savings alone should not be the deciding factor in the consolidation of services. It would be negligent to assume that the other states chosen as role models in the analysis provide the same services as are provided in our state. In 2005,

Washington set forth a strategic plan for victims' services. It should not be forgotten that, prior to this strategic plan, many crime victims lacked access to both information and services. The strategic plan states that significant work has already been completed with regard to guidelines and strategies for serving victims of domestic violence and sexual assault. The analogy was thinking of the broad topic of victim services as a neighborhood, with the houses for domestic violence victims and sexual assault victims already built, while the house for victims of general crimes had not yet been built. Proof that education is still needed about general crime victims and survivors was evident during this year's state budget process. Legislators thought nothing about recommending a 12 percent cut to crime victim service centers around the state.

The lack of understanding about these services warrants concern about comparisons drawn with other states in the audit report. Few states offer services to victims of crime in the manner that we do in this state. A consolidation move to the largest agency in the state – one that is ripe biennially for funding cuts and a myriad of changes to programs – seems shortsighted. OCVA was an active participant in securing funding for services to victims of all crime types. They have positively impacted nonprofit and community-based organizations throughout the state with their dedication to finding acceptable funding streams. Having services housed in an agency with strong oversight that actively advocates for program success seems like a wise investment, compared to \$188,000 in unsubstantiated cost savings. I hope you will seek input from those who know the nuances of these programs prior to making any harsh decisions.