



THOMAS J. MILLER
ATTORNEY GENERAL

Department of Justice

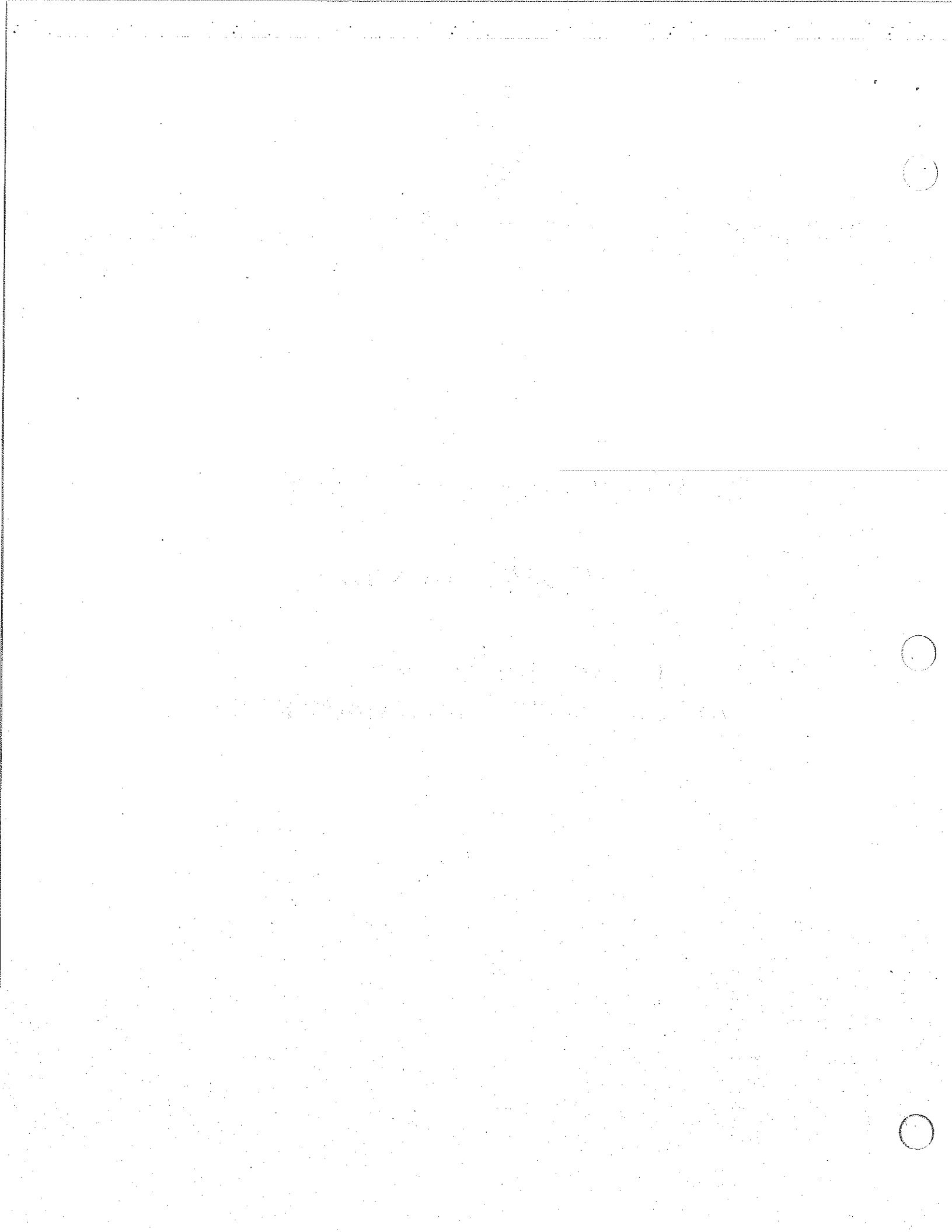
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DEPARTMENT OF JUSTICE

PRESENTATION TO

JUSTICE SYSTEMS
APPROPRIATIONS SUBCOMMITTEE

FEBRUARY 2, 2006



Crime Victim Assistance Division

Victim Assistance Grants Account

Resources	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Est.
	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
General Fund	\$ 1,759,806	\$ 1,935,806	\$ 1,817,534	\$ 30,000	\$ 30,000	\$ 30,000	\$ 35,000	\$ 35,000
Income Tax Check-off	67,202	75,783	0	0	0	0	0	0
VOCA Assistance Grant	4,341,189	3,153,852	3,985,333	3,980,004	4,028,445	3,619,686	3,618,134	3,751,550
FVPSA	559,257	720,530	704,824	1,093,538	1,152,835	1,119,056	1,107,915	1,106,139
VAWA	0	0	0	0	1,883,784	1,775,213	1,595,423	1,446,000
Congressional Earmark	0	0	0	0	0	0	210,211	66,733
Victim Comp. Fund	250,000	250,000	650,000	712,319	2,185,065	2,251,273	2,273,009	2,502,841
Carryover	121,440	113,833	84,307	64,809	4,751	0	0	0
Total	\$ 7,098,894	\$ 6,249,804	\$ 7,436,280	\$ 7,668,204	\$ 9,284,880	\$ 8,795,228	\$ 8,839,692	\$ 8,908,263
Expenditures								
Operations	\$ 0	\$ 0	\$ 0	\$ 0	\$ 127,491	\$ 139,455	\$ 145,883	\$ 155,141
Transfer to Comp. Fund	154,879	186,953	166,955	269,354	253,728	0	0	0
Grants	6,830,182	5,978,544	7,204,516	7,394,099	8,903,661	8,655,774	8,693,809	8,753,122
Total	\$ 6,985,061	\$ 6,165,497	\$ 7,371,471	\$ 7,663,453	\$ 9,284,880	\$ 8,795,228	\$ 8,839,692	\$ 8,908,263
Ending Balance	\$ 113,833	\$ 84,307	\$ 64,809	\$ 4,751	\$ 0	\$ -0	\$ 0	\$ 0
Victims served:	21,763	21,604	21,667	27,497	27,497	28,964	29,964	29,964

Notes:

1. The Victim Assistance Grants Program provides grants to service providers of victims of violent crime including domestic abuse and sexual abuse crimes and the domestic abuse and sexual abuse statewide telephone hot lines.
2. Federal regulations for VOCA Assistance Grants permit funds to be used for service providers of victims of violent crime. VOCA funds 28 domestic abuse and 28 sexual assault programs throughout the state. It also funds four homicide victim survivor programs and 12 victim and witness coordinators in county prosecutor offices.
3. Family Violence Prevention and Services Act funds may only be used for domestic abuse programs.
4. Violence Against Women Act funds were transferred from the Office of Drug Control Policy in FY 2003. While it is a new funding stream for the Crime Victim Assistance Division, it is not a new funding stream for local programs.
5. For VAWA, a state match of \$30,000 is required in order to receive the federal award. The appropriation to the Office of the Attorney General includes this \$30,000 match. The \$30,000 is included under Expenditures in the Operations line item.

Crime Victim Assistance Division

6. The amount for VAWA includes federal receipts of \$109,455 in FY 2004 and \$83,654 in FY 2005. Federal rules permit administrative costs to be 10.0% of the grant award. The Division uses 5.0% of the grant award for administrative purposes. The administrative costs funded through federal receipts are included under Expenditures in the Operations line item.
7. VAWA funds may be used for domestic abuse, sexual assault, and stalking programs. It currently funds the STOP Violence Against Women Program and funded the Rural Domestic Violence and Child Vicimization Discretionary Grant through FY 2005. Federal regulations require the funds to be distributed as follows: up to 10.0% may be used for administration. The Division uses 5.0% off the top for administration. The remaining 95.0% of the award is distributed as follows: 30.0% to victim service providers, 25.0% to prosecutors, 25.0% to law enforcement, 5.0% to the court system, and 15.0% discretionary (victim service providers).
8. The number of victims served increased in FY 2002 due to reporting the impact of the VAWA grant. In previous years, those victims were served by VAWA, which was administered by the Office of Drug Control Policy.
9. From FY 1999 through FY 2003, the 5.0% administrative costs for the VOCA and FVPSA grants were deposited in the Victim Assistance Grants Account and transferred to the Victim Compensation Fund. The Fund paid for all administrative costs associated with these grants.

REQUEST #1 - NEW AREA PROSECUTOR - \$100,000

Mission

The mission of the Area Prosecution Division ("APD") of the Attorney General's Office ("Office") is twofold: (1) to prosecute major criminal offenses for which local prosecutors either lack sufficient resources or for which they have an ethical conflict, and (2) to prosecute Sexual Violent Predator (SVP) commitments. The division's cases are disproportionately class A felonies, or otherwise high profile/ resource intensive cases. Case assignments occur in all of Iowa's 99 counties, requiring extensive travel by APD staff.

Criminal Workload

Of the criminal cases, approximately 30% involve sex crimes, and approximately 10% involve crimes of physical or sexual violence (or both) against children. In addition to prosecuting child sex abuse and child homicide cases, APD attorneys frequently provide consultation to local prosecutors handling such cases. APD is involved, in one capacity or another, in a majority of Iowa cases involving the kidnap, sex abuse and murder of a child.

SVP Workload

Area Prosecutions prosecutes 100% of Iowa's SVP commitment cases. All of the SVP commitments involve recidivist violent sex offenders. Of these offenders, the substantial majority are child molesters, and the remainder are violent rapists.

Resources

APD has 10 prosecutors and 6 support staff. Due to deep budget cutbacks, the division has not been able to fill 2 attorney vacancies. Overall, the Office has 15 attorney vacancies and is not able to adequately handle the overflow caseload from APD except on a case-by-case, emergency basis.

Resource Allocation

Of the division's 10 FTE prosecutor positions one is devoted to SVP trial prosecution. This compares to 4 FTE state public defender positions devoted to SVP trial defense. As in criminal prosecutions, in each SVP commitment the State of Iowa has the burden of proving its case beyond a reasonable doubt to the satisfaction of a unanimous jury. APD prosecutors who ordinarily specialize in major criminal prosecutions are frequently called away from such duties to prosecute SVP cases.

Request

The Area Prosecutions Division is understaffed to execute its criminal mission with maximum effectiveness, and is severely understaffed to execute its SVP mission with maximum effectiveness. Addition of one FTE prosecutor at a cost of \$100,000 would significantly increase the division's effectiveness and is warranted, particularly given that the division's responsibility is disproportionately major offenses, sex crimes, and violent crimes (including violent sex crimes) against children.

Request #2– Crime Victim Assistance Grants – Increase \$5000 Line Item to \$205,000

History of State Funds

- State appropriated funds for domestic and sexual abuse programs from FY79 to FY02.
- The FY02 appropriation was \$1,847,534.
- State Appropriation for grants peaked at \$1,935,806 in FY01.
- For FY03 and FY04 the State Budget line item for victim service grants was eliminated.
- For FY05 and FY06 the line item for victim service grants was reinstated in with an appropriation of \$5,000.
- The Attorney General has utilized the reserve of the Crime Victim Compensation Fund (Comp Fund) to continue funding the grants at 85% of the last appropriation.

Effects of Cuts on Domestic and Sexual Abuse Victim Service Programs

- Federal funds for victim service have decreased or been stagnant since 2001.
- Since FY02, the number of victims served by domestic and sexual abuse victim service programs has increased 5% to 25,879 in FY05.
- Since FY02, the number of Iowa domestic and sexual abuse victim service programs has decreased from 34 to 28.
- Programs that have closed since FY02 include those in Jefferson, Waukon, Waterloo, Knoxville, Algona, and Shenandoah. A program for teen victims in Ames also closed.
- Programs closed for many reasons, including isolation, lack of community support, and poor management. But the overriding reason programs closed is that they were funded to fail.
- There have been no new funds to help cover the increased costs for utilities, food, training, gas etc. There have been no funds to increase the salaries of those who worked in the programs.
- Since FY02, the average number of staff per program has decreased from 8 to 5.
- Since FY02, the average number of counties served by each program has increased from 3 to 5.
- Service demands and community expectations on these programs continue to increase. Victim services must provide many services in several counties with very limited staff:
 - Be available by crisis line and in shelters 24/7/365 for victims in crisis or need.
 - Assist victims with law enforcement, prosecutors, and hospitals 24/7/365.
 - Assist victims in securing protection orders.
 - Assist schools with prevention programs.
 - Provide services appropriate for adults, children, disabled persons, and minority persons.
 - Raise about 60% of their budgets in private grants and donations.
- The average salary of an Iowa victim service advocate is \$26,294 and the average salary of an administrator is \$34,038.

Request: Increase crime victim assistance grant line item from \$5,000 to \$205,000.

**IOWA ATTORNEY GENERAL'S OFFICE
CRIME VICTIM ASSISTANCE DIVISION
VICTIM SERVICES GRANT PROGRAM**

**STATISTICAL INFORMATION
STATE FISCAL YEAR 2005**

(July 1, 2004 through June 30, 2005)

CRIME VICTIM SERVICE INFORMATION

Victims Served by Type of Crime

Domestic Abuse:		21,738
Women	17,292	
Men	775	
Children	3,671	
Sexual Abuse:		4,141
Adult	2,009	
Incest Survivors	316	
Teens	994	
Children	822	
Child Physical Abuse:		283
Elder Abuse:		38
Homicide Victim Survivors:		441
Drunk/Intoxicated Driving:		165
Robbery:		93
Staking:		97
Assault:		1,442
Other Violent Crimes:		979
Total Victims Served:		29,417
Total crisis line contacts:		73,789

Victims Provided with Safe Shelter

Domestic Abuse:		4,761
Women:	2,603	
Men:	9	
Children:	2,149	
• 0-12 years:	1,799	
• 13-17 years:	350	
Sexual Abuse:		93
Other adult victims:		30
Total Sheltered:		4,884
Total shelter Nights:		98,105
Average nights per person:		20

CRIME VICTIM SERVICE PROGRAM INFORMATION

Programs by Type of Victims Served

Community Non-profit Victim Service Programs	
Sexual Abuse Victim Program:	33
Domestic Abuse Victim Programs:	33
Domestic and Sexual Abuse Statewide Hotlines:	2
Homicide Victim Survivor Programs:	4
Teen Victim Programs:	2
Violence Against Women Statewide Programs	<u>2</u>
	76
Government-based Criminal Justice Programs	
Prosecutor-based Victim Coordination Programs:	15
University based Sexual Abuse Response Teams:	2
Violence Against Women Law Enforcement Programs	13
Violence Against Women Prosecutors:	11
Violence Against Women Statewide Programs:	<u>4</u>
	45
Total Programs funded:	121

NOTE: Agencies may operate multiple programs, each of which responds to victims of a different crime. For instance, one agency may operate sexual abuse, domestic abuse, and homicide victim survivor programs.

Non-Profit Victim Service Program Staff and Volunteers

Total paid staff for all programs:	407
Average paid staff per program:	5
Total volunteers for programs:	4,968
Average Volunteers per program:	65
Total volunteer hours for programs:	208,782
Average volunteer hours for programs:	2,747

Public Awareness and Prevention Efforts

Total Program Media Contacts:	1,690
Total Program Presentations:	3,988
Total Audience at Presentations:	103,563
Total Program Training Sessions:	1,038
Total Individuals Trained:	22,588

**IOWA ATTORNEY GENERAL'S OFFICE
CRIME VICTIM ASSISTANCE DIVISION
VICTIM SERVICES GRANT PROGRAM**

Chart 1: Sexual Abuse Victims Served

State Fiscal Year	Sexual Abuse Adult	Incest Survivor Adult	Sexual Abuse Teen	Sexual Abuse Children	TOTAL SERVED
FY00	1631	336	792	723	3,482
FY01	1362	336	850	735	3,283
FY02	1763	419	1021	867	4,070
FY03	1579	360	954	861	3,754
FY04	1668	227	889	776	3,560
FY05	2009	316	994	822	4,141
Total	10,012	1,994	5,500	4,784	22,290

Chart 2: Domestic Abuse Victims Served

State Fiscal Year	Domestic Abuse Female	Domestic Abuse Male	Domestic Abuse Children	TOTAL SERVED
FY00	14,236	647	3,111	17,994
FY01	14,049	698	3,781	18,528
FY02	16,243	664	3,553	20,460
FY03	15,707	670	3,575	19,952
FY04	17,331	839	3,610	21,780
FY05	17,292	775	3,671	21,738
Total	94,858	4,293	21,301	120,452

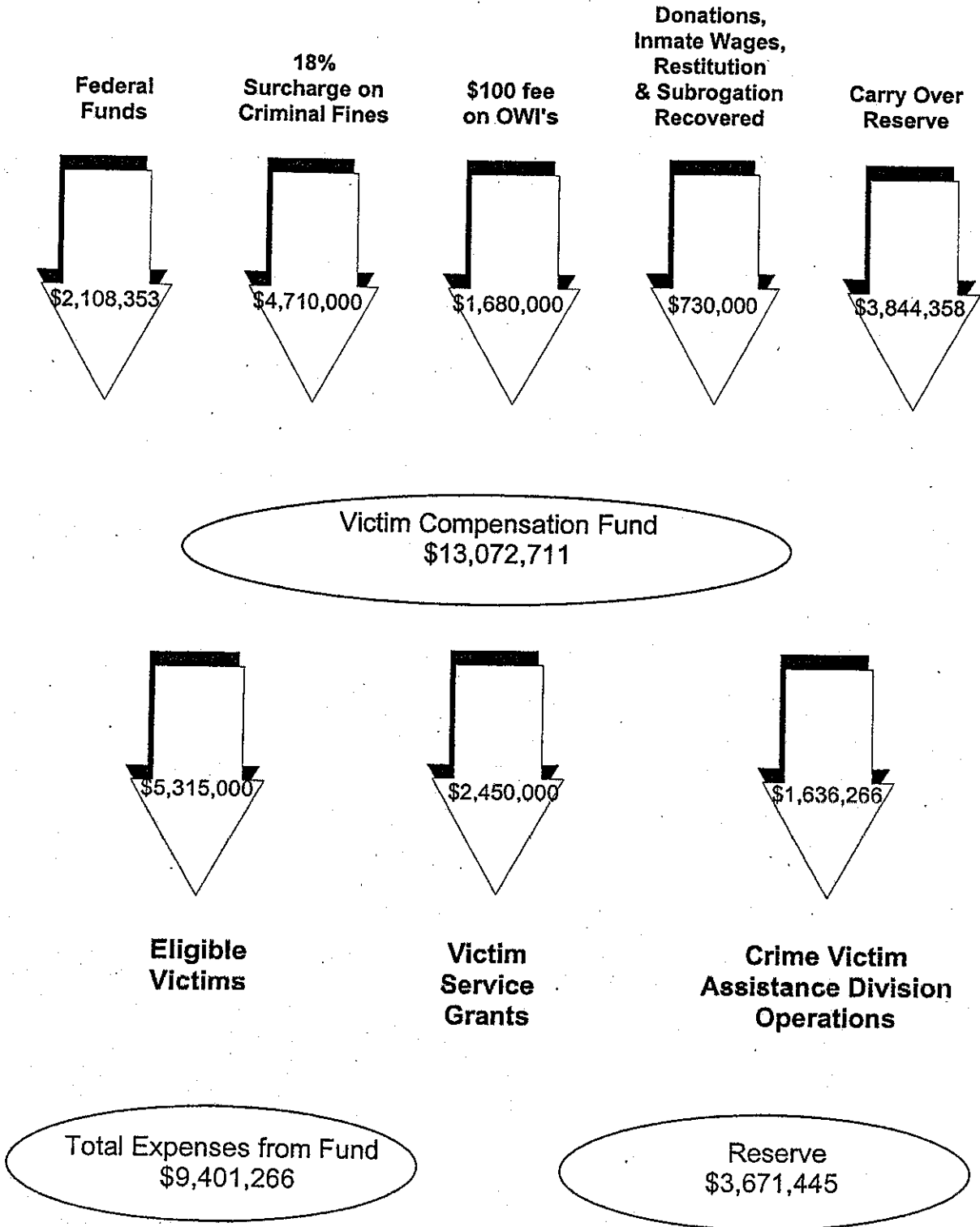
Chart 3: State Expenditures for Domestic Abuse and Sexual Abuse Victims

State Fiscal Year	Domestic and Sexual Abuse Victims Served	State Funds for DA and SA Programs *	Average State Spending Per Victim
FY02	24,758	\$2,590,947	\$104.66
FY03	23,242	\$2,220,930	\$95.56
FY04	25,340	\$2,250,000	\$88.79
FY05	25,879	\$2,254,417	\$87.11
FY06	26,000	\$2,277,000	\$87.57

* Includes Appropriation and Compensation Fund dollars. The FY02 appropriation was \$1.8 million. The FY03 and FY04 appropriations were \$0.00. The FY05 and FY06 appropriations were \$5,000.

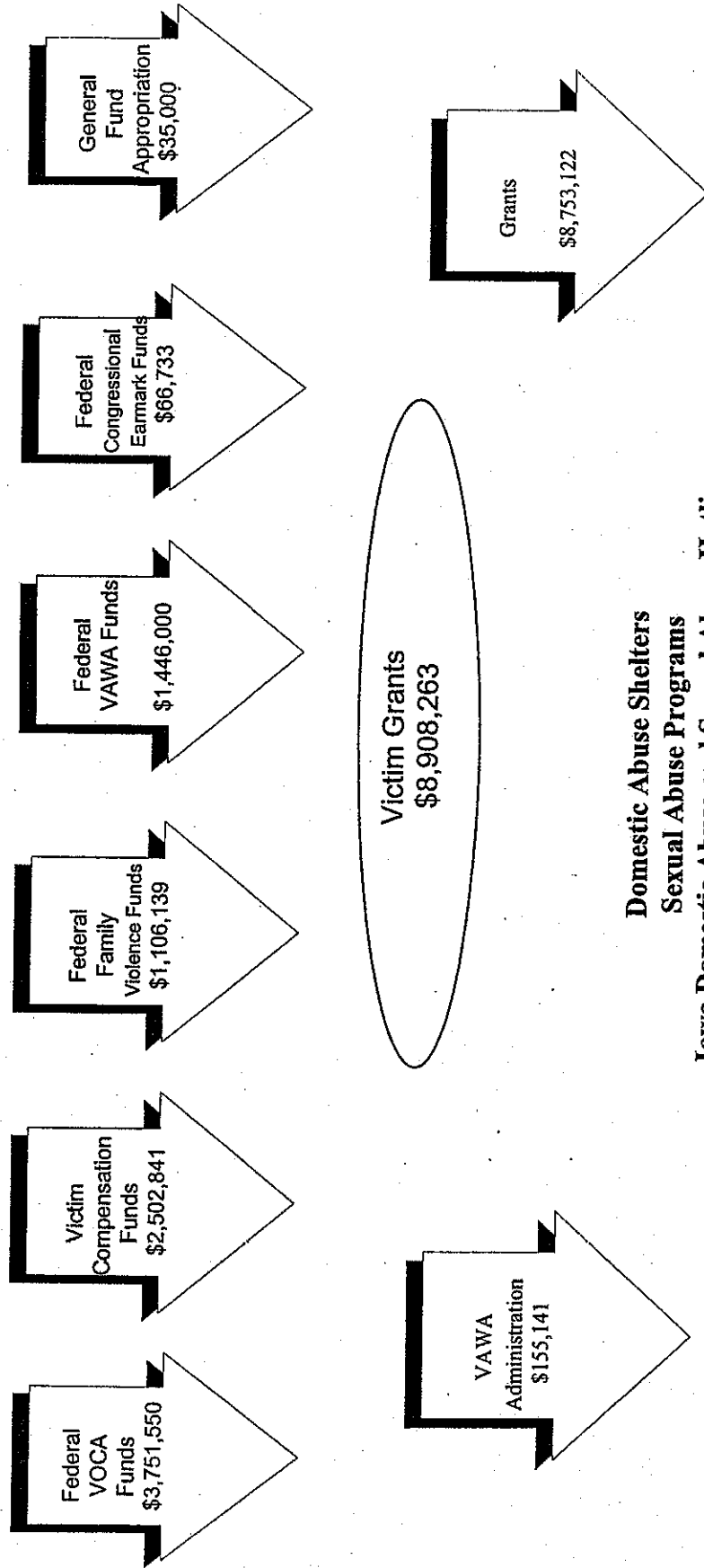
VICTIM COMPENSATION

Attorney General's Office
Projected FY 2006



VICTIM GRANTS

Attorney General's Office
Projected FY 2006



Crime Victim Assistance Division

Victim Compensation Fund

Resources	Actual FY 1999	Actual FY 2000	Actual FY 2001	Actual FY 2002	Actual FY 2003	Actual FY 2004	Actual FY 2005	Est FY2006
OWI Fines	\$ 1,536,480	\$ 1,577,599	\$ 1,517,008	\$ 1,686,888	\$ 1,666,902	\$ 1,527,500	\$ 1,477,452	\$ 1,680,000
Criminal Surcharge	1,794,049	2,695,324	3,396,771	3,975,801	4,230,361	4,750,493	5,368,987	4,710,000
Restitution	388,946	477,015	454,847	483,733	438,857	472,210	550,848	525,000
Inmate Wages	107,964	137,927	112,294	80,040	58,229	74,164	82,668	80,000
Donation	1,368	741	1,770	0	0	0	0	0
Subrogation	121,794	182,382	137,986	109,258	78,833	92,433	131,633	125,000
VOCA Compensation	834,000	950,000	931,000	1,035,000	1,560,000	1,238,000	1,843,000	1,843,000
Transfer Comp. Admin.	0	41,700	0	145,800	0	0	0	0
VOCA Admin./Training	129,704	156,550	135,749	233,900	429,767	198,900	205,445	197,450
Federal FVPSA Admin.	25,175	30,403	31,206	35,454	114,292	58,753	58,099	58,218
Congressional Earmark								
VAWA Admin								9,685
Carryover	2,475,142	2,343,065	3,200,127	3,871,254	4,366,235	4,232,750	3,724,727	3,844,358
Carryover Adjustment						2,250	4,195	0
Total	\$ 7,414,622	\$ 8,592,706	\$ 9,918,758	\$ 11,657,128	\$ 12,943,476	\$ 12,647,454	\$ 13,478,869	\$ 13,072,711

Expenditures

Operations	\$ 1,018,303	\$ 947,090	\$ 1,214,080	\$ 1,387,827	\$ 1,738,737	\$ 1,409,681	\$ 1,450,670	\$ 1,576,266
Victim Services Grants	250,000	250,000	650,000	712,319	2,185,065	2,251,273	2,240,780	2,450,000
Victim Advocate Training	0	0	0	100,000	30,000	30,000	30,000	30,000
Collection Expenses	60,069	115,533	75,140	61,139	43,050	30,041	30,041	30,000
Compensation Paid	3,312,267	3,610,633	3,627,664	3,546,023	4,213,242	4,602,032	4,883,955	4,715,000
Sexual Abuse Exams	430,918	469,323	480,620	483,585	500,632	599,700	999,064	600,000
Transfer to Unemp. Comp.	0	0	0	1,000,000	0	0	0	0
Total	\$ 5,071,557	\$ 5,392,579	\$ 6,047,504	\$ 7,290,893	\$ 8,710,726	\$ 8,922,727	\$ 9,634,511	\$ 9,401,266

Ending Balance	\$ 2,343,065	\$ 3,200,127	\$ 3,871,254	\$ 4,366,235	\$ 4,232,750	\$ 3,724,727	\$ 3,844,358	\$ 3,671,445
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Crime Victim Assistance Division

Notes:

1. The Victim Compensation Fund was established to compensate crime victims for certain losses, as provided in Chapter 915, Code of Iowa. The year-end balance is the next fiscal year's carryover funding. The carryover is required to ensure adequate cash flow for payments to victims and providers. It also permits the Fund to be considered actuarially sound.
2. VOCA is the Victim of Crime Act.
3. The Federal FVPSA is the Family Violence Prevention and Services Act.
4. The 5.0% administrative cost allowed from VOCA, and FVPSA are included in the Victim Compensation Fund. Victim Assistance federal grants to local providers are included in the Victim Assistance Grants Account.
5. HF 2625 (FY 2002 Adjustments and Transfers Act) transferred \$1.0 million from the Victim Compensation Fund to the State Unemployment Compensation Fund in FY 2002.
6. For FY 2003, VOCA Admin./Training and Federal FVPSA Admin. include an additional year of receipts. This is a one-time occurrence so that receipts are recorded in the correct fiscal year.