



Audit of the Office of Justice Programs Victim Assistance Funds Subawarded by the Virginia Department of Criminal Justice Services to the Legal Aid Justice Center, Charlottesville, Virginia



AUDIT DIVISION

23-101

SEPTEMBER 2023



EXECUTIVE SUMMARY

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Background

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP) provided funds to the Virginia Department of Criminal Justice Services (Virginia DCJS) to make subawards to support victim assistance programs in the Commonwealth of Virginia. Virginia DCJS awarded \$677,705 in crime victim assistance funds to the Legal Aid Justice Center (LAJC) under one subaward in 2021. The purpose of the LAJC's subaward was to provide services to immigrant victims of workplace crimes of violence across Virginia with a particular emphasis on farmworkers. As of June 2023, Virginia DCJS reimbursed LAJC \$650,125 under the Victims Services Grant Program subaward.

Audit Objective

The objective of this DOJ Office of the Inspector General audit was to review how LAJC used Victims of Crime Act (VOCA) funds to assist crime victims and assess whether it accounted for these funds in compliance with select award requirements, terms, and conditions.

Summary of Audit Results

We concluded LAJC provided services to immigrant victims of workplace crime across Virginia. We also found that LAJC demonstrated achievement of the grant's stated goals and objectives and adhered to all grant requirements we tested. We provided a copy of this draft audit report to LAJC, Virginia DCJS, and OJP officials. Though our report does not have any recommendations, LAJC, Virginia DCJS, and OJP officials provided a response, which can be found in Appendices 2, 3, and 4, respectively.

Program Performance Accomplishments

The audit concluded LAJC provided legal services to immigrant victims of workplace crimes across Virginia.

Financial Management

We determined that LAJC implemented adequate financial management controls and properly spent VOCA funds on budgeted personnel, travel, and rent.

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Introduction

The Department of Justice (DOJ) Office of the Inspector General (OIG) completed an audit of victim assistance funds received by the Legal Aid Justice Center (LAJC) Victims Services Grant Program (VSGP). The Office of Justice Programs (OJP) Office for Victims of Crime (OVC) provided this funding to the Virginia Department of Criminal Justice Services (Virginia DCJS), which serves as the state administering agency (SAA) for Virginia and makes subawards to direct service providers. As a direct service provider, LAJC received a subaward derived from the Fiscal Year (FY) 2019 and FY 2020 Victims of Crime Act (VOCA) victim assistance grants that OJP awarded to Virginia DCJS, as shown in Table 1.

Table 1

Audited Subaward to LAJC from the Virginia DCJS

Virginia DCJS Subaward Identifier	OJP Prime Award Numbers	Project Start Date	Project End Date	Funding Sources	Subaward Amount
22-A8641VP20	2019-V2-GX-0054 and 2020-V2-GX-0048	7/01/2021	6/30/2023	VOCA Victim Assistance	\$677,705

Source: JustGrants and the Virginia DCJS

Established by the Victims of Crime Act (VOCA) of 1984, the Crime Victims Fund (CVF) is used to support crime victims through DOJ programs and state and local victim assistance and compensation initiatives.¹ According to OJP’s program guidelines, victim assistance services eligible to receive VOCA support must: (1) respond to the emotional and physical needs of crime victims, (2) assist victims of crime to stabilize their lives after a victimization, (3) assist victims to understand and participate in the criminal justice system, and (4) provide victims of crime with a measure of safety and security. Direct service providers receiving VOCA victim assistance subawards thus may provide a variety of support to victims of crime, to include offering help filing restraining orders, counseling in crises arising from the occurrence of crime, crisis intervention, and emergency shelter.

The Legal Aid Justice Center

Founded in 1967, LAJC is a non-profit organization, located in Charlottesville, Virginia, that partners with communities and clients on matters related to racial, social, and economic justice. LAJC aims to reduce poverty across Virginia through individual legal services, policy advocacy, impact litigation, and community organization focused on low-income Virginians. For example, LAJC offers free legal services to low-income families, low-wage immigrant workers, and other vulnerable populations. LAJC has been a subrecipient of VOCA grants since 2021 and its VOCA Immigrant Victims of Workplace Crime Project has provided legal assistance to underserved workers on workplace-centered crimes or purported crimes, such as labor

¹ The VOCA Victim Assistance Formula Grant Program is funded under 34 U.S.C. § 20101. Federal criminal fees, penalties, forfeited bail bonds, gifts, donations, and special assessments support the CVF. The total amount of funds that the OVC may distribute each year depends upon the amount of CVF deposits made during the preceding years and limits set by Congress.

trafficking, assault, wage theft, and health and safety violations. LAJC seeks to: (1) provide a package of wholistic services that include administrative, case, and outreach work and (2) refer or establish referral networks for workers to receive these services.

OIG Audit Approach

The objective of this audit was to review how LAJC used the VOCA funds received through a subaward from the Virginia DCJS to assist crime victims and assess whether LAJC accounted for VOCA funds in compliance with select award requirements, terms, and conditions. To accomplish this objective, we assessed program performance and accomplishments and financial management.

To gain further understanding of victim assistance subaward oversight, as well as to evaluate subrecipient performance and administration of VOCA-funded programs, we solicited feedback from Virginia DCJS officials regarding LAJC's records of delivering crime victim services, accomplishments, and compliance with DCJS award requirements.²

We tested compliance with what we considered to be the most important conditions of the subaward. The DOJ Grants Financial Guide; VOCA Guidelines and Final Rule; 2 C.F.R. § 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Virginia DCJS guidance; and the OVC and SAA award documents contain the primary criteria we applied during this audit.

The results of our analysis are discussed in detail in the following sections of this report. Appendix 1 contains additional information on this audit's objective, scope, and methodology.

² As an SAA, Virginia DCJS is responsible for monitoring the performance of, providing technical assistance to, collecting data from, and processing victim assistance reimbursements requested by the Program. As such, we considered the results of our audit of victim assistance grants awarded to Virginia DCJS in performing this separate review. See U.S. Department of Justice Office of the Inspector General, [Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the Virginia Department of Criminal Justice Services, Richmond, Virginia | U.S. Department of Justice Office of the Inspector General](#), Audit Report 20-100 (September 2020), www.oversight.gov/sites/default/files/oig-reports/20-100.pdf.

Audit Results

Program Performance and Accomplishments

As established by the VOCA legislation, VOCA subawards are available to subrecipients for the purpose of providing direct services to victims. LAJC received its VOCA funding from the Virginia DCJS to serve isolated immigrant farmworker victims of workplace crimes and violence across Virginia. We obtained an understanding of LAJC's standard operating procedures in relation to the subaward funded services. We also compared the subaward solicitation, project proposal or application, and subaward agreement against available evidence of accomplishments to determine whether LAJC demonstrated adequate progress towards providing the services for which it was funded. Overall, we concluded LAJC demonstrated achievement of the subaward's stated goals and objectives.

Program Implementation

According to the DOJ Grants Financial Guide, recipients of federal awards should maintain a well-designed and tested system of internal controls. The DOJ Grants Financial Guide further defines internal controls as a process designed to provide reasonable assurance regarding the achievement of objectives in: (1) the effectiveness and efficiency of operations, (2) reliability of reporting for internal and external use, and (3) compliance with applicable laws and regulations.

To obtain an understanding of its standard operating procedures in relation to audited victim services, we interviewed relevant LAJC officials and staff. We also requested LAJC's written policies and procedures that govern the VOCA-funded program. We determined that LAJC used its Standards of Practice to guide its Immigrant Victims of Workplace Crime Project. Additionally, LAJC has written position descriptions and responsibilities for staff funded by the VOCA subaward.

We further determined that clients of the Immigrant Victims of Workplace Crime Project come from a variety of sources, including referrals from LAJC community partners, phone calls or walk-ins to LAJC regional offices in Richmond, Northern Virginia, or Charlottesville. For each of these client categories, LAJC had processes in place to ensure that it provided adequate services in accordance with the subaward terms and conditions. Specifically, LAJC obtains most of its new clients through community outreach and advertising their services. An LAJC official stated that in most cases, LAJC enrolls new clients in the program following multiple field visits from outreach staff who have connected and built trust with the vulnerable communities served. As a result, many prospective clients contact LAJC via follow-up phone calls, emails, or text service. For walk-in clients who come directly into LAJC offices, administrative staff perform an initial review using an Intake Priority Sheet to determine program eligibility. For clients that result from other attorney referrals or fieldwork activities, LAJC personnel perform a preliminary assessment to gather initial information, such as the client's background and immediate circumstance. Further, once LAJC opens a case it uses its case management system to record and track client intake information, such as pertinent dates, tasks, case notes outcomes, and responses to program eligibility questions. Lastly, based on our review and considering that the same LAJC official stated that they have never encountered a farm worker who was above the income eligibility threshold for LAJC's services, we found that LAJC has adequate internal controls in place to appropriately deliver services to victims of crime.

Program Services

According to the goals of the subaward, LAJC organizers and attorneys work together to provide immigrant victims of workplace crimes comprehensive services, legal advice and referrals, information through “know-your-rights” outreach and campaign events targeting isolated immigrant farmworkers and other high risk immigrant workers.³

We selected a judgmental sample of program statistics and accomplishments noted in LAJC’s quarterly reports submitted to Virginia DCJS for the reporting periods of July 1, 2022, through September 30, 2022, and October 1, 2022, through December 31, 2022. We then reconciled the data contained in LAJC’s case management system to the accomplishments reported in the selected quarterly reports to assess completeness and accuracy. Based on our review, we found that LAJC’s documentation was accurate and supported that LAJC achieved the goals and objectives of the subaward.

Additionally, to determine the completeness and accuracy of program data stored in LAJC’s case management system, we judgmentally selected a single data point for direct services as reported in the OVC Performance Measurement Tool Report for the period of July 1, 2022, through September 30, 2022.⁴ We then selected a non-statistical sample of five electronic case files to review. For each case file, we verified that LAJC’s case management system contained victim service attributes, including a case identification number, date of intake, case owner, case type, and the status and outcome of the case. Based on our testing, we determined that LAJC recorded the required information in the victims’ electronic case files and that the information was complete and accurate.

Financial Management

According to the DOJ Grants Financial Guide, all grant recipients and subrecipients are required to establish and maintain adequate accounting systems and financial records to accurately account for awarded funds. We interviewed LAJC’s Director of Finance, assessed policies and procedures, reviewed award documents, and performed expenditure testing to determine whether LAJC adequately accounted for the subaward funds we audited. Overall, we concluded that LAJC implemented adequate financial management controls and properly spent VOCA funds on budgeted personnel, travel, and supplies/other costs.

Fiscal Policies and Procedures

To test fiscal policies and procedures, we reviewed LAJC’s policies related to subaward fiscal oversight, spoke with LAJC’s Director of Finance regarding financial procedures, and verified the execution of activities in accordance with the financial procedures. We found that the LAJC’s financial policies and procedures allow it to account for federal funds and track expenditures.

³ LAJC separated its program activities into two geographically distinct areas: (1) eastern Virginia (including the Eastern Shore, Tidewater, and the Northern Neck) and (2) outside eastern Virginia (including Northern Virginia, Central Virginia, Southwest, Southside, and the Shenandoah Valley).

⁴ LAJC reported 11 individuals as the total number of individuals assisted with a victim compensation application during the July 1, 2022 through September 30, 2022 reporting period.

Subaward Expenditures and Matching Costs

LAJC requests reimbursement of expenditures on a quarterly basis by submitting fiscal and programmatic reports to Virginia DCJS. The approved subaward budget for LAJC's VSGP included personnel, travel, supplies/other costs, indirect costs, and matching costs.⁵ As of June 2023, LAJC received \$650,125 in subaward reimbursement.

We reviewed a sample of LAJC transactions to determine whether the costs charged to the project and paid with VOCA funds were accurate, allowable, supported, and in accordance with the VOCA program requirements. We judgmentally selected expenditures totaling \$75,012. In addition, we reviewed a sample of LAJC matching cost transactions totaling \$1,367. The transactions tested were allowable and adequately supported.

Personnel Costs

The largest cost area for which LAJC received reimbursement was personnel costs. We determined Virginia DCJS reimbursed LAJC \$556,407 of the total \$650,125 (approximately 86 percent of total reimbursements) for salary and fringe benefits for the subaward in our scope. We judgmentally sampled two non-consecutive pay periods from the subaward, which included 18 individual bi-weekly employee payments totaling \$48,241. We also tested \$14,940 in fringe benefit costs associated with the personnel charges in our sample. We determined that all the transactions tested were allowable and supported.

Other Costs

To test travel, including lodging and mileage, and rent charged to the subaward, we judgmentally selected a sample of 25 transactions, totaling \$11,831 from LAJC's accounting records. To perform verification testing of these expenditures, we reviewed accounting records and available supporting documents. We determined that all 25 transactions tested were allowable and supported.

Matching Requirement

VOCA Guidelines generally require that subrecipients match 20 percent of each subaward unless OVC waived this requirement. The purpose of this requirement is to increase the amount of resources available to VOCA projects, prompting subrecipients to obtain independent resources to leverage federal funding and encourage investment and engagement in VOCA-funded projects. Match contributions must come from non-federal sources and can be either cash or in-kind match.⁶ The SAA has primary responsibility for ensuring subrecipient compliance with the matching requirements.

To review the provision of matching funds, we reviewed 11 match-related transactions, totaling \$1,367. We found that LAJC contributed cash match to personnel, travel, and supplies/other costs. We also reconciled the 11 transactions to LAJC's accounting records and found that transactions were properly authorized,

⁵ LAJC was approved for a 3-month short-term rental space (apartment or house) on Virginia's Eastern Shore for rotating groups of staff to conduct outreach and provide services to the large population of farmworkers and protein processors (poultry and sea food) during the summer months. Rent is captured in the "supplies/other" budget category.

⁶ In-kind match contributions may include donations of expendable equipment, office supplies, workshop or classroom materials, workplace, or the value of time contributed by those providing integral services to the funded project.

supported, and allocated to the subaward. Therefore, we determined that LAJC fulfilled its matching funds requirement.⁷

⁷ Virginia DCJS included \$169,426 in match funds as part of the overall subaward. LAJC submitted a total of \$22,647 in match claims through December 2021. Following guidance from the VOCA Fix to Sustain the Crime Victims Fund Act of 2021, Virginia DCJS waived the remaining \$146,779 for the duration of the subaward.

Conclusion

As a result of our audit testing, we conclude that LAJC used VOCA funds received through the subaward from the Virginia DCJS appropriately and achieved the subaward's stated goals and objectives by providing legal representation services to immigrant farm workers across Virginia. We found that all tested expenditures were allowable, supported, and in accordance with applicable laws, regulations, guidelines, and subaward terms and conditions. Additionally, we found that LAJC adhered to guidance related to program performance and accomplishments and grant financial management. Therefore, we do not make any recommendations in this report.

APPENDIX 1: Objective, Scope, and Methodology

Objective

The objective of this audit was to review how the Legal Aid Justice Center (LAJC) used the Victims of Crime Act (VOCA) funds received through a subaward from the Virginia Department of Crime Justice Service (Virginia DCJS) to assist crime victims and assess whether it accounted for VOCA funds in compliance with select award requirements, terms, and conditions. To accomplish this objective, we assessed program performance and accomplishments and grant financial management.

Scope and Methodology

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

This was an audit of one subaward to LAJC. This subaward, totaling \$677,705, was funded by Virginia DCJS from primary VOCA grants 2019-V2-GX-0054 and 2020-V2-GX-0048 awarded by the Office of Justice Programs (OJP) Office for Victims of Crime (OVC). As of June 2023, Virginia DCJS had reimbursed LAJC \$650,125 in subaward funds.

Our audit concentrated on, but was not limited to, the period of July 2021 through June 2023. The Department of Justice (DOJ) Grants Financial Guide; the VOCA Guidelines and Final Rule; 2 C.F.R. § 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Virginia DCJS guidance; and the OVC and Virginia DCJS award documents contain the primary criteria we applied during the audit.

To accomplish our objective, we tested compliance with what we considered to be the most important conditions of LAJC's activities related to the audited subaward. Our work included conducting interviews with LAJC's financial staff, examining policies and procedures, and reviewing subaward documentation and financial records. We performed sample-based audit testing for personnel, employee benefits, travel costs, supplies/other costs, and matching costs. In this effort, we employed a judgmental sampling design to obtain broad exposure to numerous facets of the subaward reviewed. This non-statistical sample design did not allow projection of the test results to the universe from which the samples were selected.

During our audit, we obtained information from DOJ's JustGrants as well as accounting and case management systems specific to the management of DOJ funds during the audit period. We did not test the reliability of those systems as a whole; therefore, any findings identified involving information from those systems were verified with documentation from other sources.

Internal Controls

In this audit, we performed testing of internal controls significant within the context of our audit objective. We did not evaluate the internal controls of LAJC to provide assurance on its internal control structure as a whole. LAJC's management is responsible for the establishment and maintenance of internal controls in accordance with 2 C.F.R. § 200. Because we do not express an opinion on LAJC's internal control structure as a whole, we offer this statement solely for the information and use of the LAJC, Virginia DCJS, and OJP.⁸

In planning and performing our audit, we identified internal control components and underlying internal control principles as significant to the audit objective. Specifically, we assessed the design and implementation of LAJC's policies and procedures. We also tested the implementation and operating effectiveness of specific controls over subaward execution and compliance with laws and regulations in our audit scope. However, because our review was limited to those internal control components and underlying principles that we found significant to the objective of this audit, it may not have disclosed all internal control deficiencies that may have existed at the time of this audit.

⁸ This restriction is not intended to limit the distribution of this report, which is a matter of public record.

APPENDIX 2: Legal Aid Justice Center’s Response to the Draft Audit Report



August 4th, 2023

Shenika N. Cox
Regional Audit Manager
U.S. Department of Justice
Office of the Inspector General
Washington Regional Audit Office
Jefferson Plaza Suite 900
Washington, DC 20530

Dear Ms. Cox:

This letter is to respond to the draft audit report of the Office of Justice Programs Victim Assistance Funds subawarded by the Virginia Department of Criminal Justice Services to the Legal Aid Justice Center for the following award:

Virginia DCJS Subaward Identifier	OJP Prime Award Numbers	Project Start Date	Project End Date	Funding Sources	Subaward Amount
22-A8641VP20	2019-V2-GX-0054 and 2020-V2-GX-0048	7/01/2021	6/30/2023	VOCA Victim Assistance	\$677,705

We have no substantive comments or concerns with the report. We are happy to take this opportunity to compliment the OIG team for their responsiveness to questions, clarity in instruction, timeliness in all regards, and flexibility in scheduling. Nobody wants to be audited, but we truly appreciate the professionalism of the OIG team throughout the process.

Sincerely,

A handwritten signature in blue ink that reads "Tim Wallace".

Tim Wallace
Director of Development
Legal Aid Justice Center

APPENDIX 3: Virginia's Department of Criminal Justice Services Response to the Draft Audit Report



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

The Honorable Jackson H. Miller
Director

Tracy Louise Winn Banks, Esq.
Chief Deputy Director

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Richmond, Virginia 23219
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August 4, 2023

Ms. Shenika N. Cox
Regional Audit Manager
U.S. Department of Justice
Office of the Inspector General
950 Pennsylvania Ave., NW
Washington, D.C. 20530

Dear Ms. Cox:

We appreciate the opportunity to respond to the Office of the Inspector General (OIG) draft audit report, related to Subaward # 22-A8641VP20 and Federal Grant Numbers 2019-V2-GX-0054 and 2020-V2-GX-0048. The draft audit report includes no recommendations.

We agree with your assessment of the subrecipient. Further, we concur that the subrecipient demonstrated achievement of the subaward's stated goals and objectives, implemented adequate financial management controls, and properly spent Victims of Crime Act (VOCA) funds on budgeted personnel, travel, and other direct costs.

Thank you for your partnership throughout this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Jackson H. Miller".

Jackson H. Miller
Director

APPENDIX 4: The Office of Justice Programs Response to the Draft Audit Report



U.S. Department of Justice

Office of Justice Programs

Office of Audit, Assessment, and Management

Washington, D.C. 20531

August 11, 2023

MEMORANDUM TO: Shenika N. Cox
Regional Audit Manager
Washington Regional Audit Office
Office of the Inspector General

FROM: Jeffery A. Haley *Jeffery A. Haley*
Deputy Director, Audit and Review Division

SUBJECT: Response to the Draft Audit Report, *Audit of the Office of Justice Programs Victim Assistance Funds, Subawarded by the Virginia Department of Criminal Justice Services to the Legal Aid Justice Center, Charlottesville, Virginia*

This memorandum is in reference to your correspondence, dated August 4, 2023, transmitting the above-referenced draft audit report for the Legal Aid Justice Center (LAJC). LAJC received sub-award funds from the Virginia Department of Criminal Justice Services (Virginia DCJS), under the Office of Justice Programs' (OJP), Office for Victims of Crime, Victims of Crime Act (VOCA), Victim Assistance Formula Grant Program, Grant Numbers 2019-V2-GX-0054 and 2020-V2-GX-0048. The draft audit report does not contain any recommendations directed to OJP. Accordingly, OJP has reviewed the draft audit report and does not have any comments.

We appreciate the opportunity to review and comment on the draft audit report. If you have any questions or require additional information, please contact Linda J. Taylor, Lead Auditor, Audit Coordination Branch, Audit and Review Division, on (202) 514-7270.

cc: Maureen A. Henneberg
Deputy Assistant Attorney General
for Operations and Management

LeToya A. Johnson
Senior Advisor
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Jeffery A. Haley
Deputy Director, Audit and Review Division
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cc: Kristina Rose
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OJP Executive Secretariat
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