

SPECIAL REPORT

Accountability and Oversight of Federally-Funded Domestic Violence Programs: Analysis and Recommendations



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SAVE: STOP ABUSIVE AND VIOLENT ENVIRONMENTS

In order for a program to be effective, it must have goals and objectives. For these goals and objectives to be meaningful, they must be measurable -- and program indicator information must be collected reliably over a period of time. Such a management information system forms the basis for accountability and oversight.

Indeed, concerns regarding the effectiveness of many domestic violence programs have been raised,¹ and these concerns may be related to the accountability and oversight of federally-funded programs.

Over the years, the U.S. Congress has enacted three major laws to fund domestic violence programs and services:

- Family Violence Prevention and Services Act – 1984
- Victims of Crime Act – 1984
- Violence Against Women Act – 1994

These laws fund a variety of initiatives administered by the Department of Health and Human Services (DHHS) and Department of Justice (DoJ). Overall, the annual federal outlay for domestic violence programs, services, and other initiatives is conservatively estimated at \$1 billion dollars a year.²

Several governmental bodies have been established to provide oversight for these programs:

1. Government Accountability Office—investigates, on behalf of the U.S. Congress, how taxpayer dollars are spent
2. Office of Management and Budget—White House office that oversees the conduct of federal agencies
3. Office of the Inspector General—conducts audits and investigations to deter waste, fraud, abuse, and misconduct

This Special Report explores three issues related to the administration of federally-funded domestic violence programs:

1. Accountability
2. Grant Management
3. Grantee Oversight

These areas are discussed in the following sections.

Accountability

Effective programs begin with accountable and transparent procedures at the funding agency level. But as the following discussion reveals, meaningful program goals and viable information systems have sometimes been elusive for federally funded domestic violence programs.

Department of Justice

Over the years, accountability measures at the DoJ Office on Violence Against Women (OVW) have come under scrutiny.

As early as 2002, the Government Accountability Office (GAO) testified to Congress about OVW-administered programs. The GAO reminded the OVW that information systems are “only as good as the management that wields them.” In response, OVW officials acknowledged that “they were not satisfied with the performance measures they used to gauge their performance.”³

In 2006, the Office of Management and Budget directed the Office on Violence Against Women to “Develop a comprehensive evaluation plan for the Violence Against Women Programs to obtain better information on the program’s impacts.”

Four years later, the OVW had not finalized such an evaluation plan.⁴

Department of Health and Human Services

The Administration for Children and Families at DHHS is responsible for administering grants authorized by the Family Violence Prevention and Services Act. DHHS enumerates a range of grant requirements in its Grants Policy Statement, including the requirement that grantees comply with the Education Amendments of 1972 which prohibit discrimination on the basis of sex.⁵ Despite that prohibition, a survey of 215 abuse shelters in eight states found fewer than one percent of the residents were male.⁶

In 2005 the Office of Management and Budget performed an audit of the DHHS domestic violence program. On the Program Results/Accountability measure, the DHHS scored 7% out of a possible 100%. To remedy the deficiency, the OMB directed DHHS to “develop appropriate national grantee-supported performance outcome measures to demonstrate improved efficiencies or cost effectiveness.”

Appropriate outcome measures would likely include measures of intimate partner violence that are found in government-funded surveys such as the National Youth Risk Behavior Study⁷ and the National Longitudinal Study of Adolescent Health.⁸

Two years later the Family Violence Prevention and Services Program reported the OMB milestone had been reached, citing its Documenting our Work project.⁹ But a review of the Documenting our Work document reveals a number of deficiencies:

1. The report recommends *against* long-term (e.g., 6 month) follow-up, claiming in an exaggerated manner that such activities are “extremely costly, time-consuming, and resource-intensive,” and incorrectly stating that funders don’t provide additional money for this work.

2. The report advises evaluators how to “spin” evaluation findings that may show the program to be less than effective: “keep it positive and keep it simple” and avoid using negative words like “problem,” the document emphasizes.

The report does not advise evaluators to assess outcome measures such as behavioral changes of former shelter residents or reductions in abuse levels. Instead, Documenting our Work directs evaluators to utilize two vaguely-worded indicators:¹⁰

- “As a result of contact with the domestic violence program, 65% or more of domestic violence survivors will have strategies for enhancing their safety.”
- “As a result of contact with the domestic violence program, 65% or more of survivors will have knowledge of available community resources.”

Such tepid performance measures are analogous to evaluating the effectiveness of a heart transplantation unit based on whether the patient can list the names of the cardiac rehabilitation centers in the community, not by whether the patient survives the procedure and returns to normal health.

Furthermore, the Documenting our Work effort does not recommend assessment of cost variables. The Documenting our Work project clearly did not succeed in developing “performance outcome measures to demonstrate improved efficiencies or cost effectiveness.”

In 2007, the Government Accountability Office performed an audit of the DHHS domestic violence grant records. The GAO learned that the DHHS had not established standardized reporting methods, time periods, or even forms for grant recipients. Noting numerous data deficiencies, the GAO concluded, “we could not be assured that any survey data we obtained would be consistent and reliable enough for analysis of the specific information required.”¹¹

Yet DHHS officials defended the bare-bones information-collection procedures, stating that grant recipients “do not have the resources to devote to these data collection efforts” and asserting that collection of client demographic data would “overburden” grantees.

Grant Management

When accountability systems are weak, the prospect of financial mismanagement looms. The DoJ grant policies are outlined in its *OJP Financial Guide*¹² and other documents.^{13,14} Administering about 1,500 grants annually, the Office of Violence Against Women has been the focus of five investigations since 2001:

1. In response to a request from the Senate Judiciary Committee, the Government Accountability Office performed an audit of 84 grants administered by the OVW. The probe identified numerous shortcomings, including:

- 66% of files did not have progress reports for the complete grant period.

- 85% of progress reports were late.
- 90% of files did not contain documentation that all planned site visits had occurred.

The GAO concluded that “inconsistent documentation and the lack of systematic data could hinder VAWO’s ability to measure whether it is achieving its goals.”^{15*}

2. In 2002, the GAO evaluated the quality of five multi-million dollar program evaluations of OVW grants. The investigation identified data collection and analytical problems that “raise concerns about whether the evaluations will produce definitive results.” The GAO wondered whether the OVW was “making sound investments, given the millions of dollars spent on these evaluations.”¹⁶

3. In its *2005 Semi-annual Report to Congress*, the Office of the Inspector General analyzed OVW grants to Native American and Alaska Native tribes. According to its report, “OVW did not ensure that funds were made available in a timely manner.” Even when required reports were not received from grantees, the OVW continued to authorize payments. When the grant ended, OVW was not “closing out expired grants in a timely manner.” The report concluded the OVW was “not effectively monitoring tribal grant programs.”¹⁷

4. In 2006, the OIG examined the grant closeout process at the Department of Justice. That investigation identified several cases of financial mismanagement, including:

- 54% of OVW grants closed in 2005 did not meet the 6-month grant closeout requirement.
- Delays in making debt payments had tied up \$14.3 million of federal money.

Of greater concern, the OIG noted that OVW grant officers had illegally instructed grantees to “draw down any remaining funds, even though the 90-day liquidation period has passed.” The report reached the conclusion that the Office on Violence Against Women did “not conform to federal regulations and their own policies.”¹⁸

5. More recently, the Inspector General probed Department of Justice grant programs and concluded, “Too often the OIG has observed a misplaced emphasis on expeditiously awarding grants and a lack of commensurate emphasis on monitoring the grants awarded.” The OIG commented the OVW has “failed to ensure that grants were closed in a timely manner.”¹⁹

Grantee Oversight

In addition, some recipients of federal monies have been found to engage in financial misconduct and fraud.

* At that time the OVW was known as the Violence Against Women Office—VAWO.

Misconduct

Probes by the DoJ Office of the Inspector General have identified instances of grant expenditures that were unsupported, excessive, or non-allowable:

1. A 2003 audit of a grant to Dane County, Wisconsin, to encourage arrest policies identified widespread problems, including the commingling of grant funds and inability to account for expenditures. The report concluded, “we question \$1,766,964 in grant funds received”—which amounts to 99% of the total grant expenditures.²⁰
2. An audit of a STOP formula grant to the Texas Office of the Governor stated, “we question \$106,452 in grant fund expenditures. In addition, \$348,384 in excess funds drawn down and \$852,650 in program matching costs were identified as unsupported.” These questionable, excess, and unsupported expenses represented 19% of the total award.²¹
3. A 2005 audit of Legal Aid of Nebraska identified \$1.3 million (64.5% of the total grant funds awarded) in non-allowable and questionable expenses. The investigation concluded that Legal Aid:

“(1) did not maintain adequate accounting records of costs charged to the grant; (2) did not adequately monitor its contractors; and (3) was reimbursed for costs charged to the grant that were not supported by adequate documentation or were not allowable according to the approved grant budget.”²²

Eighteen months later, the OVW had implemented only three of the 11 recommendations arising from the audit, leading the Department of Justice to classify the OVW response as delinquent.²³

4. Audits revealed the following Indian tribes failed to submit accurate and timely grant reports and often charged for unallowable costs:
 - Inter-Tribal Council of Nevada²⁴
 - Lac Courte Oreilles Tribal Government²⁵
 - South Puget Intertribal Planning Agency²⁶
 - Yavapai-Apache Indian Nation²⁷
 - Osage Tribal Council²⁸
 - Southern Ute Indian Tribe²⁹
 - Confederated Tribes of the Chugachmiut Indian Reservation³⁰
 - Confederated Tribes of the Umatilla Indian Reservation³¹

Fraud

Reports have revealed several cases of embezzlement by service providers:

1. In 1999, Denorvas Stevenson, former director of a woman's shelter in Shawnee, Oklahoma, was charged with eight counts of embezzlement after an audit revealed more than \$56,000 in undocumented and unauthorized expenses. Stevenson was let go after Project Safe board members discovered the agency was \$40,000 in debt and owed \$12,000 in back payroll taxes.³²
2. In 2006, Paulette Wang, former treasurer of Asian Women United in Minnesota, pleaded guilty to embezzling \$265,000 from her domestic violence organization.³³
3. In 2007, the Department of Justice reported to Congress about a \$299,815 grant to the South Central Region Tribal Nations and Friends Domestic Violence Coalition: "[O]ur investigation determined that the executive director of the Coalition stole over \$100,000 in grant funds, and two board members of the Coalition stole approximately \$25,000 and \$37,000, respectively."³⁴ Cindy Lou Shores, Wenona Barnett, and Angela Camp of Ponca City, Okla., were charged with conspiracy and theft of federal funds. Shores was later sentenced to 17 months in federal prison and ordered to pay \$170,000 in restitution.³⁵
4. In 2008, John Scott, former executive director of Domestic Violence Emergency Services (DOVES) in Roanoke, Va., was sentenced to serve one year in prison and ordered to pay \$48,000 in restitution, arising from embezzlement of shelter funds.³⁶ Two years later the shelter was closed.

A Michigan case involves falsification of financial records:

In June 2006, SafeHouse of Michigan was ordered to repay \$483,000 in federal funds because services it had billed for could not be verified. The order followed the resignation of executive director Susan McGee, who admitted that she had falsified federal financial reports to cover up delinquent tax payments.³⁷

Federal Response

This report documents how many domestic violence programs lack adequate accountability and some are plagued by financial mismanagement. Yet federal officials have not acted promptly to remedy the problem. Four examples illustrate the pattern:

1. As early as 1998, problems have been documented with Indian tribe grants. Seven years later, the Office of the Inspector General concluded that the Office of Violence Against Women still was "not effectively monitoring tribal grant programs."³⁸
2. In 2001, the OMB identified numerous problems with grant management at the OVW.³⁹ Six years later, a probe similarly concluded that the OVW has "failed to ensure that grants were closed in a timely manner."⁴⁰
3. In 2002, OVW officials testified to Congress that "they were not satisfied with the performance measures they used to gauge their performance."⁴¹ Four years later, the OMB echoed the same problem. And six years after OVW's statement to Congress, meaningful performance measures had not been operationalized.⁴²

4. In 2005, the OMB directed the Administration for Children and Families to “develop appropriate national grantee-supported performance outcome measures.” Concerned that enhanced reporting policies would be “burdensome” to grantees,⁴³ no new measures had been implemented three years later.⁴⁴

Ten Steps to Enhanced Program Effectiveness

This Special Report reveals that lack of meaningful outcome measures, mismanagement of grant monies, and fraud have been problematic among a number of domestic violence programs. Implementing the following 10 corrective measures will improve the accountability, and eventually the effectiveness of federal abuse-reduction efforts:

1. Congress should vigorously pursue its legal oversight responsibilities. Congressional hearings should feature a balance of perspectives from qualified persons who work both within and outside the domestic violence field.
2. Federal agencies should utilize existing surveillance programs (National Youth Risk Behavior Study,⁴⁵ National Longitudinal Study of Adolescent Health,⁴⁶ and/or Behavioral Risk Factor Surveillance Survey⁴⁷) to assess state-level trends in intimate partner violence during the previous year.
3. Funding agencies, intermediaries (such state governments), and grantees should emphasize behavioral indicators (e.g., reductions in abusive behavior) as the most meaningful measures of program performance. Cognitive, attitudinal, and other indicators may be useful in supplementing behavioral measures.
4. The DoJ should award National Institute of Justice research grants preferentially to investigators who have published extensively in peer-reviewed journals.
5. Grant-awarding agencies should establish a publicly available database that lists all domestic violence grants, grantee organizations, location, and other relevant information. Such a database could be modeled on the Research Portfolio Online Reporting Tools (RePORT) of the National Institutes of Health.⁴⁸
6. Grant officers need to enforce established financial management procedures, and grantees should be penalized for non-compliance.
7. Funding agencies should impose financial penalties and/or withhold future funds from grantees that engage in fraudulent activities.
8. The Offices of the Inspector General of the Department of Justice and the Department of Health and Human Services must investigate complaints of sex discrimination and take vigorous action to enforce anti-discrimination statutes.
9. Consideration should be given to consolidating some of the overlapping grant-making programs of the DoJ Office of Violence Against Women.
10. Websites of funding agencies, especially the ACF Family Violence Prevention and Services Program, should be expanded to provide more complete information.

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