

16.575

CRIME VICTIM ASSISTANCE

State Project/Program: VICTIMS OF CRIME (VOCA)

U.S. DEPARTMENT OF JUSTICE

Federal Authorization: Initially authorized as the 42 U.S.C. 10603(a) under the Victims of Crime Act of 1984. Final Rule effective August 8, 2016 as Title 28, Part 94, Subpart B – VOCA Victim Assistance Program – General Provisions §94.101- §94.122.

N.C. DEPARTMENT OF PUBLIC SAFETY
GOVERNOR’S CRIME COMMISSION

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The auditor should not consider the Supplement to be “safe harbor” for identifying audit procedures to apply in a particular engagement, but the auditor should be prepared to justify departures from the suggested procedures. The auditor can consider the supplement a “safe harbor” for identification of compliance requirements to be tested if the auditor performs reasonable procedures to ensure that the requirements in the Supplement are current.

The grantor agency may elect to review audit working papers to determine that audit tests are adequate.

Auditors may request documentation of monitoring visits by the State Agencies.

This compliance supplement must be used in conjunction with the OMB 2023 Compliance Supplement which will be issued in the summer. This includes “Part 3 - Compliance Requirements,” for the types that apply, “Part 6 - Internal Control,” and “Part 4 - Agency Program” requirements if the Agency issued guidance for a specific program. The OMB Compliance Supplement is Section A of the State Compliance Supplement.

I. PROGRAM OBJECTIVES

Enacted in 1984 and revised in 2016, the Victims of Crime Act (VOCA) is the central source of federal financial support for direct services to victims of crime. VOCA is administered at the federal level through the U.S. Department of Justice, Office for Victims of Crime, which annually awards a grant to each state, the District of Columbia and U.S. Territories to support victim assistance services for victims and survivors of domestic violence, sexual assault, child abuse, drunk driving, homicide, and other crimes. Each state has a designated VOCA assistance agency to administer VOCA grants. Those state agencies in turn sub-grant to organizations that provide direct services to victims of crime. While minimal federal requirements must be met, each state is given great discretion in awarding specific sub-grants.

II. PROGRAM PROCEDURES

The awarding Federal agency (DOJ) announces its programs available for funding to states in the Federal Register. The State submits its Application for Federal Assistance (SF 424) and DOJ reviews the application and approves it with an Award Document (form 4000/2) which provides the grant period, the award amount, special conditions, etc. The State accepts the award by signing the Award Document and returning it within 45-days from the beginning date of the award.

The State then announces its programs available for funding every year by November in its "Announcement of Availability of Federal Grant Funds." All eligible applicants are listed in the "Announcement." Eligible applicants include local units of government, councils of government, universities or colleges, independent school systems, state agencies, the Eastern Band of Cherokee Indians and non-profit entities. Eligible applicants (Implementing Agencies) then submit a pre-application for a project via the Governor's Crime Commission on the N.C. Department of Safety's website at <http://www.ncdps.gov/about-dps/boards-and-commissions/governors-crime-commission>. Once a grant project is recommended for funding and modifications have been made (if applicable), a Grant Award is issued which provides the federal award amount, the grant period, special conditions, etc. The grantee accepts the award by signing all Grant Award Packet contents and returning it within 60-days from the date in which the grant award was mailed. The grant project must be operational within 90-days of the beginning of the grant period listed on the award and so certified by the subrecipient entering the Notice of Grant Implementation Report in GEMS.

The Office of Justice Programs Financial Guide and the GCC Grant Award Packet must be used for the administration of this grant.

III. COMPLIANCE REQUIREMENTS

Below on the matrix are the types of compliance requirements are applicable to the federal program, noted as “Y,” as determined by the federal granting agency if the federal program is listed in Part 2 of the OMB 2023 Compliance Supplement. A State agency may have added a Type. If the program is not listed in Part 2, the State Agency has determined the applicable Types. If a Type, applicable by OMB, does not apply at the local level or if the State has modified the federal requirements at the local level, this should be explained in the supplement under the Type. A Type that is not applicable at the local level is noted by “N.”

If a particular Type is noted as “Y,” the auditor must determine if the Type has a direct and material effect on the federal program for the auditee. For each Type of compliance requirement, the auditor must use the OMB 2023 Compliance Supplement, Part 3 (which includes generic details about each compliance requirement other than Special Tests and Provisions) and Part 4 (which includes any program-specific requirements) to perform the audit.

A	B	C	E	F	G	H	I	J	L	M	N
Activities Allowed or Unallowed	Allowable Costs/Cost Principles	Cash Management	Eligibility	Equipment/ Real Property Management	Matching, Level of Effort, Earmarking	Period Of Performance	Procurement Suspension & Debarment	Program Income	Reporting	Subrecipient Monitoring	Special Tests and Provisions
Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	N

A. Activities Allowed or Unallowed

Compliance Requirement

Crime Victim Assistance funds shall be used only to provide direct services to victims of crime. Such services are limited to those activities that directly benefit individual crime victims. Federal grant funds can then only be expended on those services that are directly related to their approved grant application. The project must be directly related to one of the federally recognized program areas.

The specific project activities allowed are those found in the “Project Narrative (Operation)” section, “Timeline of Project Activities,” and Project Goals, Objectives, Performance Measures and Evaluation Methods” section of the full application.

B. Allowable Costs/Cost Principles

Compliance Requirements

All grantees are required to abide by the Office of Management and Budget (OMB) Circulars and Code of Federal Regulations, as applicable: A-102, A-87, A-110; 2 CFR Chapter I, Chapter II, Part 200 Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 CFR Part 210-Uniform Administrative Requirements for Grants and Agreements with State and Local Governments; 2 CFR

Part 215-Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations; 2 CFR Part 220-Cost Principles for Educational Institutions; 2 CFR Part 225-Cost Principles for state, Local and Indian Tribal Governments; and 2 CFR Part 230, Cost Principles for Non-Profit Organizations. The grantee must also comply with the "Standard Grant Conditions" as stated in the Grant Award Packet and any special conditions mandated by the Governor's Crime Commission.

The Governor's Crime Commission as a part of its monitoring efforts, considers allowable costs to be those that are listed in the approved grant application budget section of the approved full application and those which would be included on any approved grant budget adjustments.

Suggested Audit Procedures

- Review the approved grant application budget.
- Test expenditures and related records for adherence to approved application budget and any subsequent approved grant budget adjustments

C. Cash Management

Funds are disbursed to grantees on a reimbursement basis through the Department of Public Safety fiscal section. No testing is required since funds are not advanced to grantees.

D. Reserve

E. Eligibility

Compliance Requirement

Eligible applicants include local units of government, councils of government, universities or colleges, independent school systems, state agencies, the Eastern Band of Cherokee Indians and non-profit entities that improve the treatment of victims by providing victims with the assistance and services necessary to speed their recovery from a criminal act and to support and aid them as they move through the criminal justice process.

Suggested Audit Procedures

- Review full grant application.

F. Equipment and Real Property Management

Compliance Requirement

Grantees are instructed to follow their own written policies for equipment purchases. If they do not have a written policy, they should follow the procedures in the Grant Award Packet that is distributed to all grantees each year.

All equipment purchases should be for the purposes or activities of the grant only. The title for equipment purchased under the grant is vested with the implementing agency.

The procedure for disposal of equipment is outlined in the Grant Award Packet.

According to the Grant Award Packet which is distributed to each grantee, the grantee is required to keep a Property Control Record Form for equipment purchased with grant funds.

Suggested Audit Procedures

- Verify that the grantee is in fact properly keeping the Property Control Record Form.
- Verify if the equipment still exists and is being utilized as stated in the full application.
- Verify as to whether the equipment has been disposed of or not and if the grantee has requested and properly followed the disposition instructions from the awarding agency.

G. Matching, Level of Effort, Earmarking

Compliance Requirement

The grantee must finance the match indicated in the budget of the Award Document and on the front page of the full grant application with their own funds (in-kind or cash match only). They must describe their source and amount of match in the budget summary of the full application under the section entitled, "Description of Match." The match ratio for these federal funds is 80% federal funds 20% matching funds. Matching funds may include local, state or private funds, but not other federal funds.

Level of Effort and Earmarking are not applicable at the local level and no test work is required.

Suggested Audit Procedures

- Review Award Document for total federal funding.
- Test expenditures and reports to ascertain total cost of project and verify non-federal matching requirements are met.
- Verify source of non-federal matching funds.
- Verify that the funds awarded will not be utilized to supplant State and/or local funds that would otherwise be available to the grantee or supplant other federal funds with VOCA funds.

H. Period of Performance

Compliance Requirement

Federal funds can only be obligated within the period of availability listed on the Grant award document or as amended on a Grant Adjustment form.

Obligations must be liquidated within the required time period. The grantee has 45 days within which to request their final reimbursement of funds. Failure to request funds within this timeframe could result in the grantee not being reimbursed their final reimbursement of funds.

Suggested Audit Procedures

- Test a sample of transactions charged to the Federal award after the period of availability ends and verify that the underlying obligations occurred within the period of availability and that the liquidation (payment) was made within the allowed time period.
- Test a sample of transactions that were recorded during the period of availability and verify that the underlying obligations occurred within the period of availability.

I. Procurement and Suspension and Debarment

Compliance Requirement

According to the aforementioned OMB Circulars and Code of Federal regulations (A-102, 2 CFR Parts 200, 215, 220, 225 and 230) and as stated in the Grant Award Packet, the grantee must comply with Federal Debarment and Suspension regulations by

requiring completion of the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions” by sub-recipients prior to entering into a financial agreement with the sub-recipients for any transaction as outlined below:

Any procurement contract for goods and services, regardless of amount, under which the sub-recipient will have a critical influence on or substantive control over the transaction.

The grantee is responsible for monitoring the submission and maintaining the official document for review by the Governor’s Crime Commission.

Suggested Audit Procedures

- As stated in the Grant Award Packet, verify that all contracts have received prior approval by the Governor’s Crime Commission.
- Verify completion of the certification regarding suspension and debarment.

J. Program Income

Compliance Requirement

According to the Grant Award Packet that is distributed to all grantees, all program income generated by this grant during the project period must be reported to the Governor’s Crime Commission and must be used to reduce the grantor participation in the program. The use or planned use of all program income must have prior written approval.

Suggested Audit Procedures

- Test to verify that program income was properly tracked and accounted for.
- Ensure that program income was used to make additional services available to crime victims.
- Verify that the grantee did, in fact, receive prior written approval for the use or planned use of their program income.

K. Reserve

L. Reporting

Compliance Requirement

The grantee is required to submit to the Governor’s Crime Commission Grants Management Section the “Notice of Grant Implementation” form within sixty days of the beginning of the grant period, normally October 1st during the regular grant cycle.

The grantee is also requested to submit monthly “Expense Reimbursement Reports” to the Governor’s Crime Commission. The “Expense Reimbursement Report” is a document which the grantee uses to report their monthly expenditures according to the five major budget categories (personnel, contractual, travel, supplies/ operating expenses, and equipment). Along with the Expense Reimbursement Report, the grantee is required to provide grants management staff with photocopies of expenditure documentation (i.e., timesheets, travel logs, purchase orders, invoices, etc.).

The grantee is required to submit VOCA annual Subgrant Award Reports and quarterly Performance Reports through the Office for Victims of Crime's Performance Measurement Tool (OVC-PMT), which became effective January 1, 2016. Each grantee is required to submit a Subgrant Award Report (SAR) in the PMT system, which is due within 30-days after the grant start date. Quarterly performance reports are submitted through the PMT system. Reports are due as follows:

Quarter	Report due on:
October 1 – December 31	January 30
January 1 – March 31	April 30
April 1 – June 30	July 30
July 1 – September 30	October 30

In the final quarterly report, sub-grantees will provide summary data for the program year. If any changes occur during the grant, a revised SAR is due 30-days after the grant ends. Payment of the "final" cost report will not be made without the submission of the final programmatic reports.

Instructions for reports and reporting are included in the Grant Award Packet.

Suggested Audit Procedures

- Review the grantee's procedures for preparing Data Reports and evaluate for adequacy.
- Test reports for completeness.
- Trace data on reports and verify that they agree with supporting documentation.
- Review adjustments made to General Ledger amounts in the reports affecting State and/or Federal programs and then evaluate for propriety.

M. Subrecipient Monitoring

Sub-recipient monitoring is conducted through various monitoring activities such as reviewing reports submitted by the subrecipient, desk monitoring, phone calls, performing site visits to review financial and programmatic records and observe operations, arranging for agreed-upon procedures engagement for certain aspects of subrecipient activities, such as eligibility determinations, reviewing the subrecipient's single audit or programmatic audits results and evaluating audit finding and the subrecipient's corrective action plan. This applies when awards are passed through to a subrecipient.

N. Special Tests and Provisions

Not Applicable