



EFFECTIVENESS OF THE OFFICE FOR VICTIMS OF CRIME TRIBAL VICTIM ASSISTANCE PROGRAM

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AUDIT OF THE EFFECTIVENESS OF THE OFFICE FOR VICTIMS OF CRIME TRIBAL VICTIM ASSISTANCE PROGRAM

EXECUTIVE SUMMARY

According to the 2000 Census, 4.1 million people,¹ or 1.5 percent of the total population, identified themselves as American Indians or Alaska Natives (Native Americans).² Despite the relatively small Native American population, a 2001 study conducted by the Bureau of Justice Statistics (BJS) indicated that Native Americans are more likely to be victims of rape or sexual assault, aggravated assault, and simple assault than people of any other race in the United States.³

In 1988, the Office for Victims of Crime (OVC) created the Victim Assistance in Indian Country (VAIC) Discretionary Grant program to establish, expand, and improve victim assistance services in Native American communities governed by federal criminal jurisdiction. The VAIC program was designed to address the lack of victim assistance programs and bridge the gap between criminal justice agencies and service providers. Under the VAIC program, during Fiscal Years (FYs) 1999 through 2002, the OVC provided funding totaling \$5,466,995 directly to 40 Native American communities to help them establish reservation-based victim assistance programs. In FY 2003, the OVC expanded the VAIC program to all federally recognized tribes, regardless of criminal jurisdiction, and renamed it the Tribal Victim Assistance (TVA) program. During FYs 2003 and 2004, the OVC has awarded \$4,976,524 under the TVA program to 24 Native American communities throughout the United States.

Under the OVC tribal victim assistance program, applicants are required to plan and implement a 3-year program to improve the ability of Native American communities in providing direct services to crime victims.⁴ Tribal grantees are encouraged to demonstrate strategies that include

¹ This statistic includes 2.5 million individuals in the United States who identify themselves as Native American, and another 1.6 million who identify themselves as part Native American.

² Throughout this report, the term "Native Americans" is used to indicate American Indians and Alaska Natives.

³ BJS Special Report, *Violent Victimization and Race, 1993-98*, March 2001.

⁴ Throughout this report, the phrase "OVC tribal victim assistance program" is used to refer to both the former VAIC and current TVA programs.

collaboration with appropriate local and federal agencies involved in assisting victims. Specifically, collaboration with the following agencies is deemed essential under the OVC tribal victim assistance program: (1) the U.S. Attorneys' Offices (USAO); (2) the Federal Bureau of Investigation (FBI); (3) state, local, and tribal criminal justice agencies; (4) Indian Health Services; (5) child protective services; and (6) other appropriate tribal and non-tribal agencies.

Audit Objective

The Department of Justice (DOJ) Office of the Inspector General (OIG) previously conducted an audit on the *Administration of Department of Justice Grants Awarded to Native American and Alaska Native Tribal Governments*, Report No. 05-18, March 2005. The prior audit found significant issues with the adequacy of grant monitoring, which is an essential management tool that ensures grant programs are implemented, objectives are achieved, and tribal grantees have expended funds properly. Additionally, the report noted that the granting agencies did not ensure that tribal grantees submitted the necessary information to assess grant implementation or to achieve the grant program objectives. Further, there was no consistency in the information provided in the required progress reports that were submitted.

As a result, we initiated the current audit as a follow-up to evaluate the effectiveness of the OVC tribal victim assistance grant program. The objective of our audit was to obtain grant performance information directly from tribal grantees and to evaluate whether the grants were fully implemented and the program objectives were achieved.

Summary of Findings and Recommendations

Based on our review, we found a wide range in the effectiveness of the four individual grantee tribal victim assistance programs. This range resulted, in part, because the OVC did not incorporate adequate strategic planning into its victim assistance program, which was necessary to implement effective performance-based management.

Office for Victims of Crime

We found that the OVC did not establish any long-term or annual program goals for its tribal victim assistance program by which program

effectiveness could be measured. In addition, the OVC was not required to provide performance information with its budget requests for the tribal victim assistance program; as a result, program funding decisions were not tied to program effectiveness.

We also found that the OVC did not conduct any evaluations to determine the effectiveness of its tribal victim assistance program. However, in FY 2001 the OVC did provide approximately \$25,000 in funding to the National Institute of Justice (NIJ) to conduct assessments of four tribal victim assistance grant recipients to determine whether or not the tribal grantee programs could be evaluated. The OVC also provided the NIJ with an additional \$425,200 to evaluate the effectiveness of two 2003 TVA grantees with awards totaling \$197,689.⁵ The NIJ awarded a grant to conduct this evaluation to the American Indian Development Associates, Inc. in September 2005. The evaluation will take place over a 2-year period and should be completed by December 2007.

We discussed our concerns with OVC and NIJ officials about spending \$425,200 to evaluate two individual grant programs totaling less than \$200,000. The officials stated that although the evaluations cannot be used to determine the effectiveness of the OVC tribal victim assistance program as a whole, they expect that the findings will produce lessons learned for similar tribal programs.

We also found that OVC program officials and tribal grantees were not held accountable for performance results. There was no guidance from the OVC on collecting performance information, nor was there consistency or comparability among tribal grantees in how the data was reported. Performance information also was not used to evaluate the effectiveness of the OVC tribal victim assistance program as a whole or the effectiveness of individual grantee tribal victim assistance programs. As a result, we were unable to compile information from tribal grantee progress reports to generate statistical information on the program results for the OVC tribal victim assistance program as a whole. Instead, we attempted to evaluate the effectiveness of individual grantee tribal victim assistance programs, as discussed in the following sections of this report.

⁵ According to OVC officials the evaluations will cover the entire 3-year award period, which would include grant funds totaling \$554,531, rather than the \$197,689 for FY 2003 that was specifically identified in the grant solicitation.

We selected four tribal grantees who received victim assistance funding and for which financial audits were conducted previously as part of our prior audit.⁶ Those four tribal grantees were:

- Sault Ste. Marie Tribe of Chippewa Indians, Sault Ste. Marie, Michigan
- Oglala Sioux Tribe, Pine Ridge, South Dakota
- Mississippi Band of Choctaw Indians, Philadelphia, Mississippi
- Lummi Indian Nation, Bellingham, Washington

Sault Ste. Marie Tribe of Chippewa Indians

The Sault Ste. Marie Tribe effectively implemented a comprehensive victim assistance program that bridged the gap between the criminal justice system and victims. We found that:

- the tribe generally achieved the objectives of its tribal victim assistance grant, which were consistent with the overall goal of the OVC tribal victim assistance program;
- the number of victims served increased by 30 percent during the first year of the grant (1999) and by 86 percent over the life of the entire grant (1999 through 2002);
- the program was considered effective by victims, and by tribal and federal collaborating agencies in meeting both short- and long-term victim needs; and
- the program was sustained after the OVC grant funding expired.

Oglala Sioux Tribe

The Oglala Sioux Tribe did not effectively implement a comprehensive victim assistance program that bridged the gap between the criminal justice system and victims. We found that:

- the tribe did not accurately report performance information in its progress reports;

⁶ See Appendix III for a summary of the financial audits previously conducted for each of the four grantees selected for this audit.

- the program did not demonstrate an increase in the number of victims served during the period reviewed (2001 through 2004);
- the program was never fully implemented due to frequent changes in program management;
- the program was not considered effective by tribal collaborating agencies; and
- the tribe did not establish a plan to sustain the program after the OVC grant funding expired.

Mississippi Band of Choctaw Indians

The Mississippi Band of Choctaw Indians did not effectively implement a comprehensive victim assistance program that bridged the gap between the criminal justice system and victims. We found that:

- the tribe only partially achieved the grant objectives outlined for its victim assistance grant;
- the tribe did not include all required performance data in its progress reports, and did not accurately report the performance information that was included;
- the program focused solely on victims of non-major domestic crimes, of which the majority of victims contacted declined services;
- the tribe did not maintain data on the number of victims served; instead it reported on the number of police reports reviewed, which does not provide an adequate basis for measuring effectiveness;
- the number of police reports reviewed decreased by 4 percent from 2000 to 2004;
- the program was generally considered effective in meeting the specific needs of victims of non-major domestic crimes by the victims who requested services and the tribal collaborating agencies; however, the program was considered to be limited; and
- the tribe did not establish a plan to sustain its victim assistance program when the victim assistance grant funding expired.

Lummi Indian Nation

The Lummi Indian Nation effectively implemented a comprehensive victim assistance program that bridged the gap between the criminal justice system and victims. We found that:

- the tribe generally achieved its tribal victim assistance grant objectives, which were consistent with the overall goal of the OVC tribal victim assistance program;
- the tribe accurately reported performance information in its progress reports;
- the number of victims served increased by 51 percent during the first year of the grant program (1999) and by 716 percent over the life of the entire program (1999 through 2004);
- the program was considered effective by the victims, and by tribal and federal collaborating agencies in meeting both short- and long-term victim needs; and
- the tribe did not establish a plan to sustain its victim assistance program when the victim assistance grant funding expired.

Overall Summary and Conclusion

Based on our review, we found a wide range in the effectiveness of the four individual grantee tribal victim assistance programs. Specifically, we found that the Sault Ste. Marie Tribe and the Lummi Indian Nation effectively implemented comprehensive victim assistance programs that bridged the gap between the criminal justice system and victims. Conversely, the Oglala Sioux Tribe and the Mississippi Band of Choctaw Indians did not effectively implement comprehensive victim assistance programs, as shown in Table 1.

TABLE 1. ANALYSIS OF EFFECTIVENESS MEASURES

	SAULT STE. MARIE TRIBE	OGLALA SIOUX TRIBE	MISSISSIPPI BAND OF CHOCTAW	LUMMI INDIAN NATION
• Achieved grant objectives	Yes	Yes	Partially	Yes
• Services available to all victims of crime	Yes	Yes	No	Yes
• Accurately reported performance measures	No	No	No	Yes
• Increased the number of victims served⁷	Yes	No	No	Yes
• Considered effective by victims	Yes	Yes	Yes	Yes
• Considered effective by tribal collaborating agencies	Yes	No	Partially	Yes
• Considered effective by federal collaborating agencies	Yes	Yes	N/A ⁸	Yes
• Established a plan to sustain the program	Yes	No	No	No
OVERALL PROGRAM ASSESSMENT	EFFECTIVE	NOT EFFECTIVE	NOT EFFECTIVE	EFFECTIVE

Generally, we found that the tribes who implemented a successful tribal victim assistance program effectively coordinated with tribal, state, and federal criminal justice agencies and social service providers. Additionally, these programs provided services to tribal victims of all crimes, rather than focusing on a specific type of crime. Tribes that did not implement a successful tribal victim assistance program: (1) did not have consistent program leadership; (2) did not coordinate effectively with tribal, state, and federal criminal justice agencies and social service providers; and (3) focused on victims of specific crimes rather than providing services to all victims of crime.

⁷ This statistic does not include an evaluation of the total number of crimes reported during the period.

⁸ The FBI and USAO were unable to provide feedback on the tribe's victim assistance program because these agencies are only responsible for major crimes committed on tribal lands, while the tribe's program focuses on victims of non-major domestic crimes.

Our audit identified several concerns that we consider impairments to the effectiveness of the OVC tribal victim assistance program as a whole, as well as victim assistance programs implemented by individual tribal grantees. Specifically, we found that:

- the OVC tribal victim assistance program structure and design did not incorporate any strategic planning, which was essential for management to adequately evaluate program effectiveness,
- the OVC did not use performance information reported by tribal grantees to manage and improve performance of the tribal victim assistance program, and
- the OVC could not demonstrate program results because required progress reports were not always submitted and tribal grantees did not include all required performance measures in their progress reports.

As a result, we made seven recommendations in this report that focus on specific steps the OVC should take to incorporate adequate strategic planning into its tribal victim assistance program. Specifically, our recommendations seek to ensure that:

- long-term and annual performance goals are established to measure program results and resource allocation decisions reflect program effectiveness;
- progress reports contain all required performance measures and performance data is comparable among tribal grantees; and
- performance measure information reported by tribal grantees is used to report on the effectiveness of the OVC tribal victim assistance program as a whole, and to evaluate the effectiveness of individual grantee tribal victim assistance programs.

**AUDIT OF THE EFFECTIVENESS OF
THE OFFICE FOR VICTIMS OF CRIME
TRIBAL VICTIM ASSISTANCE PROGRAM**

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INTRODUCTION

According to the 2000 Census, 4.1 million people,⁹ or 1.5 percent of the total population, identified themselves as American Indians or Alaska Natives (Native Americans).¹⁰ Despite the relatively small Native American population, a 2001 study conducted by the Bureau of Justice Statistics (BJS) indicated that Native Americans are more likely to be victims of rape or sexual assault, aggravated assault, and simple assault than people of any other race in the United States.¹¹ Another study conducted by the BJS indicated that:¹²

- Native Americans experienced per capita rates of violence that are more than twice those of the United States' resident population.
- On average, Native Americans experienced an estimated 1 violent crime for every 10 residents age 12 or older.
- The violent crime rate in every age group below 35 was significantly higher for Native Americans than for all persons.
- Among Native Americans age 25 to 34, the rates of violent crime victimization were more than 2.5 times the rates for all persons the same age.
- Rates of violent victimization for both males and females were higher for Native Americans than for all other races included in the study.
- The rate of violent victimization among Native American women was more than double that among all women.

Additionally, a study funded by the Office for Victims of Crime (OVC) found that in order to effectively address criminal justice issues and services for victims of crime in Indian Country, it is vital that productive efforts are

⁹ This statistic includes 2.5 million individuals in the United States who identify themselves as Native American, and another 1.6 million who identify themselves as part Native American.

¹⁰ Throughout this report, the term "Native Americans" is used to indicate American Indians and Alaska Natives.

¹¹ BJS Special Report, *Violent Victimization and Race, 1993-98*, March 2001.

¹² BJS, *American Indians and Crime: A BJS Statistical Profile, 1992-2002*, December 2004.

made to improve the relationship between Indian Nations, and the federal and state governments.

The study found that there are a wide range of concerns that significantly impact the federal government's ability to effectively address the needs of victims of crime in Indian Country.¹³ Specifically, the study found that:

- The crime rates, especially the violent and juvenile crime rates, have increased in Indian Country while crime rates have declined nationwide.
- There are numerous jurisdictional complexities and limitations in Indian Country that present overwhelming difficulties in any effort to improve the relationship between tribal governments and the federal government. As a result, the confusing jurisdiction among tribal, federal, and state governments has resulted in jurisdictional gaps and disputes.¹⁴ The difficulty of determining jurisdiction and provisions for concurrent jurisdiction of certain cases, can cause conflict and confusion for law enforcement, prosecution, courts, service providers, and crime victims in Indian Country.
- There is a lack of understanding and contact by the federal government with tribal criminal justice systems, including tribal court systems.
- Tribal justice systems are inadequately funded and the lack of adequate funding impairs their operation.
- The lack of facilities and resources available to most criminal justice systems is complicated by the isolated, rural location of most Indian reservations.

Office for Victims of Crime

In an effort to address the needs of crime victims, including those in Native American communities, Congress established the OVC in 1988

¹³ The Center on Child Abuse and Neglect, *Improving the Relationship between Indian Nations, the Federal Government, and State Governments: Developing and Implementing Cooperative Agreements or Memorandums of Understanding*, March 2000.

¹⁴ See Appendix I of this report for an analysis of criminal jurisdiction in Indian Country.

through an amendment to the Victims of Crime Act (VOCA) of 1984. Upon its creation, the OVC became the primary agency within the Department of Justice (DOJ) responsible for enhancing the nation's capacity to assist crime victims and provide leadership in changing attitudes, policies, and practices to promote justice, and healing for all crime victims. To accomplish its mission, the OVC:

- provides funding for direct services to crime victims;
- provides training programs that reach diverse professionals nationally and internationally;
- sponsors demonstration projects and programs that have national impact;
- publishes and disseminates materials that highlight promising practices that can be replicated for the effective treatment of crime victims;
- offers technical assistance to governments, private sector programs, and others; and
- develops policy and establishes public awareness initiatives.

Funding for the OVC's programs is provided from the Crime Victims Fund, which was established by VOCA to support victim services and training for advocates and professionals. Fund dollars are derived from criminal fines, forfeited bail bonds, penalties, and special assessments from offenders convicted of federal crimes, and are collected by the federal courts, U.S. Attorneys' Offices, and the Federal Bureau of Prisons. During Fiscal Years (FYs) 2000 through 2004, funding provided by the Crime Victims Fund totaled \$2.91 billion.

Tribal Victim Assistance Programs

In 1988, the OVC created the Victim Assistance in Indian County (VAIC) Discretionary Grant Program to establish, expand, and improve victim assistance services in Native American communities governed by federal criminal jurisdiction. The VAIC program was designed to address the lack of victim assistance programs and bridge the gap between criminal justice agencies and service providers. Under the VAIC program, during FYs 1999 through 2002, the OVC provided funding totaling \$5,466,995 directly to 40 Native American communities to help them establish reservation-based victim assistance programs. In FY 2003, the OVC expanded the VAIC program to all federally recognized tribes, regardless of criminal jurisdiction, and renamed it the Tribal Victim Assistance (TVA) program. During FYs 2003 and 2004, the OVC has awarded \$4,976,524 under the TVA program to 24 Native American communities throughout the United States.

Allowable Uses of Victim Assistance Funding

Under the OVC tribal victim assistance program, applicants are required to plan and implement a 3-year program to improve the ability of Native American communities to provide direct services to crime victims.¹⁵ Generally, services provided under the OVC tribal victim assistance program include, but are not limited to the following:

- Services that immediately respond to the emotional and physical needs (excluding medical care) of crime victims, such as intervention; accompaniment to hospitals for medical examinations; hotline counseling; emergency food, clothing, transportation, and shelter; emergency legal assistance; and other emergency services that are intended to restore victims' sense of dignity and self-esteem.
- Mental health assistance, such as counseling, group treatment, support groups, and therapy.
- Advocacy on behalf of crime victims, including accompaniment to criminal justice offices and court, transportation to court, child care to enable a victim to attend court, restitution advocacy, and assistance with victim impact statements.
- Services that offer an immediate measure of safety to crime victims, such as boarding up broken windows and replacing or repairing locks.
- Forensic medical examinations for sexual assault victims to the extent that other funding sources are not available.
- Costs necessary and essential for providing direct services to victims, such as pro-rated costs for rent, telephone service, transportation costs, and local travel expenses for direct service providers.
- Costs directly related to providing direct services through staff, including salaries and fringe benefits.
- Training for law enforcement personnel in the delivery of services to crime victims.
- Promoting coordinated efforts within the community to aid crime victims.

¹⁵ Throughout this report, the phrase "OVC tribal victim assistance program" is used to refer to both the former VAIC and current TVA programs.

- Assistance for those seeking crime victim compensation benefits.
- Preparation, publication, and distribution of material that explains services offered to crime victims.

The following services, activities, and costs are not generally considered direct crime-victim services, but are often considered a necessary and essential activity to ensure that quality direct services are provided. These costs may be considered for coverage under the OVC tribal victim assistance program, provided that direct services to crime victims cannot be offered without support for these expenses; the tribal grantee has no other source of support for them; and only limited amounts of program funds will be used for these purposes, including the following:

- skills training for staff;
- equipment and furniture;
- contracts for professional services;
- operating costs, such as supplies, printing, postage, and brochures that describe available services, books, and other victim-related materials;
- supervision of direct service providers, such as volunteer coordinators;
- repair and replacement of essential items;
- presentations made in schools, community centers, or other public forums designed to identify crime victims and to provide or refer them to needed services; and
- vehicle leasing.

Collaboration

Tribal grantees are encouraged to demonstrate strategies that include collaboration with appropriate local and federal agencies involved in assisting victims. Specifically, collaboration with the following agencies is deemed essential under the OVC tribal victim assistance program: (1) the U.S. Attorneys' Offices (USAO); (2) the Federal Bureau of Investigation (FBI); (3) state, local, and tribal criminal justice agencies; (4) Indian Health

Services; (5) child protective services; and (6) other appropriate tribal and non-tribal agencies.

Performance Measures Under the Victim Assistance Programs

To ensure compliance with the *Government Performance and Results Act (GPRA)*, *Public Law 103-62*, grantees are required to collect and report data that measures the results of the programs implemented under the OVC tribal victim assistance program. To ensure accountability under GPRA, the OVC requires the following performance measures to be reported in the semi-annual Categorical Assistance Progress Reports (progress reports) for its tribal victim assistance program:

- number of victims served and type of victimization,
- number of staff supported by grant funds,
- number of volunteer hours,
- number of publications produced,
- number of training workshops for law enforcement,
- type of services provided, and
- progress on goals and objectives identified by the program,

In the 2005 TVA solicitation, the performance measures were changed to:

- percent of increase in the number of victim services provided,
- percent of increase in the number of victim services training workshops provided, and
- percent of increase in the number of victim compensation claims submitted.

Prior Reviews

The Office of the Inspector General (OIG) previously conducted an audit on the *Administration of Department of Justice Grants Awarded to*

Native American and Alaska Native Tribal Governments, Report No. 05-18, March 2005. The prior audit found significant issues with the adequacy of grant monitoring, which is an essential management tool that ensures grant programs are implemented, objectives are achieved, and tribal grantees have expended funds properly. Additionally, the report noted that the granting agencies did not ensure that tribal grantees submitted the necessary information to assess grant implementation or to achieve the grant program objectives. Further, there was no consistency in the information provided in the required progress reports that were submitted. Specifically:

- For the majority of the grants reviewed, one or more required financial and progress reports, which contain the minimum information necessary to determine whether grant programs were implemented and grant objectives were achieved (especially final reports), were not submitted or were not submitted in a timely manner.
- A review of the obligation and utilization of grant funds found that the tribal-specific grant programs were not always fully implemented in a timely manner, an indication that grant objectives were not achieved, and that the current programs were not fully effective in meeting the criminal justice needs of tribal governments.

These findings are consistent indications that the OVC and other granting agencies were not effectively monitoring and administering the DOJ grants awarded to tribal governments. Additionally, the DOJ had no assurances that the objectives of its tribal-specific grant programs were being met or that expenditures of grant funds were in accordance with applicable laws, regulations, guidelines, and terms and conditions of the grants.

Audit Objective

The DOJ OIG conducted the current audit to evaluate the effectiveness of the OVC tribal victim assistance grant program. The objective of our audit was to obtain grant performance information directly from tribal grantees and to evaluate whether grant programs were fully implemented and program objectives were achieved.

According to the DOJ Strategic Plan, implementing an effective program planning and implementation cycle is essential to performance-based management. An effective cycle involves: (1) setting long-term performance goals and objectives; (2) translating long-term performance goals into budgets and program plans; and (3) implementing programs, monitoring program performance, and evaluating program results, as shown in Figure 1.

FIGURE 1. STRATEGIC PLANNING CYCLE



Source: DOJ Strategic Plan, Fiscal Years 2003-2008

Grant program effectiveness starts with overall program structure and design, incorporating adequate oversight and evaluation. We reviewed OVC documents and interviewed program officials to determine whether the OVC tribal victim assistance program had a well-defined purpose intended to support a specific problem; and was designed to fill a unique role or unnecessarily duplicated, overlapped, or competed with other federal or non-federal programs.

For grant programs to encompass effective strategic planning, they must have:

- long-term performance measures that guide program management and budgeting, and promote results and accountability;
- a limited number of annual performance measures that directly support desired long-term goals;

- challenging but realistic quantified targets that are established to evaluate annual performance measures;
- performance data and program evaluations that are used to evaluate program effectiveness;
- integrated performance-planning and budget-planning processes, so that resource-allocation decisions reflect the desired performance; and
- clear results, despite the effects of funding and other policy changes.

Finally, to determine if performance information was used to manage the OVC tribal victim assistance program and improve performance, we determined whether the OVC: (1) used the reported data to inform program management, make resource decisions, and evaluate program performance; (2) held its program managers and tribal grantees accountable; (3) administered funds efficiently and obligated them in accordance with planned schedules; (4) implemented adequate oversight practices that provided sufficient knowledge of tribal grantee activities; and (5) collected tribal grantee performance data on an annual basis.

The details of the results of our audit are contained in the Findings and Recommendations section of this report. Additional information related to our audit objectives, scope, and methodology appears in Appendix II.

FINDINGS AND RECOMMENDATIONS

I. OFFICE FOR VICTIMS OF CRIME

We found that the OVC did not incorporate adequate strategic planning into its tribal victim assistance program, which was necessary to implement effective performance-based management. Specifically, the OVC did not establish long-term or annual performance goals, nor tie program funding decisions to program effectiveness. The OVC also did not conduct any evaluations to determine the effectiveness of its tribal victim assistance program. However, in FY 2001 the OVC did provide approximately \$25,000 in funding to the National Institute of Justice (NIJ) to conduct assessments of four tribal victim assistance grant recipients to determine whether or not the tribal grantee programs could be evaluated. The OVC also provided the NIJ with an additional \$425,200 to evaluate the effectiveness of two 2003 TVA grantees with awards totaling \$197,689.¹⁶ The NIJ awarded a grant to conduct this evaluation to the American Indian Development Associates, Inc. in September 2005. Additionally, we found that the OVC did not use performance information reported by tribal grantees to: (1) manage its tribal victim assistance program and improve performance, (2) report on the tribal victim assistance program as a whole, and (3) evaluate the effectiveness of victim assistance programs implemented by individual tribal grantees. Finally, the OVC did not ensure that progress reports were submitted. There also was no guidance on collecting performance information, nor was there consistency or comparability among tribal grantees in performance information that was reported. As a result, the OVC could not adequately demonstrate progress in achieving its tribal victim assistance program objectives.

Program Purpose

We evaluated the OVC tribal victim assistance program to determine whether the program had a well-defined purpose intended to support a specific problem. The OVC tribal victim assistance program was designed to

¹⁶ According to OVC officials the evaluations will cover the entire 3-year award period, which would include grant funds totaling \$554,531, rather than the \$197,689 for FY 2003 that was specifically identified in the grant solicitation.

support the lack of victim assistance programs “on reservations” and in remote parts of Indian Country, where violence is higher than for any other ethnic group. In other words, the purpose of the OVC tribal victim assistance program was to bridge the gap between criminal justice agencies and service providers.

Tribal grantees generally address long-term victim services through referrals to appropriate local tribal and non-tribal agencies, including Indian Health Services, child protective services, mental health clinics, and hospitals.

As stated in the Introduction Section of this report, services that are provided under the OVC tribal victim assistance program include 11 general purpose areas. However, in our review of the OVC tribal victim assistance program, we found that because of limited funding, grant objectives generally concentrated on providing short-term services that immediately fell into two categories: (1) responding to the emotional and physical needs (excluding medical care) of crime victims; and (2) advocating on behalf of crime victims, which included transporting and accompanying crime victims to criminal justice offices and courts.

In order to effectively address short-term victim needs and provide advocacy on behalf of crime victims, collaboration with the following agencies is essential under the OVC tribal victim assistance program: (1) the USAOs, (2) the FBI, (3) state, local, and tribal criminal justice agencies, (4) Indian Health Services, (5) child protective services, and (6) other appropriate tribal and non-tribal agencies. As a result, we focused our audit on the effectiveness of the OVC tribal victim assistance program in meeting immediate victim needs, providing advocacy on behalf of crime victims, and collaborating with tribal and non-tribal law enforcement agencies, courts, and service providers.

Program Design

The OVC tribal victim assistance program was designed to address multiple types of victimization. However, we found that there are currently similar programs that appear to address specific types of victimization that might be duplicated under the OVC tribal victim assistance program. These programs include:

- STOP Violence Against Indian Women Discretionary Grant Program – Intended to develop and strengthen tribal law enforcement and prosecution efforts to combat violence against Native American

Women and to develop and enhance services for victims of such crimes.

- Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program – Designed to encourage state, local, and tribal courts to treat domestic violence as a serious violation of criminal law. The program requires the coordinated involvement of the entire criminal justice system, and at least 5 percent of its funding must be available as grants to tribal governments.
- Rural Domestic Violence and Child Victimization Enforcement Grant Program – Designed to enhance services available to rural victims and children by encouraging community involvement in developing a coordinated response to domestic violence, dating violence, and child abuse. Eligible applicants include tribal governments in rural and non-rural states. At least 5 percent of the funding for this program must be available as grants to tribal governments.
- Legal Assistance for Victims Grant Program – Designed to strengthen legal assistance programs for victims of domestic violence, sexual assault, and stalking. Five percent of the funding for this program is set aside as grants for programs that assist victims of domestic violence, sexual assault, and stalking, on lands within the jurisdiction of tribal governments.
- Safe Havens: Supervised Visitation and Safe Exchange Grant Program – Designed to help create safe places for visitation with and exchange of children in cases of domestic violence, child abuse, sexual assault, or stalking. At least 5 percent of the funding for this program is available as grants to tribal governments.
- Children's Justice Act Partnerships for Indian Communities Program – Designed to help tribal justice systems address serious child abuse cases. The program develops specialized services and procedures to address the victim needs of Native American children, and strategies to handle cases of child sexual assault.

As shown in Table 1, during FYs 2000 through 2004, the Office of Justice Programs (OJP) and the Office on Violence Against Women (OVW) awarded grants totaling \$77.16 million to Native American communities, for the programs listed above.

TABLE 1. TRIBAL FUNDING AWARDED (Dollars in Millions)

	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	TOTAL
STOP Violence Against Indian Women Discretionary Grant Program	\$5.92	\$7.65	\$4.84	\$6.90	\$5.36	\$30.67
Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program	\$1.06	\$1.48	\$3.34	\$4.87	\$3.15	\$13.90
Rural Domestic Violence and Child Victimization Enforcement Grant Program	\$1.50	\$3.70	\$4.85	\$3.95	\$4.10	\$18.10
Legal Assistance for Victims Grant Program	\$0.22	\$1.48	\$0.92	\$1.99	\$2.10	\$6.71
Safe Havens: Supervised Visitation and Safe Exchange Grant Program	---	---	\$0.24	\$0.38	\$0.67	\$1.29
Children's Justice Act Partnerships for Indian Communities Program	\$0.56	\$1.22	\$1.44	\$1.56	\$1.71	\$6.49
TOTAL	\$9.26	\$15.53	\$15.63	\$19.65	\$17.09	\$77.16

Source: The Office of Justice Programs

An OVC official stated that they reviewed the tribal victim assistance program grant applications to determine whether the focus of the program addressed crimes not covered by other programs. The official also stated that they would not fund programs that only addressed domestic violence or child abuse, since there was funding available through other sources for these types of victimization. However, as shown in Finding IV, we found that the OVC funded the Mississippi Band of Choctaw Indians victim assistance program, which focused on victims of non-major domestic crimes.

Strategic Planning

We evaluated the OVC tribal victim assistance program structure and design to determine whether the programs incorporate adequate strategic planning, which is essential in evaluating program effectiveness. We found that the OVC tribal victim assistance program structure and design does not incorporate any strategic planning. Specifically:

- Programs should have specific long-term performance goals that focus on outcomes and meaningfully reflect the purpose of the programs.

We found that no long-term performance goals were established for the OVC tribal victim assistance program.

- Programs should have annual performance goals that demonstrate progress toward achieving long-term goals. Annual performance goals enable program management to detect deficiencies in program performance and develop corrective actions in a timely manner. We found that no annual performance goals were established for the OVC tribal victim assistance program.
- Budget requests are tied to the accomplishment of annual and long-term performance goals. It is also essential that program performance and budget planning processes are integrated so that resource-allocation decisions reflect program effectiveness. We found that the OVC was not required by OJP to provide performance information with budget requests for its tribal victim assistance program. Additionally, since annual and long-term performance goals were not established, funding could not be tied to program effectiveness.

Since no long-term or annual performance goals were established for the OVC tribal victim assistance program and performance information was not reported or tied to budget requests, we reviewed the program to determine whether evaluations were conducted on a regular basis.

We found that the OVC did not conduct any evaluations to determine the effectiveness of its tribal victim assistance program. However, in FY 2001 the OVC did provide approximately \$25,000 in funding to the NIJ to conduct assessments of four tribal victim assistance grant recipients to determine whether or not the tribal grantee programs could be evaluated. The assessment reports were issued in July 2004, and recommended that three of the four individual grantee tribal victim assistance programs be evaluated. It was also suggested that the fourth program might be a good candidate for an evaluation. The programs are listed below.

- Choctaw Nation of Oklahoma Victim Assistance Program – The report recommended that since this program is new, an evaluation could provide valuable lessons for tribes wishing to establish victim assistance programs.
- Lummi Nation Victims of Crime Program – The report recommended that since this program is well-established, widely known, highly regarded, and well-positioned because of its automated database on clients and services, an evaluation could prove useful.

- Turtle Mountain Band of Chippewas Victims of Crime Assistance Program – The report recommended that since this program is well-established and highly regarded, it could serve as a model for other tribes wishing to implement victim service programs.
- Passamaquoddy at Pleasant Point Victim Outreach Advocate Program – The report recommended that this program might be a good candidate for evaluation, because it is in its initial stages, a natural comparison group exists, the project is well-designed, and law enforcement and court electronic data systems appear to be sophisticated. However, the report also found that an evaluation may be difficult, because the small number of people living in the service area make it hard to obtain enough statistical data to detect differences between treatment and comparison groups, and because, individuals move back and forth between the Pleasant Point and Indian Township reservations.

The OVC also provided the NIJ with an additional \$425,200 to evaluate the effectiveness of two 2003 TVA grants awarded to the Lummi Indian Nation and the Passamaquoddy Tribe at Pleasant Point. The two grants to be evaluated, which were funded in the amount of \$197,689, were awarded for the period September 1, 2003, through August 31, 2004.¹⁷ The evaluation will take place over a 2-year period and should be completed by December 2007. According to the solicitation, evaluations of these two programs will inform and enhance knowledge in the development and implementation of victim services in Native American communities. Specifically, the information gathered from the evaluation will be used by the OVC to report on the progress of the tribal victim assistance program and the delivery of services to victims in Native American communities. It will also be used to inform tribal, state, and federal leaders, and government funding agencies on the delivery of victims' services to multiple sites in Indian Country.

In our judgment, expending \$425,200 to evaluate grant programs with funding totaling less than \$200,000 may not be the most effective use of limited victim assistance resources. We discussed this issue with OVC and NIJ officials, who stated that although the evaluations cannot be used to determine the effectiveness of the OVC tribal victim assistance program as a

¹⁷ According to OVC officials the evaluations will cover the entire 3-year award period, which would include grant funds totaling \$554,531, rather than the \$197,689 for FY 2003 that was specifically identified in the grant solicitation.

whole, they expect that the findings will produce lessons learned for similar tribal programs.

Program Management

We evaluated the OVC tribal victim assistance program to determine whether performance information was used to manage the program and improve performance. In order to evaluate the adequacy of program management, we reviewed the OVC tribal victim assistance program to determine whether:

- program officials regularly collected timely and credible performance information from tribal grantees receiving victim assistance funding;
- program officials used performance information reported by tribal grantees to manage the program and improve performance;
- program officials were held accountable for performance results;
- funds were obligated in a timely manner and spent for intended purposes;
- grant applications were reviewed based on clear criteria and awards were made based on results of a peer review process;
- program officials had oversight practices that provided sufficient knowledge of program activities; and
- program officials collected performance data on an annual basis.

As stated previously in the Introduction section of this report, the OVC required tribal grantees receiving tribal victim assistance funding to include information on performance measures in their progress reports. However, we found that the OVC did not provide any guidance to tribal grantees on collecting and reporting performance information. The OVC also did not provide tribal grantees with definitions of the terms used in the required performance measures, such as what constitutes a victimization, service, publication, or training workshop. Additionally, the OVC did not provide any guidance on tabulating performance information. For example, if a victim received crisis counseling on 10 separate occasions, the OVC did not provide guidance as to whether the tribal grantee should report 1 service to the victim, or 10. During our audit, we found instances where one grantee reported one service per victim in some periods, and the number of times

the same service was provided in other periods. As a result of the OVC's failure to provide guidance to tribal grantees on collecting and reporting performance information, there was no consistency among tribal grantees' reporting. Therefore, the reported performance information was not comparable between tribal grantees.

Additionally, we also found that despite the fact that tribal grantees were required to include performance information in their progress reports, the OVC did not use the reported information to manage its tribal victim assistance program or improve performance. Specifically:

- The OVC did not summarize the performance information reported by tribal grantees in order to report on its tribal victim assistance program as a whole; and
- The performance information reported by tribal grantees was not used to evaluate the effectiveness of the individual grantee tribal victim assistance programs.

Program Results

We evaluated the OVC tribal victim assistance program to determine whether the OVC demonstrated progress in achieving the overall program objectives. Although the OVC did not provide any guidance on collecting and reporting performance information, we attempted to use statistical data from the tribal grantee progress reports to assess the effectiveness of the OVC tribal victim assistance program as a whole for the required performance measures.

We reviewed the progress reports submitted by each of the 25 tribal grantees awarded 2003 victim assistance grants for the periods ending December 31, 2003; June 30, 2004; and December 31, 2004. Based on the results of our review, we found that the performance data contained in the submitted progress reports could not be used to generate statistical information on the effectiveness of the OVC tribal victim assistance program as a whole. Specifically, we found that:

- Only 68 percent (17 of 25) of tribal grantees submitted all 3 progress reports.
- Only 8 percent (2 of 25) of tribal grantees reported on all 6 performance measures for the period ending December 31, 2003.

- Only 24 percent (6 of 25) of tribal grantees reported on all 6 performance measures for the period ending June 30, 2004.
- Only 28 percent (7 of 25) of tribal grantees reported on all 6 performance measures for the period ending December 31, 2004.

Based on our review, it does not appear that the OVC ensured that progress reports contained the required information on performance measures when the reports were submitted. We also found that there was no consistency among tribal grantees in how performance information was reported. For example, for the performance measure on the number of publications produced, we found that some tribal grantees reported the number of new publications developed during the period, while others reported the number of copies of the same publication generated during the period. As a result, the number of publications produced, ranged from 1 to 26 for those tribal grantees reporting on the number of new publications, and 100 to 2,500 for tribal grantees reporting on the number of copies of the same publication. In another example, we found that for the performance measure on the number of volunteer hours, one grantee included staff time in excess of a normal work day as volunteer hours. As stated previously, we also found instances where one grantee reported one service per victim in some periods, and the number of times the same service was provided in other periods.

We believe that the OVC needs to establish a standardized progress report that captures required performance measure information and includes guidance to tribal grantees on collecting and reporting the information. This information should include definitions of terms used in the required performance measures, such as what constitutes a victimization, service, publication, or training workshop, and also should include guidance on tabulating performance information. Additionally, the OVC needs to ensure that required progress reports are submitted with all required performance measure data.

Conclusion

We found that the OVC did not incorporate adequate strategic planning into its tribal victim assistance program, which was necessary to implement effective performance-based management. The OVC also did not establish any long-term or annual program goals for its tribal victim assistance program by which program effectiveness is measured. In addition, the OVC was not required to provide performance information with its budget

requests for the tribal victim assistance program; as a result, program funding decisions were not tied to program effectiveness.

At the time of our audit, the OVC had not conducted any evaluations to determine the effectiveness of its tribal victim assistance program. However, in FY 2001 the OVC did provide approximately \$25,000 in funding to the NIJ to conduct assessments of four tribal victim assistance grant recipients to determine whether or not the tribal grantee programs could be evaluated. The OVC also provided the NIJ with an additional \$425,200 to evaluate the effectiveness of two 2003 TVA grantees with awards totaling \$197,689. The NIJ awarded a grant to conduct this evaluation to the American Indian Development Associates, Inc. in September 2005.

We discussed our concerns related to expending \$425,200 to evaluate two individual grantee tribal victim assistance programs with funding totaling less than \$200,000 with OVC and NIJ officials. The officials stated that although the evaluations cannot be used to determine the effectiveness of the OVC tribal victim assistance program as a whole, they expect that the findings will produce lessons learned for similar tribal programs.

Finally, we attempted to review progress reports submitted by each of the 25 tribal grantees awarded 2003 victim assistance grants to determine whether the OVC tribal victim assistance program demonstrated progress in achieving its objectives. We found that OVC program officials and tribal grantees were not held accountable for performance results. Reported performance information was not used to evaluate the effectiveness of the OVC tribal victim assistance program as a whole or the effectiveness of individual grantee tribal victim assistance programs. Additionally, as a result of the OVC's failure to provide guidance to tribal grantees on collecting and reporting performance information, there was no consistency in how performance information was reported, and the information reported was not comparable between tribal grantees. As a result, we were unable to compile information from progress reports that generated statistical information on the program results for the OVC tribal victim assistance program as a whole. Instead, we attempted to evaluate the effectiveness of individual grantee tribal victim assistance programs as discussed in the following sections of this report.

We selected the four tribal grantees, who received victim assistance funding, for which financial audits had been conducted previously as part of our audit on the *Administration of Department of Justice Grants Awarded to Native American and Alaska Native Tribal Governments*, Report No. 05-18,

March 2005.¹⁸ Those tribal grantees, discussed in separate findings later in this report, included the:

- Sault Ste. Marie Tribe of Chippewa Indians, Sault Ste. Marie, Michigan, Finding II
- Oglala Sioux Tribe, Pine Ridge, South Dakota, Finding III
- Mississippi Band of Choctaw Indians, Philadelphia, Mississippi, Finding IV
- Lummi Indian Nation, Bellingham, Washington, Finding V

In order to evaluate the effectiveness of the victim assistance programs implemented by the four individual tribal grantees, we determined whether each tribal grantee:

- implemented the objectives of its victim assistance grant;
- accurately reported grant activities in its progress reports;
- maintained statistical data supporting program performance;
- documented any program accomplishments;
- collaborated effectively with criminal justice agencies and service providers; and
- developed plans to sustain the victim assistance program upon the expiration of grant funding.¹⁹

Recommendations

We recommend that the OVC:

1. Establish long-term and annual performance goals for its tribal victim assistance program.
2. Ensure that resource-allocation decisions reflect program effectiveness.

¹⁸ See Appendix III for a summary of the financial audits previously conducted for each of the four grantees selected for this audit.

¹⁹ Additional information related to our audit objectives, scope, and methodology appears in Appendix II.

3. Provide tribal grantees with definitions of terms used for the required performance measures and guidance on tabulating the performance information reported.
4. Establish a standardized progress report that captures required performance measure information.
5. Ensure that progress reports include required performance measure data.
6. Summarize the performance information reported by tribal grantees to report on the effectiveness of its tribal victim assistance program as a whole.
7. Utilize the performance information reported by tribal grantees to evaluate the effectiveness of individual grantee tribal victim assistance programs, and to follow up with tribal grantees demonstrating poor program performance.

II. SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS

The Sault Ste. Marie Tribe of Chippewa Indians effectively implemented a comprehensive victim assistance program that bridged the gap between the criminal justice system and victims. Specifically, we found that the tribe: (1) effectively accomplished the goals outlined for its victim assistance grant, (2) increased the number of victims served by 30 percent during the first year of the grant and 86 percent over the life of the grant, and (3) provided a wide variety of comprehensive services to victims. Based on questionnaires provided to victims, we found that they believed that the tribe's victim assistance program was effective in meeting their needs. Additionally, based on interviews and questionnaires with representatives from collaborating agencies, we found that they also believed that the victim assistance program was effective in meeting victims' needs. Although we found that the victim assistance program implemented by the Sault Ste. Marie Tribe was effective, we noted that the statistical data in the progress reports included all grant programs administered by the tribe's Victim Advocacy Center and was not reported accurately.

The Sault Ste. Marie Tribe of Chippewa Indians is a federally recognized Indian tribe located near the city of Sault Ste. Marie, Michigan, near the Canadian border. The tribe has more than 29,000 enrolled members, most of whom live off the reservation in the recognized tribal service area, which covers approximately 1,265 acres throughout seven counties of the eastern Upper Peninsula of Michigan.

The Sault Ste. Marie Tribe indicated in its grant application that the majority of crimes occurring within tribal lands included domestic violence, sexual offenses, and child abuse. The majority of cases addressed by the tribe's victim assistance program are related to domestic violence, child physical abuse, and child sexual abuse. The tribe proposed to strengthen services to victims of crime by hiring a victim services coordinator to assist victim advocates in providing comprehensive services through its Victim Advocacy Center. The application also stated that the additional position was necessary because the Victim Advocacy Center was unable to provide the best possible assistance to victims due to the wide service area covered. For example, it is a 6-hour round trip between Sault Ste. Marie and Marquette, Michigan, where the nearest USAO and FBI offices are located.

As shown in Table 2, the Sault Ste. Marie Tribe was awarded a victim assistance grant, including three supplemental awards, totaling \$184,004.

TABLE 2. VICTIM ASSISTANCE GRANTS AWARDED TO THE SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS

GRANT	AWARD START DATE	AWARD AMOUNT	AWARD END DATE
1999VRGX0006	04/01/99	\$46,001	03/31/00
Supplement 1	04/01/99	\$46,001	03/31/01
Supplement 2	04/01/99	\$46,001	03/31/02
Supplement 3	04/01/99	\$46,001	09/30/03
Total		\$184,004	

Source: Office of Justice Programs

Implementing the Grant Program Objectives

In its original grant application and award documentation, the Sault Ste. Marie Tribe established program objectives and measures to track progress, which were consistent with the overall goal of the OVC tribal victim assistance program, as shown in Table 3.

TABLE 3. PROGRAM OBJECTIVES AND MEASURES

PROGRAM OBJECTIVE	MEASURE
<ul style="list-style-type: none"> Hire a full-time victim services coordinator to enhance the prosecution of crimes and increase the provision of services to victims and their families. 	<ul style="list-style-type: none"> The number of victims that received services.
<ul style="list-style-type: none"> Establish a 24-hour crisis hotline to provide immediate assistance to victims of crime. 	<ul style="list-style-type: none"> The number of victims that received services.
<ul style="list-style-type: none"> Provide comprehensive services to victims. 	<ul style="list-style-type: none"> The number of referrals to service agencies provided to victims and the number of victims that were assisted in obtaining services.
<ul style="list-style-type: none"> Increase the number of victims receiving services. 	<ul style="list-style-type: none"> The number of referrals received.

PROGRAM OBJECTIVE	MEASURE
<ul style="list-style-type: none"> Reduce the barriers that prevent victims from cooperating with the criminal justice system. 	<ul style="list-style-type: none"> The number of victims that were assisted with: (1) filing a complaint, (2) being informed of court processing, and (3) preparing victim rights forms and victim impact statements.

Source: Grant application for Grant No. 1999VRGX0006

We found that with the exception of hiring a victim advocate within 1 month of the grant start date, timelines had not been established for achieving grant objectives. However, the Sault Ste. Marie Tribe generally accomplished the goals and objectives outlined for its victim assistance grant.

We were unable to determine whether the Sault Ste. Marie Tribe was successful in increasing the services provided to crime victims. During the grant period, the tribe made several changes in the way that it collected and reported data related to the number of services provided to victims. As a result, the data was not comparable between reporting periods. Additional information related to statistical data is discussed later in this section of the report.

Reporting Progress Accurately

We found that the Sault Ste. Marie Tribe generally submitted required progress reports with the required information. However, the final progress report was not submitted, as shown in Table 4.

TABLE 4. ANALYSIS OF PROGRESS REPORTS

REPORT PERIOD	REPORT DUE DATE	DATE REPORT SUBMITTED	DAYS LATE
04/01/99 – 06/30/99	07/30/99	Not Dated	
07/01/99 – 12/31/99	01/30/00	Not Dated	
01/01/00 – 06/30/00	07/30/00	07/26/00	-
07/01/00 – 12/31/00	01/30/01	01/26/01	-
01/01/01 – 06/30/01	07/30/01	07/23/01	-
07/01/01 – 12/31/01	01/30/02	01/18/02	-
01/01/02 – 06/30/02	07/30/02	07/16/02	-
07/01/02 – 12/31/02	01/30/03	01/30/03	-

REPORT PERIOD	REPORT DUE DATE	DATE REPORT SUBMITTED	DAYS LATE
01/01/03 – 06/30/03	07/30/03	07/22/03	-
07/01/03 – 09/30/03	01/28/04	Not Submitted	

Source: The Office of Justice Programs

Additionally, we found that progress reports did not accurately reflect the Sault Ste. Marie Tribe’s victim assistance grant program activity. The statistical information reported in the progress reports submitted to the OVC could not be verified to source documentation. Tribal grantee officials could not provide an explanation as to why the statistical information maintained by the program did not match what was reported.

Statistical Data Supporting Program Performance

The statistics reported for the Sault Ste. Marie Tribe’s victim assistance program included data for all grant programs administered by the tribe’s Victim Advocacy Center. During FYs 2000 through 2004, the tribe also received \$3,762,529 in awards through the following DOJ grant programs, which include a component of victim assistance:²⁰

- STOP Violence Against Indian Women Discretionary Grant Program;
- Rural Domestic Violence and Child Victimization Enforcement Grant Program;
- Legal Assistance for Victims Grant Program;
- Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program; and the
- Children's Justice Act Partnerships for Indian Communities Program.

Tribal grantee officials stated that it was not possible to separate out statistics for a particular grant. Officials also stated that they did not receive any guidance from the OVC on collecting and reporting performance information, including definitions of terms used in the required performance measures, such as what constitutes a victimization, service, publication, or training. They also did not receive guidance on tabulating the performance information. For example, if a victim received crisis counseling on

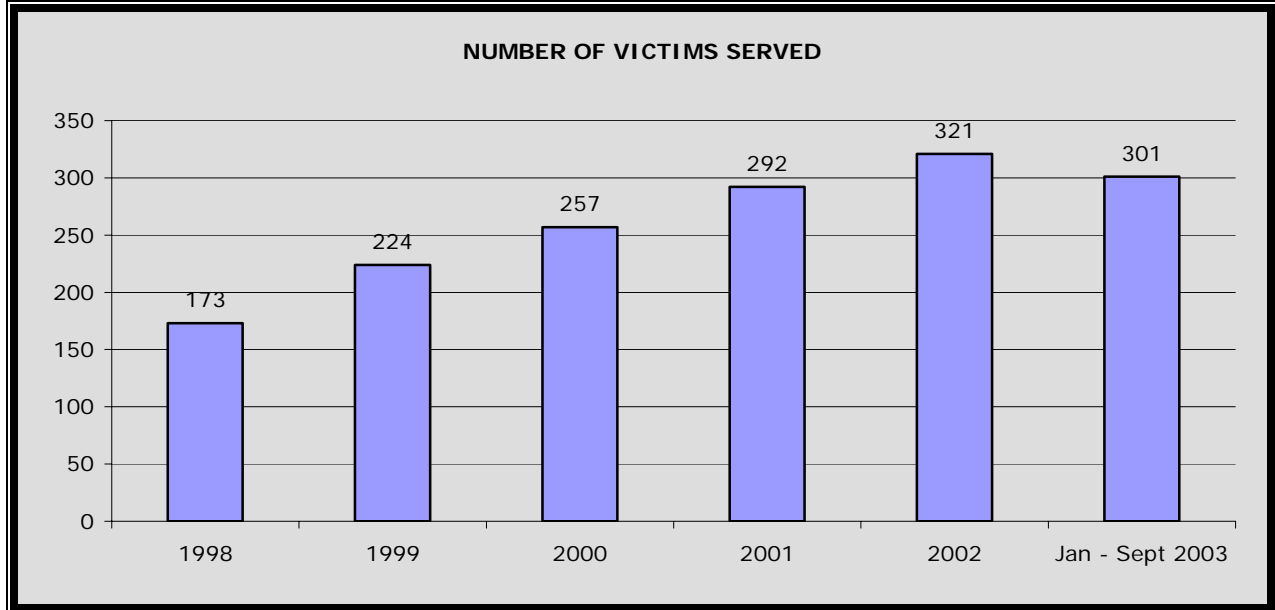
²⁰ See Finding I of this report for a description of the other DOJ grant programs awarded to the Sault Ste. Marie Tribe.

10 separate occasions, the OVC did not provide guidance as to whether the tribal grantee should report 1 service provided or 10. During the grant period, the tribe reported both one service per victim and the number of times the same services were provided to a victim depending on the requirements of other grants. As a result, the number of services provided was not comparable between reporting periods.

Although statistical data was not reported accurately, the Sault Ste. Marie Tribe did maintain data related to the number of victims served. As a result, we were able to generate statistical information on that requirement and used our data to assess the effectiveness of its victim assistance program.

The Sault Ste. Marie Tribe received its victim assistance grant in 1999; therefore, we used 1998 statistical data as the baseline for the grant. We found that the number of victims served increased each year of the grant program, indicating that the tribe implemented an effective victim assistance grant program.

CHART 1. NUMBER OF VICTIMS SERVED THROUGH THE SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS' VICTIM ASSISTANCE PROGRAM



Source: Sault Ste. Marie Tribe of Chippewa Indians

As shown in Chart 1, the number of victims served increased by 30 percent, from 173 to 224, during the first year of the grant (1999).²¹ Additionally, the number of victims served increased by 86 percent, from 173 to 321, between the year prior to the grant (1998) and the last full year of the grant (2002). Because the program ended in September 2003, we did not have a full year of data for 2003 to include in our analysis. However, based on the number of victims served during the first 9 months of 2003, we projected that the Sault Ste. Marie Tribe could have provided services to as many as 401 [(301 divided by 9 months) multiplied by 12 months] victims in 2003.

Victim Assistance Program Achievements

We selected a sample of case files that the Sault Ste. Marie Tribe maintained to document services provided to crime victims. We found that the tribe provided a wide variety of comprehensive services that bridged the gap between the criminal justice system and victims. Specifically, during our review of case files, we identified the following services provided:

- Crisis Counseling – Short-term crisis counseling was designed to lessen the impact of victimization. Victim advocates provided in-person crisis counseling to crime victims and also assessed their needs.
- Criminal Justice Support – These services were designed to support victims during the criminal justice process. Victim advocates referred victims to law enforcement agencies and assisted victims in reporting crimes. Victim advocates also accompanied victims to court hearings, notified them of tribal court dates, informed them of their rights, and provided assistance to them in preparing a victim impact statement.
- Case Status – Victim advocates provided victims with information regarding the status of any criminal case against an accused offender.
- Information and Referrals – Victim advocates provided victims with information and referrals to service agencies that furnished counseling, health care, housing, food, clothing, substance abuse, and financial assistance.

²¹ It should be noted that these statistics include the number of victims served for all grant programs administered by the Sault Ste. Marie Victim Advocacy Center. However, the increase in the number of victims served can be tied to the hiring of an additional advocate. In our judgment, the increase is related to the victim assistance grant.

- Transportation to Referrals Sources – Victim advocates provided transportation to and from law enforcement agencies, court hearings, and service providers. It should be noted that the FBI and the USAO local offices are located 3 hours away from Sault Ste. Marie, and the federal court is located 5 hours away.
- Assistance with Personal Protection Orders – Victim advocates provided victims with assistance in completing the necessary paperwork to obtain a personal protection order.

In addition, Sault Ste. Marie tribal officials provided the following services that were not documented in the case files included in our sample:

- Assistance in Filing a Crime Victim Compensation Application – Victim advocates provided victims with assistance in completing compensation applications.²²
- Safety Planning – Victim advocates provided victims with assistance in developing a personal safety plan.
- Legal Aid Services – A legal aid attorney was available to provide assistance to victims of domestic violence, sexual assault, and stalking. Legal aid assistance had to be directly related to the victimization.
- Women's Talking Circle – Victim advocates facilitated a weekly domestic violence educational support group.
- Keeping Kids Safe – Victim advocates provided support services to children who witnessed acts of violence.
- Custody Exchange Services – Victim advocates provided assistance to parents when changing custody and regarding visitation when a personal protection order was in place or there was a history of violence. Under Custody Exchange Services, parents had to agree to meet with a victim advocate in order to complete necessary paperwork before this service could be provided.
- Men's Education Group – Victim advocates provided a 26-week curriculum designed to hold men accountable for their actions in abusive relationships.

²² The crime victim compensation application is a state program that may provide assistance with crime-related costs, such as medical bills and counseling.

- Women’s Lodge – The Victim Advocacy Center offered a residential shelter to abused women and children who needed a safe place to stay, because they were the victims of domestic violence, sexual assault, or stalking.

We provided questionnaires to six victims who received services from the Sault Ste. Marie Tribe’s Victim Advocacy Center, and who indicated a willingness to be contacted. They were asked to identify what services were received and whether or not the services were effective in meeting their needs. Based on the six responses, victims were generally satisfied with the services provided and felt that they were effective in meeting their needs. Services identified by victims included: (1) crisis counseling, (2) transportation, (3) advocacy, (4) support through the Women's Talking Circle, (5) temporary housing, (6) food, and (7) legal services.

Based on our review of the services provided to victims and the responses to the recipient questionnaires, the Sault Ste. Marie Tribe’s victim assistance program is effectively providing needed services to crime victims.

Collaborating with Criminal Justice Agencies and Service Providers

According to Sault Ste. Marie tribal officials, the victim assistance program collaborated with many different agencies, both within and outside the tribal community. These agencies included, but were not limited to those listed in the following chart:

COLLABORATING AGENCIES IDENTIFIED BY THE TRIBAL GRANTEE	
• Federal Bureau of Investigation	• Northern Michigan Legal Services
• U.S. Attorneys’ Office	• Sault Ste. Marie Housing Authority
• State, county, and tribal law enforcement	• Michigan tribal victim assistance coalition
• Tribal health service organizations	• State VOCA program
• Tribal mental health services	• Diane Pepler Resource Center
• Tribal social services	• United Way

Source: Sault Ste. Marie Tribe

During the audit, we conducted interviews with representatives from tribal law enforcement, the tribal prosecutor’s office, the tribal court, and tribal social services. From these interviews, we determined that each of the collaborating agencies believed that the Sault Ste. Marie Tribe’s victim

assistance program was effective in meeting victims' needs. Specifically, representatives from the tribal collaborating agencies made the following statements:

- The Victim Advocacy Center and the victim advocates have an outstanding relationship in the community and provide much-needed support in areas not addressed by other departments, such as crisis counseling, support, transportation, etc.
- The victim advocates are very effective in working in the different venues of the tribal justice system, such as tribal law enforcement, the tribal prosecutor's office, and the tribal court. Many times, these departments are solely focused on their unique role in the tribal justice system. Victim advocates are the mortar of the tribal justice system, filling in the gaps and helping coordinate the various pieces of the justice system.
- The Victim Advocacy Center has been extremely effective in meeting short- and long-term victim service needs, and victim advocates are very persistent in getting tribal law enforcement to pursue cases of alleged victimization.
- The Victim Advocacy Center has provided members of the Sault Ste. Marie Tribe of Chippewa Indians with strong victim advocacy that would not otherwise have been provided.

Additionally, we provided questionnaires to representatives from the FBI and USAO. From these questionnaires, we determined that both agencies believed that the Sault Ste. Marie Tribe's victim assistance program was effective in meeting victims' needs. Representatives from the FBI and USAO made the following statements about the tribe's victim assistance program.

- We have a good working relationship with the tribe, especially in the area of victim services. Among other things, the tribe has created a multi-disciplinary team to address child sexual assault issues. That team meets regularly in Sault Ste. Marie.
- The tribe has effectively hired and trained sufficient staff members to ensure that the short-term needs of crime victims are appropriately addressed in the tribe's various locations throughout the Upper Peninsula. This has, in turn, produced a positive impact on the success of our prosecutions.

- In our opinion, the grant program is currently meeting both the short- and long-term victim services needs of the Sault Ste. Marie Tribe of Chippewa Indians.
- The Victim Assistance Program has been very helpful in transporting victims in a variety of FBI cases. It has furthered counseling and recovery efforts for several victims and has been true victim advocates in every sense.

Based on the responses to our interviews with representatives from tribal law enforcement, the tribal prosecutor's office, the tribal court, and tribal social services, and questionnaires with collaborating agencies, we found that the Sault Ste. Marie Tribe's victim assistance program was effective in meeting both short- and long-term victim needs. The collaborating agencies agreed that the victim assistance program provided much-needed victim services that were not available through other sources.

Sustaining the Victim Assistance Program

The OVC tribal victim assistance funding received by the Sault Ste. Marie Tribe expired on September 30, 2003. Although it had been over one year since the funding had expired, we found that the tribe sustained its victim assistance program. The tribe also reclassified a position authorized under the state VOCA program and used that funding to continue the position originally funded under its victim assistance grant.

Conclusion

Based on the results of our review, the Sault Ste. Marie Tribe effectively implemented a comprehensive victim assistance program that bridged the gap between the criminal justice system and victims. We found that:

- the tribe generally achieved the objectives of its tribal victim assistance grant, which were consistent with the overall goal of the OVC tribal victim assistance program;
- the number of victims served increased by 30 percent during the first year of the grant and by 86 percent over the life of the entire grant;

- the program was considered effective by victims, and by tribal and federal collaborating agencies in meeting both short- and long-term victim needs; and
- the program was sustained after the OVC grant funding expired.

Although we found that the victim assistance program implemented by the Sault Ste. Marie Tribe was effective, we noted that the statistical data in the progress reports included all grant programs administered by the tribe's Victim Advocacy Center and was not reported accurately.

In addition, we found that the Sault Ste. Marie Tribe did not receive any guidance from the OVC on collecting and reporting performance information, including definitions of terms used in the required performance measures, such as what constitutes a victimization, service, publication, or training. The tribe also did not receive guidance on tabulating the performance information. As a result, the performance data was generally not comparable between reporting periods.

III. OGLALA SIOUX TRIBE

The Oglala Sioux Tribe did not effectively implement a comprehensive victim assistance program that bridged the gap between the criminal justice system and victims. Specifically, we found that the Oglala Sioux Tribe: (1) did not accurately report performance information in its progress reports, (2) did not increase the number of victims served, (3) never fully implemented its tribal victim assistance program because of frequent changes in program management, and (4) did not establish a plan to sustain its victim assistance program when the OVC victim assistance grant funding expired. However, we noted that the grant program objectives were generally achieved and based on the questionnaires provided to victims, they believed that Oglala Sioux Tribe's victim assistance program was effective in meeting their specific needs.

The Oglala Sioux Tribe is a federally recognized Indian tribe situated in southwestern South Dakota on the Nebraska state line about 50 miles east of the Wyoming border. The Pine Ridge reservation is home to approximately 40,000 tribal members and covers approximately 2.8 million acres of grassy plains and badlands. The reservation includes Shannon and Bennett counties, which have been identified as the two poorest counties in the United States, with an average per capita income of \$6,285 and \$10,106, respectively.

According to Oglala Sioux Tribe officials, the types of crimes occurring within the boundaries of the Pine Ridge reservation included: murder; sexual assault; child sexual assault; gang violence; elder abuse; burglary; driving while impaired (DWI) and driving under the influence (DUI); and vandalism. However, the majority of cases addressed by the Oglala Sioux Tribe's victim assistance program were related to victims of domestic violence, assault, and elder abuse.²³

As shown in Table 5, the Oglala Sioux Tribe received two victim assistance grants, including a supplemental award, totaling \$532,714.

²³ The Oglala Sioux Tribe did not track cases by the type of victimization until 2003.

TABLE 5. VICTIM ASSISTANCE PROGRAM GRANTS AWARDED TO THE OGLALA SIOUX TRIBE

GRANT	AWARD START DATE	AWARD AMOUNT	AWARD END DATE
2002VRGX0011	09/01/02	\$148,714	08/31/03
2003VRGX0012	09/01/03	\$192,000	08/31/04
Supplement 1	09/01/03	\$192,000	08/31/05
Total		\$532,714	

Source: Office of Justice Programs

Implementing the Grant Program Objectives

Based on the Oglala Sioux Tribe’s grant application and award documentation, we identified the following objectives for Grant No. 2002VRGX0011, which we determined were consistent with the overall goal of the OVC tribal victim assistance program.

- Assist family members of fatal DWI and DUI crashes in completing crime victim compensation applications and provide financial assistance for funeral expenses.
- Provide transportation to safe areas for victims of violent crime and child abuse.
- Hire victim advocates to focus on victims of gang violence.

Under Grant No. 2003VRGX0012, we identified five additional objectives, which we also determined were consistent with the overall goal of the OVC tribal victim assistance program. They were to:

- provide counseling;
- provide information and referrals;
- provide emergency services;
- accompany victims to court; and
- assist victims in obtaining victim compensation.

We found that timelines and measures were not established for achieving grant objectives. Tribal grantee officials stated that it was difficult to establish timelines because of the crisis-oriented nature of the victim assistance program. Officials stated that although timelines were not established, the program was constantly striving to establish and re-establish working relationships with the tribal police, the tribal prosecutor's office, and social services, to expand and improve the services provided to crime victims throughout the reservation.

Despite the fact that measures and timelines had not been established, we found that the Oglala Sioux Tribe generally accomplished the objectives outlined for its victim assistance grant. However, at the time of our review, none of the hired advocates focused specifically on gang violence. Rather, each advocate provided services to all victims of violent crimes.

Reporting Progress Accurately

We found that the Oglala Sioux Tribe generally submitted required progress reports with the required information. However, the final progress report for Grant No. 2002VRGX0011 was not submitted, as shown in Table 6.

TABLE 6. PROGRESS REPORTS SUBMITTED FOR GRANT NOS. 2002VRGX0011 AND 2003VRGX0012 AWARDED TO THE OGLALA SIOUX TRIBE

REPORT PERIOD	REPORT DUE DATE	DATE REPORT SUBMITTED	DAYS LATE
<i>Grant No. 2002VRGX0011</i>			
07/01/02 – 12/31/02	01/30/03	02/26/03	27
01/01/03 – 06/30/03	07/30/03	07/15/03	-
07/01/03 – 08/31/03	12/29/03	Not Submitted	
<i>Grant No. 2003VRGX0012</i>			
07/01/03 – 12/31/03	01/30/04	Not Dated	
01/01/04 – 06/30/04	07/30/04	Not Dated	
07/01/04 – 12/31/04	01/30/05	Not Dated	

Source: Office of Justice Programs

Additionally, we found that progress reports did not accurately reflect victim assistance grant program activity. The statistical information

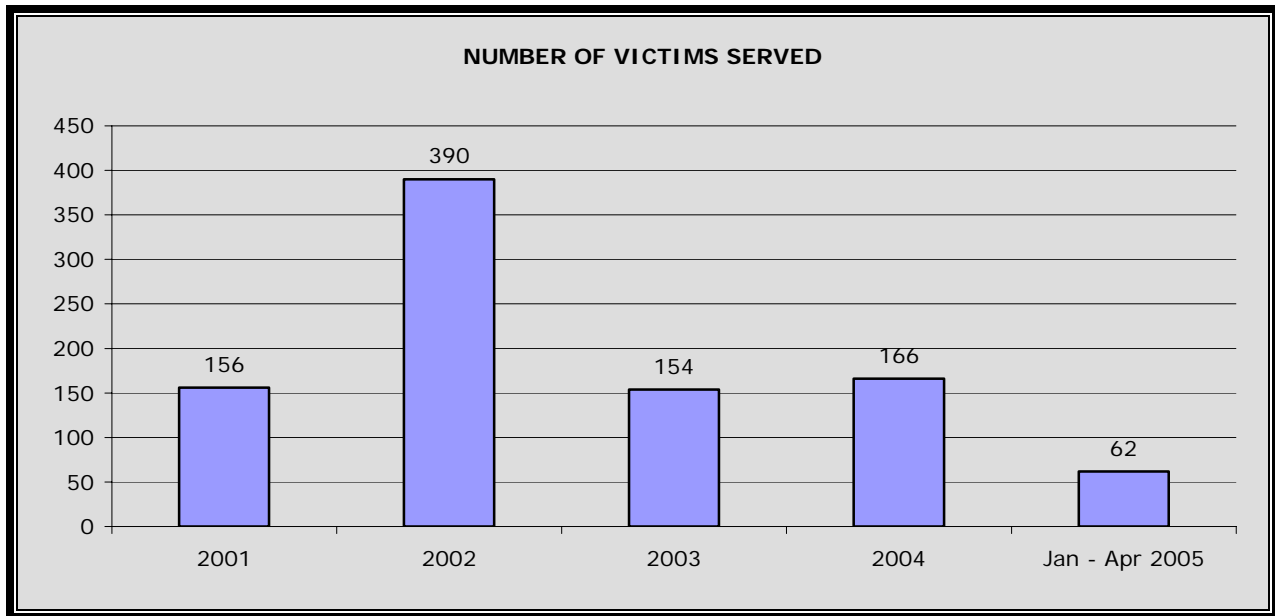
reported in the progress reports submitted to the OVC could not be verified to source information. Tribal grantee officials could not provide an explanation as to why the statistical information did not match what was reported.

Statistical Data Supporting Program Performance

Although statistical data was not reported accurately, the Oglala Sioux Tribe did maintain data related to the number of victims served. As a result, we were able to generate statistical information and use the data to assess the effectiveness of its victim assistance program.

The tribe received its victim assistance grant in 2002; therefore, we used 2001 statistical data as the baseline for the grant. We found that the number of victims served did not increase as a result of the OVC tribal victim assistance funding.

CHART 2. NUMBER OF VICTIMS SERVED THROUGH THE OGLALA SIOUX TRIBES' VICTIM ASSISTANCE PROGRAM



Source: Oglala Sioux Tribe

As shown in Chart 2 (excluding 2002), the number of victims served remained relatively constant between 2001 and 2004, only increasing by 6 percent between the year prior to the grant (2001) and the last full year of the grant (2004). We also found that the significant increase in the number of victims served during 2002 did not accurately reflect program activity and the number of victims served decreased between 2001 and 2003. As a

result, based on the number of victims served, the Oglala Sioux Tribe did not effectively achieve the objectives of its victim assistance grant. The current program director has only been in place since December 2004, and was unable to comment on program operations prior to that time. However, she stated that the tribe's victim assistance program is constantly working to re-establish relationships with the different "players," such as Cangleska, Inc., the tribal police, the tribal prosecutor's office, and social services.²⁴

As stated previously, the significant increase in the number of victims served during 2002 did not accurately reflect program activity. That data was based on the number of police reports received by the victim assistance program rather than the number of victims served. Tribal grantee officials stated that the program director at that time created a victim file for each police report received regardless of whether or not services were provided. We reviewed a sample of victim files for 2002, and found that generally, they only contained a police report with no mention of any services provided.

Victim Assistance Program Achievements

We selected a sample of case files that the Oglala Sioux Tribe maintained to document the services provided to crime victims. We found that the tribe's victim assistance program provided a wide variety of comprehensive services to victims that bridged the gap between the criminal justice system and victims. Specifically, during our review of case files, we identified the following services provided to victims:

- Personal Advocacy – Short-term crisis counseling was designed to lessen the impact of victimization. Victim advocates provided in-person crisis counseling to crime victims, assessed victims' needs, and provided emergency food and clothing to those victims in extreme crisis.
- Assistance in Filing a Crime Victim Compensation Application – Victim advocates provided assistance in completing crime victim compensation applications.
- Information and Referrals – Victim advocates provided victims with information and referrals to Cangleska, Inc.

²⁴ Cangleska, Inc., is a private, non-profit, tribally chartered organization on the Pine Ridge Reservation that provides comprehensive domestic violence prevention and intervention programs designed to provide advocacy to women who were battered and their children, and to hold offenders accountable.

- Criminal Justice Support - These services were designed to support victims during the criminal justice process. Victim advocates referred victims to law enforcement agencies, assisted victims in reporting crimes, and accompanied them to court hearings.
- Assistance with Personal Protection Orders – Victim advocates provided assistance to victims in completing the necessary paperwork to obtain a personal protection order.
- Transportation – Victim advocates provided transportation to and from law enforcement agencies, court hearings, and service providers.

We provided questionnaires to six victims, who received services from the Oglala Sioux Tribe's victim assistance program, and who indicated a willingness to be contacted. We asked them to identify what services were received and whether or not they were effective in meeting victims' needs. Based on the six responses, victims were generally satisfied with the services provided and felt that they were effective in meeting their needs. The services identified by the victims included: (1) transportation to court hearings, (2) support during court hearings, (3) personal advocacy, (4) assistance paying utility bills, and (5) provision of food and other necessities.

Based on our review of the services provided to victims and the responses to the recipient questionnaires, the Oglala Sioux Tribe's victim assistance program is providing needed services to crime victims. However, the number of victims served did not increase as a result of the grant program.

Collaborating with Criminal Justice Agencies and Service Providers

According to the Oglala Sioux Tribe officials, the victim assistance program strived to re-establish working relationships with many different agencies, both within and outside the tribal community. These agencies included, but were not limited to those listed in the chart on the following page:

COLLABORATING AGENCIES IDENTIFIED BY THE TRIBAL GRANTEE	
<ul style="list-style-type: none"> • Federal Bureau of Investigation • U.S. Attorneys' Office • Oglala Sioux Tribe Public Safety • Oglala Sioux Tribe Court System 	<ul style="list-style-type: none"> • Court Appointed Special Advocates • Cangleska, Inc. • Casey Family Program

Source: Oglala Sioux Tribe

We conducted interviews with representatives from tribal law enforcement, the tribal attorney's office, and Cangleska, Inc. From these interviews, we determined that each of the collaborating agencies believed that the Oglala Sioux Tribe's victim assistance program was not effective in meeting victims' needs. Specifically, representatives from the tribal collaborating agencies made the following statements:

- The interaction with the victim assistance program has never been consistent because of changing directors.
- I worked for the public safety for 2 years and was unaware of the tribal victim assistance program until 1 year ago, when a public safety officer was involved in a domestic violence event, and went through the tribal victim assistance program. The interaction between public safety and the victim assistance program is minimal.

Additionally, we provided questionnaires to representatives from the FBI and USAO with whom officials from the Oglala Sioux Tribe victim assistance program collaborated. From these questionnaires, we determined that both agencies believed that the tribe's victim assistance program was effective in meeting victims' needs. Representatives from the FBI and USAO made the following statements about the Oglala Sioux Tribe's victim assistance program:

- The Victim Assistance in Indian Country program worked with victims before trial; and on trial day. They picked up the victims and brought them to trial, stayed and supported them in the evening and brought them back the next day.
- The Oglala Sioux Tribe victim assistance program is willing to provide whatever type of transportation assistance the victim may need. I value the assistance I receive from their office.

Based on the responses to our interviews with representatives from tribal law enforcement, the tribal attorney's office, and Cangleska, Inc., and

questionnaires with collaborating agencies, we found that the Oglala Sioux Tribe's victim assistance program was somewhat effective in meeting victim needs. The FBI and USAO agreed that the victim assistance program provided much-needed victim services. However, the tribal collaborating agencies also believed that because of the constant change in program leadership, the tribe's victim assistance program was not effective in bridging the gap between the criminal justice system and the service providers.

Sustaining the Victim Assistance Program

According to its initial application, the Oglala Sioux Tribe proposed several plans to sustain its victim assistance program, including:

- fining all tribal members who were found guilty of a crime;
- applying for additional grants; and
- withdrawing a fee from each employee's biweekly salary.

At the time of our review, the tribe had not implemented any of the proposed plans listed above. Tribal grantee officials stated that they were currently trying to identify other long-term grants to sustain their victim assistance program when the OVC tribal victim assistance program funding expired.

Conclusion

Based on the results of our review, the Oglala Sioux Tribe did not effectively implement a comprehensive victim assistance program that bridged the gap between the criminal justice system and victims. We found that:

- the tribe did not accurately report performance information in its progress reports;
- the program did not demonstrate an increase in the number of victims served;
- the program was never fully implemented due to frequent changes in program management;

- the program was not considered effective by tribal collaborating agencies; and
- the tribe did not establish a plan to sustain the program after the OVC grant funding expired.

Although we found that the victim assistance program implemented by the Oglala Sioux Tribe was generally not effective, we noted that the grant program objectives were generally achieved. Based on the questionnaires provided to victims, we found that they believed that the tribe's victim assistance program was effective in meeting their specific needs.

IV. MISSISSIPPI BAND OF CHOCTAW INDIANS

The Mississippi Band of Choctaw Indians did not effectively implement a comprehensive victim assistance program that bridged the gap between the criminal justice system and victims. Specifically, we found that the Mississippi Band of Choctaw Indians: (1) only partially achieved the grant objectives outlined for its victim assistance grant; (2) did not include the all-required performance data in its progress reports, and did not accurately report the performance information that was included; (3) focused solely on victims of non-major domestic crimes, of which the majority of victims contacted declined services; (4) did not maintain data on the number of victims served; (5) reviewed 4 percent fewer police reports in 2004, than in 2000, and (6) did not establish a plan to sustain their victim assistance program after the OVC victim assistance grant funding expired. Based on interviews and questionnaires with representatives from collaborating agencies, we found that the collaborating agencies believed that the Mississippi Band of Choctaw Indians victim assistance program was effective, though limited, in meeting victims' needs. Based on questionnaires provided to victims, we also noted that victims who accepted services, believed that the program was effective in meeting their specific needs.

The Mississippi Band of Choctaw Indians is a federally recognized Indian Tribe located near the city of Philadelphia, Mississippi. The tribe has more than 8,100 enrolled members, with 6,500 living on or near the reservation. The Choctaw Reservation consists of eight scattered, isolated, rural communities in east central Mississippi.

The Mississippi Band of Choctaw Indians indicated in its grant application that many of the Choctaw people live in homes characterized by substance abuse, verbal and physical aggression, sexual abuse, mental illness, poor marital relations, and poor discipline habits. The application further stated that social problems of this nature inevitably manifest into a great deal of criminal activity, with domestic violence being one of the most common crimes committed.

As shown in Table 7, the Mississippi Band of Choctaw Indians received two victim assistance grants, including three supplemental awards, totaling \$293,050.

TABLE 7. VICTIM ASSISTANCE PROGRAM GRANTS AWARDED TO THE MISSISSIPPI BAND OF CHOCTAW INDIANS

GRANT	AWARD START DATE	AWARD AMOUNT	AWARD END DATE
1999VRGX0011	08/01/99	\$55,633	07/31/00
Supplement 1	08/01/99	\$55,633	10/31/02
Supplement 2	08/01/99	\$55,633	10/31/03
2003VRGX0003	09/01/03	\$63,076	08/31/04
Supplement 1	09/01/03	\$63,075	08/31/05
Total		\$293,050	

Source: Office of Justice Programs

Implementing the Grant Program Objectives

According to the grant applications of the Mississippi Band of Choctaw Indians, the goal of the victim assistance program was to offer a full-service program to victims of any crime, with particular emphasis on the safety, health, and autonomy of domestic violence, and sexual assault victims and their dependents. Tribal grantee officials stated the victim assistance program originally focused on providing assistance to tribal victims of all types of crimes. However, tribal law enforcement officials felt it would be better if they, rather than the program, addressed the needs of victims of violent crime so that the victim assistance program would not interfere with any on-going investigations. As a result, the tribe's program currently focuses on victims of non-major domestic crimes. We believe this is not the most effective use of limited OVC tribal victim assistance funding because domestic violence funding is available through other DOJ programs, such as STOP Violence Against Indian Women Discretionary Grant Program.

We determined from the Mississippi Band of Choctaw Indians' application and award documentation for Grant No. 1999VRGX0011, that the objectives of its initial victim assistance grant were to:

- Develop an accurate data system to accumulate statistical data about victims and victim services in the Choctaw community, providing a baseline indicator for services and progress made in assisting victims.
- Develop and implement community outreach services, such as counseling, advocate services, and assistance to victims, to each tribal community at least once per month.

- Increase by at least 25 percent, the utilization of services within the first six months, as compared to first-month baseline data.
- Coordinate victim services and community outreach services by establishing and developing strong working relationships with tribal and non-tribal community agencies.

Additionally, we determined from the Mississippi Band of Choctaw Indians' application and award documentation for Grant No. 2003VRGX0003, that the objectives of the subsequent grant were to:

- Increase victim utilization of the services provided by the victim assistance program and to develop more efficient methods of assisting victims in breaking the cycle of abuse, enabling them to become self-sufficient individuals.
- Increase offender accountability through successful prosecutions and the successful litigation and enforcement of civil protection orders.
- Provide training for court personnel, the judiciary, and law enforcement, as well as provide in-service training to all tribal agencies as necessary.
- Continue the development and implementation of community outreach services, such as counseling, advocate services, education, and community awareness activities, to each tribal community through hands-on community involvement.
- Promote a multidisciplinary, collaborative approach to domestic violence and sexual assault victimization.

These objectives were consistent with the overall goal of the OVC tribal victim assistance program. However, we found that the Mississippi Band of Choctaw Indians only partially achieved the objectives of its own victim assistance program:

- A system to accumulate statistical data was developed; however, we found that the system was inadequate and did not collect all the information required under the victim assistance program. For example, the tribe did not collect information on the number of victims served and the types of victimization. Instead, they maintained data on the number of police reports reviewed, which does not provide an adequate basis for measuring effectiveness.

- Community outreach services, such as counseling, advocate services, and assistance to victims, were developed and implemented. However, instead of providing these services to each of the eight communities once a month as indicated in its grant application, the tribe visited only one community per month and rotated visits through the eight communities.

We were unable to assess whether the Mississippi Band of Choctaw Indians achieved a 25-percent increase in the utilization of services within the first 6 months of the grant, because it did not maintain sufficient baseline data prior to or after receiving the initial grant in 1999. In addition, we were unable to assess whether the tribe increased victim utilization of the services because, as stated previously, they did not collect information on the number of victims served. We also found that the client files were not organized in a manner in which services provided could be readily identified. Victims had multiple files depending on the type and quantity of services provided, and therefore there was no single record documenting the assistance provided.

The Mississippi Band of Choctaw Indians also did not establish measures to track progress toward achieving grant objectives. However, as shown in Table 8, the tribe did establish timelines for achieving grant objectives for the first year of Grant No. 1999VRGX0011.

TABLE 8. TIMELINES FOR ACHIEVING PROGRAM OBJECTIVES DURING THE FIRST YEAR OF GRANT NO. 1999VRGX0011

TASK TO BE PERFORMED	MONTHS IN PROJECT PERIOD											
	1	2	3	4	5	6	7	8	9	10	11	12
Coordinate program services	■											
Develop referral procedures	■											
Collect data on training	■											
Establish a baseline indicator		■										
Provide direct services	■											
Collect data on all victims	■											
Enhance working relationships	■											
Attend conferences and workshops	■			■		■		■				■
Participate in tribal events		■			■				■			
Coordinate sensitivity training		■			■							
Develop community services			■									
Provide community services			■									
Assist with code proposals			■									

TASK TO BE PERFORMED	MONTHS IN PROJECT PERIOD											
	1	2	3	4	5	6	7	8	9	10	11	12
Perform 6-month evaluation							■					

Source: Grant application for Grant No. 1999VRGX0011

Additionally, as shown in Table 9, the Mississippi Band of Choctaw Indians also established timelines for achieving grant objectives for Grant No. 2003VRGX0003.

TABLE 9. TIMELINES FOR ACHIEVING PROGRAM OBJECTIVES DURING THE FIRST YEAR OF GRANT NO. 2003VRGX0003

TASK TO BE PERFORMED ²⁵	MONTHS IN PROJECT PERIOD											
	1	2	3	4	5	6	7	8	9	10	11	12
Provide direct services	■											
Meet with Choctaw Housing Authority to develop protocols for getting repairs as quickly as possible	■											
Meet quarterly with Choctaw Housing Authority to review and resolve problems			■			■			■			■
Meet quarterly with Tribal Prosecutor to discuss progress of cases and problems leading to case dismissals			■			■			■			■
Provide training for law enforcement and judiciary						■						
Provide in-service training				■				■				■
Implement community awareness activities		■		■		■		■		■		■
Develop and disseminate printed materials in communities				■				■				■
Develop volunteer recruitment plan	■											
Actively recruit volunteers				■								
Organize volunteer base into community activist groups							■					
Meet quarterly with volunteer groups			■			■			■			■
Quarterly statistical evaluations			■			■			■			■
Bi-annual statistical comparison		■			■				■			

Source: Grant application for Grant No. 2003VRGX0003

²⁵ In its grant application, the Mississippi Band of Choctaw Indians proposed continuing the majority of the activities in the second and third years of the grant.

Reporting Progress Accurately

We found that Mississippi Band of Choctaw Indians did not provide specific performance information in progress reports, as the OVC required. Specifically, progress reports did not include information on the number of victims served or the types of victimization. Instead, the tribe reported and maintained data on the number of police reports reviewed, which does not provide an adequate basis for measuring program effectiveness. Additionally, progress reports did not accurately reflect the tribe's victim assistance grant program activity.

Based on the results of our review, we found that the Mississippi Band of Choctaw Indians did not submit or did not submit in a timely manner 50 percent (6 of 12) of the required progress reports under its victim assistance program, as shown in Table 10.

TABLE 10. PROGRESS REPORTS SUBMITTED FOR GRANT NOS. 1999VRGX0011 AND 2003VRGX0003 AWARDED TO THE MISSISSIPPI BAND OF CHOCTAW INDIANS

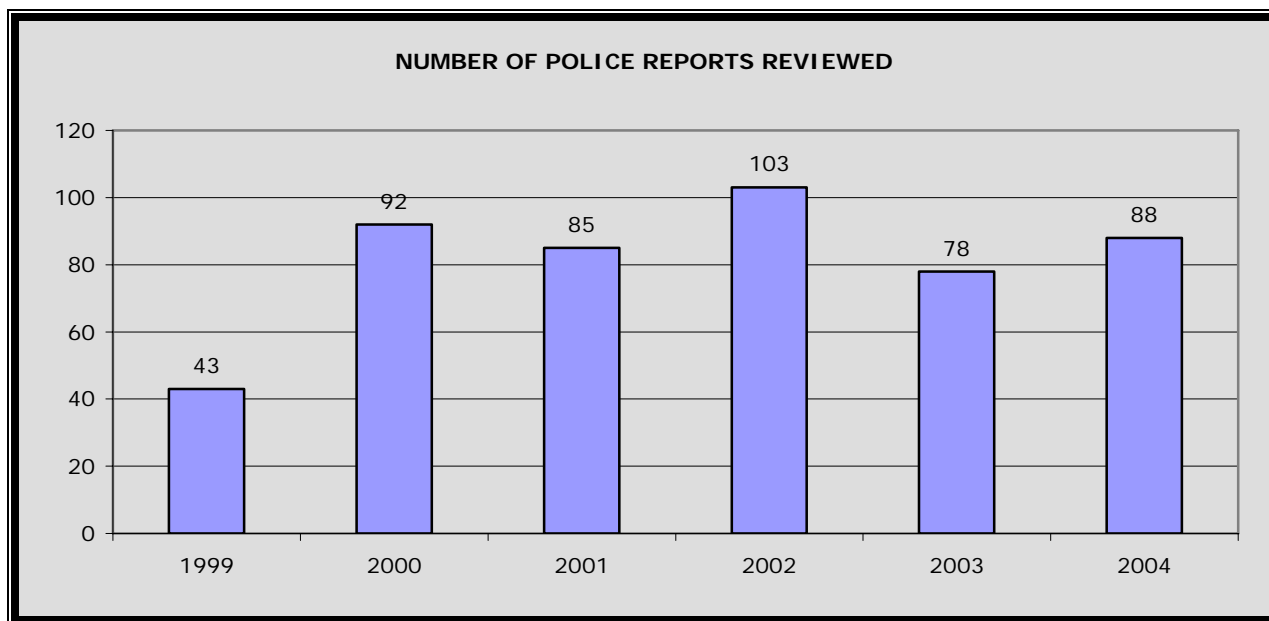
REPORT PERIOD	REPORT DUE DATE	DATE REPORT SUBMITTED	DAYS LATE
<i>Grant No. 1999VRGX0011</i>			
07/01/99 – 12/31/99	01/30/99	Not Submitted	
01/01/00 – 06/30/00	07/30/00	Not Submitted	
07/01/00 – 12/31/00	01/30/01	Not Submitted	
01/01/01 – 06/30/01	07/30/01	Not Submitted	
07/01/01 – 12/31/01	01/30/02	05/16/02	106
01/01/02 – 06/30/02	07/30/02	07/25/02	-
07/01/02 – 12/31/02	01/30/03	01/28/03	-
01/01/03 – 06/30/03	07/30/03	07/21/03	-
07/01/03 – 08/31/03	12/29/03	Not Submitted	
<i>Grant No. 2003VRGX0003</i>			
07/01/03 – 12/31/03	01/30/04	01/28/04	-
01/01/04 – 06/30/04	07/30/04	Not Dated	
07/01/04 – 12/31/04	01/30/05	Not Dated	

Source: Office of Justice Programs

Statistical Data Supporting Program Performance

The statistical information reported in the progress reports submitted to the OVC could not be verified to source information. Tribal grantee officials could not provide an explanation as to why the statistics did not match what was reported. We used the information, however, to generate statistical data for the grant, although data on the number of police reports reviewed was maintained, rather than data on the number of victims served. We found that the tribe did not maintain baseline data prior to receiving its victim assistance grant in 1999, and as a result, we could not fully assess the impact of its victim assistance program. However, based on our analysis of available data, we found that the number of police reports reviewed fluctuated during the award period.

CHART 3. NUMBER OF POLICE REPORTS REVIEWED THROUGH THE MISSISSIPPI BAND OF CHOCTAW INDIANS' VICTIM ASSISTANCE PROGRAM



Source: Mississippi Band of Choctaw Indians

As shown in Chart 3, the number of police reports reviewed fluctuated between 2000 and 2004, decreasing by 4 percent from 2000 – the first full year of the grant program – through 2004.²⁶ Based on the number of police reports reviewed, we believe the Mississippi Band of Choctaw Indians did not effectively achieve the objectives of the victim assistance grant.

²⁶ The grant award start date was August 1, 1999; therefore, the 1999 data was not comparable to subsequent years of the grant program.

Victim Assistance Program Achievements

The Mississippi Band of Choctaw Indians did not report or maintain data on the number of victims served, but instead reported and maintained data on the number of police reports reviewed. Generally victims were contacted (which could be construed as a service) to determine if victim assistance services were required. However, the majority of victims contacted (about 95 percent in 2004) declined additional services.

For those victims contacted who indicated a need for services, we selected a sample of case files and found that the files were not organized in a manner in which services provided could be readily identified. We found that victims had multiple files depending on the type and quantity of services provided. Therefore, there was no single record documenting the assistance provided. Based on our review, we found that the Mississippi Band of Choctaw Indians provided a variety of services to victims of non-major domestic crimes that bridged the gap between the criminal justice system and victims. Specifically, during our review of case files, we identified the following services provided to crime victims:

- Information and Referrals – Victim advocates provided victims with information and referrals to service agents that furnished counseling, therapy, shelter, and legal aid.
- Assistance with court documents – Victim advocates provided victims assistance by explaining and serving documents, including subpoenas, summons, and warrants.
- Assistance with court processes – Victim advocates provided victims assistance in filing for separation, divorce, child custody, or obtaining child support.
- Financial assistance – The victim assistance program provided victims with financial assistance for water and gas bills.
- Housing assistance – Victim advocates provided victims assistance in locating housing, making shelter arrangements, and contacting family and friends to locate a safe place for victims to stay.
- Batterer's Re-education program for domestic violence offenders – One victim advocate instructed the 26-week course on Batterer Re-education.

In addition the Mississippi Band of Choctaw Indians' victim assistance program provided the following services that were not included in our case file review:

- Transportation – Victim advocates provided victims with transportation to shelters, safe homes, legal aid meetings, court appointments, and counseling sessions. Additionally, transportation vehicles were used by advocates to visit victims at their homes, which allowed meetings to occur in a comfortable setting.
- Translation – Victim advocates provided translation for victims who spoke only Choctaw.
- Assistance with Employment – Victim advocates provided assistance to victims in locating employment, or assisted them in locating employment so they could continue separation from their abuser. For those victims who were already employed, advocates contacted employers to notify them why victims were absent from work.
- Candlelight Vigil – Victim advocates recruited volunteers to assist in providing candlelight vigils for victims in the eight communities on the Choctaw reservation.

We provided questionnaires to 12 victims, who received services from the Mississippi Band of Choctaw Indians' victim assistance program, and who indicated a willingness to be contacted. They were asked to identify what services were received and whether or not the services were effective in meeting their needs. Based on the two responses we received, victims were generally satisfied with the services provided and felt that they were effective in meeting victims' needs. Victims stated that they received assistance in obtaining protective orders, counseling, and information about domestic violence.

Based on our review of the services provided to victims and the limited responses to the recipient questionnaires, the Mississippi Band of Choctaw Indians' victim assistance program provided needed services to victims of non-major domestic crimes. However, the majority of victims contacted declined services.

Collaborating with Criminal Justice Agencies and Service Providers

According to tribal grantee officials, the Mississippi Band of Choctaw Indians' victim assistance program collaborated with many different

agencies, both within and outside the tribal community. These agencies included, but were not limited to those listed in the following chart:

COLLABORATING AGENCIES IDENTIFIED BY THE GRANTEE	
<ul style="list-style-type: none"> • Tribal law enforcement • Tribal social services • Tribal health services • Child Advocacy Center • Care Lodge Shelter in Meridian, Mississippi 	<ul style="list-style-type: none"> • U.S. Attorneys' Office • Federal Bureau of Investigation • Elderly Nutrition Program • Counselors and therapists

Source: Mississippi Band of Choctaw Indians

We conducted interviews with representatives from tribal law enforcement, the tribal courts, and tribal social services. From these interviews, we determined that the collaborating agencies believed that the Mississippi Band of Choctaw Indians' victim assistance program was somewhat effective, although limited, in meeting victims' needs. Specifically, representatives from the tribal collaborating agencies made the following statements:

- The program is effective in assisting victims in the short-term by providing them with a safe place to go and recommending they go to another family member's home in another community. However, the collaborating official was unsure if the Family Violence and Victim's Services program is effective in assisting victims' needs in the long-term.
- The program provides counseling services, an attorney to assist with protection orders, and will inform victims as to what restraining orders and protection orders are. Additionally, the program informs the public about domestic violence, provides additional counseling, and increases awareness in the community. However, the collaborating official also stated that there are some problems in clarifying which victims will be served and that they do not handle all crimes, mainly domestic violence.
- The program meets the short-term needs of victims by assisting in obtaining protection orders. The program is effective in meeting the long-term needs of victims by providing counseling services and by assisting victims in obtaining a continuance protection order. However, the collaborating official also stated that the program should do additional follow-up on protection orders, because often an individual will get a protection order, but will return to the abuser.

We also provided questionnaires to representatives from the FBI and USAO, and determined that neither agency was able to provide feedback on the tribe's victim assistance program. This was due to the fact that the FBI and USAO are only responsible for major crimes committed on tribal lands, while the Mississippi Band of Choctaw Indians' victim assistance program focuses on victims of non-major domestic crimes.

Based on the responses to our interviews with representatives from tribal law enforcement, the tribal courts, and social services, and questionnaires with collaborating agencies, we found that the Mississippi Band of Choctaw Indians' victim assistance program was somewhat effective in meeting victim needs. However, the collaborating agencies considered the victim assistance program to be limited, because it focused on victims of non-major domestic crimes.

Sustaining the Victim Assistance Program

The Mississippi Band of Choctaw Indians did not provide a plan to sustain its victim assistance program when the program funding expired. However, according to tribal council officials, they are very supportive of the victim assistance program and currently fund a portion of it. Tribal grantee officials also stated that they are actively seeking additional grant funding to expand and improve the program and will continue to make requests to the tribal council for continued support, especially in the event that OVC tribal victim assistance program funding is not awarded in the future.

Conclusion

Based on the results of our review, the Mississippi Band of Choctaw Indians did not effectively implement a comprehensive program that bridged the gap between the criminal justice system and victims. We found that:

- the tribe only partially achieved the grant objectives outlined for its victim assistance grant;
- the tribe did not include the all-required performance data in its progress reports, and did not accurately report the performance information that was included;
- the program focused solely on victims of non-major domestic crimes, of which the majority of victims contacted declined services;

- the tribe did not maintain data on the number of victims served; instead it reported on the number of police reports reviewed, which does not provide an adequate basis for measuring effectiveness;
- the number police reports reviewed decreased by 4 percent from 2000 to 2004;
- the program was generally considered effective in meeting the specific needs of victims of non-major domestic crimes by the victims who requested services and the tribal collaborating agencies; however, the program was considered to be limited; and
- the tribe had not established a plan to sustain its victim assistance program when the victim assistance grant funding expired.

V. LUMMI INDIAN NATION

The Lummi Indian Nation effectively implemented a comprehensive victim assistance program that bridged the gap between the criminal justice system and victims. Specifically, we found that the Lummi Indian Nation: (1) effectively accomplished the goals outlined for its victim assistance grant, (2) accurately reported performance information included in its progress reports, (3) increased the number of victims served by 51 percent during the first year of the victim assistance grant and 716 percent over the life of the grant, and (4) provided a wide variety of comprehensive services to victims. Based on questionnaires provided to victims, we found that they believed that the Lummi Indian Nation's victim assistance program was effective in meeting their needs. Additionally, based on interviews and questionnaires with representatives from collaborating agencies, we found that they believed that the tribe's victim assistance program also was effective in meeting victims' needs. Although we found that the victim assistance program implemented by the Lummi Indian Nation was effective, we noted that the statistical data included in the progress reports included all grant programs administered by the Lummi Indian Nation's victim assistance program. Additionally, tribal grantee officials could not provide a plan to sustain the victim assistance program when the OVC program funding expired.

The Lummi Indian Nation is a federally recognized Indian tribe located within Whatcom County, Washington, approximately 5 miles west of the city of Bellingham and 20 miles south of the Canadian border. The tribe has approximately 4,259 enrolled members, with 2,564 living within the Lummi Indian Reservation. The Lummi Indian Reservation consists of a land base containing 12,504 acres of upland area and 8,000 acres of tideland area.

According to the grant application submitted for Grant No. 1999VRGX0012, the Lummi Indian Nation proposed to address the safety, advocacy, and healing needs of crime victims, and to build a community consensus more resistant to criminal abuse. The tribe's victim assistance program was established in 1990 with a state VOCA grant to provide an ongoing and comprehensive network of victim services to a variety of crimes occurring within the reservation, including child abuse; assault; DWI and DUI; robbery; and sexual abuse and assault.

As shown in Table 11, the Lummi Indian Nation received three victim assistance grants, including three supplemental awards, totaling \$481,752.

TABLE 11. VICTIM ASSISTANCE PROGRAM GRANTS AWARDED TO THE LUMMI INDIAN NATION

GRANT	AWARD START DATE	AWARD AMOUNT	AWARD END DATE
1999VRGX0012	08/01/99	\$60,000	07/31/00
Supplement 1	08/01/99	\$60,000	07/31/01
2001VRGX0001	09/30/01	\$66,000	09/30/02
Supplement 1	09/30/01	\$66,000	09/30/03
2003VRGX0007	09/01/03	\$115,221	08/31/04
Supplement 1	09/01/03	\$114,531	08/31/05
Total		\$481,752	

Source: Office of Justice Programs

Implementing the Grant Program Objectives

Based on the Lummi Indian Nations' grant application and award documentation, we identified the following objectives for Grant Nos. 1999VRGX0012 and 2001VRGX0001, which we determined were consistent with the overall goal of the OVC tribal victim assistance program, as shown in Table 12.

TABLE 12. PROGRAM OBJECTIVES AND MEASURES

PROGRAM OBJECTIVE	MEASURE
<ul style="list-style-type: none"> Provide direct crisis intervention, information, and referral and advocacy services to all identified crime victims on the Lummi Indian Reservation and to all other crime victims seeking assistance. 	<ul style="list-style-type: none"> The number of victims that received services.
<ul style="list-style-type: none"> Enhance client access to high quality medical care for physical injuries and ensure that appropriate counseling is available to help heal the trauma of the victimization. 	<ul style="list-style-type: none"> The number of referrals to service agencies provided to victims.
<ul style="list-style-type: none"> Provide professional training opportunities for police, educators, help-line volunteers, and other care providers who have direct contact with crime victims. 	<ul style="list-style-type: none"> The number of training sessions provided, including the number of individuals trained.
<ul style="list-style-type: none"> Continue operating the Lummi 24-hour help line and involve more volunteers. 	<ul style="list-style-type: none"> The number of help-line calls during the grant period.

Source: Grant application for Grant Nos. 1999VRGX0012 and 2001VRGX0001

The Lummi Indian Nation also proposed to continue the objectives listed in its subsequent grant, No. 2001VRGX0001. According to the grant application for Grant No. 2001VRGX0001, each objective would be implemented over the life of the grant, and so, specific timelines were not established.

We also identified 12 additional objectives from the Lummi Indian Nations' application and award documentation for Grant No. 2003VRGX0012, which were consistent with the overall goal of the OVC tribal victim assistance program. They were to:

- purchase a computer and pay telephone services for the Domestic Violence Shelter;
- fund key personnel, including a victim advocate, administrative assistant, and program assistant/advocate;
- provide funding for transportation services;
- provide traditional healing and healing materials;
- provide emergency food and clothing; .
- provide services that offered an immediate measure of safety to crime victims, such as boarding up broken windows and replacing or repairing locks;
- develop tribal codes and educational materials;
- collaborate with law enforcement and other service providers to improve services;
- develop tribal policies to improve services offered to crime victims;
- improve grant reporting;
- fund training and travel for victim advocates; and
- provide quality comprehensive domestic violence services.

Despite the fact that timelines were not established for Grant Nos. 1999VRGX0012 and 2001VRGX0001, we found that the Lummi Indian Nation generally implemented the objectives of its victim assistance program.

However, although the tribe successfully continued operating a 24-hour help line, victim advocates generally manned it rather than volunteers.

Reporting Progress Accurately

As shown in Table 13, we found that the Lummi Indian Nation did not submit or did not submit in a timely manner 62 percent (8 of 13) of the required progress reports under its victim assistance program. For Grant No. 2003VRGX0007, we were unable to determine whether three reports were submitted in a timely manner, because the reports were not dated. However, we found that the progress reports submitted accurately reflected the tribe's victim assistance grant program activity.

TABLE 13. ANALYSIS OF PROGRESS REPORTS

REPORT PERIOD	REPORT DUE DATE	DATE REPORT SUBMITTED	DAYS LATE
<i>Grant No. 1999VRGX0012</i>			
08/01/99 – 12/31/99	01/30/99	Not Submitted	
01/01/00 – 06/30/00	07/30/00	Not Submitted	
07/01/00 – 12/31/00	01/30/01	Not Submitted	
01/01/01 – 06/30/01	07/30/01	Not Submitted	
07/01/01 – 07/31/01	11/28/01	Not Submitted	
<i>Grant No. 2001VRGX0001</i>			
07/01/01 – 12/31/01	01/30/02	Not Submitted	
01/01/02 – 06/30/02	07/30/02	08/16/02	17
07/01/02 – 12/31/02	01/30/03	Not Submitted	
01/01/03 – 06/30/03	07/30/03	07/25/03	-
07/01/03 – 09/30/03	01/28/04	Not Submitted	
<i>Grant No. 2003VRGX0007</i>			
07/01/03 – 12/31/03	01/30/04	Not Dated	
01/01/04 – 06/30/04	07/30/03	Not Dated	
07/01/04 – 12/31/04	01/30/05	Not Dated	

Source: Office of Justice Programs

Statistical Data Supporting Program Performance

The Lummi Indian Nation received its victim assistance grant in 1999; therefore, we used 1998 statistical data as the baseline for the grant. As stated above, we found that the progress reports submitted by the tribe accurately reflected actual activity under the victim assistance program. As a result, we were able to generate statistical information on the number of victims served and use our data to assess the effectiveness of the program.

We found that the number of victims served generally increased each year of the grant. Our analysis revealed that the victim assistance program demonstrated an increase in services and activities as a result of the OVC tribal victim assistance grant funding received. Tribal grantee officials stated that it would be possible to track the number of victims served by each funded victim advocate position under the program. But since the grant program only funded a portion of some victim advocate positions, this would still not accurately reflect the number of victims served.

We also found that the statistical information reported in the progress reports submitted to the OVC could generally be verified to source documentation, with no material differences. Tribal grantee officials stated that these immaterial differences were due to timing differences in entering the information into the tribe's computer system. The differences we noted appear to support this statement. For example, statistical information in the progress report was generally lower than that included in the victim assistance database, indicating that information was entered into the system after the progress report was prepared.

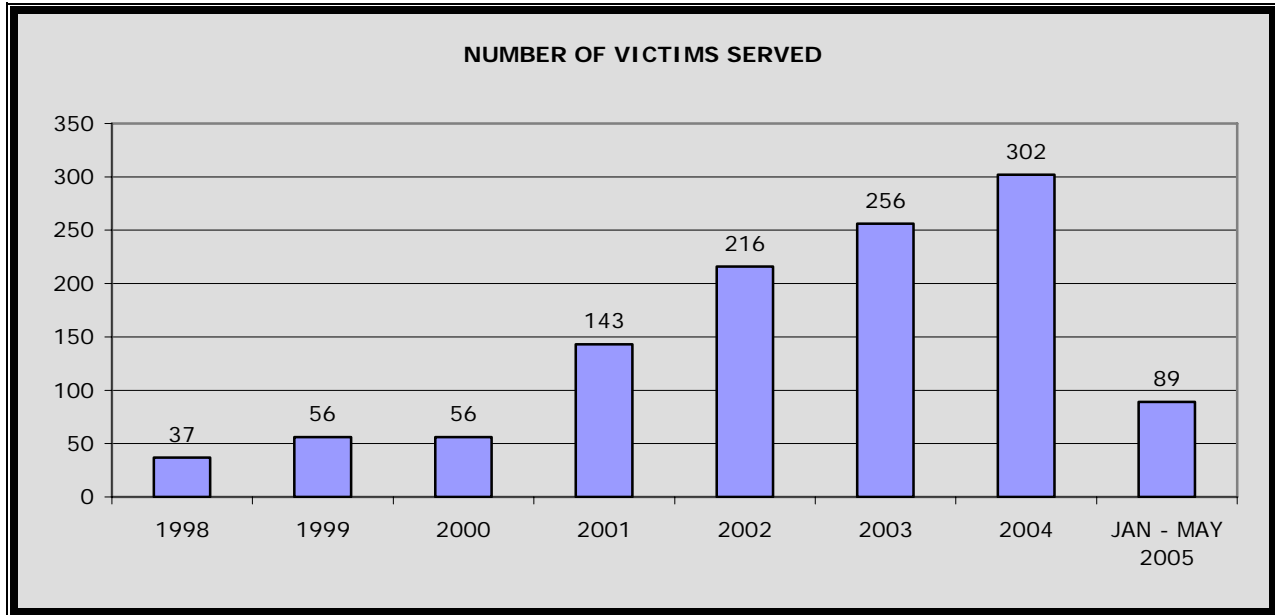
Statistics reported for the victim assistance program included data for all grant programs administered by the Lummi Indian Nation. During FYs 2000 through 2004, the tribe received \$1,872,559 in awards through the following DOJ grant programs, which include a component of victim assistance:²⁷

- STOP Violence Against Indian Women Discretionary Grant Program;
- Children's Justice Act Partnerships for Indian Communities Program;
- Legal Assistance for Victims Grant Program; and the

²⁷ See Finding I of this report for additional background information related to these programs.

- Rural Domestic Violence and Child Victimization Enforcement Grant Program.

CHART 4. NUMBER OF VICTIMS SERVED THROUGH THE LUMMI INDIAN NATION'S VICTIM ASSISTANCE PROGRAM



Source: Lummi Indian Nation

As shown in Chart 4, the number of victims served increased by 51 percent, from 37 to 56, during the first year of the grant (1999).²⁸ Additionally, the number of victims served increased by 716 percent, from 37 to 302, between the year prior to the grant (1998) and the last full year of the grant (2004). We did not have a full year of data for 2005 to include in our analysis. Based on the number of victims served during the first 5 months of 2005, we projected that the Lummi Indian Nation could have provided services to as many as 214 victims in 2005 [(89 divided by 5 months) multiplied by 12 months]. We discussed the apparent decline in victims served during 2005 with tribal grantee officials, who indicated that the statistics were cyclical in nature and that generally, a greater number of crimes were committed during the summer months, which were not included in our 2005 data.

²⁸ It should be noted that these statistics included the number of victims served for all grant programs administered by the Lummi Indian Nation.

Victim Assistance Program Achievements

We selected a sample of case files that the Lummi Indian Nation maintained to document services it provided to crime victims. We found that the tribe provided a wide variety of comprehensive services to victims that bridged the gap between the criminal justice system and victims. Specifically, during our review of case files, we identified the following services provided to victims:

- Personal Advocacy – Short-term crisis counseling to victims was designed to lessen the impact of victimization. Victim advocates provided in-person crisis counseling to victims of crime, and also assessed victims' needs.
- Information and Referrals – Victim advocates provided victims with information and referrals to service agencies that furnished therapy, counseling, group treatment, legal aid, parenting classes, health care, and child services.
- Assistance in Filing a Crime Victim Compensation Application – Victim advocates provided assistance in completing the crime victim compensation applications.
- Assistance Filing Protection Orders – Victim advocates provided assistance to victims in completing the necessary paperwork to obtain protection orders.
- Assistance Filing for Child Custody – Victim advocates provided assistance, referrals, and support to victims who wanted to file for child custody.
- Financial Assistance – Victim advocates provided victims with financial assistance to aid them with food, electricity, gas, and water bills. Additionally, the victim assistance program provided repayment to victims for therapy sessions that they were referred to and attended.
- 24-Hour Hotline – Victim advocates and volunteers operated a 24-hour hotline, which victims could call for help, and talk to a volunteer about their problems.
- Ne Alis Tokw Shelter – The victim assistance program offered a shelter for women and children who were victims of violence. While in the shelter, victims were provided everything they needed, including food, bedding, clothing, and general hygiene items. Additionally, the shelter

provided support groups and cultural treatments, including acupuncture, acupressure, and a sweat lodge.

- Transportation – Victim advocates transported victims to and from the shelter, because it was not close to a bus route. Advocates also transported victims to therapy, counseling, court dates, medical appointments, and from their home where the violence usually occurred, to a safe location.

In addition, the Lummi Indian Nation tribal offices provided the following service that was not included in our case file review:

- Young Sexual Abuse Survivor Class – One victim advocate collaborated with the Brigid Collins Family Support Center to run the 11-week Young Sexual Abuse Survivor Class for young girls. The class acted as a support group for the girls, and included the following topics: (1) sexual abuse, (2) rape, (3) avoiding acquaintance rape, (4) rape drugs, (5) impact of rape, (6) what to do if you are raped or sexually assaulted, (7) sexual harassment, and (8) child sexual abuse. In addition to running the course, the advocate provided transportation to Bellingham, WA where the class took place.

We provided questionnaires to 12 victims, who received services from the Lummi Indian Nation's victim assistance program, and who indicated a willingness to be contacted. They were asked to identify what services were received and whether or not they were effective in meeting their needs. Based on the two responses we received, the victims were generally satisfied with the services provided and felt that they were effective in meeting their needs. Victims stated that they received assistance in obtaining a divorce, food, housing, transportation, counseling, and referrals.

Based on our review of the services provided to victims and the responses to the recipient questionnaires, the Lummi Indian Nation is effectively providing needed services to crime victims.

Collaborating with Criminal Justice Agencies and Service Providers

According to tribal grantee officials, the Lummi Indian Nation's victim assistance program collaborated with many different agencies, both within and outside the tribal community. These agencies include, but were not limited to those listed in the following chart:

COLLABORATING AGENCIES IDENTIFIED BY THE GRANTEE	
<ul style="list-style-type: none"> • Federal Bureau of Investigation • U.S. Attorneys' Office • Unified Solutions • State VOCA program • Head Start Program • Family Services • Child Services 	<ul style="list-style-type: none"> • State, county, and tribal law enforcement • Tribal medical services • Tribal courts • Tribal prosecutors • Tribal housing • Tribal schools • Brigid Collins Family Support Center

Source: Lummi Indian Nations

During our audit, we conducted interviews with representatives from tribal law enforcement and the tribal prosecutor's office. From these interviews, we determined that both agencies believed the Lummi Indian Nation's victim assistance program was effective in meeting victims' needs. Specifically, representatives from the tribal collaborating agencies made the following statements:

- The Lummi Indian Nation's victim assistance program fills in the gaps where law and order do not have the resources or the time. The victim advocates meet the needs of the victims, by keeping them informed about their case, and assist the victims in completing the things that need to be done on their case.
- The Lummi Indian Nation's victim assistance program as a whole could be a model for another grantee. An effective element of the program is providing the comprehensive services including counseling, legal, practical, and non-traditional services.

Additionally, we provided questionnaires to representatives from the FBI and the USAO. From these questionnaires, we determined that both agencies believed the Lummi Indian Nation's victim assistance program was effective in meeting the needs of victims. Representatives from the FBI and USAO made the following statements about the Lummi Indian Nation's victim assistance program.

- To date, Lummi Victims of Crime (LVOC) stands out as one of the premiere arbiters of services provided to Native American victims of crime. Compared to tribal victim services on reservations throughout this state, LVOC distinguishes itself based upon the knowledge and

expertise of the staff, the staff's willingness to expand and augment this knowledge base, the degree of openness to and collaboration with non-tribal entities, etc. The LVOC appears to be one of the most effective and functional programs that I have come into contact with in this state thus far.

- We would not have had a successful outcome in the case if it had not been for the assistance of the victim advocate.

Based on the responses to our interviews with representatives from tribal law enforcement and the tribal prosecutor's office, and questionnaires with collaborating agencies, we found that the Lummi Indian Nation's victim assistance program was effective in meeting both the short- and long-term needs of crime victims. The collaborating agencies agreed that the program provided much-needed victim services that were not available through other sources. We believe the victim assistance grant program was effective in bridging the gap between the criminal justice system and service providers.

Sustaining the Victim Assistance Program

The Lummi Indian Nation could not provide a plan to sustain its victim assistance program when the program funding expired. Tribal grantee officials stated that if the OVC victim assistance program funding was terminated, they would seek funding through the tribal council and other grant funding to continue the victim assistance program.

Conclusion

Based on the results of our review, the victim assistance program for the Lummi Indian Nation effectively implemented a comprehensive victim assistance program that bridged the gap between the criminal justice system and victims. We found that:

- the tribe generally achieved its tribal victim assistance grant objectives, which were consistent with the overall goal of the OVC tribal victim assistance program;
- the tribe accurately reported performance information in its progress reports;

- the number of victims served increased by 51 percent during the first year of the grant program and by 716 percent over the life of the entire program; and
- the program was considered effective by the victims, and by tribal and federal collaborating agencies in meeting both short- and long-term victim needs.

Although we found that the victim assistance program implemented by the Lummi Indian Nation was effective, we noted that the statistical data in the progress reports included all grant programs administered by the Lummi Indian Nation's victim assistance program. Additionally, tribal grantee officials could not provide a plan to sustain the victim assistance program when the OVC program funding expired.

VI. OVERALL SUMMARY AND CONCLUSION

Based on our review, we found a wide range in the effectiveness of the four individual grantee tribal victim assistance programs. Specifically, we found that the Sault Ste. Marie Tribe and the Lummi Indian Nation effectively implemented comprehensive victim assistance programs that bridged the gap between the criminal justice system and victims. Conversely, the Oglala Sioux Tribe and the Mississippi Band of Choctaw Indians did not effectively implement comprehensive victim assistance programs. We believe the wide range of effectiveness among the individual grantee tribal victim assistance programs was, in part, due to the fact that the OVC did not incorporate adequate strategic planning into its tribal victim assistance program, which was necessary to implement effective performance-based management.

The OIG previously conducted an audit on the *Administration of Department of Justice Grants Awarded to Native American and Alaska Native Tribal Governments*, Report No. 05-18, March 2005. The prior audit found significant issues with the adequacy of grant monitoring, which is an essential management tool ensuring that grant programs are implemented and objectives are achieved. Additionally, the report noted that the granting agencies did not ensure that tribal grantees submitted the necessary information to assess grant implementation and the achievement of grant program objectives. We also found there was no consistency in the information provided in the required progress reports that were submitted. Specifically:

- For the majority of the grants reviewed, one or more required financial and progress reports, which contain the minimum information necessary to determine whether grant programs were implemented and grant objectives were achieved (especially final reports), were not submitted or were not submitted in a timely manner.
- A review of the obligation and utilization of grant funds found that the tribal-specific grant programs were not always fully implemented in a timely manner, an indication that grant objectives were not achieved, and that the current programs were not fully effective in meeting the criminal justice needs of tribal governments.

These findings are consistent indications that the OVC and other granting agencies are not effectively monitoring and administering DOJ grants awarded to tribal governments. Additionally, the DOJ has no

assurances that the objectives of its tribal-specific grant programs are being met or that expenditures of grant funds are in accordance with applicable laws, regulations, guidelines, and terms and conditions of the grants.

As a result, we initiated the current audit as a follow-up to evaluate the effectiveness of the OVC tribal victim assistance grant program. The objective of our audit was to obtain grant performance information directly from tribal grantees and to evaluate whether the grants were fully implemented and the program objectives were achieved.

Grantee Program Effectiveness

For the current audit, we evaluated the effectiveness of the four tribal grantees, who received victim assistance funding, for which financial audits had been conducted as part of our previous audit. Those tribal grantees included the:

- Sault Ste. Marie Tribe of Chippewa Indians, Sault Ste. Marie, Michigan
- Oglala Sioux Tribe, Pine Ridge, South Dakota
- Mississippi Band of Choctaw Indians, Philadelphia, Mississippi
- Lummi Indian Nation, Bellingham, Washington

To evaluate the effectiveness of individual grantee tribal victim assistance programs, we determined whether each tribal grantee: (1) implemented its tribal victim assistance grant objectives, (2) accurately reported grant activities in progress reports, (3) maintained statistical data supporting program performance, (4) documented any program accomplishments, (5) coordinated effectively with criminal justice agencies and service providers, and (6) developed plans to sustain the victim assistance program when the grant funding expired. Based on our review, we found a wide range in the effectiveness of the four individual grantee tribal victim assistance programs.

Specifically, we found that the Sault Ste. Marie Tribe and the Lummi Indian Nation effectively implemented comprehensive victim assistance programs that bridged the gap between the criminal justice system and victims. Conversely, the Oglala Sioux Tribe and the Mississippi Band of Choctaw Indians did not effectively implement comprehensive victim assistance programs, as shown in Table 14.

TABLE 14. ANALYSIS OF EFFECTIVENESS MEASURES

	SAULT STE. MARIE TRIBE	OGLALA SIOUX TRIBE	MISSISSIPPI BAND OF CHOCTAW	LUMMI INDIAN NATION
• Achieved grant objectives	Yes	Yes	Partially	Yes
• Services available to all victims of crime	Yes	Yes	No	Yes
• Accurately reported performance measures	No	No	No	Yes
• Increased the number of victims served²⁹	Yes	No	No	Yes
• Considered effective by victims	Yes	Yes	Yes	Yes
• Considered effective by tribal collaborating agencies	Yes	No	Partially	Yes
• Considered effective by federal collaborating agencies	Yes	Yes	N/A ³⁰	Yes
• Established a plan to sustain the program	Yes	No	No	No
OVERALL PROGRAM ASSESSMENT	EFFECTIVE	NOT EFFECTIVE	NOT EFFECTIVE	EFFECTIVE

Generally, we found that the tribes who implemented a successful tribal victim assistance program effectively coordinated with tribal, state, and federal criminal justice agencies and social service providers. Additionally, these programs provided services to tribal victims of all crimes, rather than focusing on a specific type of crime. Tribes that did not implement a successful tribal victim assistance program: (1) did not have consistent program leadership; (2) did not coordinate effectively with tribal, state, and federal criminal justice agencies and social service providers; and (3) focused on victims of specific crimes rather than providing services to all victims of crime.

²⁹ This statistic does not include an evaluation of the total number of crimes reported during the period.

³⁰ The FBI and USAO were unable to provide feedback on the tribe's victim assistance program because these agencies are only responsible for major crimes committed on tribal lands, while the tribe's program focuses on victims of non-major domestic crimes.

Factors Impacting Grantee Program Effectiveness

Our audit identified several concerns that we consider impairments to the effectiveness of the OVC tribal victim assistance program as a whole, as well as to the victim assistance programs implemented by individual tribal grantees. These concerns are related to the:

- structure and design of the OVC tribal victim assistance program in incorporating adequate strategic planning;
- use of performance information reported by tribal grantees in managing and improving performance of the OVC tribal victim assistance program; and
- demonstrating program results.

Inadequate Strategic Planning

In Finding I of this report, we found that the OVC tribal victim assistance program structure and design did not incorporate any strategic planning, which was essential for management to adequately evaluate program effectiveness. We also found that the OVC did not establish long-term or annual performance goals, which were necessary to promote program results and accountability. Additionally, the OVC did not tie program funding decisions to program effectiveness, ensuring that resource-allocation decisions reflected such effectiveness. As a result, we recommended that the OVC establish long-term and annual performance goals for its tribal victim assistance program and that resource allocation decisions reflect program effectiveness.

In addition, we found the OVC did not conduct any evaluations to determine the effectiveness of its tribal victim assistance program. However, in FY 2001 the OVC did provide approximately \$25,000 in funding to the NIJ to conduct assessments of four tribal victim assistance grant recipients to determine whether or not the tribal grantee programs could be evaluated. The OVC also provided the NIJ with an additional \$425,200 to evaluate the effectiveness of two 2003 TVA grantees with awards totaling \$197,689. The NIJ awarded a grant to conduct this evaluation to the American Indian Development Associates, Inc. in September 2005. The evaluation will take place over a 2-year period and should be completed by December 2007. We discussed our concerns related to expending \$425,200 to evaluate programs with funding totaling less than \$200,000 with OVC and NIJ officials. They stated that although the evaluations cannot be used to

determine the effectiveness of the OVC tribal victim assistance program as a whole, they expect that the findings will produce lessons learned for similar tribal programs.

Collecting and Using Performance Information

In Finding I of this report, we also found that the OVC did not provide any guidance to tribal grantees on collecting and reporting performance information. The OVC also did not provide tribal grantees with definitions of terms used in the required performance measures, such as what constitutes a victimization, service, publication, or training workshop. Additionally, the OVC did not provide any guidance on tabulating the performance information. As a result of these failures, there was no consistency among tribal grantees in how performance information was reported.

We believe consistent and comparable performance information between tribal grantees is essential for the early identification of poor program performance. As a result, we recommended that the OVC provide tribal grantees with definitions of terms used for the required performance measures and guidance on tabulating the performance information reported.

We also found that despite the fact that tribal grantees were required to include performance information in their progress reports, the OVC did not use the reported information to manage its tribal victim assistance program or to improve performance. Specifically, the OVC did not summarize the performance information reported by tribal grantees in order to report on its tribal victim assistance program as a whole. Performance information also was not used to evaluate the effectiveness of the individual grantee tribal victim assistance programs.

We believe that the OVC needs to summarize the performance information reported by tribal grantees in reporting on the effectiveness of its tribal victim assistance program as a whole. We also believe that the OVC needs to utilize performance information to evaluate the effectiveness of the individual grantee tribal victim assistance programs and to follow up with tribal grantees demonstrating poor program performance.

Progress Toward Achieving Program Objectives

Finally, in Finding I of this report, we attempted to generate statistical information from tribal grantee progress reports and use this information to assess the effectiveness of the OVC tribal victim assistance program as a

whole. We found that the required progress reports that were essential for effective monitoring were only submitted for 68 percent (17 of 25) of tribal grantees reviewed.³¹ Further, the OVC did not ensure that tribal grantees reported on the required performance measures: only 8 percent of tribal grantees reported on all 6 performance measures for the period ending December 31, 2003; only 24 percent for the period ending June 30, 2004; and only 28 percent for the period ending December 31, 2004. Therefore, the performance data contained in the progress reports submitted by tribal grantees could not be used to generate statistical information on the effectiveness of the OVC tribal victim assistance program as a whole. As a result, we recommended that the OVC establish a standardized progress report that captures required performance measure information. In addition, we recommended that the OVC ensure that progress reports include required performance measure data.

Conclusion

We found that the Sault Ste. Marie Tribe and the Lummi Indian Nation effectively implemented comprehensive victim assistance programs that bridged the gap between the criminal justice system and victims. Conversely, the Oglala Sioux Tribe and the Mississippi Band of Choctaw Indians did not effectively implement comprehensive victim assistance programs. Our audit identified several concerns that we consider impairments to the effectiveness of the OVC tribal victim assistance program as a whole, and victim assistance programs implemented by individual tribal grantees. Specifically, we found that:

- the OVC tribal victim assistance program structure and design does not incorporate any strategic planning, which is essential for management to adequately evaluate program effectiveness;
- the OVC does not use performance information reported by tribal grantees to manage and improve performance of its tribal victim assistance program; and
- the OVC cannot demonstrate program results because required progress reports are not always submitted, and tribal grantees did not include the required performance measure information in the progress reports.

³¹ We reviewed the progress reports for the periods ending December 31, 2003, June 30, 2004, and December 31, 2004, submitted by each of the 25 tribal grantees awarded 2003 TVA grants.

As a result, we made seven recommendations in this report that focus on specific steps the OVC should take to incorporate adequate strategic planning into its tribal victim assistance program, which is necessary to implement effective performance-based management. Specifically, we recommend that the OVC:

1. Establish long-term and annual performance goals for its tribal victim assistance program.
2. Ensure that resource-allocation decisions reflect program effectiveness.
3. Provide tribal grantees with definitions of terms used for the required performance measures and guidance on tabulating the performance information reported.
4. Establish a standardized progress report that captures required performance measure information.
5. Ensure that progress reports include required performance measure data.
6. Summarize the performance information reported by tribal grantees to report on the effectiveness of its tribal victim assistance program as a whole.
7. Utilize the performance information reported by tribal grantees to evaluate the effectiveness of individual grantee tribal victim assistance programs, and to follow up with tribal grantees demonstrating poor program performance.

STATEMENT ON INTERNAL CONTROLS

The OVC tribal victim assistance program was designed to establish, expand, and improve direct-service victim assistance programs in remote, rural Native American communities. In planning and performing the audit, we considered the OVC's internal controls for the purpose of determining our auditing procedures. The evaluation was not made for the purpose of providing assurance on OVC's internal control structure as a whole. However, we noted certain matters that we consider reportable conditions under generally accepted government auditing standards.³² Specifically,

- the OVC did not ensure that required progress reports were submitted and that tribal grantees included the required performance measure information in progress reports. (See Finding I.)

PricewaterhouseCoopers LLP (PwC) performed the FY 2004 financial statement audit of the Office of Justice Programs (OJP), in which the OVC resides. During this audit, PwC evaluated the general controls over OJP's financial systems, mixed feeder systems, and general-support systems. PwC's review determined if OJP's internal controls were sufficient to provide reasonable assurance that processed transactions could be relied upon by the auditors in performing the financial statement audit testing.

As a result of the work performed, PwC identified material weaknesses in internal controls over computerized information systems at OJP. Weaknesses identified included inadequate controls over: (1) changes to applications and program changes in these systems; (2) the integrity of data passed between the feeder and core financial systems; and (3) access to systems and data. PwC concluded that OJP did not have effective internal controls over the computerized information systems it uses to process grant transactions, and as a result, it could not rely upon the internal controls over these systems. PwC also identified material weaknesses in OJP's overall control environment, grant accounting and monitoring, documentation of adjusting journal entries, and the financial reporting process. Accordingly, PwC was unable to complete the financial statement audit and issued a disclaimer of opinion on OJP's financial statements.

³² Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the management control structure that, in our judgment, could adversely affect the ability of the OVC to administer its victim assistance grants awarded to tribal governments.

Because we are not expressing an opinion on the overall internal control structure of the OVC, this statement is intended solely for the information and use by the OVC in managing its tribal victim assistance program.

STATEMENT ON COMPLIANCE WITH LAWS AND REGULATIONS

As required by the *Government Auditing Standards*, we tested the OVC's records and documents pertaining to its tribal victim assistance program to obtain reasonable assurance that the OVC complied with laws and regulations that, if not complied with, could have a material effect on the OVC's administration of the tribal victim assistance program. Compliance with laws and regulations related to tribal victim assistance grant program is the responsibility of OVC management. An audit includes examining, on a test basis, evidence about compliance with laws and regulations. At the time of our audit, the pertinent legislation and the applicable regulations were:

- Victims of Crime Act of 1984,
- Government Performance and Results Act of 1993 (GPRA),
- OJP's *Grant Manager's Manual*, and
- OJP's *Financial Guide*.



Except for instances of non-compliance identified in the Findings and Recommendations section of this report, the OVC complied with the laws cited above. With respect to those activities not tested, nothing came to our attention that caused us to believe that the OVC was not in compliance with the laws cited above.

CRIMINAL JURISDICTION IN INDIAN COUNTRY

There are numerous jurisdictional complexities and limitations in Indian Country that contribute to the overwhelming difficulties in any effort to improve the relationship between the tribal governments and the federal government. For example, crimes committed in Indian Country could fall under the jurisdiction of the federal, state, or tribal governments, depending on the identity of the victim and suspect, (i.e., Indian or non-Indian), the seriousness of the offense, and the state in which the offense was committed. There are three federal statutes that affect criminal jurisdiction in Indian Country, including:

- United States Code: 18 U.S.C. § 1152 (2003);
- United States Code: 18 U.S.C. § 1153 (2003); and
- United States Code: 18 U.S.C. § 1162 (2003).

The first federal code provision relating to crimes committed in Indian Country is 18 U.S.C. § 1152. Under this federal code provision, all crimes committed by non-Indians against Indians in Indian Country are subject to exclusive federal jurisdiction regardless of the seriousness of the offense.

Jurisdiction in Indian Country is further complicated by the definition of what constitutes Indian Country. Indian Country, as defined by 18 U.S.C. § 1151, includes:

- all land within the limits of any Indian reservation under the jurisdiction of the federal government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation;
- all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state; and
- all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

The second federal code provision regarding jurisdiction over crimes committed in Indian Country is 18 U.S.C. § 1153. Pursuant to this federal

code provision, crimes committed in Indian Country, with the exception of crimes committed in the states granted jurisdiction under the provision, are subject to federal jurisdiction when the offense is committed by, or against, a Native American. The crimes subject to federal jurisdiction under 18 U.S.C. § 1153, include: murder, manslaughter, kidnapping, maiming, incest, assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury, an assault against an individual who has not attained the age of 16 years, arson, burglary, and robbery.

Additionally, pursuant to 18 U.S.C. § 1153, all non-major crimes (those not listed in 18 U.S.C. § 1153) committed by Indians against other Indians within Indian Country, are subject to the jurisdiction of tribal courts. Further, all crimes committed by non-Indians against other non-Indians, in Indian Country, are subject to prosecution under state law. Table 15 illustrates jurisdiction over criminal offenses committed in states not covered by 18 U.S.C. § 1162.

TABLE 15. CRIMINAL JURISDICTION OVER CRIMES COMMITTED IN INDIAN COUNTRY

SUSPECT IDENTITY	VICTIM IDENTITY	TYPE OF OFFENSE	JURISDICTION
Indian	Indian or Non-Indian	Major Crimes	Federal
Indian	Indian or Non-Indian	Non-major Crimes	Tribal
Non-Indian	Indian	Any Offense	Federal
Non-Indian	Non-Indian	Any Offense	State

Source: 18 U.S.C. § 1152 and 18 U.S.C. § 1153

Finally, the third federal code provision concerning Indian Country jurisdiction is 18 U.S.C. § 1162. Under this federal code provision, certain states were granted jurisdiction over crimes committed in all or part of Indian Country within the state, except those specifically designed as matters of jurisdiction. Table 16 illustrates those states granted jurisdiction pursuant to 18 U.S.C. § 1162.

TABLE 16. STATES GRANTED JURISDICTION OVER CRIMES COMMITTED IN INDIAN COUNTRY UNDER 18 U.S.C. § 1162

STATE	INDIAN COUNTRY AFFECTED
Alaska	All Indian Country within the state, except that on Annette Islands; the Metlakatla Indian community may exercise jurisdiction over offenses committed by Indians in the same manner in which such jurisdiction may be exercised by Indian tribes in Indian country over which state jurisdiction has not been extended.
California	All Indian Country within the state.

STATE	INDIAN COUNTRY AFFECTED
Minnesota	All Indian country within the state, except the Red Lake Reservation.
Nebraska	All Indian country within the state.
Oregon	All Indian country within the state, except the Warm Springs Reservation.
Wisconsin	All Indian country within the state.

Source: 18 U.S.C. § 1162

OBJECTIVES, SCOPE, AND METHODOLOGY

We audited the OVC tribal victim assistance program, which was designed to establish, expand, and improve direct-service victim assistance programs in remote, rural Native American communities. In order to evaluate program effectiveness, the objective of our audit was to obtain grant performance information directly from the grantees and evaluate whether the grants were fully implemented and whether program objectives were achieved.

We conducted our audit in accordance with the *Government Auditing Standards*, and included such tests as were necessary to accomplish the audit objective. The audit generally covered, but was not limited to, tribal victim assistance grants awarded between FYs 1999 through 2004. Audit work was conducted at OVC Headquarters, and four selected tribal grantees.

We believe that grant program effectiveness starts with the overall structure and design of the program. Therefore, as part of our audit, we reviewed the OVC to determine the adequacy of the tribal victim assistance program purpose and design.

To determine whether the OVC tribal victim assistance program had a well-defined purpose designed to support a specific problem, we obtained the program's authorizing legislation and other documentation and identified the overall goals of the OVC tribal victim assistance program. We also obtained statistics and other documentation supporting the problems that were to be addressed by the program.

To determine whether the OVC tribal victim assistance program was designed to fill a unique role or whether they unnecessarily duplicated, overlapped, or competed with other federal or non-federal programs, we obtained the total funding and a description of the efforts supported by any program that addressed a similar problem in a similar way.

In order for grant programs to be effective the granting agency must incorporate adequate oversight and evaluation. For this audit, we also reviewed the OVC to determine if its tribal victim assistance program incorporated adequate strategic planning to evaluate program effectiveness.

To determine whether the OVC tribal victim assistance program incorporated adequate strategic planning to evaluate program effectiveness,

we obtained the existing agency GPRA performance plan/performance budget and other program documents supporting the measures established for the OVC tribal victim assistance program. Specifically, we used these documents to determine if the OVC implemented: (1) long-term performance measures to guide program management and budgeting, and promote results and accountability; (2) a limited number of annual performance measures that were identified to directly support the long-term goals obtained; and (3) challenging but realistic quantified targets for the annual measures.

Additionally, we interviewed OVC officials to determine whether: (1) the performance data reported by grant recipients was used to evaluate program effectiveness; (2) the OVC conducted evaluations to determine program effectiveness; and (3) the performance-planning and budget-planning processes were integrated so that resource-allocation decisions reflected desired performance, and the effects of funding and other policy changes on results were clear.

To determine if performance information was used to manage the OVC tribal victim assistance program and improve performance, we determined whether: (1) the data reported by grant recipients was used to inform program management, make resource decisions, and evaluate program performance; (2) the OVC held its program managers and tribal grantees accountable for achieving program results; (3) OVC funds were administered efficiently and obligated in accordance with planned schedules; (4) the program had adequate oversight practices that provided sufficient knowledge of grantee activities; and (5) the program collected grantee performance data on an annual basis.

Evaluating the Effectiveness of Individual Grantee Programs

We attempted to evaluate the effectiveness of individual grantee tribal victim assistance programs by selecting the four tribal grantees who received victim assistance funding, for which financial audits had been conducted previously as part of our audit on the *Administration of Department of Justice Grants Awarded to Native American and Alaska Native Tribal Governments*, Report No. 05-18, March 2005. Those grantees are listed in the chart on the following page:

- Sault Ste. Marie Tribe of Chippewa Indians, Sault Ste. Marie, Michigan
- Oglala Sioux Tribe, Pine Ridge, South Dakota
- Mississippi Band of Choctaw Indians, Philadelphia, Mississippi
- Lummi Indian Nation, Bellingham, Washington

In order to evaluate the effectiveness of the victim assistance programs implemented by the four individual tribal grantees, we determined whether they: (1) implemented tribal victim assistance grant objectives; (2) reported grant activities accurately in progress reports; (3) maintained statistical data supporting program performance; (4) documented any program accomplishments; (5) coordinated effectively with criminal justice agencies and service providers; and (6) developed plans to sustain the victim assistance program upon the expiration of grant funding. The following sections summarize our findings.

Implementing Grant Program Objectives

We reviewed the grant application and award documentation to identify the objectives for each of the victim assistance grants awarded to the four individual tribal grantees. We then reviewed each grant objective to determine if it was consistent with the overall goals of the OVC tribal victim assistance program. Additionally, we interviewed grantee officials and reviewed supporting documentation to determine:

- how the grantee measured the progress towards achieving objectives of its victim assistance program;
- if the grantee established timelines in its application for accomplishing the objectives of its victim assistance program;
- if the objectives of its victim assistance program were implemented;
- the current status toward achieving grant objectives, in relation to the proposed timelines/activities in the original application;
- whether the grantee's victim assistance program was on track to accomplish the objectives listed in the grant award documentation; and
- whether all grant objectives were achieved for any grant programs that had ended.

Accurately Reporting Grant Activities

We determined if grantees submitted all required progress reports under the OVC tribal victim assistance program.³³ We then assessed the adequacy of the submitted reports by determining whether they contained the required program performance data listed below:

- number of victims served and type of victimization,
- number of staff supported by victim assistance funds,
- number of volunteer hours,
- number of publications produced,
- number of training workshops for law enforcement,
- type of services provided, and
- progress on goals and objectives identified by the program.³⁴

We also verified progress reports to any source documentation maintained by grantees to determine if the reports accurately reflected actual grant activity.

Maintaining Statistical Data Supporting Program Performance

We determined whether grantees maintained statistics on the same criteria as required under the previous section: *Accurately Reporting Grant Activities in Progress Reports*. We then calculated the percentage of victims who received assistance through the program based on the information obtained. Finally, we assessed whether the grantee could demonstrate an increase in services and activities as a result of the OVC tribal victim assistance grant funding received.

³³ The OVC requires grantees who receive grants under victim assistance programs to submit a progress report every 6 months, for periods ending June 30 and December 31, for the life of the awards. Progress reports must be submitted within 30 days (120 days for a final progress report) after the end of the reporting periods.

³⁴ The OVC requires that progress reports contain information related to: (1) the goals and objectives of the grant awarded; (2) activities conducted during the reporting period; (3) any timeframes for accomplishing the goals and objectives; (4) the status of the goals and objectives; and (5) how the grantee plans to evaluate performance indicators and evaluations.

Documenting Program Accomplishments

We determined if files were maintained for services provided to individual victims, and selected a sample of files to review in order to determine the types of services provided, and to identify any information related to the impact of the program on individual victims. Additionally, we provided questionnaires to individual victims to determine if the services received were effective in meeting their needs. Finally, we interviewed tribal and federal collaborating agencies to determine whether the grant program was effective in meeting victims' needs.

Coordinating with Criminal Justice Agencies and Service Providers

Collaboration is an essential component of the OVC tribal victim assistance program. Therefore, grantees were required to implement strategies that included coordinating with appropriate local agencies involved in assisting victims. We interviewed tribal and federal collaborating agencies to determine if any efforts to promote partnerships within and outside of the tribal community were successful, and in order to effectively provide services to crime victims.

Developing Plans to Sustain Programs After Funds Expire

Finally, a significant component of program effectiveness is whether or not the grant program continues after grant funding expires. Generally, grant programs are intended to provide initial funding. However, grantees are expected to sustain the program with other funding sources. We interviewed grant program officials to determine if grantees developed plans to sustain the tribal victim assistance program once the grant expired.

**SUMMARY OF FINANCIAL AUDITS PREVIOUSLY
CONDUCTED BY THE OIG OF OJP GRANTS
AWARDED TO TRIBAL GOVERNMENTS**

The OIG previously conducted financial audits of OJP grants, including supplements, awarded to the following tribal grantees:³⁵

- Sault Ste. Marie Tribe of Chippewa Indians
Report No. GR-50-05-006, February 2005
- Oglala Sioux Tribe, Report No. GR-60-05-004, February 2005
- Mississippi Band of Choctaw Indians, Report No. GR-40-05-003,
January 2005
- Lummi Indian Nation, Report No. GR-90-05-007, February 2005

Source: The OIG

During these audits, we tested each tribal grantee’s accounting records to determine if reimbursements claimed for costs under the grants were allowable, supported, and in accordance with applicable laws, regulations, guidelines, and terms and conditions of the grants. The results of these audits are summarized below.

Sault Ste. Marie Tribe of Chippewa Indians

For the Sault Ste. Marie Tribe, we determined that controls over expenditures were generally adequate to ensure that expenses were properly accounted for and that transactions were adequately supported. However, \$50,890 of costs charged to the grant were unsupported or unallowable. Specific deficiencies included:

- Failure to monitor grant expenditures by budget category or obtain approval to transfer funds between categories, resulting in unapproved fund transfers of \$40,418, which covered deviations in excess of 10 percent of the approved budgets.

³⁵ In addition to the victim assistance grants discussed in this report, the financial audits generally included other tribal-specific grants awarded by OJP.

- Failure to maintain adequate records to support \$8,399 of the grantee's required matching contribution and \$2,073 in grant expenditures.
- Poor accounting review and reconciliation procedures resulting in the grantee drawing down funds in excess of expenditures. Part of the excess drawdown was caused by the grantee requesting reimbursement twice for the same expenditures.
- Failure to file required reports in a timely manner. At least one-third of the Financial Status Reports (FSRs) were filed late and one-half of the progress reports were filed late or not at all.

Oglala Sioux Tribe

The financial audit revealed that the Oglala Sioux Tribe claimed and was reimbursed for unallowable and unsupported costs. We found that: (1) grant drawdowns exceeded immediate needs; (2) the tribe did not meet its matching requirements; and (3) required reports were not always accurate or submitted in a timely manner. Based on the deficiencies listed below, we identified dollar-related findings totaling \$1,046,176, or 7.4 percent, of the \$14,143,064 total grant funds awarded. Specifically, we found:

- The Oglala Sioux Tribe was reimbursed \$803,326 for costs charged to the grants that were either not supported by adequate documentation or were not allowable. We also identified \$234,441 in funds put to better use that were related to deobligated grant funds and fees paid to contractors.
- The Oglala Sioux Tribe received drawdowns of grant funds in excess of its immediate disbursement requirements, resulting in \$2,970 in imputed interest charges.
- The Oglala Sioux Tribe did not provide supporting documentation for its matching requirements, resulting in a questioned excess federal share of \$5,439.
- FSRs and progress reports were not always submitted or were not submitted in a timely manner for all grants.
- FSRs were not always accurate for all grants.

Mississippi Band of Choctaw Indians

The financial audit of grants awarded to the Mississippi Band of Choctaw Indians revealed deficiencies in the areas of reporting, budget management and control, matching costs, and expenditures. Further, some property purchased with federal funds was not managed according to financial guidelines. The tribe also made several advance payments that are generally prohibited by federal regulations. As a result of these deficiencies, we questioned \$191,872, or 1.1 percent, of the total grant funds awarded. Specifically, we found:

- FSRs and progress reports were not always submitted or were not submitted in a timely manner for all grants.
- The tribe did not provide the required matching share or costs from the Victim Assistance in Indian Country grant, Grant No. 1999VRGX0011.
- The tribe received \$191,872 in grant funds that was either not supported by adequate documentation, not allowable, not approved by OJP, or exceeded the amounts approved by OJP.
- Some equipment purchased with grant funds did not have an inventory control tag and the property records did not indicate the percentage of federal participation in the cost of the property.
- The tribe made advance payments that are prohibited by regulations.

Lummi Indian Nation

During the financial audit, we found that the accounting and internal control systems were not adequate to ensure that funds were used optimally and that expenditures of funds were in conformance with the grants.

- FSRs, progress reports, and performance reports were either not submitted or were not submitted in a timely manner.
- FSRs were not initially accurate and were submitted multiple times until they accurately reflected the accounting records.

We also identified a total of \$238,021 in dollar-related findings for the three grants to the Lummi Indian Nation. Specifically:

Grant No. 1999VRGX0012:

- The tribe transferred funds in excess of 10 percent between budget categories (questioned costs of \$2,423) and added budget categories (questioned costs of \$2,728) without prior approval.
- The tribe claimed \$6,600 in unallowable rent, \$7,500 in unallowable legal fees, \$200 in unallowable advertising costs, and \$844 in unallowable personnel costs.

Grant No. 2001-VI-GX-0002:

- The tribe added two budget categories without prior approval (questioned costs of \$2,593).
- The tribe failed to meet the local match (questioned costs of \$22,162) and provided a match that did not meet grant requirements (questioned costs of \$31,510).
- The tribe claimed \$1,438 in unallowable travel expenses, \$1,457 in unallowable vehicle repair and maintenance, \$299 in unallowable cleaning expenses, \$61,208 in unallowable personnel costs, and \$47,103 in unallowable indirect costs.

Grant No. 2001-VR-GX-0001:

- The tribe transferred funds in excess of 10 percent between budget categories without prior approval (questioned costs of \$7,217).
- The tribe failed to meet the local match (questioned costs of \$11,309).
- The tribe claimed \$1,134 in unallowable vehicle insurance and \$5,775 in unallowable rent.
- The tribe claimed \$11,009 in unsupported transfers into the grant.
- The tribe claimed \$13,512 in unallowable expenses after the grant end date of September 30, 2003.



U.S. Department of Justice

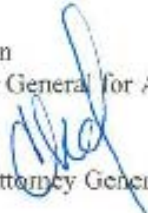
Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

NOV 29 2005

MEMORANDUM TO: Guy K. Zimmerman
Assistant Inspector General for Audit

FROM: Cybele K. Daley 
Acting Assistant Attorney General

SUBJECT: Draft Audit Report - Audit of the Effectiveness of the Office for
Victims of Crime Tribal Victim Assistance Program

This memorandum responds to the Office of the Inspector General's (OIG's) draft audit report issued on November 1, 2005, regarding the effectiveness of the Office for Victims of Crime (OVC) Tribal Victim Assistance (TVA) Program. The draft report contains seven recommendations and no questioned costs. In general, we agree with the draft report recommendations, and are fully committed to implementing corrective actions to strengthen our administration of TVA grant program. The recommendations are restated in bold below, followed by the Office of Justice Programs' (OJP's) response.

General Comments

The "number of victims served" appears to have been given considerable weight in the ultimate determination of a program's effectiveness (i.e., neither tribe that received a "no" on this measurement was considered effective). Although the Report contains a cautionary footnote in Table 1, the footnote does not convey the seriousness of the problem with this measure.

Data, such as "number of victims served" gathered for internal reporting purposes is not necessarily appropriate for use as a performance measure. Although this seems to be an easy and appropriate measure for a program aimed at assisting crime victims, the outside observer is tempted to use an increase in the number of victims served as a measure of effectiveness, as occurs in Table 1 of the Report. The number of victims served depends on many factors outside the control of the program in question. In fact, to the extent the law enforcement goal of reducing crime is achieved it seems problematic to use an increase in the number of victims served as a performance measure.

Also, although the Report notes that OVC transferred approximately \$450,000 to the National Institute of Justice (NIJ) for an assessment of whether TVA grantee programs could be evaluated, the Report appears to question the significance of evaluating two grants valued under \$200,000.

TVA grantees operate in a complex environment, therefore, it is not surprising that NIJ limited the cost of the study to two tribes with an expectation that the lessons learned would be useful for other programs.

Responses to Recommendations

1. Establish long-term and annual performance goals for its tribal victim assistance program.

OJP agrees with the recommendation and OVC will enhance the existing procedures. In compliance with the Government Performance and Results Act, OVC requires TVA grantees collect and report data on the results of their individual programs. OVC will continue to work with grantees to establish goals that are specific to their community's needs and the long-term sustainability of victim services.

The fundamental goal of the TVA program is to establish victim assistance programs in remote areas of Indian Country. We believe the most appropriate measures of program effectiveness are, ultimately, that services are made available to victims of crime, and that communities and victims are aware of the services available. Although the goals of the TVA grant program are general goals, grantees are required to plan for long-term program sustainability, establish goals and objectives, and submit an annual timeline in which to accomplish the goals and objectives. Some of the individual grantee goals may be simple, such as to hire a victim coordinator. Although such a goal might be dismissed as trivial or too easily achieved, for some tribes hiring a victim coordinator is a significant step forward, as no previous services may have been available.

For example, one OVC Program Specialist traveled for a site visit to a remote native village in Alaska and learned that the TVA grant empowered the victim advocate to say the words "child sexual abuse" aloud for the first time to the village Elder Council, a group of esteemed leaders in a village with a high rate of child abuse. This is a significant step forward because traditional ways, geographical isolation, close-knit and small populations, and socio-economic issues present unique challenges for many American Indian and Alaska Native communities addressing elder abuse, child abuse, domestic violence, and other crimes.

2. Ensure that resource-allocation decisions reflect program effectiveness.

OJP agrees with the recommendation. The TVA grants are made based on a three-year proposal. Although the initial award is based on need, the accomplishments of TVA grantees toward long-term goals are considered when making resource-allocation decisions for continuation funding in the second and third years. OVC will ensure that documentation is maintained to support all of the factors considered when making resource-allocation decisions.

3. Provide tribal grantees with definitions of terms used for the required performance measures and guidance on tabulating the performance information reported.

OJP agrees with the recommendation. OVC will continue to provide technical assistance and training on measuring performance as presented to grantees during annual conferences, through a technical assistance and training provider, and through on-site monitoring. OVC will increase its efforts to ensure that the terms used for the required performance measures and guidance on tabulating performance information reported are clearly defined.

4. Establish a standardized progress report that captures required performance measure information.

OJP agrees in part with the recommendation. We agree that some aspects of performance reporting could be standardized for the TVA program. The aspects of performance reporting that captures the diverse needs, cultures, and goals of the individual grantee programs do not lend themselves to a standardized progress report.

Rather than impose a specialized standard report for the TVA program, we believe that it would be more efficient to use the standard that is being incorporated into the Grants Management System. In addition, OVC will implement or enhance procedures to ensure consistent and accurate reporting.

5. Ensure that progress reports include required performance measure data.

OJP agrees with the recommendation. OVC will continue to coordinate with the TVA training and technical assistance provider to increase efforts to ensure that progress reports are accurate and complete.

6. Summarize the performance information reported by tribal grantees to report on the effectiveness of its tribal victim assistance program as a whole.

OJP agrees with the recommendation. OVC will enhance and formalize its current process for analyzing the effectiveness of the TVA program. The annual report will include a summary of the performance information reported by TVA grantees, as well as the other performance analyses prepared to support funding decisions.

7. Utilize the performance information reported by tribal grantees to evaluate the effectiveness of individual grantee tribal victim assistance programs, and to follow up with tribal grantees demonstrating poor performance.

OJP agrees with the recommendation. OVC uses the information reported by tribal grantees, as well as conducts programmatic monitoring to evaluate the effectiveness of

individual grantee programs. Through these efforts, OVC conducts outreach to grantees requiring assistance in implementing their tribal victim assistance programs. OVC will implement or enhance procedures to improve the programmatic monitoring process and how data learned will be used to highlight model programs.

Thank you for the opportunity to review and provide comments on this draft audit report. If you have any questions regarding this response, please feel free to contact me on 202-307-5933, or LeToya Johnson, Director, Program Review Office.

cc: Beth McGarry
Deputy Assistant Attorney General for Operations

John W. Gillis, Director
Office for Victims of Crime

Jill R. Meldon, Director
Office of Budget and Management Services

LeToya A. Johnson, Director
Program Review Office

ANALYSIS AND SUMMARY OF ACTIONS NECESSARY TO CLOSE THE REPORT

The OIG has identified several issues in the OVC response to our draft report (see Appendix IV) that we believe should be addressed. As a result, we are providing the following comments on the OVC response to the draft report.

In Appendix IV, page 87, the OVC provided the following general comment:

The “number of victims served” appears to have been given considerable weight in the ultimate determination of a program’s effectiveness (i.e., neither tribe that received a “no” on this measurement was considered effective).

The OIG disagrees with the OVC assertion that the number of victims served was given considerable weight in the ultimate determination of program effectiveness. The number of victims served was only one of eight factors considered in determining the effectiveness of the individual grant programs. In fact, the OVC response does not address other measures the OIG considered in making this assessment. For example, although both tribal victim assistance programs established by the Oglala Sioux Tribe and the Mississippi Band of Choctaw Indians could not demonstrate an increase in the number of victims served, as stated in Findings III and IV of this report, the OIG also found that these tribes:

- were not considered effective or were considered only partially effective by tribal collaborating agencies;
- had not established a plan to sustain its victim assistance program when the victim assistance grant funding expired; and
- did not accurately report performance information in its progress reports.

Additionally, the Oglala Sioux Tribe’s program was never fully implemented due to frequent changes in program management. Further, the victim assistance program implemented by the Mississippi Band of Choctaw Indians only partially achieved the grant objectives outlined for its victim assistance grant and focused solely on victims on non-major domestic

crimes. We considered the number of victims served along with other measures to assess program effectiveness.

Also, in Appendix IV, page 87, the OVC provided the following general comment:

Data, such as "number of victims served" gathered for internal reporting purposes is not necessarily appropriate for use as a performance measure. Although this seems to be an easy and appropriate measure for a program aimed at assisting crime victims, the outside observer is tempted to use an increase in the number of victims served as a measure of effectiveness . . . The number of victims served depends on many factors outside the control of the program in question. In fact, to the extent the law enforcement goal of reducing crime is achieved it seems problematic to use an increase in the number of victims served as a performance measure.

The OIG recognizes the challenges faced by the OVC in developing performance measures that can be used to determine the effectiveness of its tribal victim assistance program. However, the OIG disagrees with the OVC assertion that the number of victims is not appropriate for use as a performance measure. As stated on page 6 of this report, the OVC established the performance measures for its tribal victim assistance program, and one of the original measures established by the OVC was the number of victims served.³⁶ The OIG also recognizes that performance measures can be influenced by factors outside the control of the program. As stated previously, the OIG did not consider the number of victims served to be the only factor in determining whether a program was effective. However, in our judgment, the number of victims served is an indicator of program effectiveness that should be utilized by the OVC. In addition, we believe the OVC should follow up with tribal grantees demonstrating a reduction in the number of victims served to determine whether it is related to poor program performance or some factor outside the control of the grantee program.

Finally, in Appendix IV, page 87, the OVC provided the following general comment:

³⁶ In the 2005 TVA solicitation, the performance measures were changed to: (1) percent of increase in the number of victim services provided, (2) percent of increase in the number of victim services training workshops provided, and (3) percent of increase in the number of victim compensation claims submitted.

. . . the Report notes that OVC transferred approximately \$450,000 to the National Institute of Justice (NIJ) for an assessment of whether TVA grantee programs could be evaluated, the Report appears to question the significance of evaluating two grants valued under \$200,000. TVA grantees operate in a complex environment, therefore, it is not surprising that NIJ limited the cost of the study to two tribes with an expectation that the lessons learned would be useful for other programs.

As stated on page 15 of this report, the OIG expressed concern over expending \$425,200 to evaluate grant programs with funding totaling less than \$200,000 because it may not be the most effective use of limited victim assistance resources. Our concern was not that NIJ limited the cost of the study to two tribes. Rather our concern was that it may not be cost effective to spend more than twice the amount of funding awarded to evaluate a limited number of grantees, especially since NIJ officials stated that the evaluations cannot be used to determine the effectiveness of the OVC tribal victim assistance program as a whole.

In Appendix IV, pages 88 through 90, the OVC provided responses to the OIG recommendations, which we analyze in turn:

1. **Establish long-term and annual performance goals for its tribal victim assistance program.**

Unresolved. This recommendation can be resolved when the OVC provides a corrective action plan that addresses the recommendation to establish long-term and annual performance goals for its tribal victim assistance program. In Appendix IV, page 88, the OVC provided the following response to recommendation 1.

In compliance with the Government Performance and Results Act, OVC requires TVA grantees collect and report data on the results of their individual programs. OVC will continue to work with grantees to establish goals that are specific to their community's needs and the long-term sustainability of victim services.

The OVC response to the recommendation states that the OVC will continue to work with grantees to establish goals that are specific to the community's needs and the long-term sustainability of victim services; however, the intent of the recommendation was to ensure

that the OVC establish long-term and annual performance goals for the program as a whole, not for individual grantees. As a result, the OVC's response does not adequately address the recommendation.

As stated on pages 13 and 14 of our report, we evaluated the OVC tribal victim assistance program structure and design to determine whether the programs incorporate adequate strategic planning, which is essential in evaluating program effectiveness. We concluded that the OVC tribal victim assistance program structure and design does not incorporate any strategic planning. Specifically,

- Programs should have specific long-term performance goals that focus on outcomes and meaningfully reflect the purpose of the programs. We found that no long-term performance goals were established for the OVC tribal victim assistance program.
- Programs should have annual performance goals that demonstrate progress toward achieving long-term goals. Annual performance goals enable program management to detect deficiencies in program performance and develop corrective actions in a timely manner. We found that no annual performance goals were established for the OVC tribal victim assistance program.

Therefore, based on the findings detailed above, the OVC response does not adequately address the establishment of long-term and annual performance goals for the tribal victim assistance program as a whole.

2. **Ensure that resource-allocation decisions reflect program effectiveness.**

Unresolved. This recommendation can be resolved when the OVC provides a corrective action plan that addresses the recommendation to ensure that resource-allocation decisions reflect program effectiveness. In Appendix IV, page 88, the OVC provided the following response to recommendation 2.

The TVA grants are made based on a three-year proposal. Although the initial award is based on need, the accomplishments of TVA grantees toward long-term goals are considered when making resource-allocation decisions . . .

The OVC response to the recommendation states that although the initial award is based on need, the accomplishments of TVA grantees toward long-term goals are considered when making resource-allocation decisions. However, the intent of the recommendation was to address the fact that the OVC was not required to provide performance information with its budget requests for the TVA program; as a result, program funding decisions were not tied to program effectiveness. Therefore, the OVC's response does not adequately address the recommendation.

As stated on page 14 of our report, we evaluated the OVC tribal victim assistance program structure and design to determine whether the programs incorporate adequate strategic planning, which is essential in evaluating program effectiveness. We found that the OVC tribal victim assistance program structure and design does not incorporate any strategic planning. Specifically,

- Budget requests should be tied to the accomplishment of annual and long-term performance goals. It is also essential that program performance and budget planning processes are integrated so that resource-allocation decisions reflect program effectiveness. We found that the OVC was not required by OJP to provide performance information with budget requests for its tribal victim assistance program. Additionally, since annual and long-term performance goals were not established, funding could not be tied to program effectiveness.

Therefore, based on the findings detailed above, the OVC response does not adequately address the recommendation to ensure resource-allocation decisions for the TVA program as a whole are based on program effectiveness, not funding for individual grantees.

3. **Provide tribal grantees with definitions of terms used for the required performance measures and guidance on tabulating the performance information reported.**

Resolved. This recommendation can be closed when we receive documentation supporting that the OVC has provided grantees with definitions of terms used for the required performance measures and guidance on tabulating the performance information reported. To adequately address this recommendation the OVC needs to develop written policies and procedures to provide grantees with definitions of terms used for the required performance measures and guidance on tabulating the performance information reported.

4. **Establish a standardized progress report that captures required performance measure information.**

Resolved. This recommendation can be closed when we receive documentation supporting that the OVC has developed and implemented procedures to ensure that consistent and accurate performance measure information is included in the standard progress report.

5. **Ensure that progress reports include required performance measure data.**

Resolved. This recommendation can be closed when we receive documentation supporting that the OVC coordinated with the TVA training and technical assistance provider to increase efforts to ensure that progress reports include required performance measure data. To adequately address this recommendation the OVC needs to develop written policies and procedures to follow up with grantees who failed to include all required performance measure data in their progress reports.

6. **Summarize the performance information reported by tribal grantees to report on the effectiveness of its tribal victim assistance program as a whole.**

Resolved. This recommendation can be closed when we receive documentation supporting that the OVC has developed and implemented a formalized annual reporting process for analyzing the performance information reported by tribal grantees in order to report on the effectiveness of its tribal victim assistance program.

7. **Utilize the performance information reported by tribal grantees to evaluate the effectiveness of individual grantee tribal victim assistance programs, and to follow up with tribal grantees demonstrating poor program performance.**

Resolved. This recommendation can be closed when we receive documentation supporting that the OVC developed and implemented procedures to improve the programmatic monitoring process to ensure that performance information reported by tribal grantees is utilized to evaluate the effectiveness of individual grantee tribal victim assistance programs, and to follow up with tribal grantees demonstrating poor performance.