



Audit of the Office of Justice Programs Victim  
Assistance Grants Awarded to the West Virginia  
Department of Homeland Security, Division of  
Administrative Services, Justice and Community  
Services, Charleston, West Virginia



AUDIT DIVISION

25-007

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DECEMBER 2024

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# EXECUTIVE SUMMARY

## **Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the West Virginia Department of Homeland Security, Division of Administrative Services, Justice and Community Services, Charleston, West Virginia**

### **Objective**

The audit objective was to evaluate how the West Virginia Department of Homeland Security, Division of Administrative Services, Justice and Community Services (West Virginia JCS) designed and implemented its crime victim assistance program. To accomplish this objective, we assessed performance in the following areas of grant management: (1) grant program planning and execution, (2) program requirements and performance reporting, (3) grant financial management, and (4) monitoring of subrecipients.

### **Results in Brief**

As a result of our audit, we concluded that West Virginia JCS utilized Victims of Crime Act (VOCA) funding to support its victim assistance program. This audit did not identify significant concerns regarding West Virginia JCS' subaward allocation plans or selection of subrecipients. However, we identified several areas needing improvement, which include the internal control environment. West Virginia JCS needs to improve its recordkeeping of its required programmatic priority areas, update controls over its subrecipient monitoring and data reporting, and enhance its written programmatic and financial policies and procedures. We also determined that drawdown activity did not reconcile to the cumulative expenditures in the accounting records, and we identified inaccurate information in the Federal Financial Reports. As a result of these deficiencies, we questioned \$435,507, which consists of \$214,267 in unsupported costs and \$221,240 in unallowable costs.

### **Recommendations**

Our report contains 17 recommendations to the Office of Justice Programs (OJP) to assist West Virginia JCS in improving its grant management and administration and to remedy questioned costs. We requested a response to our draft audit report from West Virginia JCS and OJP

officials, and their responses can be found in Appendix 3 and 4, respectively. Our analysis of these responses can be found in Appendix 5.

### **Audit Results**

The U.S. Department of Justice Office of the Inspector General completed an audit of three VOCA victim assistance formula grants awarded by OJP's Office for Victims of Crime (OVC) to West Virginia JCS in Charleston, West Virginia. The OVC awarded these formula grants, totaling over \$40.7 million, for fiscal years (FY) 2018 through 2020, from the Crime Victims Fund to enhance crime victim services throughout West Virginia. As of October 2024, West Virginia JCS drew down a cumulative amount of over \$38.7 million for all the grants we audited.

#### **Grant Program Planning and Execution**

We determined West Virginia JCS served crime victims by providing subawards to direct victim service providers with its 2018 through 2020 grants. We did not identify significant concerns with its subaward allocation plan and selection of subrecipients. However, we found that West Virginia JCS did not track its compliance with its priority areas' funding requirements and did not reconcile its required subaward performance and financial reporting data.

#### **Internal Control Environment**

We determined that West Virginia JCS' VOCA Administrative Manual was outdated and insufficient to guide staff through VOCA processes and requirements, such as updates in legislation and clear record retention instructions. We found that West Virginia JCS officials were uncertain about the evolution of various undocumented processes, and they often were unable to provide requested support.



### **Monitoring of Subrecipients**

We determined that West Virginia JCS did not have a monitoring schedule to ensure adherence to the 2-year frequency of on-site visits prior to this audit. We determined that West Virginia JCS did not verify its subrecipients' financial controls, performance data, or adherence to audit requirements. These deficiencies can be mitigated with enhanced written policies and procedures related to monitoring of subrecipients. We also questioned \$198,099 in unsupported subrecipient personnel and non-personnel costs.

### **Grant Financial Management**

We determined that West Virginia JCS did not implement sufficient controls over grant financial activities. Specifically, we identified deficiencies with administrative expenditures, drawdowns, financial reporting, and matching funds reporting. These deficiencies can be mitigated with enhanced written policies and procedures related to grant financial management. We also questioned \$16,168 in unsupported non-personnel administrative costs, \$24,464 in excess administrative expenditures beyond the 5-percent allowance, and \$196,776 in excess drawdowns.



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## Introduction

The U.S. Department of Justice (DOJ) Office of the Inspector General (OIG) completed an audit of three victim assistance formula grants awarded by the Office of Justice Programs (OJP) Office for Victims of Crime (OVC) to the West Virginia Department of Homeland Security, Division of Administrative Services, Justice and Community Services (West Virginia JCS) in Charleston, West Virginia.<sup>1</sup> The OVC awards victim assistance grants annually from the Crime Victims Fund (CVF) to state administering agencies (SAA). As shown in Table 1, from fiscal years (FY) 2018 to 2020, these OVC grants totaled over \$40.7 million.

**Table 1**

**Audited Grants**

**Fiscal Years 2018 to 2020**

Award Number	Award Date	Award Period Start Date	Award Period End Date	Award Amount
2018-V2-GX-0013	8/09/2018	10/1/2017	9/30/2022	\$18,694,199
2019-V2-GX-0006	9/13/2019	10/1/2018	9/30/2023	\$12,651,511
2020-V2-GX-0056	9/20/2020	10/1/2019	9/30/2023	\$9,362,969
<b>Total:</b>				<b>\$40,708,679</b>

Note: Grant funds are available for the fiscal year of the award plus 3 additional fiscal years. The 2018 and 2019 award period end dates were extended a year.

Source: JustGrants

Established by the Victims of Crime Act (VOCA) of 1984, the CVF supports crime victims through DOJ programs and state and local victim services.<sup>2</sup> The CVF is funded entirely by federal criminal fees, penalties, forfeited bail bonds, gifts, donations, and special assessments. The OVC annually distributes CVF proceeds to states and territories. The total amount of funds that the OVC may distribute annually depends on the amount of CVF deposits made during the preceding years and limits set by Congress (the cap).

Beginning in FY 2015, Congress significantly raised the cap on CVF disbursements from prior years, which increased funding for victim assistance grants from \$456 million in 2014 to \$3 billion in 2018. Since 2018, the cap and CVF deposits have decreased, with the most recent cap set at \$1.35 billion for FY 2024. The OVC allocates the annual victim assistance program awards based on the annual amount available for victim assistance and the states' population. As such, the annual VOCA victim assistance grant funds available to West Virginia JCS fluctuated between \$18.6 million in 2018 and \$9.36 million in 2020.

VOCA victim assistance grant funds support the provision of direct services—such as crisis intervention, assistance filing restraining orders, counseling in crises arising from the occurrence of crime, and emergency shelter—to crime victims. The OVC distributes these assistance grants to states and territories,

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<sup>1</sup> West Virginia Department of Homeland Security was known as the West Virginia Department of Military Affairs & Public Safety until May 28, 2020.

<sup>2</sup> The VOCA victim assistance formula program is funded under 34 U.S.C. § 20103.



which fund subawards to public and private nonprofit organizations that directly service victims. Eligible services are efforts that: (1) respond to the emotional and physical needs of crime victims, (2) assist crime victims to stabilize their lives after a victimization, (3) assist victims to understand and participate in the criminal justice system, and (4) provide crime victims with a measure of safety and security.

## **The Grantee**

As West Virginia's SAA, West Virginia JCS is responsible for administering the VOCA victim assistance program. West Virginia JCS: (1) serves as the state's criminal justice planning agency, (2) administers federal and state grant-funded programs; and (3) supports program implementation and development with an emphasis on safety, prevention, coordination, and victim services. To carry out its VOCA responsibilities, West Virginia JCS subawards funds to subrecipients to provide direct services to crime victims with a focus on domestic violence, sexual assault, child abuse, and underserved populations.

## **OIG Audit Approach**

The audit objective was to evaluate how West Virginia JCS designed and implemented its crime victim assistance program. To accomplish this objective, we assessed performance in the following areas of grant management: (1) grant program planning and execution, (2) program requirements and performance reporting, (3) grant financial management, and (4) monitoring of subrecipients.

We tested compliance with what we considered the most important conditions of the grants. Unless otherwise stated in our report, we applied the authorizing VOCA legislation; VOCA victim assistance program guidelines and Final Rule (VOCA Guidelines); 2 C.F.R. § 200, Uniform Administrative Requirements, Cost Principles, Audit Requirements for Federal Awards (Uniform Guidance); and DOJ Grants Financial Guide. We also reviewed relevant West Virginia JCS policies and procedures, obtained and reviewed West Virginia JCS financial records reflecting grant activity, and interviewed West Virginia JCS staff to determine how they administered the VOCA funds.

The report sections that follow detail the results of our analysis. Appendix 1 contains additional information on this audit's objective, scope, and methodology. Appendix 2 presents the audit's Schedule of Dollar-Related Findings.



# Audit Results

## Grant Program Planning and Execution

The main purpose of the VOCA victim assistance grants is to support crime victim services. West Virginia JCS, which is the primary recipient of victim assistance grants at the state level in West Virginia, must distribute most of the funding to organizations that directly service victims via rape treatment centers, domestic violence shelters, and other community-based victim coalitions and support organizations. Although the VOCA Guidelines require SAAs to prioritize victims of sexual assault, domestic abuse, child abuse, and previously underserved populations of violent crime, West Virginia JCS has the discretion to select eligible organizations for subawards.<sup>3</sup> According to the VOCA Guidelines, the SAA has the discretion to determine the amount of funds each subrecipient receives but must allocate at least 10 percent of available funding to victim populations in each of these priority areas.

As part of our audit, we assessed West Virginia JCS' overall plan to allocate and award the victim assistance funding. We reviewed how West Virginia JCS planned to distribute its available victim assistance grant funding, made subaward selection decisions, and informed its subrecipients of necessary VOCA requirements. We also assessed whether West Virginia JCS met the funding and subaward reporting requirements. As discussed below, we did not identify significant concerns with West Virginia JCS' processes for planning the subaward allocations, selecting subrecipients, and communicating requirements. However, we determined that West Virginia JCS did not: (1) track its compliance with the priority area allocation requirements, and (2) adequately reconcile its required subaward performance and financial reporting data.

## Subaward Strategy

The OVC's FY 2018 and 2019 VOCA Victim Assistance Formula Solicitations required SAAs to submit a strategic plan for their efforts to identify additional victim service needs and utilize the VOCA funding. We determined that, as part of its allocation process, West Virginia JCS works with a VOCA advisory board to: (1) develop and reevaluate their funding plans and priorities, (2) identify underserved populations, (3) identify gaps in service, and (4) hear presentations from victim service providers about their domestic violence and sexual assault programs.

West Virginia JCS officials informed us of how they had convinced state legislators to provide supplemental state funds to sustain the VOCA grant program amidst federal budget cuts. West Virginia JCS officials plan to monitor the VOCA fund levels and expect to receive the supplemental state funding indefinitely to minimize their reliance on the federal funds.<sup>4</sup> With these efforts, West Virginia JCS developed its subaward strategy for the increase and decrease in funding to address the identified victim service needs. We reviewed this

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<sup>3</sup> The VOCA Guidelines state these underserved victims may include, but are not limited to, victims of federal crimes; homicide victims; or assault, robbery, gang violence, hate and bias crimes, intoxicated drivers, bank robbery, economic exploitation and fraud, and elder abuse. The VOCA Guidelines also indicate that in defining underserved victim populations, the states should also identify gaps in available services by victims' demographic characteristics.

<sup>4</sup> West Virginia JCS spent over 85 percent of its 2018, 2019, and 2020 awards.



strategy and concluded it conformed with expectations, but as discussed in the [Priority Areas Funding Requirement](#) section, it did not identify allocations in line with priority area funding requirements.

## Subaward Selection Process

To assess how West Virginia JCS granted its subawards, we identified the steps that West Virginia JCS took to inform, evaluate, and select subrecipients for VOCA funding. We found that West Virginia JCS used an annual competitive process to review and select the subrecipient applications submitted for VOCA funds. Specifically, West Virginia JCS: (1) assessed proposed projects' goals, objectives, and overall need, (2) forwarded applications to a committee of direct victim service personnel for review, (3) worked with the committee to make a funding recommendation (approved, adjusted, or denied), (4) provided the funding recommendation to the Governor for final approval, and (5) notified approved subrecipients of their award amount for the year. We analyzed the West Virginia JCS' subaward recipient list and found the number of subawards and subrecipients significantly declined between FY 2018 and FY 2020 due to the previously discussed decrease in VOCA funding. Specifically, we found the SAA made 105 subawards with 2018 funds, 61 subawards with 2019 funds, and 29 subawards with 2020 funds. West Virginia JCS officials told us that West Virginia JCS and its committee have been cautious to increase the number of subrecipients that rely on VOCA funding, not only due to the funding fluctuations, but also the needs exhibited by current subrecipients. Based on documents and interviews, we did not identify significant concerns with West Virginia JCS' subrecipient selection process.

## Subaward Requirements

SAAAs must adequately communicate VOCA requirements to their subrecipients. We reviewed West Virginia JCS' subaward solicitations and award packages to determine how it communicated its subaward requirements and conveyed to potential applicants the VOCA-specific requirements, applicant eligibility requirements, eligible program areas, restrictions on uses of funds, and reporting requirements. We found that West Virginia JCS communicated certain program requirements via award documents and conveyed VOCA-specific requirements through the subaward special conditions to the subrecipients. However, as discussed in the [Drawdowns](#) section of this report, we found that West Virginia JCS did not appropriately communicate drawdown requirements related to advances.

## Priority Areas Funding Requirement

The VOCA Guidelines require that West Virginia JCS award a minimum of 10 percent of the total grant funds to programs that serve victims in each of the following four categories: (1) child abuse, (2) domestic abuse, (3) sexual assault, and (4) previously underserved. The VOCA Guidelines give each SAA the latitude to determine the method for identifying "previously underserved" crime victims.<sup>5</sup> For projects funded by the grants we audited, West Virginia JCS defined underserved broadly, in accordance with the VOCA Guidelines.<sup>6</sup>

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<sup>5</sup> Methods for identifying "previously underserved" victims may include public hearings, needs assessments, task forces, and meetings with statewide victim services agencies.

<sup>6</sup> West Virginia JCS defined underserved as the following groups: Lesbian/Gay/Bisexual/Transgender victims; all racial and ethnic minorities victims; victims in later life; victims with disabilities; rural and isolated victims; immigrant and migrant workers; human trafficking victims; incarcerated victims; and victims with drug abuse issues.



We examined how West Virginia JCS planned to allocate VOCA subawards to assess whether it would fulfill the priority areas for each of its annual VOCA victim assistance grants. We found that West Virginia JCS did not maintain records on how it allocated VOCA funds to priority areas and as a result, we could not determine whether West Virginia JCS complied with the priority areas funding requirements for each award. We concluded that the cause for this deficiency was that West Virginia JCS did not have policies or procedures related to the allocation process. West Virginia JCS officials have historically relied on a review of the Subgrant Award Report (SAR) to determine the amount of VOCA funds that West Virginia JCS awarded to direct service providers of the priority areas. However, as mentioned below in the [Subaward Reporting](#) section, we determined the SAR data for each grant year was unreliable. Without standardized procedures to ensure that West Virginia JCS fulfills the allocation requirements prior to granting the subawards, there is an increased risk that grant funds will not be allocated in accordance with VOCA requirements and West Virginia JCS will not meet the 10-percent level for each priority area for VOCA funding. Therefore, we recommend that OJP ensure West Virginia JCS develops policies and procedures to ensure compliance with victim assistance priority areas funding requirements.

## Internal Control Environments

According to 2 C.F.R. § 200.303, non-federal entities are required to establish and maintain effective internal controls over federal awards and to provide reasonable assurance that the award follows federal statutes, regulations, as well as the award terms and conditions.

Through our audit, we observed that the SAA did not establish and maintain effective internal controls via its policies and procedures. We believe this potentially contributed to an unclear, time-consuming, and unorganized grant management process. For example, we found that West Virginia JCS' VOCA Administrative Manual was outdated and insufficient to guide staff through VOCA processes and requirements.<sup>7</sup> Specifically, the manual did not include: (1) changes resulting from the VOCA Fix to Sustain the Crime Victims Fund Act (VOCA Fix), (2) clear record retention instructions in accordance with the DOJ Grants Financial Guide and 2 C.F.R. § 200, and (3) working hyperlinks to external resources for grant management.

We determined West Virginia JCS officials were uncertain about the evolution of various undocumented programmatic and financial processes, as well as the availability of written policies and procedures and supporting documents. In some instances, we found that the documents that we had requested could not be located or had been destroyed despite being within the retention period established by the DOJ Grants Financial Guide. While intended as a valuable resource, the VOCA Administrative Manual in its current state puts the SAA and the subrecipients it monitors at an increased risk of non-compliance with the VOCA and DOJ requirements. As discussed in the [Monitoring of Subrecipients](#) and [Grant Financial Management](#) sections, we identified issues with subrecipient financial and performance reporting, administrative expenditures, drawdowns, financial reporting, and matching funds reporting. Moreover, we recommend that OJP ensure West Virginia JCS: (1) updates its VOCA Administrative Manual with applicable VOCA Fix and

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<sup>7</sup> The VOCA Administrative Manual provides for the administration of the VOCA Program and is applicable to all grants approved by the West Virginia Governor after October 1, 2018. This manual contains sample applications, reporting and other forms and schedules as well as their policies and processes.



federal award requirements, and (2) periodically reviews and makes necessary updates to the document to ensure compliance with federal statutes, regulations, and the award terms and conditions.

## **Monitoring of Subrecipients**

According to the DOJ Grants Financial Guide, the purpose of subrecipient monitoring is to ensure that subrecipients: (1) use grant funds for authorized purposes; (2) comply with the federal program and grant requirements, laws, and regulations; and (3) achieve subaward performance goals. As the primary grant recipient, West Virginia JCS must develop policies and procedures to monitor subrecipients. To assess the adequacy of West Virginia JCS' subrecipient monitoring, we interviewed staff, identified monitoring policies and procedures, reviewed risk assessment activities and monitoring reports, and obtained records of interactions between West Virginia JCS and its subrecipients.

West Virginia JCS monitoring policies and procedures states that safeguards are in place to ensure that subrecipients comply with grant conditions and applicable state or federal requirements, such as monthly performance reports and reimbursement requests. While these monitoring policies and procedures integrate the 2 C.F.R. § 200 and VOCA requirements, we found that West Virginia JCS did not: (1) conduct a risk assessment of its subrecipients until Fall 2022, (2) have controls established to ensure its required on-site monitoring frequency is executed, or (3) follow-up on and resolve on-site subrecipient monitoring findings.

According to the VOCA Guidelines, SAAs are required to have a monitoring plan to include a risk assessment plan. In Fall 2022, West Virginia revised its policies to require, and began utilizing, a standard form to assess the possible risk areas for each subrecipient and assign a numerical score to each area assessed. The overall numerical score on the standard form dictates whether the subrecipient is low or high-risk. Based on the risk assessment results, West Virginia JCS set the financial and programmatic monitoring requirements for each subrecipient, such as frequency of on-site visits and technical assistance calls. We obtained and compared the risk assessment procedures to the universe of results as of August 2023. We found that the universe did not include two subrecipients and included a low-risk subrecipient without a corresponding numerical score. A West Virginia JCS official explained these discrepancies occurred due to human error.

In addition, the VOCA Guidelines and West Virginia JCS' policies require all of its subrecipients, at a minimum, to receive an on-site monitoring visit every 2 years. West Virginia JCS could not provide evidence that it was meeting this requirement. Specifically, West Virginia JCS created and provided a monitoring schedule in response to our request for this evidence. However, we found this schedule did not ensure that its monitoring activities adhered to the 2-year frequency required by its policies, and officials stated there is not a formal schedule of activities. We concluded that West Virginia JCS does not have any controls established to ensure it adheres to its required monitoring frequency. As a result, we recommend that OJP work with West Virginia JCS to establish a monitoring mechanism that will ensure that it adheres to the frequency of on-site monitoring visits, as required by its policies.

We judgmentally selected a sample of 11 subrecipients that West Virginia represented to us as receiving on-site monitoring to assess whether the activities met West Virginia JCS' requirements for on-site monitoring. Specifically, the West Virginia JCS' official monitoring form requires: (1) support documentation for the status of objectives, (2) results from the last and current monitoring visits, and (3) signatures from



the West Virginia JCS official and supervisor to certify the subrecipient complied with the VOCA grant program pertinent federal requirements. However, we found that for 4 of the 11 subrecipients in our sample, West Virginia JCS officials either could not locate a monitoring report or the subrecipient had not been monitored due to a backlog caused by minimal monitoring during the pandemic. Further, for the remaining seven subrecipients in our sample, we found that all of the monitoring reports did not contain supporting attachments referenced in the report bodies or signatures from West Virginia JCS officials certifying the information, which were required by West Virginia JCS policies. We also found that most of the monitoring reports did not contain details of corrective actions for reported recommendations, as required by grant rules.<sup>8</sup>

We reviewed West Virginia JCS' subrecipient monitoring practices in more detail during a separate audit of a West Virginia subrecipient that West Virginia JCS designated as high-risk based on delinquent monthly progress reports and delinquent and incorrect financial reimbursement reports.<sup>9</sup> West Virginia JCS stated that it conducted an on-site monitoring visit to the subrecipient in May 2022, but we determined that West Virginia JCS did not provide a final monitoring report to the subrecipient. When we brought the issue to West Virginia JCS officials' attention, we were told that the monitoring report could not be located. In November 2023, West Virginia JCS conducted another on-site monitoring visit for the subrecipient, and the related report contained no discussion of the subrecipients' progress or financial reports that resulted in the subrecipient's high-risk designation. The November 2023 monitoring report did not have any recommendations and lacked required signatures from West Virginia JCS officials to certify the information contained therein. As of August 2024, the subrecipient was still identified as high-risk.

West Virginia JCS officials cited various reasons for these exceptions, such as the SAA's transition to electronic files and the saved copies of the monitoring reports not retaining previously obtained signatures; improperly trained staff; management's poor oversight of the program staff responsible for ensuring that policies and procedures are adhered to; and significant personnel turnover. When we further inquired about the monitoring process, a West Virginia JCS official stated that when completing the monitoring checklist, West Virginia monitoring officials accept the subrecipients' answers to the checklist questions rather than verifying the information or scrutinizing subrecipients' responses. This official further noted that the on-site monitoring checklist prompts staff to ask questions about subrecipients' opinions on financial requirements and record performance data without verification. However, in most of the sampled monitoring reports, we found that supporting documents were not attached and stated that they would be submitted at a later date. In response, the West Virginia JCS official explained there is no follow up to ensure the documents were received from the subrecipient.

While the West Virginia JCS monitoring policies states the 2 C.F.R. § 200 and VOCA requirements, it lacks control mechanisms and oversight of staff instructions, training, and performance. For example, West Virginia JCS did not establish staff instructions or supervisory verification that the monitoring reports were completed and accurate. Without such controls, West Virginia JCS jeopardizes its assurance that its subrecipients have provided appropriate oversight of the subgrant programs. Therefore, we recommend

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<sup>8</sup> According to 2 C.F.R. § 200.331, pass-through entity monitoring of the subrecipient must include following up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the federal award provided to the subrecipient from the pass-through entity detected through audits, on-site review, and other means.

<sup>9</sup> This audit of subawarded funds is still ongoing as of October 2024.



that OJP coordinate with West Virginia JCS to establish procedures, such as staff instructions and control mechanisms, to: (1) maintain a comprehensive schedule of monitoring activities, (2) ensure monitoring actions effectively assess subrecipients' implementation of VOCA-funded programs, (3) develop and provide to subrecipients reports of monitoring activities complete with required signatures in accordance with West Virginia JCS policies, and (4) pursue and close out monitoring report findings and recommendations.

## **Financial Monitoring**

We found that, as of October 2024, West Virginia JCS paid its subrecipients over \$38 million in VOCA victim assistance funds for the grants we audited. West Virginia JCS policy requires subrecipients to submit a monthly financial report before being reimbursed for subaward expenditures. The monthly financial report consists of a progress report, reimbursement request form, project financial report, and financial summary page. According to West Virginia JCS' policies and procedures, staff should review the monthly financial reports with West Virginia JCS' reimbursement process checklist to verify whether the amounts are accurate, allowable, and supported by evidence. The reimbursement process checklist requires staff to ensure that the monthly package includes approval, invoices, proof of payment, and adequate support, such as paycheck stubs and timesheets. These procedures also indicate that West Virginia JCS staff should notify the subrecipient of what costs were accepted and, when some costs are not accepted, West Virginia JCS staff should inform the subrecipient of the revised reimbursed amount, provide updated copies of the documents to the subrecipients, and save the updated documents in the electronic grant file for the relevant subrecipient.

## ***Subaward Expenditures***

To assess the adequacy of West Virginia JCS' financial monitoring, we judgmentally selected a sample of 11 monthly financial reports with subaward expenditures totaling \$738,849. We requested the supporting documents to determine whether the payments were supported, allowable, and properly allocated in accordance with West Virginia JCS' financial monitoring policies and procedures. We reviewed the documentation that West Virginia JCS provided and determined that \$198,099 was unsupported, which consisted of: (1) \$137,020 of personnel/contractual costs that included insufficient support (i.e., the documents provided did not reconcile to the amount claimed) or no support (e.g., no timesheets or pay stubs); (2) \$45,284 of expenditures that did not contain sufficient support for travel allocations, training, space, and other costs; and (3) \$15,795 in subrecipient reimbursements for which we requested supporting documents and none were provided. Therefore, we recommend that OJP remedy \$198,099 in unsupported subaward expenditures.

We also determined that of the 11 monthly financial reports we reviewed: 4 did not include the required monthly progress report, 1 did not include a required request for reimbursement form, and 1 did not include both a monthly progress report and financial report package to support the claimed costs. West Virginia JCS officials told us that the missing monthly progress reports had been destroyed or the monthly financial reports could not be located. These officials also told us that a staff member misinterpreted the document retention requirement, which requires support for subrecipient expenditures as part of the monthly financial report packages. According to the DOJ Grants Financial Guide, the SAA is required to retain all grant documents and support once an audit has started involving such records and 3 years from the final expenditure report; based on our audit scope, West Virginia JCS is required to retain the documents until January 2026. We believe that West Virginia JCS needs to ensure that reviews of subrecipients' monthly financing reports adhere to both the DOJ Grants Financial Guide and West Virginia JCS financial report



policies and procedures prior to reimbursement of subaward expenditures. Therefore, we recommend that OJP require West Virginia JCS to establish adequate controls to ensure its monitoring staff performs monthly financial reviews in compliance with the West Virginia JCS policies and that it maintains evidence to support all claimed subrecipient expenditures reviewed as part of monitoring activities.

### ***Single Audit Requirements***

Non-federal entities that receive federal financial assistance are required to comply with the Single Audit Act of 1984, as amended. The Single Audit Act requires recipients of federal funding above a certain threshold to receive an annual audit of their financial statements and federal expenditures. Under the Uniform Guidance, such entities that expend \$750,000 or more in federal funds, within the entity's fiscal year, must have a single audit performed annually covering all federal funds expended that year.

According to the Uniform Guidance, primary recipients are required to ensure that subrecipients have single audits completed when required, and as appropriate, corrective actions on all audit findings have been implemented. Furthermore, the agency or pass-through entity responsible for oversight is required to issue subrecipients a management decision on relevant single audit findings within 6 months after receipt of the single audit report by the Federal Audit Clearinghouse and ensure that the subrecipient takes appropriate and timely corrective action. We interviewed a West Virginia JCS official who confirmed that the SAA does not have a written policy regarding oversight of subrecipient single audits. The official also confirmed West Virginia JCS neither verified whether subrecipients had single audits completed nor reviewed any issued subrecipient single audit reports. As a result, West Virginia JCS did not issue management decisions on VOCA-related single audit findings and did not ensure corrective action was taken. Therefore, we recommend that OJP work with West Virginia JCS to develop and implement written policies and procedures to ensure compliance with the Uniform Guidance requirements for pass-through agency action on subrecipient single audit reports.

### **Performance Monitoring**

According to the DOJ Grants Financial Guide, a key factor of subrecipient monitoring is to ensure that subrecipients achieve subaward performance goals. Further, the SAA must collect and maintain data to measure the performance and effectiveness of work under the VOCA awards based on the grants' special conditions. West Virginia JCS' policies and procedures explain that compliance with federal statutes and terms and conditions of the awards are achieved by subrecipients submitting progress reports and Performance Measurement Tool (PMT) data to the SAA.

### ***Monthly Progress Report***

West Virginia JCS' policies and procedures state that subrecipient progress reports must be prepared and submitted monthly. The progress reports must include: (1) statistical data reflecting the number and types of victims served, (2) a summary of completed activities, and (3) details of whether the governing board met, including a copy of the meeting minutes. To assess the SAA's monitoring of the subrecipients' performance data against West Virginia JCS programmatic monitoring policies and procedures, we judgmentally selected a sample of 11 monthly progress reports. West Virginia JCS officials provided 6 of the 11 progress reports, but the remaining 5 reports could not be located or had been destroyed. As previously stated, based on the DOJ Grants Financial Guide and our audit scope, the SAA is required to retain all grant documents and



support once an audit has started involving such records and 3 years from the final expenditure report which is until January 2026. For the six progress reports West Virginia JCS provided, we found that:

- 5 reports included the goals and objectives and statistical data reflecting victims served,
- 4 reports stated a governing board meeting was held but only one included notes, and
- 2 reports stated a governing board meeting was not held but only one included the required details for the next scheduled meeting.

A West Virginia JCS official stated some of its staff members examine the monthly progress reports more thoroughly than others. West Virginia officials also told us that the individuals who reviewed the reports in our sample are no longer employed by the SAA. We believe that West Virginia JCS needs to reevaluate its process of collecting, reviewing, and verifying subrecipients' monthly progress reports to ensure that it is obtaining a complete and consistent review of subrecipients' VOCA programmatic activities. Therefore, we recommend that OJP ensure West Virginia JCS updates its policies and procedures to implement a process to collect, verify, and maintain monthly progress reports and their respective support.

### ***Annual Performance Reports***

For the victim assistance grants, states must report the number of agencies funded, VOCA subawards, victims served, and victim services funded by these grants. Additionally, states must collect, maintain, and provide to the OVC data that measures the performance and effectiveness of activities funded by the award. Each SAA must annually report to the OVC on activity funded by any VOCA awards active during the federal fiscal year. The OVC requires states to submit performance data quarterly through PMT, which is used to automatically generate the annual performance report.

While West Virginia JCS policies and procedures briefly advise staff to review quarterly PMT reports, they do not include instructions on performance metrics identified by OVC. When we asked West Virginia JCS staff about the quarterly performance report data for OVC, the officials explained that the subrecipient information is received, accepted, and entered into PMT without verification. After the information is submitted into PMT, the subrecipient supporting documents are shredded. A West Virginia JCS official explained the lack of verification and support derives from not enough: (1) time for the information to be verified due to other program requirements and (2) space to collect and retain the supporting documents. As a result, we were unable to evaluate the accuracy of performance metrics reported in PMT by West Virginia JCS. Without detailed performance monitoring instructions for the SAA staff and verification of the subrecipient data, West Virginia JCS has an increased risk of misrepresenting the grants performance and effectiveness of activities funded by the award. In addition, West Virginia JCS disposal of subrecipient support further increases the risk due to the inability to reconcile and verify the reported data with subrecipient monthly reports. Therefore, we recommend that OJP ensure West Virginia JCS updates its policies and procedures to implement a process to collect, verify, maintain, and provide accurate data to the OVC that measures the performance and effectiveness of activities funded by the VOCA awards.



### ***Subaward Reporting***

States must submit a SAR to the OVC via PMT for each subrecipient of the VOCA victim assistance funds within 90 days of awarding funds to subrecipients. Any changes or revisions to the awards that occur before the end of the project period must be made in the SAR within 30 days of the change taking effect. The SAR allows the OVC to collect basic information from states on subrecipients and the program activities to be implemented with VOCA funds.

We compared a list of West Virginia JCS' subawards to the SARs submitted to the OVC for the three VOCA victim assistance grants in our scope. When we attempted to reconcile the number of SARs and subawards granted, we found some subawards were either not included on the West Virginia JCS list or no SAR was submitted to the OVC. We also could not reconcile the number of subawards or the subaward amounts. Specifically, we found that West Virginia JCS reported in its SARs a total of 231 subawards; however, it only awarded 198 subawards. Ultimately, we reconciled 56 subawards reported in the SARs to the West Virginia JCS' subaward list, representing a reconciliation rate of approximately 24 percent. The West Virginia JCS official responsible for this task was unaware that subaward changes or revisions must be reflected in the SARs. We determined West Virginia JCS lacked procedures necessary for staff to ensure its SAR data is updated throughout the project period, which resulted in OVC having incorrect or outdated information. Therefore, we recommend that OJP require West Virginia JCS to: (1) reconcile and correct its SARs and its subaward list for the audited grants to ensure OVC has accurate information for those previously awarded VOCA subawards, and (2) implement procedures to ensure that West Virginia JCS' subaward list and SARs are accurate and submitted timely as well as periodically reviewed to make necessary updates.

### **Grant Financial Management**

Award recipients must establish an adequate accounting system and maintain financial records that accurately account for awarded funds. To assess the adequacy of West Virginia JCS' financial management of the VOCA grants, we reviewed the process West Virginia JCS used to administer these funds by examining expenditures charged to the grants, drawdown requests, match contributions, and financial reports. To further evaluate West Virginia JCS' financial management of the VOCA grants, we also reviewed West Virginia's FY 2021 single audit report and did not find significant deficiencies or material weaknesses specifically related to West Virginia JCS.<sup>10</sup> We also interviewed West Virginia JCS personnel who were responsible for financial aspects of the grants, reviewed West Virginia JCS written policies and procedures, inspected award documents, and reviewed financial records.

As discussed below, in our overall assessment of grant financial management, we determined that West Virginia JCS did not implement controls over grant financial activities as we identified issues with administrative expenditures, drawdowns, financial reporting, and matching funds reporting.

### **Administrative Expenditures**

SAA victim assistance expenses fall into two overarching categories: (1) reimbursements to subrecipients—which constitute the vast majority of total expenses, and (2) administrative expenses—which are allowed to total up to 5 percent of each award to pay for administering its crime victim assistance

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<sup>10</sup> West Virginia's fiscal year begins July 1 and ends June 30.



program and for training. For the victim assistance grant program, we tested West Virginia JCS' compliance with the 5-percent limit on the administrative expense category, as noted in Table 2.

**Table 2**

**West Virginia JCS Administrative Expenditures as of January 2024**

**Fiscal Years 2018 to 2020**

<b>Award Year</b>	<b>Total Award Amount</b>	<b>Administrative Expenditures</b>	<b>Allowable Limit</b>	<b>Amount Exceeded</b>
2018	\$18,694,199	\$959,174	\$934,710	\$24,464
2019	\$12,651,511	\$632,536	\$632,576	\$(40)
2020	\$9,362,969	\$155,973	\$468,148	\$(312,175)

Source: OIG Analysis of West Virginia JCS Records

We compared the administrative expenditures charged to the grants against the total award amount and found that West Virginia JCS complied with the 5-percent allowance for the 2019 and 2020 awards but not for the 2018 award. Specifically, on the 2018 award, West Virginia JCS exceeded the 5-percent allowance for administrative expenditures by \$24,464. Therefore, we recommend that OJP remedy \$24,464 in unallowable questioned costs related to excess administrative expenditures beyond the 5-percent allowance charged to the 2018 award.

We determined that West Virginia JCS did not have written policies and procedures to help the state monitor and track its administrative expenditures during the award period. A West Virginia JCS official summarized the administrative expenditures process for the 5-percent allowance, which is completed by a single person. This official told us that West Virginia JCS does not formally review the administrative expenditures. However, without formalized controls, policies, and procedures outlining the process, West Virginia JCS risks non-compliance with the 5-percent rule. Therefore, we recommend that OJP require West Virginia JCS to develop and implement written policies and procedures to ensure compliance with the 5-percent administrative expenditure limit.

In addition to testing West Virginia JCS' compliance with the 5-percent administrative allowance, we also tested a sample of administrative transactions to determine if the costs were supported, allowable, and properly allocated. We judgmentally selected 80 expenditures for salary, fringe benefits, and operational costs, such as rent, utilities, office supplies, travel costs for training and monitoring subrecipients, totaling \$50,741. For the salary and fringe benefits testing, we judgmentally sampled a pay period from each of the 2018 and 2019 awards, which included 60 individual employee payments, totaling \$28,829. We reviewed supporting documents and determined that all transactions tested were supported, allowable, and properly allocated.

We also tested 20 non-personnel expenditures from the 2018 and 2019 awards, totaling \$21,912. Of these transactions, we found 10 transactions, totaling \$16,168, that were unsupported. Specifically, the provided documents did not include support such as a: (1) receipt, (2) paid invoice, or (3) detailed cost breakdown across the different grant programs. A West Virginia JCS official responsible for these related tasks explained that all the support that could be provided for the transactions should be housed in the



accounting system; however, the sampled transactions had been processed by another official who no longer worked for West Virginia JCS and therefore they could provide no further explanation. We recommend that OJP remedy \$16,168 in unsupported questioned costs related to non-personnel administrative costs.

Drawdowns

Award recipients should request funds based upon immediate disbursement or reimbursement needs, and the grantee should time drawdown requests to ensure that the federal cash on hand is the minimum needed for reimbursements or disbursements made immediately or within 10 days. To assess whether West Virginia JCS managed grant receipts in accordance with these federal requirements, we reviewed written policies and procedures, interviewed staff, and compared the total amount reimbursed to the total amount in West Virginia JCS’ accounting system and drawdown records.

West Virginia JCS’ Accounting Policies and Procedures instruct its staff to utilize their accounting system to: (1) generate reports to determine the amount that should be drawn down, and (2) preserve copies of the reports and associated deposit documents to support the drawdown amount. However, we found West Virginia JCS staff did not follow its own written policies and procedures or reconcile drawdowns to the accounting records. Prior to our drawdown analysis, we noted that as a result of the 2018 award closeout process in May 2023, OJP requested that West Virginia JCS pay back \$116,066 in excess funds drawn down. In January 2024, we compared the SAA’s accounting records to the total amount reimbursed and identified variances across the awards, as shown in Table 3.

Table 3

Comparison of Accounting Records and Drawdowns as of January 2024

Award Year	SAA Accounting Records	Amount Drawn Down	Difference
2018	\$17,780,422	\$17,977,198 <sup>a</sup>	\$(196,776)
2019	\$12,784,290	\$12,567,526	\$216,764
2020	\$9,582,250	\$8,332,591	\$1,249,658 <sup>b</sup>

<sup>a</sup> This amount includes a reduction of \$116,066 funds that West Virginia JCS returned.

<sup>b</sup> The variance of this amount is due to rounding.

Source: OIG Analysis of West Virginia JCS Accounting Records and JustGrants

For the 2018 award, we noted OJP’s drawdown records reported \$196,776 more than West Virginia JCS accounting records even after reducing the drawdown amount for the \$116,066 in excess funds West Virginia JCS returned to OJP as part of the closeout process in May 2023. For the 2019 and 2020 awards, we found the SAA accounting records indicated more funds spent than the reimbursed amount. In addition, we found during a West Virginia subrecipient audit that West Virginia JCS improperly provided the subrecipient the remaining balance on the subrecipient’s award totaling \$99,433 at the end of the award, despite the subrecipient not having requested or used all of the funds.<sup>11</sup> When asked about the identified deficiencies,

<sup>11</sup> As noted in footnote 9, this audit of subawarded funds is still ongoing as of October 2024.



a West Virginia JCS official stated that some advance payments were made to subrecipients and previous VOCA program staff misunderstood the close out process. The official also stated that the advanced payment process should not have occurred, and West Virginia JCS has discontinued this process. West Virginia JCS worked with the subrecipient to reconcile the differences in amounts and recoup the advanced payment.

Without staff adhering to the written policies and procedures or reconciling the records, West Virginia JCS does not have adequate internal controls of their drawdown and accounting processes. Therefore, we recommend that OJP require West Virginia JCS to enhance its written drawdown policies and procedures to include: (1) an adequate system of internal controls over the disbursement of VOCA funds to ensure funds are only provided to subrecipients for allowable costs that were incurred, and (2) supervisory review (or another control) of the reconciliation process used to calculate drawdown amounts to ensure West Virginia JCS does not request funds in excess of its needs. In addition, we recommend that OJP remedy \$196,776 in unallowable questioned costs related to excess drawdowns for the 2018 award.

## Financial Reporting

According to the DOJ Grants Financial Guide, recipients shall report the actual expenditures, program income, and unliquidated obligations incurred for each quarterly reporting period on each financial report as well as cumulative expenditures. We retrieved the four most recently submitted Federal Financial Reports (FFRs) for the 2018, 2019, and 2020 awards. To determine whether West Virginia JCS submitted accurate FFRs, we compared the last submitted reports for each award to the official accounting records. We found the last FFR submitted for each grant reported more than the cumulative expenditures in the accounting records, as shown in Table 4.

**Table 4**

### Comparison of Grant's Last FFR and Accounting Records as of March 2023

Award Year	Last FFR Period	FFR Amount	SAA Accounting Records	Difference <sup>a</sup>
2018	07/01/22 – 09/30/22	\$17,977,198	\$16,829,339	\$1,147,860
2019	10/01/22 - 12/31/22	\$10,749,563	\$10,301,523	\$448,041
2020	10/01/22 - 12/31/22	\$7,578,164	\$5,253,117	\$2,325,046
<b>Total:</b>				<b>\$3,920,947</b>

<sup>a</sup> The variance in the difference column is due to rounding.

Source: OIG Analysis of JustGrants and West Virginia JCS Accounting Records

We found that West Virginia JCS used the total cumulative drawdown amount instead of the total cumulative expenditures, as required by DOJ Grants Financial Guide. Although we determined that the FFR section in the West Virginia JCS Accounting Policies and Procedures complied with the DOJ Grants Financial Guide to report total cumulative expenditures to date, a West Virginia JCS official explained that an OJP employee instructed West Virginia JCS to use the total cumulative drawdown amount instead of the total cumulative



expenditures. However, West Virginia JCS could not provide evidence of OJP's instruction. Without awareness and training of appropriate, complaint procedures, West Virginia JCS staff risk continuing to submit inaccurate FFRs. Therefore, we recommend that OJP require West Virginia JCS to train its financial staff on the DOJ Grants Financial Guide FFR requirements and the instructions within the West Virginia JCS' Accounting Policies and Procedures. We also recommend that OJP coordinate with West Virginia JCS to ensure FFRs are accurate and supported by accounting records going forward.

## Matching Requirement

VOCA Guidelines require that subrecipients match 20 percent of the project cost. Match contributions must come from non-federal sources and can be either cash or in-kind.<sup>12</sup> The SAA has primary responsibility for ensuring subrecipient compliance with the match requirements.

Within the 2018-2020 VOCA Application Instruction Manuals, West Virginia JCS communicated the 20-percent match requirement to its potential subrecipients. However, we reviewed West Virginia JCS' written policy and procedures for subrecipient matching cost contributions and found that the document had not been updated to incorporate match waivers resulting from the VOCA Fix to Sustain the Crime Victims Fund Act (VOCA Fix), which West Virginia JCS was required to implement in the last quarter of FY 2021 in response to the COVID-19 global health pandemic.<sup>13</sup> When we discussed the required information that West Virginia JCS did not have, an official told us that the SAA notified its subrecipients about the legislative changes that permitted them to obtain a match waiver if necessary, but West Virginia JCS did not retain records of this communication. While West Virginia JCS needs to ensure that its policies and procedures align with the law, the match waiver requirement expired on May 11, 2024.<sup>14</sup> As a result, we do not make a recommendation, but we strongly encourage West Virginia JCS to develop and implement a process to review VOCA-related legislation as it becomes available and update their policies and procedures to ensure compliance.

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<sup>12</sup> In-kind match contributions may include donations of expendable equipment, office supplies, workshop or classroom materials, workspace, or the value of time contributed by those providing integral services to the funded project.

<sup>13</sup> In July 2021, Congress enacted the VOCA Fix Act to Sustain the Crime victims Fund Act, Pub. L. No. 117-27, § 3(b), 135 Stat. 302, which requires states to waive subgrantee match requirements during national emergencies or pandemics. In addition, it requires the States are required to have written policies and procedures for approving match waivers.

<sup>14</sup> The national emergency ended on May 11, 2023, so beginning on May 11, 2024, states will no longer be required to automatically waive match for subrecipients.



## Conclusion and Recommendations

Our audit concluded that West Virginia JCS used its 2018 through 2020 grants to distribute VOCA funding to organizations that provided direct services to support crime victims in West Virginia. We did not identify significant concerns with West Virginia JCS' subaward allocations and selection of subrecipients. However, we found several areas that need improvement, which include the internal control environment. West Virginia JCS needs to improve its record keeping related to required priority areas, update controls over its subrecipient monitoring and data reporting, and enhance its written programmatic and financial policies and procedures. As a result of our testing, we questioned \$435,507, which consists of \$214,267 in unsupported costs and \$221,240 in unallowable costs. Finally, we determined that West Virginia JCS drawdown activity did not reconcile to the cumulative expenditure amounts as recorded in the accounting records, and we identified inaccurate information in the Federal Financial Reports. We provide 17 recommendations to OJP to address these deficiencies.

We recommend that OJP:

1. Ensure West Virginia JCS develops policies and procedures to ensure compliance with victim assistance priority areas funding requirements.
2. Ensure West Virginia JCS: (1) updates its VOCA Administrative Manual with applicable VOCA Fix and federal award requirements, and (2) periodically reviews and makes necessary updates to the document to ensure compliance with federal statutes, regulations, and the award terms and conditions.
3. Work with West Virginia JCS to establish a monitoring mechanism that will ensure that it adheres to the frequency of on-site monitoring visits, as required by its policies.
4. Coordinate with West Virginia JCS to establish procedures, such as staff instructions and control mechanisms, to: (1) maintain a comprehensive schedule of monitoring activities, (2) ensure monitoring actions effectively assess subrecipients' implementation of VOCA-funded programs, (3) develop and provide to subrecipients reports of monitoring activities complete with required signatures in accordance with West Virginia JCS policies, and (4) pursue and close out monitoring report findings and recommendations.
5. Remedy \$198,099 in unsupported subaward expenditures.
6. Require West Virginia JCS to establish adequate controls to ensure its monitoring staff performs monthly financial reviews in compliance with the West Virginia JCS policies and that it maintains evidence to support all claimed subrecipient expenditures reviewed as part of monitoring activities.
7. Work with West Virginia JCS to develop and implement written policies and procedures to ensure compliance with the Uniform Guidance requirements for pass-through agency action on subrecipient single audit reports.
8. Ensure West Virginia JCS updates its policies and procedures to implement a process to collect, verify, and maintain monthly progress reports and their respective support.



9. Ensure West Virginia JCS updates its policies and procedures to implement a process to collect, verify, maintain, and provide accurate data to the OVC that measures the performance and effectiveness of activities funded by the VOCA awards.
10. Require West Virginia JCS to: (1) reconcile and correct its SARs and its subaward list for the audited grants to ensure OVC has accurate information for those previously awarded VOCA subawards, and (2) implement procedures to ensure that West Virginia JCS' subaward list and SARs are accurate and submitted timely as well as periodically reviewed to make necessary updates.
11. Remedy \$24,464 in unallowable questioned costs related to excess administrative expenditures beyond the 5-percent allowance charged to the 2018 award.
12. Require West Virginia JCS to develop and implement written policies and procedures to ensure compliance with the 5-percent administrative expenditure limit.
13. Remedy \$16,168 in unsupported questioned costs related to non-personnel administrative costs.
14. Require West Virginia JCS to enhance its written drawdown policies and procedures to include: (1) an adequate system of internal controls over the disbursement of VOCA funds to ensure funds are only provided to subrecipients for allowable costs that were incurred, and (2) supervisory review (or another control) of the reconciliation process used to calculate drawdown amounts to ensure West Virginia JCS does not request funds in excess of its needs.
15. Remedy \$196,776 in unallowable questioned costs related to excess drawdowns for the 2018 award.
16. Require West Virginia JCS to train its financial staff on the DOJ Grants Financial Guide FFR requirements and the instructions within the West Virginia JCS' Accounting Policies and Procedures.
17. Coordinate with West Virginia JCS to ensure FFRs are accurate and supported by accounting records going forward.



# **APPENDIX 1: Objective, Scope, and Methodology**

## **Objective**

The audit objective was to evaluate how the West Virginia Department of Homeland Security, Division of Administrative Services, Justice and Community Services (West Virginia JCS) designed and implemented its crime victim assistance program. To accomplish this objective, we assessed performance in the following areas of grant management: (1) grant program planning and execution, (2) program requirements and performance reporting, (3) grant financial management, and (4) monitoring of subrecipients.

## **Scope and Methodology**

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

This was an audit of Victims of Crime Act (VOCA) victim assistance formula grants 2018-V2-GX-0013, 2019-V2-GX-0006, and 2020-V2-GX-0056 from the Crime Victims Fund awarded to West Virginia JCS. The Office of Justice Programs (OJP), Office for Victims of Crime awarded these grants totaling \$40,708,679 to West Virginia JCS, which serves as the State Administering Agency. Our audit concentrated on, but was not limited to, the period of October 2017, the project start date for VOCA assistance grant number 2018-V2-GX-0013, through September 2023. As of October 2024, West Virginia JCS had drawn down a total of \$38,766,061 from the three audited grants.

To accomplish our objective, we tested compliance with what we consider to be the most important conditions of West Virginia JCS' activities related to the audited grants, which included interviews of state of West Virginia financial personnel, examining policies and procedures, and reviewing grant documents and financial records. Results from a separate subrecipient audit, including monitoring reports, reimbursement requests, and communication between the subrecipient and the SAA, informed the Monitoring of Subrecipients and Grant Financial Management sections of this audit report. We performed sample-based audit testing for grant expenditures, including payroll and fringe benefit charges, monitoring reports, and Federal Financial Reports. In this effort, we employed a judgmental sampling design to obtain broad exposure to numerous facets of the grants reviewed. This non-statistical sample design did not allow projection of the test results to the universe from which the samples were selected. The authorizing VOCA legislation, the VOCA victim assistance program guidelines; the DOJ Grants Financial Guides; 2 C.F.R. § 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; and the award documents contain the primary criteria we applied during the audit.

During our audit, we obtained information from DOJ's JustGrants and OJP's Performance Measurement Tool systems, as well as West Virginia JCS' accounting system specific to the management of DOJ funds during the audit period. We did not test the reliability of those systems as a whole; therefore, any findings identified involving information from those systems was verified with documents from other sources.



## Internal Controls

In this audit, we performed testing of internal controls significant within the context of our audit objective. We did not evaluate the internal controls of West Virginia JCS to provide assurance on its internal control structure as a whole. West Virginia JCS' management is responsible for the establishment and maintenance of internal controls in accordance with 2 C.F.R. § 200 for grantees. Because we do not express an opinion on West Virginia JCS' internal control structure as a whole, we offer this statement solely for the information and use of West Virginia JCS and OJP.<sup>15</sup>

In planning and performing our audit, we identified internal controls components and underlying internal control principles to be significant to the audit objective. Specifically, our review of internal controls covered West Virginia JCS' written grant policies and procedures and process controls pertaining to the aspects of grant planning, performance reporting, and financial management. We tested the implementation and operating effectiveness of specific controls over the award activity occurring within our scope. The internal control deficiencies we found are discussed in the Audit Results section of this report. However, because our review was limited to those internal control components and underlying principles that we found significant to the objectives of this audit, it may not have disclosed all internal control deficiencies that may have existed at the time of this audit.

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<sup>15</sup> This restriction is not intended to limit the distribution of this report, which is a matter of public record.



## APPENDIX 2: Schedule of Dollar-Related Findings

Description	Grant Number	Amount	Page
<b>Questioned Costs:<sup>16</sup></b>			
Unsupported Financial Reports	2018-V2-GX-0013	\$15,795	8
Unsupported Personnel/Contractual Subaward Expenditures	2018-V2-GX-0013	\$130,244	8
	2019-V2-GX-0006	\$6,776	8
Unsupported Non-Personnel/Contractual Subaward Expenditures	2018-V2-GX-0013	\$41,129	8
	2019-V2-GX-0006	\$4,155	8
Unsupported Non-Personnel Administrative Costs	2018-V2-GX-0013	\$12,360	12
	2019-V2-GX-0006	<u>\$3,808</u>	12
Unsupported Costs		\$214,267	
Unallowable Administrative Costs	2018-V2-GX-0013	\$24,464	12
Unallowable Drawdowns	2018-V2-GX-0013	<u>\$196,776</u>	13
Unallowable Costs		\$221,240	
<b>TOTAL QUESTIONED COSTS</b>		<b><u>\$435,507</u></b>	

<sup>16</sup> **Questioned Costs** are expenditures that do not comply with legal, regulatory, or contractual requirements; are not supported by adequate documentation at the time of the audit; or are unnecessary or unreasonable. Questioned costs may be remedied by offset, waiver, recovery of funds, the provision of supporting documentation, or contract ratification, where appropriate.



# APPENDIX 3: West Virginia Department of Homeland Security, Division of Administrative Services, Justice and Community Services Response to the Draft Audit Report



ROB CUNNINGHAM  
CABINET SECRETARY

State of West Virginia  
Department of Homeland Security  
Division of Administrative Services  
Justice and Community Services  
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TINA DESMOND  
DIRECTOR

November 6, 2024

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

**Re: Audit of the Office of Justice Programs Victim Assistance Grants Awarded to the West Virginia Department of Homeland Security, Division of Administrative Services, Justice and Community Services, Charleston, West Virginia**

Dear Ms. Cox:

Below are the West Virginia Division of Administrative Services' Justice and Community Services Section's (JCS) responses to the audit findings presented in the OIG audit report issued on October 16, 2024.

- **Recommendation 1** – Ensure West Virginia JCS develops policies and procedures to ensure compliance with victim assistance priority areas funding requirements.

The West Virginia JCS concurs with this finding. The agency will work with the OJP to develop the necessary procedures to ensure compliance with victim assistance priority areas funding requirements and these procedures will be incorporated into the JCS Standard Operating Procedures (SOP) manual. Estimated time of completion: March 31, 2025.

- **Recommendation 2** – Ensure West Virginia JCS: (1) updates its VOCA Administrative Manual with applicable VOCA Fix and federal award requirements, and (2) periodically reviews and makes necessary updates to the document to ensure compliance with federal statutes, regulations, and the award terms and conditions.

The West Virginia JCS concurs with this finding. The agency will work with the OJP and other states to update its administrative manual. Once updated, JCS staff and subrecipients will be provided with a copy of the administrative manual, along with a summary of changes, and the manual will be updated annually thereafter. Estimated time of completion: March 31, 2025.





- **Recommendation 3** – Work with West Virginia JCS to establish a monitoring mechanism that will ensure that it adheres to the frequency of on-site monitoring visits, as required by its policies.

The West Virginia JCS concurs with this finding. The agency has already made significant improvements to its monitoring plan. For example, the West Virginia JCS recently created a compliance monitoring unit within the JCS Programs Section. We will continue to work with OJP and other states to develop a monitoring mechanism that will assist us in adhering to the frequency of on-site monitoring visits. Estimated time of completion: March 31, 2025.

- **Recommendation 4** – Coordinate with West Virginia JCS to establish procedures, such as staff instructions and control mechanisms, to: (1) maintain a comprehensive schedule of monitoring activities, (2) ensure monitoring actions effectively assess subrecipients' implementation of VOCA-funded programs, (3) develop and provide to subrecipients reports of monitoring activities complete with required signatures in accordance with West Virginia JCS policies, and (4) pursue and close out monitoring report findings and recommendations.

The West Virginia JCS concurs with this finding. The agency has already made significant improvements to its monitoring plan. The West Virginia JCS will continue to work with OJP and other states to establish procedures, such as staff instructions and control mechanisms, to: (1) maintain a comprehensive schedule of monitoring activities, (2) ensure monitoring actions effectively assess subrecipients' implementation of VOCA-funded programs, (3) develop and provide to subrecipients reports of monitoring activities complete with required signatures in accordance with West Virginia JCS policies, and (4) pursue and close out monitoring report findings and recommendations. Estimated time of completion: March 31, 2025.

- **Recommendation 5** – Remedy \$198,099 in unsupported subaward expenditures.

The West Virginia JCS does not concur with this finding. The agency would like to work closer with OJP to determine which costs were deemed unsupported and work to obtain the supporting documentation. Estimated time of completion: June 30, 2025.

- **Recommendation 6** – Require West Virginia JCS to establish adequate controls to ensure its monitoring staff performs monthly financial reviews in compliance with the West Virginia JCS policies and that it maintains evidence to support all claimed subrecipient expenditures reviewed as part of monitoring activities.

The West Virginia JCS concurs with this finding. The JCS SOP already contains procedures for ensuring its monitoring staff are performing monthly financial reviews. Recently, the agency created an internal auditor position that will audit JCS staff's files to ensure adherence to the requirements in the SOP. The West Virginia JCS will also work with OJP to make any necessary changes to its SOP. Estimated time of completion: March 31, 2025.



- **Recommendation 7** – Work with West Virginia JCS to develop and implement written policies and procedures to ensure compliance with the Uniform Guidance requirements for pass-through agency action on subrecipient single audit reports.

The West Virginia JCS concurs with this finding. Improvements have already been made regarding this finding. West Virginia Code §12-4-14, also known as the West Virginia Grant Transparency and Accountability Act, outlines the requirements that subrecipients must adhere to regarding annual audits. The West Virginia JCS have adopted these requirements and will ensure that they are incorporated into the SOP and properly disseminated to VOCA-funded subrecipients. Estimated time of completion: January 31, 2025.

- **Recommendation 8** – Ensure West Virginia JCS updates its policies and procedures to implement a process to collect, verify, and maintain monthly progress reports and their respective support.

The West Virginia JCS concurs with this finding. The agency will work with the OJP to update its SOP by developing and implementing a process to collect, verify, and maintain monthly progress reports and their respective support. Estimated time of completion: March 31, 2025.

- **Recommendation 9** – Ensure West Virginia JCS updates its policies and procedures to implement a process to collect, verify, maintain, and provide accurate data to the OVC that measures the performance and effectiveness of activities funded by the VOCA awards.

The West Virginia JCS concurs with this finding. The West Virginia JCS concurs with this finding. The agency will work with the OJP to update its SOP by developing and implementing a process to collect, verify, maintain, and provide accurate data to the OVC that measures the performance and effectiveness of activities funded by the VOCA awards. Estimated time of completion: March 31, 2025.

- **Recommendation 10** – Require West Virginia JCS to: (1) reconcile and correct its SARs and its subaward list for the audited grants to ensure OVC has accurate information for those previously awarded VOCA subawards, and (2) implement procedures to ensure that West Virginia JCS' subaward list and SARs are accurate and submitted timely as well as periodically reviewed to make necessary updates.

The West Virginia JCS concurs with this finding. The agency will work with the OJP to reconcile and correct its SARs and its subaward list for the audited grants to ensure OVC has accurate information for those previously awarded VOCA subawards and implement procedures to ensure that West Virginia JCS' subaward list and SARs are accurate and submitted timely as well as periodically reviewed to make necessary updates. Estimated time of completion: June 30, 2025.

- **Recommendation 11** – Remedy \$24,464 in unallowable questioned costs related to excess administrative expenditures beyond the 5-percent allowance charged to the 2018 award.



The West Virginia JCS concurs with this finding. These funds will be returned to OJP. Estimated time of completion: December 31, 2024.

- **Recommendation 12** – Require West Virginia JCS to develop and implement written policies and procedures to ensure compliance with the 5-percent administrative expenditure limit.

The West Virginia JCS concurs with this finding. The agency will work with the OJP to develop and implement written policies and procedures to ensure compliance with the 5-percent administrative expenditure limit. Estimated time of completion: March 31, 2025.

- **Recommendation 13** – Remedy \$16,168 in unsupported questioned costs related to non-personnel administrative costs.

The West Virginia JCS does not concur with this finding. The agency would like to work closer with OJP to determine which costs were deemed unsupported and work to obtain the supporting documentation. Estimated time of completion: June 30, 2025.

- **Recommendation 14** – Require West Virginia JCS to enhance its written drawdown policies and procedures to include: (1) an adequate system of internal controls over the disbursement of VOCA funds to ensure funds are only provided to subrecipients for allowable costs that were incurred, and (2) supervisory review (or another control) of the reconciliation process used to calculate drawdown amounts to ensure West Virginia JCS does not request funds in excess of its needs.

The West Virginia JCS concurs with this finding. The agency will work with the OJP to enhance its written drawdown policies and procedures. Estimated time of completion: March 31, 2025.

- **Recommendation 15** – Remedy \$196,776 in unallowable questioned costs related to excess drawdowns for the 2018 award.

The West Virginia JCS does not concur with this finding. The agency would like to work closer with OJP to determine which costs were deemed unsupported and work to obtain the supporting documentation. Estimated time of completion: June 30, 2025.

- **Recommendation 16** – Require West Virginia JCS to train its financial staff on the DOJ Grants Financial Guide FFR requirements and the instructions within the West Virginia JCS' Accounting Policies and Procedures.

The West Virginia JCS concurs with this finding. The agency will identify and provide necessary training for financial staff regarding the FFR requirements, as well as the Accounting Policies and Procedures. Estimated time of completion: March 31, 2025.



- **Recommendation 17** – Coordinate with West Virginia JCS to ensure FFRs are accurate and supported by accounting records going forward.

The West Virginia JCS concurs with this finding. The agency will work with the OJP moving forward to ensure that FFRs are accurate and supported by accounting records. Estimated time of completion: March 31, 2025.

Should you have any questions regarding this response, please feel free to contact me at 304-558-8814, extension 22414 or via email at [Marty.A.Hatfield@wv.gov](mailto:Marty.A.Hatfield@wv.gov).

Very Respectfully,



Marty Allen Hatfield  
Assistant Director  
Justice and Community Services

cc: Linda J. Taylor  
Lead Auditor, Audit Coordination Branch  
Audit and Review Division

Joel Hall  
Deputy Director, State Victim Resource Division  
Office for Victims of Crime

Elizabeth Flowers  
Grants Management Specialist  
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Tina M. Desmond  
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Ian A. Jones  
Criminal Justice Program Manager  
Justice and Community Services

Matthew J. Dayhaw  
Accountant/Auditor Supervisor  
Justice and Community Services



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



U.S. Department of Justice

Office of Justice Programs

Office of Audit, Assessment, and Management

Washington, D.C. 20531

November 14, 2024

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

FROM: Iyauta I. Green  
Director

SUBJECT: Response to the Draft Audit Report, *Audit of the Office of Justice Programs Victim Assistance Grants, Awarded to the West Virginia Department of Homeland Security, Division of Administrative Services, Justice and Community Services, Charleston, West Virginia*

Iyauta Iyeesha Green  
Digitally signed by Iyauta Iyeesha Green  
Date: 2024.11.14 08:14:57 -05'00'

This memorandum is in reference to your correspondence, dated October 16, 2024, transmitting the above-referenced draft audit report for the West Virginia, Department of Homeland Security, Division of Administrative Services, Justice and Community Services (West Virginia JCS). We consider the subject report resolved and request written acceptance of this action from your office.

The draft report contains **17** recommendations and **\$435,507** in questioned costs. The following is the Office of Justice Programs' (OJP) analysis of the draft audit report recommendations. For ease of review, the recommendations are restated in bold and are followed by OJP's response.

- 1. We recommend that OJP ensure West Virginia JCS develops policies and procedures to ensure compliance with victim assistance priority areas funding requirements.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated it will work with OJP to develop the necessary procedures to ensure compliance with victim assistance priority areas funding requirements. West Virginia JCS also stated that it will incorporate these procedures into its Standard Operating Procedures (SOP) manual, which it estimates will be completed by March 31, 2025.

Accordingly, we will coordinate with West Virginia JCS to obtain a copy of its written policies and procedures, developed and implemented, to ensure compliance with the victim assistance priority area funding requirements.



2. **We recommend that OJP ensure West Virginia JCS: (1) updates its VOCA Administrative Manual with applicable VOCA Fix and federal award requirements, and (2) periodically reviews and makes necessary updates to the document to ensure compliance with federal statutes, regulations, and the award terms and conditions.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it would work with OJP and other states to update its administrative manual. Once the administrative manual is updated, West Virginia JCS stated that it will provide a copy of the manual to its staff and subrecipients, along with a summary of changes, and will update the manual annually thereafter. West Virginia JCS further stated that it estimates completion of these changes by March 31, 2025.

Accordingly, we will coordinate with West Virginia JCS to obtain a copy of its updated Victims of Crime Act (VOCA) Administrative Manual, which incorporated the applicable VOCA Fix and Federal award requirements; and includes a process for performing periodic reviews and necessary updates to the document, to ensure compliance with Federal statutes, regulations, and the award terms and conditions.

3. **We recommend that OJP work with West Virginia JCS to establish a monitoring mechanism that will ensure that it adheres to the frequency of on-site monitoring visits, as required by its policies.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it has already made significant improvements to its monitoring plan, and will continue to work with OJP and other states to develop a subrecipient monitoring mechanism that will assist West Virginia JCS in adhering to the frequency of on-site monitoring visits, as required by its policies. West Virginia JCS stated that it estimates completion of these changes by March 31, 2025.

Accordingly, we will coordinate with West Virginia JCS to obtain documentation of its monitoring mechanism for ensuring that it adheres to the frequency of on-site monitoring visits, as required by its policies.



4. **We recommend that OJP coordinate with West Virginia JCS to establish procedures, such as staff instructions and control mechanisms, to: (1) maintain a comprehensive schedule of monitoring activities, (2) ensure monitoring actions effectively assess subrecipients' implementation of VOCA-funded programs, (3) develop and provide to subrecipients reports of monitoring activities complete with required signatures in accordance with West Virginia JCS policies, and (4) pursue and close out monitoring report findings and recommendations.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it has already made significant improvements to its monitoring plan, and will work with OJP and other states to establish procedures, such as staff instructions and control mechanisms, to: (1) maintain a comprehensive schedule of monitoring activities, (2) ensure monitoring actions effectively assess subrecipients' implementation of VOCA-funded programs, (3) develop and provide to subrecipients reports of monitoring activities complete with required signatures in accordance with West Virginia JCS policies, and (4) pursue and close out monitoring report findings and recommendations. West Virginia JCS stated that it estimates completion of these procedures by March 31, 2025.

Accordingly, we will coordinate with West Virginia JCS to obtain a copy of its written policies and procedures, such as staff instructions and control mechanisms, developed and implemented, to ensure that: (1) a comprehensive schedule of monitoring activities is established, (2) monitoring actions effectively assess subrecipients' implementation of VOCA-funded programs, (3) subrecipients reports of monitoring activities, complete with required signatures in accordance with its policies, are developed and provided to subrecipients, and (4) monitoring report findings and recommendations are pursued and timely closed out.

5. **We recommend that OJP remedy \$198,099 in unsupported subaward expenditures.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it will work with OJP to determine which costs were deemed unsupported, and will work to obtain the supporting documentation.

Accordingly, we will review the \$198,099 in questioned costs, related to unsupported subaward expenditures that were charged to Grant Numbers 2018-V2-GX-0013 (\$187,168) and 2019-V2-GX-0006 (\$10,931), and will work with West Virginia JCS to remedy, as appropriate.

6. **We recommend that OJP require West Virginia JCS to establish adequate controls to ensure its monitoring staff performs monthly financial reviews in compliance with the West Virginia JCS policies and that it maintains evidence to support all claimed subrecipient expenditures reviewed as part of monitoring activities.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that, although its SOP already contains procedures for ensuring its monitoring staff are performing monthly financial reviews, it will work with OJP to make any necessary changes to its SOP, which it estimates completing by March 31, 2025.



Accordingly, we will coordinate with West Virginia JCS to obtain a copy of written policies and procedures, developed and implemented, to ensure its staff performs monthly financial reviews, in compliance with West Virginia JCS policies; and that it maintains evidence to support all claimed subrecipient expenditures reviewed, as part of monitoring activities.

7. **We recommend that OJP work with West Virginia JCS to develop and implement written policies and procedures to ensure compliance with the Uniform Guidance requirements for pass-through agency action on subrecipient single audit reports.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that West Virginia Code §12-4-14, also known as the West Virginia Grant Transparency and Accountability Act, outlines the requirements that subrecipients must adhere to regarding annual audits. As part of its ongoing improvements, West Virginia JCS stated that it adopted these requirements and will ensure they are incorporated into its SOP, and are properly disseminated to VOCA-funded subrecipients, which it estimates completing by January 31, 2025.

Accordingly, we will coordinate with West Virginia JCS to obtain a copy of its written policies and procedures, developed and implemented, to ensure compliance with the Uniform Guidance requirements for pass-through agency action on subrecipient single audit reports.

8. **We recommend that OJP ensure West Virginia JCS updates its policies and procedures to implement a process to collect, verify, and maintain monthly progress reports and their respective support.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it would work with OJP to update its SOP by developing and implementing a process to collect, verify, and maintain monthly progress reports and their respective support, which it estimates completing by March 31, 2025.

Accordingly, we will coordinate with West Virginia JCS to obtain a copy of its written policies and procedures, developed and implemented, to ensure that it establishes a process to collect, verify, and maintain monthly progress reports and their respective support, and the supporting documentation is maintained for future auditing purposes.

9. **We recommend that OJP ensure West Virginia JCS updates its policies and procedures to implement a process to collect, verify, maintain, and provide accurate data to the OVC that measures the performance and effectiveness of activities funded by the VOCA awards.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it will work with OJP to update its SOP by developing and implementing a process to collect, verify, maintain, and provide accurate data to OJP's Office for Victim of Crimes (OVC), that measures the performance and effectiveness of activities funded by its VOCA awards, which it estimates completing by March 31, 2025.



Accordingly, we will coordinate with West Virginia JCS to obtain a copy of its written policies and procedures, developed and implemented, to ensure that it incorporates a process to collect, verify, maintain, and provide accurate and timely data to OVC that measures the performance and effectiveness of activities funded by its VOCA awards.

10. **We recommend that OJP require West Virginia JCS to: (1) reconcile and correct its SARs and its subaward list for the audited grants to ensure OVC has accurate information for those previously awarded VOCA subawards, and (2) implement procedures to ensure that West Virginia JCS' subaward list and SARs are accurate and submitted timely as well as periodically reviewed to make necessary updates.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it would work with the OJP to reconcile and correct its Subgrant Award Reports (SARs) and its subaward list for the audited grants, to ensure OVC has accurate information for those previously awarded VOCA subawards. Additionally, West Virginia JCS stated that it would implement procedures to ensure that its subaward list and SARs are accurate, submitted timely, and periodically reviewed for necessary updates, which it estimates completing by June 30, 2025.

Accordingly, we will coordinate with West Virginia JCS to obtain evidence that West Virginia JCS has reconciled and corrected its SARs and its subaward list for the audited grants, to ensure OVC has accurate information for those previously awarded VOCA subawards.

Additionally, we will coordinate with West Virginia JCS to obtain a copy of its written policies and procedures, developed and implemented, to ensure that its subaward list and future SARs are accurately prepared, timely submitted, and periodically reviewed for updates, as necessary.

11. **We recommend that OJP remedy \$24,464 in unallowable questioned costs related to excess administrative expenditures beyond the 5-percent allowance charged to the 2018 award.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated it will return these funds to OJP by December 31, 2024.

Accordingly, we will review the \$24,464 in questioned costs, related to unallowable expenditures that were charged to Grant Number 2018-V2-GX-0013, and will work with West Virginia JCS to remedy, as appropriate.

12. **We recommend that OJP require West Virginia JCS to develop and implement written policies and procedures to ensure compliance with the 5-percent administrative expenditure limit.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it would work with OJP to develop and implement written policies and procedures to ensure compliance with the 5-percent administrative expenditure limit, which it estimates completing by March 31, 2025.



Accordingly, we will coordinate with the West Virginia JCS to obtain a copy of its written policies and procedures, developed and implemented, to ensure compliance with the 5-percent administrative expenditure limit, in accordance with Federal grant requirements.

**13. We recommend that OJP remedy \$16,168 in unsupported questioned costs related to non-personnel administrative costs.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it will coordinate with OJP to determine which costs were deemed unsupported, and work to obtain the supporting documentation.

Accordingly, we will review the \$16,168 in questioned costs, related to unsupported non-personnel administrative costs that were charged to Grant Numbers 2018-V2-GX-0013 (\$12,360) and 2019-V2-GX-0006 (\$3,808), and will work with West Virginia JCS to remedy, as appropriate.

**14. We recommend that OJP require West Virginia JCS to enhance its written drawdown policies and procedures to include: (1) an adequate system of internal controls over the disbursement of VOCA funds to ensure funds are only provided to subrecipients for allowable costs that were incurred, and (2) supervisory review (or another control) of the reconciliation process used to calculate drawdown amounts to ensure West Virginia JCS does not request funds in excess of its needs.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it will work with OJP to enhance its written drawdown policies and procedures, which it estimates completing by March 31, 2025.

Accordingly, we will coordinate with West Virginia JCS to obtain a copy of its written policies and procedures, developed and implemented, to ensure that drawdowns of Federal grant funds are based on actual expenditures incurred, or are the minimum amounts needed for disbursements to be made immediately or within 10 days of draw down. At a minimum, we will require that West Virginia JCS' policies and procedures include provisions ensuring that: (1) an adequate system of internal controls over the disbursement of VOCA funds limits funds provided to subrecipients to those for allowable costs incurred, and (2) supervisory review (or another control) of the reconciliation process used to calculate drawdown amounts to ensure West Virginia JCS does not request funds in excess of its needs.

**15. We recommend that OJP remedy \$196,776 in unallowable questioned costs related to excess drawdowns for the 2018 award.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it would work with OJP to determine which costs were deemed unsupported, and will work to obtain the supporting documentation, which it estimates completing by June 30, 2025.



Accordingly, we will review the \$196,776 in questioned costs, related to unallowable excess drawdowns that were charged to Grant Number 2018-V2-GX-0013, and will work with West Virginia JCS to remedy, as appropriate.

**16. We recommend that OJP require West Virginia JCS to train its financial staff on the DOJ Grants Financial Guide FFR requirements and the instructions within the West Virginia JCS' Accounting Policies and Procedures.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that it will identify and provide necessary training for its financial staff on the U.S. Department of Justice (DOJ) Grants Financial Guide, Federal Financial Report (FFR) requirements, and the instructions within its Accounting Policies and Procedures manual, which it estimates completing by March 31, 2025.

Accordingly, we will coordinate with the West Virginia JCS to obtain evidence of training provided to its financial staff regarding the DOJ Grants Financial Guide FFR requirements, and the instructions within the West Virginia JCS' Accounting Policies and Procedures manual.

**17. We recommend that OJP ensure West Virginia JCS' FFRs are accurate and supported by accounting records going forward.**

OJP agrees with the recommendation. In its response, dated November 6, 2024, West Virginia JCS stated that, moving forward, it will work with OJP to ensure its FFRs are accurate and supported by its accounting records, which it estimates completing by March 31, 2025.

Accordingly, we will coordinate with West Virginia JCS to obtain a copy of the latest FFR submitted for Grant Numbers 2019-V2-GX-0006 and 2020-V2-GX-0056, and documentation to support that the Federal cumulative expenditures reported are accurate and supported by the grant accounting records.

We appreciate the opportunity to review and comment on the draft audit report. If you have any questions or require additional information, please contact Jeffery A. Haley, Deputy Director, Audit and Review Division, of my staff, on (202) 598-0529.

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

LeToya A. Johnson  
Senior Advisor  
Office of the Assistant Attorney General

Jeffery A. Haley  
Deputy Director, Audit and Review Division  
Office of Audit, Assessment, and Management



cc: Kristina Rose  
Director  
Office for Victims of Crime

Katherine Darke Schmitt  
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cc: Joanne M. Suttington  
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Louise Duhamel  
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OJP Executive Secretariat  
Control Title OCOM001246



## **APPENDIX 5: Office of the Inspector General Analysis and Summary of Actions Necessary to Close the Audit Report**

The U.S. Department of Justice Office of the Inspector General (OIG) provided a draft of this audit report to the Office of Justice Programs (OJP) and the West Virginia Department of Homeland Security, Division of Administrative Services, Justice and Community Services (West Virginia JCS). OJP's response is incorporated in Appendix 4 and West Virginia JCS' response is incorporated in Appendix 3 of this final report. In response to our draft audit report, OJP agreed with all our recommendations, and as a result, the status of the audit report is resolved. West Virginia JCS concurred with 14 recommendations and did not concur with 3. The following provides the OIG analysis of the response and summary of actions necessary to close the report.

### **Recommendations for OJP:**

- 1. Ensure West Virginia JCS develops policies and procedures to ensure compliance with victim assistance priority areas funding requirements.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain a copy of the written policies and procedures that it develops and implements to ensure compliance with the victim assistance priority funding requirements. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it will work with OJP to develop the necessary procedures to ensure compliance with victim assistance priority area funding requirements. West Virginia JCS also stated that it will incorporate the procedures into its Standard Operating Procedures (SOP), which it estimates completing by March 31, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS has developed and implemented policies and procedures that ensure compliance with victim assistance priority area funding requirements.

- 2. Ensure West Virginia JCS: (1) updates its VOCA Administrative Manual with applicable VOCA Fix and federal award requirements, and (2) periodically reviews and makes necessary updates to the document to ensure compliance with federal statutes, regulations, and the award terms and conditions.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain a copy of its Victims of Crime Act (VOCA) Administrative Manual updated to ensure compliance with federal statutes, regulations, and the award terms and conditions. The update includes: (1) the applicable VOCA Fix and federal award requirements; and (2) a process for performing periodic reviews and necessary updates to the document. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it will work with OJP and other states to update its VOCA Administrative Manual. West Virginia JCS stated that it will provide a



copy of the updated VOCA Administrative Manual to its staff and subrecipients along with a summary of changes, and it will update the manual annually thereafter. West Virginia JCS further stated that it estimates completion of these updates by March 31, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS has updated its VOCA Administrative Manual that incorporates applicable VOCA Fix and federal award requirements, including a process for periodically reviewing and updating the manual that ensures ongoing compliance with federal statutes, regulations, and the federal award terms and conditions.

**3. Work with West Virginia JCS to establish a monitoring mechanism that will ensure that it adheres to the frequency of on-site monitoring visits, as required by its policies.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain documentation of its monitoring mechanism for ensuring that it adheres to the frequency of on-site monitoring visits as required by its policies. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it has already made significant improvements to its monitoring plan and will continue to work with OJP and other states to develop a monitoring mechanism that will assist West Virginia JCS with adhering to the frequency of on-site monitoring visits. West Virginia JCS further stated that it estimates completion of these changes by March 31, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS has established a monitoring mechanism that ensures it adheres to the frequency of on-site monitoring visits as required by its policies.

**4. Coordinate with West Virginia JCS to establish procedures, such as staff instructions and control mechanisms, to: (1) maintain a comprehensive schedule of monitoring activities, (2) ensure monitoring actions effectively assess subrecipients' implementation of VOCA-funded programs, (3) develop and provide to subrecipients reports of monitoring activities complete with required signatures in accordance with West Virginia JCS policies, and (4) pursue and close out monitoring report findings and recommendations.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain a copy of the written policies and procedures (e.g., staff instructions and control mechanisms) that it develops and implements to ensure that: (1) a comprehensive schedule of monitoring activities is established, (2) monitoring actions effectively assess subrecipients' implementation of VOCA-funded programs, (3) reports on monitoring activities, complete with required signatures in accordance with its policies, are developed and provided to subrecipients, and (4) monitoring report findings and recommendations are pursued and closed out timely. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it has already made significant improvements to its monitoring plan. West Virginia JCS also stated that it will continue to



work with OJP and other states to establish procedures, such as staff instructions and control mechanisms, which include the previously listed elements. West Virginia JCS further stated that it estimates completion of these procedures by March 31, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS has established and implemented procedures addressing this recommendation.

**5. Remedy \$198,099 in unsupported subaward expenditures.**

Resolved. OJP agreed with our recommendation. OJP stated that it will review the \$198,099 in questioned costs, related to unsupported subaward expenditures that were charged to Grant Numbers 2018-V2-GX-0013 (\$187,168) and 2019-V2-GX-0006 (\$10,931), and will work with West Virginia JCS to remedy, as appropriate. As a result, this recommendation is resolved.

West Virginia JCS did not concur with our recommendation and stated that it will work closer with OJP to determine which costs were deemed unsupported and obtain the supporting documentation, which it estimates completing by June 30, 2025.

This recommendation can be closed when we receive evidence that OJP has remedied \$198,099 in unsupported subaward expenditures.

**6. Require West Virginia JCS to establish adequate controls to ensure its monitoring staff performs monthly financial reviews in compliance with the West Virginia JCS policies and that it maintains evidence to support all claimed subrecipient expenditures reviewed as part of monitoring activities.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain a copy of the written policies and procedures that it develops and implements to ensure: (1) its staff performs monthly financial reviews, in compliance with West Virginia JCS policies; and (2) it maintains evidence that it has reviewed all expenditures claimed by subrecipients, as part of monitoring activities. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that its SOP already contains procedures for ensuring its monitoring staff performs monthly financial reviews. West Virginia JCS also stated that it recently established an internal position to audit West Virginia JCS staff files for adherence to SOP requirements. Additionally, West Virginia JCS stated that it will work with OJP to make any necessary adjustments to its SOP, which it estimates completing by March 31, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS has established and implemented adequate controls for its monitoring staff to perform monthly financial reviews in compliance with its policies and maintain supporting documents for subrecipients' reimbursement claims.



**7. Work with West Virginia JCS to develop and implement written policies and procedures to ensure compliance with the Uniform Guidance requirements for pass-through agency action on subrecipient single audit reports.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain a copy of the written policies and procedures that it develops and implements to ensure compliance with the Uniform Guidance requirements for pass-through agency action on subrecipient single audit reports. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that West Virginia Code §12-4-14, also known as the West Virginia Grant Transparency and Accountability Act, outlines the requirements that subrecipients must adhere to regarding annual audits. West Virginia JCS also stated that it adopted these requirements and will ensure its SOP includes the statute, and that the SOP is disseminated to VOCA-funded subrecipients. West Virginia JCS estimates completing these actions by January 31, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS has developed and implemented written policies and procedures that ensure compliance with the Uniform Guidance requirements for pass-through agency action on subrecipient single audit requirements.

**8. Ensure West Virginia JCS updates its policies and procedures to implement a process to collect, verify, and maintain monthly progress reports and their respective support.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain a copy of the written policies and procedures that it develops and implements to ensure that it establishes a process to collect, verify, and maintain monthly progress reports and their respective support, and the supporting documentation is maintained for future auditing purposes. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it will work with OJP to update its SOP by developing and implementing a process to collect, verify, and maintain monthly progress reports and their respective support, which it estimates completing by March 31, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS has updated its policies and procedures and implemented processes addressing this recommendation.

**9. Ensure West Virginia JCS updates its policies and procedures to implement a process to collect, verify, maintain, and provide accurate data to the OVC that measures the performance and effectiveness of activities funded by the VOCA awards.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain a copy of the written policies and procedures that it develops and implements to ensure that it incorporates a process to collect, verify, maintain, and provide accurate and timely



data to the OVC that measures the performance and effectiveness of activities funded by its VOCA awards. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it will work with OJP to update its SOP by developing and implementing a process to collect, verify, maintain, and provide accurate data to the OVC that measures performance and effectiveness of activities funded by the VOCA awards, which it estimates completing by March 31, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS has updated its policies and procedures and implemented processes that measures the performance and effectiveness of activities funded by the VOCA awards.

**10. Require West Virginia JCS to: (1) reconcile and correct its SARs and its subaward list for the audited grants to ensure OVC has accurate information for those previously awarded VOCA subawards, and (2) implement procedures to ensure that West Virginia JCS' subaward list and SARs are accurate and submitted timely as well as periodically reviewed to make necessary updates.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain evidence that West Virginia JCS has reconciled and corrected its SARs and its subaward list for the audited grants, to ensure that the OVC has accurate information for those previously awarded VOCA subawards. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it will work with OJP to reconcile and correct its SAR and its subaward list for the audited grants. West Virginia JCS also stated that it will implement procedures to ensure that its subaward list and SARs are accurate, submitted timely, and periodically reviewed for necessary updates. West Virginia JCS estimates completing these actions by June 30, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS has reconciled and corrected its SARs and subaward list for the audited grants, including the implemented procedures addressing this recommendation.

**11. Remedy \$24,464 in unallowable questioned costs related to excess administrative expenditures beyond the 5-percent allowance charged to the 2018 award.**

Resolved. OJP agreed with our recommendation. OJP stated that it will review the \$24,464 in questioned costs, related to unallowable expenditures that were charged to Grant Number 2018-V2-GX-0013, and will work with West Virginia JCS to remedy, as appropriate. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it will return the funds to OJP, which it estimates completing by December 31, 2024.



This recommendation can be closed when we receive evidence that OJP has remedied \$24,464 in unallowable administrative expenditures.

**12. Require West Virginia JCS to develop and implement written policies and procedures to ensure compliance with the 5-percent administrative expenditure limit.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain a copy of the written policies and procedures that it develops and implements to ensure compliance with the 5-percent administrative expenditure limit, in accordance with federal grant requirements. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it will work with OJP to develop and implement written policies and procedures to ensure compliance with the 5-percent administrative expenditure limit, which it estimates completing by March 31, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS has developed and implemented written policies and procedures specific to the 5-percent administrative expenditure limit.

**13. Remedy \$16,168 in unsupported questioned costs related to non-personnel administrative costs.**

Resolved. OJP agreed with our recommendation. OJP stated that it will review the \$16,168 in questioned costs, related to unsupported non-personnel administrative costs that were charged to Grant Numbers 2018-V2-GX-0013 (\$12,360) and 2019-V2-GX-0006 (\$3,808), and will work with West Virginia JCS to remedy, as appropriate. As a result, this recommendation is resolved.

West Virginia JCS did not concur with our recommendation and stated that it will work with OJP to determine which costs were deemed unsupported, and work to obtain the supporting documentation, which it estimates completing by June 30, 2025.

This recommendation can be closed when we receive evidence that OJP has remedied \$16,168 in unsupported questioned costs related to non-personnel administrative costs.

**14. Require West Virginia JCS to enhance its written drawdown policies and procedures to include: (1) an adequate system of internal controls over the disbursement of VOCA funds to ensure funds are only provided to subrecipients for allowable costs that were incurred, and (2) supervisory review (or another control) of the reconciliation process used to calculate drawdown amounts to ensure West Virginia JCS does not request funds in excess of its needs.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain a copy of the written policies and procedures that it develops and implements to ensure the drawdowns of federal grant funds are based on actual expenditures incurred, or are the minimum amounts needed for disbursements to be made immediately or within 10 days of



drawdown. At a minimum, OJP stated it will require that West Virginia JCS' policies and procedures include provisions ensuring that: (1) an adequate system of internal controls over the disbursement of VOCA funds limits funds provided to subrecipients to those for allowable costs incurred; and (2) supervisory review (or another control) of the reconciliation process used to calculate drawdown amounts to ensure West Virginia JCS does not request funds in excess of its needs. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it will work with OJP to enhance its written drawdown policies and procedures, which it estimates completing by March 31, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS has enhanced its written drawdown policies and procedures with an adequate system of internal controls for disbursing VOCA funds, including a supervisory review process.

**15. Remedy \$196,776 in unallowable questioned costs related to excess drawdowns for the 2018 award.**

Resolved. OJP agreed with our recommendation. OJP stated that it will review the \$196,776 in questioned costs, related to unallowable excess drawdowns that were charged to Grant Number 2018-V2-GX-0013, and will work with West Virginia JCS to remedy, as appropriate. As a result, this recommendation is resolved.

West Virginia JCS did not concur with our recommendation and stated that it will work with OJP to determine which costs were deemed supported, and work to obtain the supporting documentation, which it estimates completing by June 30, 2025.

This recommendation can be closed when we receive evidence that OJP has remedied \$196,776 in unallowable questioned costs related to excess drawdowns for the 2018 award.

**16. Require West Virginia JCS to train its financial staff on the DOJ Grants Financial Guide FFR requirements and the instructions within the West Virginia JCS' Accounting Policies and Procedures.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with the West Virginia JCS to obtain evidence of training provided to its financial staff regarding the DOJ Grants Financial Guide, Federal Financial Reporting (FFR) requirements, and the instructions within West Virginia JCS' *Accounting Policies and Procedures* manual. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it will identify and provide necessary training to its financial staff on the FFR requirements, as well as the *Accounting Policies and Procedures* manual, which it estimates completing by March 31, 2025.



This recommendation can be closed when we receive evidence that West Virginia JCS has trained its financial staff on the DOJ Grants Financial Guide FFR requirements and the instructions within the West Virginia JCS' *Accounting Policies and Procedures* manual.

**17. Coordinate with West Virginia JCS to ensure FFRs are accurate and supported by accounting records going forward.**

Resolved. OJP agreed with our recommendation. OJP stated that it will coordinate with West Virginia JCS to obtain a copy of the latest FFR submitted for Grant Numbers 2019-V2-GX-0006 and 2020-V2-GX-0056, and documentation to support that the federal cumulative expenditures reported are accurate and supported by the grant accounting records. As a result, this recommendation is resolved.

West Virginia JCS concurred with our recommendation and stated that it will work with OJP moving forward to ensure FFRs are accurate and supported by accounting records, which it estimates completing by March 31, 2025.

This recommendation can be closed when we receive evidence that West Virginia JCS ensured that FFRs are accurate and supported by accounting records going forward.