



**Victim Assistance Section**  
**Audit Report**  
May 31, 2024

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## I. Executive Summary

Before the 2023 change in administrations at the Attorney General's Office, victim services were not a priority.

- The program that notified victims of the expiration of protective orders was not renewed. The previous attorney general gave no reason for the lapse, and victims, law enforcement, and prosecutors were not informed.
- Records pertaining to victim services were destroyed or not maintained.
- Applications for reimbursement and victim services were kept in paper files that were often misplaced.
- Victims received alarming notifications that their victimizers were being released from custody when, in fact, they were being moved from jail to prison.
- Training of advocates, law-enforcement personnel, and prosecutors was sparse and limited in scope, and customer service was poor.
- Grantees were required to put themselves through expensive audits that the law did not require. Medical personnel seeking reimbursements were required to submit private medical information that the law did not require.
- Compensation for nurses who conduct specialized examinations of sexual-assault victims stagnated.
- The Office was not complying with its obligations under Iowa law to make certain programs and systems available to victims, law enforcement, and prosecutors.

Upon taking office, Attorney General Bird undertook to fulfill her pledge to make victim services a priority. She gathered information and input from victims, victim advocates, service providers, law enforcement, and prosecutors across Iowa and directed a complete audit of the section responsible for victim assistance—of its performance, systems, policies, and spending. This report compiles the results of that audit, the improvements put in place because of it, and the Victim Assistance Section's plan for continued improvements.

## **A. Improvements made.**

### **1. Prosecutors can now track sexual-assault evidence collection kits.**

The Attorney General's Office provides a statewide program that enables the tracking of sexual assault evidence collection kits. *See* Iowa Code § 915.53(2). The audit uncovered that the program did not allow prosecutors to update the status and location of these kits, making the program noncompliant with Iowa law. *See* Iowa Code § 915.53(3)(b). This deficiency is now fixed, and prosecutors can update the status of sexual assault evidence collection kits.

### **2. Improved outreach.**

The Victim Assistance Section provides vital resources to crime victims, law enforcement agencies, county attorney offices, victim service providers, and others. But roundtables and feedback made it clear that many professionals were unaware of Victim Assistance and the services it provides and facilitates. Victim Assistance has improved its reach by developing single-page reference guides and new brochures and identifying new audiences and partners, such as the Iowa Department of Health and Human Services.

### **3. Expanded training on an expanded number of topics, including domestic violence, homicide, other violent crimes, and human trafficking.**

Until 2023, Victim Assistance staff focused training efforts on sexual assault, while domestic violence, homicide, and other violent crimes were neglected. Feedback from law-enforcement officials indicated that training on those topics in addition to sexual assault would benefit them and other community partners. The scope of the incumbent training coordinator's position was expanded beyond sexual-assault trainings and Victim Assistance hired a second training coordinator to ensure that training on domestic violence, homicide, and other violent crimes was available to and taken advantage of by law enforcement, prosecutors, victim advocates, and other professionals in Iowa.

Victim Assistance hosted its first ever Sexual Assault Response Conference in April 2023, which more than 260 people attended. Using

the success of that conference as a template, Victim Assistance will host its first Domestic Violence Response Conference in October.

The training coordinators partnered with the Prosecuting Attorney Training Coordinator to develop a catalog of more than twenty courses available for law enforcement, prosecutors, advocates, nurses, and others. In addition, Victim Assistance has worked with local law-enforcement and other community partners to host these trainings in the communities themselves to make them more accessible to those whose duties make it difficult to travel to Victim Assistance's office in Des Moines.

Rather than siloing human-trafficking concerns within a single position, all three coordinators now address human trafficking as part of their duties—law enforcement and other victim-services personnel must be able to recognize and address trafficking concerns and trafficking victims no matter the crimes for which a perpetrator may ultimately be tried.

#### **4. Improved customer service.**

Several county attorneys' offices declined to apply for grant funding from Victim Assistance due to dissatisfaction with its staff. The complaints pointed to rude or unfriendly employees who did not provide necessary support. Those staffing concerns were fully addressed, and Victim Assistance has received no further such complaints.

#### **5. Fiancées of homicide victims are now, as regulations require, eligible for compensation.**

One roundtable participant wanted to know why a fiancée of a victim of a homicide was ineligible for crime-victim compensation from the Victim Assistance Section. The audit uncovered an unwritten policy making those people ineligible—even though Iowa regulations specifically state that they are. Iowa Admin. Code 61–9.26. That unwritten policy has been eliminated, and fiancées of homicide victims may now, as the regulation requires, be compensated as survivors of homicide.



## **B. Improvements to come.**

### **1. Developing a protective-order notification system.**

Iowa law requires the Attorney General's Office to have a protective-order notification system in place that, among other things, notifies victims that a protective order has been served on a perpetrator, of the expiration date of that order, and when it is 30 days until the order expires. *See* Iowa Code § 915.52. During roundtables in early 2023, attendees asked about the lack of such a system. The audit revealed that the previous administration had terminated the system in 2019 and, in violation of the law, had not had a protective order notification system in place since then. In response, Victim Assistance has contracted with a service provider to develop and establish the system that the law requires. Work is ongoing with this important project.

### **2. Reducing confusion with victim-notification messages.**

The Iowa Attorney General's Office manages the contract for an automated victim-notification system called IowaVINE (Iowa Victim Information Notification Everyday). Iowa Code § 915.10A. Community input made Victim Assistance aware that the system sent messages that confused and alarmed recipients. For example, a victim might receive a message that an offender was being released when the offender was in fact being transferred from jail to prison. Victim Assistance acted with the contractor to fix these confusing messages, and work is ongoing to ensure that victims are well-informed of their perpetrators' incarceration status.

### **3. Bringing consent forms for victims of sexual assault into legal compliance.**

Victim Assistance several years ago created forms to inform sexual-assault victims about the process of investigating sexual assaults, sexual-assault examinations, and a sexual-assault victim's rights and to obtain the victim's consent to perform a sexual-assault examination. The audit discovered that these forms did not comply with the governing statute. *See* Iowa Code § 709.10(11). Victim Assistance is drafting revised consent forms that will comply with statutory requirements.

#### **4. Grant manual under review.**

The Victim Assistance Section grant manual imposed an audit requirement on grantees based on an Iowa law that was eliminated in 2011. The grant manual was updated to reflect the change in Iowa law, and a broader review of the grant manual is underway.

#### **5. Increasing compensation for nurses who perform sexual-assault exams.**

A common concern raised during roundtables across the State was that sexual-assault nurse examiners, who are specially trained and certified to conduct a sexual-assault examination of a victim, are in very short supply. One reason that former and current nurses identified for that shortage was the \$200 in pay they receive to conduct each examination, which takes a minimum of two hours. The \$200 rate has not changed since 2005. *See* Iowa Admin. Code 61–9.83. The Attorney General will soon propose a rule that would double that to \$400 per examination.

Nurses also requested reimbursement for mileage since they often had to leave their homes when they were off shift to perform these examinations. The Office has revised its procedures to allow nurses to be reimbursed for mileage traveled to and from the location where they perform the sexual-assault examination.

#### **6. Modernizing the crime victim compensation program.**

Every year, hundreds of Iowans apply for crime victim compensation. The Crime Victim Compensation Program relies on a combination of a confusing online application process, which results in an application that Victim Assistance must print, and paper applications. This requires an extraordinary amount of printing and storage. Victim Assistance redesignated grant funding to cover the costs of modernizing the online application and enable paperless files, reducing printing and storage costs. These necessary upgrades are therefore taking place without additional cost to taxpayers.

#### **7. Updating contracts to help ensure that grant money goes to victim services.**

Grant money awarded to victim-service agencies is for direct support for victims of crime. *See, e.g.,* 34 U.S.C. § 20103. Many agencies that



receive funding from Victim Assistance engage in projects that do not do so. Victim Assistance has revised its grant contracts to ensure that its grant funds are used only to support crime victims, including specifying that funds used for a different purpose are subject to a claw back.

## **II. Introduction**

As part of her reorganization of the Attorney General's Office, Attorney General Brenna Bird in January 2023 moved the Victim Assistance Section—formerly the Crime Victims Assistance Division—under the newly established Criminal Justice Division. Shortly thereafter, John Gish was hired as Section Chief. Gish, formerly the Washington County Attorney, brought a wealth of experience with law-enforcement and victim-services personnel to the position.

Gish oversaw an internal audit of Victim Assistance's budget, procedures, and services. As part of that audit, Attorney General Bird hosted sixteen roundtable listening sessions across Iowa with law enforcement, prosecutors, victim-witness coordinators, victim advocates, and other community partners. (These sessions are listed in Appendix A.) The Attorney General's Office also invited comments and other input from Iowans, which came through telephone calls and emails. The audit also involved extensive conversations with Victim Assistance staff, review of Iowa statutes and the Iowa Administrative Code, and review of the section's policies.

Unfortunately, the audit was impeded by the inability to locate a significant number of physical and electronic documents that Gish expected to find and that would typically be expected to be kept in the normal course of business. Though it appears the documents were deliberately destroyed before Attorney General Bird took office, it is possible that they were misplaced or accidentally disposed of. These documents included grant paperwork, purchase-order information, internal office evaluations, program guidance, and internal office procedures. They may have also included status reports on programs and ongoing projects, none of which were available for Gish to review either as part of the audit or as the incoming section chief.

The audit reviewed the entirety of Victim Assistance's operations—every one of its positions, policies, procedures, and practices. It did so using stakeholder input from roundtables and other comments to identify potential issues; internal suggestions from section and division

staff; and independent investigation and review by Gish. The audit was conducted in addition to Gish's duties as Section Chief with assistance from other Office personnel as needed, all of whom were still responsible for their day-to-day duties. That broad scope and lack of additional personnel resulted in a detailed analysis and significant changes to operations, but also required more time than the Attorney General and Office management had anticipated. This was exacerbated by the absence of documents described above.

### **III. Office Organization**

#### **A. Previous organization.**

**Front office:** One public-service supervisor oversaw two legal secretaries. Their primary roles included, but were not limited to submitting payroll, answering phone calls, directing communications to the correct person, opening mail, filing reports from law enforcement, medical providers, advocates, and prosecutors, and greeting visitors.

**Payment programs:** The Crime Victim Compensation and Sexual Assault Examination Payment Programs were both supervised by one person. This team was tasked with managing claims for crime-victim compensation and paying for sexual-assault examinations. Two of the compensation employees juggled both crime-victim compensation claims and sexual-assault claims. One employee on this team, called the "division advocate," responded to walk-in victims and spoke with victims on the phone to walk them through a compensation application. Two other employees split their time on sexual-assault examination costs. There was also an employee who pursued subrogation from criminal defendants. This team was always short-staffed.

**Training, Advocacy, and Outreach:** This team had a supervisor, a sexual-assault training coordinator, a sexual-assault forensic-nurse coordinator, and a human-trafficking coordinator. A victim-rights coordinator position had been vacant since August 2022.

**Grants team:** The Victim Service Support program, or grants team, had five staff members who managed grants awarded to agencies across Iowa. They provided technical assistance to grantees, reviewed grant applications, and monitored federal and state compliance.

**Finance:** This team had one supervisor and two accountants. The three of them helped to collect federal and state monies, distribute those monies to grantees, and manage Victim Assistance’s budget and the State’s crime-victim compensation fund.

## **B. New organization.**

To improve efficiency, save money, and enhance our training and outreach efforts, several changes were made to the office organization.

**Crime-victim compensation:** The front-office supervisor position was converted to a legal-secretary position and the front-office team was made part of the Crime Victim Compensation team. The legal secretaries are now trained to respond to calls for crime-victim compensation, a task previously held by the “division advocate,” a position that was eliminated. Since most of the legal secretaries’ work involved crime-victim compensation, these changes reduced costs by eliminating a supervisor position and improved efficiency by consolidating all crime-victim compensation tasks into one team. Sexual-assault examination payments were consolidated with a single employee rather than having two employees split duties.

**Training and Outreach:** This team saw significant changes.

- The Training, Advocacy, and Outreach team is now just Training and Outreach. This was part of the culture change: Victim Assistance is not advocacy-based but part of a law-enforcement agency.
- The Sexual Assault Training Coordinator’s focus was expanded, and that position is now simply a Training Coordinator. A second Training Coordinator was hired to support efforts in training professionals in best practices for victims of all violent crimes.
- The Human Trafficking Coordinator was moved into a new Programs Coordinator position and now manages various programs, including the IowaVINE system discussed in Section IV.A.3. Human-trafficking responsibilities were integrated across Victim Assistance as part of the integration of human-trafficking training and outreach across the entirety of Victim Assistance’s programs.

- The victim advocate was moved to a new Outreach Coordinator position whose responsibilities include managing brochures and handouts, providing basic victim-assistance training, and conducting statewide outreach. The victim advocate position was eliminated. The Attorney General’s Office in general, and Victim Assistance in particular, is not an advocacy agency, and the presence of a “victim advocate” confused both victims and actual victim advocates.

Altogether, these staff changes will let Victim Assistance refocus its efforts on victims of all violent crime, and not just sexual assault and human trafficking, resulting in better training and outreach opportunities.

**Grants:** As discussed above, participants at roundtable meetings voiced concerns over the lack of helpful customer-service from this team. The team manager made changes to staffing responsibilities, which not only reduced staff travel, but also resulted in improved customer service.

**Finance:** There were no changes to this team.

### **C. Victim Assistance Board.**

Under Iowa law, the only authority the Victim Assistance Board has is to draft and promulgate administrative rules and hear crime victims’ appeals of compensation decisions. Iowa Code § 915.82(3). Administrative rules also grant the Board authority to hear appeals of decisions concerning grants. Iowa Admin. Code 61–9.8. Historically, however, the Section Chief and each program manager provided a report to the Board at each of its quarterly meetings. In the past, the Board also dictated Victim Assistance policies involving crime victim compensation and decided on a Victim Assistance mission statement. This created an impression among Victim Assistance staff that the Board, rather than the Section Chief, was in charge.

These practices have been eliminated. Doing so returned to an orderly chain of command rather than one that conflicts with Iowa law and regulation. Because it took significant staff and managerial time to prepare these unnecessary reports, their elimination reduced time spent on work that did not improve outcomes for crime victims.



## **IV. Audit Findings**

### **A. Training and Outreach Team.**

The Training and Outreach Team manages several statewide programs like the victim-notification software, sexual-assault examination kit tracking software, and the protective-order notification software. Additionally, it provides best-practice training for law enforcement, prosecutors, advocates, and others; and it performs outreach to inform those same professionals about crime-victim compensation, grants, and other Victim Assistance services. It also administers the Iowa sexual assault nurse program.

#### **1. Expanding awareness of the Victim Assistance Section.**

It was obvious during the roundtables that few law-enforcement, prosecutor, and victim-services staff and leaders knew much about what Victim Assistance did. During the audit, it was revealed the Training and Outreach Team performed insufficient outreach. Additionally, the outreach materials being shared were a decade or more old, meaning the information that was provided was out of date, and did little to educate recipients on Victim Assistance's programs or purposes.

Example: The former Training and Outreach team manager was planning a statewide virtual training. When asked how professionals would be invited to attend, the manager pointed to a link in his email signature that people could click to sign up for Victim Assistance's listserv. In other words, the only people receiving the training manager's notices were those who previously received emails from the manager, saw the link in the manager's email signature, clicked on the link, and signed up for the listserv. Those who never received his email, let alone clicked on his link in his email, would never hear about training opportunities.

Example: A one-page handout was intended to inform the public about victim compensation. But the handout was filled with abbreviations and acronyms that were neither defined nor explained. This was common for external communications from Victim Assistance.



## **2. Resetting the Training and Outreach Team.**

The new Resources Coordinator position completed a total overhaul of brochures and pamphlets. Among the improvements was the production and distribution of a single-page informational flyer, which grew out of suggestions from county sheriffs from different parts of the state during roundtables. This single-page flyer, and the outreach materials as a whole, ensure Iowans have accurate and accessible information about Victim Assistance.

A new Training Coordinator was hired to focus on domestic violence, homicide, and other violent crime. Before 2023, this service to Iowans was lacking.

Before 2023, Victim Assistance operated separately from the rest of the Attorney General's Office. This siloing and lack of communication among sections was common. It reduced the ability to share expertise and information, increasing operating costs and reducing efficiency by, metaphorically, requiring the wheel to be invented over and over again rather than sharing an already-invented design throughout the Office. In a practice that is now common, the Training and Outreach Team collaborated with the Office's Prosecuting Attorney Training Coordinator Section to develop and implement a new training catalog. The catalog lists more than twenty classes available to law-enforcement officers, prosecutors, victim advocates, and other professionals who interact with victims. These training sessions include topics such as trauma, victim rights, domestic-violence prosecutions, and human trafficking in Iowa. The victim-rights course, in particular, was developed in direct response to a request from law enforcement in northern Iowa, who requested more training on that topic.

Victim Assistance hosted its first ever Sexual Assault Response Conference in April 2023, counting more than 260 people in attendance. While the planning effort for this conference began in 2022, the audit identified (1) unnecessary restrictions on planning staff that affected the types of speakers that were invited, (2) defective contracts, (3) an incomplete budget, and (4) the inability to provide training credit for sexual assault nurse examiners who attended. Those handicaps were removed in early 2023. The result was overwhelmingly positive feedback from attendees and certification for sexual assault nurse examiners.

The first of its kind Domestic Violence Response Conference is planned for October 2024. This event is being spearheaded by the newly hired Training Coordinator, with the success of the 2023 Sexual Assault Response Conference being used as a template.

One recommendation from the roundtable discussions was for Victim Assistance to establish and maintain a website with comprehensive information on victim services available throughout Iowa. This is a worthy project, but limited resources currently prevent Victim Assistance from pursuing it. Victim Assistance continues to fund and support the Iowa Victim Service Call Center, a resource available around the clock through text and a toll-free phone number to connect victims with appropriate services

### **3. Improving the victim-notification system.**

The IowaVINE system (Iowa Victim Information and Notification Everyday; the automated system that informs victims of protective orders, offender release dates, and related matters) was the subject of many complaints at roundtables and in telephoned and emailed comments. The system is owned by Appriss, Inc., and known nationwide for its ability to notify victims when a jail inmate or prisoner is released from custody or transferred to a different facility. Nevertheless, victim advocates, prosecutors, and law-enforcement officers all voiced concerns with the system, the most common of which was that an offender's transfer from county jail to state prison would likely trigger a notification to the victim that the offender was "released from custody"—an inaccurate and alarming text message for a victim who expects an offender to serve a prison term to receive.

As a result of the complaints, Victim Assistance met with Appriss staff, who worked on the default messages. Victim Assistance and Appriss staff jointly met with and held trainings with sheriffs and jail administrators across Iowa. This has improved the quality of the notifications and reduced confusion. Victim Assistance continues to work with Appriss to refine the system even further.

### **4. Establishing a protective order notification system.**

The Attorney General's Office is required to establish and manage an "automated protective order victim notification system," Iowa Code § 915.52, and Victim Assistance originally established such a system in

2012. After noting some issues with the program in 2018, the previous administration terminated it on May 10, 2019. The audit did not uncover records revealing the reason for that termination. Indeed, it's not clear how well Victim Assistance communicated this termination—many Iowa counties that still advertised this service. Despite the statutory mandate to do so, the Attorney General's Office never established a replacement system. Victim Assistance has thus, for years, been failing, on the one hand, the requirements of Iowa law and, on the other, and survivors of domestic violence and sexual abuse.

To bring the Attorney General's Office into compliance with Iowa law, Victim Assistance is finalizing an agreement with a company to provide protective order notifications once again.

#### **5. Broader access to the sexual-assault kit tracking system.**

Whenever there is a medical examination of a sexual assault victim, the medical professional has the opportunity, if the victim agrees, to collect evidence using a sexual-assault kit. These kits are tracked in statewide software that Victim Assistance contracts with a company to provide. This service is mandatory under Iowa law. Iowa Code § 915.53.

One requirement of this program is that county attorneys be able to update the status of each kit within their jurisdiction. Iowa Code § 915.53(3)(b). The audit uncovered that the software did not allow prosecutors to do so. Victim Assistance has since negotiated a fix of the software so the program now complies with the law.

#### **6. Easing the shortage of sexual-assault nurse examiners.**

Nurses who perform special examinations of sexual-assault victims require special training and certification. Often, a single such nurse—a sexual assault nurse examiner, sometimes referred to as a SANE—covers multiple hospitals. Only 473 nurses throughout Iowa have gone through this training. That number, however, overstates the number of available nurses because it includes nurses who have retired, moved out of state, or decided to no longer perform these exams. As a result of a shortage of these nurses, they may be called upon to perform a sexual-assault exam during non-work hours, sometimes at a distant location. This frequently results in excruciatingly long wait times for victims of sexual assault. One example is a victim at a Polk County hospital who had to wait 8 hours before being seen by a sexual assault nurse



examiner. Another is a victim in southeast Iowa who waited several hours for a sexual assault nurse examiner before walking out of the hospital and declining to return. These examples, unfortunately, are not isolated; similar stories abound.

To compensate and incentivize nurses to perform these important services for victims, the Iowa Attorney General's Office pays those who perform these exams for each sexual assault exam performed. Iowa Admin. Code 61-9.83. But their compensation, \$200 per examination, has not changed since 2005—almost 20 years. At roundtables and in telephone calls, emails, and meetings, the universal recommendation for increasing the number of sexual assault nurse examiners was to increase their compensation. Another frequent recommendation was to reimburse nurses for the travel they undertake to perform sexual assault examinations.

The Attorney General's Office has decided to adopt these recommendations. It has implemented a new policy to compensate sexual assault nurse examiners for the mileage they travel to and from examination sites. The per-exam compensation rate is set in the Iowa Administrative Code and can be changed only by amending that rule. The Attorney General's Office is therefore proposing an amended rule that will double the per-exam rate to \$400. Additionally, Victim Assistance continues to provide free training to certify and re-certify nurses throughout Iowa.

## **7. Revising the sexual assault examination consent form.**

Iowa law requires the Iowa Attorney General's Office to create a form to use to document a victim's agreement to a sexual-assault examination. Iowa Code § 709.10(11). This consent form is supposed to inform the victim about his or her rights, inform the victim about the examination, and request various forms of consent. The form must be presented to the victim before the sexual-assault examination starts.

Unfortunately, the consent form created under the prior administration does not meet Iowa law. The form does not inform victims of everything that the law requires. Nor does it give the victim the full range of consent choices it is required to give. (Appendix B is a chart comparing the current form to the requirements of the Iowa Code.) Further, because the forms are contained within unopened sexual-assault kits, they can be accessed only if the victim consents to a sexual-

assault examination *before receiving the required information and consent form*. As a result, there is *no* record that victims declining a sexual-assault examination were being fully informed by the Attorney General’s Office of what they were declining. In short, sexual assault victims are not being fully informed of their rights.

The Victim Assistance Section is drafting a new, legally compliant consent form, along with future training for medical providers and advocates.

**B. Crime Victim Compensation Program.**

The Crime Victim Compensation Program reimburses victims of violent crime for certain out-of-pocket expenses. All expenses are the result of a violent crime. Payments come from the Crime Victim Compensation Fund, which is paid into by criminal defendants.

Total Crime Victim Compensation Payments in 2023 = \$ 5,315,897

Most Common Reimbursement Types in 2023

1	Medical expenses	\$ 1,006,293
2	Lost wages	\$ 709,376
3	Funeral and Burial	\$ 593,810
4	Mental Health Counseling	\$ 424,340
5	Transportation / Mileage	\$ 199,085
6	Loss of Support for Dependents	\$ 132,000
7	Emergency Relocation	\$ 70,870
8	Lodging	\$ 33,964
9	Residential Security	\$ 32,383
10	Clothing and Bedding Replacement	\$ 10,846

**1. Modernizing the compensation file system.**

Victim Assistance staff who work on compensation claims rely on an outdated paper filing system. Claims often involve hospital records, police reports, and other records; maintaining a paper file system requires printing resources and an abundance of storage space. This method of maintaining files resulted in lost or misplaced file folders.



Using federal funding the previous administration allocated toward an unproductive and expensive assessment project, Victim Assistance entered a contract to upgrade its crime-victim compensation computer software and is progressing towards a paperless process. As part of the upgraded software, victims and victim advocates can expect a more user-friendly online application and a portal that allows victims to message the compensation specialist assigned to their claim. Staff efficiency will improve, Victim Assistance will spend less money on paper and file storage, and there will no longer be an opportunity to misplace a file.

## **2. Improved language services.**

One issue revealed by the audit was the difficulty in furnishing services to crime victims who speak languages other than English. Iowa is home to persons and communities who speak a variety of languages, and victim services are available to them whether they can communicate easily in English or not. Victim Assistance has eased this trouble by hiring more employees, particularly in the Crime Victim Compensation team, who are bilingual in English and Spanish, which is by far the most common non-English language spoken by those who request Victim Assistance's help. It has also adopted internal procedures for identifying translators who can assist with communicating with crime victims who speak a language other than English or Spanish.

## **3. Reimbursements for medical services.**

Sexual-assault victims seen by a sexual assault nurse examiner receive specialized care. Under Iowa law, Victim Assistance reimburses the costs of this care, including the sexual-assault examination, along with treatment for the prevention of venereal disease. Iowa Code § 915.41(1). At roundtables and through other communications, law enforcement, victim advocates, and prosecutors have encouraged Victim Assistance to continue reimbursing the cost of emergency contraception prescribed to those victims, which the law does not require.

The Attorney General agrees that emergency contraception intended to prevent pregnancy should be reimbursed. Victim Assistance will therefore continue to reimburse the cost of emergency contraception furnished to sexual-assault victims if the prescribing provider, as part of the reimbursement application, certifies that the prescription was to prevent ovulation and not to prevent implantation of an embryo. Victim

Assistance will not cover the costs of abortions. Iowans have made their position on public funding of abortions clear through the votes of majorities they elected to both the House and Senate, each of which voted down a proposal to have our office pay for abortions.

#### **4. No longer demanding non-required medical records.**

For years, Victim Assistance demanded medical records from hospitals to substantiate claims for sexual-assault examination payments. However, these records are required only to support claims for crime-victim compensation, not payments for sexual-abuse examinations. *Compare* Iowa Admin. Code 61–9.35 *with* Iowa Admin. Code 61–9.82(2). Demanding records that a provider is not required to give is improper, and the practice has been terminated. Victim Assistance retains the right to request records to review suspected fraudulent claims.

#### **5. Fiancées of homicide victims now receive benefits.**

During a roundtable in northern Iowa, a victim advocate asked why the fiancée of a homicide victim was not eligible to receive crime-victim compensation as a survivor. The audit revealed a longstanding, unwritten rule prohibiting fiancées from receiving those benefits. This directly contradicts the Iowa Administrative Code, which specifically includes those engaged to homicide victims as survivors who are entitled to receive compensation. *See* Iowa Admin. Code 61—9.26. This unwritten policy was eliminated.

#### **6. Housing-assistance needs outpace available funds.**

During roundtable discussions, several victim-service providers asked about funds for housing assistance, which Victim Assistance can pay to crime victims “for up to three months ... not to exceed two thousand dollars per person per lifetime.” Iowa Code § 915.86(17). Unfortunately, past requests for those funds were so high that they crowded out other requests. This left little to no funds available for crime victims who requested other types of compensation, and Victim Assistance stopped covering this benefit on July 1, 2017. *See* Iowa Code § 915.88 (victim may be denied compensation if there is insufficient money appropriated to pay for it). The ability to award this benefit again in the future requires further funding.

### **C. Grants Team.**

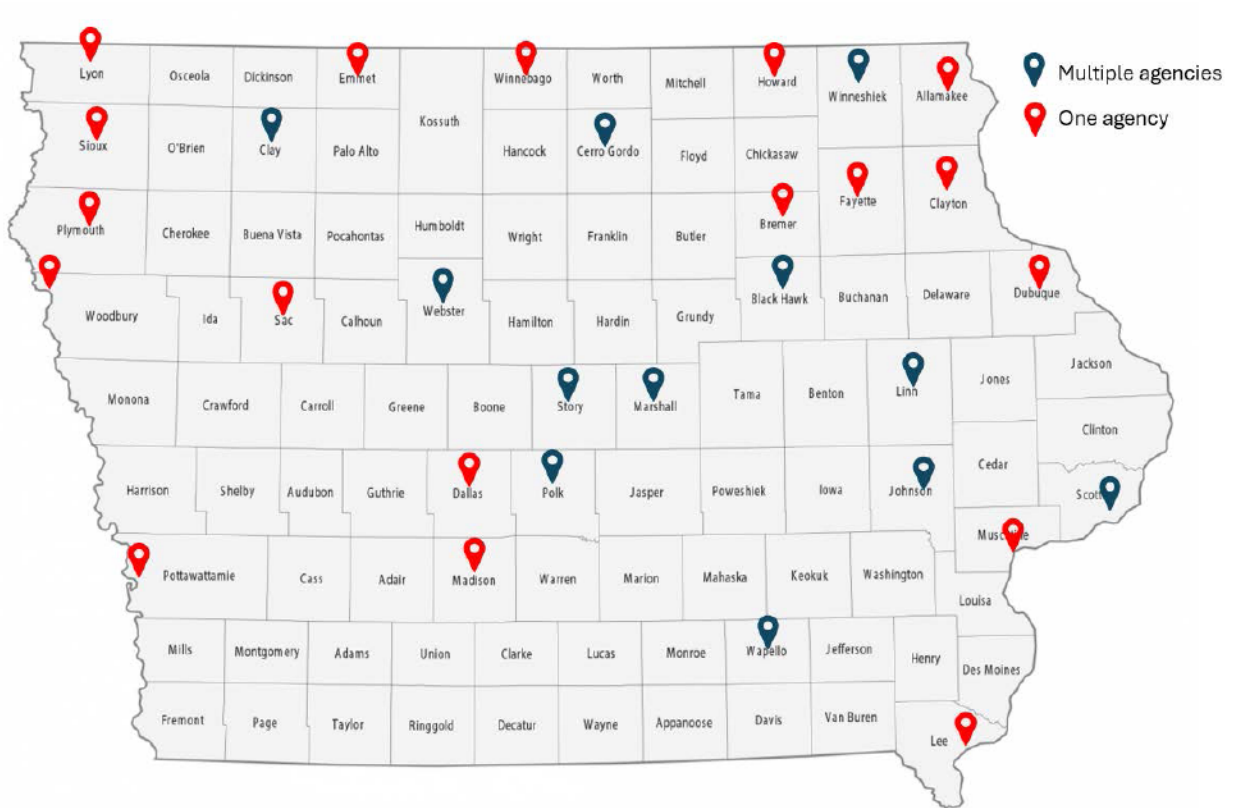
The Victim Services Support program, or Grants Team, receives federal and state funding for victims, and then awards those funds to state and local agencies who provide direct service or support for victims of crime in Iowa. Victim Assistance provides funding to<sup>1</sup>:

- 12 domestic violence victim service centers,
- 10 sexual assault victim service centers,
- 8 victim shelter centers,
- 10 homicide and other violent crime victim service centers,
- 3 community coordinated response teams,
- 7 culturally specific victim service centers,
- 20 specialized victim service centers,
- 9 law enforcement agencies,
- 5 prosecutors,
- 23 victim-witness coordinator positions in county attorney offices, and
- 8 training and technical assistance providers.

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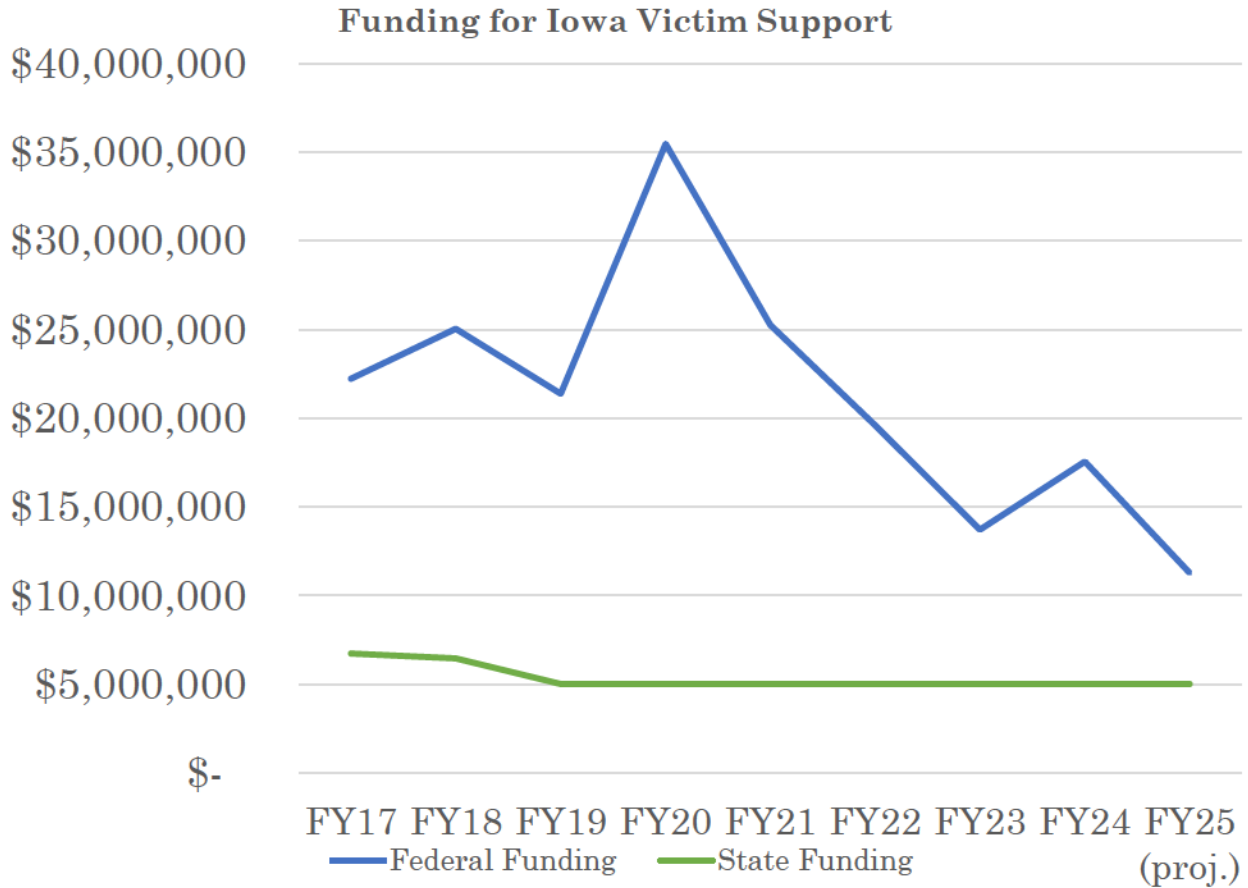
<sup>1</sup> The complete list of funded agencies is available on the Victim Assistance Section website (<https://www.iowaattorneygeneral.gov/for-crime-victims/grants/current-funded-new-initiative-programs>).

## Agencies Receiving Funding from the Victim Assistance Section



### 1. Federal funding cuts threaten victims.

Every year, Victim Assistance is awarded funding by the federal and state governments. While most of these funding sources remain stable, the largest funding source, the federal Victims of Crime Act funding, is volatile. Since 2016, Iowa has seen massive fluctuations in Victims of Crime Act funding, from \$19,095,346 to \$32,018,832, and more recently at \$13,896,011 in 2023. Current reports indicate that funding will be cut by 42%, a loss of roughly \$5.44 million.



A cut of this magnitude is likely to result in personnel cuts, particularly in rural areas. Iowa’s crime victims, in turn, will have less support and fewer resources for healing. For example, counties are likely to lose access to victim advocates, who attend court and related proceedings with victims to guide and support them through the process, and victim-witness coordinators. The number of shelter beds available for victims of domestic violence will fall. And funds available to compensate victims for travel to and from court and for wages lost to court proceedings will drop, reducing the availability of crucial witnesses to testify and increasing the number of perpetrators who are not held to account for their crimes. The lost funding will also result in cuts to services like victim hotlines, community-response teams, and training and outreach for advocates, law enforcement, and prosecutors.

**2. Requiring grant money to be used as required and grant recipients to be responsive to area stakeholders.**

The audit and associated roundtables revealed several instances where grant recipients were not complying with the requirements of



their grants and additional instances suggesting that Victim Assistance needed to take steps to ensure that grant money was used properly.

- During a roundtable in southern Iowa, participants revealed that a sexual-assault victim advocate providing services in their jurisdiction was living with a registered sex offender. Law enforcement and prosecutors did not want to work with this advocate because of that cohabitation and other issues with her professionalism. The director of the victim-advocacy center employing that advocate was present during those remarks, and took immediate action after the roundtable to address these concerns.
- Another roundtable in central Iowa revealed that one grant recipient, whose award covered several counties, was furnishing no services in one of those counties. That recipient was reminded of the terms of its grant and began offering services in the formerly unserved county. Victim Assistance continues to work with the grantee and county to ensure that victims are receiving appropriate services.
- Law-enforcement personnel at a roundtable in northeast Iowa complained that a victim-services agency refused to respond to calls for assistance with sexual assaults. When further investigation confirmed this to be the case, the Attorney General's Office educated the agency on its obligations under the law, including visits and training from the Deputy Attorney General for Criminal Justice. The agency's performance and relationship with law-enforcement personnel has improved and continues to do so.

Similar concerns have continued to come to light. In late 2023, several victim advocates contacted Victim Assistance about a victim-service center that was no longer providing direct services to children under the age of 14. The center informed Victim Assistance that it was looking for ways to reduce services because budget cuts were causing staff shortages. Victim Assistance reminded the center that one condition of funding is that victims, regardless of age, receive direct services.

Further, grant money awarded to victim-service agencies is for direct support for victims of crime. *See, e.g.*, 34 U.S.C. § 20103. Many

agencies that receive funding from Victim Assistance engage in projects that do not do so. This includes both organizations that provide comprehensive services and those that provide limited or specialty services. Examples of these projects include sponsoring protests, lobbying for amnesty for illegal immigrants, arguing against the state's recently enacted fetal-heartbeat law, and providing support to pregnant young women regardless of their status as crime victims. Whatever the merits of these positions and efforts, the law prohibits grant money awarded by Victim Assistance from going toward them. Victim Assistance has revised its grant contracts to ensure that its grant funds are used only to support crime victims, including specifying that funds used for a different purpose are subject to a claw back.

### **3. More improvements to the grants program are necessary.**

Victim Assistance's grants team awards more than \$20 million each year to agencies across Iowa in support of crime victims. These agencies must comply with Victim Assistance's grant manual as a condition of the funding. Under the previous grant manual, organizations that spent more than \$150,000 in a year in grant dollars were required to conduct a financial audit. The law requiring such audits, however, was repealed in 2011. The grant manual has been amended and now recommends grantees follow the guidance of their auditor and encourages grantees to obtain an audit. Other areas of the grant manual are under review.

Additionally, several agencies expressed frustration with the complexity of the grant application process. While major overhauls are currently cost prohibitive, Victim Assistance is committed to improving its outreach about the grants and the application process and the process itself. And since the next competitive grant cycle is in 2026, improvements in outreach to attract more grant applicants are being tabled while other, more immediate needs, are being met. In time for the next grant cycle, Victim Assistance will have updated training for grant applications and outreach for prospective applicants.

## **V. Conclusion**

Under Attorney General Bird, the Attorney General's Office is making victim services a priority. The years of neglecting the Office's role in serving victims are over. The extensive and exhaustive audit uncovered problems with, and led to much-needed reforms of, matters

as broad as record keeping, grantee reporting and accountability, and customer service. More troublingly, it uncovered longstanding neglect of—and, in at least one instance, affirmative decision to disregard—the Office’s legal responsibilities. And it revealed inefficiencies in the work and allocation of staff that, once remedied, have led to substantial increases in productivity, training, and community outreach with no impact on budget.

Challenges remain, and some of the problems identified by the audit require solutions whose implementation must be measured in, even in the best of circumstances, months. The talented and devoted staff of the Victim Assistance Section is equal to the task. The Attorney General’s Office looks forward to continuing to improve its service to victims of violent crime in the coming years.

### Appendix A: Roundtables

Date	Location
January 19, 2023	Polk County
January 19, 2023	Story County
January 19, 2023	Warren County
January 20, 2023	Pottawattamie County
January 26, 2023	Cerro Gordo County
January 27, 2023	Johnson County
January 27, 2023	Wapello County
February 2, 2023	Sioux County
February 2, 2023	Webster County
February 2, 2023	Woodbury County
February 3, 2023	Dubuque County
February 3, 2023	Scott County
February 9, 2023	Clarke County
February 16, 2023	Black Hawk County
February 17, 2023	Carroll County
February 17, 2023	Clay County

### Appendix B: Consent-form comparison

What Iowa Law Requires	Current Consent Forms
Information about the exam.	No
Informs victims they are not required to participate in the criminal justice system.	No
Informs victims they are not required to participate in an interview with law enforcement.	States law enforcement may investigate, “but I do not have to participate.”



What Iowa Law Requires	Current Consent Forms
Informs victims they are not required to undergo a forensic medical examination.	No
Informs victims they are not required to allow analysis of evidence collected.	No
Informs victims they may withdraw consent at any time.	Yes
Victim can consent/decline to the collection of evidence.	Yes
Victim can consent/decline to storage of evidence collected from forensic exam.	Yes, but it confusingly groups this consent into a question on whether to report to law enforcement.
Victim can consent/decline to release such evidence to the lab for analysis.	Yes, but it confusingly groups this consent into a question on whether to report to law enforcement.
Victim can consent/decline to make a report to law enforcement.	Yes, but it confusingly groups this consent into questions on evidence collection and storage.
Informs victims that if they do not initially consent to reporting to law enforcement or to allowing an analysis of the evidence, they may choose to do so later.	Does not state the victim may later consent to analysis.
Informs victims of their statutory rights under § 709.22.	No