



STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
Ka 'Oihana O Ka Loio Kuhina
CRIME PREVENTION AND JUSTICE ASSISTANCE DIVISION
235 S. BERETANIA STREET, SUITE 401
HONOLULU, HAWAII 96813
(808) 586-1150
ag.hawaii.gov/cpja

VOCA Match Waiver Policy Effective May 10, 2024
December 14, 2023

Background

As the State Administering Agency (SAA), the Hawaii Department of the Attorney General, Crime Prevention and Justice Assistance Division (CPJAD) is committed to assisting as many crime victims as possible through VOCA Victim Assistance funds. The requirement for VOCA projects to contribute 20% in match funds helps to supplement federal funds and increase the total amount of services available to victims of crime. As such, CPJAD supports the match requirement. CPJAD encourages projects to meet the match requirement and will monitor compliance with the match appropriately throughout the subaward. However, CPJAD also recognizes that the match can, in some circumstances, be an undue burden and limit the project's ability to provide quality services to victims.

In the VOCA Fix to Sustain the Crime Victims Fund Act of 2021 (VOCA Fix), the Office for Victims of Crime (OVC) allowed SAAs to waive the VOCA match requirement during the national emergency period due to COVID-19 pandemic, beginning March 1, 2020. The match waiver process in the VOCA Fix continues until one year after the conclusion of the national emergency period. On February 10, 2023, the federal administration announced that the national emergency period ends on May 11, 2023, and its protections end one year later, May 10, 2024.

Pursuant to 34 U.S.C. Section 20103(a)(7)(B), CPJAD re-evaluated its match waiver policy, effective May 10, 2024. CPJAD reviewed the following four criteria for match waivers, as recommended by OVC (OVC Bulletin: OVC September 2021 Updated Match Waiver Approval Process):

- practical and/or logistical obstacles to providing match (e.g., natural disasters, mass violence incidents, or when public agencies do not engage in private fundraising and may have limitations on soliciting contributing funds),
- local resource constraints (e.g., a rural community with limited local funding availability or volunteer capacity),
- increases to VOCA funding where local funding availability has not increased to the same degree, and
- past ability to provide match – subrecipients typically should be expected to justify a decrease in the dollar amount of match from the prior year (e.g., by describing a change in circumstances).

CPJAD found one factor overwhelming and determinative of its match waiver policy: obstacles to providing the match because of a natural disaster. In August 2023, disastrous wildfires ravaged Maui, resulting in the loss of more than 100 lives, the destruction of more than 2,000 buildings, and the displacement of more than 7,000 residents. “The disaster area had more than 800 business establishments with about 7,000 employees. The daily total business revenue of those establishments [prior to the wildfires] is estimated to be \$2.7 million a day. . . The Maui wildfires impacted not only West Maui, but our entire state and the lives of our residents in many ways and have affected our economic recovery from the COVID-19 pandemic. The reconstruction . . . will be a long-term process.” Department of Business, Economic Development and Tourism (DBEDT), <https://dbedt.hawaii.gov/blog/23-47>, September 6, 2023.

The Hawaii government administration has acknowledged the long and complicated statewide efforts needed to rebuild and rehabilitate after the wildfires. “The State is in the midst of ongoing response efforts to address the heartbreaking aftermath of the August 8, 2023, wildfires in Hawai‘i and Maui Counties, which caused extensive loss of life and damage to Lahaina,” wrote the Governor on October 30, 2023. “Some \$172.6 million previously appropriated for numerous public purposes such as Hawaii Convention Center roof repairs, state parks renovations and agricultural warehouses will instead be used for Maui wildfire responses, according to a memo from Governor Josh Green to his department heads. . . it has become evident that the State’s resource requirements will be substantial, even with federal support.” <https://www.civilbeat.org/2023/11/governor-money-for-hawaii-projects-statewide-will-instead-go-to-maui-fire-response/>, Hawaii Civil Beat, November 23, 2023.

In addition, the State still has not recovered from the impact of the pandemic on its economy. “Hawaii was hit hard by the COVID-19 pandemic. By 2022, Hawaii’s economy recovered to 95.8 percent of the 2019 level, while the U.S. economy has fully recovered and grown since 2021. During the first half of 2023, economic recovery in Hawaii stood at 97.7 percent compared to the first half of 2019. The current forecast indicates that Hawaii’s economy will be fully recovered to the 2019 level in 2025.” DBEDT, <https://dbedt.hawaii.gov/blog/23-67>, December 11, 2023.

With the lagging economy and the prioritizing of funds for the wildfire rebuilding and rehabilitation, funding for victim services may not be as robust or forthcoming as previous years. As a result, CPJAD will continue its match policy of offering a 100% match waiver for all VOCA projects for the period of their contracts/agreements, effective May 10, 2024. This match waiver policy will be reviewed every two years and revised as needed. Revisions will be in writing and made available publicly (see below for details for public availability.)

Match Waiver Policy as of May 10, 2024

CPJAD usually requires that the applicant demonstrate that it can provide matching contributions of 20% cash or in-kind of the total cost of each VOCA project, *i.e.*, VOCA award plus match, from non-federal sources. However, under 34 U.S.C. § 20103(a)(7)(B), due to the Maui wildfires natural disaster and its effect on the State economy, applicants for VOCA funding will be offered a blanket 100% match waiver. No justification is required from the applicant for the match

waiver; applicants only need to specify “100% match waiver” and “\$0 match” where indicated in the application. The written authorization for the match waiver will be the approval of the VOCA application. **Match waivers granted are temporary and may not continue beyond the current contract/agreement.** Match waivers are only available at the time of the VOCA application for funding. Applicants may decline the match waiver and provide a match.

This policy will be publicly available as follows: in the application information for CPJAD VOCA awards for contracts/agreements and on the CPJAD website at <https://ag.hawaii.gov/cpja/gp/voca>.

Match waivers will be reported to OVC annually.

This match waiver policy supersedes previous policies.