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# Crime Victims Fund-amentals

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Victims of Crime Act (VOCA)

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# What is the Crime Victims Fund?

- ☐ Created in 1984 as dedicated revenue source for the Victims of Crime Act (VOCA) to support state victim assistance and crime victim compensation.
- ☐ “special account,” separate, self-sufficient, mandatory spending account.
- ☐ Only Federal funding dedicated solely to supporting services to victims of **all types of crimes**.
- ☐ Paid entirely by Federal criminal offenders



***Not by taxpayers!!!***

***Doesn't add to debt or deficit***

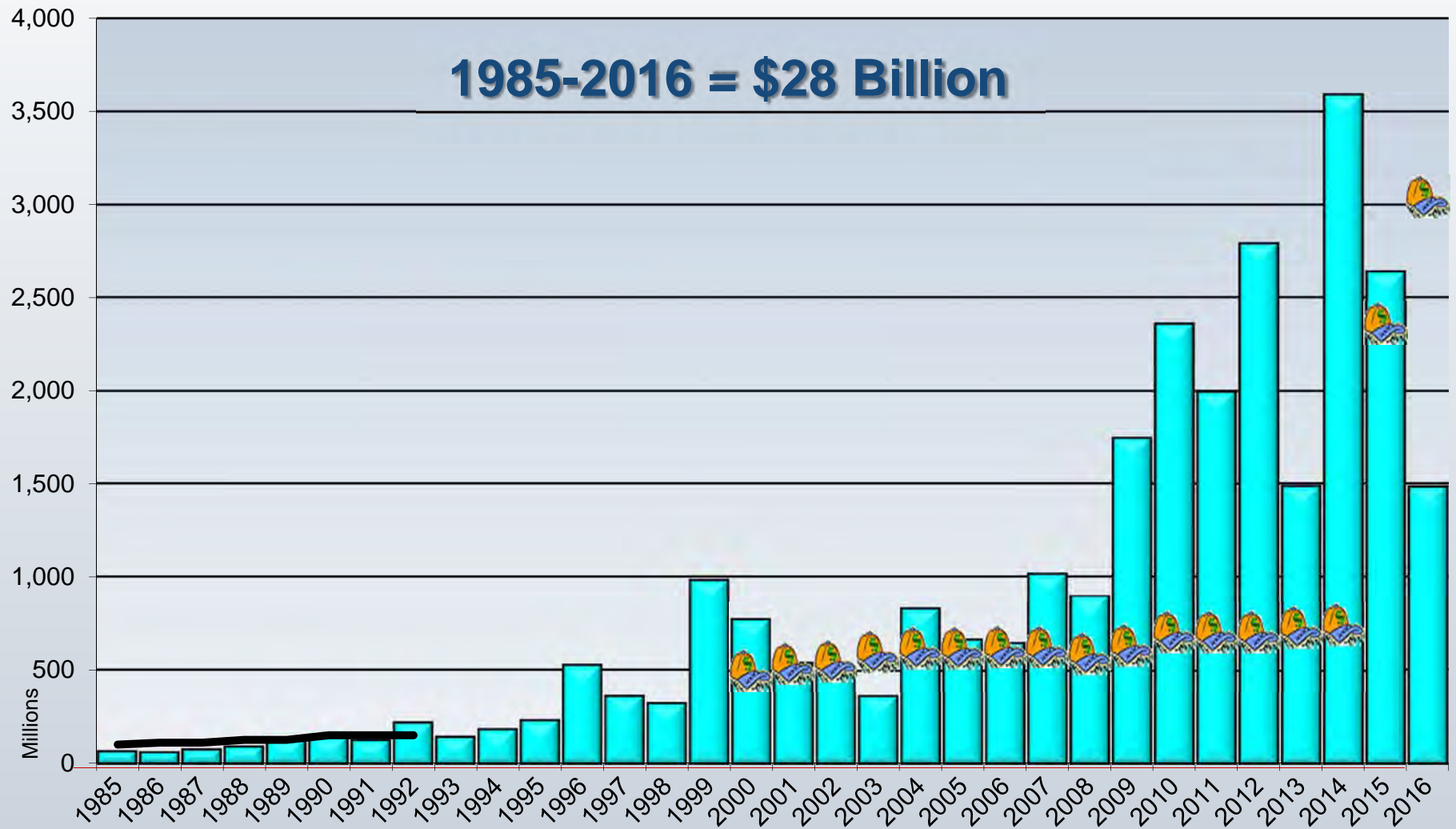


# Revenues - Source of Deposits

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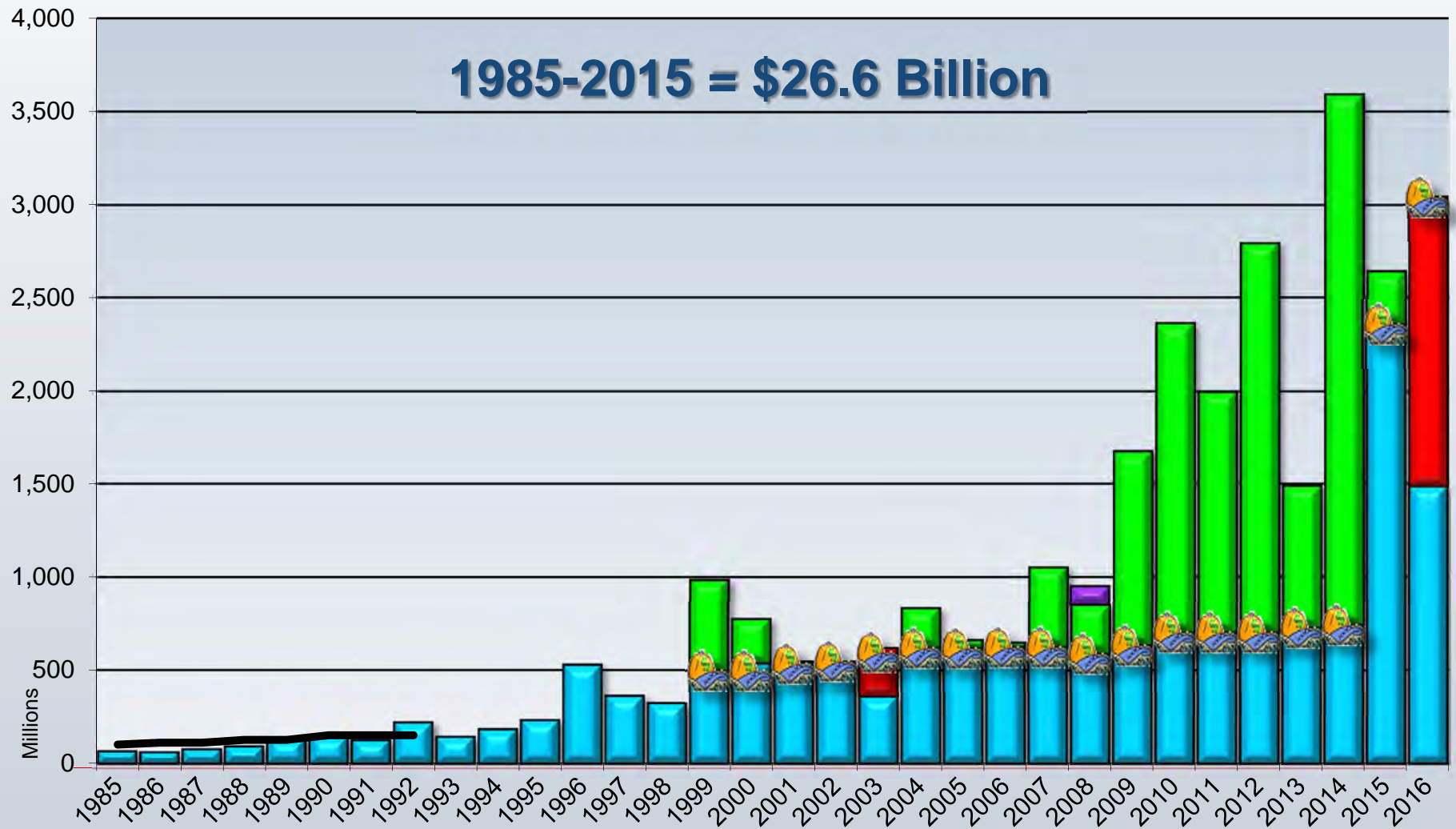
- ☐ Offender-based revenues:
    - Criminal Fines
    - Special Assessments
    - Forfeited Appearance Bonds
    - “Son of Sam” proceeds
    - Federal inmate care fees, court orders, miscellaneous
  - ☐ Private Gifts, donations, bequests
  - ☐ Some exceptions:
    - Environmental (Endangered Species, Lacey Act, navigable waters)
    - Miscellaneous (Railroad unemployment insurance, postal fund, county school funds)
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# Crime Victims Fund Deposits/Caps

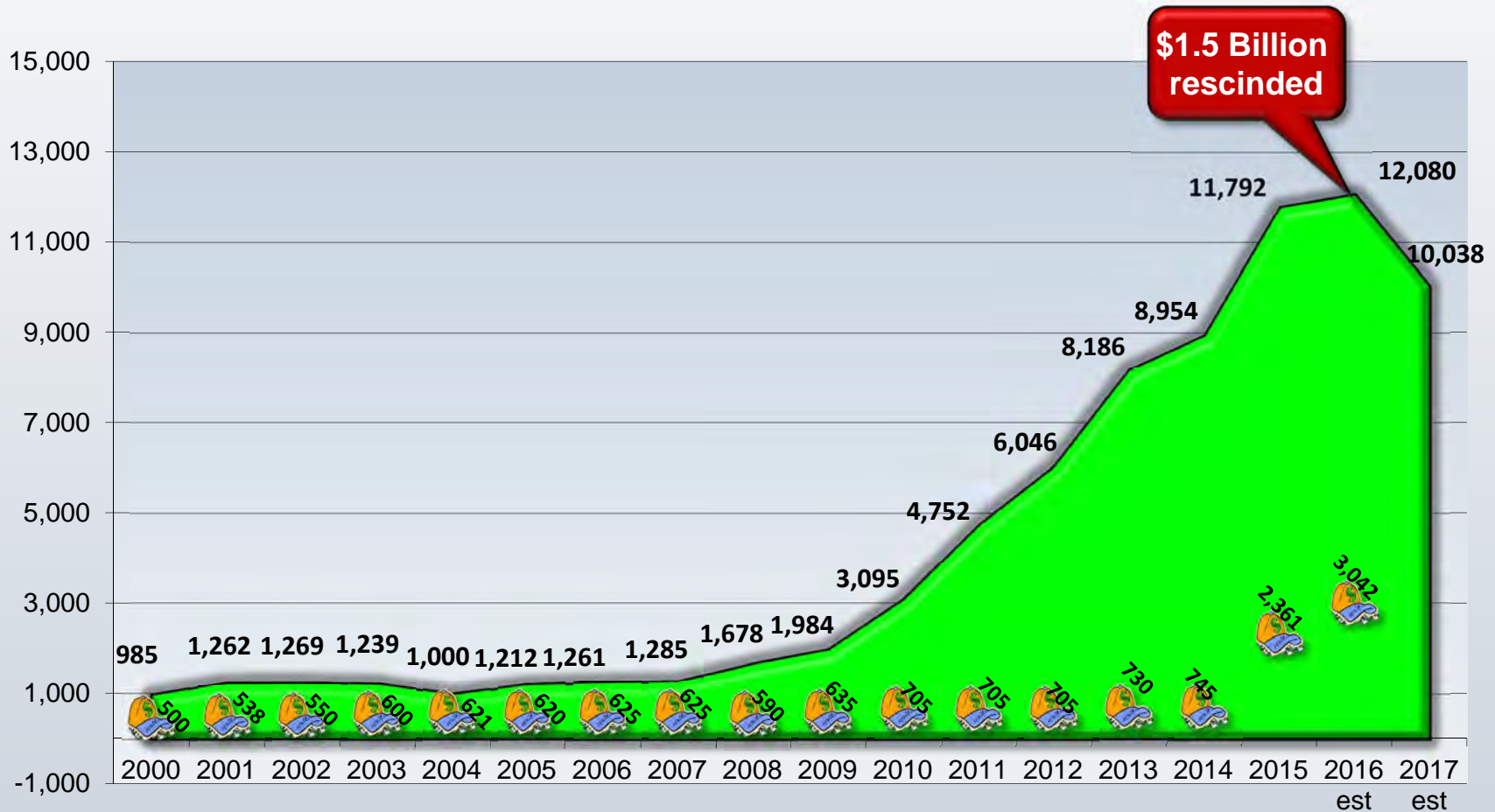




# Crime Victims Fund Deposits/Caps



# Crime Victims Fund Opening Balance



# Where the Money Goes...

## VOCA Authorized Programs

### ☐ Under the cap

- Children's Justice Act (\$20m)
- U.S. Attorneys' Victim/Witness Coordinators (\$20-\$30m)
- FBI Victim Assistance Specialists (\$16-\$26m)
- Federal Victim Notification System (\$4-\$5m)
- OVC Discretionary Grants (\$113-\$125m)
- State Crime Victim Compensation Formula Grants (\$137-\$165m)
- State Victim Assistance Formula Grants (\$445m-\$2.2b)

### ☐ Above the cap

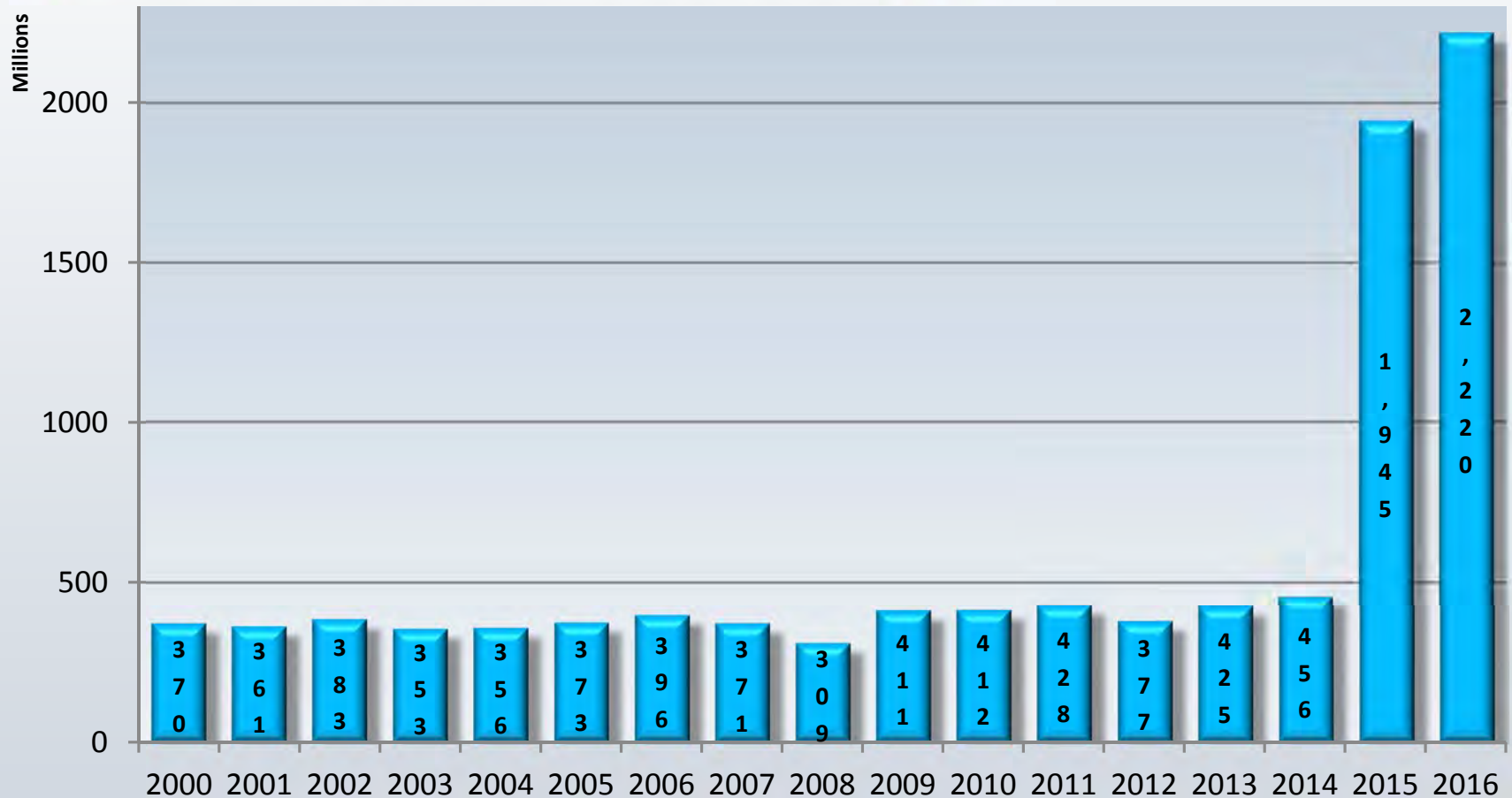
- Antiterrorism Emergency Reserve (up to \$50m)

## Other Costs

- OJP Management and Administration (M&A) – since 2012 (\$50-\$78m)
- Office of Inspector General – 2015, 2016 (\$10m)
- Transfer to VAWA – 2016 (\$379m)



# VOCA Assistance Grants





# State VOCA Assistance Grants

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- ☐ Of the amount available:
    - 56 jurisdictions.
    - Base amount
      - ☐ Each state, DC, PR and VI = \$500,000.
      - ☐ American Samoa, Guam, Northern Mariana Islands = \$200,000.
    - Remainder distributed on population.
  - ☐ For each grant, year of grant plus 3 years.
  - ☐ State discretion to select subgrantees and amount
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# VOCA Assistance Rule

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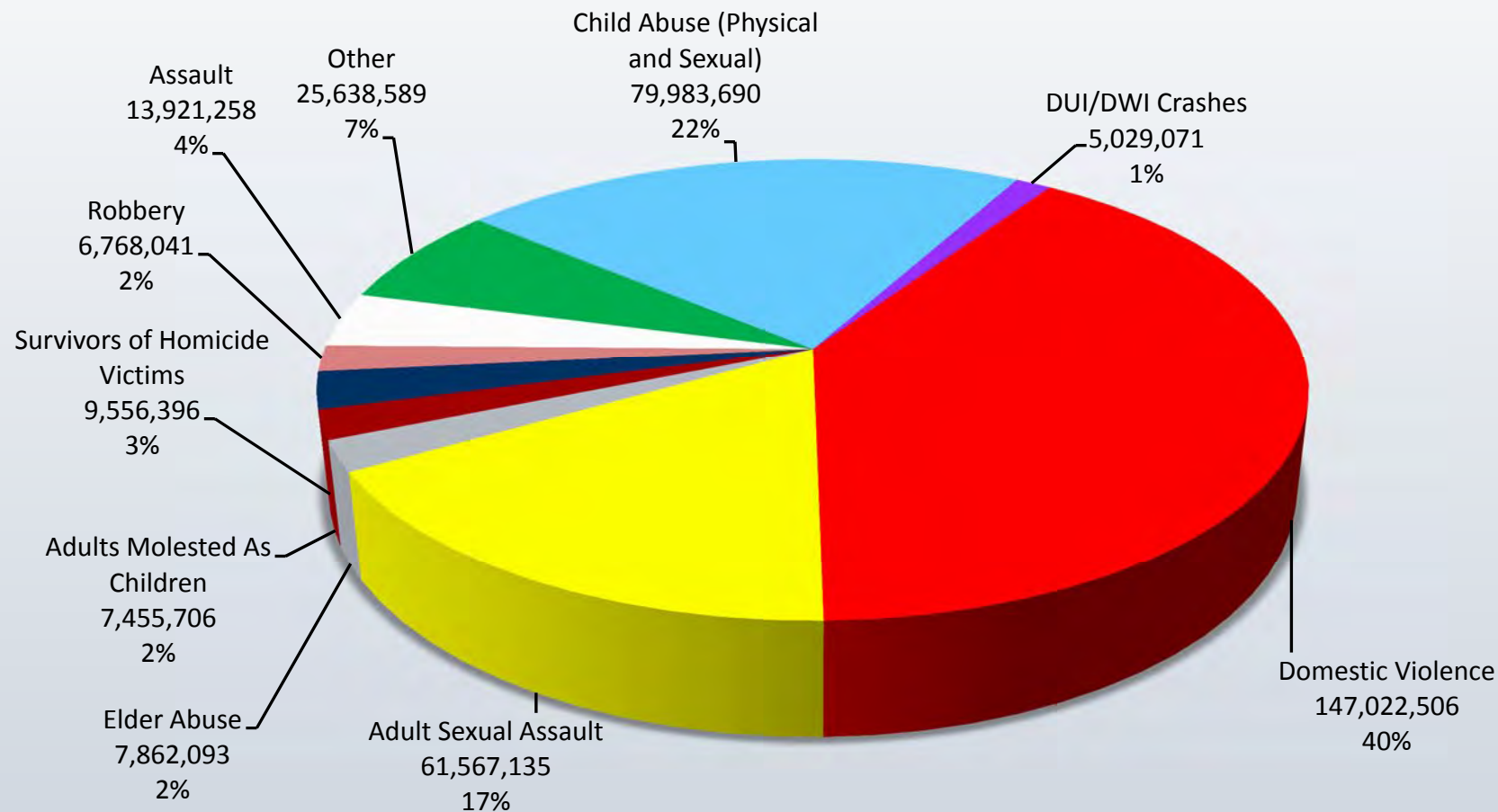
- ☐ Effective August 8, 2016
  - ☐ <https://www.federalregister.gov/articles/2016/07/08/2016-16085/victims-of-crime-act-victim-assistance-program>.
  - ☐ [http://bit.ly/voca\\_rule](http://bit.ly/voca_rule) [PDF]
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# VOCA State Grant Requirements

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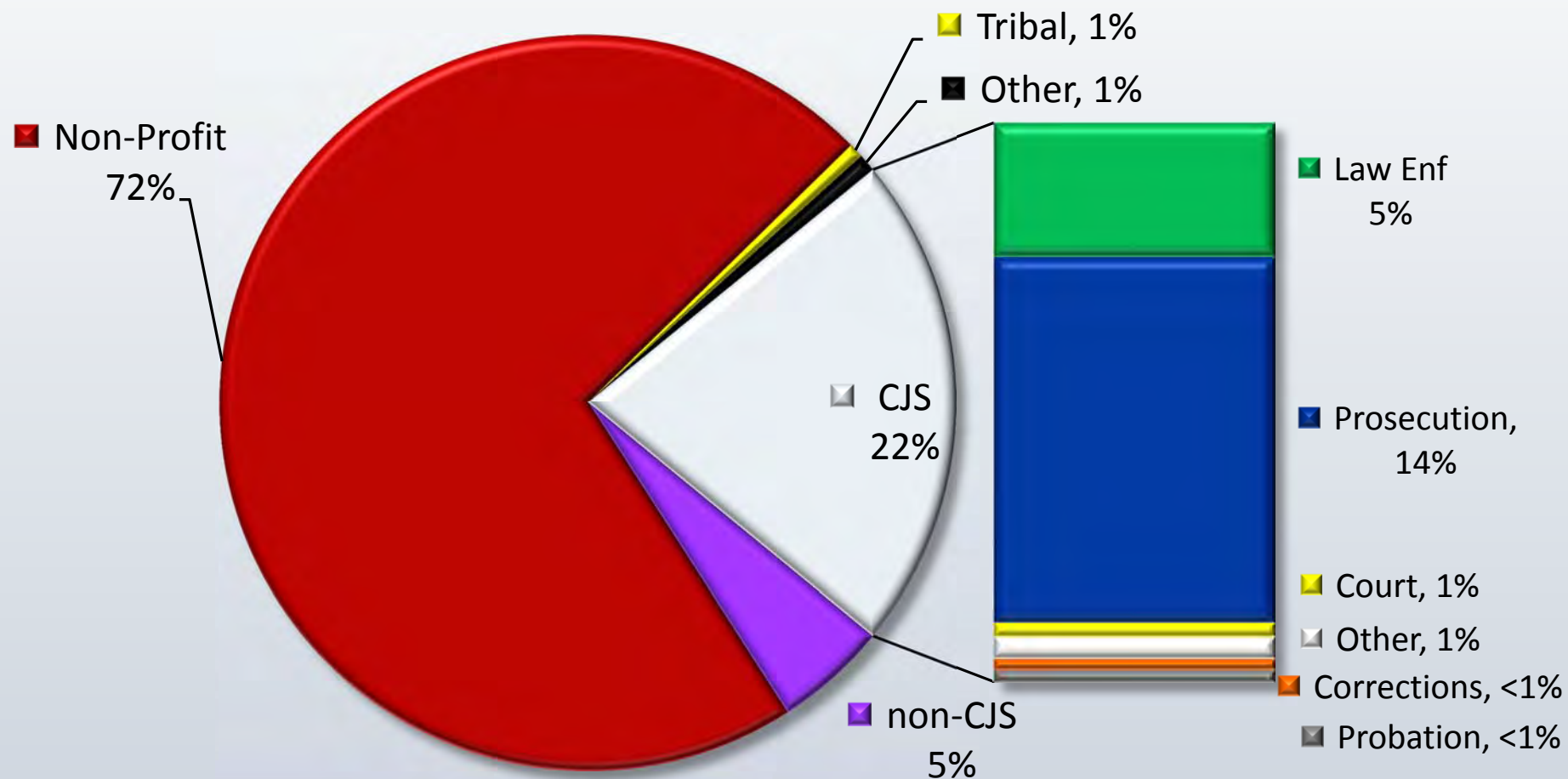
- ☐ Governor designates State Admin. Agency
  - ☐ “Priority” (10%) given to eligible crime victim assistance programs providing assistance to victims of:
    - ☐ sexual assault
    - ☐ spousal abuse (**includes domestic and intimate partner violence**)
    - ☐ child abuse
  - ☐ Make funds available (10%) for previously underserved victims of violent crime by crime type **and/or by victim demographic characteristics** other than “priority” groups.
  - ☐ Non-supplantation of State or local public funds.
  - ☐ Only for direct victim services, except States may retain up to 5% for administration and training.
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# VOCA Funding, by Crime Type



FY 2013

# Agency Types by Amount



FY 2011



# Subgrantee Requirements

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## Statutory Eligibility Requirements

- ☐ Public or nonprofit agency.
- ☐ Have non-VOCA financial support (new/existing program).
- ☐ Use volunteers (unless waived for compelling reasons).
- ☐ Promote coordination of victim services within its community.
- ☐ Assist victims seeking crime victim compensation benefits.
- ☐ Does not discriminate against victims who disagree with the way the State is prosecuting the case.

## Administrative Requirements

- ☐ Serve victims of Federal crimes.
  - ☐ Match 20% of total project cost [except Native American projects].
  - ☐ **Confidentiality**
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# VOCA Subgrants – Direct Services

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- (1) respond to the *emotional and physical needs* of crime victims;
  - (2) assist primary and secondary victims of crime to *stabilize their lives* after a victimization;
  - (3) assist victims to understand and participate in the *criminal justice system*; and
  - (4) provide victims of crime with a measure of *safety* and security such as boarding up broken windows and replacing or repairing locks.
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# Allowable direct services

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- ☐ Immediate emotional, psychological, and physical health and safety
    - Crisis intervention
    - Accompaniment
    - Hotline counseling
    - Safety Planning
    - Emergency food, shelter, clothing and transportation
    - Short-term in-home care and supervision
    - Window, **door** or lock replacement and other safety repairs
  - ☐ **Emergency (48 hours) prescription/non-prescription medicine to prevent HIV/AIDS or other infectious disease, durable medical equipment or healthcare items.**
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# Allowable direct services

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- ☐ Personal advocacy, emotional support; case management
  - ☐ Mental health counseling and care
  - ☐ Peer-support
  - ☐ Facilitate participation in criminal justice **and other public** proceedings arising from a crime
    - Advocacy
    - Accompaniment
    - Transportation, meals and lodging
    - Interpretations
    - Child and respite care
    - Notifications
    - Victim Impact Statement assistance
    - Property recovery assistance
    - Restitution assistance
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# Allowable Services/Activities

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- ☐ **Broadened emergency civil legal assistance**
  - ☐ **Broadened forensic medical evidence collection examination.**
  - ☐ **Forensic interviews**
  - ☐ Transportation
  - ☐ Public Awareness
  - ☐ **Transitional housing**
  - ☐ **Relocation**
  - ☐ ~~**Removed restriction on assistance to incarcerated individuals**~~
  - ☐ **Coordination of activities**
  - ☐ Supervision of direct service providers
  - ☐ **Multisystem, interagency, multidisciplinary response.**
  - ☐ Contracts for professional services
  - ☐ Automated systems and technology
  - ☐ Restorative justice
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# Emergency Civil Legal Assistance



- ☐ Consistent with OVW Legal Assistance for Victims.
- ☐ Must be reasonably necessary as a direct result of the victimization.
- ☐ Examples:
  - Protective/restraining orders, campus administrative protection/stay-away orders;
  - Family, custody, contract, housing, and dependency matters, particularly for victims of intimate partner violence, child abuse, sexual assault, elder abuse, and human trafficking;
  - Immigration assistance for victims of human trafficking, sexual assault, and domestic violence;
  - Intervention with creditors, law enforcement (e.g., to obtain police reports), and other entities on behalf of victims of identity theft and financial fraud;
  - intervention with administrative agencies, schools/colleges, tribal entities, and other circumstances where legal advice or intervention would assist in addressing the consequences of a person's victimization.
- ☐ Unallowable – criminal defense and tort lawsuits



# Allowable costs

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- ☐ Personnel costs for direct services
  - ☐ Skills training for staff
  - ☐ Training related travel
  - ☐ Organizational expenses
  - ☐ Equipment and furniture
  - ☐ Operating costs
  - ☐ VOCA administrative time
  - ☐ Leasing or purchasing vehicles
  - ☐ Maintenance, repair or replacement of essential items
  - ☐ Project evaluation
  - ☐ Indirect costs
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# Unallowable costs

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- ☐ Lobbying
  - ☐ Research and studies
  - ☐ Active investigation and prosecution of criminal activities
  - ☐ Fundraising
  - ☐ Capital expenses
  - ☐ Victim compensation
  - ☐ Medical care
  - ☐ Management salaries and expenses
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# APS Issue Paper (1992)

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- ❑ VOCA-funded services allowable only to the extent they meet the needs of the victim as it relates to the victimization – not to support services for pre-existing conditions or conditions not directly related to a criminal victimization.
  - ❑ VOCA-funds may not supplant existing public funds (to deliberately reduce State or local funds because of the Federal funds).
  - ❑ Although police report not required, expect a reasonable assessment that services relate to a crime and that responders would intervene in same manner as other crimes.
  - ❑ Inappropriate for victim service agencies to investigate crimes.
  - ❑ Difference between criminal behavior by primary caretaker and situations where individuals and caretakers are not able to provide for an incapacitated elderly adult.
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# navaa

National Association of  
VOCA Assistance Administrators

VOCA Funding

VOCA Statute

State Directory

Strategic Planning

Links - Matrix

Members Only



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State	VOCA Administrative Agency	Phone	Web Site click flag-
Alabama	Department of Economic and Community Affairs	334-353-3252	
Alaska	Council on Domestic Violence and Sexual Assault	907-465-4356	

# www.navaa.org

Arkansas	Department of Finance and Administration	501-683-1685	
California	Office of Emergency Services	916-324-9100	
Colorado	Department of Public Safety	303-239-5703	
Connecticut	Office of Victim Services	860-263-2760	
Delaware	Criminal Justice Council	302-577-5030	
District of	Executive Office of the Mayor, Office of Victim Services	202-727-3934	



# Contact Info

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