

**HJR**

**48**

<target><bill>HJR 48</bill><subject>HJR  
48</subject><comm>HFIN26</comm></target>



# Representative Beth Kerttula

## House Minority Leader

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### Sponsor Statement

#### HOUSE JOINT RESOLUTION NO. 48

#### **Urging the United States Congress to pass the Crime Victims Fund Preservation Act.**

Created by the Victims of Crime Act (VOCA) in 1984, the Crime Victims Fund provides critical funding for victim compensation and often life-saving direct services. Victim assistance programs, funded through state VOCA grants, help over four million crime victims every year, including victims of domestic violence, sexual assault, child abuse, elder abuse and drunk driving, as well as family members of homicide victims. The Crime Victims Fund is financed entirely from a collection of criminal fines, forfeitures and special assessments, not taxpayer revenues. To ensure a stable level of program funding from a fund dependent on fluctuating deposits, Congress began capping annual obligations that can be made from the Fund starting in 2000. Under the VOCA statutory formula, state assistance grants receive whatever amount remains after all the other VOCA programs are funded. Unless the cap is high enough, increases in other VOCA programs and new costs reduce the amount available for state victim assistance grants. Despite unprecedented deposits into the Crime Victims Fund, state VOCA victim assistance grants were cut significantly between 2006 and 2008, creating a gap of at least \$106 million between funding requests and funds available.

The Crime Victims Fund Preservation Act would preserve and enhance federal assistance to crime victims under the Victims of Crime Act. A new \$705 million VOCA cap in 2010 will restore stable VOCA assistance funding and take a small first step in meeting the growing needs of victims. The direct services supported by VOCA grants include crisis intervention and counseling, emergency shelters, hotlines, legal advocacy and assistance in participating in the criminal justice system. Reduced funding has meant hundreds of thousands fewer crime victims received services in 2008 than the previous year. In Alaska, there was an \$189,000 reduction from 2006 to 2008 in victim assistance grants.

The impact of VOCA assistance grant cuts is devastating to those who, through no fault of their own, have become victims of the most vicious crimes. Without this funding and the direct services it supports, crime victims go without advocacy, medical, mental health, and/or legal services, which are crucial in a victim's healing process. I appreciate your consideration of House Joint Resolution No. 48.

Alaska State Legislature ♦ District 3 ♦ Juneau  
State Capitol ♦ Juneau, Alaska 99801-1182 ♦ (907) 465-4766 ♦ Fax (907) 465-4748  
Rep.Beth.Kerttula@legis.state.ak.us ♦ www.kerttula.net



# FISCAL NOTE

STATE OF ALASKA  
2010 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HJR 48  
 ( ) Publish Date: \_\_\_\_\_

Identifier (file name): HJR48-LEG-COU-3-19-10 Dept. Affected: Legislature  
 Title: "Urging the United States Congress to pass the Crime RDU Legislative Council  
Victims Fund Preservation Act." Component: Council and Subcommittees  
 Sponsor: Representative Kerttula  
 Requester: House Finance Committee Component Number: 783

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2010) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

**ANALYSIS:** (Attach a separate page if necessary)

This Legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director  
 Division: Legislative Affairs Agency  
 Approved by: Pamela Varni, Executive Director  
Legislative Affairs Agency

Phone: 465-6626  
 Date/Time: 3/19/10 12:01 PM  
 Date: 3/19/2010

## **Helen Phillips**

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**From:** Hannah McCarty  
**Sent:** Thursday, March 18, 2010 10:53 AM  
**To:** 'Helen\_Phillips@legis.state.ak.us'  
**Subject:** HJR 48 Testifiers

Hi Helen – people testifying on HJR 48 tomorrow are:

- 1) Hannah McCarty and Samantha Englishoe – Staff to Rep. Kerttula to present the resolution
- 2) Sandy Samaniego Executive Director of Council on Domestic Violence and Sexual Assault –  
IN PERSON
- 3) Gerad Godfrey – Chair of Violent Crimes Compensation Board – ON LINE

Thanks,

**Hannah McCarty  
Rep. Beth Kerttula  
State Capitol  
Juneau, AK 99801  
(907) 465-4766  
(907) 465-4748 Fax**



## ALASKA WOMEN'S LOBBY

*AWL Mission: To defend and advance the rights and needs of Women, Children and Families in Alaska*

P.O. Box 20891  
Juneau, Alaska 99802-0891  
[www.akwomenslobby.org](http://www.akwomenslobby.org)

**2010  
AWL Steering  
Committee  
Members**

Caren Robinson  
Lobbyist

Geran Tarr,  
Jordan Nigro  
Co-Chairs

Jayne Andreen

Elizabeth Belknap

Nancy Courtney

Torie Foote

LaRae Jones

Rebecca Madison

Taber Rehbaum

Kari Robinson

Nancy Scheetz-  
Freymler

Libby Silberling

March 12, 2010

Dear Representative Kerttula:

Please accept this letter as one of support from the Alaska Women's Lobby for HJR 48, Crime Victims Fund Preservation Act. The Crime Victims Fund provides victim assistance dollars to eighteen programs across the state of Alaska and over 4,000 direct crime victim service agencies nationwide. The funds can only be used to provide direct services to crime victims and programs include domestic violence shelters, rape crisis centers, child abuse treatment programs, support groups for survivors of homicide victims and victims of drunk driving crashes, mental health counseling, crisis response programs, court-appointed special advocates, child advocacy centers, prosecutor and law enforcement-based victim assistance and many others.

S. 1340 and H.R. 3402, the Crime Victims Fund Preservation Act of 2009 would establish increasing minimum caps on annual Crime Victims Fund obligations through the year 2014. This is a sound idea and should be adopted by Congress. From its inception in 1984 until 2000, all moneys deposited into the Fund in any fiscal year were distributed to support victim services the following fiscal year. Since 2000, Congress has delayed or "capped" obligations from the Fund "to ensure that a stable level of funding will remain available for these programs in future years" {Conf. Rpt. 106-479}. As a result of these caps, a substantial balance has been retained in the Fund. Unfortunately without a process in place to determine the caps there have been years when a cap has actually meant a decrease in funds to state victim assistance programs. A process for increasing the minimum caps will hopefully ensure that as much money as possible will be made available each year for victim assistance while meeting the goal of providing stable funding in the years ahead.

Thank you for introducing HJR 48. Adding Alaska's voice to those nationwide can only benefit the congressional debate.

Sincerely,

*Steering Committee of the Alaska Women's Lobby*

# STATE OF ALASKA

## DEPARTMENT OF ADMINISTRATION

### VIOLENT CRIMES COMPENSATION BOARD

SEAN PARNELL, GOVERNOR

P.O. BOX 110230  
JUNEAU, ALASKA 99811-0230  
PHONE: (907) 465-3040  
TOLL FREE: 1-800-764-3040  
FAX: (907) 465-2379

February 22, 2010

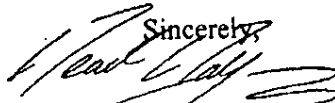
Representative Beth Kerttula  
State Capitol  
Juneau, AK 99801

Dear Representative Kerttula:

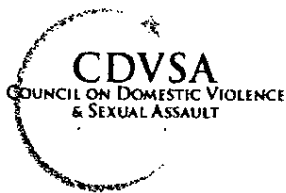
On behalf of our organization, I want to thank you introducing a resolution urging the United States Congress to pass the Crime Victims Fund Preservation Act. As a victim service provider, we have seen a clear increase in the number of victims of crime and the growing need for victim assistance and compensation. Although there has been an increase in recent years of criminal fines and penalties collected into the Crime Victims Fund, due to "capping" of Fund obligations, crime victim assistance requests typically far exceed available resources. The reduction in state assistance grant funding experienced by all states including Alaska, together with the current economic climate, has proved devastating to victim service providers, deeply affecting the well-being and recovery of many crime victims. The Crime Victims Fund is one of the main sources of money and support for crime victims and crime victim services; we believe the Fund can provide more help.

Congress has reaffirmed its commitment to stable program funding and has the ability to provide predictable growth. The Crime Victims Fund Preservation Act would establish a minimum funding level for programs under VOCA to ensure reasonable growth in victim services through FY 2014. Providing a stable funding stream will help states with their ongoing program efforts, as well as expansion of programs and outreach to a growing number of crime victims. The cost of this does not come from taxpayer funds but will come exclusively from Federal criminal fines and penalties. The additional funding is greatly needed right now and would be sincerely appreciated by victim service providers and the millions of victims they serve. This legislation is a small first step in meeting victims' needs.

Sincerely,



Gerard Godfrey  
Chairman



State of Alaska  
Department of Public Safety  
Council on Domestic Violence & Sexual Assault

Sean Parnell, Governor  
Joseph A. Masters, Commissioner

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March 10, 2010

The Honorable Beth Kerttula  
Alaska State House of Representatives  
State Capitol  
Juneau, AK 99801

Dear Representative Kerttula:

On behalf of the Council on Domestic Violence & Sexual Assault, I want to thank you for introducing a resolution urging the United States Congress to pass the Crime Victims Fund Preservation Act. As the funding agency through which victim assistance is distributed in Alaska, we have seen an increase in the number of victims of crime and the growing need for victim assistance and compensation.

Although there has been an increase in recent years of criminal fines and penalties collected into the Crime Victims Fund, due to "capping" of Fund obligations, crime victim assistance requests typically far exceed available resources. The reduction in state assistance grant funding experienced by all states including Alaska, together with the current economic climate, has made it difficult for victim service providers to continue to offer the level of service necessary to meet all the needs of crime victims. The Crime Victims Fund is one of the main sources of money and support for crime victims and crime victim services, we believe the Fund can provide more help.

Congress has reaffirmed its commitment to stable program funding and has the ability to provide predictable growth. The Crime Victims Fund Preservation Act would establish a minimum funding level for programs under VOCA to ensure reasonable growth in victim services through FY 2014. Providing a stable funding stream will help states with their ongoing program efforts, as well as expansion of programs and outreach to a growing number of crime victims. The cost of this does not come from taxpayer funds but will come exclusively from Federal criminal fines and penalties. The additional funding is greatly needed right now across the nation and would be sincerely appreciated by victim service providers and all of the victims they serve. This legislation is a small first step in meeting victims' needs.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Samaniego", with a horizontal line extending to the right.

Sandy Samaniego  
Executive Director

# **Victims of Crime Act (VOCA) Crime Victims Fund**

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## **2011 Briefing Background**

Prepared by

**National Association of VOCA Assistance Administrators  
(NAVAA)**

**Steve Derene, Executive Director**

**608-233-2245**

**[steve@navaa.org](mailto:steve@navaa.org)**

**[www.navaa.org](http://www.navaa.org)**

# Victims of Crime Act (VOCA) Crime Victims Fund

## Background Information

- Created by the Victims of Crime Act (VOCA) in 1984, the Crime Victims Fund provides critical funding that helps millions of victims of all types of crimes every year. The Fund comes from the collection of Federal criminal fines and penalties; *not taxpayer revenues*.
- The Office of Management and Budget estimates that the Crime Victims Fund will open 2011 with a \$4.3 billion balance, with an additional \$1 billion to be deposited during the year.
- VOCA-funded state victim assistance grants support direct services, such as emergency shelter, crisis intervention, counseling and assistance in participating in the criminal justice system, through 4,400 agencies to about 4 million victims of all types of crimes every year. VOCA-funded projects employ 13,500 FTE advocates, counselors and other direct victim service providers.
- 2008: Despite unprecedented deposits into the Crime Victims Fund, state VOCA victim assistance grants were cut by \$86.5 million (22 percent) between 2006 and 2008. Because of reduced funding, 336,580 fewer crime victims received services in 2008 than during the previous year.
- 2009: Congress took important steps to reverse this downward trend by restoring \$56 million for state VOCA victim assistance grants. Combined with one-time Recovery Act grants, these grants in 2009 were restored to the 2006 funding level (including inflation).
- 2010: The \$705 million cap is expected to keep state VOCA victim assistance programs at roughly the same total amount available in 2009.
- Meanwhile, crime victims' needs for assistance continue to increase. The economic downturn has resulted in greater incidences of domestic and family violence; new types of crimes (e.g. identify theft, financial frauds, dating violence, stalking) have emerged and new types of services are required.
- The Administration's proposed 2011 VOCA budget raises the VOCA cap but the increase would be more than offset by new and expanded earmarks. These additional costs mean that state assistance grants could be cut by as much as \$20 million in 2011.
- **An \$867 million cap would support core VOCA assistance grants with a 3.5 percent increase in real dollars over the amount received in 2006.**

### Programs currently supported by the Crime Victims Fund:

- Children's Justice Act grants
- U.S. Attorney's victim/witness coordinators (170 FTEs)
- F.B.I. victim assistance specialists (112 FTEs)
- Federal victim notification system
- OVC discretionary grants for nationwide training/technical assistance and services to victims of Federal crimes
- State compensation formula grants
- State victim assistance formula grants
- Antiterrorism Emergency Reserve

### Administration 2011 Budget – New/Expanded VOCA Programs

- \$100 million discretionary grants for victims of violence against women
- Increase USAO victim witness coordinators to 240 FTEs
- Increase FBI victim assistance specialists to 155 FTEs

## VOCA's Crime Victims Fund

- The Crime Victims Fund is a "separate account" made up entirely of "special and trust fund receipts" from Federal criminal fines, forfeitures and special assessments – not taxpayer revenues – which, by law, are to be used exclusively to support victim services.
- The Victims of Crime Act of 1984 originally created the Crime Victims Fund solely to support direct victim assistance services and state crime victim compensation programs. Over the years, additional programs and activities became dependent upon the Fund.
- From 1985 to 2009, \$11.7 billion has been deposited into the Fund. According to OMB estimates, the Fund will have a balance of \$4.3 billion at the beginning of 2011 with an additional \$1 billion expected to be deposited during the year. Thus, \$5.3 billion will be available to support VOCA programs in 2011.
- Since its inception, amounts deposited into the Fund in one year were distributed for victim services the next year. Because of fluctuations in Fund deposits, Congress in 2000 started delaying or "capping" the annual obligations that can be made from the Fund in order to ensure stable funding for victim services. By law, amounts not spent are kept in the Fund for victim services in future years.
- The VOCA statute sets out the formula for the annual distribution of VOCA funds. Under this formula, the amount available for state victim assistance grants is, in effect, whatever remains after the other programs are funded. (See next page.)
- ***Unless the annual cap on total VOCA spending is high enough, state grants for direct victim assistance are reduced as funding for other programs increase or other "under the cap" earmarks and costs are added.***
- Between 2006 and 2008, state victim assistance grants were cut by \$87 million (22 percent). The Office for Victims of Crime (OVC) reported that 336,580 fewer crime victims received VOCA assistance funded services in 2008 compared to 2007.
- In 2009, Congress raised the VOCA cap and added \$100 million in Recovery Act funds for VOCA programs which, together, raised state assistance grants back to the 2006 level. 2010 grants are expected to remain level with the total 2009 funding, i.e. VOCA formula plus Recovery Act grants.
- While the Administration proposes a 2011 VOCA cap of \$800 million, that is not enough to offset a new \$100 million earmark for discretionary grants to support assistance for victims of violence against women, and significantly expanded use of VOCA to fund victim witness coordinators in United States Attorneys' Offices and victim assistance specialists in the FBI.
- Despite the proposed 13.5 percent increase in the total VOCA cap, the Administration's budget could ***cut*** state VOCA assistance grants by \$20 million (5 percent).

***A 2011 VOCA cap of \$867 million will support state VOCA victim assistance grants with a 3.5 percent increase in real dollars over 2006 grants.***

## HOW THE CRIME VICTIMS FUND IS DISBURSED

The following amounts are allocated according to the VOCA statutory formula (42 U.S.C. 10601(d)):

**Under the cap on annual obligations:**

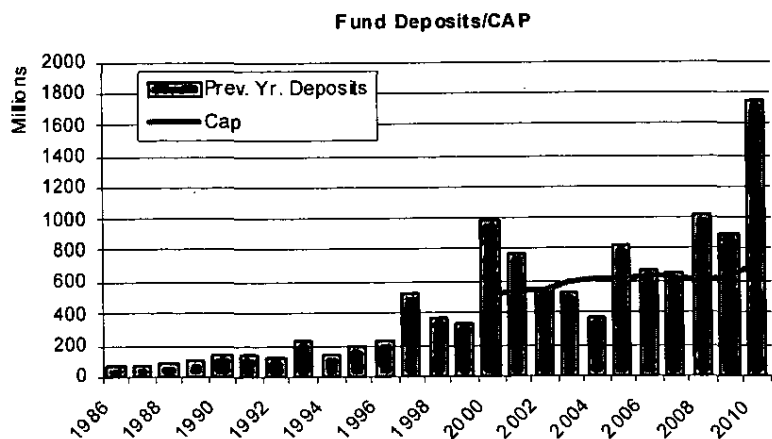
- The first \$10 million to \$20 million is used for formula grants to states to improve the investigation and prosecution of child abuse (Children’s Justice Act);
- After that, funds are set aside for certain Federal victim services at levels specified by Congress:
  - Victim witness coordinators in U.S. Attorneys’ offices (170 FTE);
  - Victim assistance staff in FBI offices (112 FTE);
  - Federal Victim Notification System (\$5 million per year).
- Of the amount remaining, after the above allocations:
  - Five percent for discretionary grants administered by the Office for Victims of Crime for demonstration projects, training and technical assistance and services to victims of Federal crimes.
  - 47.5% of funds remaining under the cap are available for state crime victim compensation grants with each state receiving a grant based upon 60% of its state-funded compensation benefits.
  - 47.5% of funds remaining under the cap plus any amount not used for state crime victim compensation grants are allocated for formula grants to states to support direct assistance services to victims of crime (each state receives a base amount plus an amount apportioned on population).

**Under this formula, the amount available for state assistance grants is, in effect, whatever remain after all the other VOCA programs are funded.** For that reason, unless the cap is high enough, increases in the other VOCA programs or funding new programs under the VOCA cap reduce the amount otherwise available for state victim assistance grants.

In addition, according to the VOCA statute, up to five percent of amounts remaining in the Fund after the above annual allocations (“above the cap”) may be used to replenish the Antiterrorism Emergency Reserve (AER) which is available to assist victims of international and domestic terrorism or mass violence and compensation to international terrorism victims.

Fiscal Year	Previous Year Deposits	Cap on Obligations
2000	985,185,354	\$500,000,000
2001	776,954,858	537,500,000
2002	544,437,015	550,000,000
2003	519,466,480	600,000,000
2004	361,341,967	621,312,498*
2005	833,695,013	620,000,000*
2006	668,268,054	625,000,000
2007	649,631,046	625,000,000
2008	1,017,977,475	590,000,000
2009	896,316,825	635,000,000
2010	1,745,677,602	705,000,000

\* Includes rescissions and carryovers



## 2011 Administration Budget Proposal

The Administration's 2011 budget proposal would:

- Increase the annual cap on obligations from the Crime Victims Fund to \$800 million—an increase of \$95 million (13.5 percent).
- Create a new earmark from the Crime Victims Fund of \$100 million in additional Office for Victims of Crime “discretionary grants for temporary shelter, transitional housing, and other assistance for victims of violence against women.”
- Increase VOCA-funding for U.S. Attorney victim witness coordinators to \$32.6 million to support 309 victim-witness services positions (including 139 new positions) and 240 FTE.  
 The 2000 appropriations for U.S. Attorney victim witness coordinator positions was limited to 170 FTEs at \$14.4 million a year, stating “the conferees expect that appropriate sums will be made available under this provision in succeeding fiscal years to continue this program at the current level.” [Conf. Report 106-479] The 2011 request is an increase of 126 percent over the original appropriations.
- Increase VOCA-funding to \$21.4 million to support 155 victim assistance specialist positions (including 33 new positions) and 155 FTE.  
 VOCA funding for the FBI victim assistance positions was first provided in the 2001 appropriations and was limited to 112 FTEs at \$7.4 million a year. [Conf. Report 106-1005]. The 2011 request is an increase of 189 percent over the original appropriations.

**The Administration's 2011 budget proposal could reduce state VOCA victim assistance grants by as much as \$20 million (5 percent).**

***A 2011 VOCA cap of \$867 million will support state VOCA victim assistance grants with a 3.5 percent increase in real dollars over 2006 grants.***

### **Stability of the Crime Victims Fund**

There is more than enough money in the Crime Victims Fund to support state victim assistance grants without jeopardizing the Crime Victims Fund's long-term sustainability:

OMB estimates the opening 2010 balance in the Crime Victims Fund was \$3.148 billion and that deposits will total \$1.861 billion in 2010 and \$999 million in 2011. Even with an \$867 million VOCA cap, the Fund will continue to grow:

(in millions)	2010	2011
Balance, start of year	3,148	4,304
+ Deposits	1,861	999
Amount Available	5,009	5,303
- Obligations (cap)	705	867
Balance, end of year	4,304	4,436

[Source: <http://www.whitehouse.gov/omb/budget/fy2011/assets/jus.pdf>]

## VOCA Victim Assistance Programs

- **Formula grants to all States and territories are based largely on population.** Each jurisdiction receives a base amount and the remainder is proportional to population.
- **States make subgrants to 4,400 public and nonprofit agencies . . .**

Agency Type	Subgrant Awards*		Amounts (in millions)	
	No.	%	Amount	%
Criminal Justice (Police, Prosecutors, Corrections, etc.)	1,506	28.8%	82.8	25.2%
Native American (On- and off-reservation programs)	45	0.9%	2.6	0.8%
Public, non-CJS (Hospitals, Mental Health, Social Services)	194	3.8%	12.8	3.9%
Private, Nonprofit (Domestic Violence Shelters, Rape Crisis, etc.)	3,423	66.2%	229.9	70.1%
<b>TOTAL</b>	<b>5,168</b>	<b>100.0%</b>	<b>328.1</b>	<b>100.0%</b>

\* Some agencies receive multiple subgrant awards. Source: 2001 OVC Subgrant Award Reporting System

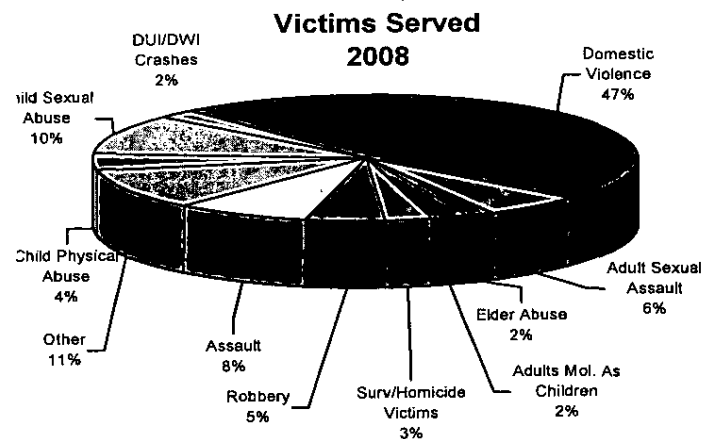
**... that provide direct victim assistance services, such as:**

- crisis intervention and counseling, support groups, therapy/treatment, information and referrals;
- emergency shelter, hotlines, legal advocacy, emergency financial assistance;
- support within the criminal justice system (case status/disposition information, restitution assistance); and
- personal advocacy and case management.

- **. . . to millions of victims of all types of crimes each year** (but because of funding cuts, fewer crime victims received services):

Type of Crime	2007	2008
Child Physical Abuse	182,298	160,484
Child Sexual Abuse	406,820	390,225
DUI/DWI Crashes	85,326	82,143
Domestic Violence	1,859,912	1,792,481
Adult Sexual Assault	237,047	224,374
Elder Abuse	69,782	57,644
Adults Molested As Children	92,946	89,188
Survivors of Homicide Victims	115,813	106,276
Robbery	179,216	176,446
Assault	313,847	300,667
Other	573,641	400,140
<b>TOTAL</b>	<b>4,116,648</b>	<b>3,780,068</b>

Source: FY 2007 and 2008 OVC National Performance Reports



**VOCA funds more than 13,500 full-time equivalent paid jobs for victim advocates, counselors and others who provide direct victim assistance services. (Average salary for non-profit advocates is \$25,000-30,000).**

In addition, more than 36,000 volunteers (full time equivalent) donate their time and effort annually to provide direct services to crime victims through VOCA-funded projects.

## IMPACT OF VOCA ASSISTANCE GRANT CUTS

Because of inadequate caps, state VOCA victim assistance grants experienced severe cutbacks from 2006 to 2008 which had a devastating impact on programs providing direct services to crime victims. The following is indicative of the impact of these cuts:

- 336,580 **fewer** crime victims received VOCA-funded assistance services in 2008 compared to 2007. This included 67,431 fewer victims of domestic violence, 12,673 adult victims of sexual assault and 38,409 child victims of physical and sexual abuse.
- The National Network to End Domestic Violence (NNEDV) 2008 census found that 60,799 crime victims were served a single day but **8,927** requests for services went **unmet** that day due to inadequate funding and resources.
- According to a survey of 1,000 providers conducted by the National Center for Victims of Crime (NCVC):
  - Nearly all respondents said that VOCA funding was **"very important."** This ranged from 91.5 percent for prosecutor-based programs to 99.5 percent for domestic violence programs.
  - Fifty-eight percent said they will have to serve fewer crime victims; 55 percent will reduce outreach to victim and 46 percent will provide fewer services.
  - Rural areas will be especially hard hit; many will have to close satellite offices and clients will have to travel 3 or 4 hours to receive services.
  - Many programs said they would use restored VOCA funding for services to elderly victims, teen victims, tribal victims, victims with disabilities, human trafficking, and homicide victims.
- State VOCA assistance administrators reported that multiple funding cutbacks had severe cumulative impact. Examples --
  - Anticipated annual reductions in victim assistance subgrants of 8 percent in Washington State; 26 percent in Kansas; 27 percent in Pennsylvania; 16 percent in Iowa; 11 percent in Oregon; and 17 percent in Wisconsin.
  - Continued cuts in Minnesota's VOCA assistance grants meant the loss of the equivalent of five programs, eliminating services in five counties.
  - Since FY 2005, the number of Iowa victim service programs has decreased from 88 to 74.
  - Wyoming was unable to fund programs, such as Sexual Assault Nurse Examiners, Sexual Assault Response Teams and Child Advocacy Centers, that provide specialized crime victim services.
  - Massachusetts expects an across-the-board cut of 27 percent, reducing the number of funded programs from 90 to 65.
  - All states fear the loss of dedicated, experienced, and well-trained victim advocates because of the inability to pay a decent wage. The average annual salary for a victim service professional in South Carolina is \$18,000-\$24,000.
  - Oregon cut the number of victim advocate positions funded under its competitive VOCA projects from 18 FTEs to 4 FTEs.
  - Because of funding cuts in Pennsylvania, 20 percent of programs have waiting lists; 16.5 percent have discontinued programs; 22 percent imposed hiring freezes; 31 percent have decreased or eliminated staff and 13.7 percent implemented layoffs.
  - An Arizona sexual assault counseling service reported a five months' waiting period.

*"We are a bare-bones operation.... VOCA funding for staff and services is the only way most of our poor and homeless clients ever get assistance."*

—Nonprofit service provider (TX)

*"VOCA funding is the life-blood of an agency like ours dedicated solely to helping child victims of felony sexual and physical abuse crimes and their non-offending family members."*

—Nonprofit service provider (AL)

*"VOCA funding is vital in providing services to those who, through no fault of their own, have become victims of the most vicious of crimes. If this funding were not available, these victims would go without advocacy, medical, mental health, and/or legal services, which is crucial in a victim's healing process."*

—Nonprofit service provider (WV)

VA Grants	2006	2007	2008	ARRA	2009	2010 est.	2011 est.*
<b>TOTAL</b>	<b>395,918,319</b>	<b>370,600,463</b>	<b>309,054,463</b>	<b>47,500,000</b>	<b>363,797,021</b>	<b>409,081,000</b>	<b>389,110,000</b>
Alabama	6,108,000	5,694,000	4,769,000	808,000	5,588,807	6,273,000	5,971,000
Alaska	1,311,000	1,257,000	1,122,000	545,000	1,249,139	1,350,000	1,305,000
Arizona	7,610,000	7,298,000	6,224,000	930,000	7,595,425	8,550,000	8,129,000
Arkansas	3,907,398	3,670,000	3,109,000	689,000	3,616,869	4,036,000	3,851,000
California	44,933,000	41,785,000	34,342,000	2,931,000	40,622,608	46,019,000	43,639,000
Colorado	6,190,000	5,825,000	4,912,000	827,000	5,891,780	6,617,000	6,297,000
Connecticut	4,837,000	4,498,000	3,753,000	732,000	4,321,874	4,836,000	4,609,000
Delaware	1,528,000	1,461,000	1,292,000	558,000	1,453,044	1,581,000	1,525,000
Dist.Col.	1,185,000	1,165,000	1,040,000	539,000	1,146,029	1,233,000	1,195,000
Florida	22,036,000	20,790,000	17,292,000	1,712,000	20,506,733	23,198,000	22,011,000
Georgia	11,430,000	10,929,000	9,192,000	1,141,000	11,072,703	12,495,000	11,867,000
Hawaii	2,063,000	1,954,000	1,693,000	585,000	1,906,163	2,095,000	2,012,000
Idaho	2,225,000	2,132,000	1,861,000	601,000	2,163,357	2,387,000	2,288,000
Illinois	16,238,000	15,077,000	12,411,000	1,353,000	14,583,006	16,477,000	15,642,000
Indiana	8,221,385	7,655,000	6,361,000	922,000	7,460,738	8,397,000	7,984,000
Iowa	4,157,000	3,886,150	3,268,150	699,000	3,777,510	4,218,000	4,024,000
Kansas	3,886,000	3,638,000	3,066,000	685,000	3,558,736	3,970,000	3,789,000
Kentucky	5,632,000	5,265,000	4,404,000	782,000	5,160,195	5,787,000	5,511,000
Louisiana	6,090,000	5,647,000	4,480,000	792,000	5,314,709	5,962,000	5,677,000
Maine	2,131,000	2,005,000	1,727,000	587,000	1,937,009	2,130,000	2,045,000
Maryland	7,380,000	6,883,000	5,713,000	873,000	6,649,486	7,477,000	7,112,000
Mass.	8,443,000	7,846,154	6,475,154	930,000	7,593,010	8,547,000	8,126,000
Michigan	13,018,000	12,034,000	9,871,000	1,162,000	11,419,472	12,888,000	12,240,000
Minnesota	6,814,382	6,354,000	5,296,000	845,000	6,198,443	6,965,000	6,627,000
Mississippi	4,094,000	3,821,000	3,202,000	694,000	3,707,718	4,139,000	3,949,000
Missouri	7,624,000	7,121,000	5,924,000	891,000	6,952,952	7,821,000	7,438,000
Montana	1,647,000	1,567,000	1,377,000	564,000	1,556,032	1,698,000	1,635,000
Nebraska	2,663,000	2,508,000	2,141,000	618,000	2,446,747	2,709,000	2,593,000
Nevada	3,390,000	3,255,000	2,817,000	672,000	3,338,274	3,720,000	3,552,000
NewHamp.	2,109,000	1,992,000	1,721,000	587,000	1,936,302	2,129,000	2,044,000
NewJersey	11,268,000	10,438,000	8,599,000	1,074,000	9,977,764	11,252,000	10,690,000
NewMexico	2,856,000	2,699,000	2,314,000	631,000	2,666,071	2,957,000	2,829,000
NewYork	24,301,000	22,557,000	18,421,000	1,789,000	21,775,095	24,637,000	23,374,000
N.Carolina	11,073,000	10,403,000	8,721,000	1,110,000	10,566,944	11,921,000	11,324,000
N.Dakota	1,285,000	1,225,000	1,090,000	542,000	1,200,224	1,294,000	1,253,000
Ohio	14,685,000	13,599,000	11,155,000	1,260,000	13,037,717	14,724,000	13,980,000
Oklahoma	4,862,000	4,546,000	3,822,000	741,000	4,475,905	5,011,000	4,775,000
Oregon	4,950,000	4,655,000	3,935,000	751,000	4,637,130	5,194,000	4,948,000
Pennsylvania	15,858,000	14,666,000	12,048,000	1,323,000	14,088,213	15,916,000	15,110,000
RhodeIsland	1,838,000	1,726,000	1,491,000	569,000	1,647,013	1,801,000	1,733,000
S.Carolina	5,697,000	5,350,000	4,511,000	796,000	5,390,032	6,048,000	5,758,000
S.Dakota	1,454,000	1,385,000	1,226,000	553,000	1,377,837	1,496,000	1,444,000
Tennessee	7,805,000	7,301,000	6,106,000	911,000	7,284,008	8,196,000	7,794,000
Texas	28,340,000	26,683,000	22,321,000	2,109,000	27,054,684	30,626,000	29,051,000
Utah	3,457,000	3,344,000	2,867,000	681,000	3,487,008	3,889,000	3,712,000
Vermont	1,269,000	1,211,000	1,079,000	541,000	1,178,162	1,269,000	1,229,000
Virginia	9,734,408	9,138,000	7,595,000	1,014,000	8,980,533	10,121,000	9,618,000
Washington	8,180,000	7,685,000	6,437,000	933,000	7,648,960	8,610,000	8,186,000
WestVirginia	2,747,000	2,572,000	2,188,000	620,000	2,480,625	2,747,000	2,630,000
Wisconsin	7,320,000	6,812,000	5,658,000	872,000	6,643,341	7,470,000	7,105,000
Wyoming	1,127,000	1,081,000	978,000	535,000	1,081,446	1,160,000	1,125,000
PuertoRico	5,321,359	4,967,000	4,146,000	762,000	270,763	5,397,000	5,141,000
VirginIslands	634,387	624,000	601,000	507,000	392,107	636,000	629,000
Am.Samoa	271,000	265,159	254,159	204,000	294,548	280,000	276,000
Guam	392,000	377,000	359,000	212,000	4,816,123	418,000	407,000
N.Marianals.	286,000	279,000	277,000	206,000	619,898	307,000	302,000

\*Estimate based on Administration's 2011 budget proposal. 7

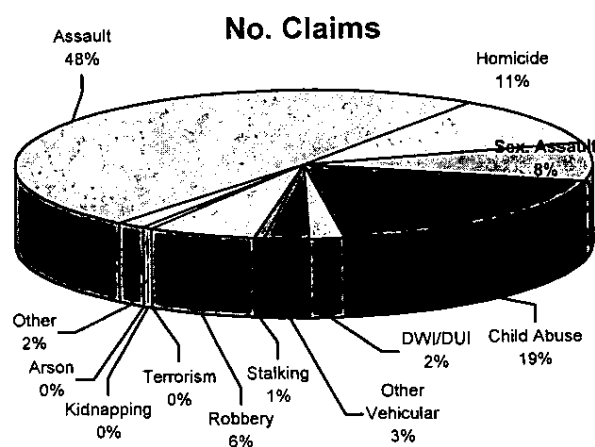
## Crime Victim Compensation

- Benefits to victims of violent crimes for unreimbursed, out-of-pocket expenses directly related to the crime.
- VOCA grants based upon 60% of benefits paid with state funds.

### Compensation Claims:

Type of Crime	Total No. Claims	Domestic Violence Claims*	Amount Paid (State and VOCA)
Assault	73,748	25,818	\$251,257,361
Homicide	16,509	1,250	75,931,186
Sex. Assault	12,352	757	14,072,276
Child Abuse	28,785		27,213,552
DWI/DUI	2,909		16,331,425
Other Vehicular	4,003		18,787,499
Stalking	845	329	1,188,040
Robbery	8,941	107	19,327,733
Terrorism	253		921,978
Kidnapping	571	161	921,501
Arson	201	27	349,880
Other	2,526	1,235	5,602,154
<b>TOTAL</b>	<b>151,643</b>	<b>29,684</b>	<b>\$431,904,585</b>

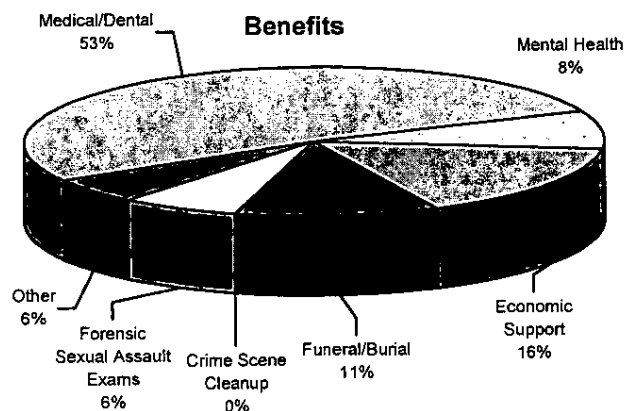
\*Domestic Violence Claims included in Total No. Claims  
Source:2008 VOCA National Performance Report



### Compensation Benefits:

Expense:	Amount Paid
Medical/Dental	\$239,211,319
Mental Health	38,504,140
Economic Support	74,164,870
Funeral/Burial	52,521,981
Crime Scene Cleanup	289,373
Forensic Sexual Assault Exams	29,812,559
Other	26,150,722
<b>TOTAL</b>	<b>\$460,654,964</b>

Source:2008 VOCA National Performance Report



Comp. Grants	2004	2005	2006	2007	2008	ARRA	2009	2010 est.
<b>TOTAL</b>	<b>186,149,000</b>	<b>169,653,000</b>	<b>143,418,000</b>	<b>165,716,000</b>	<b>171,349,000</b>	<b>47,500,000</b>	<b>181,963,000</b>	<b>200,462,000</b>
Alabama	2,792,000	1,129,000	376,000	1,448,000	1,529,000	847,343	3,246,000	1,297,000
Alaska	543,000	518,000	565,000	547,000	430,000	149,316	572,000	666,000
Arizona	1,258,000	1,304,000	1,185,000	1,197,000	1,193,000	293,150	1,123,000	1,249,000
Arkansas	1,187,000	1,474,000	1,204,000	1,239,000	1,378,000	276,705	1,060,000	1,326,000
California	64,796,000	25,689,000	15,682,000	32,140,000	31,043,000	8,110,055	31,068,000	38,693,000
Colorado	3,707,000	3,109,000	3,782,000	3,794,000	3,743,000	929,310	3,560,000	4,671,000
Connecticut	780,000	813,000	956,000	889,000	850,000	285,841	1,095,000	1,567,000
Delaware	859,000	2,766,000	933,000	720,000	865,000	130,521	500,000	843,000
Dist. Col.	2,313,000	657,000	2,838,000	3,081,000	2,795,000	770,857	2,953,000	3,432,000
Florida	8,822,000	6,998,000	2,937,000	4,866,000	6,897,000	3,050,799	11,687,000	13,192,000
Georgia	1,706,000	4,575,000	6,156,000	6,066,000	4,557,000	1,015,976	3,892,000	8,034,000
Hawaii	522,000	309,000	168,000	290,000	246,000	115,642	443,000	208,000
Idaho	821,000	758,000	907,000	567,000	899,000	343,009	1,314,000	1,356,000
Illinois	10,431,000	6,917,000	8,166,000	10,154,000	9,978,000	3,029,132	11,604,000	15,660,000
Indiana	638,000	1,460,000	1,755,000	1,421,000	581,000	592,566	2,270,000	2,707,000
Iowa	1,238,000	1,843,000	2,241,000	2,359,000	1,845,000	498,329	1,909,000	3,224,000
Kansas	1,222,000	1,264,000	860,000	1,220,000	1,720,000	346,403	1,327,000	1,488,000
Kentucky	339,000	462,000	911,000	747,000	389,000	89,537	343,000	650,000
Louisiana	771,000	773,000	689,000	683,000	757,000	233,894	896,000	863,000
Maine	175,000	186,000	201,000	183,000	159,000	42,289	162,000	180,000
Maryland	2,058,000	2,058,000	1,355,000	1,942,000	2,724,000	570,638	2,186,000	2,719,000
Mass.	1,520,000	1,312,000	1,141,000	1,474,000	1,203,000	271,484	1,040,000	1,504,000
Michigan	757,000	985,000	1,480,000	1,706,000	1,239,000	355,800	1,363,000	1,242,000
Minnesota	1,241,000	1,090,000	876,000	1,050,000	861,000	369,897	1,417,000	1,227,000
Mississippi	713,000	661,000	909,000	775,000	553,000	122,690	470,000	1,116,000
Missouri	2,279,000	4,199,000	3,102,000	3,457,000	2,763,000	951,498	3,645,000	3,426,000
Montana	356,000	270,000	145,000	353,000	271,000	90,582	347,000	266,000
Nebraska	127,000	42,000	39,000	30,000	24,000	15,663	60,000	36,000
Nevada	1,561,000	1,685,000	2,138,000	2,350,000	2,151,000	544,273	2,085,000	2,971,000
New Hamp.	211,000	159,000	210,000	80,000	197,000	60,301	231,000	188,000
New Jersey	4,842,000	6,655,000	5,620,000	6,124,000	4,176,000	1,410,671	5,404,000	4,176,000
New Mexico	734,000	525,000	769,000	650,000	748,000	201,524	772,000	861,000
New York	9,938,000	9,337,000	8,825,000	8,679,000	11,350,000	2,829,174	10,838,000	11,355,000
N. Carolina	3,830,000	1,357,000	4,002,000	3,949,000	1,991,000	647,906	2,482,000	2,361,000
N. Dakota	98,000	86,000	106,000	73,000	156,000	78,313	300,000	179,000
Ohio	6,777,000	6,111,000	3,454,000	4,513,000	7,299,000	2,000,627	7,664,000	6,666,000
Oklahoma	1,659,000	1,683,000	1,957,000	2,104,000	1,801,000	360,499	1,381,000	1,758,000
Oregon	1,046,000	1,215,000	1,161,000	1,586,000	1,067,000	356,583	1,366,000	1,717,000
Pennsylvania	2,071,000	3,817,000	4,491,000	5,083,000	6,752,000	1,536,233	5,885,000	4,448,000
Rhode Island	1,248,000	912,000	1,562,000	699,000	891,000	185,862	712,000	751,000
S. Carolina	4,116,000	4,736,000	3,543,000	4,088,000	3,247,000	1,153,023	4,417,000	4,364,000
S. Dakota	184,000	44,000	242,000	154,000	91,000	37,329	143,000	161,000
Tennessee	4,971,000	3,167,000	3,177,000	3,411,000	5,253,000	1,472,799	5,642,000	5,181,000
Texas	18,489,000	42,464,000	28,022,000	26,460,000	31,837,000	7,771,484	29,771,000	26,951,000
Utah	2,332,000	2,889,000	3,035,000	1,934,000	1,846,000	671,400	2,572,000	2,887,000
Vermont	212,000	200,000	230,000	264,000	318,000	57,951	222,000	208,000
Virginia	1,244,000	1,369,000	871,000	669,000	907,000	335,439	1,285,000	1,388,000
Washington	4,444,000	4,802,000	5,871,000	5,168,000	4,704,000	938,446	3,595,000	5,290,000
West Virginia	646,000	1,118,000	951,000	1,157,000	1,142,000	348,230	1,334,000	1,600,000
Wisconsin	841,000	1,072,000	1,004,000	1,143,000	977,000	264,175	1,012,000	934,000
Wyoming	442,000	348,000	337,000	460,000	486,000	168,894	647,000	889,000
Puerto Rico	139,000	227,000	193,000	307,000	260,000	145,139	556,000	199,000
Virgin Islands	103,000	54,000	88,000	921,000	210,000	24,799	95,000	137,000

## Other Programs Currently Supported by the Crime Victims Fund

### Children's Justice Act

- Up to \$20 million in formula grants to states to improve the investigation/prosecution of child abuse cases.
- 85 percent awarded by HHS to States; 15 percent by OVC for Native American grants.

### United States' Attorneys Office victim/witness coordinators

- VOCA funded since 2000.
- Congress specified VOCA funding for 170 FTE Federal victim/witness coordinators in United States Attorneys' Offices in each of 94 United States Attorneys Offices.
- Costs have increased from \$14.4 million in 2000 to \$21.4 million in 2009.
- **The Administration's 2011 budget would increase the number of VOCA-funded positions to 240 FTE at a cost of \$32.6 million, a 126 percent increase over the original appropriation.**

### F.B.I. victim assistance specialists

- VOCA funded since 2001 between \$2 million - \$14 million/year.
- Congress funded 112 victim assistance specialists in 56 F.B.I. field offices, 25 largest Resident Agencies and 31 across Indian Country.
- Annual costs have fluctuated greatly from a low of \$1.9 million to \$14.1 million.
- **The Administration's 2011 budget would increase the number of VOCA-funded positions to 155 FTE at a cost of \$21.4 million, a 189 percent increase over the original appropriation.**

### Federal Victim Notification System (VNS)

- VOCA funded since 2003 between \$5 - \$6.4 million/year.
- Automated notification to victims on case status and offender status used by USAO, FBI and Bureau of Prisons.

### Office for Victims of Crime Discretionary Grants

- Five percent of annual allocations after CJA, federal earmarks.
- At least half used for national scope training and technical assistance, demonstration projects, program evaluations, and compliance efforts.
- No more than half used for services to victims of Federal crimes.

	2004	2005	2006	2007	2008	2009	2010 est.
CJA	20,000,000	20,000,000	20,000,000	19,898,701	19,019,518	20,000,000	20,000,000
USAO	20,613,963	14,767,825	21,954,880	22,249,500	22,408,796	21,400,000	22,408,000
FBI	1,871,656	7,945,845	8,747,300	11,907,238	9,202,825	14,143,000	14,457,290
VNS	5,141,843	4,960,000	5,492,000	5,000,000	6,405,774	5,000,000	6,400,000
OVC Disc.	31,541,891	29,866,728	29,618,720	28,227,182	18,386,173	28,724,212	32,081,236
Other/Adj				1,400,915	34,171,634*		

\*Office of Justice Programs charges for management and administrative costs.

### Replenishment of Antiterrorism Emergency Reserve (AER)

- Five percent of balance ("above the cap") in Crime Victims Fund available (after other programs are funded) to replenish \$50 million reserve available for:
  - Supplemental grants to assist and compensate victims of domestic or international terrorism or mass violence.
  - OVC International Victims' of Terrorism Compensation Program.

## **Organizations Supporting VOCA and the Crime Victims Fund**

(in alphabetical order)

<b>American Humane Association</b>	<b>National Coalition of Victims in Action</b>
<b>American Probation and Parole Association</b>	<b>(NCVIA)</b>
<b>(APPA)</b>	<b>National Council of Jewish Women</b>
<b>American Society of Victimology</b>	<b>National Court Appointed Special Advocate</b>
<b>Arizona Voice for Crime Victims</b>	<b>(CASA) Association</b>
<b>Association of Prosecuting Attorneys</b>	<b>National Crime Victim Law Institute (NCVLI)</b>
<b>Association of VAWA Administrators</b>	<b>National Crime Victim Research and</b>
<b>ATTIC Correctional Services, Inc.</b>	<b>Treatment Center</b>
<b>Break the Cycle</b>	<b>National Criminal Justice Association (NCJA)</b>
<b>CASA of New Jersey</b>	<b>National District Attorneys' Association</b>
<b>Coalition of Pennsylvania Crime Victims</b>	<b>(NDAA)</b>
<b>Organizations</b>	<b>National Grange</b>
<b>Colorado Organization for Victim Assistance</b>	<b>National Judicial College</b>
<b>Family Violence Prevention Fund</b>	<b>National Network to End Domestic Violence</b>
<b>International Community Corrections</b>	<b>(NNEDV)</b>
<b>Association</b>	<b>National Organization for Victim Assistance</b>
<b>International Organization for Victim</b>	<b>(NOVA)</b>
<b>Assistance (IOVA)</b>	<b>National Organization of Parents of</b>
<b>Jewish Women International</b>	<b>Murdered Children (POMC)</b>
<b>Justice for Children</b>	<b>Pennsylvania Coalition Against Domestic</b>
<b>Justice Solutions, Inc.</b>	<b>Violence (PCADV)</b>
<b>Maryland Crime Victims Resource Center,</b>	<b>Rape Abuse &amp; Incest National Network</b>
<b>Inc.</b>	<b>(RAINN)</b>
<b>Mothers Against Drunk Driving (MADD)</b>	<b>Renée Olubunmi Rondeau Peace</b>
<b>National Alliance to End Sexual Violence</b>	<b>Foundation, Inc.</b>
<b>(NAESV)</b>	<b>SAFENOWPROJECT</b>
<b>National Association of Crime Victim</b>	<b>Security on Campus, Inc.</b>
<b>Compensation Boards (NACVCB)</b>	<b>Sheila Wellstone Institute</b>
<b>National Association of Victim Service</b>	<b>StopFamilyViolence.org</b>
<b>Professionals in Corrections (NAVSPIC)</b>	<b>Texas CASA</b>
<b>National Association of VOCA Assistance</b>	<b>Victims' Assistance Legal Organization</b>
<b>Administrators (NAVAA)</b>	<b>(VALOR)</b>
<b>National Center for Victims of Crime (NCVC)</b>	<b>Wisconsin CASA</b>
<b>National Coalition Against Domestic</b>	<b>YWCA USA</b>
<b>Violence (NCADV)</b>	

For more information about VOCA and the Crime Victims Fund, please contact:

Steve Derene, Executive Director

National Association of VOCA Assistance Administrators (NAVAA)

Tel: 608-233-2245; E-mail: [steve@navaa.org](mailto:steve@navaa.org)

## Crime Victims Fund Preservation Act of 2009

### S. 1340 and H.R. 3402

#### Fact Sheet

- The Crime Victims Fund is a special account made up entirely of fines and other penalties paid by convicted federal offenders and dedicated exclusively to a variety of services to help crime victims; **there are no taxpayer dollars** in the Fund.
- Grants to state VOCA victim assistance programs fund services to more than 4 million victims of all types of crimes, including, among others, domestic violence, sexual assault, child abuse, survivors of homicide victim, drunk driving crashes, stalking, identity theft, and elder abuse.
- Because of fluctuations in Fund deposits, Congress limits or “caps” annual obligations from the Fund, resulting in an accumulated “rainy day” balance to ensure stable funding for victim services.
- Because the VOCA cap did not keep pace with the costs of programs, state crime victim assistance grants were cut by \$87 million (22 percent) from 2006 to 2008.
- During this same period, however, the Fund’s “rainy day” balance increased by more than \$700 million — from \$1.3 billion in 2006 to \$2 billion in 2008. Based on criminal fines that federal courts have already imposed but not yet collected, the balance is projected to grow even more through 2014.
- **Crime victims’ needs continue to increase.** Although these prior cuts were restored by a combination of the 2009 Appropriations Act and the economic recovery act, the need to support crime victim services continue to increase. Examples:
  - According to U.S. Department of Justice Office for Victims of Crime, 366,000 *fewer* crime victims received VOCA funded victim assistance services in 2008 than in 2007.
  - The National Census of Domestic Violence Services reports that, on one day in 2008, nearly 61,000 adults and children sought support from local domestic violence programs. But on that same day, almost 9,000 requests were unmet due to lack of resources.
  - Calls to the National Crime Victim Hotline operated by the National Center for Victims of Crime have increased, especially for victims of a variety of frauds, such as work at home, secret shopper and investment schemes, mortgage and construction fraud.
- **S. 1340 (introduced by Senators Patrick Leahy and Mike Crapo) and H.R. 3402 (introduced by Representatives Ted Poe and Jim Costa) are essential to preserving the Fund and meeting victims’ needs.** These bills will statutorily establish a minimum annual cap on VOCA through 2014. The caps will increase the VOCA cap by 23 percent each year yet leave a balance of at least \$800 million, enough to ensure the Fund’s sustainability.
- The bills will provide a steady, reasonable and predictable growth in victim services through 2014 without jeopardizing the Fund’s ability to continue supporting victim services.

For more information, contact Steve Derene, Executive Director, National Association of VOCA Assistance Administrators, [steve@navaa.org](mailto:steve@navaa.org), (608) 233-2245 or Susan Howley, Director of Public Policy, National Center for Victims of Crime, [showley@ncvc.org](mailto:showley@ncvc.org), (202) 467-8722.

111TH CONGRESS  
1ST SESSION

# S. 1340

To establish a minimum funding level for programs under the Victims of Crime Act of 1984 for fiscal years 2010 to 2014 that ensures a reasonable growth in victim programs without jeopardizing the long-term sustainability of the Crime Victims Fund.

---

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2009

Mr. LEAHY (for himself and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

To establish a minimum funding level for programs under the Victims of Crime Act of 1984 for fiscal years 2010 to 2014 that ensures a reasonable growth in victim programs without jeopardizing the long-term sustainability of the Crime Victims Fund.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Crime Victims Fund  
5 Preservation Act of 2009".

1 **SEC. 2. CRIME VICTIMS FUND.**

2 Section 1402(c) of the Victims of Crime Act of 1984  
3 (42 U.S.C. 10601(c)) is amended—

4 (1) by inserting “(1)” after “(c)”; and

5 (2) by adding at the end the following:

6 “(2) The amount made available from the Fund for  
7 the purposes of paragraphs (2), (3), and (4) of subsection  
8 (d) shall be not less than—

9 “(A) \$705,000,000 for fiscal year 2010;

10 “(B) \$867,150,000 for fiscal year 2011;

11 “(C) \$1,066,594,500 for fiscal year 2012;

12 “(D) \$1,311,911,235 for fiscal year 2013; and

13 “(E) \$1,613,650,819 for fiscal year 2014.”.

○

111TH CONGRESS  
1ST SESSION

# H. R. 3402

To establish a minimum funding level for programs under the Victims of Crime Act of 1984 for fiscal years 2010 to 2014 that ensures a reasonable growth in victim programs without jeopardizing the long-term sustainability of the Crime Victims Fund.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2009

Mr. POE of Texas (for himself and Mr. COSTA) introduced the following bill;  
which was referred to the Committee on the Judiciary

---

## A BILL

To establish a minimum funding level for programs under the Victims of Crime Act of 1984 for fiscal years 2010 to 2014 that ensures a reasonable growth in victim programs without jeopardizing the long-term sustainability of the Crime Victims Fund.

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12 “(D) \$1,311,911,235 for fiscal year 2013; and

13 “(E) \$1,613,650,819 for fiscal year 2014.”.

○

TED POE  
7ND DISTRICT, TEXAS

COMMITTEE  
FOREIGN AFFAIRS  
JUDICIARY

FOUNDER OF CONGRESSIONAL  
VICTIM'S RIGHTS CAUCUS



**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-4302

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506 OGLETHORPE  
SUITE 100  
BEAUMONT, TX 77705  
PHONE (409) 712-1597  
FAX (409) 712-6711

April 3, 2009

The Honorable Alan Mollohan  
Chairman  
Subcommittee on Commerce,  
Justice, and Science  
House Appropriations Committee  
2302 Rayburn House Office Building  
Washington, DC 20515

The Honorable Frank Wolf  
Ranking Member  
Subcommittee on Commerce,  
Justice, and Science  
House Appropriations Committee  
241 Canon House Office Building  
Washington, DC 20515

Dear Chairman Mollohan and Ranking Member Wolf:

We are greatly appreciative of your subcommittee's efforts in the FY 2009 Omnibus Appropriations Act to take important and positive steps to repair the serious erosion of support for critical services for victims of crime, and especially for your improvements regarding funding for the Victims of Crime Act (VOCA) through the Crime Victims Fund.

As you know, the Fund supports a wide range of important services for victims of crime. Some 4,200 agencies provide these services to more than 4 million victims of all types of crime every year, largely through the formula state victim assistance grants. Because of increases in other VOCA-funded program areas and lowered cap, these state grants were cut by nearly \$90 million between 2006 and 2008.

For FY 2009, your committee recommended a significant increase in the annual limit of Fund obligations and recognized the inappropriateness of using the Crime Victims Fund (and other Office of Justice Program grant programs) for OJP management costs. We commend the subcommittee for these two steps that restored two-thirds of the previous reductions in VOCA funding for state victim assistance grants.

As work begins on the FY 2010 appropriations bill, we urge the subcommittee to continue this progress by further reflecting the growing needs for the important services that are supported with VOCA funds. We believe that a FY 2010 cap on Fund obligations of \$705 million would complete the restoration of state assistance grants to the amount received in FY 2006, including inflation, and be a down payment to meet the growing needs of crime victims.

A recent survey of state VOCA victim assistance administrators demonstrates that additional funding is essential. Indeed, according to that survey, a minimum of \$106 million in additional VOCA state victim assistance grants would be necessary to fill the identified gap in funding between requested funding needs and VOCA funds available. Our request for a \$705 million cap in FY 2010 would meet just one-quarter of those additional needs.

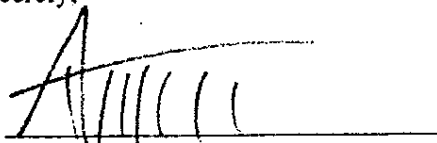
We are also aware of the need to ensure that the Crime Victims Fund be able to sustain adequate funding levels for future victim services. Last year, OMB projected that the FY 2009 opening Fund balance would be \$1.9 billion. We also know that based on public announcements of negotiated agreements in a number of Federal criminal cases, deposits into the Fund will increase significantly over the next several years. Thus, the Fund will be assured of maintaining a balance that can ensure adequate, stable support for VOCA victim services.

The original drafters of the VOCA legislation designed the Crime Victims Fund to be a self-sufficient source of support for victim services. Appropriators have consistently explained the purpose of the annual caps on VOCA obligations as a means to ensure a stable source of funding. Our request is consistent with both of these goals.

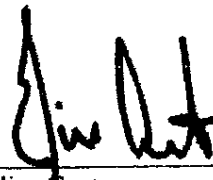
We also need to note that the previous four Presidential budgets sought to rescind the entire balance in the Fund. Congress has properly and resoundingly turned down those requests. Although lacking in details, the FY 2010 budget announced last month suggests that another Fund rescission proposal may in the works. Should that happen, we trust that Congress will again protect the Fund to ensure its continued availability to support victim services.

Thank you for your consideration of this request.

Sincerely,



Rep. Ted Poe  
Co-Chair, Victims' Rights Caucus



Rep. Jim Costa  
Co-Chair, Victims' Rights Caucus



Rep. Neil Abercrombie



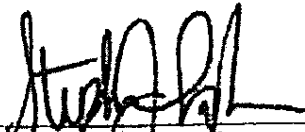
Rep. Jason Altmire

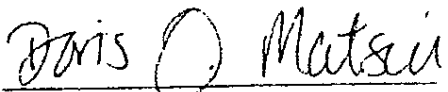


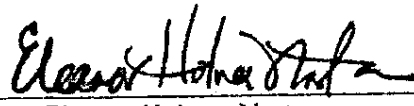
Rep. Tammy Baldwin

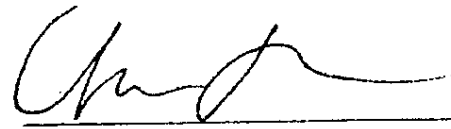


Rep. Judy Biggert


  
Rep. Stephen Lynch

  
Rep. Doris Matsui

  
Rep. Eleanor Holmes Norton

  
Rep. James L. Oberstar

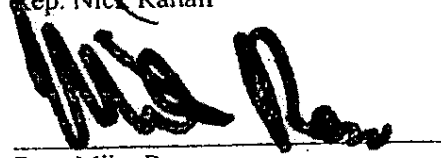
  
Rep. Ron Paul

  
Rep. Chellie Pingree

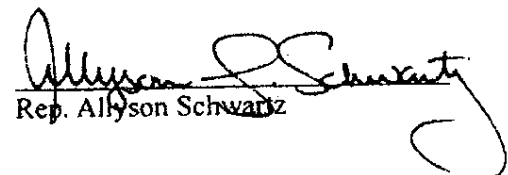
  
Rep. Todd Russell Platts

  
Rep. Nick Rahall

  
Rep. David Reichert

  
Rep. Mike Ross

  
Rep. Loretta Sanchez

  
Rep. Allyson Schwartz

  
Rep. Bobby Scott

  
Rep. Chris Smith

  
Rep. Ellen Tauscher

  
Rep. Dina Titus

Madeleine G. Bordallo  
Rep. Madeleine Bordallo

Leonard L. Boswell  
Rep. Leonard Boswell

Bruce L. Braley  
Rep. Bruce Braley

Corrine Brown  
Rep. Corrine Brown

Shelley Moore Capito  
Rep. Shelley Moore Capito

Christopher P. Carney  
Rep. Christopher Carney

Parker Griffith  
Rep. Parker Griffith

Raul M. Grijalva  
Rep. Raul Grijalva

Ralph M. Hall  
Rep. Ralph Hall

Paul Hodes  
Rep. Paul Hodes

Tim Holden  
Rep. Tim Holden

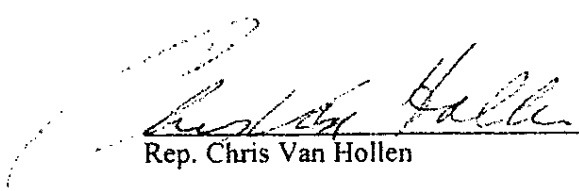
Jay Inslee  
Rep. Jay Inslee

Frank Kratovil, Jr.  
Rep. Frank Kratovil, Jr.


Jim Langevin  
Rep. Jim Langevin

Frank LoBiondo  
Rep. Frank LoBiondo

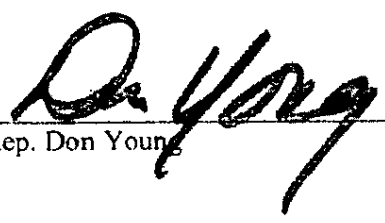
David Loebsack  
Rep. David Loebsack



Rep. Chris Van Hollen



Rep. David Wu



Rep. Don Young



**National Association  
of Attorneys General**

For Release: September 23, 2009

Contact: Marjorie Tharp  
202-326-6047  
mtharp@naag.org

**STATE ATTORNEYS GENERAL SUPPORT MORE FEDERAL FUNDING FOR  
THE VICTIMS OF CRIME ACT GRANTS**

**Washington, DC---**Attorneys General from 54 states and territories signed a letter sent to members of Congress expressing their support for the Crime Victims Fund Preservation Act of 2009 (S. 1340; HR 3402). The bill would increase the maximum amount of annual Victims of Crime Act (VOCA) grants to states over the next five years.

VOCA grants are allocated through the Crime Victims Fund, a special account dedicated to providing services to crime victims and made up entirely of fines and penalties paid by convicted federal offenders. The funds are crucial at the state level in educating victims, training for law enforcement, and administering programs providing compensation. The funds available to provide victims services have declined precipitously in recent years.

"Grants to state VOCA victim assistance programs fund services to more than four million victims of all types of crimes, including, domestic violence, sexual assault, child abuse, survivors of homicide victims, drunk driving crashes, stalking, identity theft, and elder abuse," the letter states.

The bill raises the cap on federal VOCA grants to \$705 million for fiscal year 2010, and then increases the cap by 23 percent each year through 2014.

"...this reasonable and sustainable increase in federal support will help to ensure that we are able to continue to support victims at a high level and for years to come."

The standards and formula for allocating the funds will not change and the Crime Victims Fund is projected to maintain a sustainable balance of at least \$800 million through 2014.

To view a copy of the letter, go to the National Association of Attorneys General (NAAG) Web site: [http://www.naag.org/sign-on\\_archive.php](http://www.naag.org/sign-on_archive.php)

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*The National Association of Attorneys General (NAAG), [www.naag.org](http://www.naag.org), was founded in 1907 to help Attorneys General fulfill the responsibilities of their office and to assist in the delivery of high quality legal services to the states and territorial jurisdictions.*

NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

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WASHINGTON, D.C. 20036  
Phone (202) 326-6045  
Fax (202) 331-1427  
<http://www.naag.org>

JAMES E. MCPHERSON  
*Executive Director*

PRESIDENT  
JON BRUNING  
*Attorney General of Nebraska*

PRESIDENT-ELECT  
ROY COOPER  
*Attorney General of North Carolina*

VICE PRESIDENT  
ROB MCKENNA  
*Attorney General of Washington*

IMMEDIATE PAST PRESIDENT  
PATRICK C. LYNCH  
*Attorney General of Rhode Island*

September 23, 2009

Via Facsimile

The Honorable Patrick Leahy  
Chairman, Senate Judiciary Committee  
United States Senate

The Honorable Jeff Sessions  
Ranking Member, Senate Judiciary Committee  
United States Senate

The Honorable John Conyers  
Chairman, House Judiciary Committee  
U.S. House of Representatives

The Honorable Lamar Smith  
Ranking Member, House Judiciary Committee  
U.S. House of Representatives

Dear Senators Leahy and Sessions and Representatives Conyers and Smith:

We, the undersigned Attorneys General, write to express support for, and ask for your help in passing, Senate Bill 1340 (companion, HR 3402). Also called the Crime Victims Fund Preservation Act of 2009, the bill was introduced by Senators Patrick Leahy and Mike Crapo, and will increase the maximum amount of annual VOCA (Victims Of Crime Act) grants to states over the next five years.

As you know, VOCA grants provide much-needed support to victims and victim service agencies throughout the nation. The grants are allocated through the Crime Victims Fund, a special account dedicated to providing services to crime victims and made up entirely of fines and penalties paid by convicted federal offenders. States receive these grants and administer programs providing compensation and education for victims, and training for law enforcement. Grants to state VOCA victim assistance programs fund services to more than 4 million victims of all types of crimes, including, domestic violence, sexual assault, child abuse, survivors of homicide victims, drunk driving crashes, stalking, identity theft, and elder abuse.

Because annual VOCA caps have not kept pace with the costs of providing victim services, states have been doing more with less. Likewise, because the caps have not kept pace with income to the Crime Victims Fund, the balance in the fund has risen to \$2 billion over the past two years. The Crime Victims Fund Preservation Act of 2009 will raise the cap on federal VOCA grants to \$705 million for fiscal year 2010, and then increase the cap by 23 percent each year through 2014. The standards and formula for allocating the funds will not change, and even with the increased caps, the Crime Victims Fund is projected to maintain a sustainable balance of at least \$800 million through 2014.

The funds available to provide victims services such as these have declined precipitously in recent years. Efforts are underway in the office's of VOCA state funds administrators to staunch that decline and to operate the Crime Victims Assistance and Prevention programming more efficiently. VOCA grants make up a large portion of this funding, and this reasonable and sustainable increase in federal support will help to ensure that we are able to continue to support victims at a high level and for years to come.

We urge you to preserve the intent of the offender-generated revenues and the assistance it provides to innocent victims by passing the Crime Victims Fund Preservation Act of 2009.

Sincerely,

John W. Suthers  
Attorney General of Colorado

Jim Hood  
Attorney General of Mississippi

Jon Bruning  
Attorney General of Nebraska

Richard Cordray  
Attorney General of Ohio

Troy King  
Attorney General of Alabama

Daniel S. Sullivan  
Attorney General of Alaska

Fepulca'i Arthur Ripley Jr.  
Attorney General of American Samoa

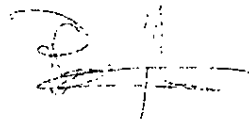
Terry Goddard  
Attorney General of Arizona

Dustin McDaniel  
Attorney General of Arkansas

Edmund G. Brown, Jr.  
Attorney General of California

Richard Blumenthal  
Attorney General of Connecticut

Richard S. Gebelein  
Acting Attorney General of Delaware



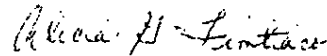
Peter Nickles  
Attorney General of the District of Columbia



Bill McCollum  
Attorney General of Florida



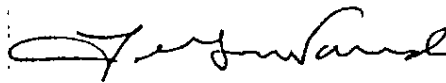
Thurbert E. Baker  
Attorney General of Georgia



Alicia G. Limtiaco  
Attorney General of Guam



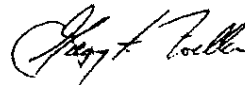
Mark J. Bennett  
Attorney General of Hawaii



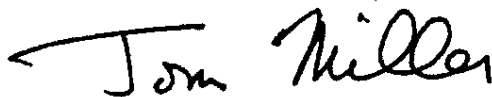
Lawrence Wasden  
Attorney General of Idaho



Lisa Madigan  
Attorney General of Illinois



Greg Zoeller  
Attorney General of Indiana



Tom Miller  
Attorney General of Iowa



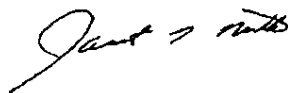
Steve Six  
Attorney General of Kansas



Jack Conway  
Attorney General of Kentucky



James D. Caldwell  
Attorney General of Louisiana



Janet T. Mills  
Attorney General of Maine



Douglas F. Gansler  
Attorney General of Maryland



Martha Coakley  
Attorney General of Massachusetts



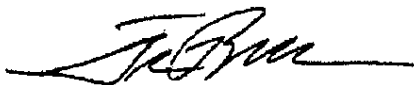
Mike Cox  
Attorney General of Michigan



Lori Swanson  
Attorney General of Minnesota



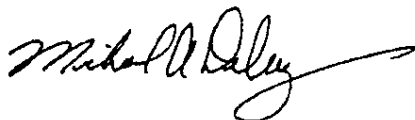
Chris Koster  
Attorney General of Missouri



Steve Bullock  
Attorney General of Montana



Catherine Cortez Masto  
Attorney General of Nevada



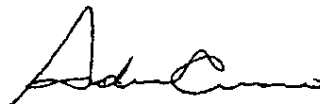
Michael A. Delaney  
Attorney General of New Hampshire



Anne Milgram  
Attorney General of New Jersey



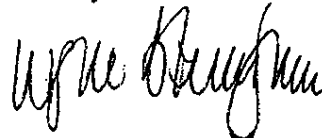
Gary King  
Attorney General of New Mexico



Andrew Cuomo  
Attorney General of New York



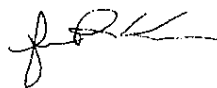
Roy Cooper  
Attorney General of North Carolina



Wayne Stenehjem  
Attorney General of North Dakota



W.A. Drew Edmondson  
Attorney General of Oklahoma



John R. Kroger  
Attorney General of Oregon



Tom Corbett  
Attorney General of Pennsylvania



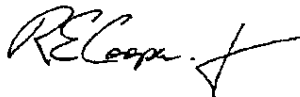
Patrick C. Lynch  
Attorney General of Rhode Island



Henry McMaster  
Attorney General of South Carolina



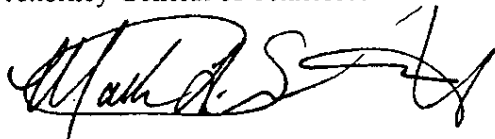
Marty J. Jackley  
Attorney General of South Dakota



Robert E. Cooper, Jr.  
Attorney General of Tennessee



Greg Abbott  
Attorney General of Texas



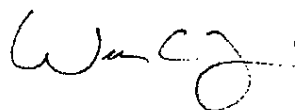
Mark Shurtleff  
Attorney General of Utah



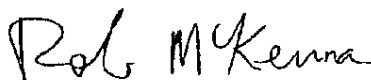
William H. Sorrell  
Attorney General of Vermont



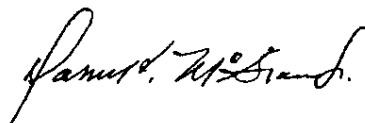
Vincent F. Frazer  
Attorney General of the U.S. Virgin Islands



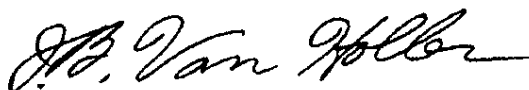
William C. Mims  
Attorney General of Virginia



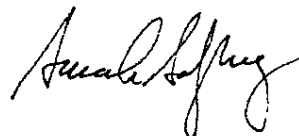
Rob McKenna  
Attorney General of Washington



Darrell V. McGraw, Jr.  
Attorney General of West Virginia



J.B. Van Hollen  
Attorney General of Wisconsin



Bruce A. Salzburg  
Attorney General of Wyoming

1 **POLICY RESOLUTION: Support of Passage of the "Crime Victims Fund Preservation Act"**

2 **COMMITTEE: Law and Criminal Justice**

3 **TYPE OF POLICY: Action**

4

5 The National Conference of State Legislatures (NCSL) recommends to the Congress of the  
6 United States that an increasing minimum annual cap on obligations from the Crime Victims  
7 Fund be established as provided for in "The Crime Victims Fund Preservation Act of 2009."

8

9 **WHEREAS**, the Victims of Crime Act of 1984 (Public Law 98-473, 42 U.S.C. § 10601 et seq.)  
10 established the Crime Victims Fund, which is one of the main sources of money and support for  
11 crime victims and crime victims services all states, the District of Columbia, Puerto Rico, U.S.  
12 Virgin Islands and territories; and

13

14 **WHEREAS**, the Crime Victims Fund provides critical funding for formula grants to states for  
15 victim compensation and victim assistance and for Federal discretionary grants, in addition to  
16 earmarks for Federal victim assistance within the United States Attorneys' Offices, FBI and  
17 Victim Notification System and the Children's Justice Act; and

18

19 **WHEREAS**, state compensation programs pay directly for medical care, counseling, lost wages  
20 and funerals for victims of domestic violence, child abuse, rape and homicide; and

21

22 **WHEREAS**, state victim assistance programs provide critical, often life-saving services,  
23 including crisis intervention, counseling, emergency shelter, child care and emergency  
24 transportation; and

25

26 **WHEREAS**, discretionary grants awarded by the Office for Victims of Crime to organizations  
27 fund demonstration projects, training and technical assistance to expand and improve the  
28 delivery of services to crime victims as well as support for services to victims of Federal  
29 offenses; and

30

31 **WHEREAS**, all funds placed in the Crime Victims Fund are derived from criminal fines and other  
32 penalties paid by offenders of Federal crimes and does not rely on any tax-generated revenues;  
33 and

34

35 **WHEREAS**, states may utilize compensation grants and victim assistance grants over a four-  
36 year period, thus enabling them to plan and manage the distribution of funds over time; and

37

38 **WHEREAS**, since 2000, Congress began capping annual obligations from the Crime Victims  
39 Fund which has limited the amount of funding that would otherwise have been available to  
40 support victim assistance services; and

41

42 **WHEREAS**, in the past eleven years, a total of nearly \$9 billion has been deposited into the  
43 Crime Victims Fund while only \$6 billion has been obligated resulting in an accumulated  
44 balance of nearly \$3 billion in the Fund as of the beginning of 2010; and

45

46 **WHEREAS**, Congress has repeatedly affirmed that the cap was imposed to ensure that a stable  
47 level of funding remains available for use to fund crime victim programs in future years; and

48

49 **WHEREAS**, victim service programs in all states and jurisdictions are facing severe budgetary  
50 shortfalls because of cutbacks in other victim funding programs and private donations while the  
51 need for services continue to increase; and

52

[Note: should be S. 1340]

53 **WHEREAS**, the Crime Victims Fund Preservation Act, S. 1304 introduced by Senators Patrick  
54 Leahy and Mike Crapo and H.R. 3402 introduced by Representatives Ted Poe and Jim Costa  
55 would establish increasing minimum caps on annual Crime Victims Fund obligations through the  
56 year 2014 which will significantly increase the amount available for state VOCA victim  
57 assistance grants and discretionary grants awarded by the Office for Victims of Crime without  
58 jeopardizing the long-term sustainability of the Fund; and

59

60 **THEREFORE, BE IT RESOLVED** That the National Conference of State Legislatures fully  
61 supports purposes of the Crime Victims Fund Preservation Act (S. 1304/H.R. 3402); and the  
62 purposes recommend that Congress enact the Crime Victims Fund Preservation Act; and

63

64 **BE IT FINALLY RESOLVED** that a copy of this resolution shall be sent to state  
65 legislative leaders, Congressional sponsors of S. 1304 and H.R. 3402, and members of the  
66 Senate Committee on the Judiciary, Senate Committee on Appropriations, House Committee on  
67 the Judiciary, and the House Committee on Appropriations.