



NAVAA Education and Advocacy

June 15, 2020

navaa

National Association of VOCA Assistance Administrators

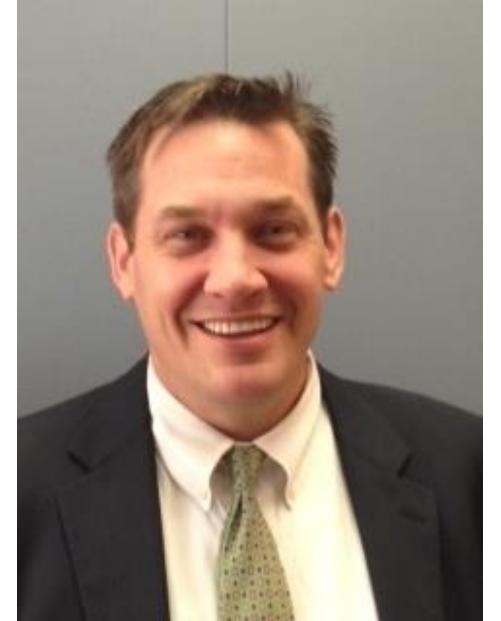
Panelists



Daisy Pagan, Executive Director
NAVAA



Janelle Melohn, Iowa



Liam Lowney, Massachusetts

Zoom Logistics

- Feel free to use chat function for any comments, suggestions, recommendations along the way
- For any questions- please use the “Q & A” function at the bottom of your screen
 - Ability to ask questions anonymously if desired
 - We will filter through and answer these questions at the end of the presentation.
- This presentation is being recorded for future distribution.



Introduction to NAVAA

Daisy Pagan, Executive Director

National Association of VOCA Assistance Administrator (NAVAA)

- In 2001, representatives of state VOCA victim assistance administrative agencies formed the National Association of VOCA Assistance Administrators (NAVAA) as a nonprofit association.
- NAVAA, represents all 56 VOCA victim assistance jurisdictions.
- The NAVAA Board of Directors is composed of 13 state VOCA assistance administrators, eight of whom serve as regional representatives responsible for maintaining communications with the seven jurisdictions in their assigned region.

NAVAA's Mission

The mission of the Association is to ensure accessible quality services for crime victims nationwide and to strengthen communication, training, and technical assistance to effectively respond to the issues and challenges of supporting those services.

NAVAA's Purpose:

1. Foster and advance basic concepts relating to services to assist victims of crime, particularly in response to the Victims of Crime Act of 1984 and amendments thereto;
2. Develop effective methods to administer U.S. Victims of Crime Act (VOCA) victim assistance funds within each state and jurisdiction;
3. Promote an interchange of ideas and experience among state VOCA victim assistance administrative agencies;
4. Form liaisons with other victim-oriented groups;
5. Enhance public awareness of programs, services and rights for crime victims;
6. Serve as a source of training and technical support; and
7. Develop, analyze and support local, state and federal legislation and other policy initiatives for crime victims through public education efforts.



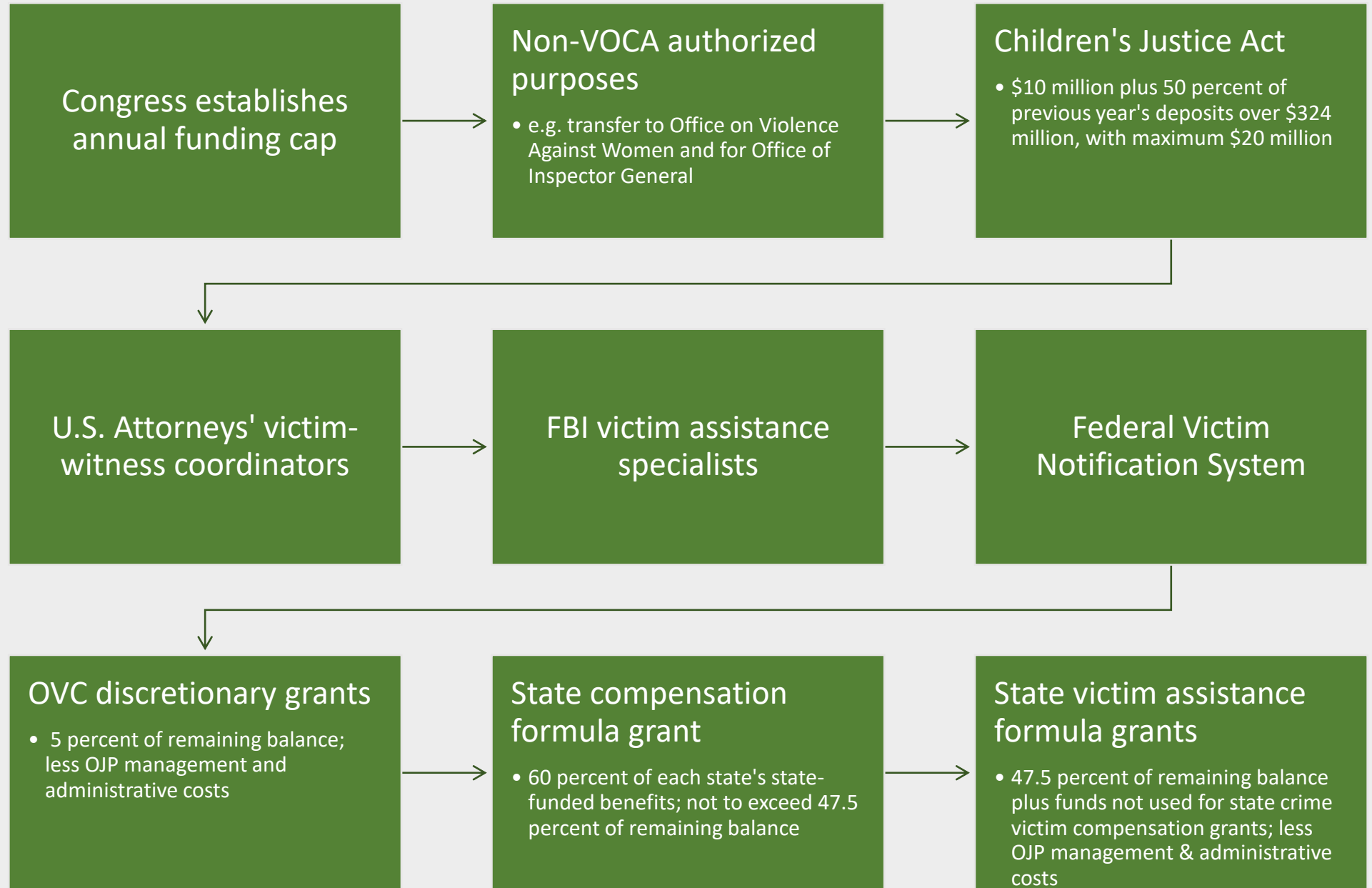
Victims of Crime Act (VOCA) and the Crime Victims Fund (CVF)

Janelle Melohn, Iowa

VOCA 101

1. Enacted by Congress in 1984
2. Funds collected primarily from federal criminal fines are deposited into the Crime Victims Fund (the Fund)
 - Special Assessments
 - Appearance Bond Forfeitures
 - Special Forfeitures from Collateral Profits from Crime *Son of Sam or Notoriety for Profit laws*
 - Private Donations
 - Criminal Fines
3. Largest VOCA program area is formula victim assistance grants to states and other jurisdictions to support direct victim assistance services

How VOCA Works...





Fund shares under a realization method and no changes in fair market value that would have been reported under the NAV method. Therefore, Shareholder may use the NAV method for the shares in Fund for Year 1. Shareholder uses the NAV method for the shares with its taxable year as the computation period. Shareholder's net investment in Fund for Year 1 equals \$128,664.66 (the \$1,253,256.37 in purchases, minus the \$1,124,591.71 in redemptions). Shareholder's Year 1 gain therefore is \$1,085.34, which is the ending value of Shareholder's shares (\$5,129,750.00), minus the starting basis of Shareholder's shares (\$5,000,000.00), minus Shareholder's net investment in the fund for the taxable year (\$128,664.66). The gain of \$1,085.34 is treated as short-term capital gain. Shareholder's starting basis for Year 2 is \$5,129,750.00. Shareholder also must include the \$32,158.23 in dividends in its income for Year 1 in the same manner as if Shareholder did not use the NAV method.

(iii) If Shareholder had instead adopted the calendar month as its computation period, it would have used the NAV method for every month of Year 1, even though prices of Fund shares may have been fixed for some months.

(e) *Effective/applicability date.* Except as provided in the following sentence, this section applies to taxable years ending on or after July 8, 2016. For taxable years ending on or after July 28, 2014, and beginning before July 8, 2016, however, shareholders of MMFs may rely either on this section or on § 1.446-

sales of shares in calendar years beginning before July 8, 2016.
* * * * *

John Dalrymple,
Deputy Commissioner for Services and Enforcement.

Approved: June 15, 2016.

Mark J. Mazur,
Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2016-16149 Filed 7-7-16; 8:15 am]

BILLING CODE 4830-01-P

DEPARTMENT OF JUSTICE

28 CFR Part 94

[Docket No.: OJP (OVC) 1523]

RIN 1121-AA69

Victims of Crime Act Victim Assistance Program

AGENCY: Office for Victims of Crime, Justice.

ACTION: Final rule.

SUMMARY: The Office for Victims of Crime ("OVC") of the U.S. Department of Justice's Office of Justice Programs ("OJP"), publishes this final rule to implement the victim assistance formula grant program ("Victim Assistance Program") authorized by the Victims of Crime Act of 1984 ("VOCA"). VOCA authorizes OVC to provide an

annual Victim Assistance Program formula grants are used by the States to provide financial support to eligible crime victim assistance programs. See 42 U.S.C. 10603. OVC promulgates this rule pursuant to the rulemaking authority granted to the OVC Director by 42 U.S.C. 10604(a). This rule codifies and updates the existing Program Guidelines to reflect changes in OVC policy, the needs of the crime victim services field, and VOCA itself.

B. Summary of the Major Provisions of the Final Rule

Most provisions in this final rule are substantively the same as the corresponding provisions of the Guidelines. The final rule reorganizes the program rules into six major divisions: (1) *General Provisions*; (2) *State Administering Agency ("SAA") Program Requirements*; (3) *SAA Use of Funds for Administration and Training*; (4) *Sub-Recipient Program Requirements*; (5) *Sub-Recipient Project Requirements*; and (6) *Sub-Recipient Allowable/Unallowable Costs*.

The rules in the *General Provisions* heading do not depart substantively from the Guidelines. OVC defines frequently-used terms, most of which are consistent with those in the Guidelines. OVC adds a new definition of the statutory term "victim of child abuse" to make clear OVC's existing flexible approach of allowing States to

Additional
VOCA
Resources

OVC website: www.ovc.gov

Federal Register - 81 F.R. 44515 (preamble and rule) <https://www.gpo.gov/fdsys/pkg/FR-2016-07-08/pdf/2016-16085.pdf>

Code of Federal Regulations – 94 C.F.R. Subpart B (codified rule) www.ecfr.gov

Victim Assistance Formula Grants Requirements

1. Victims of sexual assault, domestic violence, and child abuse, as well as victims from underserved communities or of underserved crimes must each receive at least 10% of the total allocation to the state, territory, and District of Columbia
2. Each subrecipient must match 20% of the grant award; Tribal Nations are exempt from match requirements
3. Each subrecipient must use a volunteer to support the VOCA-funded assistance services
4. VOCA cannot make up more than 75% of an organization's overall budget
5. Each subrecipient must have a record of effective services to victims of crime prior to being funded

Victim Assistance Formula Grants Core Purposes

Efforts that:

1. Respond to the emotional and physical needs of crime victims;
2. Assist primary and secondary victims of crime to stabilize their lives after victimization;
3. Assist victims to understand and participate in the criminal justice system and/or provide victims of crime with a measure of safety and security

Victim Assistance Formula Grants Allowable Services & Costs

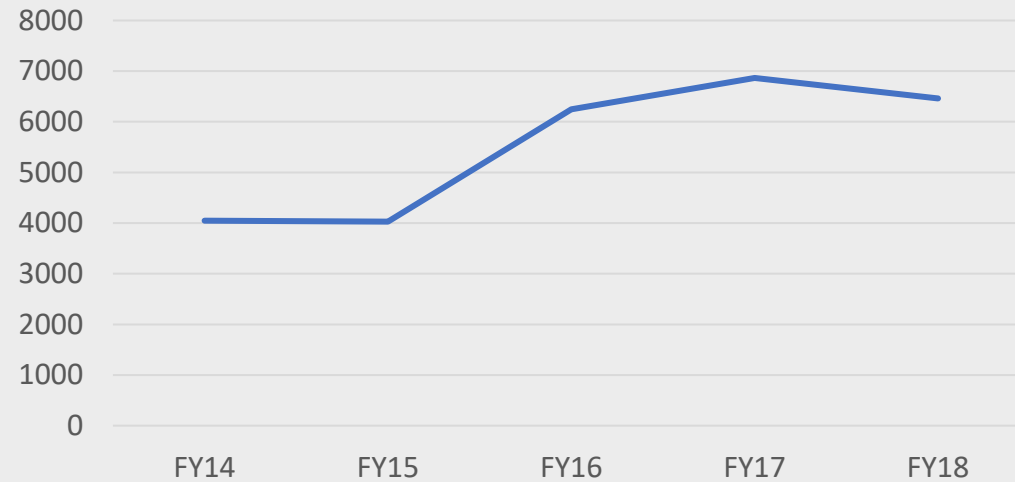
1. Needs arising from immediate emotional, psychological, and physical health and safety;
2. Mental health counseling and care;
3. Peer-support;
4. Facilitation of participation in criminal justice and other public proceedings arising from the crime;
5. Legal assistance;
6. Forensic medical evidence collection examinations;
7. Forensic interviews;
8. Transportation;
9. Public awareness;
10. Transitional housing; and
11. Relocation;
12. Services to incarcerated victims of crime

Victim Assistance
Formula Grants
Allowable
Supportive
Services & Costs

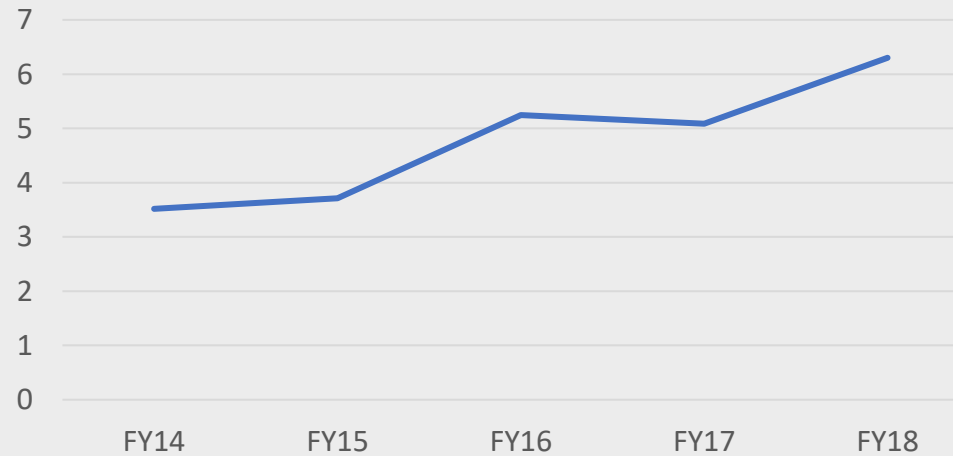
1. Coordination of activities;
2. Supervision of direct service providers;
3. Multi-system, interagency, multi-disciplinary response to crime victim needs;
4. Contracts for professional services;
5. Automated systems and technology;
6. Volunteer trainings; and
7. Restorative justice.

Victim Assistance Formula Grants Progress FFY 2013-2018

VOCA Funded Agencies



Victims Served (millions)





Advocacy and Education in FY21

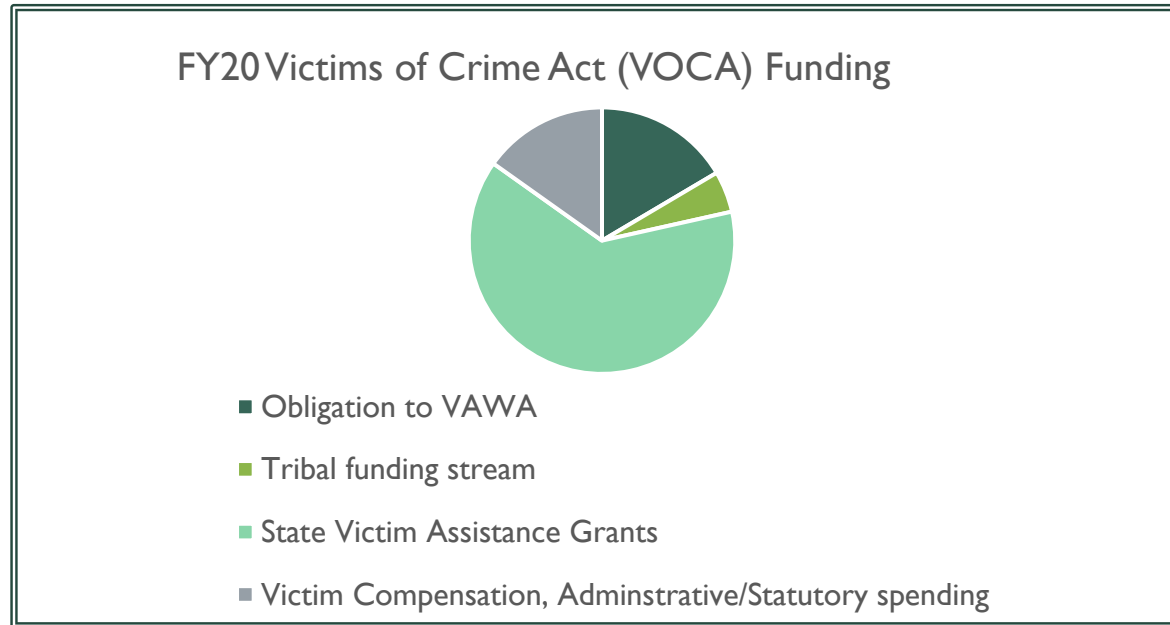
Liam Lowney, Massachusetts

FY21 NAVAA Policy Agenda

NAVAA takes the official positions relative to the Victims of Crime Act (VOCA) statute and Crime Victims Fund (CVF) appropriation in FY21:

- **Amend Victims Compensation and Assistance Act of 1984**
 - Allow for additional years of spending for formula assistance and compensation awards to states
 - Deposit all monetary penalties from deferred and non-prosecution agreements into the CVF
 - Deposit a percentage of civil fines and penalties into the Fund
- **Request Congress to stabilize the Crime Victims Fund through the appropriations process and FY21 federal budget**
 - Encourage collection of criminal fines and fees from federal prosecutions to be deposited into the Fund rather than deferred
 - Provide consistent, predictable funding of the annual cap to maintain existing services and programming and provide for future planning
 - In FY21, NAVAA seeks a cap of \$2-2.3B from Congress
 - Support the funding of VAWA and other non-VOCA eligible programming through general revenue appropriations rather than the CVF

STABILIZE THE CRIME VICTIMS FUND (CVF) TO ENSURE QUALITY, RELIABLE SERVICES TO CRIME VICTIMS

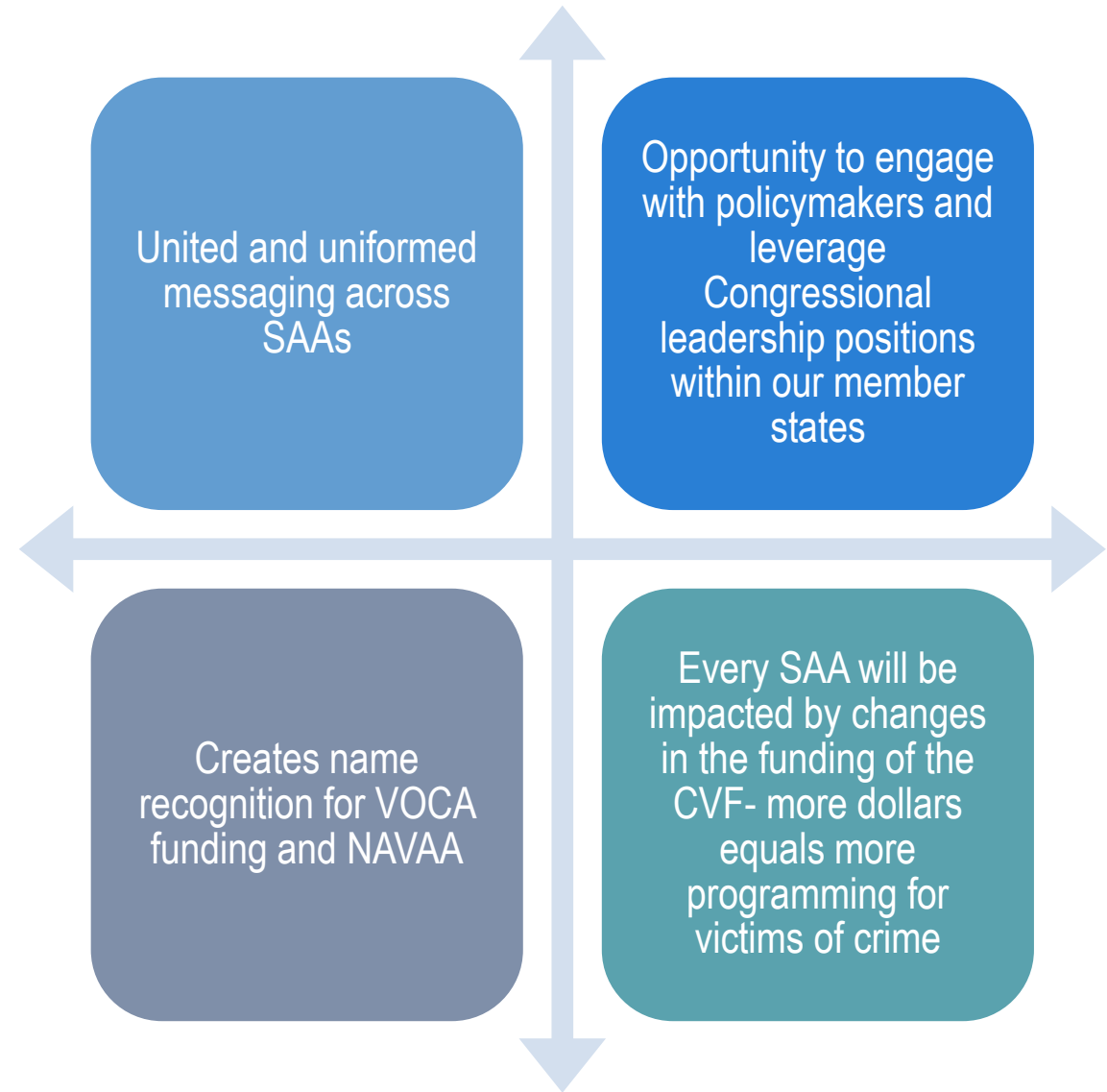


*The Crime Victims Fund is projected to reach a ten-year low by the end of **2021** if change isn't enacted. Decrease in funding means an increase in unserved victims.*

SAVE THE FUND IN FY2021:

- Encourage collection of criminal fines and fees from federal prosecutions to be deposited into the Fund rather than deferred
- Provide consistent, predictable funding of the annual cap to maintain existing services and programming and provide for future planning
- Support the funding of VAWA and other non-VOCA eligible programming through general revenue appropriations rather than the CVF

Why does this matter?



Advocacy Tips and Best Practices



Make it personal- be specific with your state!



Use concrete data and statistics whenever possible



Be specific in your ask and request



Schedule in person visits whenever possible- both/either in District or in DC



Don't underestimate the influence and position of staff

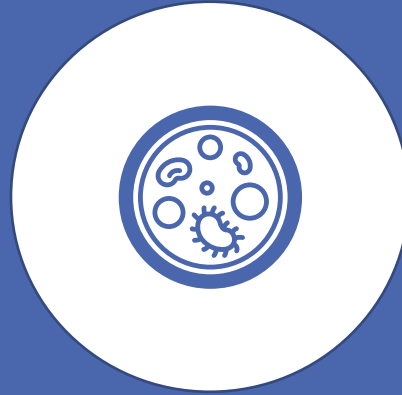


Utilize and empower survivor voices and experiences



External Partnerships & Stakeholders

- National Association of Crime Victims Compensation Boards (NACVCB)
<http://www.nacvcb.org/>
- National Network to End Domestic Violence (NNEDV)
<https://nnedv.org/>
- National Criminal Justice Agency (NCJA)
<https://www.ncja.org/>
- National Alliance to End Sexual Violence
<https://endsexualviolence.org/>
- National Children's Alliance
<https://www.nationalchildrensalliance.org/>



CVF and COVID-19

SUSTAINABILITY OF THE CRIME VICTIMS FUND DURING THE COVID-19 PANDEMIC

COVID-19 Pandemic Impact on Victims of Crime

- The response to the COVID-19 pandemic unintentionally helps create the type of environment that abusers can manipulate. The increased need for services will extend far beyond the current pandemic crisis. Once the nation and individual states begin lifting stay at home orders and survivors feel comfortable accessing services, VOCA funded programs will see a significant increase in outreach.
- Given the directives across the country to stay at home as much as possible, survivors of domestic violence and sexual assault are more likely to be in close quarters with their abusers without immediate access to resources such as advocacy, safety planning, or shelter. This is especially true for victims needing services through tribal victim service programs which are at greater risk of shutting down due to the unique challenges of operating tribal governments.
- Outreach to victim service agencies and law enforcement nationwide remains inconsistent since the inception of the COVID-19 pandemic compared to previous years for victims of domestic violence and sexual assault. For those that are reaching out, more than 5,000 people have called the National Domestic Violence Hotline since mid-March and cited COVID-19 as a trigger.
- Reports of child abuse and sexual assault are plummeting as mandated reporters, including teachers, medical providers, therapists, and clergy are not having in-person interactions with children.
- Social distancing requirements have limited access to funerals and memorials for victims of homicide to mourn the loss of their loved ones. The closure of courthouses around the country are postponing trials and creating stress and uncertainty amongst families around when trials will resume and what access to these proceedings will look like.

Crime Victims Fund as a Necessary Tool to Minimize Impact on Victims

In order to effectively serve victims of crime during and in the aftermath of COVID-19, NAVAA respectfully requests the VOCA statute be amended to:

- Deposit all monetary penalties from deferred and non-prosecution agreements into the Crime Victims Fund
- Allow for additional years of spending or no-cost extensions for VOCA discretionary, assistance and compensation awards
- To provide immediate assistance to states supporting victims of crime, emergency funding through general appropriations is also needed:
- \$75M for a Coronavirus Emergency Supplemental Victim Assistance Funding Program available to states in need of supplemental funding for emergency assistance during the pandemic.

Importance of Proposed Changes to the Sustainability of Victim Services during COVID-19 Crisis

- VOCA dollars are the primary funding source available for services to all victims of crime. Awards offer greater flexibility in assisting with victims' urgent, immediate needs.
- Increased dollars in the Crime Victims Fund will help Administrators and VOCA programs to effectively provide and manage the surge in victims reporting crimes and accessing services.
- Extended award period allows Administrators to better plan and predict funding awards and long-term services as the economic impact of the COVID-19 crisis will affect state budgets and other additional funding sources significantly. For those with remaining funds available, additional time allows for redirection of funds for emergency assistance without threat of compromising traditional services or reversion.
- Emergency funding will provide critical, immediate assistance to states who have already spent down VOCA awards with existing programming and allow for a more robust response to victims seeking services during and after the pandemic subsides.
- The Crime Victims Fund, as is, is projected to reach a ten-year low by the end of 2021 if change is not enacted. Decrease in funding means an increase in unserved victims.

Congressional Response

House HEROES Act, H.R. 6800

Passed in the House of Representatives 5/15/20

- Redirects fees/fines collected through deferred prosecution agreements and non-prosecution agreements into the VOCA Crime Victims Fund
- Removes the match requirement imposed by OVC for VOCA assistance subgrants during the COVID-19 emergency period

No action from Senate yet. Anticipated movement July 2020.



Questions?