

The VOCA Fix Act to Sustain the Crime Victims Fund Act

March 4, 2021

The Basics

Fact: The Victim of Crime Act's (VOCA) Crime Victims Fund (CVF) is a **non-taxpayer** source of funding that supports thousands of crime victims services providers **servicing millions of victims of crime annually** and is funded by monetary penalties associated with **federal criminal convictions**.

Fact: **Deposits fluctuate annually** based on the cases that the Department of Justice successfully prosecutes.

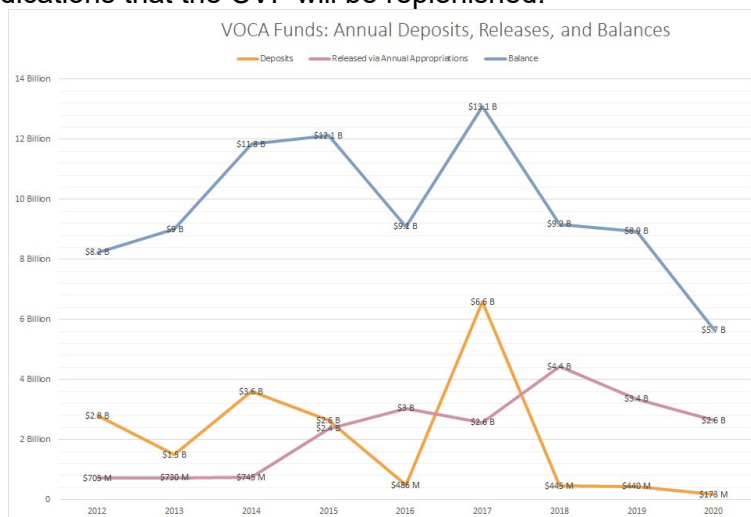
Fact: Appropriators decide how much to release from the CVF every year. Statutorily, **this money funds specific DOJ programs and state victim assistance grants and supplements state victim compensation funds**.

Fact: **It is important to have money in the CVF to provide a buffer for lean years**. Unfortunately, if there are too many lean years in a row, the CVF will not be able to provide that buffer. That is the situation we are currently facing.

Lower Deposits Lead to Cuts in Grants

Fact: **Deposits into the CVF are historically low**. Deposits the last four years have been \$445 million, \$495 million, \$503 million, and \$117 million (as of the end of December) respectively - deposits have not been this low since 2003. This decrease is caused in part by an increase in the use of **deferred prosecution and non-prosecution agreements**, the monetary penalties associated with which are deposited into the General Treasury rather than the Crime Victims Fund.

Fact: **Lower deposits lead to lower releases**. Appropriators are justly cautious about depleting the CVF, and they are reluctant to dip too deeply into the buffer the CVF provides, particularly if they do not see indications that the CVF will be replenished.



Fact: The amount coming off the top for non-victim service grants is somewhat static, which means that the **cuts to the annual VOCA release disproportionately cut victim service**

grants. Thus, the percentage cut to victim service grants is larger than the percentage cut to the VOCA release.

Fact: **State grants decreased in FY'19, FY'20, and FY'21, reflecting the decreased deposits.** If the release was to reflect deposits without drawing down the balance in the CVF to dangerously low levels, assuming no transfers to fund other grants, victim assistance grants to the states could be cut to as little as approximately \$200 million annually, only 5% of what went out in FY'18.

The Impact

Fact: **States are experiencing enormous cuts** to their awards.

Fact: Every state is at a different place in their grant cycles. Some subgrantees have already seen cuts (ex. Ohio), and some will see them in the next few years.

Fact: CACs receive between \$150 and \$200 million in VOCA dollars annually, which is the largest single source of funding for these programs. The cost of serving the more than 371,000 children they helped last year was \$614 million. **If programs lose 70% of their funding, this would leave a \$140 million deficit, equating to about 84,450 children.**

Fact: **Victim services in Ohio lost \$55 million in 2020.** Rape crisis programs specifically lost over \$7.5 Million, with individual programs losing between 32% and 57% (as well as three 100% cuts) of VOCA funds. This will essentially cut services in half, reducing survivor access to pre-2000 levels.

The Solution

Pass the *VOCA Fix to Sustain the Crime Victims Fund Act* to increase deposits into the Crime Victims Fund by **depositing monetary penalties associated with deferred prosecution and non-prosecution agreements into the CVF** as well as monetary penalties associated with convictions.

This is **not new spending**. It is simply capturing money that would be going into the CVF if these crimes were prosecuted instead of settled.

Congress must also increase the federal contribution to state victim compensation funds by matching 75% of state funds instead of the current 60%.

For **more information**, see a letter to Congress (<https://tinyurl.com/23drue5v>), signed by over 1,670 national, state, tribal, and local organizations and government agencies. The 56 State and Territorial Attorneys General also sent a letter to Congress (<https://dojmt.gov/wp-content/uploads/VOCA-Amendments-NAAG-Final-.pdf>), addressing some of these same issues.