

VOCA Fix to Sustain the Crime Victims Fund Act of 2021

Toolkit

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Contacting Your Members of Congress

Contacting your Members of Congress is easy! See below for a step-by-step guide.

- 1) Identify your Members of Congress. You can find your Senator at <https://www.senate.gov/senators/contact> and your Representative at https://ziplook.house.gov/htbin/findrep_house?ZIP=.
- 2) To contact your Senators and Representative by phone, call the US Capitol Switchboard at 202-224-3121 or find their phone numbers on their websites.
- 3) To contact your Senators and Representative by email, go to their website and click on the 'contact us' link. If you know someone in your Senators' and/or Representative's office, contact them directly.
- 4) You can use the call script and sample email below, or you can use the talking points below to craft your own!

Talking points:

- The ask: sponsor and support the bipartisan, bicameral *VOCA Fix to Sustain the Crime Victims Fund Act of 2021* ("the *VOCA Fix Act*")
- Victims of Crime Act (VOCA) grants are the largest source of federal funding for programs providing services for victims of all types of crimes. VOCA is also the only source of federal funding for victim compensation grants.
- VOCA is NOT funded by taxpayers. Instead, it is funded by monetary penalties associated with federal criminal convictions (primarily white collar crime).
- VOCA grants have decreased by 70% compared to four years ago, because DOJ is not prosecuting as many crimes and is instead entering into deferred prosecution and non-prosecution agreements. The monetary penalties from these agreements are deposited into the General Treasury rather than into the VOCA fund.
- This decrease has led to significant cuts to victim service grants, and further catastrophic cuts are anticipated unless Congress acts NOW.
- The solution is *the VOCA Fix Act*. This bill:
 - Deposits monetary penalties from deferred and non-prosecution agreements that would otherwise go into the General Treasury into the VOCA fund;
 - Increases the federal contribution to state victim compensation funds by 15%;
 - Includes other small but vital updates.
- A summary of *the VOCA Fix Act* in the form of a letter signed by more than 1,680 organizations and government agencies can be found at <https://tinyurl.com/23drue5v>. A short fact sheet can be found [here](#).
- If you are sending an email, don't forget to link to the fact sheet for your state! The links to state fact sheets can be found [here](#).

Call Script

"My name is [*your name and, if applicable, your organization*], and I am a constituent calling from [*your location*] to urge [*Member of Congress's name*] to cosponsor the bipartisan, bicameral *VOCA Fix to Sustain the Crime Victims Fund Act of 2021* ("*the VOCA Fix Act*"), which is critical legislation to prevent catastrophic cuts to victim services grants. Victim service providers rely heavily on Victims of Crime Act, or VOCA, grants. VOCA also supplements state victim compensation funds. VOCA grants are funded by monetary penalties from federal prosecutions, mostly for white collar crime, and are not funded by taxpayer dollars.

The money available for VOCA grants has dropped dramatically over the last few years, because the Department of Justice is entering into deferred prosecution and non-prosecution agreements instead of convicting offenders. The money from those agreements goes into the Treasury instead of going to VOCA grants. As a result, grants for victim services have been cut by two-thirds compared to three years ago, and victim service providers are facing further potentially catastrophic cuts in their VOCA grants! Moreover, state victim compensation programs are struggling and are unable to reimburse medical bills, lost wages, and funeral costs.

[If applicable, explain how cuts to victim services and victim compensation grants will impact your community].

The VOCA Fix Act solves this crisis by redirecting monetary penalties from deferred and non-prosecution agreements to the VOCA fund and increasing the federal government's contribution to state victim compensation funds as well as making other small changes.

As a constituent and as someone who cares deeply about victims and survivors, I ask [*Member of Congress's name*] to cosponsor this critical bill!

Email Script

Greetings!

My name is *[your name and, if applicable, your organization]*, and I am a constituent writing you from *[your location]* to urge you to support and co-sponsor the bipartisan, bicameral *VOCA Fix to Sustain the Crime Victims Fund Act of 2021* (“*the VOCA Fix Act*”). Victim service providers, including programs serving survivors of child abuse, domestic violence, sexual assault, trafficking, drunk driving, homicide, and other crimes rely heavily on Victims of Crime Act (VOCA) grants. VOCA also supplements state victim compensation funds. VOCA grants are not taxpayer-funded; instead, VOCA is funded by monetary penalties from federal criminal convictions. As the Department of Justice is entering into more deferred prosecution and non-prosecution agreements, the money available for VOCA grants has dropped dramatically. As a result, victim assistance grants have been cut by two-thirds compared to three years ago, and victim service providers are facing further potentially catastrophic cuts in their VOCA grants! Moreover, state victim compensation programs are struggling and are unable to reimburse medical bills, lost wages, and funeral costs.

[If applicable, explain how cuts to victim services and victim compensation grants will impact your community].

The VOCA Fix Act solves this crisis by redirecting monetary penalties from deferred and non-prosecution agreements to the VOCA fund and increasing the federal government’s contribution to state victim compensation funds. More than 1,680 organizations and government agencies have signed onto a letter in support of *the VOCA Fix Act*, which can be found at <https://tinyurl.com/23drue5v>. You can find specific information about the impact of VOCA cuts on *[your state]* at *[insert link to state fact sheet. Links can be found [here](#)]*.

As a constituent and as someone who cares deeply about victims and survivors, I ask you to take immediate action in support of the solutions included in the letter above.

If you have any questions, please contact Rachel Graber (rgraber@ncadv.org), Denise Edwards (dedwards@nca-online.org), Terri Poore (terri@endsexualviolence.org), Monica McLaughlin (mmclaughlin@nnev.org), Daisy Pagan (daisy@navaa.org), and Dan Eddy (dan.eddy@nacvcb.org).

Yours truly,

[your name, location]

[organization and title, if applicable]

Fact Sheet

VOCA Fix to Sustain the Crime Victims Fund Act of 2021 (“the VOCA Fix 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.

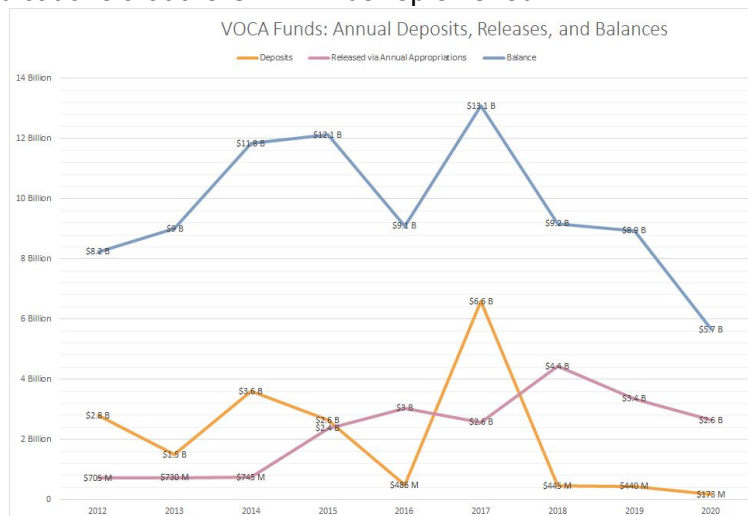
Fact: Appropriators decide how much to release from the CVF every year. Statutorily, **this money funds specific DOJ programs and state victim assistance grants and supplements state victim compensation funds**.

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 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 the letter to Congress (<https://tinyurl.com/23drue5v>), signed by more than 1,680 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) (<https://dojmt.gov/wp-content/uploads/VOCA-Amendments-NAAG-Final-.pdf>), addressing some of these same issues.

Social Media

Twitter handles: To find the twitter handle of your Senators and Representative, visit this [link](#).

Hashtags: #VOCAFIX #Crisis4Victims

Sample Tweets:

.[@Senator/Representative] Lifesaving services for victims are on the line. There is a #Crisis4Victims. Congress, pass the #VOCAFix Act ASAP! <https://tinyurl.com/23drue5v>

.[@Senator/Representative] Don't let VOCA go over the cliff. Pass the #VOCAFix Act. #Crisis4Victims +1,680 victims rights orgs +56 Attorneys General & national orgs have asked for this fix <https://tinyurl.com/23drue5v>

Letters of support:

On social media, you can link to the national stakeholder letter in support of the VOCA Fix using this shortened url: <https://tinyurl.com/23drue5v>

The national stakeholder letter above signed by more than 1,680 victim rights organizations and government agencies also links to another letter by all 56 Attorneys General (<https://dojmt.gov/wp-content/uploads/VOCA-Amendments-NAAG-Final-.pdf>).

Graphics can be found at <https://tinyurl.com/pk4tdnrf>.

Op-Ed Template

As we as a nation are pulling out all of the stops to address the COVID-19 pandemic and the associated public health crisis, we are simultaneously turning our backs on people impacted by long-standing, pervasive public health epidemics - domestic violence, child abuse, sexual assault, trafficking, and other forms of interpersonal violence. Victims of crime are facing potentially catastrophic cuts to funding for programs that serve them, and Congress must take immediate action to protect grant funding for victim services by immediately passing the bipartisan, bicameral *VOCA Fix to Sustain the Crime Victims Fund Act of 2021* (“the *VOCA Fix Act*”).

Victims of Crime Act (VOCA) grants are the largest source of federal funding for victim service organizations. These grants are drawn from the Crime Victims Fund (“CVF” or “the Fund”), which comprises monetary penalties associated with federal criminal convictions; VOCA grants are NOT funded by taxpayers! They can be used to serve survivors of all crimes. VOCA also supports state victim compensation by matching 60% of states’ victim compensation funds.

The CVF is like a bank account with deposits and withdrawals. In the past, when deposits were high, Congress was able to withdraw money to fund victim service grants while also leaving some in its ‘savings account’ as a backstop for lean years. However, even the most robust ‘savings account’ will run out if more money is withdrawn regularly than is deposited. That is the situation in which we find ourselves. The balance in the ‘savings account’ has decreased by 70% since the end of 2017.

Deposits into the Fund are the lowest since they’ve been since the early 2000s, and Congress has had to pull from the Fund’s savings. But since they also will need to draw on these savings in future years, they have had to cut victim service grants to avoid emptying the CVF entirely. *[Describe how the cuts have impacted your program/ability to serve survivors if applicable.]*

The historically low deposits into the CVF are, in large part, the result of DOJ’s prosecutorial decisions, particularly in white-collar criminal cases. Instead of prosecuting, they are entering into deferred prosecution and non-prosecution agreements. Monetary penalties associated with these agreements go into the General Treasury instead of the Crime Victims Fund. The underlying crime is the same, but survivors do not benefit from that money - more than \$7 billion over the last three years and \$2.5 billion since January 1 of this year.

The solution is simple: pass the *VOCA Fix Act* to change the law so that monetary penalties associated with deferred and non-prosecution agreements go into the Crime Victims Fund. It’s a common-sense solution that has broad bipartisan, bicameral support. And it can’t wait! Every day that goes by without this deposits fix is a day that crime victims and the programs that serve them are denied critical funding. Congress must pass this fix into law.

Senators [*your Senators*] and Representative [*your Representative*]: victims, survivors, victim service programs, and all of your constituents are counting on you to be their champions.

Co-sponsor and vote in favor of *the VOCA Fix Act* to support your constituents without spending a dime of taxpayer money. We need you to avert the pending victim service catastrophe!

*More information about the *VOCA Fix to Sustain the Crime Victims Fund Act of 2021* in the form of a letter signed by more than 1,680 organizations and government agencies can be found at <https://tinyurl.com/23drue5v>.

Letter to the Editor Template

Due to dramatic cuts in Victims of Crime Act (VOCA) grants, victim services in our community are facing serious funding cuts. VOCA grants fund services for victims of all types of crime and are the largest source of federal grant funding for victim service providers. VOCA is not funded by tax-payers; instead, it is funded by monetary penalties associated with federal criminal convictions, particularly for white collar crimes. As DOJ decreases prosecution in favor of deferred prosecution agreements and non-prosecution agreements - the penalties from which go into the General Treasury - VOCA grants are similarly decreasing. The bipartisan, bicameral *VOCA Fix to Sustain the Crime Victims Fund Act of 2021* (*"the VOCA Fix Act"*) fixes this by redirection penalties from deferred prosecution and non-prosecution agreements into the VOCA fund. I call on Senators [*your Senators*] and Representative [*your Representative*] to co-sponsor and support *the VOCA Fix* to ensure critical victim services do not see further, catastrophic cuts. More information about this bill, in the form of a letter signed by more than 1,680 organizations and government agencies, can be found at <https://tinyurl.com/23drue5v>.

Unbranded Action Alert for Organizations

Senators Durbin (D-IL), Graham (R-SC), Baldwin (D-WI), Grassley (R-IA), Feinstein (D-CA), Cornyn (R-TX), Klobuchar (D-MN), and Murkowski (R-AK) and Representatives Nadler (D-NY-10), Fitzpatrick (R-PA-1), Jackson Lee (D-TX-18), Wagner (R-MO-2), Scanlon (D-PA-5), McMorris Rodgers (R-WA-5), Dingell (D-MI-12), and Moolenaar (R-MI-4) just introduced the bipartisan, bicameral *VOCA Fix to Sustain the Crime Victims Fund Act of 2021* (“*the VOCA Fix Act*”). This critical legislation will prevent devastating cuts to federal funding for victim service programs through the Victims of Crime Act (“VOCA”), including programs serving victims and survivors of child abuse, sexual assault, domestic violence, trafficking, drunk driving, assault, homicide, and other crimes.

The situation is dire! Federal **grants to victim services** through the Victims of Crime Act (VOCA) decreased by 35% last year on top of a 25% decrease the previous year, and further drastic cuts are expected, because the non-taxpayer-funded pool of funding VOCA grants are pulled from is running dry. Congress can fix this by ensuring federal financial penalties from deferred prosecution and non-prosecution agreements are treated the same way as penalties resulting from criminal convictions - that they go to serve and compensate crime victims.

State **victim compensation** funds are also facing financial challenges due to decreased revenue, and many are unable to provide adequate compensation to help survivors pay for medical bills, counseling, lost wages, and other costs. Congress can fix this by increasing the percentage of state victim compensation funds that the federal government matches through VOCA.

In addition to the fix to increase deposits into the VOCA fund, *the VOCA Fix Act*:

- Requires state VOCA Administrators to waive the 20% match requirement for victim service subgrantees for the pendency of the COVID-19 crisis and one additional year;
- Allows state VOCA Administrators to waive subgrantee match requirements at their discretion after the aforementioned waiver expires and require state VOCA Administrators to develop and publish a policy and procedure for obtaining a waiver;
- Allows states to request a no-cost extension from the Attorney General, as allowed for other Department of Justice formula grant programs, to ensure states can thoughtfully and effectively distribute victim service grants without being penalized; and
- Provides flexibility for state compensation programs to waive the requirement to promote victim cooperation with law enforcement if good cause is established by the program.

More than 1,680 organizations and government agencies signed a letter (<https://tinyurl.com/23drue5v>), urging Congress to pass the VOCA Fix Act, and we need your help to make sure Congress gets the job done!

Please contact your Members of Congress and tell them to co-sponsor and support the bipartisan, bicameral *the VOCA Fix Act*. A toolkit with instructions on contacting your Members of Congress, call and email scripts, sample Tweets, an op-ed template, and other resources can be found [here](#).

For more information, contact Denise Edwards (dedwards@nca-online.org), Rachel Graber (rgraber@ncadv.org), Terri Poore (terri@endsexualviolence.org), Monica McLaughlin

(mmclaughlin@nedv.org), Daisy Pagan (daisy@navaa.org), and Dan Eddy (dan.eddy@nacvcb.org).

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