

## Background – Victims of Crime Act & the Devastating Cut in Grants to States

**What are VOCA grants?** The Victims of Crime Act (VOCA) of 1984 created the Crime Victims Fund (CVF) where criminal fines/penalties resulting from federal criminal prosecutions are deposited, i.e. it is non-taxpayer money generated from federal prosecutions. Each year, in the annual US Dept of Justice Department appropriations bill Congress decides the *amount* of CVF funds to allocate for VOCA grants to states. Federal VOCA grants support crime victim services (all types of crime), state victim compensation programs, victim notification systems, victim specialists in US Attorney and FBI offices, etc. VOCA grants are currently the largest source of federal funds supporting crime victim services and the only source of funds for services provided to families of homicide victims.

**Why did Congress cut VOCA?** Congress cut funding for VOCA grants to states because deposits into the Crime Victim Fund (CVF) are dangerously low, i.e. the fund is running out of money. For the last several years the CVF has been dwindling due to a change in federal prosecutorial strategies, including a decrease in criminal prosecutions and an increase in use of deferred and non-prosecution agreements. Although deferred and non-prosecution agreements often require payment of large monetary penalties, since these were not technically criminal prosecutions, they were deposited into the general treasury instead of the CVF. Compounding the problem of dwindling deposits into the CVF, starting in FY18, Congress paid for programs authorized through the Violence Against Women Act (VAWA) with non-taxpayer funds from the CVF instead of appropriating federal dollars for this purpose.

**What can Congress do?** Legislation known as “The VOCA Fix” has been introduced with broad stakeholder support and bi-partisan support in both chambers (S. 611; H.R. 1652). The House passed the bill and the Senate is on track to pass it soon. However, this bill is a *future* fix- even if it were signed into law tomorrow, Iowa cannot expect an increase in federal VOCA funds for at least the next two years. The legislation strengthens the Crime Victim Fund by directing *all* penalties and fines to be deposited into the CVF, i.e. criminal penalties AND monetary payments from deferred and non-prosecution agreements. This will allow the CVF to replenish and provide long-term stability to the fund. Since violations of federal criminal law are the underlying basis for deferred and non-prosecution agreements these monetary penalties are the functional equivalent of criminal fines and ought to have been deposited into the CVF.

Importantly, the VOCA legislation DOES NOT increase funding for VOCA grants. It is a critically needed statutory fix that enables the CVF to replenish by directing all monetary payments from violations of federal criminal law be deposited. It is a *future* fix that allows more funds to be available for Congress to allocate to federal VOCA grants, but it will take time for the fund to replenish. It is impossible to predict CVF collections from year to year but over the last 3 years about \$7 billion went into the general treasury that could have gone into the CVF if the VOCA Fix bill were on place.