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of Community Health



Michigan Crime Victim
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VOCA 101 or “Hey! Where did all the money go?”

A Primer for Engaging Discussion and Action for Undiminished Funding Resources

by Mike Fullwood

Participants at the December 2003 meeting of the VOCA Council of Advocates discussed their concern that collection of federal criminal fines and forfeitures by the U.S. Department of Justice was not keeping pace with current funding needs for VOCA supported services. In fact, it was suggested that if collections do not increase or if additional funding sources are not tapped, federal support for victim assistance could be cut in half as early as FY 2006. The CVSC was asked to recommend measures that would assist service providers in organizing an effective local voice to lobby on behalf of undiminished collection and appropriation of VOCA funds.

CVSC representatives explained that an in-depth “how to” instruction regarding local political organization and formal lobbying efforts was not an area in which the Commission was appropriately resourced to assist the participants. However, the CVSC offered to provide reliable data and policy-based program statements that might be useful to local agencies that wished to engage in local or expanded educational and lobbying efforts for promoting consistent

and effective levels of VOCA funding. You may also find the articles in this edition of *The Michigan Advocate* penned by Gloria Wood of the Underground Railroad, Inc. in Saginaw and Erin Skene of the Michigan Nonprofit Association to be of interest. Both are related to educating your elected representatives.

The National Association of VOCA Assistance Administrators and the National Association of Crime Victim Compensation Boards are currently engaged in an effort to identify and promote options for enhancing VOCA collections and increasing state

funding. CVSC representatives expressed their belief that local service agencies acting through similar representative organizations, or jointly with their local service structure, could be very effective in expanding awareness and appreciation among policy-makers. Our local VOCA partners can best demonstrate the valuable role their programs play in their

communities. To that end, the participants at the Council of Advocates meeting specifically requested that a “VOCA 101” summary be created to assist them in these efforts.

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VOCA Background *ready...*

The federal Victims of Crime Act of 1984 (VOCA) ushered in a new era in crime victim assistance in America. In response to findings and recommendations issued by the President's Task Force on Victims of Crime and the Attorney General's Task Force on Violent Crime, VOCA established the first significant national program in support of crime victim services. Under VOCA, federal funding is available to every state to support crime victim assistance and compensation programs. VOCA provided funding by establishing the Crime Victims Fund; this fund is supported by the collection of criminal fines and forfeitures in federal courts.

Under VOCA, a minimum of forty percent of each state grant (ten percent to each of the four victim populations listed here) must be allocated to programs supporting services to victims of domestic violence, child abuse, sexual assault, and underserved victims of crime. In Michigan, the purpose is to increase and enhance victim assistance in local communities and neighborhoods. Agencies eligible to receive grant funding are public or private non-profit agencies that provide, or plan to provide, effective direct services to crime victims. Eligible applicants must meet the twenty percent cash or in-kind match requirement (five percent for Native American tribal programs), use volunteers, promote community efforts to aid crime victims, help victims apply for compensation benefits, provide services at no charge to victims and maintain confidentiality of client-counselor and research information.

Allowable services under the grant generally include services that immediately respond to health and safety issues, that help victims with understanding the dynamics of victimization, that assist victims participating in the criminal justice system, and services that support victims in managing practical problems created by the victimization.

VOCA permitted a professionalization and institutionalization of crime victim services that was previously unheard of. Those of you providing services in Michigan can attest to the high levels of skills and training required to perform crime victim services today at a standard that is acceptable to your agency and supported within your community.

It is our hope that this article will provide all of us with some ammunition to help bring your VOCA project to the attention of those who will wish to assist you in pressing for undiminished federal funding support.

VOCA Funding History *set...*

The table below provides a summary history of VOCA collections and funding distributions since inception. It can be seen that there is a consistent relationship between federal collections and the dollars granted for victim assistance in Michigan.

The table reflects the statutory cap placed on the Crime Victims Fund from 1986 through 1993. In 1994, the statutory cap was lifted and until 2000 amounts were determined entirely by statutory formula. In 2000, Congress acted to preserve a portion of some very large collections into the Crime Victims Fund for future allocation. This limitation by appropriation process has continued into the present time. While it is not the purpose of this article to debate the Congressional wisdom of limiting appropriation of VOCA funds, given the recent reduction in collections it may be said that the decision to preserve the victim assistance windfall was a sound one.

VOCA Collections and State Grants					
Grant Year	Total U.S. Collections	Spending Limits	Compensation Amounts	Victim Assistance	MI Grant Amounts
1986	68,312,956	100,000,000	23,477,000	41,252,000	1,465,000
1987	62,506,345	110,000,000	28,149,000	30,754,000	1,050,535
1988	77,446,383	110,000,000	38,600,000	34,618,000	1,193,784
1989	93,559,362	110,000,000	44,647,429	43,721,125	1,455,000
1990	133,540,076	125,000,000	46,527,000	64,418,500	2,239,000
1991	146,226,664	125,000,000	48,527,000	65,674,500	2,257,000
1992	127,968,462	150,000,000	56,718,000	62,734,000	2,096,000
1993	221,608,913	150,000,000	68,496,000	68,611,000	2,299,000
1994	144,733,739	NA	60,610,000	65,463,000	2,176,000
1995	185,909,720	NA	64,662,000	79,760,450	2,681,000
1996	233,907,256	NA	83,843,000	130,425,338	4,483,000
1997	528,941,562	NA	74,242,000	397,059,000	13,739,000
1998	362,891,434	NA	67,428,000	275,670,800	9,352,000
1999	324,038,486	NA	66,966,000	238,136,000	8,089,000
2000	985,185,354	500,000,000	81,374,000	370,167,000	12,770,000
2001	776,954,858	537,500,000	90,677,000	360,864,000	12,386,000
2002	544,437,014	550,000,000	93,957,000	383,027,323	12,885,000
2003	519,466,480	600,000,000	164,933,000	353,027,299	11,695,000
2004	361,341,967	625,000,000	186,162,466	355,994,145	11,796,000

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What is the “reserve” and why is it in danger? Without going into great detail, the federal court system imposed large “super-fines” on several large multinational corporations as part of criminal case settlements in 1999 and 2000. This resulted in a windfall of dollars into the Crime Victims Fund and a subsequent reaction by Congress to place limitations on amounts that would be available to the Department of Justice for grants. Over these two years a \$724 million “reserve” of unspent VOCA funds was created. However, as can be seen above, from 2002 through 2004, spending limits have now exceeded fund revenues by about \$350 million, or about half of the original “reserve.” At current rates, the “reserve” will be expended by FY 2006.

How is each year’s federal fund collection divided up? Let’s look below at a FY 2000 and 2001 example borrowed from the National Association of Crime Victim Compensation Boards’ website (www.nacvcb.org). As can be seen, the Crime Victims Fund provides resources for Children’s Justice Act programs at OVC and HHS; the U.S. Attorney and FBI budgets also receive support. It is known that other federal departments with victim-related activities are seeking support from the fund. Nonetheless, it can be seen that the largest distribution of annual fund allocation still goes to state victim compensation and assistance programs.

VOCA Service Implications *go!*

The Michigan Crime Victim Services Commission has determined that there is an obvious and direct link between funding levels and the quantity and quality of services available in the statewide network of crime victim resources. Depending upon the type of victimization, VOCA funding represents anywhere between fifty and one hundred percent of the statewide public funds available to local agencies to meet the needs of victims of crime in their communities. The implications of large rollbacks in federal VOCA funding include a severe statewide reduction in the local community resources available to meet these service needs.

What is “service”? There is a huge difference between prompt, appropriate, in-person client contact and in creating client waiting lists. There is a huge difference between providing a safe location where victims can go to have their needs addressed by trained and compassionate staff and in asking victims to try looking in the yellow pages for help. Exaggeration? Those of you who have been in service provision long enough to remember “back when” know that it is not an exaggeration; it is a very real and very bleak reality that could await a large number of crime victims if nothing is done to reverse the reduction in Crime Victim Fund collections. It is estimated that if collections keep declining and if the reserve is fully expended by FY 2006,

Distribution of Crime Victims Fund (in millions of dollars)

	FY 2000	FY 2001
Total Available	500.0	537.5
Children's Justice Act	10.0	22.8
U.S. Attorney's Office	14.4	14.7
FBI	0	7.4
Int'l/Dom. Terrorism	10.1*	21.1**
OVC Fed/Training	14.0	17.8
Compensation	81.4	90.7
Assistance	370.2	360.9

*OVC used \$10.1 million to increase reserve to current \$46 million total.

** Amount OVC chooses as available from Reserve of \$46 million for international/domestic grants and compensation.

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Michigan communities would lose sixty percent of their victim service capacity within three years. And actually, the aggregate loss would probably be greater because of the “spin-off losses” that would be generated; such as the potential inability of local task forces to meet shared goals or in greater difficulties for community response teams in implementing planned commitments.

Let’s put a “face” on your VOCA statistical reporting. After all, we have always wondered what purpose those numbers might serve! During the period 10/01/1995 – 09/30/1996, VOCA-funded staff served a total of about 31,000 individual crime victims in Michigan. These victims received about 110,000 services. As you can see by the VOCA Collections Table, the state received federal grant funding of about \$2.7 million in 1995 and about \$4.5 million in 1996. A review of state accounting records from 1996 tells us that the CVSC awarded about \$3.0 million in grants and that about two-thirds of those funds were from the 1995 grant. In contrast, during the period 10/01/2002 – 09/30/2003 VOCA funded staff served a total of about 133,000 individual crime victims. These victims received about 340,000 services. The state received federal grant funding of about \$11.7 million in 2003. Grants awarded during the period were about \$11.0 million. What do these numbers tell us? What does this mean for crime victims?

While none of this is an exact science, it does provide some worthwhile indicators. It tells us that it costs about 85 federal dollars, give or take, to fully serve a victim of crime. It tells us it costs about 30 federal dollars, give or take, to provide a specific victim with a specific suite of services. This is not \$85 each time you see the victim and this is not \$30 every time you provide the service. Due to the way VOCA statistics are collected (non-duplicated counts) we know that this is the TOTAL COST to serve that client from intake to exit! If your community can find a better service bargain than VOCA, please go out and buy it!

Okay, back to the hard stuff. Let’s take a look at that victim’s face in a hypothetical community. The community currently receives a total of \$200,000 in VOCA project funding and those dollars support a full time counselor, 3 advocates and the coordination of numerous community volunteers. The

project serves 2,200 crime victims a year and provides about 6,600 services. Due to fifty percent (or more) reduction in collections of federal criminal fines, the state must reduce its commitment to this community’s project by a like amount. What happens? As shown by the numbers above, at least 1,100 victims will not be receiving services and at least 3,300 services will not be provided to those who are most needful of them. Well, who will miss a few services? Who indeed? Is this a program for sexual assault victims? “Well, I suppose advocates and counselors would have been nice.” Are these 1,100 people victims of domestic violence who could previously depend upon a trained advocate to assist them with preparing

and filing a personal protection order? “Maybe they’ll not become frustrated with the system and will understand the process well enough to successfully have a valid order on file.” Could these 1,100 victims possibly be small children who have been subjected to the ultimate ugliness of child abuse? “Hmmm, that’s really bad, we really could have used someone to coordinate services and

criminal justice system needs for them”. What is the real-life value of that \$85 when you use it to purchase the opportunity to help a rape victim, or a battered woman trying to finally escape from her abuser, or an innocent child who has been rescued from hell? Of course, its value is inestimable.

Do your own math. What would reductions mean for your program and your community? Talk to your colleagues. Talk to your community leaders. Talk to your elected state and local policymakers. Talk to your U.S. Senators, your Congressmen and Congresswomen. Tell them what it is that you do, why it is so essential, and how economical and socially beneficial your program is. Tell them that federal criminal fines support the program and tax dollars have never been used, but if that’s what it takes, then perhaps tax dollars should be considered. Tell them that crime victims have critical unmet needs even without funding reductions. Tell them about the 1,100 victims who will be without a helping hand at the moment in their life when they most truly need it. Tell them that you need help telling Congress that it must find a way to support and preserve consistent, effective and undiminished levels of funding for crime victim services under VOCA. ▀

Let’s put a “face” on your VOCA statistical reporting. After all, we have always wondered what purpose those numbers might serve!

Mike Fullwood is the Director of the Crime Victim Services Commission, Michigan Department of Community Health.