



# The Michigan ADVOCATE

## Victims of Crime Act Crime Victims Fund

■ by Steve Derene

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*A Michigan*

*Crime Victim Services*

*Commission Publication*

Spring 2003  
Volume 4 Issue 1

Just a little over twenty years ago the President's Task Force on Victims of Crime issued its recommendations for the field of victim rights

and services. Many recommendations have already been implemented, such as the 1984 Victims of Crime Act (VOCA), while some, such as recognition of victim rights in the U.S. Constitution, are still being vigorously pursued.

VOCA remains the federal government's primary vehicle supporting direct services to victims of all crimes. The creation of the Crime Victims Fund, into which federal criminal fines, forfeitures, special assessments and other penalties are deposited, represented a promise by the federal government to sustain, enhance, and expand services to victims of crime.

Deposits into the Crime Victims Fund during its first year totaled \$68 million and continued to grow yearly between \$130 - \$200 million until 1996 when, because of a single bank fraud case, deposits jumped to \$529 million. That windfall was followed in 1999 with other, super-duper windfalls; deposits into the Fund reached nearly \$1 billion. A quick glance at deposits into the Crime Victims Fund shows rather dramatic fluctuations in deposits—large peaks followed by gradual declines (see graph on page 2). This feature has been one of the most challenging for state VOCA assistance administrators to

manage. And it hasn't escaped the notice of Congress, the keepers of the VOCA purse.

Although the VOCA statute calls for the entire amount of each year's Crime Victims Fund deposits to be distributed the following year, Congress began imposing limitations on annual obligations—the so-called "caps" on VOCA spending. While there are undoubtedly several underlying reasons for Congress placing a cap on VOCA spending, their express purpose is to "stabilize future funding for these programs." Even in years in which there have been large deposits, the amount available for VOCA programs is limited. As a result, by the beginning of federal fiscal year 2003, a substantial balance totaling \$720 million has accumulated in the Fund. Despite this balance, Congress has approved only minimal increases in how much of the Crime Victims Fund can be spent. Combined with recent congressional changes made in fund distributions, the VOCA cap will cause a significant reduction in the amount of funds available for VOCA state victim assistance grants—this at a time when all public and private financial support for victim services

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Production of  
The Michigan Advocate  
is provided by the  
Michigan Public Health Institute

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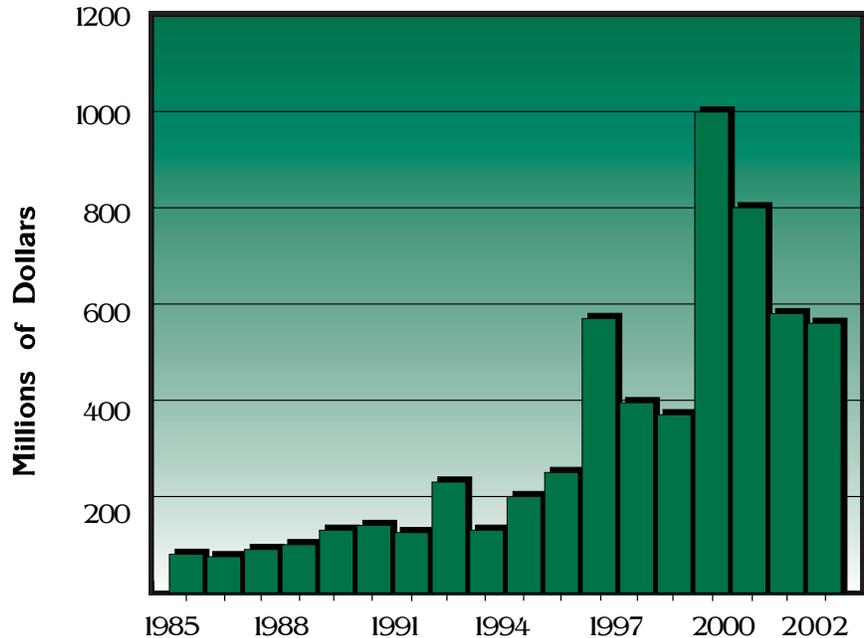
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The Crime Victim Services Technical Assistance Project is supported by Award No. 2000-VA-GX-0026 awarded to the Michigan Public Health Institute by the Michigan Department of Community Health, Crime Victim Services Commission. The grant award comes from the Federal Crime Victims Fund, established by the Victims of Crime Act of 1984.

## Deposits into the Crime Victims Fund



Source: U.S. Department of Justice, Office for Victims of Crime, Victims of Crime Act Crime Victims Fund, January 2002

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is being reduced. It is critical to ensure adequate long-term support for services to victims of all crimes. Before Congress imposed VOCA caps and the entire Fund was distributed each year, funding levels were pretty much taken for granted—in both good times and bad.

Now that Congress has intervened by setting annual caps, victim advocates have focused their attention on communicating to Congress why an adequate level of VOCA funding is critical to meet the needs of crime victims. At the national, state, and local levels, advocates are working together to educate policymakers about VOCA, emphasizing that these funds are from criminals, not taxpayers, and play an essential role in serving crime victims. A consortium of national advocacy groups, including the National Association of VOCA Assistance Administrators (NAVAA), the National Association of Crime Victim Compensation Boards (NACVCB), National Network to End Domestic Violence (NNEDV), National Organization for Victim Assistance (NOVA), National Center for Victims of

Crime (NCVC), Mothers Against Drunk Driving (MADD), and Parents of Murdered Children (POMC) issued a joint statement supporting a higher VOCA cap. Similarly, service providers and individual crime victims have been contacting their representatives in Congress to urge them to release more VOCA funds. While these efforts may not have an immediate positive result, they are essential to the long-term success and stability of VOCA funding. This is really the first time that members of Congress have had any occasion to hear and learn about VOCA, and unless they hear from their constituents, they will assume that everything is working fine. Even one phone call, letter, fax, or email from a constituent can bring this issue to a legislator's attention. ▽

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