Victims of Crime Act Assistance Funds (VOCA)

VOCA

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The information provided will assist grantees to understand and manage VOCA funding.

See VOCA Federal Legislative Authority

VOCA grantees must adhere to all requirements in the DOJ Grants Financial Guide and the OMB Uniform Guidance .

Eligibility

Programs must be operated by a public or nonprofit agency, or a combination of such agencies, and provide direct services to crime victims. These programs include, but are not limited to:

- Sexual abuse and rape treatment centers
- Domestic abuse programs and shelters
- Child abuse programs
- Prosecutor based victim services
- Other community-based victim coalitions; and
- Support programs including those who serve survivors of homicide victims.
- Programs must also demonstrate a record of providing effective services to crime victims. This includes having community support and approval of its services, a history of providing direct services in a cost-effective manner, and financial support from other sources.

Those programs that have not yet demonstrated a record of providing services may be eligible to receive VOCA funding, if they can demonstrate that 25% of their financial support comes from non-federal sources. It is important that programs have a variety of funding sources besides federal funding in order to ensure their financial stability.

Only those services provided directly to crime victims can be funded with VOCA funds.

In addition, state specific requirements and clarification are listed below:

Volunteers: Grantee organizations must have volunteers unless the state determines there is a compelling reason to waive this requirement. A “compelling reason” may be a statutory or contractual provision

concerning liability or confidentiality of counselor/victim information, which bars using volunteers for certain positions, or the inability to recruit and maintain volunteers after a sustained and aggressive effort. All requests for waivers must be made in writing to VSS providing specific details. Volunteers are not required to work in the VOCA program unless the time is used as in-kind match. All supervision, background checks, training requirements, file documentation, etc. for volunteers providing direct services to victims must be consistent with the agency policy for paid staff providing the same or similar direct service(s).

Victim Compensation Information/Assistance: Such assistance may include identifying and notifying crime victims of the availability of compensation, assisting them with documentation, and/or with application forms and procedures, obtaining necessary documentation, and/or checking on claim status. All victims who appear to be eligible must be notified of their right to apply for compensation from Criminal Injury Compensation.

Purpose

In 1984, VOCA established the Crime Victims Fund in the U.S. Treasury and authorized the Fund to receive deposits of fines and penalties levied against criminals convicted of federal crimes. The Department of Justice is responsible for the distribution of the funds, which are collected by U.S. Attorney's Offices, U.S. Courts, and the U.S. Bureau of Prisons. This Fund provides the source of funding for all activities authorized by VOCA.
The purpose of the Victims of Crime Act (VOCA) is to provide high quality services that directly improve the health and well-being of victims of crime with priority given to victims of child abuse, domestic violence, sexual assault and services for previously underserved victims. The Office for Crime Victims (OVC) makes annual VOCA crime victim assistance grants from the Fund to states. The primary purpose of these grants is to support the provision of services to victims of crime throughout the nation. For the purpose of these program guidelines, services are defined as those efforts that:

- Respond to the emotional and physical needs of crime victims.
- Assist primary and secondary victims of crime to stabilize their lives after victimization.
- Assist victims to understand and participate in the criminal justice system, provide victims of crime with a measure of safety and security such as boarding up broken windows and replacing or repairing locks.

The governor of each state designates the state agency that will administer the VOCA victim assistance grant program. In Iowa, the Office of the Attorney General, Crime Victim Assistance Division is the administering agency. The designated agency establishes policies and procedures. VOCA funds granted to the states are to be used by eligible public and private nonprofit organizations to provide direct services to crime victims. States have sole discretion for determining which organizations will receive funds, and in what amounts, as long as the grantees meet the requirements of VOCA.

Allowable Services/Costs

VOCA grantees must meet all allowable cost requirements listed in the 2016 VOCA Federal Guidelines.

Grantee Allowable Services/Costs VOCA Rules, 28 CFR Part 94)
Direct services for which VOCA funds may be used include, but are not limited to the following:

a. Immediate emotional, psychological, and physical health and safety
b. Mental health counseling and care
c. Peer-support
d. Facilitation of participation in criminal justice and other public proceedings arising from the crime
e. Legal assistance
f. Forensic medical evidence collection examinations
g. Forensic interviews
h. Transportation
i. Public awareness
j. Transitional housing
k. Relocation

28 CFR 94.119

What are direct services for immediate emotional, psychological, and physical health and safety?

These are services that respond to immediate needs (other than medical care, except as specifically

allowed) of crime victims, including, but not limited to:

1. Crisis intervention services
2. Accompanying victims to hospitals for medical examinations
3. Hotline counseling
4. Safety planning
5. Emergency food, shelter, clothing, and transportation
6. Short-term (up to 45 days) in-home care and supervision services for children and adults who remain in their own homes when the offender/caregiver is removed.
7. Short-term (up to 45 days) nursing-home, adult foster care, or group- home placements for adults for whom no other safe, short-term residence is available.
8. Window, door, or lock replacement or repair, and other repairs necessary to ensure a victim's safety.
9. Costs of the following, on an emergency basis (i.e., when the State's compensation program, the victim's or in the case of a minor child, the victim's parent's or guardian's health insurance plan, Medicaid, or other health care funding source, is not reasonably expected to be available quickly enough to meet the emergency needs of a victim (typically within 48 hours of a crime)): non-prescription and prescription medicine, prophylactic or other treatment to prevent HIV/AIDS infection or other infectious disease, durable medical equipment (such as wheelchairs, crutches, hearing aids, eyeglasses), and other healthcare items are allowed; and
10. Emergency legal assistance such as filing for restraining or protective orders, and obtaining emergency custody orders and visitation rights.
    1. 28 CFR 94.119(a).

What are direct services for personal advocacy and emotional support?

Personal advocacy and emotional support services include, but are not limited to:

1. Working with a victim to assess the impact of a crime
2. Identification of victim's needs
3. Case management
4. Management of practical problems created by the victimization
5. Identification of resources available to the victim
6. Provision of information, referrals, advocacy, and follow-up contact for continued services, as needed.
7. Traditional, cultural, and/or alternative therapy/healing (e.g., art therapy, yoga).

28 CFR 94.119(b).

What are direct services for mental health counseling and care?

Mental health counseling care includes, but is not limited to, outpatient therapy/counseling (including, but not limited to, substance-abuse treatment so long as the treatment is directly related to the victimization) provided by a person who meets professional standards to provide these services in the jurisdiction in which the care is administered. Furthermore, this provision allows for holistic therapy options to be considered: art therapy, trauma-informed yoga, court dogs, equine therapy, music therapy, etc. Also, non-traditional therapies such as healing garden, sewing circle, art therapy, music therapy, peace ceremony (especially for victims of SA).
28 CFR 94.119(c).

What are direct services for peer-support?

Peer-support includes, but is not limited to, activities that provide opportunities for victims to meet other victims, share experiences, and provide self-help, information, and emotional support.
28 CFR 94.119(d).

What are direct services for the facilitation of participation in criminal justice and other public proceedings arising from the crime?

The provision of services and payment of costs that help victims participate in the criminal justice system and in other public proceedings arising from the crime (e.g., juvenile justice hearings, civil commitment proceedings), including, but not limited to:

1. Advocacy on behalf of a victim
2. Accompanying a victim to offices and court
3. Transportation, meals, and lodging to allow a victim who is not a witness to participate in a proceeding

4. Interpreting for a non-witness victim who is Deaf or hard of hearing, or with limited English proficiency
5. Providing childcare and respite care to enable a victim who is a caregiver to attend activities related to the proceeding
6. Notification to victims regarding key proceeding dates (e.g., trial dates, case disposition, incarceration, and parole hearings)
7. Assistance with victim impact statements
8. Assistance in recovering property that was retained as evidence
9. Assistance with restitution advocacy on behalf of crime victims. 28 CFR 94.119(e).

What are direct services for legal assistance?

The provision of legal assistance services (including, but not limited to, those provided on an emergency basis), where reasonable and where the need for such services arises as a direct result of the victimization. Such services include, but are not limited to:

1. Those (other than criminal defense) that help victims assert their rights as victims in a criminal proceeding directly related to the victimization, or otherwise protect their safety, privacy, or other interests as victims in such a proceeding (e.g. family matters, custody, housing, dependency matters, immigration assistance, intervention with creditors, schools, campus administration proceedings).
2. Motions to vacate or expunge a conviction, or similar actions, where the jurisdiction permits such legal action based on a person's being a crime victim.
3. Those actions (other than tort actions) that in the civil context, are reasonably necessary as a direct result of victimization.

28 CFR 94.119(f).

What are allowable direct service costs for forensic medical evidence collection examinations?

Forensic medical evidence collection examinations for victims are allowable to the extent that other funding sources such as State appropriations are insufficient. Forensic medical evidence collection examiners are encouraged to follow relevant guidelines or protocols issued by the State or local jurisdiction. Grantees are encouraged to provide appropriate crisis counseling and/or other types of victim services that are offered to the victim in conjunction with the examination. Grantees are also encouraged to use specially trained examiners such as Sexual Assault Nurse Examiners. 28 CFR 94.119(g).

When may forensic interviews be allowable direct service costs?

Forensic interviews may be allowable for direct services with the following parameters.
Results of the interview will be used not only for law enforcement and prosecution purposes, but also for identification of victim needs such as social services, personal advocacy, case management, substance abuse treatment, and mental health services.

1. Interviews are conducted in the context of a multi-disciplinary investigation and diagnostic team, or in a specialized setting such as a child advocacy center.
2. The interviewer is trained to conduct forensic interviews appropriate to the developmental age and abilities of children, or the developmental, cognitive, and physical or communication disabilities presented by adults.

28 CFR 94.119(h).

What are direct services for transportation?

Transportation of victims to receive services and to participate in criminal justice proceedings. 28 CFR 94.119(i).

What are direct services for public awareness?

Public awareness and educational presentations (including, but not limited to, the development of presentation materials, brochures, newspaper notices, and public service announcements) in schools, community centers, and other public forums that are designed to inform crime victims of specific rights and services and provide them with (or refer them to) services and assistance. 28 CFR 94.119(j).

What are direct services for transitional housing?

Subject to any restrictions on amount, length of time, and eligible crimes, set by the SAA, transitional

housing for victims (generally, those who have a particular need for such housing, and who cannot safely return to their previous housing, due to the circumstances of their victimization), including, but not limited to, travel, rental assistance, security deposits, utilities, and other costs incidental to the relocation to such housing, as well as voluntary support services such as childcare and counseling. Shelters for victims of domestic violence or human trafficking would be allowable. 28 CFR 94.119(k).

What are direct services for relocation?

Subject to any restrictions on amount, length of time, and eligible crimes, set by the SAA, relocation of victims (generally, where necessary for the safety and well-being of a victim), including, but not limited to, reasonable moving expenses, security deposits on housing, rental expenses, and utility startup costs. 28 CFR 94.119(k).

What are allowable costs for activities that support direct services?

Supporting activities for which VOCA funds may be used include, but are not limited to, the following:

a. Coordination of activities
b. Supervision of direct service providers
c. Multi-system, interagency, multi-disciplinary response to crime victim needs
d. Contracts for professional services
e. Automated systems and technology
f. Volunteer training
g. Restorative justice

28 CFR 94.120.

What about serving Incarcerated Victims?

The rule does not require that services to incarcerated victims must be provided but merely removed the expressed prohibition on such services that existed previously. The costs permitted for direct services to incarcerated victims are the same as those permitted for such services to any crime victim as long as the services relate to the victimization and not the charge for which the individual is incarcerated. This change does not allow VOCA funding to be diverted to “prison purposes”. VOCA funding is not subject to mandated reduction or reallocation for non-compliance under PREA.

What are coordination activities?

Coordination activities that facilitate the provision of direct services, include, but are not limited to, State-wide coordination of victim notification systems, crisis response teams, multi-disciplinary teams, coalitions to support and assist victims, and other such programs, and salaries and expenses of such coordinators. 28 CFR 94.120(a).

What costs are allowable to supervise direct service providers?

Payment of salaries and expenses of supervisory staff in a project, when the SAA determines that such staff are necessary and effectively facilitate the provision of direct services. 28 CFR 94.120(b).

What is a multi-system, interagency, multi-disciplinary response to crime victim needs?

This describes activities that support a coordinated and comprehensive response to crime victim needs by direct service providers, including, but not limited to, payment of salaries and expenses of direct service staff serving on child and adult abuse multi- disciplinary investigation and treatment teams, coordination with federal agencies to provide services to victims of federal crimes and/or participation on Statewide or other task forces, work groups, and committees to develop protocols, interagency, and other working agreements. 28 CFR 94.120(c).

What are allowable contracts for professional services?

Contracting for specialized professional services (e.g., psychological/psychiatric consultation, legal services, interpreters), at a rate not to exceed a reasonable market rate, that are not available within the organization. 28 CFR 94.120(d).

What are allowable automated systems and technology?

Subject to the provisions of the DOJ Grants Financial Guide and government-wide grant rules relating to

acquisition, use and disposition of property purchased with federal funds, procuring automated systems and technology that support delivery of direct services to victims (e.g., automated information and referral systems, email systems that allow communications among victim service providers, automated case-tracking and management systems, smartphones, computer equipment, and victim notification systems), including, but not limited to, procurement of personnel, hardware and other items, as determined by the SAA after considering:

1. Whether such procurement will enhance direct services.
2. How any acquisition will be integrated into and/or enhance the program's current system.
3. The cost of installation.
4. The cost of training staff to use the automated systems and technology.
5. The ongoing operational costs, such as maintenance agreements, supplies.
6. How additional costs relating to any acquisition will be supported. 28 CFR 94.120(e).

What are allowable costs for volunteer training?

Activities in support of training volunteers on how to provide direct services when such services will be provided primarily by volunteers. 28 CFR 94.120(f).

What are allowable costs for restorative justice?

Activities in support of opportunities for crime victims to meet with perpetrators, including, but not limited to, tribal community-led meetings and peace-keeping activities, if such meetings are requested or voluntarily agreed to by the victim (who may, at any point, withdraw) and have reasonably anticipated beneficial or therapeutic value to crime victims. SAAs that plan to fund this type of service should closely review the criteria for conducting these meetings, and are encouraged to discuss proposals with OVC prior to awarding VOCA funds for this type of activity. At a minimum, the following should be considered:

1. The safety and security of the victim.
2. The cost versus the benefit or therapeutic value to the victim.
3. The procedures for ensuring that participation of the victim and offenders are voluntary and that the nature of the meeting is clear.
4. The provision of appropriate support and accompaniment for the victim.
5. Appropriate debriefing opportunities for the victim after the meeting.
6. The credentials of the facilitators. 28 CFR 94.120(g).

What are allowable grantee administrative costs?

Administrative costs for which VOCA funds may be used by grantees include, but are not limited to, the following:

a. Personnel costs
b. Skills training for staff
c. Training-related travel
d. Organizational expenses
e. Equipment and furniture
f. Operating costs
g. VOCA administrative time
h. Leasing or purchasing vehicles
i. Maintenance, repair, or replacement of essential items; and
j. Project evaluation.

28 CFR 94.121.

What are allowable personnel costs?

Personnel costs that are directly related to providing direct services and supporting activities such as staff and coordinator salaries expenses (including fringe benefits), and a prorated share of liability insurance. 28 CFR 94.121(a).

What are allowable costs for skills training for staff?

Training exclusively for developing the skills of direct service providers, including paid staff and volunteers

(both VOCA-funded and not), so that they are better able to offer quality direct services, including, but not limited to, manuals, books, videoconferencing, electronic training resources, and other materials and resources relating to such training.
28 CFR 94.121(b).

What are allowable costs for training-related travel?

Training-related costs such as travel (in-State, regional, and national), meals, lodging, and registration fees for paid direct-service staff (both VOCA-funded and not).
28 CFR 94.121(c).

What are allowable costs for organizational expenses?

Organizational expenses that are necessary and essential to providing direct services and other allowable victim services, including, but not limited to, the prorated costs of rent; utilities; local travel expenses for service providers; and required minor building adaptations necessary to meet the Department of Justice standards implementing the Americans with Disabilities Act and/or modifications that would improve the program's ability to provide services to victims.
28 CFR 94.121(d).

What are allowable costs for equipment and furniture?

Expenses of procuring furniture and equipment that facilitate the delivery of direct services (e.g., mobile communication devices, telephones, braille and TTY/TDD equipment, computers and printers, beepers, video cameras and recorders for documenting and reviewing interviews with children, two-way mirrors, colposcopes, digital cameras, and equipment and furniture for shelters, work spaces, victim waiting rooms, and children's play areas), except that the VOCA grant may be charged only the prorated share of an item that is not used exclusively for victim-related activities.
28 CFR 94.121(e).

What are allowable costs for operating costs?

Operating costs include but are not limited to supplies; equipment use fees; property insurance; printing, photocopying, and postage; courier service; brochures that describe available services; books and other victim-related materials; computer backup files/tapes and storage; security systems; design and maintenance of Web sites and social media; and essential communication services, such as web hosts and mobile device services.
28 CFR 94.121(f).

When is the leasing or purchasing of vehicles allowable?

Costs of leasing or purchasing vehicles may be allowable, as determined by the SAA after considering, at a minimum, if the vehicle is essential to the provision of direct services.
28 CFR 94.121(h).

What are allowable costs for maintenance, repair, or replacement of essential items?

Costs of maintenance, repair, and replacement of items that contribute to maintenance of a healthy or safe environment for crime victims (such as a furnace in a shelter; and routine maintenance, repair costs, and automobile insurance for leased vehicles), as determined by the SAA after considering, at a minimum, if other sources of funding are available.
28 CFR 94.121(i).

What are allowable costs for project evaluation?

Costs of evaluations of specific projects (in order to determine their effectiveness), within the limits set by the SAA.
28 CFR 94.121(j).

Is training for individuals who will be working with victims/survivors (e.g. foster parents, interpreters, CPS, law enforcement) allowable?

As long as the training is related to how to serve the victim, or how to connect the victim to appropriate services, it is allowable.

Is purchasing food allowable?

Costs of food in emergency situations, including food for a sheltering program, is allowable. **OVC has stated that food for support groups is NOT allowed.**

Are coalitions eligible for funding?

Coalitions are eligible for funding if it supports “direct services” to victims. For example “building the capacity” of advocates who will be providing direct services, service coordination (SARTs, DARTs, CARTs, trafficking response teams, etc.) and creation of policies, response protocols, etc.

Is Maternity Leave, FMLA, Short Term Disability, etc. for advocates allowable?

These expenses may be allowable if it is based on the policies of the sub-recipient agency. Severance packages are unallowable.

Are Fines, Penalties, Impound Fees eligible?

Yes, as long as the fees/fines relate back to the crime and paying these costs will aid in the victim’s ability to obtain safety, security, or stabilization following that crime. Payment of criminal fines/fees are unallowable.

Unallowable Costs

The following expenses detail expenses that are unallowable with VOCA funds.
Notwithstanding any other provision of the rules, no VOCA funds may be used to fund or support the following:

a. Lobbying
b. Research and studies
c. Active investigation and prosecution of criminal activities
d. Fundraising
e. Capital expenses
f. Compensation for victims of crime (except as otherwise allowed in statute or rule)
g. Medical care (except as otherwise allowed in statute or rule)
h. Salaries and expenses of management (except as otherwise allowed in statute or rule.
i. Directors, Officers and Managers Insurance
j. Mortgage payments

28 CFR 94.122.

What are unallowable lobbying costs?

Lobbying or advocacy activities with respect to legislation or to administrative changes to regulations or administrative policy (cf. 18 U.S.C. 1913), whether conducted directly or indirectly.
28 CFR 94.122(a).

What are unallowable research and study costs?

All research and studies are unallowable, except for project evaluation under § 94.121(j).
28 CFR 94.122(b)

What are unallowable costs for the active investigation and prosecution of criminal activities?

The active investigation and prosecution of criminal activity is expressly unallowable, except for the provision of victim assistance services (e.g., emotional support, advocacy, and legal services) to crime victims, under § 94.119, during such investigation and prosecution.
28 CFR 94.122(c)

What are unallowable costs for medical care?

All grantee costs for medical care are unallowable, except as otherwise allowed by other provisions of the rules.
28 CFR 94.122(d)

What are unallowable costs for salaries and expenses of management?

Salaries, benefits, fees, furniture, equipment, and other expenses of executive directors, board members, and other administrators (except as specifically allowed elsewhere in this subpart) are unallowable.
28 CFR 94.122(e)

Reporting Requirements

Performance reports are due quarterly in the OVC PMT web portal https://ojpsso.ojp.gov/main.cfm. See ____ for more information on performance report requirements.

Grantees are required to gather and maintain relevant programmatic and financial data. During desk audits, on-site monitoring and any other time you can be asked to provide supporting documentation.

Match Requirements

Match is required for all agencies, except tribal government organizations. Match waivers may be available in limited circumstances with appropriate justification. If required, match is 25% of the grant amount.

Certified Assurances

To download a copy of the subgrantee's certified assurances for STOP Violence Against Women (STOP VAWA or VAWA) formula funds click **here**.

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