

Crime Victims Fund Information

Iowa

Background

What is the CVF?

- The Crime Victims Fund (CVF), established through the Victims of Crime Act of 1984 (VOCA), is the primary funding source for victim services throughout the nation.
- Deposits to the CVF originate from criminal fines, forfeited bail bonds, penalties, and special assessments collected by U.S. Attorneys' Offices, federal U.S. courts, and the Federal Bureau of Prisons.
- The CVF supports state administered victim assistance programs and crime victim compensation programs, discretionary grant awards, victim specialists in US Attorneys and FBI offices, the federal victim notification system, etc.
- All of these funds are administered through the Office for Victims of Crime (OVC).

What is the issue with the CVF status?

The CVF is projected to reach a 10-year low by the end of 2021, if change is not enacted to the statute.

CVF Balance by Federal Fiscal Year (FFY)

FFY12	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18	FFY19	FFY20	12/31/20
\$8.2B	\$9.0B	\$11.8B	\$12.1B	\$9.4B	\$13.0B	\$9.1B	\$9.9B	\$4.4B	\$4.0B

In Fiscal Year (FY) 2018, receipts into the fund began to diminish due to what we believe was a decrease in the prosecution of corporations in criminal actions like fraud and corruption cases and an increase of non-prosecution and deferred prosecution agreements that do not go into the CVF.

CVF Receipts by FFY

FFY12	FFY13	FFY14	FFY15	FFY16	FFY17	FFY18	FFY19	FFY20	12/31/20
\$2.7B	\$1.4B	\$3.5B	\$2.6B	\$486M	\$6.58B	\$444M	\$440M	\$503M	\$177M

Compounding the issue has been increased direct appropriations from the CVF to the Office on Violence Against Women (OVW) in FFYs 18 and 19, which has further reduced the amount available for VOCA program purposes.

OVW/VAWA Transfers from the CVF by FFY

FFY16	FFY17	FFY18	FFY19	FFY20
\$379M	\$326M	\$492M	\$498M	\$435M

How has this impacted Iowa's VOCA Assistance Dollars?

Grant awards have steadily declined since FY 2018 mirroring the reductions in the fund and the limited receipts deposited into the CVF.

FFY16	FFY17	FFY18	FFY19	FFY20
\$21,551,984	\$17,945,919	\$32,018,832	\$21,737,817	\$16,103,233

FY 21 Awards Nationally

Due to declining balances in the fund, the FY 21 "cap" is about \$2B, which is 55% lower than it was three years ago in 2018 (\$3.4B), and 24% lower than 2020 (\$2.6B). This means that formula funding to states and territories to support victim assistance and compensation has decreased by 64% between 2018 and 2021. Between FY 2020 and FY 2021, the National Association of VOCA Assistance Administrators (NAVAA) estimates that formula funding to each state will decrease by 35% from their FY 20 Award.

What does that mean for Iowa?

Iowa's FY 21 award will be at a 5 year low at approximately \$10,467,101 meaning less funding to support services for crime victims.

- Reduced available dollars will impact funding to services that impact all victims of crime including domestic violence programs, rape crisis services, child victims, human trafficking, and other victims of violent crimes.

Looking Ahead

Once the FY 21 awards have been granted and administered to states, the CVF balance will reach about \$2B at the end of this fiscal year (September 30, 2021). This will lead to significant future reductions by appropriators in FY 22 and the years that follow if the CVF is not addressed.

What does the VOCA Fix Bill do?

The proposed legislation would:

CVF Fix

- **Redirect monetary penalties from federal deferred prosecution and non-prosecution agreements that would otherwise be deposited into the General Treasury into the Crime Victims Fund.**
 - May stem the tide of reductions being felt in states now and in the future.
 - Will enable DOJ to continue using deferred and non-prosecution agreements while remaining confident that the associated fines will be directed to support OVC programming for crime victims.

VOCA Assistance

- **Allow states to request no-cost extensions 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.**
 - VOCA is the only DOJ state formula grant program that does not provide an option for the AG to allow no-cost extensions to administrators.
 - The language included mirrors that included in the Byrne JAG program and is applied by the Bureau of Justice Assistance to several of the other key state formula grant programs.
 - If in place, this would have permitted states to budget their FY 2018 dollars in a manner that would have allowed for better management of FY 2019 reductions.
- **Allow state VOCA Administrators to waive subgrantee match requirements at their discretion and require state VOCA Administrators to develop and publish a policy and procedure for obtaining a waiver.**
 - This would codify a practice OVC put in place with state administrators.
 - Some of the challenges have been those where states who are less transparent about their process.
 - The goal of the language is to ensure consistency and transparency.
- **Require 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.**
 - Due to the pandemic, programs have had difficulty raising funding and using volunteer hours that support their match.
 - This would ensure a match waiver for any subgrantee that requests one.

Victim Compensation

- **Increase the federal grant calculation for funding to victim compensation programs (VCOMP) from the current 60% to 75% of state-funded payouts.**
 - There is a current crisis in several states in the amount of VCOMP funding available to survivors.
 - Several state investments into their state compensation programs have decreased over the past several years.
 - These investments are often derived from offender fines and fees at the state level, which are diminishing due to criminal justice reform initiatives and will continue due to court closures in the pandemic.
 - This language increases the percentage amount that OVC can reimburse states for the amount they expend.
- **Instruct OVC not to deduct restitution payments recovered by state victim compensation funds when calculating victim compensation awards.**
 - Currently state VCOMP programs are disincentivized to collect restitution, because it counts against the reimbursement amount they receive from OVC.
 - This language changes that.
- **Provide flexibility for state compensation programs to waive the requirement to promote victim cooperation with law enforcement if good cause is established by the program.**
 - The wording was very carefully negotiated between the advocates, prosecutors, VOCA administrators, and House Legislative Counsel staff.
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Who supports the CVF Fix?

- A collaborative group of law enforcement, victim advocates, VOCA administrators and other state and local government groups have been working together on these changes for almost 18 months.
- All the groups are united in support of this language. None are freelancing or advocating for edits or additions.
- We are unaware of any stakeholder organization in opposition to this language.
- The core groups are: National Criminal Justice Association, National Association of VOCA Assistance Administrators, National Association of Crime Victim Compensation Boards, National Coalition Against Domestic Violence, National District Attorneys Association, National Children's Alliance, National Association to End Sexual Violence, National Network to End Domestic Violence, Council of State Governments, and others.
- All 56 State and Territorial Attorneys General signed a [letter](#) supporting the deposits fix.

- More than [1,650](#) national, state, territorial, tribal, and local organizations and government agencies support this fix, including the following from Iowa:

Amani Community Services, Waterloo
Central Iowa Trauma Recovery Center, Des Moines
Chains Interrupted, Cedar Rapids
EMBARC
Iowa Chapter of Children’s Advocacy Centers
Iowa Coalition Against Domestic Violence
Iowa Coalition Against Sexual Assault (IowaCASA)
Iowa Coalition For Collective Change
Iowa County Attorneys Association
Iowa Safe Schools, Des Moines
Monsoon Asians & Pacific Islanders in Solidarity
National Association of Social Workers - Iowa
Thrive Together
Assault Care Center Extending Shelter and Support, Ames
CAASA, Spencer
Catholic Charities, Council Bluffs
Child Protection Response Center, Davenport
Children & Families of Iowa, Des Moines
Creative Visions Inc., Des Moines
Crisis Intervention and Advocacy Center, Adel
Crisis Intervention Service, Mason City
Crisis Intervention Services of SE Iowa, Oskaloosa
Domestic Violence Intervention Program, Iowa City
Domestic/Sexual Assault Outreach Center, Fort Dodge
Family Crisis Center, Ottumwa
Family Crisis Centers, Inc., Sioux Center
Family Resources, Davenport
Friends of the Family, Waterloo
Helping Services for Youth and Families - Domestic Abuse Resource Center, Decorah
Jesse Cosby Neighborhood Center, Waterloo
La Luz Hispana, Hampton
Latinas Unidas por un Nuevo Amanecer (L.U.N.A.), Des Moines
MercyOne Siouxland Child Advocacy Center, Sioux City
Nisaa African Family Services, Des Moines
Plymouth County Victim Witness Coordinator, Le Mars
SafePlace, Sioux City
Seasons Center for Behavioral Health, Spencer
Waypoint Services, Cedar Rapids