

VICTIMS OF CRIME ACT (VOCA)

BACKGROUND – Federal VOCA Formula Grants to States – Why the Massive Cut?

The Victims of Crime Act (VOCA) of 1984 created the Crime Victims Fund (CVF) to collect fines/penalties resulting from violations of federal law and use these funds - generated with non-taxpayer revenues - to provide grants to states to support crime victims. Each year, Congress determines the amount of CVF money available for two state formula grants and funds are approved in the federal budget and administered by the U.S. Department of Justice. Each state receives a VOCA Victim Assistance grant (formula based on population) and a VOCA Victim Compensation grant (formula based on collections to state victim compensation funds).

Iowa's federal VOCA grants are administered by the Victim Assistance section in the Attorney General's office. VOCA Victim Assistance grant funds are awarded to a range of state and local agencies providing victim support services (all types of crime); VOCA Victim Compensation grant funds are added to state victim compensation programs that reimburse victims for crime-related costs.

Iowa's FY24 VOCA Victim Assistance grant award was \$7.6 million- a 42% cut or a loss of \$5.4 million compared to Iowa's [FY23 award](#) of \$13.1 m. Funding cuts to VOCA only threaten VOCA *Victim Assistance* grants because the Victim Compensation grant formula is based on state victim compensation fund payments so funding fluctuations for these grants are based on what states do. Here is explanation of the [formulas](#): link to [FY24 VOCA awards](#) and [archive](#) of previous years.

Congress did not want to cut VOCA- the massive cut this year was not political- there simply was not enough money in the fund to allocate more. Several years ago, deposits into the CVF dipped to historic lows due to a change in federal prosecution strategies, including a decrease in criminal prosecutions and an increase in use of deferred settlements and non-prosecution agreements. Although these often require payment of large monetary penalties, since these were not counted as criminal prosecutions, they were not deposited into the CVF and were instead deposited into the general treasury.

In response to declining deposits, Congress approved legislation ("VOCA Fix") with broad bi-partisan support, including unanimous support from Iowa's Congressional delegation (Rep. Nunn wasn't in office but sponsored an amendment to prevent the cut this year). It was signed into law July 22, 2021. The law made a structural change directing fees and fines from violations of federal law resolved with deferred settlements and non-prosecution agreements to be deposited into the CVF, i.e., in addition to fines/fees from criminal prosecutions. This critical change enables more funds to be available for crime victims, means the fund can replenish more quickly, and improves long-term stability of the CVF.

The VOCA Fix law is working but it will take more time to sufficiently replenish the CVF. But without the passage of this law, the CVF would not have been able to even sustain the release of VOCA grant funding to states for the last two years. Deposits into the CVF have been increasing steadily and a bi-partisan bill (HR 8061) was just introduced to allow funds from the False Claims Act to be put into the CVF to restore it even more quickly. However, even with robust additional deposits Congress is unlikely to dramatically increase VOCA allocations so as not to drain the fund again.

These are all great developments but any benefit from additional deposits into the CVF will be in the future when Congress might allocate increased VOCA funding for state grants via the annual federal budget process. Future increases will not restore the \$5.4 million loss in FY24 VOCA Victim Assistant grant funds to Iowa's largest source of victim services funding. The size of the CUT was greater than what Iowa has invested in victim services each year for the last decade and greater than what Iowa receives from other federal formula grants each year.