What's Happening with VOCA?
Steve Derene, NAVAA

How Crime Victims Fund works...

Capped to stabilize funding...

"...to ensure a stable source of funds..."

What is the Crime Victims Fund?

- Created in 1984 as dedicated revenue source for the Victims of Crime Act (VOCA) to support state victim assistance and crime victim compensation.
- "special account," separate, self-sufficient, mandatory spending account.
- Only Federal funding dedicated solely to supporting services to victims of all types of crimes.
- Paid entirely by Federal criminal offenders.

Not by taxpayers: Doesn’t add to debt or deficit

Crime Victims Fund Deposits/Caps

1985-2012 = $18.9 Billion

- Federal Fee
- State Fee
- Outside the cap
- Total

Where the money goes

Where the money comes from

Deposits/Caps

- $100 million
- $500 million
- $1,000 million
- $1,500 million
- $2,000 million
- $2,500 million
- $3,000 million

1985-2012 = $18.9 Billion
Revenues - Source of Deposits

- Offender-based revenues:
  - Special Assessments (1.4%)
  - Criminal Fines (97.8%)
  - Forfeited Appearance Bonds (.8%)
  - “Son of Sam” proceeds (0%)
  - Federal inmate care fees, court orders, miscellaneous (<1%)
- Private Gifts, donations, bequests (<1%)
- Some exceptions:
  - Environmental (Endangered Species, Lacey Act, navigable waters)
  - Miscellaneous (Railroad unemployment insurance, postal fund, county school funds)

Where the money goes...

VOCA Authorized Programs

- Under the cap
  - Children’s Justice Act
  - U.S. Attorneys’ Victim Witness
  - FBI Victim Assistance Specialists
  - Federal Violent Crime Assistance
  - OVC Discretionary Grants
  - Competitor
  - State Victim Assistance / Compensation
- Above the cap
  - Antiterrorism Emergency Reserve

Where the money goes... Non-VOCA Authorized Costs

- OJP Management & Administration (M&A)
  - Under cap
  - M&A not assessed against CJA and compensation grants.
  - FY 12: $55.6 million; FY 13: $52.6 million
- Congress: ensure equitable methodology and “for programs funded through the Crime Victims Fund that the assessment reflects a fair representation of the share of each program devoted to common M&A costs.”
- Budget Control Act Sequestration
  - Above cap
  - OMB assess against entire amount in Fund; not cap.
  - FY 14: $11.431 billion @ 7.2% = $823 million
VOCA 2013 Allocations

<table>
<thead>
<tr>
<th>Under the cap</th>
<th>730,000,000</th>
<th>MDA</th>
<th>730,000,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>QIP Management &amp; Administrative Costs (7.4%)</td>
<td>52,585,653</td>
<td>-</td>
<td>52,585,653</td>
</tr>
<tr>
<td>Children's Justice Act</td>
<td>20,000,000</td>
<td>-</td>
<td>20,000,000</td>
</tr>
<tr>
<td>U.S. Attys’ Victim/Witness Coordinators</td>
<td>21,367,457</td>
<td>-1,730,694</td>
<td>21,367,457</td>
</tr>
<tr>
<td>FBI Victim Assistance Specialists</td>
<td>17,648,444</td>
<td>-1,207,129</td>
<td>16,441,315</td>
</tr>
<tr>
<td>Federal Victim Notification System</td>
<td>4,771,000</td>
<td>-313,161</td>
<td>4,417,839</td>
</tr>
<tr>
<td>(4 amounts remaining)</td>
<td>664,213,099</td>
<td>-2,459,723</td>
<td>30,790,932</td>
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</tbody>
</table>

Above the cap

| Antiterrorism Emergency Reserve – up to 5% after other allocations. |

State Allocation Requirements

- Ten percent of each grant
  - Domestic violence
  - Sexual Assault (adult)
  - Child abuse (physical and sexual)
  - Previously underserved victims of violent crime

State VOCA Assistance Grants

- Of the amount available:
  - 56 jurisdictions,
  - Base amount
    - Each state, DC, PR and VI = $500,000
    - American Samoa, Guam, Northern Mariana Islands = $200,000
    - Remainder distributed on population
  - Each grant year of grant plus 3 years

Scorekeeping

- OMB Circular A-11, Appendix A: Delay of Obligations: If a law defers existing budget authority (or unobligated balances) from a year in which it was available for obligation to a year in which it was not available for obligation, that law shall be scored as a rescission in the current year and a reapropagation in the year in which obligatory authority is extended.
  - OMB Circular A-11, Appendix A, page 4
- DOI Budget: “Scorekeeping or Mandatory Savings”
- Congressional Budget Office (CBO): CHIMPS – Changes in Mandatory Programs
- Congressional Appropriators: Offsets

Fewer Victims Served

<table>
<thead>
<tr>
<th>Type of Crime</th>
<th>2011</th>
<th>2012</th>
<th>Difference</th>
<th>Percent</th>
</tr>
</thead>
</table>
| Child Physical Abuse | 182,288 | 182,775 | 487 | 0.3%
| Child Sexual Abuse | 406,820 | 374,165 | -32,655 | -8.0%
| DUI/DWI Crashes | 85,326 | 61,424 | -23,902 | -28.0%
| Domestic Violence | 1,809,912 | 1,683,750 | -126,162 | -6.9%
| Adult Sexual Assault | 237,047 | 205,963 | -31,084 | -13.1%
| Elder Abuse | 69,782 | 37,274 | -32,508 | -46.6%
| Adults Molested As Children | 313,847 | 300,526 | -13,321 | -4.2%
| Survivors of Homicide Victims | 92,946 | 60,009 | -32,937 | -35.4%
| Robbery | 179,216 | 176,719 | -2,497 | -1.4%
| Assault | 237,047 | 300,526 | 63,479 | 21.6%
| Other | 629,993 | 433,311 | -196,682 | -31.3%
| TOTAL | 4,116,648 | 3,486,655 | -629,993 | -15.3% |

Source: FY 2007 and 2012 OVC National Performance Reports
DOJ Budget Request

Federal Budget/Appropriations Process

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Senate</th>
<th>House</th>
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<tr>
<td>FY 2014</td>
<td></td>
<td></td>
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<tr>
<td>Budget M02(a)</td>
<td>$5,058 b</td>
<td>$967 b</td>
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<tr>
<td>CJS M02(b)</td>
<td></td>
<td></td>
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<tr>
<td>Budget Authority</td>
<td>52.3 b</td>
<td>47.4 b</td>
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<tr>
<td>Outlays</td>
<td>61.7 b</td>
<td>58.7 b</td>
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<tr>
<td>VOCA Cap</td>
<td>765.0 m</td>
<td>745.0 m</td>
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<tr>
<td>Vision 21</td>
<td>$25.0 m (non-CVF)</td>
<td>0.0</td>
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</table>

VOCA Discussion Ideas

1. Establish minimum annual VOCA cap increase.
   a. Steady, predictable growth
   b. Enables long-term planning
   c. Draws down Fund balance
2. Only VOCA authorized costs under the cap.
   a. Non-VOCA costs (M&A) “above the cap.”
   b. Would not affect VOCA allocations.
   c. Equitable.
3. Each program area gets fixed percentage of cap.
   a. Eliminates zero-sum relationships.
   b. Increases with overall cap.

VOCA Discussion Ideas

Do Why now?

- Vision 21
- Growth of Crime Victims Fund
- Congressional interest

- Provide steady, predictable growth
- Enables long-term planning
- Establish equitable allocations among VOCA funded program areas

Administration VOCA Budget - 2014

Proposed cap $800 million

- M&A 60 million
- Vision 21 45 million
- Tribal earmark 20 million
- Supplemental programs 25 million
- Domestic trafficking 10 million
- NIJ/BJS (research, evaluation, statistics) 16 million
- Core VOCA programs 669 million

Fund Scenarios

<table>
<thead>
<tr>
<th></th>
<th>$755 million</th>
<th>$1 billion</th>
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<tbody>
<tr>
<td>Initial total spending</td>
<td></td>
<td></td>
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<tr>
<td>Above cap</td>
<td>$0.3 billion</td>
<td>$0.7 billion</td>
</tr>
<tr>
<td>Under cap</td>
<td>$3.7 billion</td>
<td>$7.8 billion</td>
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<tr>
<td>Total</td>
<td>$4.0 billion</td>
<td>$8.8 billion</td>
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Assumes
- $1.15 billion annual deposits (average deposits 2000-2012)
- 2.3% annual cap increase (average inflation 2000 – 2012)
CVF Drawdown Scenarios

<table>
<thead>
<tr>
<th>Initial Spending</th>
<th>Annual increase</th>
<th>Average deposits</th>
<th>Year 10 balance</th>
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</thead>
<tbody>
<tr>
<td>$765 million</td>
<td>2.3%</td>
<td>$1.15 billion</td>
<td>$13.3 billion</td>
</tr>
<tr>
<td>$1 billion</td>
<td>2.3%</td>
<td>$1.15 billion</td>
<td>$10.7 billion</td>
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<tr>
<td>$1 billion</td>
<td>5.0%</td>
<td>$1.15 billion</td>
<td>$9.2 billion</td>
</tr>
<tr>
<td>$1 billion</td>
<td>5.0%</td>
<td>$865 million</td>
<td>$6.6 billion</td>
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<tr>
<td>$1.5 billion</td>
<td>2.3%</td>
<td>$1.15 billion</td>
<td>$5.1 billion</td>
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<tr>
<td>$1.5 billion</td>
<td>5.0%</td>
<td>$1.15 billion</td>
<td>$2.9 billion</td>
</tr>
<tr>
<td>$1.5 billion</td>
<td>5.0%</td>
<td>$865 million</td>
<td>$349 million</td>
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</table>

VOCA Allocation Scenario

<table>
<thead>
<tr>
<th>Program Area</th>
<th>Percentage of cap</th>
<th>Amount first year</th>
<th>2009-2012 Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children's Justice Act</td>
<td>3 percent</td>
<td>$28.2 million</td>
<td>$19.9 million</td>
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<tr>
<td>Federal Set-asides</td>
<td>7 percent</td>
<td>$65.8 million</td>
<td>$42.5 million</td>
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<tr>
<td>OVC Discretionary</td>
<td>6 percent</td>
<td>$56.4 million</td>
<td>$30.2 million</td>
</tr>
<tr>
<td>Crime Victim Compensation</td>
<td>28 percent</td>
<td>$263.2 million</td>
<td>$184.8 million</td>
</tr>
<tr>
<td>Victim Assistance</td>
<td>56 percent</td>
<td>$526.4 million</td>
<td>$395.9 million</td>
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</tbody>
</table>

Assumes total initial spending = $1 billion

Contact Info

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