

# **Durbin, Graham, Others Lead Legislation To Strengthen Victims Of Crime Act**

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WASHINGTON – U.S. Senate Majority Whip Dick Durbin (D-IL), Chair of the Senate Judiciary Committee, along with Senators Lindsey Graham (R-SC), Tammy Baldwin (D-WI), Chuck Grassley (R-IA), Dianne Feinstein (D-CA), John Cornyn (R-TX), Amy Klobuchar (D-MN), and Lisa Murkowski (R-AK) today led a bipartisan, bicameral coalition of Members to introduce critical legislation to strengthen the *Victims of Crime*

*Act* (VOCA) by fixing how the Crime Victims Fund (CVF) is funded. This legislation will redirect monetary penalties from federal deferred prosecution and non-prosecution agreements into the CVF to increase funding for state victim compensation and assistance programs.

“Due to the rapidly diminishing balance in the Crime Victims Fund, victim services are already being slashed in states across the country, and some programs and services may see close to a 100 percent cut within two years. In particular, victims in rural and smaller jurisdictions will be impacted by the cuts if Congress does not act,” Durbin said. “This bipartisan, bicameral legislation to strengthen the Victims of Crime Act will allow many victims a chance to recover and rebuild their lives.”

“The fix in our bill keeps the Fund sustainable and ensures that survivors of child abuse, domestic violence, sexual assault, human trafficking and other crimes continue to receive the vital services they need both directly and through victim support programs,” said Graham. “I am proud to be part of this overdue and much-needed change in policy.”



VOCA established the CVF, which provides grant funding for state victim compensation and assistance programs. Grants are awarded to states, local governments, individuals, and other entities by the Justice Department's Office for Victims of Crime. The CVF does not receive appropriated funding; instead, it receives most money through deposits from criminal fines. As a result, deposits fluctuate annually based on cases that the Justice Department prosecutes.

Deposits into the CVF are historically low, and the decrease is due in large part to greater use of deferred prosecutions and non-prosecution agreements. Monetary penalties associated with these prosecutions are currently deposited into the General Treasury, not the CVF.

Due to the rapidly diminishing balance in the CVF, victim services are already being slashed in states across the country, and some programs and services may see close to a 100 percent cut within two years if Congress does not act. Grant awards to states already decreased in both Fiscal Year (FY) 2019 and FY2020, and victims in rural and smaller jurisdictions will be particularly impacted by the cuts. In Illinois, VOCA victim assistance grant awards went from nearly \$129 million in FY2018 to \$63 million in FY2020. Illinois is estimated to receive only \$27 million in FY2021—a 79 percent reduction from FY2018.

The bipartisan, bicameral *VOCA Fix to Sustain the Crime Victims Fund Act* would strengthen VOCA and preserve the CVF by amending how the CVF is funded. Critical changes in the bill include:

- Directing criminal settlements from Federal non-prosecution and deferred prosecution agreements, which are currently deposited into the General Treasury, into the CVF (known as the “deposits fix,” this change would be the most significant and could make an additional \$4–\$7 billion of non-taxpayer money available to the CVF over the next few years);
- Increasing the percentage that state compensation programs are reimbursed by the Federal government from 60 to 75 percent;
- Allowing states to apply for a no-cost extension for VOCA assistance grants;
- Giving states the ability to waive subgrantee match requirements for VOCA assistance grants; and
- Providing additional flexibility for state victim compensation programs to provide compensation for victims, even if they do not interact with law enforcement.

“The Crime Victims Fund ensures that states can provide compensation and assistance to innocent victims of crimes. This lifeline for so many is rapidly running out of funds

and we must take action to replenish it, so folks can continue accessing these critical resources,” said Baldwin. “I’m proud to have identified a new revenue source for the Crime Victims Fund – directing funds from deferred and non-prosecution agreements be deposited into the Fund. This innovative solution uses no new taxpayer dollars, and I’m glad to see it incorporated into our bipartisan reform to ensure that victims continue to receive the services and assistance they deserve.”

“For decades, the Crime Victims Fund has provided essential support to Americans across the country – all without spending a dime of taxpayer dollars. However, decreased deposits to the fund from criminal fines and penalties threaten the long-term viability of the fund. I raised concerns about this issue last year. This bipartisan bill addresses funding stream issues to ensure that these resources continue to be available to victims well into the future,” Grassley said.

“Programs that help victims of crime are severely underfunded due to declining deposits. The necessity for resources has grown worse during the pandemic with the rise in domestic violence,” said Feinstein. “Our bill helps restore this urgently needed funding to ensure that anyone harmed by a crime will receive help recovering.”

“For years these programs have brought justice to survivors and victims’ families as they recover from trauma, and we must ensure this funding remains available,” said Cornyn. “I am proud to join my colleagues to protect this program and remain committed to helping victims in Texas and across the nation get the support they need to rebuild their lives.”

“As a former prosecutor, I’ve seen firsthand the importance of ensuring crime victims across the country – including in our rural communities – have access to the resources they need to get back on their feet,” said Klobuchar. “This bipartisan legislation will make necessary changes to the Crime Victims Fund to save critical services and programs that help people rebuild their lives.”

“This legislation makes substantial improvements to the Victim of Crimes Act and addresses the continuation of decreasing dollars being deposited into the Crimes Victims Fund, which has become unsustainable. I am proud to have worked on a bipartisan solution which will ensure that the VOCA account has the resources necessary to provide vital services for victims and survivors,” said Murkowski. “Providing this fix for VOCA funds will allow the state of Alaska to continue to meet the immediate needs of survivors. I continue to be concerned that the COVID-19 crisis has led to an increase in cases of domestic violence, sexual assault, and child abuse throughout the state. Moving forward, we must continue to strengthen VOCA programs’ abilities to serve survivors and their communities.”

Along with Durbin, Graham, Baldwin, Grassley, Feinstein, Cornyn, Klobuchar, and Murkowski, the legislation is also cosponsored by Senators Patrick Leahy (D-VT), Mike Crapo (R-ID), Sheldon Whitehouse (D-RI), Joni Ernst (R-IA), Sherrod Brown (D-OH), Thom Tillis (R-NC), Ron Wyden (D-OR), Bob Menendez (D-NJ), Mazie Hirono (D-HI), Jeanne Shaheen (D-NH), Elizabeth Warren (D-MA), Tina Smith (D-MN), Richard Blumenthal (D-CT), Jack Reed (D-RI), Jon Tester (D-MT), Brian Schatz (D-HI), Bob Casey (D-PA), and Catherine Cortez Masto (D-NV).

The House companion legislation is being led by U.S. Representatives Jerrold Nadler (D-NY-10), Brian Fitzpatrick (R-PA-01), Sheila Jackson Lee (D-TX-18), Ann Wagner (R-MO-02), Mary Scanlon (D-PA-05), Cathy McMorris Rodgers (R-WA-05), Debbie Dingell (D-MI-12), and John Moolenaar (R-MI-04).

“The VOCA Fix to Sustain the Crime Victims Fund Act ensures that programs and services assisting victims of crime are fully funded and better supported. The need for this legislation cannot be understated, as deposits into the Crime Victims Fund have continued to decline, a problem only worsened by the COVID-19 pandemic. I am proud of the bipartisan and bicameral collaboration that has made this piece of legislation possible, and I am hopeful that it will be signed into law,” said House Judiciary Committee Chairman Jerrold Nadler.

The legislation has been widely endorsed from stakeholders, including in this support [letter](#) signed by more than 1,680 national, regional, state, tribal, and local organizations and government agencies.