

Senate Passes Critical Bipartisan, House-Passed Legislation To Strengthen The Victims Of Crime Act

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WASHINGTON, D.C. – Today, the U.S. Senate passed bipartisan, House-passed legislation to strengthen the *Victims of Crime Act* (VOCA) by fixing how the Crime Victims Fund (CVF) is funded. This legislation, led by U.S. Senate Majority Whip Dick Durbin (D-IL), Chair of the Senate Judiciary Committee, and Senator Lindsey Graham (R-SC) 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. Durbin and Graham were joined by Senators 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) in advocating for this legislative fix. The legislation was passed by a bipartisan vote of 100-0 and will head to President Biden's desk for his signature.

“Passage of this bipartisan legislation today will ensure that victims are able to maintain access to the critical services that they desperately need—allowing many victims a chance to recover and rebuild their lives,” Durbin said. “I’m glad the Senate was able to come together on a bipartisan basis to pass this legislation and send it to President Biden’s desk.”

“I’m excited this important legislation overwhelmingly passed in the U.S. Senate,” said Graham. “The fix in our bill keeps the Fund sustainable and ensures survivors of child abuse, domestic violence, sexual assault, human trafficking and other crimes continue to receive the vital services they need through victim support programs. 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.

The bipartisan, bicameral *VOCA Fix to Sustain the Crime Victims Fund Act* will 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.

“We took on a problem and worked in a bipartisan way to fix it. 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 now we have taken action to replenish it, so people can continue accessing these critical resources,” said Baldwin. “This innovative solution uses no new taxpayer dollars and now we have gotten the job done so that crime victims – including those suffering from domestic abuse, child abuse, sexual violence and elder fraud and abuse, among others, continue to receive the services and assistance they need.”

“Since its enactment, the Crime Victims Fund has delivered billions of dollars to states and communities to support victims at no cost to the taxpayer. Unfortunately the funding stream has decreased in recent years. The bipartisan VOCA Fix legislation, which I’m cosponsoring, restores stability to this important fund so that organizations dedicated to supporting crime victims in Iowa and elsewhere can continue to serve our communities,” Grassley said.

“The Senate’s vote today brings us closer to restoring vital funding for programs that help survivors of crimes recover. These programs were left severely underfunded due to declining deposits, but the need for them has never been greater due to the rise in domestic violence during the pandemic,” said Feinstein.

“For more than four decades, the Crime Victims Fund has provided critical support for survivors, victims, and their families, but the nature of its funding stream comes with a fair amount of uncertainty,” said Cornyn. “This legislation will bring new funding sources and provide justice in the wake of serious trauma, and I am proud to work with Senator Graham, Senator Durbin, and a long list of colleagues to sustain the Crime Victims Fund Act.”

“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 makes necessary changes to the Crime Victims Fund to save critical services and programs that help people rebuild their lives. Now that it has passed the Senate, I look forward to it being signed into law.”

“In late June, I was able to host a roundtable on the impact of the VOCA deposit issue in Alaska, and I was blown away by the testimony from organizations who faced a 36

percent cut to their VOCA funds this past fiscal year. For many of these organizations, this source of money makes up a quarter or more of their budget. It is the difference of being able to answer the phone or not, to respond to save lives. This has been a difficult time for all of us, but for those trying to serve victims through a global pandemic, it has been ten times harder. Our providers are exhausted, burnt out, and in need of all the support they can get. It is essential that we are able to provide victim service organizations with much needed stability, sustainability, flexibility, and certainty,” said Murkowski. “I’m proud to have put my weight behind the VOCA Fix Act over the last few months—helping educate my colleagues, various agencies, and others on the significance of this funding to Alaskans. I thank my Senate colleagues who supported those efforts and look forward to the bill being signed into law.”

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, which passed the House in March, was 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 legislation has been widely endorsed from stakeholders, including in this support [letter](#) signed by more than 1,717 national, regional, state, tribal, and local organizations and government agencies.