

# Victims of Crime Act (VOCA) Victim Assistance Formula Grant Program



# Victims of Crime Act (VOCA)

From the U.S. Department of Justice (DOJ), Office for Victims of Crime (OVC)

- Direct assistance to crime victims to address issues directly resulting from victimization
- State VOCA Administrators must allocate minimum of 10% of VOCA grant to services for each priority area: (1) child abuse, (2) domestic violence, (3) sexual assault, and (4) underserved populations.

**More information about VOCA:** <https://ojp.gov/ovc/grants/types.html>

# VOCA: The Opportunity

- Direct assistance to crime victims to address issues directly resulting from victimization
  - 2015 – States and Territories received triple the amount
  - Level has been maintained
  - Could see an increase this year (FY 2018)
- VOCA Rule
- States have three years plus the year of the award to use the funding

**More information about VOCA:** <https://ojp.gov/ovc/grants/types.html>

# Victims of Crime Act (VOCA)

## Types of legal aid VOCA funds

- Proceedings for protective/restraining orders or campus administrative protection/stay-away orders
- Family, custody, housing, and dependency matters, particularly for victims of intimate partner violence, child abuse, sexual assault, elder abuse, and human trafficking
- Divorce
- Immigration assistance for victims of human trafficking, sexual assault, and domestic violence
- Intervention with creditors, law enforcement (e.g., to obtain police reports), and other entities on behalf of victims of identity theft and financial fraud
- Intervention with administrative agencies, schools/colleges, tribal entities, and other circumstances where legal advice or intervention would assist in addressing the consequences of a person's victimization
- VOCA funds may also be used to allow victims to file a motion to vacate and/or expunge certain convictions based on their status of being a victims.

VOCA Allowable Direct Service Costs- Legal Services- 28 CFR Part 94.119(f): [www.ovc.gov/pubs/comparison-VOCA-victim-assistance-guidelines-and-final-rule.pdf](http://www.ovc.gov/pubs/comparison-VOCA-victim-assistance-guidelines-and-final-rule.pdf)

# VOCA Funding in Recent Years

Victim Assistance Formula Funding to States	2014	2015	2016	2017
	455,789,902	1,958,834,647	2,219,900,941	1,846,507,313

2018 Proposals	2018 (Administration)	2018 (House)
Total from Crime Victims Fund	\$3,000,000,000	\$4,632,000,000 (80 percent increase)
Used for VAWA and other programs*	\$795,000,000	\$0
Remainder for VOCA programs - Victim Compensation - Discretionary - Victim Assistance	\$2,205,000,000	\$4,632,000,000

# Allocation of Crime Victims Fund

Fiscal Year	2016	2017	2018 (Admin.)	2018 (House)
Total from Crime Victims Fund	\$3,042,000,000	\$2,573,000,000	\$3,000,000,000	\$4,632,000,000 (80 percent increase)
Used for VAWA and other programs*	\$389,000,000 *OVW, OIG	\$336,000,000 *OVW, OIG	\$795,000,000 *OVW, OIG, OJP Law Enforcement, OJJDP, Vision 21, Tribal Assistance	\$0 *
Victim Assistance	\$2,252,000,000	\$1,840,000,000		
Remainder for VOCA programs - Victim Compensation - Discretionary - Victim Assistance			\$2,205,000,000	\$4,632,000,000

# Statewide Successes: Wisconsin

## Legal Action of Wisconsin took the lead to expand statewide

- Since 1998, Legal Action had three projects totaling \$484,000
- Wisconsin's OCVS (administrator of VOCA) decided to use part of the increase to supplement existing services, and part of it to expand services.
  - OCVS used a multi-stakeholder planning process to make those decisions.
- The supplement began in 2016
  - Legal Action doubled their project over 2016 and 2017 (\$100,000 increase)

# Statewide Successes: Wisconsin

## Competitive Expansion Won \$1,237,000 new money for elder rights project

- Legal Action of Wisconsin and Wisconsin Judicare worked together to submit complementary proposals for a Statewide Project
  - Wisconsin Judicare is a new grantee
  - Eleven Lawyers – 7 offices
  - The projects share intake responsibilities (one point of entry), case supervision, outreach to referral sources, program operation, and collaboration with other members of the network that services elder abuse victims.

**Legal Action of Wisconsin increased funding from \$484,000 in 2015 to \$1,821,000 in 2017-2019!**



# Statewide Successes: Pennsylvania

## PLAN took the lead to expand statewide

- Until 2016 Legal Aid Programs did not receive direct funding of VOCA funds
- Legal Aid programs that received VOCA funding received the funds through subgrants with domestic violence programs/organizations
- In spring 2015, Pennsylvania Legal Aid Network (PLAN) (statewide funder) began to advocate for legal aid programs to become direct recipients VOCA funding
- Advocacy was for funding to go to PLAN to allocate to the legal aid programs.
- PLAN presented before the PCCD Victim Services Advisory Committee about the work of legal aid and services provided to crime victims.

# Statewide Successes: Pennsylvania

Legal Aid programs invited to participate for first time funding directly from PCCD for VOCA funds (\$30,000,000 was available)

- Each Legal Aid program applied directly for funding. Many of the applications were done in collaboration with victim services organizations.
- MidPenn example:
  - Secured funding for 7 counties in our 18 county service area (we only applied for 7)
  - Five additional staff attorneys (1.25 million dollars over 3 years)
  - Activities include: Work on behalf of elder victims of abuse and sexual assault, emergency custody, housing, utilities
- Other PA Legal Aid programs funded for services similar to MidPenn include work on behalf of seniors, farmworkers, immigrants and others

# Statewide Successes: California

## Effort led by statewide entities: State Bar, Legal Aid Association of California, Access to Justice Commission

- Advocated with VOCA Administrator - California wasn't granting directly to civil legal aid
  - Introductory meetings, informational materials (adaptation of toolkits!)
  - Research on framing

*"We are writing to provide you with additional information about how civil legal aid organizations can help OES better serve victims of crime and fill a critical gap in the current funding of victim services in the State."*

# Statewide Successes: California

## Points highlighted

- OVC recognizes lack of free legal services for crime victims as a significant gap in California (Vision 21 Report);
- Discuss why civil legal assistance should be prioritized for funding: studies show that legal assistance provides crime victims with real alternatives;
- Reminder that OVC traditionally has allowed legal advocacy to be funded by VOCA; new proposed rule clarifies that the legal assistance can be more expansive;
- Highlight other states (e.g., TX, TN, CO, UT, IL, NC, GA, MD, WI, etc.) that provide funding to legal aid; and

# Statewide Successes: California

## Opened access to \$32,000,000 in VOCA funding

- \$10,000,000 as standalone funding for civil legal aid
- Language for legal aid in three additional programs

## New Victim Legal Assistance Program

- **Eligibility:** Must be a Community-Based Organization that provides direct services to victims; Publicly-Funded Organization (not acting in a governmental capacity) such as Law Schools or Bar Associations; Indian Tribal Governments/Organizations/Consortiums; or Legal Aid or Statewide Legal Services Agencies.
- **Language for Legal Aid:** The purpose of the XL Program is to increase the availability of holistic civil and criminal legal assistance needed to effectively aid adult and youth victims of crime who are seeking relief in legal matters relating to that crime at no cost to the victim.

# Victims of Crime Act (VOCA)

Find your state VOCA administrator: [ojp.gov/ovc/map.html](http://ojp.gov/ovc/map.html)

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## Providers/Community Leaders

### U.S. Resource Map of Crime Victim Services & Information

If you are a victim of crime, click on your state or territory to find—

- Victim compensation and assistance.
- Victim notification programs.
- Other victim assistance programs through the Online Directory.
- Information on reporting crime victims' rights violations.

If you are a provider/community leader, click on your state or territory to find—

- Conferences and events.
- Victims' rights legal provisions.
- Statistics.
- Statewide performance reports.

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Access the Office on Violence Against Women Local Resources Map for state sexual assault, domestic violence, and tribal coalitions.