

## WHY THE FY 2008 VOCA CAP SHOULD BE RAISED TO \$661 MILLION

The Appropriations Committees in both the House and the Senate recommended a FY 2008 VOCA cap of \$625 million. This would be the fifth year in a row without an increase in the total VOCA cap. Thanks to an amendment sponsored by Reps. Ted Poe, Jim Costa and Dennis Moore, the House's version of the budget sets the VOCA cap at \$635 million.

Under the statutory VOCA allocation formula, increases in the other VOCA-funded programs decreases the amount available for state VOCA assistance grants. The FY 2007 VOCA cap reduced state VOCA assistance grants by \$25.4 million. A FY 2008 VOCA cap will mean another cut of \$8.8 million. **In other words, an FY 2008 VOCA cap of \$625 million means that state VOCA assistance grants will have lost a total of \$34.2 million since FY 2006.** (This amount does not reflect the ongoing need to serve more victims, provide additional services, increased operating costs or inflation.)

There are seven program areas under the VOCA cap funded in the following order:

- Children's Justice Act – enhances the investigation and prosecution of child abuse cases
- U.S. Attorney's Office – funds federal victim witness coordinators
- FBI – funds victim assistance specialists in field offices
- Victim Notification System – used by federal agencies to notify victims of offender and case status information
- OVC Discretionary Grants – supports services to victims of federal crimes and national scope training and technical assistance
- State Crime Victim Compensation formula grants – grants based upon 60 percent of state-funded benefits to reimburse victims for out-of-pocket expenses, primarily medical costs and lost wages.
- State Victim Assistance formula grants – grants based primarily on population to support direct victim assistance services, such as domestic violence shelters, rape crisis centers, prosecutor and law enforcement based victim services, homicide survivor and drunk driving victim support groups, child abuse treatment and child advocacy centers, court-appointed special advocates (CASAs), etc.

The VOCA statute sets out the sequence by which the amount made available under the VOCA cap is allocated among these programs; essentially state assistance grants receive whatever is left over after the other programs are funded. As the other programs grow, state assistance grants decline, unless the cap is raised accordingly. Because of commendable increases in state-funded crime victim compensation benefits paid to victims, compensation grants increased by \$22.3 million in FY 2007 and will increase by another \$5.6 million in FY 2008. Similarly, FY 2006 – FY 2008 increases for USAO (\$3.2 million), FBI (\$4.4 million) and VNS (\$0.2 million) are projected to total \$7.8 million. The following table shows the allocations since FY 2006:

(in millions)	FY 2006	FY 2007*	FY 2008	
			estimate	request
VOCA Cap	625.0	625.0	625.0	661.0
Children's Justice Act	20.0	20.0	20.0	20.0
U.S. Attorney's Office	22.0	22.2	25.2	25.2
F.B.I.	8.7	11.9	13.1	13.1
Victim Notification System	5.3	5.0	5.5	5.5
OVC Discretionary Grants	29.6	28.2	28.1	29.9
State Crime Victim Compensation	143.4	165.7	171.3	171.3
State Victim Assistance	396.0	370.6	361.8	396.0

\* \$1.4 million for carryovers and adjustments.

Congress has repeatedly said the reason for the cap is *"to ensure that a stable level of funding will remain available for these programs in future years."* [FY 2000; Conf. Rpt. 106-479]. Yet, state victim assistance grants have been cut three times since FY 2000 because the VOCA cap failed to keep pace with the statutory funding formula; they will be reduced again in FY 2008 unless Congress takes corrective action.

VOCA money comes from fines and other penalties collected from criminal offenders and deposited into the Crime Victims Fund exclusively to support victim services. No taxpayer dollars are needed to maintain a stable funding level for state victim assistance grants.

### **A \$661 MILLION VOCA CAP WILL RETURN STATE VOCA ASSISTANCE GRANTS TO THE FY 2006 LEVEL.**

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**Comparison of FY 2008 VOCA Cap**

	<b>\$625m cap</b>	<b>\$661m cap</b>	<b>Difference</b>
<b>TOTAL</b>	<b>361,792,000</b>	<b>395,992,000</b>	<b>34,200,000</b>
Alabama	5,589,000	6,109,000	520,000
Alaska	1,236,000	1,312,000	76,000
Arizona	6,952,000	7,612,000	660,000
Arkansas	3,592,000	3,908,000	316,000
California	40,821,000	44,941,000	4,120,000
Colorado	5,669,000	6,197,000	528,000
Connecticut	4,436,000	4,838,000	402,000
Delaware	1,433,000	1,528,000	95,000
District of Columbia	1,122,000	1,185,000	63,000
Florida	20,043,000	22,040,000	1,997,000
Georgia	10,418,000	11,432,000	1,014,000
Hawaii	1,919,000	2,064,000	145,000
Idaho	2,065,000	2,225,000	160,000
Illinois	14,782,000	16,241,000	1,459,000
Indiana	7,507,000	8,223,000	716,000
Iowa	3,819,000	4,158,000	339,000
Kansas	3,573,000	3,887,000	314,000
Kentucky	5,157,000	5,633,000	476,000
Louisiana	5,573,000	6,091,000	518,000
Maine	1,980,000	2,131,000	151,000
Maryland	6,744,000	7,382,000	638,000
Massachusetts	7,708,000	8,445,000	737,000
Michigan	11,860,000	13,021,000	1,161,000
Minnesota	6,230,000	6,816,000	586,000
Mississippi	3,761,000	4,094,000	333,000
Missouri	6,964,000	7,625,000	661,000
Montana	1,541,000	1,648,000	107,000
Nebraska	2,463,000	2,663,000	200,000
Nevada	3,123,000	3,391,000	268,000
New Hampshire	1,960,000	2,109,000	149,000
New Jersey	10,272,000	11,270,000	998,000
New Mexico	2,638,000	2,857,000	219,000
New York	22,099,000	24,306,000	2,207,000
North Carolina	10,095,000	11,075,000	980,000
North Dakota	1,213,000	1,285,000	72,000
Ohio	13,372,000	14,688,000	1,316,000
Oklahoma	4,458,000	4,863,000	405,000
Oregon	4,538,000	4,951,000	413,000
Pennsylvania	14,437,000	15,861,000	1,424,000
Rhode Island	1,714,000	1,838,000	124,000
South Carolina	5,216,000	5,698,000	482,000
South Dakota	1,366,000	1,454,000	88,000
Tennessee	7,129,000	7,806,000	677,000
Texas	25,764,000	28,346,000	2,582,000
Utah	3,184,000	3,458,000	274,000
Vermont	1,198,000	1,269,000	71,000
Virginia	8,880,000	9,736,000	856,000
Washington	7,469,000	8,181,000	712,000
West Virginia	2,539,000	2,748,000	209,000
Wisconsin	6,689,000	7,321,000	632,000
Wyoming	1,069,000	1,127,000	58,000
Puerto Rico	4,875,000	5,322,000	447,000
Virgin Islands	622,000	634,000	12,000
Am. Samoa	264,000	271,000	7,000
Guam	374,000	392,000	18,000
North Mariana Is.	278,000	286,000	8,000