

U.S. Department of Justice
Office of Justice Programs

Office for Victims of Crime



113454

Report to Congress

APRIL 1988

113451

**VICTIMS OF CRIME ACT OF 1984:
A REPORT TO CONGRESS BY
THE ATTORNEY GENERAL**

113451

U.S. Department of Justice
National Institute of Justice

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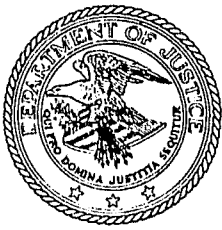
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Office of the Attorney General
Washington, D. C. 20530

14 July 1988

TO THE PRESIDENT, THE PRESIDENT OF THE SENATE, AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

It is my pleasure to transmit to you a copy of the Attorney General's Report to the President and to the Congress. This is submitted in accordance with Section 1407(g) [42 U.S.C. 10604] of the Victims of Crime Act of 1984 (VOCA), as amended.

The report provides information on revenues deposited in the Crime Victims Fund since Fiscal Year 85, victim assistance and compensation programs which received VOCA support, activities to improve the treatment of Federal crime victims, and compliance with the Attorney General's Guidelines for Victim and Witness Assistance. The report concludes that VOCA funds have contributed greatly to the expansion and improvement of victim services. Reauthorization of VOCA is recommended. In addition, the report contains a number of recommendations for legislative change to improve the Act.

I trust that you will find this report both useful and informative.

Respectfully submitted,

EDWIN MEESE III
Attorney General

FOREWORD

On April 23, 1982, President Reagan established the President's Task Force on Victims of Crime to address the urgent needs of millions of Americans and their families who are victimized by crime every year. It was his belief that the scales of justice were out of balance and that victims of crime were not being treated with the fairness, dignity, and respect that they deserved. In a Rose Garden Ceremony, the President expressed his longstanding concern for crime victims:

'The innocent victims of crime have frequently been overlooked by our criminal justice system. Too often their pleas have gone unheeded and their wounds — personal, emotional and financial — have gone unattended. They are entitled to better treatment, and it is time to do something about it.'

In December 1982, the Task Force produced an agenda for reform designed to restore balance to the criminal justice system. The Task Force Report outlined 68 recommendations for Federal and State action as well as proposals for action by criminal justice agencies and other professionals and agencies within the public and private sectors. Since then, action has been taken on the majority of the recommendations in almost every part of the country.

Among the proposals for Federal action were two recommendations of particular note:

1. Congress should enact legislation to provide Federal funding to assist State crime victim compensation programs.
2. Congress should enact legislation to provide Federal funding, reasonably matched by local revenues, to assist in the operation of Federal, State, local, and private nonprofit victim/witness assistance agencies that make comprehensive assistance available to all victims of crime.

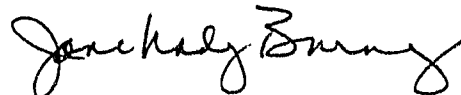
The Reagan Administration recognized the need for Federal leadership in this area, and responded.

In 1983, the Administration established a Federal focal point for victims issues within the Department of Justice. After considerable collaboration between the Department of Justice and Congress, on March 13, 1984, Senator Strom Thurmond, joined by co-sponsors John Heinz, Paul Laxalt, Charles Grassley, and Joseph Biden, introduced the Administration's bill, which addressed the assistance and compensation needs of crime victims, S. 2423, the Victims of Crime Act of 1984. Similarly, in the House, Representative Hamilton Fish introduced H.R. 5124 on March 14, 1984. This legislation received bipartisan support in both houses of Congress. The program of Federal financial assistance that evolved from the passage of the Victims of Crime Act clearly reflects the President's Federalism policy. The Act established a Crime Victims Fund in the U.S. Treasury that originally could receive up to \$100 million, which was later amended to receive \$110 million, in criminal fines, forfeited bail bonds, penalty fees, and forfeited literary profits. It is important to underscore that this Federal money comes from fines of Federal *criminals* — not from innocent taxpayers. These funds are then made available to each State, the District of Columbia and six territories to compensate and provide other assistance to crime victims and their families. Under the provisions of the Victims of Crime Act, each State and territory establishes its own policies and procedures for responding to the needs of victims. In keeping with the Reagan Administration's Federalism philosophy, States and localities were thereby given considerable flexibility to design programs that best meet their particular needs. As a result of the Act, the Federal Government is now assisting States to respond to the emotional, medical and financial needs of thousands of innocent crime victims, including victims of Federal crimes.

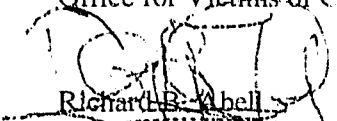
The Victims of Crime Act of 1984, as amended, has received an overwhelmingly positive response from all sectors of the criminal justice system and remains the cornerstone of the Federal effort to restore balance to our system of justice. The accomplishments of the Victims of Crime Act are well documented throughout this Report. They include the expansion of State crime victim compensation programs, improved coordination among local law enforcement, victim assistance and victim compensation programs, the large number of local programs which expanded to serve new categories of victims and new geographic regions, and the newly established victim service programs which have brought emotional support to crime victims and their families.

As you review this report and consider the reauthorization of this vital piece of legislation, keep in mind that one of the fundamental purposes of government is the protection of its citizenry. When government fails in this respect, it must make efforts to restore faith in the justice system. The programs authorized by the Victims of Crime Act — financed by the payments of convicted criminals — are an important signal to all victims whose faith has been shaken. No other formal program of assistance at the Federal level directed toward the forgotten crime victim exists.

I am confident that you too will recognize the benefits of the Victims of Crime Act, the need to reauthorize and strengthen this Federal assistance program, and will act accordingly.



Jane Nady Burnley
Director
Office for Victims of Crime



~~Richard B. Bell~~
Assistant Attorney General
Office of Justice Programs

EXECUTIVE SUMMARY

Crime Victims Fund

A total of \$208,260,698 has been deposited in the Crime Victims Fund since its inception in October 1984. These revenues were derived from the collection of various criminal fines, penalty assessments and forfeitures; not from innocent taxpayers. In none of these three years (Federal fiscal years 1985 - 1987) has the amounts deposited approached the statutory maximum permitted.

During FY 1986 and 1987, a total of \$51,890,000 was allocated for grants to state crime victim compensation programs and \$72,042,000 was allocated for victim assistance grants. These represented monies collected during 1985 and 1986. A total of \$77,446,383 was collected in 1987, 94.5% of these monies will be distributed to state compensation and assistance programs.

Due to the shift in administrative responsibility for collection of criminal fines, revenues deposited into the Crime Victims Fund during FY 86 declined, resulting in a decrease in the amount available for state victim assistance grants. However, a significant increase occurred in FY 87.

Crime Victim Compensation

In FY 86, thirty-eight States received VOCA crime victim compensation grants. These Federal grants augmented State funds used to pay an ever-increasing number of claims for medical costs, lost wages and support, mental health counseling, funeral expenses and other related costs to innocent victims of violent crimes. As State payments to compensate crime victims have increased, the amount of Federal funds for victims compensation increased by \$5 million in the second year of grants (FY 87).

During FY 86, the most predominant crimes for which awards were made were assaults (22,071), "other" (8,945), murder (5,047), sexual offenses (4,692), child sexual abuse (4,434). The most costly category was assault (\$49.4 million), followed by murder (\$6.1 million), other violent crimes (\$5.8 million) and sexual offenses (\$5 million).

The average crime victim compensation award was \$1,864; this ranged from a high of \$4,087 for costs incurred due to drunk driving incidents to a low of \$322 for "other."

Over 60 percent of crime victim compensation awards were used to pay for victims' medical expenses and 27 percent for lost wages, loss of support and disability.

In 1987, 38 States met all of the eligibility requirements to receive a crime victim compensation grant. With the potential resolution of eligibility questions of one or more states, 39 programs may receive grants this year (FY 88). Many states enacted significant changes to their crime victim compensation programs as a result of VOCA requirements:

- Five states began crime victim compensation programs since VOCA was enacted.

- Eighteen states amended their laws to provide coverage to non-residents injured by crime within their states.
- Seventeen states established or expanded benefits for mental health counseling.
- Eight states improved their benefits for funeral expenses.

VOCA was an important incentive for states to make other program improvements, including:

- Fifteen states increased the maximum awards permissible under their programs.
- Seven states extended coverage to victims of drunk drivers.
- Nine states extended or improved benefits to “secondary victims,” usually family members of victims.
- Eleven states changed eligibility criteria related to family or household relationships, thereby enabling victims of family violence to qualify for benefits.
- Eleven states eliminated or decreased minimum loss, deductible or financial hardship requirements, improving programs for those with low or fixed incomes.

Law enforcement agencies are the most often cited source of victim referrals to crime victim compensation programs. In fact, in Louisiana, a victim initiates a claim for compensation through the parish sheriff’s office, who accepts applications for compensation and conducts the initial investigations of claims. Victim assistance programs and hospitals are the second and third ranked referral sources.

Crime victim compensation and victim assistance programs are working more closely together; new initiatives are being undertaken by both types of programs to help victims seek compensation benefits.

Victim Assistance

In FY 86, approximately \$41.2 million in grants was allocated to victim assistance programs in all states, the District of Columbia and four territories. Of the grants awarded in FY 86, \$33.7 million had been obligated by the states to subgrantees by September 30, 1987.

Ninety-four percent of the FY 86 subgrantees were “existing programs;” almost 80 percent were private nonprofit agencies. Most of the remaining programs were associated with prosecutors’ offices.

Two-thirds of all VOCA victim assistance funds (82 percent of the programs) went to programs whose principal mission was to assist victims in one or more “priority” category, i.e., victims of sexual assault, spouse abuse or child abuse. Programs providing services to victims of spouse abuse received 45 percent of the funds, those serving victims of sexual assault received 35 percent of the funds and those serving victims of child abuse received 28 percent of the funds.

Approximately 15 percent of the VOCA victim assistance funds went to about 300 subgrantees which provided services to all categories of victims. Four percent of the programs (using 3 percent of the funds) provided services to target groups other than "priority" victims.

The largest number of programs used VOCA funds to increase their capacity to provide services to their existing base of clients. However, a significant number (14 percent) reported using VOCA funds to provide new types of services. Other uses of VOCA subgrants were: start new programs, expand to new geographical areas, serve new groups of victims, add support staff, replace other lost funding and provide victim service training.

The requirement that VOCA subgrantees promote the coordination of victim services in the community has resulted in a variety of cooperative efforts among VOCA recipients and other local victim service providers.

Federal Victims Program

Because of changes in the allocation of Crime Victims Fund revenues for services to victims of Federal crimes and because of congressionally imposed budgetary deferrals, most of the funds earmarked for these services were not utilized until recently. Through FY 87 approximately \$1 million had been awarded in grants to provide technical assistance to eligible victim assistance programs and for training of professionals who work with Federal crime victims.

In an effort to monitor compliance with the Attorney General's Guidelines for fair treatment of Federal crime victims and witnesses, OVC surveyed U.S. Attorneys' Offices nationwide. Results of the survey demonstrated compliance with the Federal Victim and Witness Protection Act of 1982 and the Attorney General's Guidelines for Victim and Witness Assistance.

SUMMARY OF RECOMMENDATIONS

Crime Victims Fund

1. *Reauthorization.* Reauthorize the Federal Crime Victims Fund and extend the "sunset" date for deposits into the Crime Victims Fund from September 30, 1988 to September 30, 1992.
2. *Obligation Period.* Amend Section 1402 (e)(1) so that states are allowed the year of the grant plus two succeeding years in which to obligate their crime victim compensation and victim assistance grants.
3. *Enactment.* Enactment of an Act, the Federal Debt Collection Procedures Act, S.1961, so that all Federal debtors are treated equally.

Crime Victim Compensation

4. *Property Damage.* Amend Sections 1403 (d)(1) and 1403 (d)(2) to clarify that the costs of eyeglasses and other corrective devices should be considered medical rather than property.
5. *"Grandfather" Provision.* The "grandfather" provision of the Act should be deleted.

Victim Assistance

6. *Eliminate "Priority" Requirement.* The preference for programs serving victims of sexual assault, spouse abuse and child abuse should be eliminated.

Federal Program

7. *Restore Original Fund Allocation.* Repeal Sections 1402 (d)(2)(A)(iv) and 1404 (A) which allocated 4.5% of the Fund for the Children's Justice Act of 1986. The Fund allocation should be restored to the original formula: 50% for victim assistance grants, 50% for victim compensation grants, while allowing the Attorney General to deduct up to 5% from victim assistance for Federal crime victims.
8. *Clarification of OJP Grant-Making Authority*

Subsection 1404(c)(1)(A) [42 U.S.C. 10603 (c)(1)(A)] of the Victims of Crime Act is amended--

"(A) to provide assistance to public agencies and private nonprofit organizations for the purposes of--

1. undertaking educational and training programs on victim-related subjects for the personnel of crime victim services projects and criminal justice agencies;

2. providing technical assistance to State and local units of government and victim services programs;
3. undertaking projects to aid crime victims which are national or multi-State in scope; and
4. providing financial assistance to public agencies and private nonprofit organizations for demonstration programs.''

NOTE ABOUT STATISTICS

The data contained in this report come primarily from the program reports required by the Office for Victims of Crime, Office of Justice Programs, U. S. Department of Justice, in order to monitor and administer the Victims of Crime Act of 1984, as amended.

The Victims of Crime Act which authorized collections for the Fund was signed by President Ronald Reagan on October 12, 1984. The first grants to States were awarded in FY 86 following the publication of program guidelines and the review of grant applications. In turn, States developed program plans and review procedures in order to utilize the Federal funds for victim assistance subgrants and victim compensation payments. Thus, at the time this report was drafted little more than one year of program performance was available for analysis.

While every attempt has been made to utilize the most up-to-date and reliable information, the figures used should not be taken to be definitive; rather, they should be viewed primarily as descriptive and indicative of general program activity.

TABLE OF CONTENTS

EXECUTIVE SUMMARY	i
SUMMARY OF RECOMMENDATIONS	iv
NOTE ABOUT STATISTICS	vi
LIST OF TABLES	ix
INTRODUCTION	1
Overview of Victims' Rights Movement	1
Federal Activity	3
Overview of the Victims of Crime Act	5
CRIME VICTIMS FUND	9
Description of Crime Victims Fund	9
Criminal Fines	9
Special Assessments	10
Special Forfeiture of Collateral Profits of Crime	10
Crime Victim Fund Revenues	11
Collections	12
Allocation of Fund Revenues	13
Reversion of Unobligated Funds	15
Children's Justice Act	16
Conclusion	16
Recommendations	17
CRIME VICTIM COMPENSATION	19
Specific Purposes	19
Eligibility Requirements	20
Allocation of CVC Funds	21
Program Profiles	22
Emergency Awards/Maximum Awards	25
Referrals	26
Legislative Changes: Eligibility Requirements	26
New Programs	27
Residency Requirement	27
Mental Health Coverage	29
Funeral Expenses	30
Coverage of Federal Victims	31
Legislative Changes: Other Improvements	31
Increases in Maximum Limits	31
Changes in Family/Household Relationship Restrictions	32
Changes in Minimum Loss, Deductible and Means Tests	32
Expanding to New Groups Victims of Drunk Driving; Secondary Victims ..	33
Application Filing and Police Reporting Requirements	34
Additional Improvements	34
Supplantation	35
Relationship With Victim Assistance Programs	36
Conclusion	37
Recommendations	38

VICTIM ASSISTANCE	39
Victim Assistance Grant Allocations	40
VOCA Victim Assistance Requirements	40
Selection of Priority Options	41
State Subgrant Award Strategies	42
Timing of FY 86 VOCA Awards and Subgrants	43
Distribution of FY 86 VOCA Subgrants	44
Programs Serving Priority Victims	45
Programs Serving All Victims	46
Special Focus Programs	47
Program Goals	48
Increased Service Capacity	48
Provision of New Types of Services	48
New Victim Assistance Programs	49
Expansion into Additional Geographical Areas	50
Support Staff/Volunteer Coordinators	50
Services for New Groups of Victims	50
Miscellaneous Uses	51
Replace Lost Funding	51
Training Programs	51
Coordination of Services	52
Conclusion	53
Recommendations	53
Eliminate "Priority" Requirement	54
FEDERAL VICTIMS PROGRAM	55
Federal Victims Program Funding	55
Current Federal Victims Program Responsibilities	56
Use of Funds	57
FY 88 Program Plan	59
Victims Projects Within the Office of Justice Programs	60
Clarification of OJP Assistance Award	61
Federal Victim and Witness Protection Act of 1982	61
Federal Fair Treatment Guidelines	62
Implementation of the Attorney General's Guidelines for Victim and Witness Assistance	63
The Role of Federal Prosecutors and Victim-Witness Coordinators	64
Survey of Federal Prosecutors	65
Survey Results	66
Conclusion	66
Recommendation	67
APPENDIX A: Crime Victims Fund	69
APPENDIX B: Crime Victim Compensation Tables	71
APPENDIX C: State CVC Legislative Changes	95
APPENDIX D: Victim Assistance Tables	103
APPENDIX E: Federal Victims Program	112

LIST OF TABLES

Crime Victims Fund:

Revenue Collections, FY 85 - FY 86	11
Source of Revenues, U.S. Attorneys' Offices, FY 87	12
Allocation of FY 85 Fund	14
Allocation of FY 86 Fund	15

Crime Victim Compensation:

Calculation of VOCA/CVC Grants	21
VOCA Grants, FY 86 - FY 87	22
Caseload, FY 85 - FY 87	23
Expenses, FY 86 - FY 87	24
Claims Analysis, FY 86	25
Unapproved Applications, FY 86 - FY 87	25
Sources of Victim Referrals	26
Summary of Selected State CVC Legislative Changes	27
Increases in Maximum Benefit Levels	32

Victim Assistance:

Grant Obligations, FY 86	44
Subgrants by Agency Type, FY 86	44
Percentage of Program Budgets, FY 86	45
Distribution of VOCA Subgrants, By Victim Groups, FY 86	45
Priority Programs, FY 86	46
Programs Serving All Victims	47
Subgrant Program Goals, FY 86	48

Federal Victims Program:

Federal Victims Program Funding	57
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CHAPTER 1

INTRODUCTION

Our nation's victims of crime have long been the "forgotten people" of our criminal justice system, often denied the dignity, respect and assistance which they were due. Recognizing this inequity, President Ronald Reagan placed crime victims issues at the top of his Administration's agenda. His 1982 Task Force on Victims of Crime made 68 recommendations for both private and public sectors and for all levels of government—local, state, and Federal—for action to redress the shortcomings of the criminal justice system which re-victimized crime's innocent victims. One of the recommendations of the President's Task Force was that a Federal Crime Victims Fund be established to encourage state governments to assume and expand their role in aiding victims. Working cooperatively with a concerned Congress, this desire became a reality with the enactment and signing of the Victims of Crime Act of 1984 (VOCA).

This landmark legislation culminated years of grass-roots community effort and marked the emergence of victims rights on the national agenda. And, in a remarkably short period of time, VOCA's encouragement of state-level crime victim compensation and victim assistance programs has been established as a critically important component of this movement. VOCA is making a difference for the millions of innocent people victimized by crime in our country. In the words of two program administrators:

Receiving our VOCA funds was a critically important asset to our organization. Our credibility improved tremendously—it would seem that with the availability of funds, the importance of victim assistance needs became more apparent in this community. If not for VOCA, this organization might not have survived.

-- Impact Crisis Team, Flagstaff, AZ

With the receipt of VOCA funds, battered women programs were able to expand their services to seven rural counties which previously had no services. A low-income neighborhood in North Minneapolis now has a walk-in advocacy center located in the community. The City of St. Paul has consistent follow-up with police, prosecutors and judges to insure that the judicial system is responding appropriately to cases of domestic assault. Battered women in Duluth, Minnesota receive follow-up contact immediately following arrests or in those cases when a police call is made but no arrest occurs, follow up contact is made the next day.

--- Minnesota Department of Corrections

Overview of Victims' Rights Movement

The idea of providing rights to victims of crime is not a new or revolutionary phenomenon. Historically, victims played a central role in the enforcement of societies' rules. Criminal sanctions commonly involved redress to the victims, typically in the forms of compensation or restitution.

Crimes were considered acts primarily against the individual directly injured, and not acts against the state, as such.

As the concept that a crime was an act against the state emerged, the role of the victim diminished; publicly supported police and prosecutors ultimately displaced victims and the citizenry in general as enforcers of the law. Consistent with these changing notions, the victim's ability to seek recovery and retribution for the harm done to them also changed. Sentencing focused on correcting the offender's behavior rather than making the victim whole.

Ultimately, victims became no more than cogs in the wheels of an institutionalized criminal justice process; they were relegated to serving as witnesses, to being mere "tools of the trade" for the newly ascended principles, the agents of the state. Victims interests, their feelings, their rights became lost.

It was only some 15 to 20 years ago that concern about crime victims began to be rekindled:

. . . American society has been awakening to the plight of the victim; slowly, fitfully, and, in some respects, reluctantly. Longstanding and cherished values are not given up easily. Nevertheless, the magnitude of crime victimization has forced people to confront the issue as a matter of public policy. In some ways, the Kitty Genovese case, coming as it did at the beginning of the spectacular rise in crime rates in 1964, may have helped to begin the long process of acknowledging the victim. As a media event, the public was presented with a shocking reality on the one hand, and with a vivid symbol of society's unresponsiveness to victims on the other.¹

The first efforts to revitalize victims' rights were focused on the development of crime victim compensation programs and the initiative being undertaken in other countries. In 1951, English magistrate and reformer Margery Fry wrote, "we have seen that in primitive societies this idea of making up for a wrong has wide currency. Let us once more look into the ways of earlier man, which may still hold some wisdom for us."² Crime victim compensation programs were started in New Zealand in 1963 and in Great Britain in 1964. In the United States, Federal crime victim compensation legislation was first introduced in 1964; the first state program was enacted in 1965 in California. In the United States today, 43 states, the District of Columbia and the Virgin Islands have established crime victim compensation programs.

Two efforts have spurred the development of victim assistance services in the days since Kitty Genovese's brutal murder before her watchful but impassive neighbors. One was the emergence of the rape crisis and battered women's movements.

. . . Rape victims began to break the silence and shame surrounding rape and battering. Victims came to realize that they were not responsible for the crime committed against them and that talking about the crimes was therapeutic. In the

¹ M. Bard, "Unblaming the Victim," *Social Policy*, Winter, 1985, p.45. [The Kitty Genovese case was a much publicized incident of a rape and murder which occurred in plain view of a number of individuals who chose to ignore the victim's calls for help.]

² M. Fry, *Arms of the Law* (London: Gollancz, 1951), p. 124 quoted in D. Carrow, *Crime Victim Compensation: Program Model*, (Washington, DC 1980), p. 3.

early 1970s, rape crisis centers and hotlines were established by volunteers, often survivors of rape, to provide emotional support. Inspired by the rape movement, the battered women's movement began a few years later as women . . . were less willing to keep the events in the home private.³

The other development was concern from within the criminal justice system itself as it attempted to find out how it could best respond to the problems of crime on the streets. Although early studies on the administration of criminal justice virtually ignored victims,⁴ attention finally began to be focused on the central role of victims in improving the criminal justice process. Researchers and justice system officials soon learned that public dissatisfaction was so great that nearly two-thirds of all crimes went unreported; lack of cooperation by victims and witnesses meant fewer cases and significantly fewer convictions. The Law Enforcement Assistance Administration (LEAA) set about to find out why this was and what could be done about it.

The LEAA began funding research and programs to reverse the situation. By 1974, the LEAA had spent some \$3 million to establish 19 victim assistance programs predicated on the simple fact that by keeping victims and witnesses informed and providing them with basic services, they would be more likely to cooperate. By 1979, more than \$50 million had been allocated for victim assistance programs.

In 1979, the State of Wisconsin enacted the first comprehensive Bill of Rights for Victims and Witnesses of Crime. Among other things, the law provided state funds for support of victim/witness assistance programs. Since then, at least 30 more states have passed major comprehensive changes improving the treatment of crime victims.

Federal Activity

Federal legislative interest on behalf of crime victim programs started in the mid-1960s when Senator Ralph Yarborough of Texas introduced a crime victim compensation proposal. During the following two years, eight similar bills were introduced; various versions were proposed in each subsequent congressional session.⁵ No Federal compensation proposals were enacted, however, until the Victims of Crime Act of 1984.

On April 23, 1982, President Reagan appointed the Task Force on Victims of Crime. In a Rose Garden Ceremony the President told a gathering of people that:

The innocent victims of crime have frequently been overlooked by our criminal justice system. Too often their pleas have gone unheeded and their wounds—

³ L. Friedman, "The Crime Victim Movement at Its First Decade," *Public Administration Review*, November 1985, p. 79.

⁴ In its 1967 report, entitled, "The Challenge of Crime in a Free Society," the Commission on Law Enforcement and Administration of Justice devoted less than two out of more than 1,000 pages to the treatment of jurors, victims and witnesses. In 1971, the National Advisory Commission on Criminal Justice Standards and Goals made nearly 400 recommendations for crime reduction and prevention at the state and local levels; not one addressed the needs of crime victims and three called for better treatment of witnesses.

⁵ See, D. McGillis and P. Smith, *Compensating Victims of Crime: An Analysis of American Programs*, (Washington, DC 1983), pp. 27-46 for a complete discussion of state and Federal crime victim compensation legislative proposals. See also *Report of the Senate Committee on the Judiciary*, S. 2423, May 25, 1984.

personal, emotional and financial—have gone unattended. They are entitled to better treatment, and it is time to do something about it.

The nine-member Task Force held public hearings in six cities across the country receiving testimony from nearly 200 witnesses. Its Report, issued in December 1982 marked a significant step in the victims movement; it focused on three fundamental needs of victims: 1) victims must be protected; 2) the justice system must be responsive to victims' needs; and 3) victims need assistance to overcome the burdens imposed by crime.⁶

The Task Force presented a series of 68 recommendations addressed to the legislative and executive arms of government at the state and Federal levels, to the components of the criminal justice system, to the medical, legal, educational, mental health and religious communities and to the private sector. The recommendations comprise perhaps the most comprehensive set of proposals which articulate the scope of victims' needs. Included among these recommendations was the call for Federal legislation providing funding to assist state crime victim compensation programs and Federal funding "reasonably matched by local revenues, to assist in the operation of federal, state, local, and private nonprofit victim/witness assistance agencies that make comprehensive assistance available to all victims of crime."⁷

In October 1982, the first major piece of Federal victim rights legislation was enacted. It was the Federal Victim and Witness Protection Act (VWPA), an omnibus measure intended to "enhance and protect the necessary role of crime victims and witnesses in the criminal justice process; to ensure that the Federal Government does all that is possible within limits of available resources to assist victims and witnesses of crimes; and to provide a model for legislation for state and local governments." Eight months later, the U. S. Department of Justice published guidelines implementing the VWPA's goal of providing fair treatment to crime victims and witnesses in the Federal criminal justice system.⁸

The Attorney General's Task Force on Family Violence was established in 1983 as part of the Justice Department's implementation of the President's Task Force Report. In addition to identifying the scope of the problem of family violence and of making recommendations to solve those problems, the Family Violence Task Force gave priority attention to assistance for victims. Its proposals were prefaced with the recognition that "the assistance needs of the victims of family violence range from the most immediate need for safety and shelter to long-range needs for post-trauma counseling and therapy."⁹

In addition to these initiatives, the Federal Government has provided support and funding to other specific victim services. Among these are:

- The Justice Assistance Act of 1984 provides block grants to states for criminal justice system improvements, including the development of victim/witness assistance programs. Of \$55.5 million in block grants in FY 85, \$4.4 million was used for victim/witness assistance programs, \$3.9 million out of \$46.3 million in FY 86 and \$2.8 million of \$35.5 million in FY 87.

⁶*Four Years Later: A Report on the President's Task Force On Victims of Crime*, (Washington DC 1986), p. 1.

⁷*President's Task Force on Victims of Crime: Final Report* (Washington DC 1982) p. 37.

⁸ See Chapter 5 for further discussion of the Victim and Witness Protection Act.

⁹*Attorney General's Task Force on Family Violence: Final Report*, (Washington DC 1984) p. 46.

- The Preventive Health and Health Services Block Grant, Title XIX, Public Health Services Act administered by the Department of Health and Human Services. \$3.5 million was reserved for services to rape victims and rape prevention for FY 85, FY 86 and FY 87.
- The Social Services Block Grant Act, Title XX of the Social Security Act, administered by the Department of Health and Human Services. \$2.7 billion was appropriated for FY 85 and FY 87 and \$2.6 billion for FY 86 for general protective and health support services, including the prevention of neglect, abuse and exploitation of children and adults. In FY 85, there was a one-time appropriation of \$25 million added for training child care service operators in the prevention of child abuse and neglect.
- The Child Abuse Prevention and Treatment Act appropriated \$9 million in FY 85 for state grants to improve and expand child abuse and neglect prevention and treatment programs and \$13.5 million for discretionary grants. In FY 86, \$26 million was appropriated plus \$5 million for child abuse prevention challenge grants. The same amount for each of these programs was appropriated in FY 87 plus \$2.4 million of the Crime Victims Fund was earmarked in FY 87-88 for Children's Justice and Assistance Act activities.
- The Family Violence Prevention and Services Act has appropriated \$6 million in FY 85 for grants to states for local public agencies and nonprofit organizations for family violence prevention projects, shelters and other assistance to victims of family violence. In FY 86 \$2.5 million was appropriated and \$8.5 million in FY 87.

Overview of the Victims of Crime Act

The enactment of the Victims of Crime Act of 1984 represented a truly bipartisan cooperative effort. The Act is enabling States to expand and improve victim services throughout the country.

The Act established the Crime Victims Fund which consists entirely of revenues from Federal criminals—fines, penalty assessments and appearance bond forfeitures—not from innocent taxpayers. VOCA created special penalty assessments levied in addition to fines against persons (both individuals and corporations) which are deposited into the Fund. It also enacted a so-called notoriety-for-profit or "Son of Sam" provision whereby a defendant's proceeds from the sale of literary rights and other profits arising from the crime may be claimed by victims or deposited into the Fund.

The Fund is used to support state crime victim compensation programs and assistance services to victims of state and Federal crimes. It is administered by the Office for Victims of Crime, Office of Justice Programs, U. S. Department of Justice.

Eligible state crime victim compensation programs may receive grants from the Fund based upon the level of their compensation awards. To qualify, state compensation programs must provide coverage for medical expenses, including mental health counseling, wage loss attributable to physical injury and funeral expenses; must promote victim cooperation with law enforcement; must offer benefits to non-residents and victims of Federal crimes on the same basis as state residents and may not use the grant to supplant otherwise available state compensation funds.

Victim assistance grants are distributed on a population basis, with each jurisdiction receiving a \$100,000 base grant. Grants may not be used to supplant other state or local funds and priority must be given to programs providing services to victims of sexual assault, spouse abuse and child abuse. Victim assistance subgrants may be awarded to programs operated by public or nonprofit agencies which utilize volunteers (unless the Governor finds a compelling reason to waive this requirement), promotes coordinated victim services in the community and helps victims seek crime victim compensation benefits. Subgrantees with a record of proven effectiveness must have financial support from sources other than VOCA; subgrantees without such a record must have more substantial financial support from other sources.

A portion of the Fund (1%) is currently designated for a Federal victims program, including services to victims of Federal crimes and training and technical assistance to eligible crime victim assistance programs. As legislatively amended in 1986, some Crime Victim Fund monies (4.5%) are reserved to support improvements in the investigation and prosecution of child abuse cases in accordance with the Children's Justice Act.

The Act requires the Attorney General to report to the President and to the Congress "on the revenue derived from each source . . . and on the effectiveness of the activities supported under this chapter. The Attorney General may include in such report recommendations for legislation to improve this chapter."¹⁰

The final enacted version of VOCA was a compromise between two bills: H.R. 3498 introduced by Representatives Rodino and Berman and S. 2423 introduced by Senators Thurmond, Laxalt and others. The legislative history of the Act suggests several important underlying themes and concepts.

It is clear from the Act that the program relies heavily upon the states to determine the precise nature and the level of services to be supported by VOCA. It is a reflection of the rightful role of the states to determine the sort of programming that best suits their particular needs; one which imposes few burdensome Federal requirements and leaves much of the decision-making up to the states.¹¹ This philosophy has resulted in great variations in the specific services which have been developed in each community, reflecting the diversity that exists among the various states.

The Act is intended to provide a financial incentive for States to develop a full range of comprehensive victim assistance and compensation programs which serve all victims of crime. VOCA funds augment State support for existing programs and enable States to meet unmet needs through the expansion of existing programs or through the establishment of new programs.

There is a clear intent that the Fund be used to the maximum extent possible to provide direct assistance to victims. Currently, neither the crime victim compensation nor the victim assistance funds may be used at this time for state administrative expenses. Victim assistance subgrantees may use VOCA funds for direct services and only those administrative costs which are attributable to direct services.

¹⁰ 42 U.S.C. 1604 Sec. 1407(g).

¹¹ The Senate Judiciary Committee's Report on S. 2423 states that the purpose of the Act "is to provide limited Federal funding to the States, with minimal bureaucratic 'strings attached', for direct compensation and service programs to assist victims of crime, including victims of Federal crime."

Moreover, in meeting the needs of the victims of Federal crimes, the Act intends that, to the extent possible, existing victim assistance and compensation programs be utilized. It was not intended that a separate, possibly overlapping, system of services for Federal crime victims be established. Thus, a small portion of the Crime Victims Fund was designated for the purpose of assisting victims of Federal crimes when no other assistance was available.

CHAPTER 2

CRIME VICTIMS FUND

The centerpiece of the Victims of Crime Act is the creation of the Crime Victims Fund. This Fund provides the money for crime victim compensation and victim assistance grants to states, to assist victims of Federal offenses, for training and technical assistance to victim assistance programs, and to fund activities under the Children's Justice Act.

Description of Crime Victims Fund

The revenues deposited into the Fund do not come from law-abiding taxpayers; rather, the money derives from convicted criminals. The principal sources of revenue are:

- Federal criminal fines collected from persons convicted of Federal offenses;
- special penalty assessments on criminal convictions;
- the proceeds of forfeited appearance bonds, bail bonds and collateral collected under section 3146 of Title 18 of the United States Code;
- certain proceeds of the sale of literary or other rights arising out of the criminal act by a Federal defendant.

Under Section 1402 (c)(2) of the Act, no deposits shall be made in the Fund after September 30, 1988.

Criminal Fines

Criminal fines collected from Federal offenders are deposited into the Crime Victims Funds. This includes fines imposed for violations of Federal anti-trust and Federal motor vehicle laws. There are some exceptions, including fines imposed pursuant to:

- Section 11(d) of the Endangered Species Act [16 U.S.C. 1540(d)];
- Section 6(d) of the Lacey Act Amendments of 1981 [16 U.S.C. 3375(d)];
- the Railroad Unemployment Insurance Act [45 U.S.C. 351 et seq];
- the Postal Service Fund [39 U.S.C. 2601(a)(2) and 39 U.S.C. 2003];
- the navigable waters revolving fund of the Federal Water Pollution Control Act [33U.S.C. 1321(311)]; and,

- county public school funds [18 U.S.C. 3613].

As would be expected, criminal fines are the major source of revenue deposited into the Crime Victims Fund.

The Criminal Fine Enforcement Act¹ was enacted at approximately the same time as VOCA. It significantly increased maximum Federal fine limits. For misdemeanors, the maximum fine was raised from \$1,000 to \$100,000 for both individuals and corporations. For misdemeanors resulting in death and for felonies, the maximum was raised to \$250,000 for individuals and \$500,000 for corporations. In lieu of those maximums, however, judges were also given discretion to impose fines of up to twice the pecuniary gain received by a defendant or twice the pecuniary loss to the victim, unless imposition of such a fine would unduly complicate or prolong the sentencing process.

Strengthened enforcement mechanisms were also established as part of the Fine Enforcement Act. Among other things, U. S. Attorneys were given authority to assess interest on past due fines at the rate of 1.5 percent per month and a 25 percent penalty for fine amounts over 90 days past due.

In addition, the Fine Enforcement Act transferred the responsibility for receiving fines and other judicially imposed costs from the Courts to the U.S. Attorneys.

On December 11, 1987, the Criminal Fine Improvements Act of 1987 was enacted into law, Pub. L. No. 100-185. The law returns the receiving functions of fines and penalties back to the courts. Interest under this law will be computed at the market rate as in civil judgments.

Special Assessments

The special assessments were created as Section 1405 of VOCA.² Special assessments apply to each count for which a conviction is obtained according to the following schedule:

- for misdemeanors (including "petty" offenses), \$25 on individual defendants and \$100 on non-individual defendants;
- for felonies, \$50 on individual defendants and \$200 on non-individual defendants.

The special assessments are collected in the same manner as criminal fines.

Special Forfeiture of Collateral Profits of Crime

The notoriety-for-profit³ provision was also established as part of VOCA. It establishes a procedure whereby a court may order the forfeiture of proceeds a defendant may receive from the sale of rights "relating to the depiction of the crime in a movie, book, newspaper, magazine, radio

¹ Public Law 98-596, signed on October 30, 1984.

² 18 U.S.C. 3013, entitled, "Special Assessments on Convicted Persons."

³ 18 U.S.C. 3681 and 3682 entitled, "Special Forfeiture of Collateral Profits of Crime."

or television production, or live entertainment of any kind, or an expression of that defendant's thoughts, opinions, or emotions regarding such crime."⁴ The provision only applies to defendants convicted of a crime resulting in physical harm to an individual.

The amounts forfeited are to be held in escrow in the Crime Victims Fund to satisfy any judgments a victim may win against the defendant or for payment of a Federal fine. The escrow account may last for 5 years, at the end of which time the court may dispose of the proceeds. The disposition may include releasing the amount from escrow in which case the funds may be allocated in the same manner as other Crime Victims Fund revenues.

The earliest any of these escrow revenues could be made available for use in the Fund would be 1989; therefore, no revenues have yet been derived from this provision.

Crime Victims Fund Revenues

The amounts deposited into the Fund have fluctuated over the three years the Fund has been in existence. In FY 85, \$68.3 million was deposited into the Fund; in FY 86, the total deposits decreased to \$62.5 million; in FY 87, the amount increased to \$77.4 million.

REVENUE COLLECTIONS, FY 85 - FY 86

	FY 85	FY 86	FY 87
Fund Ceiling	\$100,000,000	\$110,000,000	\$110,000,000
Deposits	\$ 68,312,955	\$ 62,506,345	\$ 77,446,383
U.S. Courts	65,171,201	48,376,009	47,095,238
U.S. Att'ys	3,141,754	14,130,336	30,351,145

In none of the years has deposits into the Fund approached the ceiling authorized by the Act.

Collections reported by the court system decreased sharply between FY 85 and FY 86 and then levelled off. Collections by the U. S. Attorneys has increased steadily and significantly. However, the increase in FY 86 U. S. Attorneys' collections did not offset the drop in Court collections for that year. Due to the allocation formula, the reduction in total Fund collections for FY 86 resulted in funding reductions during the second year grants for victim assistance programs while crime victim compensation grants for most states increased.

The collection and accounting of monies owed to the Federal Government, including criminal fines, is decentralized. There are at least 189 separate entities keeping these records divided among the Court's collections and the U. S. Attorneys' collections. There are also some other Federal agencies which may collect Fund revenues (e.g. U. S. Army). The designation of where the monies received are to be deposited (i.e., Crime Victims Fund or other accounts) is made

⁴ 18 U.S.C. 3681 (a).

at the local level. Variations and inconsistencies in recordkeeping make it difficult to precisely determine the source of all the monies deposited into the Crime Victims Fund.

The most complete information is available for amounts received by the U. S. Attorneys' Offices for FY 87.⁵ By far the largest single source of revenues is criminal fines which account for 73 percent of the deposits. Special assessments were numerically the largest category, but accounted for only 4 percent of the total dollars. As explained above, no revenues have as yet been generated by the notoriety-for-profit provision. Some restitution funds paid to Federal agencies were also deposited into the Fund. However, the Act does not specify that these sums be a source of revenue for the Fund and it is unclear why these monies were deposited there.

SOURCE OF REVENUES, U.S. ATTORNEYS' OFFICES, FY 87

	No.	Amount
Total	26,493	\$26,598,600
Criminal Fines	10,889	\$19,346,721
Criminal Bond Forfeitures	224	3,887,156
Criminal Penalties	8	2,157,720
Special Assessments	15,336	1,101,548
Restitution	31	54,982
Court Costs	5	50,473

Collections

One of the principal explanations for the decline in collections from FY 85 to FY 86 was a shift in the responsibility for receiving fines and penalties from the Administrative Office of the United States Courts to the Executive Office of the United States Attorneys (EOUSA). The Courts remained responsible for the receipt of these revenues for offenses committed prior to January 1, 1985.

At the time the transition took place, the EOUSA identified a number of issues which would affect collections. One major problem related to the collection of criminal fines imposed by U. S. Magistrates. These typically involve minor offenses and the collection of a great number of small amounts. Previously, the magistrates' staff collected these payments before offenders left the courtroom. Since the Department of Justice did not have cashier windows, cash registers and personnel located on site in the Magistrates' chambers, a significant number of offenders failed to make payments.

In Maryland, for example, experienced debt collections personnel, who had worked on collecting from student loan defaulters and other debtors produced an average of \$4,500 a day, had

⁵ The source of some of the monies deposited into the Fund was not identified in the accounting records transmitted from districts to the EOUSA; therefore, the breakdown totals less than the full amount deposited into the Fund.

to travel to Magistrates' courts in Hyattsville and Andrews Air Force Base to physically receive the fines and assessments imposed for parking and speeding violations. Their average fine collection receipt dropped to \$475 per day. Offenders are now instructed to mail their fine payments to the U. S. Attorneys; however, this is likely to result in persons refusing or forgetting to pay.

A number of steps have been taken to improve the fine collection process:

- The Office of Management and Budget has agreed to put criminal fines in the tax offset program. This has been a remarkably successful effort and will provide a vehicle for collecting a large number of penalty assessment and other low-dollar magistrate fines.
- EOUSA has implemented a centralized records system to identify, track and account for all court-imposed fines utilizing the PROMIS/USATS systems. This will enable EOUSA to generate detailed management and accounting reports, to better measure collection efforts and to diagnose potential problems.
- The Bureau of Prisons has instituted an innovative pilot project involving all U.S. Attorney offices and U.S. prisons. Prisoners earning income voluntarily agree to use the prisoners' trust funds to pay off debts owed to the government. Successful participation earns the prisoner greater benefits, such as the right to go to movies. The project is bringing in approximately \$640,000 per month.
- Many individual U. S. Attorneys have initiated "Operation Deadbeat," an intensive and concerted effort to track down and collect debts owed to the U. S. Government. While many of these are civil obligations, (e.g. delinquent student loans), this also includes large criminal fines which would be deposited into the Fund.
- The Department of Justice, United States Attorney's offices, have begun to permit the use of credit cards to pay government debts, including fines.
- The Federal Debt Collection Procedures Act, S.1961, has been introduced in the Congress. This bill, when enacted, will treat all Federal debtors equally and close many loopholes that now exist in state collection laws. Persons borrow equally from the government without regard to their state of residency. Debtors pay back pursuant to the law of the state they currently reside in. This is unfair, i.e., some states permit garnishment of wages, some do not. In some states, judgments are good for three years; in other states for twenty years.
- On December 11, 1987, the Criminal Fine Improvements Act of 1987 was enacted into law, Pub. L. No. 100-185. The law returns the receiving functions of fines and penalties back to the courts.

Allocation of Fund Revenues

As originally enacted in 1984, up to \$100 million could be deposited into the Fund in any one Federal fiscal year. The Fund was to be distributed as follows:

- Up to 50 percent is to be available for crime victim compensation grants; each grant to be no more than 35 percent of the state's previous year crime victim compensation awards;

any amount not expended for crime victim compensation would be added to the amounts available for victim assistance grants.

- 50 percent for victim assistance grants.
- The Attorney General can retain up to 5 percent of the amount available for victim assistance for services to victims of Federal crimes (drawn directly from the victim assistance allocation).

Any amounts collected in excess of the \$100 million ceiling were to be deposited in the general fund of the Treasury. The amounts deposited during fiscal year 1985 were distributed in FY 86 according to the original Act, as follows:

ALLOCATION OF FY 85 FUND

Amount in Fund	\$68,312,955
Federal Program	3,413,955
Victim Compensation Grants	23,629,000 ^a
Victim Assistance Grants	41,270,000 ^b

^a The amount needed to award states 35% of their pay-outs in the previous year, as required by the Act, was less than 50% of the Fund.

^b Exceeds 50% of the amount in the Fund because of the rollover from victims compensation.

The amount of eligible crime victim compensation state awards made during FY 84 totaled \$67,405,683. The amount allocated for the 35 percent crime victim compensation grants, therefore, was \$23,629,000. The difference between the amount in the Fund available for crime victim compensation grants and the amount actually allocated is rolled over for victim assistance grants. For FY 86 grants, the rollover was \$8,820,500 and the total amount available for victim assistance grants to states was \$41,270,000.

Under the Children's Justice and Assistance Act of 1986, the maximum amount which could be deposited into the Fund was raised to \$110 million and the Fund distribution was changed.

Under the revised formula, the first \$100 million deposited into the Fund is to be made available as follows:

- Up to 49.5 percent for grants to state crime victim compensation programs;
- 45 percent for grants to states for victim assistance;
- One percent for training and technical assistance grants to eligible victim assistance programs (not more than 0.5%) and for services to victims of Federal crimes by eligible victim assistance programs (not less than 0.5%);
- 4.5 percent for Child Abuse Prevention and Treatment Grants under the Children's Justice Act, administered by the U.S. Department of Health and Human Services.

Of amounts over \$100 million deposited, the next \$5.5 million is to be used for Children's Justice and Assistance Act grants and any amounts over that are to be used for state victim assistance grants. The distribution of the FY 86 Fund, based upon the Children's Justice and Assistance Act changes, was as follows:

ALLOCATION OF FY 86 FUND

Amount in Fund	\$62,506,345 ^a
Children's Justice and Assistance Act (4.5%)	2,812,786
Federal Program (1%)	625,559 ^b
Available for Comp. Grants (49.5%)	30,940,640
Allocated for Comp. Grants	<u>- 28,296,000</u>
Rollover to Assistance Net Available for Victim Ass't Grants	2,644,640
	30,772,000

^a Does not include unobligated FY 85 Fund amounts carried over to FY 86.

^b Adjusted to round off compensation and assistance grants.

A total of \$3,413,535 from the FY 85 Fund was deferred and carried over to the FY 86 Fund, thus making a balance of \$65,919,880.⁶ However, Congress imposed an obligation ceiling of \$64 million on the Fund in FY 87. Therefore, only \$1,493,655 of the carry-over could be obligated in FY 87. Of this amount, \$1,475,655 was allocated to the Federal Victims Program and \$18,000 to State victim assistance grants.⁷

Reversion of Unobligated Funds

Generally, states awarded crime victim compensation and victim assistance grants have the fiscal year in which the award is made plus the next succeeding fiscal year in which to obligate the funds. The exception was the first year of victim assistance grants; States could obligate the funds within the fiscal year of award plus the next two succeeding fiscal years.

According to section 1402(e) of the Act, any funds which were awarded but not obligated during these periods are returned to the general fund of the Treasury. Funds which were not awarded to the states remain in the Fund, to be awarded in the succeeding year.

Thus, for example, the amount of the Fund allocated for Indiana's crime victim compensation grants will remain in the Fund for future allocation to States for victim compensation grants because Indiana chose not to apply for those monies. However, only slightly more than \$3,000 in FY 86 grants made to state compensation programs was not obligated by the end of FY 87.

⁶ This included \$3,224,535 in the Federal victims program, \$152,000 in crime victim compensation grants and \$37,000 in victim assistance grants.

⁷ The \$18,000 in unobligated FY 86 victim assistance grants was allocated for Guam which had not applied for its grant, but indicated that it intended to.

The reversion provision reflects the need to balance support for victim programs with the need to minimize Federal spending and reduce the Federal deficit. The experience over the past two years demonstrates that states have utilized all but a very small portion of the state grant funds for the purposes intended.

Children's Justice Act

As described earlier, the Children's Justice and Assistance Act altered the manner in which the Crime Victims Fund monies are allocated among various activities. It did this by reducing the portion of the Crime Victims Fund available for services to victims of Federal crimes.

The Children's Justice and Assistance Act was designed to provide incentives to states to review and evaluate the handling of child abuse (especially child sexual abuse) cases, to make recommendations for change and to adopt those recommendations.

In order to be eligible for grants from the FY 86 and FY 87 Crime Victims Funds, each state has to adopt necessary reforms to improve the investigative, administrative and judicial handling of these cases. In FY 87 approximately \$2.8 million and in FY 88 approximately \$3.5 million were transferred to the Department of Health and Human Services for dispersal to eligible states. To date, no Children's Justice and Assistance Act grants have been awarded, thus, it is impossible to assess the impact of this program.

However, the Children's Justice and Assistance Act funds were originally intended as incentive funds to encourage states to improve their handling of child sexual abuse cases, not to provide ongoing support for State programs. The introduction of this Report cites several sources of Federal support for child abuse prevention and treatment programs.

No such alternative funding is available for victims of Federal crimes who, often because of the remote areas in which they live, typically have no access to victim assistance of any kind. These include both adults and child victims of serious crimes. Therefore, the monies allocated for Children's Justice and Assistance Act activities should be restored to the Federal Victims Program as provided in the original VOCA allocation formula. A renewed commitment to victims of Federal crimes could be demonstrated by deleting the 4.5 percent for Children's Justice and Assistance Act activities and increasing the Federal portion from 1 percent to 5 percent.⁸

Conclusion

The establishment of the Crime Victims Fund has been a critical element in the increase in the quality and number of services available for victims of crime.

Improvements are steadily being made in the methods of collecting fines and penalties which will stabilize and increase the amount of funds coming into the Fund.

⁸ The mandatory language directing the Assistant Attorney General of the Office of Justice Programs to make grants for training and technical assistance and financial support of services to victims of Federal crimes should be retained.

Enactment of the suggested legislative recommendations will further strengthen the program to provide assistance to the States in their efforts to provide compensation and assistance to victims of crime.

Recommendations

The following are suggested recommendations for legislative action regarding the Crime Victims Fund:

Reauthorization. Reauthorize the Federal Crime Victims Fund and extend the "sunset" date for deposits into the Crime Victims Fund from September 30, 1988, to September 30, 1992.

Obligation Period. Amend Section 1402 (e)(1) so that States are allowed the year of the grant plus two succeeding years in which to obligate their crime victim compensation and victim assistance grants.

Restore Original Fund Allocation. Repeal Sections 1402 (d)(2)(A)(iv) and 1404 (A) which allocated 4.5% of the Fund for the Children's Justice Act. The Fund allocation should be restored to the original formula: 50% for victim assistance grants, 50% for victim compensation grants, while allowing the Attorney General to deduct up to 5% from victim assistance for Federal crime victims.

Enactment. Enactment of the Federal Debt Collection Procedures Act, S.1961, so that all Federal debtors are treated equally.

CHAPTER 3

CRIME VICTIM COMPENSATION

All victims of crime incur some costs. Innocent victims of violent crime must not only suffer the physical and emotional pain of the crime, they are often left to fend off the financial consequences of the incident as well.

Beginning in the mid-sixties, states established programs to provide at least partial reimbursement to innocent victims of violent crime for some of their out-of-pocket expenses directly attributable to the crime. In 1965, California adopted its crime victim compensation program; 44 other states, the District of Columbia and the Virgin Islands have since started similar crime victim compensation programs.

The subject of crime victim compensation has been of interest to Congress since 1964, when Senator Ralph Yarborough introduced the first Federal legislation to support compensation programs. Despite numerous efforts since then, it was not until the enactment of the Victims of Crime Act some twenty years later that the Federal government became directly involved in crime victim compensation efforts.

It is clear that during even the brief period VOCA has been in operation, it has had a significant influence in expanding and improving the level of assistance afforded by crime victim compensation programs.

Specific Purposes

The importance of financial assistance to victims is reflected by the fact that most of the victim-related Federal legislative initiatives over the past two decades have been directed toward helping reimburse victims for the costs of personal injury crimes.

The President's Task Force on Victims of Crime paid particular attention to the needs of victims for at least minimal financial relief from the most immediate costs of crime and was concerned about the status of crime victim compensation programs then in existence.

. . . No amount of money can erase the tragedy and trauma imposed on [victims]; however, some financial redress can be an important first step in helping people begin the often lengthy process of recovery. For some, this modest financial assistance can be the lifeline that preserves not only some modicum of stability and dignity but also life itself. . . . [T]he financial and nonfinancial losses that victims suffer are severalfold: exorbitant and unanticipated medical costs, lost wages, altered careers, and prolonged psychological trauma.¹

¹ *President's Task Force on Victims of Crime* (Washington, D.C.: Government Printing Office, 1982) p. 38.

Not all states had crime victim compensation programs and many that did were facing serious funding shortages. Seventeen of 33 compensation programs surveyed at the time reported having experienced insufficient funding.² Victims would typically have to wait for many months before claims were paid.³ Benefits offered by programs were usually limited and there were often severe restrictions on who could apply for coverage. Many of these limitations were attempts to contain program costs; victim advocates felt the restrictions reflected a cynical attitude by state legislators.⁴

The Victims of Crime Act has helped alleviate these impediments to providing victims with financial assistance. Among the purposes of the crime victim compensation portion of the Victims of Crime Act are:

- Encouraging at least a minimal level of crime victim compensation coverage nationwide;
- Seeking to increase the use of programs, in large measure through referrals from victim assistance agencies;
- Enhancing the range and level of benefits available; and,
- Utilizing state programs for victims of Federal offenses rather than creating a separate, overlapping Federal Crime Victim Compensation program.

As is also true with the victim assistance portions of VOCA, there was a clear intent to make certain that the program would be of direct benefit to victims and that the monies deposited in the Crime Victims Fund would go solely toward helping victims. Therefore, VOCA/CVC funds can only be used for awards to victims.

Eligibility Requirements

Under VOCA's funding formula as originally enacted, up to 50 percent of the Crime Victims Fund is to be used to provide grants to state crime victim compensation programs. Under the 1986 amendments, the portion of the Fund available for compensation grants was reduced slightly to 49.5 percent.

In line with the philosophy of the Victims of Crime Act, only a few eligibility criteria are imposed on states in order to qualify for VOCA/CVC funds. These eligibility requirements are:

- The program is operated by a state and offers compensation to victims of crime and survivors of crime victims for medical expenses attributable to a physical injury, including mental health counseling; loss of wages attributable to physical injury; and funeral expenses;

²D. McGillis and P. Smith, *Compensating Victims of Crime: An Analysis of American Programs* (Washington, D.C.: National Institute of Justice, 1983), chart on page 190.

³ See McGillis and Smith, page 103. Forty percent of the programs processed claims in an average of 3-4 months, 37 percent exceeded 7 months and 7 percent took longer than one year.

⁴ See President's Task Force Report, p. 41.

- The program promotes cooperation with the reasonable requests of law enforcement authorities;
- The state certifies that grants will not be used to supplant state funds otherwise available for crime victim compensation;
- The program compensates victims who are non-residents of the state on the same basis used to make awards to victims who are residents;
- The program compensates victims of crimes subject to Federal jurisdiction occurring within the state on the same basis as victims of state crimes.

States with existing crime victim compensation programs were “grandfathered” the first year of VOCA grants. They were given until the end of their state’s next legislative session to bring their programs into compliance with VOCA’s eligibility requirements. The most common deficiency states faced in order to meet the VOCA requirements was coverage of non-residents.

Allocation of CVC Funds

During the first two fiscal years of the program, approximately \$51,626,000 was available for grants to the states for crime victim compensation from the Crime Victims Fund.

CALCULATION OF VOCA/CVC GRANTS^a

Certified State Payouts	Fund Collection Year	Grant Year
FFY 1984	FFY 1985	FFY 1986
FFY 1985	FFY 1986	FFY 1987
FFY 1986	FFY 1987	FFY 1988

^a Federal fiscal year (1 October - 30 September).

The grants are calculated on the amount of crime victim compensation awards the state made two Federal fiscal years prior to the year of the grant. In other words, the FY 86 grants were made from the revenues deposited in the Crime Victims Fund during FY 85. The amount of each grant was based upon each program’s payouts made during FY 84 (October 1, 1983 and September 30, 1984). Assuming a sufficient amount is in the Crime Victims Fund, each crime victim compensation grant is 35 percent of the state’s certified payouts, excluding amounts paid for property damage.⁵

Thirty-nine states and jurisdictions made crime victim compensation payments during FY 84, totalling nearly \$67.5 million. Thus, the amount of the FY 85 Fund set aside for crime victim

⁵ If 49.5 percent of the Fund is insufficient to make grants totalling 35% of eligible payouts, the percentage is reduced equally for all states.

compensation grants in FY 86 was \$23,477,000. Forty programs are eligible to receive FY 87 grants.⁶ Certified state crime victim compensation awards for FY 85 totalled \$80,844,666 and thus the total allocation for FY 87 grants is \$28,296,000.

VOCA GRANTS, FY 86 - FY 87

	FY 86	FY 87	FY 88
Certified Payouts ^a	\$67,405,683	\$80,844,666	\$114,782,458
Amount Allocated	23,594,000	28,296,000	38,600,000
Amount of Grants	\$23,477,000	\$28,149,000	
No. Grants	38	39	

^a For FY 84, FY 85, and FY 86 respectively.

Indiana, although eligible, chose not to apply for a VOCA/CVC grant in either FY 86 or FY 87. The amount of Indiana's grants are carried over to be distributed in the FY 88 grants.

Program guidelines were published in March 1985. Because of the need to wait until the Crime Victims Fund accumulated a full year's revenue in order to determine the allocation of the Fund, initial crime victim compensation grants were not made until early in 1986. However, programs were allowed to use those funds retroactively to the beginning of the fiscal year, October 1, 1985.

State compensation programs have the year of the grant plus one year in which to obligate their VOCA/CVC grants. Thus, programs had until September 30, 1987 to fully obligate their FY 86 grants. According to financial reports received to date, all but \$3,012.49 was obligated within the prescribed period.⁷

Program Profiles⁸

State crime victim compensation programs have been growing steadily over the past several years. VOCA is an important factor in this growth.

⁶ Alabama's program started making awards during FY 85, and met eligibility requirements for a FY 87 VOCA/CVC grant.

⁷ As of September 30, 1987, the following states reported unobligated balances: Colorado (\$1,540.60), Connecticut (\$1,342.73), Hawaii (\$1.35), Massachusetts (\$57.79), and New Jersey (\$71.02).

⁸ Data presented in this section was derived from performance reports submitted by State grantees to the Office for Victims of Crime. A constant problem in describing and analyzing crime victim compensation programs is the fact that there are great variations in how states gather and report program information. For example, there is no uniform definition of a "claim" or a crime victim compensation "award." Some states report all payments as "awards" while others only include the first or original payment as an "award" and count subsequent payments as "supplemental awards" or "protracted awards." Some consider each victim's application as a "claim" and each payment made to a victim as separate awards. While every effort was made to ensure reliable and consistent figures, there still remains inconsistencies in the statistics.

The financial viability of crime victim compensation programs depends greatly upon the willingness of state legislatures to provide sufficient funds to reimburse innocent victims. An important factor is the source of funding. In addition to general revenue appropriations, there are a variety of specially earmarked revenue sources, such as court costs, penalty assessments, surcharges, etc. which fund compensation programs. The amounts these generate may fluctuate from year to year and not match actual program needs.⁹

The inability of some programs to secure an adequate and stable source of funding has resulted in reduced or delayed claims. Some states have had to delay paying out approved awards to await additional state appropriations. California, for example, had developed a backlog which by May 1985 had peaked at over 8,000 claims. Maryland reported that it had a backlog of some 1,600 claims in 1985. Nevada has had to pro rate its awards.¹⁰ South Carolina reduced the level of some of its benefits.

The precise impact which VOCA funds have had in each state has varied depending upon the states' needs. For some, VOCA comes as a life raft keeping their programs afloat. (Kansas reported that their program "almost ran out of money" and Washington's program "would have gone broke without VOCA.") For others, VOCA enabled them to keep pace with the accelerating rate of compensation claims (Michigan, for example, used VOCA to reduce its three to four month backlog). For many, VOCA was the opportunity to improve their programs, to offer broader coverage and better benefits.

CASELOAD, FY 85 - FY 87

	FY 85 ^b	FY 86 ^b	FY 87 ^{a b}
Claims Received	45,108 27	70,192 35	41,832 35
Claims Disposed	38,795 28	78,359 37	43,437 36
Claims Pending	18,188 22	19,989 30	22,542 35

^a Six months only.

^b No. of States Reporting.

It is evident that the caseload for state crime victim compensation programs is increasing. During FY 85, crime victim compensation programs reported receiving 45,108 claims and disposing of 38,795 claims.¹¹ In FY 86, programs reported receiving 70,192 claims and disposing of 78,359, increases of 53 percent and 100 percent respectively.¹² The 36 programs reporting for the first six months of FY 87, indicate that the volume of claims is continuing to increase.

⁹ See Appendix B, Table 4 for reported state compensation revenues.

¹⁰ Nevada adjusts the rate at which it pays approved awards on a quarterly basis. During its 1985 state fiscal year, it paid an average of 84.4 percent of each approved award, it paid 72.4 percent during FY 1986 and 46.6 percent during FY 1987.

¹¹ Disposed claims are those which were either approved or disapproved for payment. The actual workload was greater since many claims remain active for an extended period of time.

¹² The discrepancy between claims received and claims disposed is accounted for by the fact already noted that several states made concerted efforts to process major backlogs which had developed over the previous several years.

As might be expected, the number and amount of crime victim compensation awards is also climbing dramatically. This national increase reflects the fact that several states had remarkable increases in the amounts their crime victim compensation programs paid out. California reported that the number of awards increased from 6,518 in FY 85 to 24,132 in FY 86 with amounts paid going from nearly \$12 million to almost \$42 million. An even more dramatic percentage increase occurred in West Virginia, whose payouts increased from \$182,000 in FY 85 to \$1,762,000 in FY 86.

Because of the different number of states reporting year-to-year information, comparisons are difficult. However, a comparison of the 28 states which provided data for both FY 85 and FY 86, shows that the increase is indeed dramatic: the number of awards more than doubled from 21,590 in FY 85 to 44,850 in FY 86; amounts awarded jumped from \$49,495,178 to \$89,499,346, an 81 percent increase.

EXPENSES, FY 86-FY 87

EXPENSES	FY 86 ^a		FY 87 ^b	
Total (000)	\$91,979	100.0	\$52,521	100.00
Medical	55,346	60.2%	34,999	64.2%
Lst Wages/Suprt	24,973	27.2	11,819	21.7
Funeral	4,769	5.2	2,507	4.6
Other	4,179	4.5	2,175	4.0
Mental Health	1,988	2.2	2,728	5.0
Att'y Fees	725	.8	293	.5

^a 34 States.

^b Six months.

The \$49.5 million in FY 85 awards was paid entirely with state funds. During FY 86, these 28 states reported spending only \$13.3 million of their VOCA grants, meaning that \$76 million of their FY 86 awards were made using state dollars. In other words, even with VOCA funding, these 28 states increased their own expenditures for crime victim compensation awards by 54 percent over FY 85. VOCA funds represented only 15 percent of the total awards made by these states in FY 86.

The 34 programs reporting for FY 86 indicated that 60 percent of the awards went to pay for medical expenses. More than one-fourth of the payouts went for lost wages, loss of support or disability. Although the amount spent for mental health counseling costs remain quite small, the indications are that this category will witness a relatively large increase in spending during FY 87. Funeral benefits amounted to 5 percent of total payments and attorney fees were less than one percent.

The most prevalent type of crime for which a crime victim compensation award was made was for an assault, followed by the category "other" and then murder, sexual offenses, child sexual abuse, other violent offenses, drunk driving, other motor vehicle offenses, physical child abuse and spouse abuse.¹³ Nationally, the average award came to \$1,836, ranging from an average of \$4,087 for drunk driving to \$322 for "other" offenses.

¹³ California accounted for 82 percent of all reported child sexual abuse awards nationally in FY 86.

CLAIMS ANALYSIS, FY 86^a

	Awards	Amount	Average
Total	50,220	\$93,618,765	\$1,864
Assault	22,071	49,418,775	2,239
Murder	4,771	15,870,811	3,327
Child Abuse/Sexual	4,426	6,099,585	1,378
Other Violent	3,002	5,739,939	1,912
Sexual Offenses	4,670	4,939,008	1,058
DWI/DUI	926	3,784,926	4,087
Motor Vehicle Aslt.	837	3,050,691	3,645
Other	8,945	2,881,600	322
Spouse Abuse	89	118,097	1,327
Child Abuse/Phy.	165	87,413	530

^a 37 States - does not include Michigan and Texas.

Approximately one-fourth of the crime victim compensation applications were not approved for payment in FY 86. Of these, half could not be processed by the program because the application was withdrawn, the program was unable to locate or contact the victim or the victim failed to supply information needed to determine eligibility. Twenty-four percent of the unapproved applications were not compensable, e.g., a "crime" as defined by the state for crime victim compensation purposes was not committed, there was no physical injury or their expenses were fully covered by collateral sources. The remainder, 26 percent of the applications, were denied for such reasons as failure to report to or cooperate with police, contributory misconduct, failure to meet a financial hardship test, family or household relationship restrictions, etc.

UNAPPROVED APPLICATIONS, FY 86 - FY 87

	FY 86 ^a		FY 87	
Total	20,144	25.7%	11,281	25.5%
Not Processed	9,998	49.6	5,730	50.8
Uncompensable	4,722	23.4	2,573	22.8
Denied	5,401	26.8	2,978	26.4

^a 34 States.

Emergency Awards/Maximum Awards

The President's Task Force noted the importance to victims of emergency funds:

The availability of unencumbered emergency assistance is also critical to many victims of violence. Immediate needs for food, shelter, and medical assistance cannot be deferred for the weeks or months it may take to process paper work. While many states provide emergency funds in theory, their failure to adequately fund [compensation] programs means that little actual relief is available in practice. It is

cold comfort to a hungry or homeless victim to learn that his state had thought about helping him but, unfortunately, emergency funds ran out three months ago.

As discussed later, the maximum award limits for crime victim compensation programs can be extremely important to individual victims. Twenty-nine states reported paying out maximum awards in 2,448 cases during FY 86; thirty states paid 1,506 maximum awards during the first half of FY 87. Ten of these states increased their maximum limits during this period. These figures are shown in Appendix B, Table 11.

Twenty-three states reported making 2,806 emergency awards during FY 86 and 25 states made 1,426 for the first six months of FY 87. These are shown in Appendix B, Table 12.

Referrals

Police are the most commonly cited source of referrals to crime victim compensation programs. Thirteen out of 33 compensation program directors ranked police as the top referral source in FY 86, followed by hospitals and then victim assistance programs. All but six listed police as among the top three sources.

Although the total number of compensation programs ranking victim assistance programs among the top three referral sources remained at 21, they did move up slightly in that seven compensation programs ranked victim assistance as the top referral source in FY 87 compared to five in FY 86.

SOURCES OF VICTIM REFERRALS

SOURCE	FY 86			FY 87		
	No. Ranking			No. Ranking		
	1	2	3	1	2	3
Police	13	8	6	14	7	5
Hospital	9	9	7	6	8	6
Victim Ass't	5	10	6	7	8	6
Prosecutor	2	4	9	4	7	6
Other	2	2	3	1	2	5
Poster/Brochure	2	0	1	0	0	2
PSAs	0	0	1	0	0	1

Legislative Changes: Eligibility Requirements¹⁴

The impact which the Victims of Crime Act has had in crime victim compensation goes far beyond merely contributing more money for reimbursements to victims. Perhaps the most dramatic indication of the effect VOCA is making is in the extensive programmatic changes made by State Legislatures to broaden and improve crime victim compensation programs. In many instances,

¹⁴ A listing of state legislative changes to crime victim compensation program benefits and coverages made since the Victims of Crime Act was enacted is contained in Appendix C.

these legislative initiatives were a direct result of VOCA; typically in order to bring the state's program into compliance with VOCA requirements. These include elimination of residency requirements, improved coverage for mental health counseling and funeral expenses and expanding coverage to Federal victims.

New Programs

Four states have created new crime victim compensation programs since 1985. Arizona and Wyoming established their programs in 1985, Idaho in 1986 and Utah and Arkansas in 1987. VOCA served as an important incentive in beginning these programs. In addition, North Carolina, whose program was authorized in 1983, received its first state funding in 1987.¹⁵ These new programs will be eligible to receive a VOCA/CVC grant the second federal fiscal year after they actually begin making awards.

Residency Requirement

The most common legislative change made as a result of VOCA has been the elimination of residency requirements which limit eligibility for crime victim compensation benefits solely to residents of the state in which the crime occurred. Section 1403(b)(4) of VOCA requires that programs cover non-residents on the same basis as residents.

SUMMARY OF SELECTED STATE CVC LEGISLATIVE CHANGES^a

<i>Newly Funded Programs</i>	Arizona Idaho No. Carolina	Utah Wyoming
<i>Eliminate Residency Requirement</i>	California Colorado Connecticut Dist. Columbia Florida Kentucky Louisiana Massachusetts Michigan	Missouri Pennsylvania Ohio Rhode Island South Carolina Tennessee Texas Virginia West Virginia
<i>Increase Maximum Awards</i>	Montana New York No. Dakota Oregon Texas	Virginia Washington West Virginia Wisconsin

Table continued next page . . .

¹⁵ Contrary to the general trend, some programs have faltered during this same period. Nebraska, eliminated funding for its crime victim compensation program in 1985 due to budgetary problems in the state. Efforts are underway to revitalize the program. Mississippi's Legislature rejected a proposal to create a program in that state.

SUMMARY OF SELECTED STATE CVC LEGISLATIVE CHANGES^a . . . *Continued*

<i>Include Victims of Drunk Driving</i>	Connecticut	
	Florida	Massachusetts
	Indiana	New York
	Kansas	No. Dakota
<i>Changed Family or Household Relationship Restrictions</i>	Connecticut	Massachusetts
	Florida	Missouri
	Indiana	Oregon
	Iowa	Virginia
	Kentucky	Washington
	Maryland	
<i>Changed Reporting or Filing Requirements</i>	Dist. Columbia	Pennsylvania
	Iowa	Rhode Island
	Michigan	Texas
	Minnesota	Virginia
	No. Dakota	Washington
<i>Eliminate/Changed Minimum Loss, Deductibles or Financial Hardship Test</i>	Kentucky	New York
	Louisiana	No. Dakota
	Massachusetts	Oregon
	Michigan	Texas
	Minnesota	Washington
	Missouri	
<i>Extend/Improve Benefits to Secondary Victims</i>	California	Pennsylvania
	Indiana	Oregon
	Kentucky	Texas
	Montana	Wisconsin
	New York	
<i>New/Improve Funeral Benefits</i>	Massachusetts	New York
	Michigan	No. Dakota
	Missouri	Washington
	Montana	West Virginia

^a See Appendix C for state-by-state list of legislative changes.

A number of states had entered into specific reciprocity agreements whereby those states would cover the other's residents.¹⁶ Since these agreements do not provide nationwide coverage, they did not satisfy the non-residency requirement of the Act.¹⁷

¹⁶ See McGillis-Smith, page 63. Approximately 45 percent of the programs had reciprocal agreements prior to VOCA.

¹⁷ At least one state, Wisconsin, had a provision covering its residents if they were injured in a state which did not provide them with benefits. California recently adopted similar protection for their residents.

Eighteen states have since amended their statutes to do away with residency requirements in order to meet this VOCA eligibility criteria.¹⁸ In most cases, the changes merely deleted the language in the statutes restricting coverage to residents. In California, however, non-residents are covered only so long as federal funds are available.

Massachusetts amended its law to permit a non-resident to receive benefits when a district attorney documents that the non-resident is cooperating in the investigation and prosecution of the case.¹⁹

From reports available to date, it appears that the costs of requiring programs to cover non-residents has had only a modest cost impact, particularly in relation to the VOCA grants they received. California, which received a FY 86 VOCA grant of over \$5 million, reported paying out \$440,000 to 186 non-residents during the first eighteen months since it repealed its residency requirement. Florida, whose FY 86 VOCA grant was nearly \$1.5 million, made \$350,000 in crime victim compensation awards to 100 non-residents between December 1, 1985 and November 30, 1986.

Mental Health Coverage

The emotional impact of crime was traditionally overlooked or minimized. Yet, it is now, at times, clear that the psychological consequences of victimization can be even more devastating to victims and to those close to victims than the direct financial and physical impacts. As stated by the American Psychological Association's Task Force on the Victims of Crime and Violence:

The experience of being criminally victimized has profound psychological consequences, both immediate and longterm. It is clear from research evidence that loss of personal property and bodily injury, commonly thought of as the most unsettling aspect of victimization, may in fact be of less importance than the psychological damage suffered by the victim. Depending on the individual involved and the circumstances, the harmful actions of another produce personal disruptions of feelings and behavior which can range from relatively short-term discomfort to a disabling long-term post-traumatic stress disorder.²⁰

The Victims of Crime Act requires that eligible state crime victim compensation programs include expenses for mental health counseling and care as part of the medical coverage.

It is left up to each state to determine what standards and qualifications apply to satisfy the mental health counseling requirement. Prior to VOCA, the practice regarding coverage of mental

¹⁸ Nevada's Legislature twice rejected proposals to eliminate its non-residency requirement. Since Nevada had until the completion of its 1987 session to come into compliance and it failed to do so, it will be ineligible to receive a FY 88 VOCA/CVC grant.

¹⁹ Non-residents are covered "only upon a showing, by written documentation provided to the attorney general or his representative, by the district attorney for the county in which the crime occurred or his representative, that the claimant has cooperated with law enforcement efforts or the prosecution of the case or, in the alternative, that such claimant can demonstrate to the court that he possesses or possessed a reasonable excuse for failing to cooperate." Chapter 605, Acts of 1985, eff. 3/20/86.

²⁰ American Psychological Association, *Victims of Crime and Violence: Final Report of the APA Task Force on the Victims of Crime and Violence*, November 30, 1984, pp. 3-4. Citations omitted.

health varied widely among the states. In some instances, states paid for treatment as part of medical costs only if provided by a licensed psychiatrist or psychologist. Others recognized the value of having trained lay counselors work with victims. Some paid for counseling only for victims of certain types of crime, such as sexual assault. Still other states did not provide for reimbursement for counseling and mental health treatment at all.

Since the enactment of VOCA, seventeen states have added or expanded coverage of mental health counseling. The result has been an increase in crime victim compensation payments for counseling between FY 86 and the first part of FY 87. In fact, the proportion of reported awards for mental health counseling has more than doubled during this period. While part of this increase is doubtless due to more specific reporting requirements, it is evident that there has been a significant increase in awards covering mental health costs.

Some of the changes made in mental health coverage include:

- *California* Permits up to \$10,000 for mental health expenses for family members and extends to cover services by licensed clinical social workers, marriage, family and child counselors.
- *Iowa* Permits counseling costs of up to \$500 for a child, domestic abuse or sexual assault victim, if provided by a licensed psychologist, MSW or victim counselor; up to \$10,000 if provided by a licensed psychiatrist.
- *Montana* Extends mental health treatment benefits to a spouse, parent, child or sibling of a victim or to a parent or siblings of a victim of child sexual abuse; payments limited to \$500 for each person and \$1,500 per family.
- *New York* Pays unreimbursed cost of counseling to an elderly or disabled victim if counseling started within 90 days of the crime; covers counseling benefits for child victims even though they may not have suffered a physical injury.
- *Oregon* Increases counseling benefits from \$1,000 to \$10,000.
- *Texas* Permits counseling benefits for family of child victims.

Funeral Expenses

Another specific requirement of VOCA is coverage of funeral expenses attributable to a death resulting from the crime. Between 4 to 5 percent of all crime victim compensation payments are used to cover funeral expenses.

Funeral benefits are usually limited to a maximum ranging from \$1,500 to \$2,500. Some states do not include the funeral benefits in calculating maximum award limitations. Two states (Massachusetts and Missouri) added coverage of funeral expenses; five others (Montana, New York, North Dakota, Washington and West Virginia) raised the maximum funeral limit. Nevada passed legislation permitting non-dependents in addition to dependents to claim funeral benefits for expenses made on behalf of the victim. Michigan will now reimburse a deceased victim's brother or sister who paid for the funeral.

Coverage of Federal Victims

One of the premises for Federal support of crime victim compensation programs was the recognition that victims of exclusively Federal crimes deserve financial assistance comparable to that afforded victims which come under state jurisdictions.²¹ The requirement that state crime victim compensation programs extend coverage to victims of Federal crimes was designed to avoid the establishment of a separate, overlapping Federal program.

The Federal offenses which are most likely to qualify for crime victim compensation awards are those which involve personal injury offenses committed on Federal property (such as military bases, National Parks or Indian Reservations) and which would be prosecuted in Federal courts. In fact, few, if any, state programs distinguish between the types of offenses (state or Federal) in determining eligibility for compensation benefits. Except in several selective situations, crime victim compensation coverage does not depend upon the prosecution of a case, or even, for that matter, the apprehension of a suspect in a case. Therefore, state vs. Federal jurisdictional issues rarely come up in crime victim compensation determinations.

Nevertheless, several states did enact statutory changes to clarify their coverage of victims of Federal offenses in order to satisfy the VOCA requirements. These states are Florida, Maryland, Michigan and Minnesota.

Legislative Changes: Other Improvements²²

In addition to state efforts to comply with VOCA eligibility requirements, VOCA served as an important influence in stimulating other legislative improvements.²³ In recent years State legislatures have made changes which include raising maximum award limits, eliminating family/household restrictions, broadening coverage to include victims of drunk driving and secondary victims and softening program requirements regarding filing deadline, reporting to police, minimum losses, etc.

Increases in Maximum Limits

All but one state crime victim compensation program place limits on the amount of benefits available. Maryland has no maximum. New York and Washington do not place a ceiling on the benefits available to pay for medical expenses attributable to the crime, although they place limits on other categories of expenses.

²¹ All but one of the many Federal crime victim compensation proposals sought some form of assistance to victims of Federal crimes. Many of these were proposed before the proliferation of state crime victim compensation programs.

²² Information presented in this section was obtained from state compensation programs. Examples are used to illustrate program guidelines and are not intended to convey the amount of an award for any specific claim.

²³ While it is not correct to assert that the existence of VOCA was the sole reason for the enactment of all of these program improvements, in many instances, VOCA's role was critical. For example, California's increase in its maximum benefit is applicable only as long as Federal funds are available. All of Wisconsin's new benefits are funded directly and exclusively by that state's VOCA grant. Obviously, these changes would not have been likely had VOCA funds not been available.

Relatively few crime victim compensation awards reach the maximum benefits levels. The average award nationally is just above \$2,350. Even in murder cases, when programs provide for prolonged loss of support to the victim's family, the average award amounted to slightly under \$8,000.

Nevertheless, the amount of the maximum award a state offers can be of tremendous significance to certain individuals. Any one incident can result in catastrophically high medical costs not covered by other reimbursement plans (e.g., insurance).

Fifteen states have increased their total maximum award limits or the maximum paid out for specific categories of expenses. California raised its maximum from \$23,000 to \$46,000, but that increased level is in effect only as long as Federal funds are available.²⁴ Colorado raised its maximum from \$1,500 to \$10,000, Connecticut from \$10,000 to \$15,000 (and to \$25,000 in homicide cases). Wisconsin raised its maximum from \$10,000 to \$40,000 with the additional costs coming solely from VOCA funds.

INCREASES IN MAXIMUM BENEFIT LEVELS

STATE	Old Maximum	New Maximum
California	\$23,000	\$46,000 ^a
Colorado	1,500	10,000
Connecticut	10,000	15,000 ^b
Kentucky	15,000	25,000
Massachusetts	10,000	25,000
Minnesota	25,000	50,000
Montana	125	150/25,000 ^c
North Dakota	200	300 ^d
New York	No med/20,000	No med/30,000 ^e
Virginia	12,500	15,000
Washington	No med/15,000	No med/20,000 ^f
Wisconsin	10,000	40,000

^a Only while Federal funds are available.

^b \$25,000 in homicide cases.

^c Weekly wage loss, \$25,000 maximum extended to all victims, regardless of employment status.

^d Weekly wage loss limit.

^e Weekly loss limit raised from \$250 to \$400.

^f Non-medical expenses in death/disability cases.

Changes in Family/Household Relationship Restrictions

These types of restrictions strike most directly at victims of domestic violence and child abuse, situations in which the victims are typically dependent upon the offender.

At least eleven states have used the opportunities presented by VOCA to eliminate or lessen these restrictions. Kentucky, Maryland and Missouri have changed their law to allow for waivers of

²⁴ California estimates that approximately \$400,000 in additional benefits have been paid between January 1986 and July 1987 because of this VOCA funded increase in maximum awards.

these restrictions “in the interest of justice.” Virginia removed its family exclusion as did Oregon (which must adopt administrative rules designed to prevent collusion). Other examples of recent changes in these restrictions include:

- *Connecticut* Makes exception to cohabitation restriction when there is no longer a relationship.
- *Florida* Excludes abused children from household restriction with an unjust benefit provision.
- *Iowa* Eliminates family/household relationship restrictions if offender seeks counseling after the first incident, if the victim files charges after a second incident, and if the offender is convicted after a third incident.
- *Missouri* Permits an “interest of justice” waiver if the case is prosecuted.

Changes in Minimum Loss, Deductible and Means Tests

Eleven states have, since the enactment of VOCA, modified or eliminated their minimum loss, deductible or financial means test. These are:

- *Kentucky* Eliminated \$100 minimum.
- *Louisiana* Permits waiver of minimum loss requirement.
- *Massachusetts* Eliminated \$100 deductible for victims over age 65 and for sexual assault victims.
- *Michigan* Raised minimum loss from \$100 to \$200 and adds waiver provision for rape victims.
- *Minnesota* Eliminated \$100 deductible (but retains \$100 minimum loss requirement).
- *Missouri* Eliminated \$200 deductible for victims over age 65.
- *New York* Eliminates financial difficulty test for emergency awards; gradually raises test for awards of up to \$2,000.
- *North Dakota* Repealed \$100 minimum.
- *Oregon* Removed \$250 deductible; reduced minimum from \$250 to \$100.
- *Texas* Removed financial need requirement.
- *Washington* Eliminated \$200 deductible.

Expanding to New Groups — Victims of Drunk Driving; Secondary Victims

Victims of Crime Act funds have also been used to broaden coverage of crime victim

compensation benefits to additional categories of victims. This has principally involved providing benefits to victims of drunk driving and to secondary victims, most commonly family members (e.g., survivors of homicide victims).

Nine additional states have reached out to offer benefits to victims of drunk driving since VOCA was enacted. These include Connecticut, Florida, Indiana, Kansas, Massachusetts, Minnesota, New York, Nevada and North Dakota.

Nine states have also taken steps to offer or improve benefits to secondary victims. Wisconsin extended all program benefits to family members of homicide victims thereby enabling them to receive reimbursement for medical expenses, lost wages, mental health counseling, etc. which they incur as a result of their own reaction to the crime. New York will now pay for the cost of counseling for the eligible spouse of the victim of a sexual offense who resides with the victim. New York will also make awards for rehabilitative occupational training of a family member when the victim becomes unemployable as a direct result of the crime. Other new benefits for secondary victims include:

- *California* Covers mental health expenses for family members, up to \$10,000.
- *Indiana* Pays up to \$1,000 for child care or mental health counseling for secondary victims.
- *Kentucky* Provides lump sum payment to family of police officers killed in the line of duty.
- *Montana* Pays for mental health treatment for spouse, parent, child or sibling of a killed victim and the parent or sibling of a child sexual crime victim. Payments limited to \$500 per person and \$1,500 per family; payments made within one year of claim.
- *Pennsylvania* Adds psychological counseling for immediate family of deceased victim.
- *Oregon* Permits counseling benefits for family of child sexual abuse or sexual exploitation victim.
- *Texas* Provides counseling benefits for family of child victim.

Application Filing and Police Reporting Requirements

Nearly every state has established time limits within which applications for compensation must be submitted and required that the crime be reported to law enforcement authorities. While these are necessary and desirable requirements, they can sometimes be too stringent in light of the particular circumstances.

Several states have lengthened the time required to file and/or report. Michigan extended its filing deadline from 30 days to one year and North Dakota added an "interest of justice" waiver provision to its filing deadline. Minnesota provided an exception to its filing and reporting requirements for victims of domestic violence. Virginia increased its reporting requirement from 48 to 120 hours.

Several states have modified their requirements to accommodate the unique problems posed when the victim is a child. Rhode Island and Texas eliminated filing and reporting requirements for child victims. Pennsylvania extended its filing deadline to 5 years "for good cause" if the victim is a child and the offender is a parent, a person responsible for the child's welfare or the victim's parent's "paramour." Iowa permits child abuse cases to qualify without being reported to police if reported to its Department of Human Services.

Additional Improvements

In addition to the program improvements described above, states have made some other new and innovative modifications.

Some of the many legislative changes made in New York's program since the enactment of VOCA include authority to pay for the cost of living and utilizing battered spouse shelters, reimbursing local victim service programs for up to \$500 of emergency awards they make to eligible victims and reimbursing (up to \$500) disabled victims for essential personal property and court transportation expenses, without regard to personal injury.

Among other benefit improvements, Wisconsin is using its VOCA/CVC grant to pay for reimbursements for bedding and other personal property held for evidence and crime laboratory analysis and up to \$1,000 for crime scene cleanup expenses. Colorado now permits up to \$250 for residential property damage and the District of Columbia eliminated a \$5.00 crime victim compensation application filing fee.

Supplantation

Crime victim compensation grants were intended to augment state funding and to provide an incentive for states to expand and improve programs. A condition of receiving the grants is that the grants "will not be used to supplant State funds otherwise available to provide crime victim compensation."

As further explained in the legislative history of the act:

The nonsupplantation provision is not intended to require States to maintain or increase their yearly expenditures for crime victim compensation. It is intended to ensure that States do not decrease their financial commitment to crime victim compensation solely because they are now getting Federal money.²⁵

As noted previously, many states depend partially or entirely upon various types of program revenues, such as surcharges, penalty assessments, fines, and court costs. Reductions in collections from these revenue sources which are beyond the ability of a state to control would not constitute supplantation.

In order to supplant, a state must *intentionally* reduce the level of its crime victim compensation funding because of VOCA. There is no evidence that any state used its VOCA grant in this manner.

²⁵ Statement by Rep. Peter Rodino, *Congressional Record*, October 10, 1984, footnote 5, p. H 12087.

Relationship With Victim Assistance Programs

The relationship between state crime victim compensation programs and victim assistance services varies greatly from state to state.²⁶ While it might appear that coordination between compensation and assistance programs would be a natural outgrowth of their common interest in serving victims, it is, as McGillis and Smith note, "likely to be easier in theory than in practice." They explain:

Personnel affiliated with both types of programs tend to have somewhat different philosophical orientations towards victims and to believe strongly that their service is of particularly great value to victims. Such commitment is valuable and perhaps necessary if people are to perform well and vigorously in providing services. However, it inevitably leads to "turf" problems in an era of shrinking resources. . . . American crime victims face myriad, complex problems, and a coordinated effort among various service providers is essential to address the full range of their needs.²⁷

One of the underlying themes in the Victims of Crime Act is the encouragement of a closer, cooperative working relationship between compensation and assistance programs. This is most obvious in the victim assistance grant requirement that subgrantees assist victims with crime victim compensation applications.

The value of close ties between compensation and assistance programs was noted early on:

One example of the effectiveness of this approach is the experience of Project Turnaround, a victim/witness program in Milwaukee County, Wisconsin. During the first year of operations of the Wisconsin victim compensation program [1976], 57 percent of the claims originated from Milwaukee County, largely due to the assistance efforts of Project Turnaround staff.²⁸

Crime victim compensation directors have indicated that since the enactment of VOCA a greater rapport and closer working relationship has developed between compensation and assistance programs.

Some compensation programs have formalized their relationship with victim assistance programs. California has training programs for victim assistance centers consisting of one-day introductory courses and one-week basic training sessions. They also conduct an extensive two-week specialized training program which may lead to a "joint powers agreement" in which the victim assistance center staff, apart from its regular staff, verify compensation claims.

Wisconsin is developing a crime victim compensation manual for use by VOCA victim assistance subgrantees to help them assist victims with processing claims. Pennsylvania drafted a

²⁶ See McGillis and Smith, pp. 129 - 136.

²⁷ McGillis and Smith, p. 136.

²⁸ National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, U.S. Department of Justice, *Victim/Witness Assistance* by Robert H. Rosenblum and Carol Holliday Blew (Washington D.C.: Government Printing Office, 1979), p. 28, cited in D. Carrow, *Crime Victim Compensation: Program Model* (Washington, D.C. U.S. Government Printing Office, 1980) p. 108.

manual and conducted training sessions for victim service groups throughout the Commonwealth in 1986.

It is interesting to note that victim assistance programs have moved up slightly in the rankings of referrals to crime victim compensation programs. In FY 86, the compensation programs ranked client referrals from victim assistance programs as third behind police and hospitals. In FY 87, victim assistance programs were the second highest ranked referral source. It is likely that this trend reflects the growing cooperation and communication between these two important victim services.

In a number of states, administration of VOCA victim assistance grants (as well as other victim assistance programs), and crime victim compensation are in the same agency. These include: Colorado, District of Columbia, Florida, Hawaii, Montana, Nebraska, New Mexico, New York, Oregon, and Wisconsin. This combination has aided in the development of cooperation and coordination.²⁹

Conclusion

The Crime Victims Compensation Program, authorized by the Victims of Crime Act (VOCA), has been instrumental in the development and strengthening of state crime victim compensation programs.

Some states that did not previously provide crime victim compensation have enacted legislation creating a program to compensate victims of crime. The six remaining states which do not have compensation programs are receiving technical assistance tenable to development of a compensation program and participate in the Federal crime victims compensation program, if there is sufficient support in the state.

In addition to the fact that Federal funds have augmented state efforts, significant progress in the state/Federal partnership to assist victims of crime can be seen in several areas:

- All but one state (Nevada) that has a victim compensation program now provides victim compensation for non-residents as well as victims of Federal offenses.
- Compensation for mental health services as well as medical expenses is almost universal now.
- The range and level of benefits have increased. This is particularly important for the poor who are victimized.
- Statewide coverage assures that regardless of where a victim is injured victim compensation is available.
- States are increasingly using fines, penalties, and bond forfeitures to finance in whole or in part the costs of awarding crime victim compensation claims.

²⁹ Florida, for example, cited the efforts of its VOCA victim assistance subgrantees as part of the reason it experienced a 26 percent increase in crime victim compensation claims and 36 percent in amount of awards.

- Improved information sharing and communication among victim service providers has increased victim access to compensation and other services.
- Cooperation between law enforcement agencies and victims has been improved considerably now that victims know that the “system” is not going to expect them to carry the financial burden of victimization all alone.

Recommendations

The following are suggested recommendations for legislative action regarding the VOCA victim compensation program:

Property Damage

Occasional confusion has been expressed regarding the eligibility of costs associated with replacement of corrective lenses which have been broken in the course of criminal activity. In order to clarify this matter, Sections 1403 (d)(1) and 1403 (d)(2) should be amended so that the costs of eyeglasses and other corrective devices will explicitly be considered medical rather than property.

“Grandfather” Provision

The “grandfather” provision of the Act should be deleted; it is no longer needed.

CHAPTER 4

VICTIM ASSISTANCE

Crime can touch all aspects of a victim's life: emotional, legal, physical, social and financial. It also often affects those close to the victim: survivors, friends, relatives, neighbors and sometimes the larger community. Some of these effects may last for a relatively brief period of time a few hours or days; others may last for years or for a lifetime.

The expansion and improvement of victim services in this decade is recognition that victims are no longer the "forgotten people" in the criminal justice and human services systems. There are now more than 2,000 programs providing a wide variety of services to help victims. They are rape crisis centers, domestic violence shelters, victim/witness assistance units, child abuse treatment programs and others. They are located in law enforcement agencies, prosecutors' offices, churches, independent community-based groups, hospitals, mental health associations, and social service agencies. They provide crisis intervention, counseling, emotional support, emergency assistance, court notification, case information and an array of other services.

The principal goals of the Victims of Crime Act victim assistance grants are:

to provide hands-on assistance directly to victims of crime by assisting local units of government and private non-profit organizations to enhance or expand direct services to victims of crime, to encourage the States to improve their assistance to crime victims and to promote the development of comprehensive services to all victims of crime across the Nation.¹

VOCA victim assistance grants are meant to:

- Provide financial enhancement to existing programs;
- Expand the availability of victim services;
- Enhance the quality of services;
- Encourage coordination among victim service providers;
- Better assure services for "priority" victims; i.e., sexual assault, child abuse and spouse abuse.

¹ "Victim Assistance Grants: Final Guidelines (Revised)," *Federal Register*, Vol 52, No. 62. p. 10422.

Victim Assistance Grant Allocations

Each state, the District of Columbia and Puerto Rico, and four other territories² are eligible to receive grants under the victim assistance portion of the Victims of Crime Act. As explained previously, the amount in the Crime Victims Fund for victim assistance grants has fluctuated. For FY 86 victim assistance grants totalled \$41,233,000; for FY 87 the amount declined to \$30,772,000. This was because of a drop in revenues in the Fund as well as an increase in the portion required for Crime Victim Compensation grants. In spite of the crime victim compensation portion of the Fund reaching its 49.5% maximum, resulting in no carryover funds being available for victim assistance, grants for FY 88 will increase as collections in the Crime Victims Fund have risen significantly.

Each state, the District of Columbia and Puerto Rico are allocated a base amount of \$100,000 with the remainder distributed on a population basis. The Territories are allocated an amount based solely on their population. Grants ranged from \$3,000 and \$2,000 for the Northern Mariana Islands to \$3.9 million and \$2.8 million to California, for FY 86 and FY 87 respectively.

Although funds were allocated to Guam and the Trust Territories, neither of these jurisdictions has yet applied for a grant.³

VOCA Victim Assistance Requirements

In order to be eligible to receive a victim assistance grant under the Victims of Crime Act, states must meet the following eligibility criteria:

- The state must certify that priority will be given to programs assisting victims of sexual assault, spousal abuse or child abuse;
- The funds must not supplant state or local funds otherwise available for crime victim assistance.

To be eligible to receive a VOCA subgrant from a State, the statute requires a program to:

- be operated by a public agency or non-profit organization, or both, and provide services to victims of crime;
- demonstrate financial support from sources other than VOCA if the program has a record of providing effective services;
- demonstrate substantial financial support from other sources if the program is new;
- use volunteers, unless the Governor has compelling reasons to waive this requirement;
- promote coordinated public and private effort to aid victims within the community; and

² Virgin Islands, Guam, American Samoa, North Mariana Islands and the Trust Territories.

³ Guam's allocation for FY 86 was \$18,000 and the Trust Territories \$19,000. For FY 87, the amounts are \$12,000 and \$13,000, respectively. Since these funds were never awarded, they remain in the Crime Victims Fund for future victim assistance grants.

- assist victims in seeking crime victim compensation benefits.

The Act describes the types of services to crime victims as including crisis intervention; emergency services, such as temporary housing and security measures; assistance in participating in the criminal justice system including transportation to court and child care; and payment for unreimbursed costs of forensic medical examinations.

Selection of Priority Options

Just prior to the enactment of VOCA, a last minute floor amendment sponsored by Senator Arlen Specter established three groups of "priority" victims: victims of sexual assault, spouse abuse or child abuse. In proposing the priorities, Sen. Specter said:

Given the special needs of sexual assault, spousal abuse and child abuse victims, I believe this emphasis is warranted. However it is important to note that the amendment would not unduly infringe on State prerogatives. States would be free to fund organizations of their choice at an amount of their choice. Nor does the bill establish a definite percentage of funding that must be given to these programs; instead the States would be able to consider the availability and quality of existing services.

Section 1404(a)(2)(A) requires that priority in awarding subgrants "be given to eligible crime victim assistance programs providing assistance to victims of sexual assault, spousal abuse, or child abuse." In order to meet the priority requirement yet allow the flexibility for each state to meet its own needs, states were allowed to select one of three options:

- *Option 1*: Allocate at least ten percent of its VOCA/VA grant to each of the three priority categories unless the state demonstrates that a particular category is receiving significant amounts of financial assistance from other sources and that a smaller amount or no VOCA funds for that category is needed.
- *Option 2*: Develop criteria for allocating funds that assure programs serving each priority category receive a share of funds commensurate with their special needs taking into consideration the level, quality and availability of existing services and the overall distribution of funds within the state.
- *Option 3*: Require every program receiving a subgrant to include, as a principal mission or component of the program, services to at least one category of priority victims, unless the state determines that other programs are providing adequate services of a similar nature to the community.

By far, the overwhelming number of states selected option 1 as their choice. In fact 41 of the 54 jurisdictions selected this as their method of meeting the priority requirement, only 4 jurisdictions (Pennsylvania, Wisconsin, No. Mariana Islands and Puerto Rico) chose option 2 and 9 jurisdictions (Alaska, Connecticut, Georgia, Nebraska, Nevada, New York, North Carolina, Wyoming and the

Virgin Islands) selected option 3.⁴ The actual distribution and impact of VOCA/VA grants to these priority categories will be discussed later in this report.

State Subgrant Award Strategies

States used different approaches in deciding how to make their subgrant awards. In some cases, the approaches taken were designed to ensure meeting the requirement that programs serving sexual assault, spouse abuse and child abuse victims receive priority. A number of states decided to use a "needs assessment" analysis. Several states, in essence, delegated the subgrant process either entirely or partially to local bodies or to statewide advocacy organizations.

The following are examples of the processes used by some states to make their VOCA/VA subgrants.

The Florida Bureau of Crime Victim Compensation and Victim/Witness Services sent out an announcement of the availability of VOCA funds to over 1,000 persons. Approximately 200 requests were made for the Bureau's Application Packet and 90 letters of intent were received. An applicant's conference was then held and a total of 66 applications were submitted. Amounts requested in the applications were more than double the state's \$1,751,000 VOCA grant.

Each application underwent a technical review by the Bureau staff which eliminated two applications. The remaining 64 applications were submitted to a Grant Review Committee.

In addition to the Federal eligibility requirements, the Grant Review Committee established additional criteria for ranking the applications. Preference was given to programs which:

- develop, with community involvement, long range plans for future victim services;
- demonstrate the development of comprehensive services;
- coordinate with existing community services and resources;
- are in areas that contribute to the state's Crimes Compensation Trust Fund;
- include a plan to decrease dependency on grant funds while maintaining additional services;
- initiate or expand services to areas with limited or no existing services; and
- initiate or expand services to minority populations.

As a result of this process, Florida awarded 27 subgrants. Among these, three programs used VOCA to expand services to rural counties, one to expand services to victims of burglary and other economic crimes, with emphasis on elderly victims and a child abuse program providing

⁴ Oklahoma originally selected option 2 and attempted to survey law enforcement agencies, prosecutors and victim service providers to determine the State's needs. However, because of poor response, Oklahoma changed from using option 2 to option 1.

outreach to the black community. Eighteen percent of the grants went to sexual assault services, an area which had not received any state funding.

In Minnesota, the state's Department of Corrections, which already funds domestic violence and sexual assault programs, was the designated state VOCA administrator. In conjunction with the state's Crime Victims Advisory Board, they held public hearings to decide which priority option the state should choose. They chose option 1—at least 10 percent to each priority category. The Department then set up three groups: one to administer the subgrants to domestic violence programs, one for sexual assault programs and one for both child abuse and general undesignated programs. Each group worked independently, establishing its own policies and issuing its own requests for proposals. For example, the sexual assault group decided to make a commitment to programs serving minority victims, the child abuse and undesignated group targeted unserved geographic areas and minority populations. The domestic violence group decided to make a greater number of smaller awards rather than a few large subgrants, so that the programs would not depend too heavily on Federal funding.

Wisconsin and Pennsylvania each conducted a "needs assessment;" Wisconsin on a statewide basis and Pennsylvania on a countywide basis.⁵ In Wisconsin, the Crime Victims Advisory Council, appointed by the state Attorney General, conducted public hearings, identified service gaps and then established policies and priorities for awarding subgrants. The Council then reviewed and rated the applications and recommended subgrants to the Attorney General, who had been designated to administer VOCA.

Pennsylvania's approach was to utilize countywide policy boards to do a needs assessment and then recommend subgrants for programs within the county. In addition to the three priority categories, Pennsylvania added other serious crime victims as a priority group.

Timing of FY 86 VOCA Awards and Subgrants

The awarding of victim assistance grants to states had to await the accumulation of the first full year's (October 1, 1984 to September 30, 1985) revenues into the Crime Victims Fund. In addition, the amount of the Fund allocated to victim assistance depended upon the amount left over after the allocation to crime victim compensation was made.

The Office for Victims of Crime announced the availability of VOCA funds for state victim assistance grants in the *Federal Register* (Vol. 50., No. 205) on October 23, 1985.

Forty-one states received their grants by the end of December 1985. Six states received grants in January 1986 and four in February 1986. California's grant was made in May 1986, the Northern Mariana Islands' grant was made in September 1986, and the American Samoa's grant was just recently awarded in September 1987. Guam and the Trust Territories, although allocated funds, have never applied for their grants.

It took an average of just over six months from the time a state was given its grant to the time it starting making subgrant awards. This ranged from less than a month to 16 months.

⁵The procedures used by Wisconsin, Pennsylvania and Massachusetts are described in detail in P. Finn and B. Lee, *Serving Crime Victims and Witnesses* (National Institute of Justice, Washington, D.C. 1987) pp. 95 - 102.

To allow the states the maximum amount of time to effectively develop and implement their state-wide victim assistance programs, the time permitted to obligate the FY 86 victim assistance grants was extended from the year of the grant award plus one year to the year of the grant award plus two years. As a result of this amendment, states now have until September 30, 1988, to award their FY 86 victim assistance grants.

Of the \$41,233,000 in VOCA grants awarded, \$9.5 million had been obligated in subgrants by September 30, 1986. By the end of fiscal year 1987, states reported having obligated \$33.7 million (82 percent).

GRANT OBLIGATIONS, FY 86

	As 9/30/86	As of 9/30/87
Total Grants	\$41,233,000	\$41,233,000
Obligated	\$ 9,448,462	\$33,673,282
Unobligated	\$31,779,538	\$ 7,554,718

Distribution of FY 86 VOCA Subgrants⁶

Approximately 1,489 victim assistance programs received FY 86 VOCA victim assistance subgrants. Ninety-four percent of the subgrants were determined to be "existing" programs by the state administrators. This is an important determination for the subgrant recipient because OVC guidelines require programs with "a record of providing effective services" to provide a 25 percent (in-kind) match whereas new programs must provide a 50 percent cash match.

SUBGRANTS BY AGENCY TYPE, FY 86

	No. ^a	Percent
Existing Programs	1,342	94%
New Programs	80	6%
Private Non-Profit	1,126	79%
Criminal Justice-Total	189	13%
Law Enforcement	33	2%
Prosecutors	126	9%
Other	30	2%
Gov't Non-Criminal Justice	106	7%

^a Based upon 1,422 subgrants taken from a different (and earlier) database thus resulting in slightly different totals.

⁶ See Appendix D for state-by-state breakdowns. The following descriptions are derived from several different data bases and therefore may not always total the same number of subgrants.

Almost 80 percent of the subgrantees are private non-profit organizations. Of the 13 percent which are criminal justice agencies, two-thirds are located in prosecutors' offices. The remaining 7 percent of the subgrantees are non-criminal justice governmental agencies, mainly social service agencies.

**PERCENTAGE OF PROGRAM BUDGETS
Supported by VOCA funds, FY 86**

	No.	%
Less than 10%	433	30
11 - 25%	418	29
26 - 50%	361	25
51 - 75%	168	12
75% or more	48	3

For 85 percent of the programs, VOCA funds represented less than half of their budgets. Thirty percent of the awards amounted to less than 10 percent of the recipient's budget and a similar number fell within the 11 to 25 percent category. One-quarter of all subgrants accounted for between 26 percent to 50 percent of program budgets.

Only fifteen percent report depending upon VOCA for more than half of its budget with 3 percent indicating that VOCA represents more than three-quarters of its budget.⁷

Programs Serving Priority Victims

As discussed previously, states had to choose among three options to meet the requirement that programs serving victims of sexual assault, spouse abuse or child abuse be given priority for funding. The overwhelming amount of VOCA FY 86 funds went to programs whose principal mission was serving one or more of these priority categories. In fact, over three-quarters of the funds (and, in terms of the number of programs, over 80 percent) went to these programs. In comparison, less than 20 percent of the funds went to programs whose principal mission was to serve all victims of crime and less than 4 percent was awarded to programs which aimed at serving specific victim groups other than the priority categories.

DISTRIBUTION OF VOCA SUBGRANTS, BY PROGRAM TYPES, FY 86

	No.	%	Amount	%
Total	1,489		\$35,375,806	
Priorities	1,214	82	27,060,941	76
All Victims	226	15	6,814,493	19
Special Focus	45	3	1,392,383	4

⁷ Even though VOCA requires at least a 25 percent match for existing programs, this may be a "soft" match (e.g. "in-kind" donations, such as volunteer time) which is not reflected in a program's "hard cash" financial budget. This may well account for the programs which report that VOCA funds exceed 75 percent of their program budgets.

Most programs (887) serve just one priority category, 231 serve two priority categories and 97 programs indicate they provide services to all three priority categories. All together, 721 subgrantees accounting for over 45 percent of all VOCA/VA funds provide services to victims of spouse abuse. A total of 530 subgrantees assist victims of sexual assault, representing 35 percent of all grants and 375 programs provide services to child abuse victims, accounting for 28 percent of all subgrant awards.⁸

PRIORITY PROGRAMS, FY 86

	No.	% ^a	Amount	% ^a
All Subgrantees	1,489	100	\$35,375,806	100
All Priority Pgms	1,214	82	27,060,941	76
Sex. Asslt (SA)	240	16	5,129,646	15
Sp. Abuse (SP)	427	29	8,629,079	24
Child Abuse (CA)	219	15	4,724,927	13
Total	887	60	18,508,952	52
SA & SP	167	11	3,391,890	10
SA & CA	30	2	1,075,406	3
SP & CA	34	2	1,421,077	4
Total	230	15	5,811,953	17
SA & SP & CA	97	6	2,688,916	7

^a Percent of all subgrantees.

Programs Serving All Victims

Approximately 20 percent of the subgrant recipients provide services to all victims of crime rather than focus on assisting specific categories of victims. For the most part, these are either comprehensive programs providing crisis intervention, emotional support and related services or victim/witness assistance programs which are geared mainly to criminal justice/court-related services.

Nearly half of these programs are located in prosecutors' offices although they account for only 37 percent of the funds subgranted in this category. The 114 general victims programs not associated with a prosecutor's office received \$4.3 million or 63 percent of the funds in this category. Many of these are located in a police department, a sheriff's office or an independent program.

⁸ See Appendix D, Table 4.

PROGRAM SERVING ALL VICTIMS

	No.	%	Amount	%
Total	225	100	\$6,802,493	100
Prosecutors	111	49	2,498,404	37
Non-Prosecutors	114	51	4,304,089	63

The Crime Victim Center operated by the Minnesota Citizens Council on Crime and Justice is an example of an independent comprehensive program serving crime victims. Since 1977, the Center has provided services such as crisis counseling, temporary home repairs, emergency financial assistance, court-related advocacy and referral. The Center also operates a specially equipped mobile van unit for on-scene response and to provide emergency transportation within a seven-county area. Although the initial funding for the purchase of the van was provided by a private corporate donation, operating and outfitting expenses come in part from the Center's VOCA subgrant.

Special Focus Programs

A third general category of victim programs is aimed at specific groups of victims, other than the priority categories.⁹ Forty-five such programs received approximately \$1.4 million in VOCA victim assistance funds during FY 86.

Among the programs in this category are:

- *Loved Ones of Homicide Victims*, Los Angeles, CA: Services for survivors of homicide victims.
- *Mothers Against Drunk Driving*, Orlando, FL: Support group for victims and survivors of drunk driving victims.
- *East Bronx Council on Aging*, Bronx, NY: Services for elderly victims.
- *Tioga County Council for the Disabled and Handicapped*, Nichols, NY: Services for disabled crime victims.
- *Parents of Murdered Children*, Philadelphia, PA: Support for parents of homicide victims.
- *South Carolina Department of Youth Services*, Columbia, SC: Assistance for victims of juvenile offenders.

⁹Programs which target specific populations of a priority category, such as Hispanic spouse abuse victims, are counted in the priority classification.

Program Goals

Subgrantees used their VOCA funds for a wide variety of purposes. The following chart illustrates the purposes reported by FY 86 state grantees.

SUBGRANT PROGRAM GOALS, FY 86^a

GOAL	No.	Perc.
Increase Capacity	921	62%
Offer New Services	210	14%
New Program	103	7%
Expand to New Areas	88	6%
Add Support Staff	82	5%
Serve New Victim Groups	74	5%
Miscellaneous	68	5%
Replace Lost Funding	41	3%
Training Programs	28	2%

^a Many programs had more than one goal.

Increased Service Capacity

By far, the most frequently reported use of VOCA funds was to increase capacity to provide services. This typically meant hiring additional staff with which to increase volume. For example, Pennsylvania reported that over \$1 million of its \$1,750,000 FY 86 grant was used to add 31 new full-time service providers and increase the hours of 96 part-time staff. In Massachusetts, VOCA support was used to hire 55 full and part-time personnel and supported 100 additional volunteers.

Provision of New Types of Services

Over 200 of the subgrantees used some or all of the funds to begin offering new services to their clients. Many started hotlines or established support groups to work with victims. Some began offering legal advocacy services or other forms of assistance.

In Racine, Wisconsin, the Victim/Witness Assistance Program started up the first Victim Response Unit in that state. In addition to providing court notification, information and accompaniment services to victims and witnesses, the program now has 24-hour on-call crisis intervention counseling and referral services. The Unit responds at the crime scene or within the following three days, depending upon the nature of the crime. In the first six months of the Unit's operation, the two counselors had contact with over 1,150 victims. They have assisted law enforcement agencies with the families of homicides and with other death notifications. The Victim Response Unit staff has also helped families make funeral arrangements and apply for Crime Victim Compensation to help with these expenses.

Some other examples of new services:

- *Fayette County Prosecutor's Office*, Connersville, IN: Developed a hotline and created a support group.
- *Bowling Green-Warren County Rape Crisis and Prevention Center*, Bowling Green, KY: Began offering 24 hour emergency services.
- *Domestic Violence Escape, Inc.*, Ironwood, MI: Was able to offer individual counseling, emergency funds for incidental medical expenses and purchase supplies for children staying in their shelter.
- *Women Safe Inc.*, Chardon, OH: Now has emergency legal services.
- *Turning Point of Lehigh Valley, Inc.*, Allentown, PA: Now provides court accompaniment and advocacy.
- *Collin County Rape Crisis Center, Inc.*, McKinney, SC: Has crime scene intervention, transportation and counseling services not previously available.

New Victim Assistance Programs

Approximately 80 new victim service programs were started with VOCA funds. Many of these (31) were newly established victim/witness assistance programs within prosecutor's offices. For example, in Illinois, \$326,000 of VOCA funds was used to begin victim coordinator services in ten downstate counties where such help was not previously available. Other new victim assistance programs started as VOCA subgrants are:

- *Family Resource Center of Northwest Alabama, Inc.*, Jasper, AL: A new rural shelter facility.
- *Jacksonville Human Services Department Victim Services*, Jacksonville, FL: Comprehensive victim services.
- *Women's Alternatives, Inc.*, Anderson, IN: New sexual assault services.
- *Reno County Victims of Abuse Network, Inc.*, Hutchinson, KS: Established new domestic violence services, including a shelter.
- *Community Care Mental Health Center, Inc.*, Springfield, MA: Started new victim services for elderly victims.
- *Presbyterian Hospital*, New York, NY: Established new emergency support and counseling services.
- *Youth Services of Tulsa County, Inc.*, Tulsa, OK: New treatment program for child victims of abuse.
- *Pee Dee Coalition Against Domestic and Sexual Assault*, Florence, SC: Began comprehensive sexual assault and domestic violence services.

Expansion into Additional Geographical Areas

At least 88 subgrants used part or all of their funding to begin expanding victim services to geographical areas which had limited or no access to victim assistance resources. Nearly half of these indicated that they were going to begin offering services to rural communities.¹⁰ Penelope House, a domestic violence program in Mobile, Alabama noted:

as a result of our outreach program, we have been able to establish positive communication with law enforcement agencies as well as social service agencies in rural areas. . . . We have also realized an increase in the number of calls from victims received from the eight county areas outside of Mobile. It is our feeling that the expansion of services to victims of spouse abuse in rural communities, made possible by the [VOCA] grant, has provided the opportunity for our program to reach women who would not necessarily otherwise be able to benefit from our services due to geographic isolation.

Support Staff/Volunteer Coordinators

About five percent of the subgrantees used VOCA funds to add support staff. Fifty of the 82 programs so identified used the funds to hire a paid coordinator to recruit, train and supervise volunteers. Others hired administrators, bookkeepers, outreach coordinators or other non-direct service providers.

Services for New Groups of Victims

Another prevalent use of VOCA subgrants is to extend services to additional groups of victims. Mostly, these programs offer their services to victims of particular types of crime. Some programs are making concerted efforts to reach out to underserved racial or nationality groups. And some are targeting other groups of victims. For example:

- *Graham-Greenlee Counseling Center*, Safford, AZ: Expanded from serving domestic violence victims and to victims of all traumatic crimes.
- *Manatee Mental Health Center*, Bradenton, FL: Expanded services to minority victims.
- *Pinellas County Sheriff's Department*, Largo, FL: Developed services to elderly victims of burglary and economic crimes.
- *Rape Crisis Program of Worcester, Inc.*, Worcester, MA: Expanded with special emphasis on Hispanic victims.
- *Women's Shelter, Inc.*, Rochester, MN: Now provides services to Southeast Asian community in Olmsted County.

¹⁰This is understated, since it counts only those subgrantees which expressly indicated expansion to rural areas. Many stated they planned to extend services to additional areas, but did not indicate the type of community to be served.

- *Karen Horney Clinic*, New York, NY: Developed services for families of homicide victims.
- *Preble County Counseling Center*, Eaton, OH: Expanded a battered women's program to a comprehensive victim's program.

Miscellaneous Uses

There are a variety of miscellaneous purposes for which VOCA subgrants were used. Several programs used the funds to purchase or lease a building to be used as a shelter facility. Some used the funds to purchase videotape equipment for child interviewing.

Some programs are truly unique and do not fall into any other category. One such program is the Minnesota Crime Victims Ombudsman. The position was created in 1985 to serve on behalf of victims as a watchdog over the criminal justice and victim service systems. The office was given statutory authority to investigate complaints concerning violations of Minnesota's Bill of Rights for Crime Victims and Witnesses, the delivery of victim services by victim assistance programs and the administration of the state's crime victim reparations program.

The Crime Victims Ombudsman is a one-of-a-kind office. It probably would not be functioning today without VOCA since the Minnesota Legislature specifically provided that it be established only when federal funds became available to pay for it.

Other uses of VOCA funds include:

- *Douglas County Sheriff's Department*, Castle Rock, CO: Purchase beepers for volunteers.
- *My Sister's Place, Inc.*, Athens, OH: Installation of electronic security system for shelter.

Replace Lost Funding

Approximately 3 percent of the subgrants appear to have been used to replace lost funding and to keep the program operating at its current level. For example, the East Texas Crisis Center had received a VOCA subgrant for outreach into seven nearby towns. Shortly thereafter, however, its source of funding for its basic program—a program which was experiencing a 28 percent increase in requests for assistance—withdrawed its support. It would either have to close down or severely cut back its programs. Fortunately, it was able to obtain a supplemental VOCA award, enabling it to maintain its current level of service.

Training Programs

At least 28 subgrants had training as a program component. These included training law enforcement officers, health care professionals, prosecutors and others. Program guidelines developed by OVC permit the use of VOCA funds for training which provides for development of skills for direct service providers as an integral portion of their program operation but not as a separate function.

Coordination of Services

One of the statutory requirements for a VOCA/VA subgrant is that the recipient must promote "within the community served coordinated public and private efforts to aid crime victims." Coordination is necessary not only to improve the efficiency and effectiveness in the delivery of victim services, but to minimize the burden on victims to obtain needed assistance.

Usually, coordination involves most or all victim service agencies within the community meeting to discuss mutual problems, issues and services. Coordination of specific casework among the service providers working with individual victims can greatly aid the victim in recovery and to avoid the all too common "second injury."

Some state VOCA administrators required each subgrantee to demonstrate how they planned to implement the coordination requirement. Other states gave preference in their selection process to applications which promoted comprehensive coordinated efforts. A variety of approaches were taken.

A subgrant in Ohio to the Child and Family Advocacy Center is an example of the benefits of coordination stimulated by VOCA. The Center was established to assist in the more than 400 cases of suspected child abuse and child sexual abuse reported in Stark County. Until the Center was started, "youngsters involved in these cases were trooped from one social agency to another, reliving their experiences each time they had to describe the abuse." According to the state VOCA administrator:

VOCA, the Junior League of Canton and several other agencies have changed that. . . . The Center videotapes interviews of each child. The tapes include all the information needed by the various agencies, thereby reducing the number of times a child must tell his or her story to once, or possibly twice. In addition, the Center provides a liaison service to a Child Sexual Assault Team and will coordinate its recommendations, and provide a written report to the Department of Human Services and the County Prosecutor's Office. . . . The program serves as a model for coordinating services to child abuse victims, and demonstrates what can be accomplished when state, federal and local resources are pooled together for a common purpose.

In Alabama, local councils and advocacy-liaison groups were formed. In Montgomery, for example, representatives from the District Attorney's Office, the Montgomery Police Department, the Department of Human Resources, the Alabama Crime Victim Compensation Commission, the Family Court and Montgomery Area Family Violence Program meet to coordinate services for child victims.

In the Panhandle area of Florida, three programs received VOCA subgrants to expand services into the rural counties. The three agencies are now sharing office space and have jointly organized meetings with area judges, probation personnel, law enforcement, social service workers and medical personnel. The purpose is to familiarize everyone with the services available, to make maximum use of their resources and to improve referral services.

And in Utah, grantees were required to form councils as a condition of obtaining funding. The Utah VOCA Administrator reported that:

initial resistance was encountered by previously independent agencies worried about being subjected to the decisions of the council as a whole regarding allocation of service, publicity, etc. However, as the benefits of coordination became apparent, participation and support has increased.

Conclusion

The state Victim Assistance grants which are funded by the Crime Victims Fund have played an important role in assisting states to expand and improve services to victims of crime. In the first two years of grants, more than \$41.2 million has been awarded to states. States have allocated these funds to support more than 1500 programs. As services have grown, so has the quality of services and the public's expectation for fair and sensitive treatment of crime victims.

VOCA program guidelines provide states with three alternative methods of addressing the priority service areas. The options emphasize the states' role in assessing service needs and decisionmaking in the dispersal of VOCA funds. However, even with that flexibility, most of the VOCA victim assistance funds have been used by states to support programs which serve one or more of the priorities specified in the Act, i.e., spouse abuse, sexual assault and child abuse. Over three-quarters of all VOCA FY 86 victim assistance funds went to programs serving one or more priority category compared to less than 20 percent to programs serving all victims and four percent to other special focus programs. Only 86 subgrants were awarded to prosecutors' offices for victim/witness assistance services. These subgrants amounted to approximately \$3 million, less than 10 percent of the total amount awarded.

As victim assistance programs expand, there is a need for the development of additional services which assist victims of other crimes and those with special needs, e.g., the elderly, minorities, parents of murdered children and others. Elimination of the priority areas in VOCA would enable states to formulate their own priorities which reflect local need and would encourage further development of victim services in previously neglected program areas.

Recommendations

The following are recommendations for legislative action regarding the VOCA victim assistance program:

Eliminate "Priority" Requirement

Throughout its development, the Victims of Crime Act was premised on the need to provide help to all victims of crime and not to discriminate in favor of or against any particular group of victims. It also recognized that the level of support then existing varied greatly from state to state and that each state was in the best position to plan for the most effective uses of VOCA funds. By augmenting state and local efforts, VOCA encouraged the establishment of comprehensive services for all victims.

The statutory priority services requirement appears to have significantly influenced how VOCA funds are distributed within states. Services to victims of sexual assault, spouse abuse and child abuse have expanded most dramatically with VOCA support. As this legislation is considered

for reauthorization, it is recommended that the three service priorities be deleted so that other groups of victims have a greater opportunity to access VOCA resources in the states. Deleting the priorities would more clearly convey to states their responsibility to develop comprehensive services to all crime victims.

CHAPTER 5

FEDERAL VICTIMS PROGRAM

The Victims of Crime Act of 1984 recognized the importance of the Federal criminal justice system response to victims of Federal crimes and the needs of these victims for assistance and services. A portion of the Crime Victims Fund was set aside for services to victims of Federal crimes, which included support for direct services for victims, training for Federal law enforcement personnel who come into contact with victims, and the preparation of information and materials regarding services to victims of Federal crimes.

The intent was to improve the treatment of Federal crime victims by Federal investigators and prosecutors and others throughout the criminal justice process and to expand the availability and improve the quality of victim assistance and victim witness services to victims of Federal crimes. However, it was clearly understood that these activities should not duplicate existing state and local victim assistance programs or other Federal programs. Funds were to be used to maximize the benefits to victims, particularly those who have no access to assistance programs, and to encourage continued improvement in the treatment of crime victims by Federal law enforcement and other personnel.

Although VOCA was amended in 1986 and the portion of the Fund allocated for improvement of services and treatment of Federal crime victims was significantly reduced, the mandate to meet the needs of victims of Federal crimes remains.

Federal Victims Program Funding

As originally enacted, VOCA authorized the Attorney General to retain up to 5 percent of the Crime Victims Fund (to be deducted from the victim assistance allocation) to provide services to victims of Federal crimes. This amounted to \$3.4 million of the \$68 million deposited in the Crime Victims Fund during FY 85. These funds were to be used for the broad purpose of improving assistance to victims of Federal crimes.

During FY 86, the first year of VOCA grant activity, concern about the Federal deficit resulted in a decision to defer the obligation of approximately \$3.2 million of the Fund to FY 87. In order to ensure that FY 86 victim assistance and victim compensation grants to states would not be affected by the deferral of funds, the entire amount was taken from the portion of the funds earmarked for Federal crime victims. The remaining funds earmarked for improving services to Federal crime victims were used to support training and technical assistance for Federal victim witness coordinators and investigators.

Later, in 1986, Congress enacted the Children's Justice and Assistance Act (CJA) which reduced the portion of the Fund available for the Federal Program from five percent to one percent in order to make 4.5% of the Fund available for incentive grants to states to improve the handling of child sexual abuse cases. At the same time, the Federal crime victims section of VOCA was

amended so that the Federal program (Section 1404(c)) was expanded to include training and technical assistance to eligible victim assistance programs in addition to services to victims of Federal crimes. Not less than one-half of one percent was to be used for services to victims of Federal crimes and not more than half of one percent was to be used for training and technical assistance.

In FY 86, the Fund collected \$62.5 million of which \$625,000 was earmarked for the Federal Victims Program grants in FY 87. The \$3.2 million deferred in FY 86 was also available bringing the total for FY 87 to \$65.7 million. However, the FY 87 Appropriation Act imposed a \$64 million obligation limitation on the Crime Victims Fund. \$1.7 million was deferred for use in FY 88; this amount was again taken from the Federal victims program.

This deferral reduced the amount available for the Federal victims program in FY 87 from approximately \$3.8 million to \$2.1 million. Of this amount, approximately \$1.05 million was available for training and technical assistance and an equal amount was available for services to Federal crime victims.

Current Federal Victims Program Responsibilities

Under VOCA, as amended, the Assistant Attorney General for the Office for Justice Programs is required to make grants for:

- training and technical assistance services to eligible crime victim assistance programs; and,
- financial support of services to victims of Federal crime by eligible crime victim assistance programs.

In addition, the Assistant Attorney General is directed to:

- monitor compliance with the guidelines for fair treatment of crime victims and witnesses issued under the Victim and Witness Protection Act;
- consult with the heads of Federal law enforcement agencies with responsibilities affecting victims of Federal crimes; and,
- coordinate victim services provided by the Federal Government with victim services offered by other public agencies and nonprofit organizations.

Use of Funds

FEDERAL VICTIMS PROGRAM FUNDING

FY 86:		
FY 85 Crime Victims Fund (5%)	\$3,413,955	
Obligated	<u>- 189,420</u>	
Obligat. Limit - Deferred	\$3,224,535	
FY 87:		
FY 86 Crime Victims Fund (1%)	\$ 625,559	
Deferred from FY 86	<u>3,224,535</u>	
	\$3,850,094	
Obligat. Limit - Deferred	<u>- 1,748,880</u>	
Available	\$2,100,718	
Training/TA:	\$1,050,607	
Obligated	<u>- 749,962</u>	
Unobligated		\$ 300,645
Services:	\$1,050,607	
Obligated	<u>- 57,668</u>	
Unobligated		\$ 992,939
Total Unobligated Balance		\$1,293,584
FY 88:		
FY 87 Crime Victims Fund (1%)	\$ 774,296	
Deferred from FY 87	<u>1,748,880</u>	
FY 87 Unobligated Balance	1,293,584	
Available in FY 88	\$3,816,760	

Because most of the funds available from the FY 85 Fund were deferred, only \$189,420 was actually obligated in the Federal victims program during the first year. These initial funds were used to begin training of Federal personnel who have significant responsibilities in meeting the needs of victims of Federal crimes. In December 1985, the Office for Victims of Crime co-sponsored a training conference for Law Enforcement Coordinating Committee/Victim-Witness Coordinators from 47 U.S. Attorneys offices (\$18,420). In September 1986, \$171,000 was allocated to the Federal Law Enforcement Training Center in Glynco, Georgia to upgrade the victim-witness training provided in introductory and advanced training courses for Federal law enforcement personnel.

After the 1986 amendments, allocations of the Federal program funds reflected the legislative mandate that at least half be used to support services to victims of Federal crimes and no more than half were to support training and technical assistance for victim assistance programs. During FY 87, over 70 percent of the training/technical assistance allocation was obligated.

The training/technical assistance funds supported several national scope training activities:

- *National Sheriff's Association* (\$260,887) This grant funds the NSA's victim assistance project to develop and enhance county sheriff's departments victim assistance services.

Included are nine regional training conferences/workshops, on-site assistance to 28 states and publication of handbooks, newsletters and briefing packets.

- *National District Attorneys Association* (\$188,721) This grant provided assistance in initiating and enhancing direct services to victims through individual prosecutors' offices. Included were on-site technical assistance visits to selected prosecutor offices and update of a directory of prosecutor-based victim assistance programs.
- *National Organization for Victim Assistance* (\$114,564) This supplemental grant supported NOVA's provision of technical assistance and training to programs using Justice Assistance Act block grants for victim assistance programs as well as assistance to state and local officials engaged in improving victim laws and procedural reforms.
- *National Victims Resource Center* (\$185,790) This contract supports the National Victims Resource Center, a unit within the National Criminal Justice Reference Service, which provides individually tailored responses to requests for victim-related information from professionals and the public.

During FY 87, two United States Attorneys requested assistance in meeting the needs of the more than two hundred children who had been victims of sexual abuse in three multiple victim child molestation cases. In these cases the number of victims and the nature and psychological impact of the crimes resulted in an almost overwhelming need for therapeutic assistance for the victims and their families. In response to these requests, the Office for Victims of Crime, through the Executive Office for United States Attorneys, made funds available to assist in these cases. These cases represent the first use of Federal crime victim funds for direct services to victims.

- Reimbursement to the U.S. Attorney for the District of Arizona in connection with a multiple child victimization case on the Hopi Indian Reservation. More than 100 Native American youths were sexually abused by a Bureau of Indian Affairs teacher, who was successfully prosecuted. Because no other source of funding was available, the Crime Victims Fund was used to support an expert crisis intervention team, training for several Hopi professionals who serve the reservation, and therapy for the boys and their families. Due to the geographical isolation of the Reservation, and the need for additional expertise, two therapists from the Albuquerque, NM area have flown to the Reservation to provide counseling to the children and training of school and tribal officials four days per month over a period of eight months. VOCA Federal program funds paid all expenses for this treatment. The LECC/Victim-Witness Coordinator in the United States Attorney's office took the lead in working with the Tribe to arrange for the services. (\$12,000 was committed for FY 87 and \$50,000 was transferred in FY 88 for continuing assistance on the Hopi Reservation, and for expert consultation on another multiple victim child sexual abuse case reported on the Navajo Reservation.)
- The U.S. Attorney in Maryland, requested assistance to support mental health services in connection with a Federal child sexual assault prosecution. The case involved at least 150 male victims ranging in age from 10 to 18 years. Many of these victims did not have access to public mental health services or did not have the resources to pay for private emergency short term mental health services needed to help them cope with the trauma of their victimization. The LECC/Victim-Witness Coordinator in the United States Attorney's office worked with area professionals and victim assistance service providers to offer and arrange for the needed psychological services. (\$10,000 in FY 87)

In addition to supporting direct services to victims, the portion of the Fund earmarked for Federal victims also supported training for Federal law enforcement and other professionals. In FY 87 these activities included:

- Support for 79 LECC/Victim-Witness Coordinators and Federal Strike Force professionals to plan and attend a national training conference on Federal victim witness responsibilities. (\$24,834.93)
- Grant to NOVA for assistance with the national training conference for Victim-Witness Coordinators covering child victimization, sexual assault, fraud, victim-witness management and pornography referred to above. (\$27,198)

Fiscal year 1988 marks the first year since VOCA was enacted that the amount of money available for the Federal victims program is near the amount originally intended, i.e., 5% of each year's collections. Because of obligation limitations in previous years and the consequent deferral of Federal program funds from FY 86 and 87, approximately \$3.8 million dollars was earmarked for this purpose in FY 88. Of currently available funds more than half are intended to benefit victims of Federal crimes and up to half are intended for training and technical assistance for victim assistance programs.

Program plans regarding how to allocate Federal victims funds were revised during FY 1987. This planning effort was heavily influenced by an increased awareness of the needs of the thousands of crime victims on Indian reservations and the general paucity of victim services in Indian country. Particularly striking was the difficulty encountered when a victim witness coordinator, working within the U.S. Attorney's office in the District of Arizona, attempted to arrange services for large numbers of children who were victims of sexual molestation on remote Indian reservations.

As a result of these and other experiences, the Office for Victims of Crime developed an initiative to address the clear and pressing needs of victims of Federal crimes in Indian country who have no access to existing victim assistance programs.

The Federal crime victim initiative, begun in early fiscal year 1988, builds upon and strengthens previous efforts to train Federal law enforcement professionals and to provide assistance to Federal crime victims who need services. The initiative includes five elements:

1. Emergency victim service funds — A special fund containing \$250,000 was set aside to provide assistance and services to victims of Federal crimes. The money is available through U.S. Attorneys' offices to meet emergency situations in which victims involved in Federal prosecutions need services which are unavailable through any other source. This fund will not be used to meet routine operating expenses nor will it supplant services provided by other Federal or state agencies. To date, this fund has been used to support three months of treatment for approximately 30 child sexual abuse victims on the Pine Ridge Indian reservation (\$18,875). In addition, \$3,000 was used to support counseling and consultation for the parents of victims in a multiple victim child molestation case on the Navajo Reservation in Arizona.
2. A special grant program to develop and improve victim assistance programs in Indian country — On July 21, 1988, OVC announced a one million dollar grant program to seed development of victim assistance services in Indian country. Grants will be made

to state victim assistance agencies which will then award subgrants to Indian tribes or Indian tribal organizations. While it is not the intention of OVC to create a separate service system for Indian victims, it is our intention to use a substantial portion of program funds earmarked for Federal crime victims to expand and improve the basic victim assistance services which are available to victims of crime in Indian country. It is expected that 8 to 10 grants in the range of \$150,000 to \$250,000 will be awarded to states.

3. Federal staff training — Victim-Witness Coordinators in U.S. Attorneys' offices, Assistant U.S. Attorneys and other Federal law enforcement officials are afforded training opportunities on effective intervention with and needs of crime victims.
4. Training for native Americans on establishing and operating victim services — In order to assist Indian tribes in developing victim assistance services, OVC plans to sponsor a national training conference which will include representatives of Indian tribes, victim assistance services providers and victim-witness professionals.
5. Increased awareness of victim compensation programs among native American Indians who live on reservations — Native American Indians who reside in Indian country are generally not aware of victim compensation programs that are operated by states. OVC has taken steps to improve this situation and has initiated efforts to work with state victim compensation programs to facilitate compensation for victims of Federal crimes.

Funds for training and technical assistance of eligible victim assistance programs have supported a variety of grants including regional training programs for local victim assistance programs (particularly training in the areas of sexual assault, family violence, child abuse and special populations), statewide implementation of an improved protocol on evidence collection in sexual assault cases, continuation of support for the National Victims Resource Center and technical assistance to state crime victim compensation programs.

Victims Projects Within the Office of Justice Programs

In addition to the accomplishments made as a result of funds expended from the Crime Victims Fund, the Office of Justice Programs has been committed to assisting victims of crime through programs in all of its Bureaus.

The Bureau of Justice Assistance (BJA) has supported many demonstration and training grants which have been effective in promoting positive changes in how the criminal justice system and society in general view the rights and needs of victims of crime.

The National Institute of Justice (NIJ) has also supported numerous research projects in areas such as family violence intervention, victim-witness assistance, child sexual abuse.

The Bureau of Justice Statistics (BJS) has given a higher priority to statistics concerning victims. Both NIJ and BJS have published numerous documents regarding their work on victim related topics. These publications include, Crime Victim Restitution, Serving Crime Victims and Witnesses, Criminal Justice Response to Victim Harm, and Criminal Victimization. NIJ has also conducted research on specialized victim populations such as children and the elderly.

Examples of other projects include:

The National Organization of Black Law Enforcement Executives (NOBLE) has received grants totaling \$547,017 to provide assistance to metropolitan police departments in developing and implementing structured programs to improve services to inner-city victims of crime. NOBLE began the project in eight sites. Because of the success achieved in these original sites, the project was expanded to include four additional cities.

Illinois Coalition Against Domestic Violence (ICADV) was awarded \$249,999 to enhance the public's awareness and ability to respond to victims of domestic violence, and to provide training to domestic violence workers.

The Task Force on Families in Crisis was awarded a grant in the amount of \$329,796 to educate and activate segments of the population who have not previously been involved in the issue of family violence and to develop community plans in five sites to strengthen families and develop early intervention projects to prevent family violence.

In accordance with the Family Violence Protection and Services Act, the Department of Health and Human Services transferred more than \$540,000 to the Department of Justice for training of law enforcement professionals in domestic violence. A grant for \$549,626 was awarded to the Victim Services Agency (VSA) of New York City to develop a series of training seminars which will give law enforcement executives a clear understanding of domestic violence and assist them in the development of effective operational procedures for their departments. This grant was well underway when a second grant (also funded with money to implement the Family Violence Protection and Services Act) for \$500,000 was awarded to VSA to provide training on domestic violence response for law enforcement trainers. This "training of trainers" will create a multiplier effect in states and communities as these trainers return to their communities to train other law enforcement officers and recruits.

Clarification of OJP Assistance Award

Overall, OJP and OVC conduct a much needed and generally successful grant program. One point needs to be made regarding OJP's grant making authority for Federal Program and State Training and Technical Assistance projects. The current language in the Act confers limited assistance award authority on OJP. The proposed amendment would clarify the parameters of this authority by specifying the types of programs and organizations that may receive assistance awards. The Department views this clarification of this authority as essential to fostering a broad based grant program to assure the needs of victims and services are met.

Federal Victim and Witness Protection Act of 1982

The Federal Victim and Witness Protection Act (VWPA) recognizes the important role of crime victims and witnesses in the criminal justice process and seeks to ensure that the Federal Government provides them with assistance ("without infringing on the constitutional right of defendants") and to provide model legislation for state and local governments.

The Act also provides rights for victims of Federal crimes, including:

- guidelines for fair treatment of victims and witnesses in the Federal criminal justice system;

- victim impact statements to be contained in presentence reports;
- criminal penalties protecting victims and witnesses from intimidation or retaliation, including provisions for civil restraining orders;
- restitution to victims, in addition to other penalties;
- consideration of victims' situation in bail determinations; and,
- a report by the Attorney General on prohibiting Federal felons from deriving profit from the sale of literary or other related rights ("Son of Sam" laws)¹.

The VWPA was amended by the Victims of Crime Act to make U. S. Attorneys responsible for informing victims of parole hearing dates.²

Federal Fair Treatment Guidelines

The Attorney General, under VWPA, was directed to develop and implement guidelines for the fair treatment of victims and witnesses by the Department of Justice and to assure that all other Federal law enforcement agencies adopt consistent policies. It further directed that the guidelines should include consideration of such necessary victim services as emergency social and medical services; information regarding crime victim compensation, community-based victim treatment programs; and orientation to the criminal justice system and judicial proceedings.

The Act further specifies that victims and witnesses should be routinely informed about the availability of protection services to guard against intimidation and, when possible, notified about court appearances and scheduling changes relating to their case.

Additional victim services under the VWPA include:

- waiting areas for victims and other prosecution witnesses separate from all other witnesses;
- prompt return of property held as evidence; and,
- employer intervention services.

Finally, the VWPA requires that victim assistance education and training be offered to persons at Federal law enforcement training facilities and to Government attorneys "so that victims may be promptly, properly and completely assisted."

The Department of Justice's Guidelines for Victim and Witness Assistance were issued by Attorney General William French Smith on July 9, 1983.

¹ Such legislation was subsequently enacted as part of VOCA.

² Section 1408. VOCA also amended parole proceedings to permit "a statement, which may be presented orally or otherwise, by any victim of the offense for which the prisoner is imprisoned about the financial, social, psychological, and emotional harm done to, or loss suffered by such victim." 18 U.S.C. 4207(5).

[The] guidelines also reflect the view of the Department of Justice that the needs and interests of victims and witnesses have not received appropriate consideration in the federal criminal justice system. Thus, these guidelines incorporate victim and witness assistance concepts beyond those set out in the VWPA, in particular, pertinent recommendations of the President's Task Force on Victims of Crime.

In addition to the specific services outlined in the VWPA itself, the Guidelines add the following provisions:

- directs that Department officials avoid, to the extent possible, disclosure of victims' and witnesses' addresses;
- notification of creditors of victims and witnesses if cooperation affects the ability to make timely payments;
- instructs responsible officials to establish programs to assist Department employees who are victims of crime;
- ensures that the appropriate U. S. Probation Officer is fully advised of the victim impact statement requirements of VWPA; and,
- directs that, within 30 days, all related Justice Department components provide training to existing and new employees concerning their responsibilities in carrying out the Guidelines.

Importantly, the Guidelines identify the officials who are responsible for their implementation and directs all U.S. Attorneys' offices, litigating divisions and investigative agencies to specifically designate one or more persons to provide victim-witness assistance services. While recognizing that smaller offices may not need full-time victim-witness coordinator every office must designate one individual as the primary contact for victim-witness services. In 1984, Congress allocated positions for Law Enforcement Coordinating Committee/Victim-Witness Coordinators in 47 U. S. Attorney districts. Early in the FY 88, Attorney General Edwin Meese III allocated staff positions for the remaining 47 districts for Coordinators. Most of these newly designated staff members are now on board. In the majority of the districts the designated Coordinator carries out both LECC and Victim-Witness responsibilities.

Section 6(c) of the VWPA, 18 U.S.C. 1512 note, directs that:

The Attorney General shall assure that all Federal law enforcement agencies outside of the Department of Justice adopt guidelines consistent with subsection (a) of this section.

Pursuant to that responsibility OVC invited over 50 government agencies to a meeting on August 27, 1986, that was attended by 17 representatives from five government departments. The purpose of this meeting was to discuss victim issues and the development of the guidelines mandated by the VWPA. A second meeting on guideline development was held March 11, 1987. The Departments of Agriculture, Defense, Treasury and Interior have developed guidelines for their investigators. A survey to assess implementation of this provision of the VWPA has been developed and will be distributed in 1988.

Implementation of the Attorney General's Guidelines for Victim and Witness Assistance

The Office for Victims of Crime has worked cooperatively with the Executive Office for U.S. Attorneys for full implementation of the Attorney General's Guidelines.

In 1985, OVC sponsored, in conjunction with EOUSA, the first LECC/Victim-Witness Coordinators Conference. Two and one-half days of the five day conference were devoted to victims' issues and services. Presentations were made by the Assistant Attorney General of the Office of Justice Programs and OVC staff, and representatives from other offices of the Department of Justice and outside experts on the history of the victim's movement, the nature of victimization, the Victim and Witness Protection Act of 1982, VOCA, the Attorney General's Guidelines, methods for providing services, developing a victim-witness program, and explanations of restitution, compensation, and victim impact statements.

In addition, OVC personnel have made presentations at a wide variety of Department of Justice training activities aimed at improving the quality of services available to victims and witnesses including:

- The first National United States Probation/Parole Conference, a substantial portion of which covered victim and witness issues.
- A statewide victims' assistance conference sponsored by the U.S. Attorney's office of the Middle District of Georgia. Attendees included state and local providers, law enforcement personnel, and all the LECC/Victim-Witness Coordinators from the southeastern United States.
- The debt collection conferences sponsored by the U.S. Attorneys in Clearwater, Florida, and Nashville, Tennessee. Attendees included U.S. Attorney office staff who are responsible for collecting the majority of the money that is deposited into the Crime Victims Fund.
- Training sessions for new and experienced Assistant U.S. Attorneys sponsored and put on by the Attorney General's Advocacy Institute.

The Role of Federal Prosecutors and Victim-Witness Coordinators

Within each of the 94 Federal judicial districts in the 50 states, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands, the United States Attorney is the chief law enforcement representative of the Attorney General. The U.S. Attorney offices handle the bulk of the criminal and civil proceedings in which the United States is a party.

United States Attorney offices vary widely in size and caseload. Some offices are composed of hundreds of Assistant U.S. Attorneys, professional staff, and support personnel; others are much smaller. Each office is sui generis.

The types of cases prosecuted by the United States Attorneys also vary widely. According to the Executive Office for U.S. Attorneys, the U.S. Attorneys filed 31,012 criminal and 85,999 civil cases during the 1986 fiscal year. The vast majority of criminal filings did not involve violent crimes in which victims suffered emotional or physical injuries.

Most U.S. Attorneys' Offices receive few cases involving violent crime; these are most frequently a state or local responsibility. Most Federal cases involving rape, murder, child sexual abuse, or assault occur in districts where there are large Federal enclaves such as Indian reservations, parks, forests, or military installations. Bank robberies also generate a significant number of victims, including bank personnel and customers, who are affected by the crime and often serve as witnesses.

As prosecutors, the U.S. Attorneys frequently become involved in cases late in the criminal justice process. Consequently, they are often unaware of the crime, and the associated trauma, until long after the actual events have occurred. Further, serious crime at the Federal level often takes place in locations miles away from the offices of the U.S. Attorneys. This combination of chronological and geographical distance from the events makes it extremely difficult for Victim-Witness Coordinators to either provide services or identify and refer victims to appropriate state and local assistance programs on a timely basis.

The District of Arizona is an excellent example of the problems found by many U.S. Attorneys in aiding victims of serious crime. It also demonstrates how a commitment to serve the needs of victims can lead to creative solutions. In Arizona the majority of Federal victims of violent crime are Native American Indians. The district has twenty separate reservations on nearly 30,000 square miles spread throughout the state.

A large portion of the reservations is located in remote areas, hundreds of miles from any city. Most of the victims are poor, have no access to public transportation, and many have no telephones. Their situation makes it virtually impossible for the U.S. Attorney's office to coordinate with state and local victim assistance programs. No such programs exist on the reservations. Consequently, the U.S. Attorney has determined that his office needed to provide services to the victims and their families in the numerous murder, rape, sodomy, incest, and child molestation cases his office prosecutes. As of October 1987, the district had 75 cases of violent crime on Indian reservations under active investigation.

In order to deal with this need, the U.S. Attorney and the Victim-Witness Coordinator retained two Native American college interns to work with victims on the reservations. These individuals often drive hundreds of miles to interview and provide information to victims and their families. They have been commended by the district's attorneys for their help in bringing successful prosecutions through their work with victims.

In recognition of their success the Department of Justice has authorized the district to retain the interns and to develop a pilot victim-witness program that could serve as a model for other districts especially those with Indian reservations. The program will provide the necessary services to victims of violent crimes on Indian reservations and will work with victims of fraud and bank robbery.

A second example of problems faced in delivering services to victims and witnesses is found in the District of South Dakota. This district has nine Indian reservations, three U.S. Attorney office locations, and one Coordinator. In 1986, 90 percent of the cases that fell under the Attorney General Guidelines involved violent crime, with 25 percent of those involving sexual assault and child sexual abuse.

In order to deal with this problem the Coordinator established a Victim-Witness Subcommittee as part of the district's Law Enforcement Coordinating Committee. The Subcommittee is made up

of representatives of local victim services agencies. They have put on a training session on victim's issues aimed at personnel from investigative and prosecutorial agencies. Using VOCA state victim assistance funds they have also published a directory of victim services available throughout the state.

Survey of Federal Prosecutors

Because of the key role they play in working with victims and witnesses, OVC sent a questionnaire, developed in conjunction with EOUSA, to all 93 U.S. Attorneys to determine how they were implementing the Attorney General's Guidelines. The survey consisted of eleven questions keyed to the responsibilities delineated in the Guidelines.

Many U.S. Attorney offices had difficulty in producing the specific data requested. This happened because a number of districts do not have computerized records available, some had already disposed of their 1986 records, or they could not easily access data on victims and witnesses covered by the Attorney General's Guidelines. Numerous districts had to individually inspect files in order to complete the questionnaire. All districts responded to the best of their ability. Considering these limitations the numerical data should be considered to represent best estimates. Descriptive information about frequency with which various Guidelines were followed also represents best estimates.

It should also be noted that the Guidelines cover witnesses and victims involved in serious crimes. In some districts, the number of victims and witnesses, may be unusually large because of a major fraud case involving thousands of people.

Finally, the data for the District of Columbia, except for question 1.3, represents cases tried in Superior Court where the U.S. Attorney functions as a local prosecutor. The office's victim-witness unit provides its services primarily at this level, not in U.S. District Court where few violent crimes are prosecuted.

Survey Results

The response rate was excellent, only 9 of 94 offices did not respond, yielding a response rate of 91%. The survey results indicated that 61,754 criminal cases were accepted for prosecution in calendar year 1986. Of these cases, 17,019 involved application of the Attorney General's Guidelines covering a total of 23,579 victims and 60,265 witnesses. (See survey item number one.) The survey was comprised of 34 questions contained in 11 items grouped around major victim and witness assistance responsibilities (e.g., direct provision of information, or maintenance of resources and referrals). The results of the survey indicated generally widespread compliance with the guidelines.

Item number two of the survey sought information on provision of information to victims and witnesses. The number of offices answering frequently or always to these items ranged from 68% (for both notification of apprehension, release and detention of the accused; and advisement of plea agreements or trial results) to 99% (for notification of scheduling changes/continuances). The six sub questions of this item revealed quite high rates of assistance.

Item number three sought information about forwarding of victim-witness information to Victim-Witness Coordinators and the Bureau of Prisons for future victim notification. Responses of

frequently or always were 82% for release and escape of defendant and 80% for parole hearing notification.

Item number four sought information about resources and referral information developed and maintained by Victim-Witness Coordinators. Responses of frequently or always were 67% for compensation, 61% for assistance and 83% for transportation, parking, translator and other services.

Item number five sought information about consultation with victims on various matters. Responses of frequently or always ranged from 39% for consultation on a decision to prosecute accused as a juvenile to 87% for consultation on the possibility of a restitution order. The lowest item, 39% for prosecution as a juvenile, was well below the next lowest items, 54% for both decisions not to indict/prosecute and pre-trial diversion placements. This is, no doubt, due to some degree to the confidentiality afforded juvenile offenders and other aspects of juvenile cases. The ten sub-questions of this item revealed generally good rates of assistance.

Item number six revealed that victim-witness addresses were provided to the defense frequently or always in only 19% of the cases. Item number seven revealed that in 82% of the cases victims and witnesses were afforded separate waiting areas frequently or always.

Item number eight demonstrated very high levels of assistance with employer notification (89%), ensuring sexual assault victims do not pay for forensic examinations (74%), assisting probation officers with victim impact statements (83%), and notifying appropriate enforcement component of reported harassment/intimidation (82%).

The final three yes/no items provided additional information on aspects of the guidelines that were not required by VWPA. U.S. Attorney offices generally did *not* have programs for their own employees if victimized (81%). The offices generally did coordinate their services with local law enforcement and victim assistance providers (79%). And, 73% of the offices provided training and written instructions to ensure implementation of the guidelines.

Conclusion

Because the amount of money available for the Federal victims program has fluctuated and has consistently been much less than originally intended, program planning and development in this area has been difficult. However, the current program activities reflect a clear need for training and technical assistance for victim assistance programs and the development of improved services for victims of Federal crimes. Treatment of Federal crime victims has improved, but additional training for Federal investigators, prosecutors and victim-witness personnel is needed as well as the development of services for Federal crime victims who suffer physical and emotional injury but who have no access to victim assistance services. Recent OVC grant activities to address the needs of victims of Federal crimes in Indian country represent substantial progress in this area. However, the restoration of 5% of the Crime Victims Fund for the Federal victims program is critical to the success of this effort.

A review of implementation of the VWPA and the Attorney General's Guidelines for Victim and Witness Assistance indicates that overall compliance is quite good. Increased availability of staff in U.S. Attorney's offices to carry out victim-witness responsibilities will further enhance services to Federal crime victims in coming years.

Recommendations

The following recommendations for legislative action would improve the Federal Victims Program:

Restore funding for the Federal Victims Program

Sections 1402 (d)(2)(A)(iv) and 1404 (A) which allocated 4.5% of the Fund for the Children's Justice and Assistance Act should be repealed. The Fund allocation should be restored to the original formula: 50% for victim assistance grants, 50% for victim compensation grants, while allowing the Attorney General to deduct up to 5% from victim assistance for Federal crime victims.

Clarification of OJP Grant-Making Authority

Subsection 1404(c)(1)(A) of the Victims of Crime Act is amended—

“(A) to provide assistance to public agencies and private nonprofit organizations for the purposes of—

1. undertaking educational and training programs on victim-related subjects for the personnel of crime victim services projects and criminal justice agencies;
2. providing technical assistance to State and local units of government and victim services programs;
3. undertaking projects to aid crime victims which are national or multi-State in scope; and
4. providing financial assistance to public agencies and private nonprofit organizations for demonstration programs; and”

APPENDIX A

CRIME VICTIMS FUND

The following table is derived from information collected by the Administrative Office of the United States Courts and the Executive Office for United States Attorneys (EOUSA).

Table 1: Monthly Deposits into the Crime Victims Fund, FY 85 - FY 87

	Total	U.S. Courts	U.S. Attorneys ^a
FY 1985:			
October	\$5,834,048.82	\$5,834,048.82	...
November	4,360,013.54	4,360,013.54	...
December	5,201,750.67	5,201,750.67	...
January	6,914,218.35	6,914,218.65	...
February	5,350,977.47	5,350,977.47	...
March	6,854,053.01	6,854,053.01	...
April	5,544,693.94	5,544,693.94	...
May	7,411,982.39	7,411,982.39	...
June	4,967,395.41	4,967,395.41	...
July	5,644,248.52	5,433,130.04	\$ 211,118.48
August	5,747,595.75	4,615,066.24	1,132,529.51
September	4,481,977.54	3,399,446.16	1,082,906.38
Total:	\$68,312,955.71 ^b	\$65,887,336.34	\$2,426,554.37
FY 1986:			
October	\$5,858,272.27	\$4,795,472.35	\$1,062,799.92
November	3,528,843.67	3,116,257.14	412,586.53
December	4,642,402.84	3,747,086.16	895,316.68
January	4,951,451.41	3,875,559.59	1,075,891.82
February	3,820,994.83	3,621,792.14	199,202.69 ^c
March	5,887,037.50	4,223,484.45	1,663,553.05
April	4,426,249.69	3,459,852.54	966,397.15
May	4,616,009.51	3,234,685.76	1,381,323.75
June	5,418,265.10	4,256,337.98	1,161,927.12
July	8,115,880.92	6,962,691.19	1,153,189.73
August	5,550,592.54	3,796,497.20	1,754,095.34
September	5,690,344.81	3,286,292.62	2,404,052.19
Total:	\$62,506,345.09	\$48,376,009.12	\$14,130,335.97
FY 1987:			
October	\$6,526,884.01	\$4,699,226.73	\$1,827,657.28
November	5,454,922.97	2,966,193.91	2,488,729.06
December	8,318,723.08	5,802,417.11	2,516,305.97
January	7,623,702.92	5,677,444.74	1,946,258.18
February	5,415,010.46	2,991,849.52	2,423,160.94
March	9,291,454.27	3,512,031.01	5,779,423.26
April	4,684,221.14	2,943,309.87	1,740,911.27
May	6,711,987.28	4,048,643.49	2,663,343.79
June	5,887,390.80	3,485,690.69	2,401,700.11
July	5,906,459.80	3,825,868.59	2,080,591.21
August	5,175,827.70	3,686,911.96	1,488,915.74
September	6,449,798.49	3,443,899.94	3,005,898.55
Total:	\$77,446,382.92	\$47,083,487.56	\$30,362,895.36

^a Includes amounts collected by U.S. Army.

^b Reflects \$935.00 adjustment.

^c Includes \$950,000 adjustment.

APPENDIX B

CRIME VICTIM COMPENSATION TABLES

The tables on the following pages show state-by-state program statistics as collected by the Office for Victims of Crime, Office of Justice Program. The data are based upon the performance reports submitted by each state crime victim compensation program receiving VOCA grants for the relevant period of time and certified payouts (state revenues expended to pay crime victim claims, exclusive of property damage) used to determine each state's allocation of the Crime Victims Fund. Blanks in the following tables indicate that the information was not provided.

Data for several states as indicated cover only 6 months of FY 86. Although Indiana has not applied for grants in either FY 86 or FY 87, it has submitted some data, such as certified payouts. Nebraska, whose Legislature has not funded its crime victim compensation program since 1985, has provided some information, although for most items there simply has been no program activity. States with programs which started later than 1984 and for which no grant was made have not been required to submit any program information.

A persistent problem with crime victim compensation statistics, as noted in the body of this Report, is the lack of consistent definitions and treatment of such items as "claims" or "awards." This makes comparison between states as well as national figures difficult.

Table 1: CERTIFIED PAYOUTS FOR VOCA/CVC ELIGIBILITY, FY 84 - FY 86^a

	FY 84	FY 85		FY 86	
Total	\$67,405,673	\$80,844,666	20.0%	\$114,782,458	43.0%
No. States.	(39)	(40)		(38)	
Alabama	BEGAN 1984	226,638		704,307	210.8%
Alaska	809,349	703,232	-13.1%	425,806	-39.5%
Arizona				BEGAN 1987	
Arkansas					
California	14,813,000	18,150,913	22.5%	49,633,995	173.5%
Colorado	1,349,885	2,008,767	48.8%	2,199,607	9.5%
Connecticut	1,262,798	1,365,879	8.2%	1,511,893	11.4%
Delaware	350,001	491,687	40.5%	489,862	-0.4%
Dist. Columbia	243,308	320,635	31.8%	235,244	-26.6%
Florida	4,264,544	5,348,203	25.4%	5,378,623	0.6%
Georgia					
Guam					
Hawaii	427,501	472,479	10.5%	532,839	2.9%
Idaho		BEGAN 1986			
Illinois	3,547,277	2,630,554	-25.8%	2,740,771	4.2%
Indiana	334,514	420,549 ^b	25.7%	598,276 ^b	42.3%
Iowa	162,179	302,731	86.7%	460,821	52.0%
Kansas	331,739	373,488	12.6%	399,505	7.0%
Kentucky	609,068	605,259	-0.6%	586,857	-3.0%
Louisiana	220,243	326,796	48.4%	659,630	101.8%
Maine					
Maryland	1,238,384	2,243,613	81.2%	2,543,352	13.4%
Massachusetts	1,106,437	917,543	-14.4%	1,050,479	10.9%
Michigan	1,997,546	1,961,173	-1.8%	1,945,914	-0.8%
Minnesota	543,378	812,124	49.5%	819,324	0.9%
Mississippi					
Missouri	761,150	1,013,482	33.2%	1,106,975	9.2%
Montana	368,981	387,428	5.0%	350,313	-9.6%
Nebraska	87,505	107,098	22.4%	0	-100.0%
Nevada ^c	301,662	264,526	-12.3%		58.2%
New Hampshire					
New Jersey	3,550,515	5,457,576	53.7%	3,961,005	-27.4%
New Mexico	184,813	236,178	27.8%	-214,719	-10.9%
New York	6,954,524	7,418,675	6.7%	7,894,718	6.4%
North Carolina				FUNDED 1987	
North Dakota	92,722	75,908	-18.1%		-100.0%
Northern Marianas				65,703	
Ohio	6,769,517	5,874,254	-13.2%	3,286,620	-44.1%
Oklahoma	535,565	688,099	28.5%	637,310	-7.4%
Oregon	744,708	812,876	9.2%	1,010,674	24.3%
Pennsylvania	2,538,555	2,218,443	-12.6%	2,082,784	-6.5%
Puerto Rico					
Rhode Island	350,411	659,715	88.3%	824,902	25.0%
South Carolina	492,931	669,483	35.8%	1,197,230	78.8%
South Dakota					
Tennessee	1,412,931	3,651,965	158.5%	2,760,866	-24.4%
Texas	4,205,691	6,351,834	51.0%	9,495,090	49.5%

Table continued on next page . . .

Table 1: CERTIFIED PAYOUTS FOR VOCA/CVC ELIGIBILITY, FY 84 - FY 86^a—continued

	FY 84	FY 85		FY 86	
Total No. States.	\$67,405,673 (39)	\$80,844,666 (40)	20.0%	\$114,782,458 (38)	43.0%
Utah				BEGAN 1987	
Vermont					
Virgin Islands	175,809	76,133	-56.7%	215,626	183.2%
Virginia	530,634	799,255	50.6%	1,040,519	30.2%
Washington	2,770,437	3,166,307	14.3%	3,508,884	10.8%
West Virginia	150,396	182,657	21.5%	1,762,271	864.8%
Wisconsin	815,065	1,052,438	29.1%	959,046	-8.9%
Wyoming		BEGAN 1985		88,366	

^a The certified payout is the amount used to determine future VOCA grants; it excludes the current VOCA grant and property damage awards.

^b Indiana did not apply for an award.

^c Not eligible for a FY 1988 victim compensation grant award. Did not meet all of the eligibility requirements.

Table 2: CVC GRANT ALLOCATIONS, FY 86 - FY 88

	FY 86	FY 87	FY 88
Total	\$23,594,000	\$28,296,000	\$38,600,000
No. States.	(39)	(40)	(38)
Alabama		79,000	237,000
Alaska	283,000	246,000	143,000
Arizona			
Arkansas			
California	5,185,000	6,353,000	16,691,000
Colorado	472,000	703,000	740,000
Connecticut	442,000	478,000	509,000
Delaware	123,000	172,000	165,000
Dist. Columbia	85,000	112,000	80,000
Florida	1,493,000	1,872,000	1,808,000
Georgia			
Guam			
Hawaii	150,000	165,000	179,000
Idaho			
Illinois	1,242,000	921,000	921,000
Indiana	117,000 ^a	147,000 ^a	^a
Iowa	57,000	106,000	155,000
Kansas	116,000	131,000	134,000
Kentucky	213,000	212,000	197,000
Louisiana	77,000	114,000	222,000
Maine			
Maryland	433,000	785,000	855,000
Massachusetts	387,000	321,000	353,000
Michigan	699,000	686,000	654,000
Minnesota	190,000	284,000	276,000
Mississippi			
Missouri	266,000	355,000	373,000
Montana	129,000	136,000	118,000
Nebraska	31,000	38,000	0
Nevada	106,000	93,000	^b
New Hampshire			
New Jersey	1,243,000	1,910,000	1,332,000
New Mexico	65,000	83,000	73,000
New York	2,434,000	2,597,000	2,655,000
North Dakota	32,000	27,000	22,000
No. Marianas			
Ohio	2,369,000	2,056,000	1,106,000
Oklahoma	187,000	241,000	214,000
Oregon	261,000	285,000	340,000
Pennsylvania	888,000	776,000	701,000
Puerto Rico			
Rhode Island	123,000	231,000	277,000
South Carolina	173,000	234,000	403,000
South Dakota			
Tennessee	495,000	1,278,000	928,000
Texas	1,472,000	2,223,000	3,193,000

Table continued on next page . . .

Table 2: CVC GRANT ALLOCATIONS, FY 86 - FY 88—Continued

	FY 86	FY 87	FY 88
Total	\$23,594,000	\$28,296,000	\$38,600,000
No. States.	(39)	(40)	(38)
Utah			
Virgin Islands	62,000	26,000	73,000
Virginia	186,000	280,000	349,000
Washington	970,000	1,108,000	1,180,000
West Virginia	53,000	64,000	593,000
Wisconsin	285,000	368,000	322,000
Wyoming			29,000

^a Indiana did not apply for a FY 86 or FY 87 grant.

^b Nevada is ineligible for a FY 88 grant and its FY 86 certified payouts (\$418,600) were not included in the grant allocation calculations.

Table 3: FY 86 VOCA GRANT SPENT

	VOCA Grant ^a	VOCA Spent by 9/30/87	Percent Spent	Unobligated Amount
Total	\$23,477,000	\$23,473,987	99.8%	\$3,013
Alaska	283,000	0	0.0%	0
California	5,185,000	5,185,000	100.0%	0
Colorado	472,000	208,306	44.1%	1,541
Connecticut	442,000	0	0.0%	1,343
Delaware	123,000	123,000	100.0%	0
Dist. Columbia	85,000	0	0.0%	0
Florida	1,493,000	1,493,000	100.0%	0
Hawaii	150,000	140,000	93.3%	0
Illinois	1,242,000	716,704	57.7%	0
Iowa	57,000	57,000	100.0%	0
Kansas	116,000	116,000	100.0%	0
Kentucky	213,000	149,000	70.0%	0
Louisiana	77,000	0	0.0%	0
Maryland	433,000	433,000	100.0%	0
Massachusetts	387,000	373,925	96.6%	58
Michigan	699,000	696,864	99.7%	0
Minnesota	190,000	190,000	100.0%	0
Missouri	266,000	158,704	59.7%	0
Montana	129,000	0	0.0%	0
Nebraska	31,000	0	0.0%	0
Nevada	106,000	106,000	100.0%	0
New Jersey	1,243,000	1,099,987	88.5%	71
New Mexico	65,000	0	0.0%	0
New York	2,434,000	0	0.0%	0
No. Dakota	32,000	32,000	100.0%	0
Ohio	2,369,000	1,769,718	74.7%	0
Oklahoma	187,000	122,000	65.2%	0
Oregon	261,000	131,537	50.4%	0
Pennsylvania	888,000	488,000	55.0%	0
Rhode Island	123,000	123,000	100.0%	0
So. Carolina	173,000	173,000	100.0%	0
Tennessee	495,000	495,000	100.0%	0
Texas	1,472,000	0	0.0%	0
Virgin Islands	62,000	62,000	100.0%	0
Virginia	186,000	186,000	100.0%	0
Washington	970,000	970,000	100.0%	0
West Virginia	53,000	53,000	100.0%	0
Wisconsin	285,000	13,820	4.8%	0

^a Excludes Indiana, which did not apply for a grant.

Table 4: STATE CVC REVENUES

	FY 85	FY 86
Total	\$106,107,540	\$114,560,533
No. States	(34)	(38)
Alabama	1,899,155	1,993,865
Alaska	703,232	425,806
Arizona		
California	32,600,000	34,691,438
Colorado	2,008,767	
Connecticut		2,400,981
Delaware		896,121
Dist. Columbia	519,205	648,822
Florida	5,458,415	7,396,351
Hawaii	278,026	486,195
Idaho		
Illinois		
Indiana	1,259,394	1,231,313
Iowa	737,528	1,138,750
Kansas	373,488	246,499
Kentucky	746,463	658,580
Louisiana	741,580	719,086
Maryland	1,928,123	2,161,500
Massachusetts	1,000,000	1,756,236
Michigan	1,961,173	1,950,000
Minnesota	812,124	951,700
Missouri	816,133	1,185,889
Montana	523,143	392,341
Nebraska	0	0
Nevada	260,858	503,665
New Jersey	6,116,298	4,512,837
New Mexico		
New York	7,834,000	8,009,000
North Carolina		
North Dakota	219,490	174,160
Ohio	10,962,250	11,953,456
Oklahoma	^a	897,487
Oregon	1,181,207	1,266,793
Pennsylvania	2,218,443	2,125,021
Rhode Island		753,962
South Carolina	775,889	1,495,545
Tennessee	3,733,329	2,149,137
Texas	14,614,051	13,365,184
Utah		
Virgin Islands	183,845	200,153
Virginia	725,409	684,450
Washington	2,255,650	3,582,422
West Virginia	585,875	527,615
Wisconsin		930,000
Wyoming	75,000	98,163

^a Oklahoma's cumulative revenues, 10/81-6/86 was \$2,614,532.

Table 5: WORKLOAD STATISTICS, FY 85 - FY 87

	Claims Received			Claims Disposed ^a			Claims Pending		
	FY 85	FY 86	FY 87	FY 85	FY 86	FY 87	FY 85	FY 86	FY 87
Total	45,108	70,192	75,882	38,795	78,359	75,528	18,188	19,989	23,597
No. States	(27)	(35)	(39)	(28)	(37)	(40)	(22)	(30)	(34)
Alabama ^b			320			292			
Alaska	282	283	231	265	175	237		174	166
California	12,853	15,781	20,300	8,795	27,500	25,166	9,679	4,658	8,252
Colorado ^c		1,321	2,643		1,238	2,508		658	237
Connecticut	728	867	933	856	727	890	478	610	720
Delaware		188	203		266	201		81	
Dist. Columbia	220	277	284	174	215	261	28	120	245
Florida	2,311	3,204	3,771	2,547	3,656	3,536	278	456	410
Hawaii	645	635	779	499	598	318	346	367	
Idaho ^b			57			37			18
Illinois		1,357	1,337		1,112	1,428		1,799	2,159
Iowa		484	575		434	444		143	178
Kansas	481	506	595	440	605	559	208	104	139
Kentucky	361	460	506	451	432	468	307	374	242
Louisiana				143	271	368			27
Maryland	924	978	688	969	1,302	1,473	1,435	983	401
Massachusetts	514	665	819	414	610	476	1,223	1,278	1,602
Michigan	1,748	1,847	1,941	1,661	1,964	2,123	263	146	710
Minnesota		621	637		880	910		250	180
Missouri	621	699	874	629	469	833	263	466	511
Montana	322	398	431	299	375	410	69	46	52
Nebraska			21			62			
Nevada	211	334	356	215	248	315	48	133	174
New Jersey		2,650	3,056		2,822	3,017			
New Mexico ^b	273	241	133	105	107	46			117
New York ^b	12,088	17,689	9,831	1,227	18,173	9,954			
No. Dakota		54	76		44	55		10	4
Ohio	1,980	2,413	5,294	1,185	1,242	1,884	795	738	2,227
Oklahoma	407	520	1,450	390	522	1,302	8	239	345
Oregon	517	749	888	337	425	665	180	324	542
Pennsylvania	1,586	2,053	2,299	1,766	2,309	2,034	506	250	415
Rhode Island			140		100	154			1,832
So. Carolina	2,051	2,259	1,897	1,248	2,411	2,298	1,178	1,072	404
Tennessee	307	457	735	498	625	728			143
Texas		4,672	5,942		3,364	5,674		1,308	212
Virgin Is.	29	27	24	31	49	12	36	27	42
Virginia	308	643	850	404	529	1,066	96	261	279
Washington	1,894	3,036	3,541	1,800	722	1,848	94	2,314	506
West Virginia	127	293	282	69	237	154			77
Wisconsin	1,315	1,531	1,444	1,378	1,601	1,596	670	600	
Wyoming ^b			19			18			29

^a Disposed claims equals awards made and unapproved application.

^b Less than full year data for 1987.

^c FY 87 data through October 31, 1987.

Table 6: EXPENSE CATEGORIES, FY 86^a

	Total	Medical Expenses		Mental Health		Funeral Expenses	
Total	\$91,79,487	\$55,345,999	60.2%	\$1,987,589	2.2%	\$4,768,979	5.2%
Alaska	482,595	79,112	16.4%	110,149	22.8%	7,645	1.6%
California	29,652,457	21,474,836	72.4%	^b		^b	
Colorado	901,415	474,240	52.6%	200,862	22.3%	78,340	8.7%
Connecticut	1,274,740	815,833	64.0%	89,232	7.0%	25,495	2.0%
Delaware	523,407	307,005	58.7%	14,093	2.7%	58,204	11.1%
Dist. Columbia	235,244	176,593	75.1%	^c		12,120	5.2%
Florida	6,871,623	4,563,280	66.4%	17,038	0.3%	114,717	1.7%
Hawaii	1,016,672	360,186	35.4%	6,132	0.6%	70,183	6.9%
Illinois	2,743,640	1,450,944	52.9%	32,055	1.2%	340,000	12.4%
Iowa	461,075	300,447	65.2%	5,879	1.3%	59,923	13.0%
Kansas	544,104	381,832	70.2%	52,148	9.6%	12,975	2.4%
Kentucky	912,254	576,413	63.2%	16,736	1.8%	96,814	10.6%
Louisiana	668,210	295,189	44.2%	25,290	3.8%	162,307	24.3%
Maryland	3,243,389	1,161,570	35.8%	17,740	0.6%	54,555	1.7%
Massachusetts	1,050,479	570,497	54.3%	23,407	2.2%	15,634	1.5%
Michigan	2,645,474	1,654,492	62.5%	^c		502,692	19.0%
Minnesota	1,077,190	522,508	48.5%	163,501	15.2%	94,908	8.8%
Missouri	1,126,404	696,773	61.9%	22,466	2.0%	81,931	7.3%
Montana	350,079	184,246	52.6%	104,328	29.8%	22,310	6.8%
Nevada	524,600	422,883	80.6%	29,252	5.6%	5,415	1.0%
New Jersey	4,517,933	2,807,424	62.1%	^c		46,322	1.0%
New Mexico	205,002	146,218	71.3%	2,677	1.3	16,410	8.0%
New York	7,289,449	2,697,572	37.0%	^c		1,514,982	20.8%
No. Dakota	97,703	68,624	70.2%	^c	0.0%	1,000	1.0%
Oklahoma	689,167	452,709	65.7%	22,378	3.3%	39,176	5.7%
Oregon	1,011,843	657,387	65.0%	33,674	3.3%	4,715	0.5%
Pennsylvania	2,599,805	1,236,533	47.6%	45,515	1.8%	221,336	8.5%
So. Carolina	1,232,327	933,406	75.7%	23,393	1.9%	111,098	9.0%
Texas	10,501,162	6,316,094	60.2%	668,592	6.4%	708,876	6.8%
Virgin Is.	216,426	40,780	18.8%	600	0.3%	16,710	7.7%
Virginia	1,049,327	723,433	68.9%	25,712	2.5%	53,802	5.1%
Washington	3,513,221	1,813,327	51.6%	190,877	5.4%	25,110	0.7%
West Virginia	1,719,324	476,995	27.7%	700	0.0%	34,455	2.0%
Wisconsin	1,009,280	506,618	50.2%	43,164	4.3%	158,819	15.7%

^a 34 States - Ohio did not provide expense data; Rhode Island (\$721,388) and Tennessee (\$2,826,945) did not break out expenses; Nebraska had no FY 86 payouts.

^b California includes mental health and funeral expenses under medical expenses.

^c The District of Columbia, Michigan, New York, New Jersey and North Dakota include mental health in the medical expense category.

Table continued on next page . . .

Table 6: EXPENSE CATEGORIES, FY 86—Continued

	Lost Wages/Support		Attorney Fees		Other	
Total	\$24,972,849	27.2%	\$724,841	0.8%	\$4,179,229	4.5%
Alaska	259,003	53.7%	1,175	0.2%	25,511	5.3%
California	7,970,163	26.9%	207,458	0.7%	0	0.0%
Colorado	116,388	12.9%	0	0.0%	31,584	3.5%
Connecticut	344,180	27.0%	0	0.0%	0	0.0%
Delaware	90,277	17.2%	6,556	1.3%	47,272	9.0%
Dist. Columbia	32,374	13.8%	0	0.0%	14,158	6.0%
Florida	1,183,169	17.2%	0	0.0%	993,419	14.5%
Hawaii	157,152	15.5%	200	0.0%	422,821	41.6%
Illinois	822,959	30.0%	0	0.0%	97,682	3.6%
Iowa	85,558	18.6%	0	0.0%	9,268	2.0%
Kansas	80,424	14.8%	180	0.0%	16,546	3.0%
Kentucky	215,851	23.7%	6,442	0.7%	0	0.0%
Louisiana	169,040	25.3%	0	0.0%	16,384	2.5%
Maryland	1,333,532	41.1%	161,146	5.0%	514,846	15.9%
Massachusetts	366,335	34.9%	74,606	7.1%	0	0.0%
Michigan	488,290	18.5%	0	0.0%	0	0.0%
Minnesota	267,293	24.8%	0	0.0%	28,979	2.7%
Missouri	318,142	28.2%	29,057	2.6%	500	0.0%
Montana	35,558	10.2%	86	0.0%	3,552	1.0%
Nevada	47,711	9.1%	838	0.2%	18,501	3.5%
New Jersey	1,028,936	22.8%	93,856	2.1%	541,394	12.0%
New Mexico	37,685	18.4%	0	0.0%	2,013	1.0%
New York	2,407,110	33.0%	30,676	0.4%	639,109	8.8%
No. Dakota	25,447	26.0%	1,748	1.8%	883	0.9%
Oklahoma	96,703	14.0%	0	0.0%	78,201	11.3%
Oregon	254,427	25.1%	0	0.0%	61,640	6.1%
Pennsylvania	956,800	36.8%	13,914	0.5%	125,707	4.8%
So. Carolina	147,105	11.9%	8,673	0.7%	8,651	0.7%
Texas	2,573,416	24.5%	70,205	0.7%	163,979	1.6%
Virgin Is.	138,659	64.1%	4,874	2.3%	14,803	6.8%
Virginia	231,234	22.0%	0	0.0%	15,146	1.4%
Washington	1,280,881	36.5%	0	0.0%	203,026	5.8%
West Virginia	1,129,525	65.7%	10,856	0.6%	66,793	3.9%
Wisconsin	281,523	27.9%	2,295	0.2%	16,861	1.7%

Table 7: EXPENSE CATEGORIES, FY 87^a

	Total	Medical Expenses	Mental Health	Funeral Expenses
Total	\$104,720,692	\$63,698,099 60.8%	\$8,140,209 7.8%	\$4,777,553 4.6%
Alabama ^b	511,004	278,589 54.5%	16,070 3.1%	86,455 16.9%
Alaska	642,082	168,068 26.2%	124,698 19.4%	24,276 3.8%
California ^c	35,106,730	23,331,933 66.5%	5,850,318 16.7%	0 0.0%
Colorado	2,128,373	1,218,269 57.2%	531,844 25.0%	168,785 7.9%
Connecticut	1,742,509	698,188 40.1%	53,985 3.1%	84,160 4.8%
Delaware	569,487	208,247 36.6%	6,781 1.2%	9,418 1.7%
Dist. Columbia	512,780	430,752 84.0%	0 0.0%	11,803 2.3%
Florida	7,049,611	4,733,357 67.1%	19,569 0.3%	156,892 2.2%
Hawaii	306,957	119,661 39.0%	1,480 0.5%	28,232 9.2%
Idaho ^b	35,992	27,178 75.5%	0 0.0%	0 0.0%
Illinois	2,491,424	1,142,854 45.9%	22,795 0.9%	525,000 21.1%
Iowa	533,590	363,574 68.1%	15,352 2.9%	25,875 4.8%
Kansas	550,625	327,882 59.5%	108,048 19.6%	14,165 2.6%
Kentucky	497,623	229,327 46.1%	16,088 3.2%	96,027 19.3%
Louisiana	898,701	422,821 47.0%	46,131 5.1%	208,016 23.1%
Maryland	3,950,223	1,529,739 38.7%	737 0.0%	80,398 2.0%
Massachusetts	1,585,994	357,083 22.5%	16,871 1.1%	58,578 3.7%
Michigan	2,481,521	1,354,862 54.6%	41,873 1.7%	483,497 19.5%
Minnesota	1,246,172	603,782 48.5%	138,374 11.1%	62,711 5.0%
Missouri	1,794,387	1,265,296 70.5%	15,277 0.9%	158,797 8.8%
Montana	383,223	234,810 61.3%	88,162 23.0%	16,408 4.3%
Nebraska	69,000	17,867 25.9%	450 0.7%	2,901 4.2%
Nevada	308,108	177,020 57.5%	28,304 9.2%	3,576 1.2%
New Jersey	5,830,950	3,625,755 62.2%	0 0.0%	232,594 4.0%
New York ^b	3,428,205	1,271,575 37.1%	0 0.0%	685,719 20.0%
New Mexico ^b	164,149	129,644 79.0%	7,654 4.7%	13,241 8.1%
No. Dakota	106,031	64,068 60.4%	0 0.0%	1,000 0.9%
Oklahoma	746,293	478,272 64.1%	20,240 2.7%	41,873 5.6%
Oregon	1,283,794	778,779 60.7%	48,772 3.8%	9,122 0.7%
Pennsylvania	2,253,194	1,210,412 53.7%	27,992 1.2%	175,487 7.8%
So. Carolina	1,204,419	899,988 74.7%	37,075 3.1%	106,005 8.8%
Texas	16,827,420	11,862,197 70.5%	249,546 1.5%	992,604 5.9%
Virgin Is.	64,015	21,489 33.6%	0 0.0%	2,500 3.9%
Virginia	1,576,138	1,046,149 66.4%	83,333 5.3%	57,978 3.7%
Washington	4,829,243	2,638,634 54.6%	513,672 10.6%	33,488 0.7%
West Virginia	439,838	182,753 41.6%	509 0.1%	20,750 4.7%
Wisconsin	1,081,895	525,814 48.6%	24,278 2.2%	185,678 17.2%
Wyoming ^b	30,459	21,579 70.8%	40 0.1%	2,424 8.0%

^a 38 states - Ohio did not provide expense data; Rhode Island (\$48,971) and Tennessee (\$1,419,885) did not break out expense categories.

^b Less than full year data.

^c California broke out mental health from medical expense category for half of reporting period.

Table continued on next page . . .

Table 7: EXPENSE CATEGORIES, FY 87^a

	Total	Medical Expenses	Mental Health	Funeral Expenses
Total	\$104,720,692	\$63,698,099 60.8%	\$8,140,209 7.8%	\$4,777,553 4.6%
Alabama ^b	511,004	278,589 54.5%	16,070 3.1%	86,455 16.9%
Alaska	642,082	168,068 26.2%	124,698 19.4%	24,276 3.8%
California ^c	35,106,730	23,331,933 66.5%	5,850,318 16.7%	0 0.0%
Colorado	2,128,373	1,218,269 57.2%	531,844 25.0%	168,785 7.9%
Connecticut	1,742,509	698,188 40.1%	53,985 3.1%	84,160 4.8%
Delaware	569,487	208,247 36.6%	6,781 1.2%	9,418 1.7%
Dist. Columbia	512,780	430,752 84.0%	0 0.0%	11,803 2.3%
Florida	7,049,611	4,733,357 67.1%	19,569 0.3%	156,892 2.2%
Hawaii	306,957	119,661 39.0%	1,480 0.5%	28,232 9.2%
Idaho ^b	35,992	27,178 75.5%	0 0.0%	0 0.0%
Illinois	2,491,424	1,142,854 45.9%	22,795 0.9%	525,000 21.1%
Iowa	533,590	363,574 68.1%	15,352 2.9%	25,875 4.8%
Kansas	550,625	327,882 59.5%	108,048 19.6%	14,165 2.6%
Kentucky	497,623	229,327 46.1%	16,088 3.2%	96,027 19.3%
Louisiana	898,701	422,821 47.0%	46,131 5.1%	208,016 23.1%
Maryland	3,950,223	1,529,739 38.7%	737 0.0%	80,398 2.0%
Massachusetts	1,585,994	357,083 22.5%	16,871 1.1%	58,578 3.7%
Michigan	2,481,521	1,354,862 54.6%	41,873 1.7%	483,497 19.5%
Minnesota	1,246,172	603,782 48.5%	138,374 11.1%	62,711 5.0%
Missouri	1,794,387	1,265,296 70.5%	15,277 0.9%	158,797 8.8%
Montana	383,223	234,810 61.3%	88,162 23.0%	16,408 4.3%
Nebraska	69,000	17,867 25.9%	450 0.7%	2,901 4.2%
Nevada	308,108	177,020 57.5%	28,304 9.2%	3,576 1.2%
New Jersey	5,830,950	3,625,755 62.2%	0 0.0%	232,594 4.0%
New York ^b	3,428,205	1,271,575 37.1%	0 0.0%	685,719 20.0%
New Mexico ^b	164,149	129,644 79.0%	7,654 4.7%	13,241 8.1%
No. Dakota	106,031	64,068 60.4%	0 0.0%	1,000 0.9%
Oklahoma	746,293	478,272 64.1%	20,240 2.7%	41,873 5.6%
Oregon	1,283,794	778,779 60.7%	48,772 3.8%	9,122 0.7%
Pennsylvania	2,253,194	1,210,412 53.7%	27,992 1.2%	175,487 7.8%
So. Carolina	1,204,419	899,988 74.7%	37,075 3.1%	106,005 8.8%
Texas	16,827,420	11,862,197 70.5%	249,546 1.5%	992,604 5.9%
Virgin Is.	64,015	21,489 33.6%	0 0.0%	2,500 3.9%
Virginia	1,576,138	1,046,149 66.4%	83,333 5.3%	57,978 3.7%
Washington	4,829,243	2,638,634 54.6%	513,672 10.6%	33,488 0.7%
West Virginia	439,838	182,753 41.6%	509 0.1%	20,750 4.7%
Wisconsin	1,081,895	525,814 48.6%	24,278 2.2%	185,678 17.2%
Wyoming ^b	30,459	21,579 70.8%	40 0.1%	2,424 8.0%

^a 38 states - Ohio did not provide expense data; Rhode Island (\$48,971) and Tennessee (\$1,419,885) did not break out expense categories.

^b Less than full year data.

^c California broke out mental health from medical expense category for half of reporting period.

Table continued on next page . . .

Table 8: AMOUNT PAID, BY TYPE OF CRIME, FY 86^a

	Total			Murder		
	Amount	No.	Ave.	Amount	No.	Ave.
Total	93,618,765	50,220	1,864	17,393,917	5,047	3,446
Alaska	481,420	117	4,115	141,654	18	7,870
California	41,949,892	15,798	2,655	5,942,382	1,963	3,027
Colorado	885,441	1,039	852	101,559	62	1,638
Connecticut	1,274,740	466	2,735	71,618	19	3,769
Delaware	527,432	160	3,296	161,008	35	4,600
Dist. Columbia	235,244	52	4,524	55,498	8	6,937
Florida	4,871,623	7,863	620	1,144,342	272	4,207
Hawaii	1,052,440	932	1,129	103,580	38	2,726
Illinois	2,743,640	709	3,870	1,523,106	276	5,519
Iowa	461,075	320	1,441	98,105	21	4,672
Kansas	553,867	406	1,364	93,399	31	3,013
Kentucky	912,254	242	3,770	183,893	57	3,226
Louisiana	668,210	247	2,705	217,031	84	2,584
Maryland	3,163,617	650	4,867	406,268	56	7,255
Massachusetts	1,050,479	305	3,444	140,691	23	6,117
Minnesota	1,242,485	624	1,991	226,346	56	4,042
Missouri	1,148,870	320	3,590	196,067	44	4,456
Montana	275,463	258	1,068	23,380	21	1,113
Nevada	517,803	156	3,319	24,098	8	3,012
New Jersey	4,429,780	1,723	2,571	558,490	158	3,535
New Mexico	210,346	49	4,293	63,646	9	7,072
New York ^b	7,289,449	7,727	943	2,193,766	781	2,809
No. Dakota	77,273	36	2,146	500	1	500
Ohio	508,265	252	2,017	2,500	2	1,250
Oklahoma	689,167	399	1,727	101,907	59	1,727
Oregon ^c	506,801	264	1,920	16,203	10	1,620
Pennsylvania	2,599,805	1,321	1,968	772,538	195	3,962
Rhode Island	721,388	83	8,691	103,491	10	10,349
So. Carolina	1,232,327	1,731	712	166,702	89	1,873
Tennessee	3,749,122	617	6,076	1,073,454	155	6,926
Virgin Is.	215,626	39	5,529	116,960	22	5,316
Virginia	1,049,327	333	3,151	80,490	40	2,012
Washington	3,508,883	4,085	859	103,512	279	371
West Virginia	1,809,021	213	8,493	805,972	39	20,666
Wisconsin	1,008,671	684	1,475	379,759	106	3,583

^a 34 States - Data not available for Michigan and Texas; Indiana did not apply for an award; Nebraska made no awards during FY 86.

^b New York aggregated all categories except "murder" and "other" under "assault."

^c Does not include \$505,0451.37 in open claims from previous years.

Table continued on next page . . .

Table 8: AMOUNT PAID, BY TYPE OF CRIME, FY 86—Continued

	Sexual Offenses			Assault			Child Abuse/Phy		
	Amount	No.	Ave.	Amount	No.	Ave.	Amount	No.	Ave.
Total	5,009,971	4,692	1,068	49,418,775	22,071	2,239	87,413	165	530
Alaska	21,914	10	2,191	116,945	30	3,898	2,500	1	2,500
California	1,981,586	826	2,399	19,845,830	6,381	3,110	12,173	61	200
Colorado	65,184	135	483	380,573	355	1,072	5,013	13	386
Connecticut	173,512	118	1,470	985,206	301	3,273		0	
Delaware	31,673	21	1,508	301,430	79	3,816		0	
Dist. Columbia	2,052	1	2,052	150,905	28	5,389		0	
Florida	123,938	115	1,078	1,780,906	1,291	1,379	9,321	4	2,330
Hawaii	166,046	140	1,186	727,675	687	1,059	3,620	8	453
Illinois	70,963	22	3,226	1,113,239	391	2,847		0	
Iowa	19,625	51	385	265,002	182	1,456	472	3	157
Kansas	64,208	57	1,126	288,754	119	2,427	20,430	43	475
Kentucky	34,782	18	1,932	644,551	145	4,445	2,943	3	981
Louisiana	78,712	40	1,968	338,699	107	3,165	6,005	4	1,501
Maryland	122,235	25	4,889	2,174,131	472	4,606	2,217	1	2,217
Massachusetts	59,152	25	2,366	847,036	255	3,322		0	
Minnesota	65,661	67	980	600,420	322	1,865		0	
Missouri	40,399	21	1,924	718,501	191	3,762		0	
Montana	3,864	15	258	132,311	82	1,614		0	
Nevada	32,017	9	3,557	348,475	80	4,356		0	
New Jersey	161,785	151	1,071	2,918,833	933	3,128	15,684	14	1,120
New Mexico	8,889	3	2,963	120,560	30	4,019	1,219	1	1,219
New York		c		4,456,574	4,544	981		c	
No. Dakota	4,990	9	554	54,398	25	2,176		0	
Ohio	4,033	13	310	196,820	134	1,469	2,481	7	354
Oklahoma	177,905	103	1,727	409,356	237	1,727		0	
Oregon	33,077	39	848	393,339	174	2,261		0	
Pennsylvania	58,004	87	667	1,549,856	798	1,942		0	
Rhode Island	74,177	6	12,363	478,775	59	8,115		0	
So. Carolina	165,431	1,225	135	782,390	363	2,155	3,334	2	1,667
Tennessee	593,446	125	4,748	1,867,679	299	6,246		0	
Virgin Is.	4,115	2	2,058	56,391	10	5,639		0	
Virginia	44,908	32	1,403	770,063	201	3,831		0	
Washington	412,294	976	422	2,694,822	2,402	1,122		0	
West Virginia	23,678	11	2,153	614,517	131	4,691		0	
Wisconsin	85,716	194	442	293,815	233	1,261		0	

Table continued on next page . . .

Table 8: AMOUNT PAID, BY TYPE OF CRIME, FY 86—Continued

	Child Abuse/Sexual			Spouse Abuse			Other Violent		
	Amount	No.	Ave.	Amount	No.	Ave.	Amount	No.	Ave.
Total	6,123,934	4,434	1,381	115,616	89	1,299	5,751,922	3,014	1,908
Alaska	106,188	43	2,469		0			0	
California	5,384,674	3,635	1,481		0		2,930,334	1,437	2,039
Colorado	130,900	276	474	19,586	29	675	78,362	81	967
Connecticut	41,786	25	1,671	2,618	3	873		0	
Delaware		0			0		28,073	19	1,478
Dist. Columbia		0			0		26,790	15	1,786
Florida	12,416	14	887	10,129	4	2,532	887,587	352	2,522
Hawaii	38,121	49	778	6,266	2	3,133	7,132	8	892
Illinois	24,348	8	3,044		0		11,984	12	999
Iowa	3,969	22	180	7,985	10	798	41,863	13	3,220
Kansas		0		9,723	6	1,620	9,723	6	1,620
Kentucky	3,149	5	630		0		14,331	10	1,433
Louisiana	17,762	11	1,615		0		10,000	1	10,000
Maryland	69,310	2	34,655	20,317	1	20,317	368,738	92	4,008
Massachusetts		0			0		3,601	2	1,800
Minnesota	140,587	139	1,011	30,550	19	1,608	165,517	15	11,034
Missouri	16,395	7	2,342		0		130,271	44	2,961
Montana	65,361	116	563	2,781	7	397	5,896	8	737
Nevada	21,404	25	856		0		91,338	33	2,768
New Jersey		0			0		29,617	15	1,974
New Mexico	3,533	5	707		0			0	
New York		c			c			c	
No. Dakota		0			0			0	
Ohio		0		2,481	5	496	1,929	75	26
Oklahoma		0			0			0	
Oregon		0			0		19,328	18	1,074
Pennsylvania	15,071	12	1,256	105	1	105	171,868	183	939
Rhode Island		0			0		12,250	2	6,125
So. Carolina	8,891	16	556	5,557	2	2,778	14,448	11	1,313
Tennessee		0			0		117,133	21	5,578
Virgin Is.	5,916	2	2,958		0		32,243	3	1,748
Virginia	14,154	22	643		0		139,712	38	3,677
Washington		0			0		280,711	379	741
West Virginia		0			0		20,093	13	1,546
Wisconsin		0			0		101,050	108	936

Table continued on next page . . .

Table 8: AMOUNT PAID, BY TYPE OF CRIME, FY 86—Continued

	DWI/DUI			MV Assault			Other		
	Amount	No.	Ave.	Amount	No.	Ave.	Amount	No.	Ave.
Total	3,784,926	926	4,087	3,050,691	837	3,645	2,881,600	8,945	322
Alaska	92,218	15	6,148		0			0	
California	3,024,451	788	3,838	2,828,462	707	4,001		0	
Colorado	12,432	21	592	91,833	67	1,371		0	
Connecticut		0			0			0	
Delaware		0			0		5,248	6	875
Dist. Columbia		0			0			0	
Florida	74,187	16	4,637	25,294	4	6,324	803,503	5,791	139
Hawaii		0			0			0	
Illinois ^b									
Iowa	10,090	13	776	13,806	4	3,451	156	1	156
Kansas		0			0		67,630	144	470
Kentucky	27,370	2	13,685	1,234	2	617		0	
Louisiana		0			0			0	
Maryland		0			0		400	1	400
Massachusetts		0			0			0	
Minnesota		0		13,404	6	2,234		0	
Missouri	44,957	11	4,087	2,281	2	1,140		0	
Montana		0			0		41,871	9	4,652
Nevada		0			0		471	1	471
New Jersey		0			0		745,372	452	1,649
New Mexico		0		12,500	1	12,500		0	
New York		c			c		639,109	2,402	266
No. Dakota		0		17,384	1	17,384		0	
Ohio		0		107	1	107	297,914	15	19,861
Oklahoma		0			0			0	
Oregon	29,338	15	1,956	15,518	8	1,940		0	
Pennsylvania		0		10,026	2	5,013	22,337	43	519
Rhode Island	40,495	4	10,124		0		12,200	2	6,100
So. Carolina	73,349	17	4,315	12,225	6	2,037		0	
Tennessee		0			0		97,410	17	5,730
Virgin Is.		0			0			0	
Virginia		0			0			0	
Washington		0		6,282	24	262	11,262	25	450
West Virginia	286,987	10	28,699	336	2	168	57,437	7	8,205
Wisconsin	69,052	14	4,932		0		79,279	29	2,734

Table 9: AMOUNT PAID, BY TYPE OF CRIME, FY 87^a

	Total			Murder		
	Amount	No.	Ave.	Amount	No.	Ave.
Total	110,563,900	56,232	1,966	15,371,643	5,868	2,620
Alabama ^b	511,104	200	2,556	149,212	52	2,869
Alaska	636,822	148	4,303	202,052	34	5,943
California	35,061,766	20,327	1,725	3,524,579	2,196	1,605
Colorado	1,622,043	2,308	703	188,921	116	1,629
Connecticut	1,815,336	571	3,179	224,078	58	3,863
Delaware	562,005	143	3,930	155,887	23	6,778
Dist. Columbia	512,780	102	5,027	11,803	7	1,686
Florida	7,049,610	5,246	1,344	634,340	156	4,066
Hawaii	306,957	298	1,030	33,303	14	2,379
Idaho ^b	40,475	19	2,130	5,717	3	1,906
Illinois	2,671,130	778	3,433	1,342,950	283	4,745
Iowa	533,590	410	1,301	64,543	22	2,934
Kansas	550,625	529	1,041	36,738	21	1,749
Kentucky	898,504	291	3,088	192,571	56	3,439
Louisiana	899,606	332	2,710	270,735	101	2,681
Maryland	3,814,820	854	4,467	547,132	66	8,290
Massachusetts	1,585,994	323	4,910	391,121	59	6,629
Michigan	1,820,830	786	2,317	546,775	267	2,048
Minnesota	1,266,275	678	1,868	197,646	68	2,907
Missouri	1,809,387	512	3,534	237,875	95	2,504
Montana	256,644	297	864	56,675	26	2,180
Nebraska	69,000	25	2,760	12,542	6	2,090
Nevada	291,702	383	762	31,820	13	2,448
New Jersey	5,890,463	1,717	3,431	867,747	212	4,093
New Mexico ^b	147,329	33	4,465	19,644	8	2,456
New York ^b	3,428,205	3,861	888	999,133	377	2,650
No. Dakota	79,622	1,148	69	1,500	4	375
Ohio	3,217,395	1,183	2,720	291,727	43	6,784
Oklahoma	746,293	653	1,143	117,728	65	1,811
Oregon ^c	1,192,969	385	3,099	27,585	10	2,759
Pennsylvania	2,235,833	1,097	2,038	554,555	131	4,233
Rhode Island	961,213	133	7,227	65,469	7	9,353
So. Carolina	1,202,692	1,533	785	108,909	103	1,057
Tennessee	2,808,518	717	3,917	457,908	186	2,462
Texas	16,841,161	4,153	4,055	1,918,945	535	3,587
Virgin Is.	64,015	12	5,335	15,648	3	5,216
Virginia	1,504,816	506	2,974	113,971	46	2,478
Washington	4,656,387	3,033	1,535	399,226	322	1,240
West Virginia	429,196	71	6,045	145,869	15	9,725
Wisconsin	1,081,895	637	1,698	356,276	111	3,210
Wyoming ^b	30,459	15	2,031	3,948	2	1,974

^a 41 States.^b Less than full year data.^c Excludes \$90,824.47 in unidentified claims from previous years.

Table continued on next page . . .

Table 9: AMOUNT PAID, BY TYPE OF CRIME, FY 87—Continued

	Sex Offenses			Assault			Ch.AB/Phy		
	Amount	No.	Ave.	Amount	No.	Ave.	Amount	No.	Ave.
Total	5,329,206	4,551	1,171	57,666,244	24,508	2,353	1,917,658	896	2,140
Alabama	26,124	26	1,005	177,461	59	3,008	210	1	210
Alaska	20,486	13	1,576	189,387	34	5,570	0		
California	1,906,144	1,168	1,632	14,967,553	7,238	2,068	176,906	440	402
Colorado	96,003	197	487	599,212	613	978	13,029	47	277
Connecticut	120,193	49	2,453	1,097,934	356	3,084	125	1	125
Delaware	62,572	26	2,407	214,102	71	3,016	0		
Dist. Columbia	9,188	1	9,188	306,774	54	5,681	0		
Florida	185,709	194	957	3,854,346	1,354	2,847	9,864	6	1,644
Hawaii	27,068	22	1,230	241,276	251	961	300	1	300
Idaho	3,331	4	833	28,517	9	3,169	0		
Illinois	67,133	35	1,918	1,118,244	432	2,589	0		
Iowa	16,110	31	520	309,252	220	1,406	6,516	15	434
Kansas	46,671	54	864	291,846	120	2,432	5,176	4	1,294
Kentucky	8,795	15	586	651,222	184	3,539	3,084	1	3,084
Louisiana	86,071	64	1,345	507,943	121	4,198	0		
Maryland	30,779	13	2,368	2,192,429	523	4,192	0		
Massachusetts	70,256	24	2,927	1,030,575	220	4,684	0		
Michigan	145,822	71	2,054	751,388	322	2,334	44,805	20	2,240
Minnesota	72,680	55	1,321	636,975	326	1,954	2,944	5	589
Missouri	25,406	12	2,117	1,126,069	278	4,051	0		
Montana	1,245	15	83	168,880	117	1,443	0		
Nebraska	1,320	3	440	55,138	16	3,446	0		
Nevada	12,855	28	459	199,743	224	892	0		
New Jersey	315,224	186	1,695	4,132,724	1,030	4,012	151,156	5	30,231
New Mexico	14,347	4	3,587	94,047	17	5,532	0		
New York	0			2,113,363	2,231	947	0		
No. Dakota	1,288	8	161	59,013	1,132	52	0		
Ohio	67,630	78	867	1,074,124	582	1,846	277	2	
Oklahoma	97,215	373	261	320,846	132	2,431	0		
Oregon	108,609	65	1,671	773,973	241	3,212	0		
Pennsylvania	21,384	39	548	1,593,564	739	2,156	465	1	465
Rhode Island	68,200	5	13,640	775,905	110	7,054	0		
So. Carolina	172,008	768	224	834,531	564	1,480	9,698	16	606
Tennessee	597,658	158	3,783	1,667,072	357	4,670	0		
Texas	440,431	285	1,545	10,241,732	2,299	4,455	268,340	128	2,096
Virgin Is.	1,149	1	1,149	38,830	6	6,472	0		
Virginia	47,664	46	1,036	1,040,546	307	3,389	0		
Washington	296,273	314	944	1,935,342	1,406	1,376	1,224,941	203	6,034
West Virginia	2,162	5	432	138,102	39	3,541	0		
Wisconsin	62,126	122	509	293,728	233	1,261	33	1	33
Wyoming	646	5	129	13,581	5	2,716	0		

Table continued on next page . . .

Table 9: AMOUNT PAID, BY TYPE OF CRIME, FY 87—Continued

	Child Abuse/Sexual			Spouse Abuse			Other Violent		
	Amount	No.	Ave.	Amount	No.	Ave.	Amount	No.	Ave.
Total	9,031,115	7,880	1,146	232,375	259	897	9,275,201	3,987	2,326
Alabama	23,697	19	1,247	434	1	434	133,965	42	3,190
Alaska	97,250	43	2,262		0		26,618	4	6,654
California	7,598,387	5,671	1,340		0		2,515,472	1,645	1,529
Colorado	407,577	964	423	71,349	139	513	134,022	106	1,264
Connecticut	159,130	39	4,080		0		167,979	62	2,709
Delaware		0			0		19,982	8	2,498
Dist. Columbia	328	1	328		0		179,544	35	5,130
Florida	3,169	5	634	3,034	2	1,517	1,698,355	558	3,044
Hawaii	3,640	6	607	470	1	470	900	3	300
Idaho		0		541	2	270		0	
Illinois	120,276	9	13,364		0		22,527	19	1,186
Iowa	13,974	60	233	28,066	18	1,559	44,540	16	4
Kansas	34,019	95	358	7,322	1	7,322	657	2	329
Kentucky	3,304	12	275		0		14,331	10	1,433
Louisiana	25,067	41	611	3,290	1	3,290	6,500	4	1,625
Maryland	3,255	4	814	934	1	934	1,026,736	243	4,225
Massachusetts	2,807	3	936		0		66,235	16	4,140
Michigan		0		11,201	5	2,240	311,134	96	3,241
Minnesota	103,532	134	773	25,290	22	1,150	153,261	43	3,564
Missouri	21,226	19	1,117	617	1	617	251,094	69	3,639
Montana	20,034	121	166	1,330	7	190	8,480	11	771
Nebraska		0			0			0	
Nevada	31,099	99	314		0		16,185	19	852
New Jersey		0			0		17,491	18	972
New Mexico	4,017	2	2,008		0		15,274	2	7,637
New York		0			0			0	
No. Dakota	436	3	145		0			0	
Ohio	30,697	14		19,495	27	722	44,408	30	1,480
Oklahoma		0			0		210,504	83	2,536
Oregon		0			0		94,265	31	3,041
Pennsylvania	3,829	11	348		0			0	
Rhode Island		0			0		21,698	5	4,340
So. Carolina	26,900	49	549	2,158	1	2,158		0	
Tennessee		0			0		85,879	16	5,367
Texas	1,942	3	647	41,408	19	2,179	1,430,342	398	3,594
Virgin Is.		0			0		8,388	2	4,194
Virginia	71,796	48	1,496	6,946	1	6,946	223,894	58	3,860
Washington	243,423	424	574	8,926	11	811	209,735	225	932
West Virginia		0			0		22,927	4	5,732
Wisconsin		0			0		225,842	146	1,547
Wyoming		0			0		12,285	3	4,095

Table continued on next page . . .

Table 9: AMOUNT PAID, BY TYPE OF CRIME, FY 87—Continued

	DWI/DUI			MV Assault			Other		
	Amount	No.	Ave.	Amount	No.	Ave.	Amount	No.	Ave.
Total	4,358,973	1,457	2,992	1,901,870	696	2,733	5,479,615	6,130	894
Alabama		0			0			0	
Alaska	101,029	20	5,051		0			0	
California	2,212,784	994	2,226	1,224,651	450	2,721	935,290	525	1,782
Colorado	26,582	17	1,564	50,649	27	1,876	34,697	82	423
Connecticut	40,000	4	10,000		0		5,897	2	2,949
Delaware	103,198	12	8,600		0		6,264	3	2,088
Dist. Columbia	1,653	1	1,653		0		3,491	3	1,164
Florida	263,300	73	3,607	17,916	7	2,559	379,577	2,891	131
Hawaii		0			0			0	
Idaho	2,369	1	2,369		0			0	
Illinois		0			0			0	
Iowa	50,346	27	1,865		0		242	1	242
Kansas	1,500	2	750		0		126,696	230	551
Kentucky	25,197	13	1,938		0			0	
Louisiana		0			0			0	
Maryland		0			0		13,555	4	3,389
Massachusetts	25,000	1	25,000		0			0	
Michigan		0		6,721	3	2,240	2,984	2	1,492
Minnesota	73,946	25	2,958		0			0	
Missouri	86,032	23	3,741	52,983	11	4,817	8,084	4	2,021
Montana		0			0			0	
Nebraska		0			0			0	
Nevada		0			0			0	
New Jersey		0			0		406,120	266	1,527
New Mexico		0			0			0	
New York		0			0		315,709	1,253	252
No. Dakota		0		17,384	1	17,384		0	
Ohio		0		8,047	14	575	1,680,991	393	4,277
Oklahoma		0			0			0	
Oregon	158,893	24	6,621	29,645	14	2,117		0	
Pennsylvania		0		763	1	763	61,273	175	350
Rhode Island	23,940	4	5,985		0		6,000	2	3,000
So. Carolina	41,241	26	1,586	7,248	6	1,208		0	
Tennessee		0			0			0	
Texas	881,048	165	5,340	155,959	40	3,899	1,461,014	281	5,199
Virgin Is.		0			0			0	
Virginia		0			0			0	
Washington		0		329,903	122	2,704	8,618	6	1,436
West Virginia	98,247	5	19,649		0		21,889	3	7,296
Wisconsin	142,667	20	7,133		0		1,223	4	306
Wyoming		0			0			0	

Table continued on next page . . .

Table 10: UNAPPROVED APPLICATIONS, as of 9/30/86^a

	Total		Not Processed ^b		Uncompensable ^c		Denied ^d	
Total	20,144	25.7% ^e	9,998	49.6%	4,722	23.4%	5,401	26.8%
Alaska	60	21.1%	4	10.8%	25	67.5%	8	21.6%
Colorado	148	11.9%	34	22.9%	45	30.4%	69	46.6%
Connecticut	259	35.6%	48	18.5%	93	35.9	118	45.6%
Delaware	36	13.5%	17	47.2%	4	11.1%	15	41.6%
Dist. Columbia	153	71.1%	57	37.2%	28	18.3%	68	44.4%
Florida	869	23.7%	211	24.2%	118	13.5%	540	62.1%
Hawaii	190	31.7%	12	6.3%	90	47.3%	88	46.3%
Illinois	245	22.0%	24	9.8%	39	15.9%	182	74.3%
Iowa	119	27.4%	0	0.0%	26	21.8%	93	78.1%
Kansas	200	33.0%	135	67.5%	28	14.0%	37	18.5%
Kentucky	173	40.0%	63	36.4%	31	17.9%	79	45.6%
Louisiana	22	8.1%	1	4.5%	6	27.2%	15	68.1%
Maryland	467	35.8%	223	47.7%	59	12.6%	185	39.6%
Massachusetts	296	48.5%	129	43.5%	118	39.8%	49	16.5%
Michigan	961	48.9%	179	18.6%	457	47.5%	325	33.8%
Minnesota	240	27.2%	112	46.6%	59	24.5%	69	28.7%
Missouri	176	37.5%	32	18.2%	39	22.2%	105	59.7%
Montana	117	32.7%	5	4.3%	8	6.8%	104	88.9%
No. Dakota	3	6.8%	0	0.0%	0	0.0%	3	100.0%
Nevada	91	36.6%	18	19.7%	39	42.8%	34	37.3%
New Jersey	1,254	44.4%	569	45.3%	395	31.4%	290	23.1%
New Mexico	58	54.2%	17	29.3%	20	34.5%	21	36.2%
New York	9,270	51.0%	6,247	67.3%	2,099	22.6%	924	9.9%
Oklahoma	96	18.3%	1	1.0%	11	11.4%	84	87.5%
Oregon	129	30.3%	17	13.1%	37	28.6%	75	58.1%
Pennsylvania	1,016	44.0%	748	73.6%	108	10.6%	160	15.7%
Rhode Island	15	15.0%	11	73.3%	4	26.6%	0	0.0%
So. Carolina	734	30.4%	242	32.9%	253	34.4%	239	32.5%
Texas	1,501	44.6%	321	21.3%	182	12.1%	998	66.4%
Virgin Islands	10	20.4%	9	90.0%	1	10.0%	0	0.0%
Virginia	128	24.1%	8	6.2%	30	23.4%	90	70.3%
Washington	221	30.6%	4	1.8%	53	23.9%	164	74.2%
West Virginia	23	9.7%	3	13.0%	12	52.1%	8	34.7%
Wisconsin	864	53.9%	497	57.5%	205	23.7%	162	18.7%

^a 34 States - Breakdowns not available for California, Ohio or Tennessee.

^b Reasons include: application withdrawn, unable to contact victim, failure to supply information.

^c Reasons include: crime not compensable, no physical injury, collateral source coverage, property loss only.

^d Reasons include: failure to cooperate with or report to police, failure to meet hardship test, family/household relationships, contributory misconduct, failure to file on time, no minimum loss.

^e Percent of total applications disposed. (i.e., approved plus not approved)

^f Less than full year data.

^g Through October 31, 1987.

Table 11: UNAPPROVED APPLICATIONS, as of 9/30/87^a

	Total		Not Processed ^b		Uncompensable ^c		Denied ^d	
U.S.	18,219	24.2%^e	7,693	42.2%	4,024	22.1%	6,502	35.7%
Alabama ^f	92	31.5%	11	12.0%	15	16.3%	66	71.7%
Alaska	100	42.2%	21	21.0%	54	54.0%	25	25.0%
Colorado ^g	254	10.1%	64	25.2%	59	23.2%	131	51.6%
Connecticut	340	38.2%	52	15.3%	123	36.2%	165	48.5%
Delaware	39	19.4%	18	46.2%	4	10.3%	17	43.6%
Dist. Columbia	157	60.2%	67	42.7%	18	11.5%	72	45.9%
Florida	1,328	37.6%	472	35.5%	188	14.2%	668	50.3%
Hawaii	20	6.3%	1	5.0%	13	65.0%	6	30.0%
Idaho ^f	17	45.9%	0	0.0%	5	29.4%	12	70.6%
Illinois	228	16.0%	7	3.1%	28	12.3%	193	84.6%
Iowa	115	25.9%	1	0.9%	24	20.9%	90	78.3%
Kansas	158	28.3%	69	43.7%	34	21.5%	55	34.8%
Kentucky	178	38.0%	75	42.1%	34	19.1%	69	38.8%
Louisiana	36	9.8%	4	11.1%	5	13.9%	27	75.0%
Maryland	482	32.7%	198	41.1%	46	9.5%	238	49.4%
Massachusetts	153	32.1%	55	35.9%	67	43.8%	31	20.3%
Michigan	834	39.3%	158	18.9%	371	44.5%	305	36.6%
Minnesota	213	23.4%	52	24.4%	37	17.4%	124	58.2%
Missouri	313	37.6%	135	43.1%	98	31.3%	80	25.6%
Montana	123	30.0%	21	17.1%	4	3.3%	98	79.7%
Nebraska	37	59.7%	8	21.6%	23	62.2%	6	16.2%
Nevada	113	35.9%	19	16.8%	38	33.6%	56	49.6%
New Jersey	1,421	47.1%	543	38.2%	236	16.6%	642	45.2%
New York ^f	5,425	54.5%	3,943	72.7%	1,045	19.3%	437	8.1%
New Mexico ^f	12	26.1%	3	25.0%	4	33.3%	5	41.7%
Ohio	472	25.1%	7	1.5%	211	44.7%	254	53.8%
Oklahoma	156	12.0%	6	3.8%	52	33.3%	98	62.8%
Oregon	224	33.7%	23	10.3%	50	22.3%	151	67.4%
Pennsylvania	928	45.6%	634	68.3%	110	11.9%	184	19.8%
Rhode Island	30	19.5%	14	46.7%	10	33.3%	6	20.0%
So. Carolina	715	31.1%	302	42.2%	176	24.6%	237	33.1%
Tennessee	13	1.8%	13	100.0%	0	0.0%	0	0.0%
Texas	1,681	29.6%	244	14.5%	257	15.3%	1,180	70.2%
Virginia	336	31.5%	43	12.8%	160	47.6%	133	39.6%
Washington	466	25.2%	6	1.3%	121	26.0%	345	74.0%
West Virginia	83	53.9%	1	1.2%	33	39.8%	49	59.0%
Wisconsin	918	58.1%	403	43.9%	269	29.3%	246	26.8%
Wyoming ^f	3	16.7%	0	0.0%	2	66.7%	1	33.3%

^a 34 States - Breakdowns not available for California, Ohio, or Tennessee.

^b Reasons include: application withdrawn, unable to contact victim, failure to supply information.

^c Reasons include: crime not compensable, no physical injury, collateral source coverage, property loss only.

^d Reasons include: failure to cooperate with or report to police, failure to meet hardship test, family/household relationships, contributory misconduct, failure to file on time, no minimum loss.

^e Percent of total applications disposed. (i.e., approved plus not approved)

Table 12: MAXIMUM AWARDS PAID

	FY 86	FY 87	Amount of Maximum Award
Total	2,401	2,212	
No. Reporting	25	29	
Alabama ^a		13	\$10,000
Alaska	6	13	40,000
California	258	76	46,000
Colorado	1,206	786	10,000
Connecticut	32	44	10,000
Delaware	8	9	20,000
Dist. Columbia	3	2	25,000
Florida	160	188	10,000
Hawaii	9		10,000
Illinois	70	58	15,000
Kansas	11	7	10,000
Kentucky	15	3	25,000
Louisiana	16	23	10,000
Massachusetts	40	35	25,000
Michigan	40	44	15,000
Missouri		32	10,000
Montana		3	25,000
Nevada	11	5	15,000
New Jersey	14	27	25,000
New York ^a		23	30,000 ^b
New Mexico ^a		6	12,500
Ohio		36	25,000
Oklahoma	26	21	10,000
Pennsylvania	1	3	35,000
Rhode Island	5	7	25,000
South Carolina	24	149	3,000
Tennessee	290	428	5,000
Texas		90	25,000
Virgin Islands	19		25,000
Virginia	19	42	15,000
West Virginia	37	7	20/50,00
Wisconsin	81	5	42,000

^a Less than full year data for 1987.

^b No maximum for medical expenses.

Table 13: **EMERGENCY AWARDS**

	FY 86	FY 87
Total	2,806	2,040
No. Reporting	23	26
Alabama ^a		9
Alaska	18	4
California	1,293	665
Colorado	22	25
Connecticut		39
Delaware	2	
Dist. Columbia	15	9
Florida	63	43
Iowa	43	24
Kentucky	2	2
Louisiana	24	28
Maryland	58	63
Michigan	30	52
Minnesota	4	3
Missouri		4
Nevada	31	90
New Jersey	52	58
New York ^a	1,070	641
Ohio		30
Oklahoma	9	4
Oregon	16	22
Pennsylvania	2	4
South Carolina	3	6
Tennessee	4	38
Texas	0	106
Virginia	32	51
Wisconsin	13	20

^a Less than full year data for 1987.

APPENDIX C

CRIME VICTIM COMPENSATION STATE LEGISLATIVE CHANGES

Arizona	1985	<ul style="list-style-type: none">• Establish new program.
Arkansas	1987	<ul style="list-style-type: none">• Establish new program.
California	1985	<ul style="list-style-type: none">• Increase maximum from \$23,000 to \$46,00 if VOCA available.• Permit contract with Local Victim Centers for claim verification.• Eliminate residency requirement.• Cover mental health expenses for family members, with \$10,000 maximum.• Expand mental health benefits to cover services by licensed clinical social workers, and marriage, family, child counselors.
Colorado	1985	<ul style="list-style-type: none">• Eliminate residency requirement.• Provide for mental health benefits.• Raise maximum from \$1,500 to \$10,000.• Add residential property damage benefits, up to \$250 maximum.
Connecticut	1985	<ul style="list-style-type: none">• Eliminate residency requirement.• Inclusion of drunk driving victims.• Provide exception to cohabitation restriction where there is no longer a relationship.
	1987	<ul style="list-style-type: none">• Increase maximum from \$10,000 to \$15,000 and to \$25,000 in homicide cases.
Delaware	1986	<ul style="list-style-type: none">• Provide for payment of mental suffering (as well as scarring, disfigurement).• Raise one-commissioner claims from \$500 to \$1,000.

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| District of Columbia | <p><i>1986</i></p> <ul style="list-style-type: none"> • Eliminate residency requirement. • Eliminate \$5.00 filing fee. |
| Florida | <p><i>1985</i></p> <ul style="list-style-type: none"> • Include "federal victims." • Eliminate residency requirement. • Cover psychological counseling. • Cover victims of drunk driving. • Allow benefits to abused children (w/unjust benefit provision). |
| Idaho | <p><i>1986</i></p> <ul style="list-style-type: none"> • Establish new program, began July 1, 1986; \$25,000 maximum award. |
| Indiana | <p><i>1986</i></p> <ul style="list-style-type: none"> • Up to \$1,000 for child care, mental health counseling for secondary victims. <p><i>1987</i></p> <ul style="list-style-type: none"> • Permit benefits for spousal abuse if there is a conviction. • Add victims of drunk driving. |
| Iowa | <p><i>1985</i></p> <ul style="list-style-type: none"> • Child victim qualifies for immediate compensation for counseling and medical expenses regardless of parental notification of application. • Counseling by licensed psychologist, MSW or victim counselor to minors, domestic abuse victims and sexual assault victims, up to \$500; up to \$10,000 if by licensed psychiatrist. • Eliminate household/family relationship restrictions if offender seeks counseling after 1st offense, if victim files charges after 2nd offense, if convicted after 3rd offense. (Previously, only if victim filed charges). • Child abuse cases could qualify without being reported to police if reported to Dept. of Human Services (suspected child abuse) or treated by a medical provider under circumstances not required to be reported. Either DHS or provider could file claim on behalf of minor victim. <p><i>1987</i></p> <ul style="list-style-type: none"> • Extend filing deadline "for good cause". |

Kansas	1986	<ul style="list-style-type: none"> • Include victims of DUI for coverage of uninsured losses same as cvc. • Son of Sam.
Kentucky	1986	<ul style="list-style-type: none"> • Eliminate residency requirement. • Eliminate \$100 minimum. • Raise maximum from \$15,000 to \$25,000. • Add coverage for "psychological injury." • Add "interest of justice" waiver for family relationship exclusion. • Create lump sum \$25,000 payment to family of police officer killed in line of duty.
Louisiana	1984	<ul style="list-style-type: none"> • Eliminate residency requirement. • Add waiver for minimum loss.
Maryland	1985	<ul style="list-style-type: none"> • Add victims of federal crimes. • Specify mental health, funeral expenses (for minimum loss). • Add interest of justice waiver to family restriction.
Massachusetts	1985	<ul style="list-style-type: none"> • Eliminate residency requirement, provided claimant cooperates with law enforcement. • Include mental health counseling. • Raise maximum from \$10,000 to \$25,000. • Eliminate \$100 deductible for over 65 and rape victims. • Provide for waivers of family/sexual relationship restrictions. • Add funeral expenses, up to \$2000.
	1986	<ul style="list-style-type: none"> • Make victims of certain motor vehicle crimes eligible for compensation including: OWI, operating recklessly or negligently, hit and run, use in connection with the commission of a felony, stolen car (part of "Safe Roads Act of 1986").
Michigan	1985	<ul style="list-style-type: none"> • Eliminate residency requirement. • Add psychological counseling. • Add "crime" to include laws of U.S. for federal victims.

- Raise minimum loss from \$100 to \$200, but adds waiver for rape victims (already could waive for retired or disabled).
 - Extend filing deadline from 30 days (90 days if death) to 1 year.
 - Allow siblings of deceased victim to file for funeral benefits paid on behalf of victim.
- Minnesota 1986
- Place limits on psychological and funeral benefits.
 - Raise maximum from \$25,000 to \$50,000.
 - Eliminate \$100 deductible but retains \$100 minimum.
 - Except victims of domestic violence from reporting/filing deadlines.
 - Add victims of drunk driving.
 - Include Indian reservations and other trust lands within jurisdictional definition of "crime".
- Missouri 1985
- Eliminate residency requirement.
 - Add interest of justice waiver for family/living/sexual relationship restrictions and if prosecution of case.
 - Include psychiatric or psychological expenses up to \$1,000.
 - No \$200 deductible for over 65s.
 - Add funeral benefits up to \$2,000.
- Montana 1987
- Raise funeral benefit from \$1,100 to \$2,000.
 - Raise maximum wage loss from \$125 per week to half state weekly average (approximately \$150 for 1988)
 - Extend maximum award of \$25,000 to all victims. Currently max applies only to employed victims, regardless of employment status.
 - Extend mental health treatment benefits to spouse, parent, child, brother or sister of victim killed; parent, brother or sister of child sexual crime victim eligible for mental health treatment benefits. Payments limited to \$500 for each person/\$1,500 per family; payments within one year of claim.
- Nevada 1985
- Include sexual abuse and sexually abused minors.
 - Liberalize emergency awards.
- 1987
- Create separate fund for victims of drunk driving.
 - Permit non-dependents to claim funeral benefits paid on behalf of victim.

New York

1985

- Expand eligibility for victims of misdemeanor/felony motor vehicle offenses.
- Disabled victims reimbursed up to \$500 (increase from \$250 for elderly, who already had benefit) for essential personal property, court transportation without regard to personal injury; counseling expenses for victims suffering traumatic shock.
- Cost of living at and utilizing services of battered spouse shelters.
- Cost of reasonable attorneys' fees, up to \$1,000.
- Funeral expense maximum raised to \$2,500.
- Weekly lost earning/support raised from \$250 to \$400 with maximum raised from \$20,000 to \$30,000.
- Increase awards for essential personal property to maximum of \$500 and claims for less than \$500 without regard to financial difficulty.
- Local victim service programs authorized to provide up to \$500 for emergency awards for essential personal property, medical treatment, shelter costs, security services, counseling and transportation. Local programs reimbursed from CVC Board for eligible claimants.
- Police required to provide victims with information cards.

1986

- Authorize award for rehabilitative occupational training for victim, or training for family member where victim becomes unemployable as a direct result of crime.
- Cost of counseling for "the eligible spouse of the victim of any such sex offense who resides with the victim".
- Add unreimbursed cost of counseling provided to the elderly or disabled victim on account of mental or emotional stress resulting from the incident in which the crime occurred if such counseling is commenced within 90 days from the date of the incident.
- Eliminate financial difficulty test for emergency awards, for awards of less than \$500 (crimes occurring before 9/1/86), for awards of less than \$1,000 (for crimes occurring between 9/1/86 -9/1/87) and of less than \$2,000 (for crimes occurring after 9/1/87). Child victims covered for counseling benefits, even though they did not suffer a physical injury.

	1987	<ul style="list-style-type: none"> • Clarify that certain contribution to retirement or disability plans (e.g. IRA) not considered in determining financial need.
North Carolina	1987	<ul style="list-style-type: none"> • State funding of \$1 million per year appropriated (Program authorized in 1983, but not funded until 1987).
North Dakota	1987	<ul style="list-style-type: none"> • Add coverage for victim of drunk driving/hit and run. • Raise funeral expense from \$500 to \$1,500. • Repealed \$100 minimum. • Raise weekly work loss from \$200 to \$300. • Waive filing deadline "in interest of justice."
Pennsylvania	1986	<ul style="list-style-type: none"> • Add mental injury, including "psychological counseling" for immediate family of deceased victim. • Eliminate residency requirement. • May extend filing deadline 5 years for good cause if victim is child and offender is parent, person responsible for child's welfare or victim's parent's paramour.
Ohio	1987	<ul style="list-style-type: none"> • Eliminate residency requirement.
Oregon	1987	<ul style="list-style-type: none"> • Remove all family relationship restrictions (administrative rules required to prevent collusion). • Increase counseling benefits from \$1,000 to \$10,000. • Remove \$250 deductible; reduced minimum loss from \$250 to \$100. • Add counseling benefits for family of child victim of sexual abuse or sexual exploitation.
Rhode Island	1985	<ul style="list-style-type: none"> • Eliminate residency requirement.
	1987	<ul style="list-style-type: none"> • Waiver of reporting/filing requirements for child victims.

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|----------------|---|
| South Carolina | <p><i>1986</i></p> <ul style="list-style-type: none"> • Eliminate residency requirement. • Add mental health counseling. • Reduced burial benefit from \$2,000 to \$1,000. • Reduced max from \$10,000 to \$3,000. |
| Tennessee | <p><i>1985</i></p> <ul style="list-style-type: none"> • Eliminate residency requirement. |
| Texas | <p><i>1985</i></p> <ul style="list-style-type: none"> • Eliminate residency requirement. <p><i>1987</i></p> <ul style="list-style-type: none"> • Remove financial need requirement. • Increase child care benefits from \$30 to \$50/week per child with a \$125/week maximum for all children. • Counseling benefits for family of homicide victims. • Counseling benefits for family of child victim. • Remove police report and filing deadlines for child victims. |
| Utah | <p><i>1986</i></p> <ul style="list-style-type: none"> • Establish new compensation program, beginning January 1987, includes: mental health counseling for sexual offenses; priorities for elderly victims and victims facing extraordinary hardships; special consideration for child victims and victims of incest; \$25,000 maximum. |
| Virginia | <p><i>1985</i></p> <ul style="list-style-type: none"> • Increase emergency awards from \$1,000 to \$2,000. • Increase reporting from 48 to 120 hours. |
| Washington | <p><i>1986</i></p> <ul style="list-style-type: none"> • Eliminate residency requirement. • Remove family exclusion. • Increase maximum from \$12,500 to \$15,000. • Add authority for public information program. <p><i>1986</i></p> <ul style="list-style-type: none"> • Victims of domestic violence made eligible for benefits. • \$200 deductible eliminated. • Burial expense maximum increased from \$500 to Human Service Department standard (about \$935). • Provide waiver for filing and police reporting deadlines. |

- 1987
- Increase non-medical expense maximum for death/disability from \$15,000 to \$20,000.
 - Eliminate conviction requirement for vehicular homicide cases.
- West Virginia
- 1984
- Eliminate residency requirement.
 - Increase funeral expenses from \$500 to \$1,250.
- Wisconsin
- 1985
- Raise maximum from \$10,000 to \$40,000.
 - Increase replacement cost of clothing from \$100 to \$300 and include cost of bedding.
 - Crime scene cleanup up to \$1,000.
 - Other property replacement held for evidence/testing up to \$200.
 - Family of homicide victim eligible for benefits.
- Wyoming
- 1985
- Establish new program, took effect May 23, 1985: \$10,000 maximum, \$100 minimum.

APPENDIX D

VICTIM ASSISTANCE TABLES

The following tables are derived from two basic types of reports submitted by state agencies administering the VOCA grants: the subgrant reports identify individual subgrantees and performance reports aggregate each state's activities during the relevant periods.

Two independently developed data bases of the approximately 1,500 subgrant reports submitted for FY 86 were used for several tables which describe subgrant activities. One contains the statistical information as presented in the reports. The other interprets and categorizes the narrative information. In some instances, program definitions and classifications differ between the two data bases which is why there may be some inconsistencies in the totals and breakdowns presented in the tables.

Table 1: STATE ASSISTANCE GRANTS, FY 86 - FY 88 (est.)

	FY 86 Allocation	FY 87 Allocation	FY 88 Allocation
Total	41,270,000	30,772,000	34,888,000
Alabama	700,000	526,000	592,000
Alaska	175,000	153,000	165,000
Arizona	559,000	426,000	503,000
Arkansas	453,000	351,000	387,000
California	3,953,000	2,832,000	3,372,000
Colorado	578,000	439,000	496,000
Connecticut	574,000	436,000	486,000
Delaware	192,000	165,000	177,000
Dist. Columbia	194,000	166,000	176,000
Florida	1,751,000	1,270,000	1,516,000
Georgia	978,000	722,000	840,000
Hawaii	256,000	211,000	229,000
Idaho	251,000	207,000	221,000
Illinois	1,831,000	1,327,000	1,501,000
Indiana	927,000	686,000	768,000
Iowa	538,000	410,000	445,000
Kansas	467,000	360,000	398,000
Kentucky	660,000	497,000	553,000
Louisiana	771,000	576,000	646,000
Maine	274,000	223,000	242,000
Maryland	754,000	564,000	642,000
Massachusetts	972,000	718,000	807,000
Michigan	1,465,000	1,068,000	1,209,000
Minnesota	726,000	544,000	612,000
Mississippi	491,000	377,000	418,000
Missouri	853,000	634,000	715,000
Montana	224,000	188,000	199,000
Nebraska	342,000	271,000	294,000
Nevada	237,000	197,000	217,000
New Hampshire	247,000	204,000	224,000
New Jersey	1,230,000	901,000	1,024,000
New Mexico	314,000	252,000	279,000
New York	2,767,000	1,991,000	2,256,000
No. Carolina	1,027,000	757,000	868,000
No. Dakota	203,000	173,000	182,000
Ohio	1,717,000	1,247,000	1,404,000
Oklahoma	596,000	452,000	501,000
Oregon	502,000	385,000	427,000
Pennsylvania	1,890,000	1,369,000	1,542,000
Rhode Island	245,000	203,000	218,000
So. Carolina	596,000	452,000	510,000
So. Dakota	206,000	175,000	186,000
Tennessee	809,000	603,000	683,000
Texas	2,505,000	1,805,000	2,124,000
Utah	348,000	276,000	302,000
Vermont	180,000	157,000	166,000
Virginia	948,000	701,000	802,000
Washington	754,000	564,000	642,000
West Virginia	394,000	308,000	332,000
Wisconsin	817,000	608,000	681,000
Wyoming	177,000	155,000	161,000
Puerto Rico	591,000	448,000	497,000
Virgin Is.	16,000	11,000	13,000
Am. Samoa	5,000	4,000	5,000
Guam	18,000	12,000	15,000
No. Mariana I	3,000	2,000	2,000
Trust Terr.	19,000 ^a	13,000 ^a	16,000

^a The Trust Territories did not apply for grants.

Table 2: FY 86 VOCA GRANTS/AMOUNTS OBLIGATED^a

	VOCA Grant	Grant Date	Obligated by 9/30/86	Obligated by 9/30/87
Total	\$41,233,000		\$9,448,462	\$33,673,282
Alabama	700,000	12/27/85	176,917	672,317
Alaska	175,000	12/27/85	175,000	175,000
Arizona	559,000	1/3/86	168,453	514,945
Arkansas	453,000	1/27/86	73,089	376,219 ^b
California	3,953,000	5/1/86	0	3,681,930
Colorado	578,000	12/31/85	25,347	389,867
Connecticut	574,000	12/27/85	0	574,000
Delaware	192,000	12/27/85	191,930	192,000
Dist. Columbia	194,000	12/31/85	0	0
Florida	1,751,000	2/6/86	0	1,106,828
Georgia	978,000	1/3/86	978,000	978,000
Hawaii	256,000	12/27/85	0	51,995
Idaho	251,000	12/27/85	33,839	245,663
Illinois	1,831,000	12/27/85	1,299,631	1,420,068
Indiana	927,000	12/27/85	926,998	926,998
Iowa	538,000	12/27/85	31,574	313,682
Kansas	467,000	12/31/85	187,925	467,000
Kentucky	660,000	12/27/85	443,700	601,587
Louisiana	771,000	12/31/85	43,419	533,377
Maine	274,000	12/27/85	2,350	274,000
Maryland	754,000	2/28/86	0	443,825
Massachusetts	972,000	2/13/86	153,594	888,872
Michigan	1,465,000	12/27/85	77,129	1,211,334
Minnesota	726,000	12/31/85	115,950	565,533
Mississippi	491,000	12/27/85	478,338	485,796
Missouri	853,000	12/31/85	117,362	643,658
Montana	224,000	1/3/86	224,000	224,000
Nebraska	342,000	12/27/85	206,087	337,874
Nevada	237,000	12/27/85	70,564	237,000
New Hampshire	247,000	12/27/85	53,215	247,000
New Jersey	1,230,000	12/27/85	22,489	695,581
New Mexico	314,000	1/17/86	0	135,709
New York	2,767,000	12/27/85	1,165,746	2,389,939
No. Carolina	1,027,000	12/27/85	145,716	930,536
No. Dakota	203,000	12/31/85	0	203,000
Ohio	1,717,000	12/27/85	201,691	1,448,717
Oklahoma	596,000	12/27/85	142,251	582,544
Oregon	502,000	12/24/85	110,946	445,898
Pennsylvania	1,890,000	12/31/85	236,393	1,670,650
Rhode Island	245,000	12/27/85	36,500	202,515
So. Carolina	596,000	12/27/85	0	209,002
So. Dakota	206,000	12/31/85	85,000	206,000
Tennessee	809,000	12/27/85	29,155	702,529
Texas	2,505,000	12/27/85	0	1,378,183
Utah	348,000	12/31/85	328,000	348,000
Vermont	180,000	12/27/85	0	118,392
Virginia	948,000	12/27/85	35,845	636,832
Washington	754,000	1/3/86	497,069	724,919
West Virginia	394,000	12/27/85	0	250,707
Wisconsin	817,000	2/13/86	0	561,355
Wyoming	177,000	1/27/86	144,563	177,000
Puerto Rico	591,000	12/27/85	5,461	355,907
Virgin Is.	16,000	12/27/85	7,225	16,000
Amer. Samoa	5,000	9/30/87	0	0
No. Mariana I	3,000	9/18/86	0	2,999

^a Does not include Guam (\$18,000) or the Trust Territories (\$19,000) which did not receive grants.

^b As of June 30, 1987.

Table 3: SUBGRANTS BY AGENCY TYPE, FY 86

	Status ^a				Private Non-Profits		Criminal Justice						Gov't Non-CJS	
	Existing		New				Total		Law Enf		D.A.s			
Total	1,342	94%	80	6%	1,126	79%	189	13%	33	17%	126	67%	106	7%
Alabama	12	92%	1	7%	12	92%	1	7%	0	0%	1	100%	0	0%
Alaska	10	100%	0	0%	9	90%	0	0%	0	0%	0	0%	1	10%
Arizona	29	100%	0	0%	25	86%	4	13%	0	0%	3	75%	0	0%
Arkansas	20	100%	0	0%	17	85%	2	10%	1	50%	1	50%	1	5%
California	26	100%	0	0%	25	96%	1	3%	0	0%	1	100%	0	0%
Colorado	37	97%	1	2%	29	76%	3	7%	3	100%	0	0%	6	15%
Connecticut	44	100%	0	0%	42	95%	1	2%	0	0%	0	0%	1	2%
Delaware	7	100%	0	0%	0	0%	7	100%	0	0%	0	0%	0	0%
Florida	37	93%	3	7%	23	57%	10	25%	3	30%	4	40%	7	17%
Georgia	19	66%	10	34%	10	34%	13	44%	3	23%	9	69%	6	20%
Hawaii	3	100%	0	0%	0	0%	3	100%	0	0%	3	100%	0	0%
Idaho	15	100%	0	0%	15	100%	0	0%	0	0%	0	0%	0	0%
Illinois	103	99%	1	0%	91	88%	12	11%	0	0%	11	91%	0	0%
Indiana	14	82%	3	17%	13	76%	4	23%	0	0%	4	100%	0	0%
Iowa	20	91%	2	9%	18	81%	0	0%	0	0%	0	0%	4	18%
Kansas	27	100%	0	0%	23	85%	2	7%	0	0%	1	50%	2	7%
Kentucky	20	91%	2	9%	19	86%	0	0%	0	0%	0	0%	3	13%
Louisiana	28	93%	2	6%	24	80%	5	16%	3	60%	1	20%	1	3%
Maine	23	100%	0	0%	15	65%	7	30%	0	0%	7	100%	1	4%
Maryland	26	96%	1	3%	11	40%	3	11%	0	0%	3	100%	13	48%
Massachusetts	30	94%	2	6%	31	93%	1	3%	0	0%	0	0%	1	3%
Michigan	46	98%	1	2%	45	95%	0	0%	0	0%	0	0%	2	4%
Minnesota	44	96%	2	4%	37	82%	2	4%	0	0%	1	50%	6	13%
Mississippi	8	80%	2	20%	9	90%	1	10%	0	0%	0	0%	0	0%
Missouri	12	92%	1	7%	12	92%	1	7%	0	0%	1	100%	0	0%
Montana	13	100%	0	0%	12	92%	1	7%	0	0%	0	0%	0	0%
Nebraska	14	100%	0	0%	10	71%	4	28%	2	50%	2	50%	0	0%
Nevada	1	100%	0	0%	1	100%	0	0%	0	0%	0	0%	0	0%
New Hampshire	18	95%	1	5%	19	100%	0	0%	0	0%	0	0%	0	0%
New Jersey	2	100%	0	0%	0	0%	2	100%	0	0%	2	100%	0	0%
New York	65	92%	6	8%	54	76%	14	19%	2	14%	8	57%	3	4%
No. Carolina	20	95%	1	4%	13	61%	6	28%	4	66%	2	33%	2	9%
No. Dakota	20	87%	3	13%	20	85%	0	0%	0	0%	0	0%	3	13%
Ohio	61	98%	1	1%	51	82%	10	16%	1	10%	7	70%	1	1%
Oklahoma	17	94%	1	5%	17	94%	1	5%	0	0%	1	100%	0	0%
Oregon	50	100%	0	0%	36	72%	12	24%	1	8%	11	91%	2	4%
Pennsylvania	88	93%	7	7%	82	86%	6	6%	0	0%	5	83%	7	7%
Puerto Rico	10	100%	0	0%	4	40%	4	40%	1	25%	3	75%	2	20%
Rhode Island	8	100%	0	0%	7	87%	1	12%	0	0%	1	100%	0	0%
So. Carolina	32	97%	1	3%	23	69%	5	15%	0	0%	3	60%	5	15%
So. Dakota	19	100%	0	0%	18	94%	0	0%	0	0%	0	0%	1	5%
Tennessee	14	67%	7	33%	18	81%	4	18%	0	0%	3	75%	0	0%
Texas	51	89%	6	10%	47	82%	7	12%	2	28%	5	71%	3	5%
Utah	11	100%	0	0%	8	72%	0	0%	0	0%	0	0%	3	27%
Vermont	15	100%	0	0%	9	60%	0	0%	0	0%	0	0%	6	40%
Virgin Island	1	100%	0	0%	1	100%	0	0%	0	0%	0	0%	0	0%
Virginia	52	88%	7	11%	28	47%	23	38%	6	26%	16	69%	8	13%
Washington	38	93%	3	7%	35	85%	4	9%	1	25%	3	75%	2	4%
West Virginia	21	95%	1	4%	19	86%	1	4%	0	0%	1	100%	2	9%
Wisconsin	17	94%	1	5%	15	83%	2	11%	0	0%	2	100%	1	5%
Wyoming	24	100%	0	0%	24	100%	0	0%	0	0%	0	0%	0	0%

^a These figures were taken from a different (and earlier) database thus resulting in slightly different totals from those cited in Chapter 4 of the report.

Table 4: DISTRIBUTION OF VOCA SUBGRANTS, BY PROGRAM TYPES, FY 86

	All Programs		Priorities		All Victims		Special Focus	
	Amount	No.	Amount	No.	Amount	No.	Amount	No.
Total	\$35,375,806	1,489	\$27,060,941	1,214	\$6,820,493	226	\$1,392,383	45
Alabama	700,000	13	700,000	13	0	0	0	0
Alaska	175,000	10	175,000	10	0	0	0	0
Arizona	539,000	29	469,750	24	69,250	5	0	0
Arkansas	430,492	18	336,580	15	72,027	2	0	0
California	3,082,630	38	2,094,380	31	830,600	2	157,650	5
Colorado	574,654	41	448,318	33	63,701	5	9,120	1
Connecticut	563,454	30	563,454	30	0	0	0	0
Delaware	149,010	7	82,766	4	42,160	2	24,084	1
Florida	1,662,945	41	1,068,110	26	360,225	10	234,610	5
Georgia	962,000	29	688,366	19	273,634	10	0	0
Hawaii	255,997	4	147,684	2	108,313	2	0	0
Idaho	251,000	14	251,000	14	0	0	0	0
Illinois	1,290,733	107	983,501	95	307,232	12	0	0
Indiana	220,867	14	137,701	9	65,523	4	17,643	1
Iowa	518,000	29	518,000	29	0	0	0	0
Kansas	466,775	28	428,775	26	50,000	3	0	0
Kentucky	629,807	27	579,007	25	50,800	2	0	0
Louisiana	670,640	32	621,121	29	13,299	1	36,220	2
Maine	208,220	23	189,845	22	18,375	1	0	0
Maryland	576,743	27	482,365	24	94,378	3	0	0
Massachusetts	968,173	27	701,456	20	86,646	2	180,071	5
Michigan	1,326,549	50	1,326,549	50	0	0	0	0
Minnesota	734,952	61	524,729	52	161,806	7	48,417	2
Mississippi	454,228	11	454,228	11	0	0	0	0
Missouri	504,656	13	346,765	9	157,891	4	0	0
Montana	224,000	13	199,740	12	0	0	24,260	1
Nebraska	341,999	22	153,637	13	188,362	9	0	0
Nevada	133,641	4	133,641	4	0	0	0	0
New Hampshire	223,217	16	223,217	16	0	0	0	0
New Jersey	628,267	11	423,350	9	204,917	2	0	0
New Mexico	183,252	16	43,500	2	137,252	13	2,500	1
New York	2,632,358	71	1,167,357	34	1,024,804	27	440,197	10
No. Carolina	952,658	21	929,243	20	23,415	1	0	0
No. Dakota	205,260	21	177,060	17	8,200	2	20,000	2
Ohio	1,701,539	70	1,111,949	50	561,371	19	28,219	1
Oklahoma	595,998	18	374,424	17	221,574	1	0	0
Oregon	482,710	48	324,198	36	153,012	11	5,500	1
Pennsylvania	1,727,629	95	1,353,953	75	319,485	17	54,191	3
Puerto Rico	606,000	8	606,000	8	0	0	0	0
Rhode Island	233,753	8	198,487	7	35,266	1	0	0
So. Carolina	415,459	25	330,798	20	58,600	4	26,061	1
So. Dakota	259,000	20	259,000	20	0	0	0	0
Tennessee	306,750	16	204,001	11	64,160	3	0	0
Texas	1,777,495	54	1,557,406	47	220,089	7	0	0
Utah	347,999	9	327,999	8	20,000	1	0	0
Vermont	205,860	29	205,860	29	0	0	0	0
Virgin Is.	16,000	2	16,000	2	0	0	0	0
Virginia	1,046,398	60	571,398	35	475,000	25	0	0
Washington	754,000	44	599,692	38	70,668	3	83,640	3
West Virginia	371,250	21	348,230	20	23,020	1	0	0
Wisconsin	909,790	19	724,352	17	185,438	2	0	0
Wyoming	176,999	25	176,999	25	0	0	0	0

Table 5: PRIORITY PROGRAMS, PERCENT OF ALL SUBGRANTS, FY 86^a

State	Sexual Assault			Spouse Abuse			Child Abuse		
	Amount	No.	% ^b	Amount	No.	% ^b	Amount	No.	% ^b
Total	\$12,216,864	530	34.7%	\$16,018,148	721	45.4%	\$9,779,512	375	27.7%
Alabama	142,038	4	20.3%	449,961	9	64.3%	321,235	4	45.9%
Alaska	130,900	8	74.8%	175,000	10	100.0%	0	0	0.0%
Arizona	96,750	6	17.9%	332,500	17	61.7%	92,000	5	17.1%
Arkansas	81,844	5	19.0%	188,875	9	43.9%	93,648	4	21.8%
California	1,185,134	18	38.4%	522,146	9	16.9%	387,100	4	12.6%
Colorado	158,957	9	27.7%	227,728	20	39.6%	111,813	6	19.5%
Connecticut	62,612	11	11.1%	242,842	18	43.1%	258,000	1	45.8%
Delaware	0	0	0.0%	42,866	2	28.8%	39,900	2	26.8%
Florida	594,931	14	35.8%	598,905	15	36.0%	197,235	5	11.9%
Georgia	315,467	8	36.7%	555,947	15	64.7%	445,310	9	51.8%
Hawaii	147,684	2	57.7%	147,684	2	57.7%	49,229	1	19.2%
Idaho	121,368	7	48.4%	158,446	7	63.1%	85,710	6	34.1%
Illinois	348,149	23	27.0%	352,252	34	27.3%	283,100	38	21.9%
Indiana	11,752	2	5.3%	125,949	7	57.0%	58,416	2	26.4%
Iowa	150,676	10	29.1%	374,434	20	72.3%	149,415	9	28.8%
Kansas	165,407	11	35.4%	316,435	19	67.8%	143,500	7	30.7%
Kentucky	184,415	7	29.3%	269,020	12	42.7%	290,618	12	46.1%
Louisiana	152,275	9	22.7%	301,319	14	44.9%	210,563	10	31.4%
Maine	29,380	6	14.1%	81,500	9	39.1%	78,965	7	37.9%
Maryland	191,090	8	33.1%	241,432	11	41.9%	208,286	11	36.1%
Massachusetts	365,692	11	37.8%	368,982	11	38.1%	258,677	5	26.7%
Michigan	549,007	18	41.4%	765,510	30	57.7%	398,798	11	30.1%
Minnesota	214,206	24	29.1%	187,656	18	25.5%	137,867	13	18.8%
Mississippi	133,106	3	29.3%	350,301	8	77.1%	342,799	7	75.5%
Missouri	106,747	3	21.2%	291,075	7	57.7%	51,057	1	10.1%
Montana	64,000	4	28.6%	134,740	8	60.2%	108,000	6	48.2%
Nebraska	125,512	8	36.7%	153,637	13	44.9%	50,130	3	14.7%
Nevada	108,641	3	81.3%	94,641	2	70.8%	0	0	0.0%
New Hampshire	48,535	3	21.7%	146,035	11	65.4%	80,717	4	36.2%
New Jersey	336,500	7	53.6%	423,350	9	67.4%	277,775	6	44.2%
New Mexico	43,500	2	23.7%	0	0	0.0%	35,000	1	19.1%
New York	641,049	18	24.4%	717,947	22	27.3%	200,542	6	7.6%
No. Carolina	441,503	12	46.3%	777,012	16	81.6%	384,021	10	40.3%
No. Dakota	115,695	10	56.4%	124,000	11	60.4%	73,060	7	35.6%
Ohio	287,056	12	16.9%	728,474	34	42.8%	159,231	7	9.4%
Oklahoma	208,065	9	34.9%	236,269	11	39.6%	168,303	7	28.2%
Oregon	132,834	15	27.5%	190,314	26	39.4%	150,788	12	31.2%
Pennsylvania	728,968	37	42.2%	864,535	49	50.0%	421,533	28	24.4%
Puerto Rico	195,000	2	32.2%	296,000	4	48.8%	606,000	8	100.0%
Rhode Island	82,552	2	35.3%	116,242	4	49.7%	166,417	6	71.2%
So. Carolina	128,673	9	31.0%	166,892	9	40.2%	109,382	5	26.3%
So. Dakota	89,000	9	34.4%	239,000	18	92.3%	158,000	5	61.0%
Tennessee	32,000	2	10.4%	130,965	7	42.7%	69,036	4	22.5%
Texas	860,199	27	48.4%	1,011,479	29	56.9%	600,881	18	33.8%
Utah	128,282	4	36.9%	162,242	4	46.6%	174,649	4	50.2%
Vermont	92,610	12	45.0%	68,250	15	33.2%	45,000	2	21.9%
Virginia	247,947	16	23.7%	318,366	19	30.4%	270,171	19	25.8%
Washington	348,600	29	46.2%	377,931	20	50.1%	94,161	4	12.5%
W. Virginia	227,627	12	61.3%	211,290	12	56.9%	252,355	13	68.0%
Wisconsin	689,617	15	75.8%	486,460	11	53.5%	416,369	8	45.8%
Wyoming	173,312	24	97.9%	173,312	24	97.9%	14,750	2	8.3%

^a Programs serving one or more priority category.^b Percent of total amount of subgrants.

Table 6: PROGRAMS SERVING PRIORITY VICTIMS, FY 86

	Total Priority Programs		Sexual Assault Only		Spouse Abuse Only		Child Abuse Only	
	Amount	No.	Amount	No.	Amount	No.	Amount	No.
Total	\$27,060,941	1,214	\$5,129,646	240	\$8,629,079	427	\$4,724,927	219
Alabama	700,000	13	87,438	3	291,327	6	162,601	1
Alaska	175,000	10	0	0	44,100	2	0	0
Arizona	469,750	24	62,250	3	281,000	13	75,000	4
Arkansas	336,580	15	74,625	4	168,307	7	73,080	2
California	2,094,380	31	1,185,134	18	522,146	9	387,100	4
Colorado	448,318	33	108,777	7	177,548	18	111,813	6
Connecticut	563,454	30	62,612	11	242,842	18	258,000	1
Delaware	82,766	4	0	0	42,866	2	14,600	1
Florida	1,068,110	26	307,070	7	365,548	9	107,631	3
Georgia	688,366	19	0	0	131,168	7	10,500	1
Hawaii	147,684	2	0	0	0	0	0	0
Idaho	251,000	14	29,027	2	91,329	4	38,303	3
Illinois	983,501	95	348,149	23	352,252	34	283,100	38
Indiana	137,701	9	5,276	1	74,009	6	0	0
Iowa	518,000	29	20,091	1	243,849	11	123,475	8
Kansas	428,775	26	18,340	3	169,368	11	94,000	4
Kentucky	579,007	25	113,814	4	109,906	7	196,173	9
Louisiana	621,121	29	115,689	6	292,869	12	175,977	8
Maine	189,845	22	29,380	6	81,500	9	78,965	7
Maryland	482,365	24	52,433	3	102,775	6	188,500	10
Massachusetts	701,456	20	235,806	7	184,483	7	71,668	1
Michigan	1,326,549	50	313,313	12	529,816	24	247,726	8
Minnesota	524,729	52	204,206	22	182,656	17	127,867	11
Mississippi	454,228	11	34,711	1	76,718	3	69,216	2
Missouri	346,765	9	55,690	2	240,018	6	0	0
Montana	199,740	12	8,000	1	58,740	4	57,000	3
Nebraska	153,637	13	0	0	28,125	5	0	0
Nevada	133,641	4	39,000	2	25,000	1	0	0
New Hampshire	223,217	16	22,500	2	120,000	10	54,682	3
New Jersey	423,350	9	0	0	40,000	1	0	0
New Mexico	43,500	2	8,500	1	0	0	0	0
New York	1,167,357	34	330,505	9	423,839	13	72,964	2
No. Carolina	929,243	20	14,035	1	473,243	7	14,497	1
No. Dakota	177,060	17	0	0	15,305	2	46,060	5
Ohio	1,111,949	50	240,052	10	681,470	32	143,423	6
Oklahoma	374,424	17	31,536	2	41,365	3	106,619	4
Oregon	324,198	36	36,884	3	74,136	12	97,000	7
Pennsylvania	1,353,953	75	237,746	10	524,506	26	77,444	10
Puerto Rico	606,000	8	0	0	0	0	115,000	2
Rhode Island	198,487	7	0	0	32,070	1	51,345	2
So. Carolina	330,798	20	81,229	7	119,448	7	82,677	4
So. Dakota	259,000	20	0	0	12,000	6	20,000	2
Tennessee	204,001	11	18,000	1	116,965	6	55,036	3
Texas	1,557,406	47	139,111	5	323,846	8	348,557	11
Utah	327,999	8	31,040	1	65,000	1	134,717	3
Vermont	205,860	29	92,610	12	68,250	15	45,000	2
Virgin Is.	16,000	2	0	0	0	0	0	0
Virginia	571,398	35	108,810	7	140,643	7	144,222	9
Washington	599,692	38	127,600	14	156,931	5	94,161	4
West Virginia	348,230	20	44,500	3	51,375	4	69,228	4
Wisconsin	724,352	17	50,470	2	34,735	2	0	0
Wyoming	176,999	25	3,687	1	3,687	1	0	0

Table continued on next page . . .

Table 6: PROGRAMS SERVING PRIORITY VICTIMS, FY 86—Continued

	Sexual Assault & Spouse Abuse		Sexual Assault & Child Abuse		Spouse Abuse & Child Abuse		Sex. Aslt, Spouse Ab. & Child Abuse	
	Amount	No.	Amount	No.	Amount	No.	Amount	No.
Total	\$3,391,890	167	\$1,075,406	30	1,421,077	34	2,688,916	97
Alabama	0	0	0	0	104,034	2	54,600	1
Alaska	130,900	8	0	0	0	0	0	0
Arizona	34,500	3	0	0	17,000	1	0	0
Arkansas	0	0	0	0	13,349	1	7,219	1
California	0	0	0	0	0	0	0	0
Colorado	50,180	2	0	0	0	0	0	0
Connecticut	0	0	0	0	0	0	0	0
Delaware	0	0	25,300	1	0	0	0	0
Florida	198,257	5	54,504	1	0	0	35,100	1
Georgia	15,074	1	25,105	1	203,537	2	302,982	7
Hawaii	98,455	1	0	0	0	0	49,229	1
Idaho	44,934	2	25,224	2	0	0	22,183	1
Illinois	0	0	0	0	0	0	0	0
Indiana	0	0	6,476	1	51,940	1	0	0
Iowa	86,645	7	0	0	0	0	43,940	2
Kansas	97,567	5	0	0	0	0	49,500	3
Kentucky	64,669	2	0	0	88,513	2	5,932	1
Louisiana	2,000	1	28,136	1	0	0	6,450	1
Maine	0	0	0	0	0	0	0	0
Maryland	118,871	4	0	0	0	0	19,786	1
Massachusetts	22,490	1	25,000	1	79,613	1	82,396	2
Michigan	84,622	3	0	0	0	0	151,072	3
Minnesota	0	0	5,000	1	0	0	5,000	1
Mississippi	0	0	0	0	175,188	3	98,395	2
Missouri	0	0	0	0	0	0	51,057	1
Montana	25,000	1	0	0	20,000	1	31,000	2
Nebraska	75,382	5	0	0	0	0	50,130	3
Nevada	69,641	1	0	0	0	0	0	0
New Hampshir	0	0	0	0	0	0	26,035	1
New Jersey	105,575	2	0	0	46,850	1	230,925	5
New Mexico	0	0	35,000	1	0	0	0	0
New York	212,471	6	45,941	1	29,505	1	52,132	2
No. Carolina	57,944	2	123,699	2	0	0	245,825	7
No. Dakota	88,695	8	7,000	1	0	0	20,000	1
Ohio	31,196	1	0	0	0	0	15,808	1
Oklahoma	133,220	5	0	0	18,375	1	43,309	2
Oregon	62,390	9	0	0	20,228	2	33,560	3
Pennsylvania	170,168	11	174,228	6	23,035	2	146,826	10
Puerto Rico	0	0	195,000	2	296,000	4	0	0
Rhode Island	0	0	30,900	1	32,520	2	51,652	1
So. Carolina	20,739	1	0	0	0	0	26,705	1
So. Dakota	89,000	9	0	0	138,000	3	0	0
Tennessee	0	0	0	0	0	0	14,000	1
Texas	493,568	16	58,259	2	24,804	1	169,261	4
Utah	57,310	2	0	0	0	0	39,932	1
Vermont	0	0	0	0	0	0	0	0
Virgin Is.	0	0	0	0	0	0	16,000	2
Virginia	51,774	2	0	0	38,586	3	87,363	7
Washington	221,000	15	0	0	0	0	0	0
West Virginia	0	0	23,212	1	0	0	159,915	8
Wisconsin	222,778	5	187,422	4	0	0	228,947	4
Wyoming	154,875	21	0	0	0	0	14,750	2

Table 7: VOCA PERCENTAGE OF PROGRAM FUNDING, FY 86

	No. ^a Sub- grants	0 - 10%		11 - 25%		26 - 50%		51 - 75%		75% +	
		No.	Perc	No.	Perc	No.	Perc	No.	Perc	No.	Perc
Total	1,428	433	30%	418	29%	361	25%	168	12%	48	3%
Alabama	13	2	15%	3	23%	6	46%	2	15%	0	0%
Alaska	10	8	80%	2	20%	0	0%	0	0%	0	0%
Arizona	29	9	31%	10	34%	6	20%	3	10%	1	3%
Arkansas	20	6	30%	5	25%	6	30%	1	5%	2	10%
California	26	0	0%	4	15%	12	46%	10	38%	0	0%
Colorado	38	5	13%	0	0%	11	28%	17	44%	5	13%
Connecticut	44	28	63%	14	31%	1	2%	1	2%	0	0%
Delaware	7	6	85%	1	14%	0	0%	0	0%	0	0%
Florida	41	8	19%	17	41%	11	26%	3	7%	2	4%
Georgia	30	1	3%	9	30%	19	63%	1	3%	0	0%
Hawaii	3	0	0%	1	33%	2	66%	0	0%	0	0%
Idaho	15	2	13%	7	46%	5	33%	1	6%	0	0%
Illinois	104	52	50%	23	22%	14	13%	15	14%	0	0%
Indiana	17	2	11%	5	29%	6	35%	4	23%	0	0%
Iowa	22	5	22%	10	45%	4	18%	3	13%	0	0%
Kansas	27	6	22%	8	29%	9	33%	4	14%	0	0%
Kentucky	23	7	30%	4	17%	4	17%	7	30%	1	4%
Louisiana	30	11	36%	8	26%	9	30%	2	6%	0	0%
Maine	23	5	21%	11	47%	4	17%	3	13%	0	0%
Maryland	27	12	44%	13	48%	1	3%	1	3%	0	0%
Massachusetts	33	22	66%	6	18%	2	6%	1	3%	2	6%
Michigan	47	11	23%	22	46%	9	19%	3	6%	2	4%
Minnesota	46	28	60%	10	21%	7	15%	1	2%	0	0%
Mississippi	10	1	10%	4	40%	4	40%	1	10%	0	0%
Missouri	13	0	0%	4	30%	7	53%	1	7%	1	7%
Montana	13	1	7%	2	15%	5	38%	4	30%	1	7%
Nebraska	14	1	7%	3	21%	5	35%	4	28%	1	7%
Nevada	1	1	100%	0	0%	0	0%	0	0%	0	0%
New Hampshire	19	0	0%	12	63%	7	36%	0	0%	0	0%
New Jersey	2	1	50%	1	50%	0	0%	0	0%	0	0%
New York	71	14	19%	19	26%	28	39%	9	12%	1	1%
No. Carolina	21	0	0%	4	19%	16	76%	1	4%	0	0%
No. Dakota	23	9	39%	8	34%	4	17%	1	4%	1	4%
Ohio	62	26	41%	18	29%	11	17%	6	9%	1	1%
Oklahoma	18	3	16%	6	33%	8	44%	1	5%	0	0%
Oregon	50	17	34%	13	26%	16	32%	3	6%	1	2%
Pennsylvania	96	34	35%	42	43%	17	17%	3	3%	0	0%
Puerto Rico	10	1	10%	2	20%	4	40%	2	20%	1	10%
Rhode Island	8	2	25%	4	50%	2	25%	0	0%	0	0%
So. Carolina	33	18	54%	7	21%	5	15%	2	6%	1	3%
So. Dakota	19	13	68%	3	15%	3	15%	0	0%	0	0%
Tennessee	22	7	31%	9	40%	4	18%	2	9%	0	0%
Texas	57	1	1%	4	7%	11	19%	18	31%	23	40%
Utah	11	5	45%	3	27%	2	18%	1	9%	0	0%
Vermont	15	3	20%	7	46%	4	26%	0	0%	1	6%
Virgin Island	1	0	0%	1	100%	0	0%	0	0%	0	0%
Virginia	59	10	16%	14	23%	16	27%	19	32%	0	0%
Washington	41	13	31%	12	29%	15	36%	1	2%	0	0%
West Virginia	22	4	18%	9	40%	6	27%	3	13%	0	0%
Wisconsin	18	1	5%	5	27%	9	50%	3	16%	0	0%
Wyoming	24	11	45%	9	37%	4	16%	0	0%	0	0%

^a These figures were taken from a different (and earlier) database thus resulting in slightly totals from those cited in Chapter 4 of the report.

APPENDIX E

FEDERAL VICTIMS OF CRIME

The following includes a copy of the Attorney General's Guidelines for Victim and Witness Assistance, a copy of the survey sent to prosecutors, and data obtained from the United States Attorney's offices concerning the implementation of the Guidelines.



Office of the Attorney General
Washington, D. C. 20530

GUIDELINES FOR VICTIM AND WITNESS ASSISTANCE

I. GENERAL CONSIDERATIONS

A. Background

The Victim and Witness Protection Act of 1982 (VWPA), Public Law 97-291, was enacted "to enhance and protect the necessary role of crime victims and witnesses in the criminal justice process; to ensure that the federal government does all that is possible within limits of available resources to assist victims and witnesses of crime without infringing on the constitutional rights of defendants; and to provide a model for legislation for state and local governments." Section 6 of the VWPA requires the Attorney General to develop and implement guidelines for the Department of Justice consistent with the purposes of the Act.

These guidelines set forth procedures to be followed in responding to the needs of crime victims and witnesses. They are intended to ensure that responsible officials, in the exercise of their discretion, treat victims and witnesses fairly and with understanding. The guidelines are also intended to enhance the assistance which victims and witnesses provide in criminal cases and to assist victims in recovering from their injuries and losses to the fullest extent possible consistent with available resources.

Finally, in addition to implementing Section 6 of the VWPA, these guidelines also reflect the view of the Department of Justice that the needs and interests of victims and witnesses have not received appropriate consideration in the federal criminal justice system. Thus, these guidelines incorporate victim and witness assistance concepts beyond those set out in the VWPA, in particular, pertinent recommendations of the President's Task Force on Victims of Crime.

B. Application

These guidelines apply to those components of the Department of Justice engaged in the detection, investigation or prosecution of crimes. They are intended to apply in all cases in which individual victims are adversely affected by criminal conduct or in which witnesses provide information regarding criminal activity. Of course, these guidelines do not apply to individuals involved or reasonably believed to have been involved in the criminal offense. Under these guidelines, special attention should be paid to victims and witnesses who have suffered physical, financial or emotional trauma as a result of violent criminal activity. The amount and degree of assistance provided will, of course, vary according to the individual's needs and circumstances.

C. Definitions

1. A "victim" is generally defined as someone who suffers direct or threatened physical, emotional or financial harm as the result of the commission of a crime. The term "victim" also includes the immediate family of a minor or a homicide victim.

Federal departments and agencies shall not be considered a "victim" for purposes of Part II of these guidelines.

It should be noted that, because of the nature of federal criminal cases, it will often be difficult to identify the victim or victims of the offense. In many cases, there will be multiple victims. The provision of assistance in such circumstances must be determined on a case-by-case basis.* In some cases, extension of the full range of victim services would be inappropriate because of the nature of the victim. Sound judgment will, therefore, be required to make intelligent decisions as to the degree of victim services and assistance given. Department personnel should always err on the side of providing rather than withholding assistance.

2. A "witness" is defined as someone who has information or evidence concerning a crime, and provides information regarding his knowledge to a law enforcement agency. Where the witness is a minor, the term "witness" includes an appropriate family member. The term "witness" does not include defense witnesses or those individuals involved in the crime as a perpetrator or accomplice.

3. A "serious crime" is defined as a criminal offense that involves personal violence, attempted or threatened personal violence or significant property loss.

* Victim assistance should not be denied solely because there are multiple victims of an offense. For example, in a federal case involving a large-scale fraud scheme, it may be possible to extend victim services and assistance to a representative or representatives of the many victims of the crime.

D. Responsibility

The responsibility to decide whether the provisions discussed in Part II of these guidelines should be applied initially or should be continued in a particular case is shared between that component of the Department responsible for investigating violations of federal law and the United States Attorneys' offices or Department attorneys who are responsible for prosecuting the perpetrators when they are identified. In cases where the United States or the public generally are the victims, victim services will normally be inappropriate (e.g., tax evasion and narcotics trafficking); but in virtually all cases there will be witnesses who will be entitled to witness services.

For cases in which the United States Attorney's office has become involved, the responsible official shall be the United States Attorney in whose district the prosecution is pending. For cases in which a litigating division of the Department of Justice is solely responsible, the responsible official shall be the chief of the section having responsibility for the case. The Department attorney handling the case shall perform the same duties under these guidelines as are required of an Assistant United States Attorney.

For cases under investigation, but in which the United States Attorney's office or Department of Justice litigating division has not assumed responsibility, application of these guidelines will be the responsibility of the following officials:

1. With respect to offenses under investigation by the Federal Bureau of Investigation, the responsible official shall be the Special Agent in Charge of the Division having primary responsibility for conducting the investigation;

2. With respect to offenses under investigation by the Drug Enforcement Administration, the responsible official shall be the Special Agent in Charge of the office having primary responsibility for the investigation; and

3. With respect to offenses under investigation by the Immigration and Naturalization Service, the responsible official shall be the District Director or Chief Patrol Agent of the office having primary responsibility for conducting the investigation.

The responsibility for deciding that the provisions of Part II should be applied or continued may be delegated. The component of the Department making the decision that the provisions of Part II should apply or continue to be applied must ensure that they are in fact applied either through its own resources or through coordination with other components of the Department or other agencies.

United States Attorneys' offices, litigating divisions and investigative agencies shall designate or employ one or more persons specifically for the purpose of carrying out the provisions of Part II. Smaller offices or components may have no need for such a victim-witness coordinator on a full-time basis. In every office, however, each responsible official shall designate one individual as the primary contact for victim-witness services.

All components of the Department shall cooperate with one another to the maximum extent possible in providing the services described in Part II. All components of the Department shall keep on file a written description of the procedures and materials used to provide assistance to victims and witnesses in individual cases. All components of the Department shall work with appropriate components of other federal agencies that investigate violations of federal law to assist them in providing services to victims and witnesses consistent with those described in Part II. Finally, all components of the Department shall take all steps necessary to coordinate their victim-witness service efforts with State and local law enforcement officials. Coordination of these efforts will take place, at minimum, through the Law Enforcement Coordinating Committees (LECC).

Where a victim or witness resides outside the judicial district in which the case is being prosecuted, the United States Attorney in the prosecuting district (or section chief of the litigating division) may, if necessary, seek the assistance of the United States Attorney's office in the district of residence in counseling, assisting or consulting with the victim or witness.

II. SERVICES TO VICTIMS AND WITNESSES

The responsible official should ensure that the following services are provided and that personal contact is initiated with victims and witnesses whenever possible.

A. Referral Services

Victims should receive information by the most appropriate and timely means, regarding available assistance. Depart-

ment personnel should assist victims in contacting, where appropriate, the specific person or office which will provide the following:

1. Emergency medical and/or social services;
2. Compensation for which the victim may be entitled under applicable law and how to begin the process of applying for it; and
3. The availability of appropriate public or private programs that provide counseling, treatment, or support.

Victim witness assistance coordinators should develop and maintain accurate resource materials that identify available counseling and treatment programs in their jurisdictions.

B. Information Services

Victims and witnesses of serious crimes who provide a current address or telephone number should be advised of the following information in a timely manner. As a general rule, investigative components will be responsible for points 1 and 2, and prosecutive components for points 3 through 11.

1. Steps that may, if warranted, be taken to protect the victim, his family, and witnesses from intimidation;
2. The arrest or formal charging of the accused;
3. Scheduling changes and/or continuances affecting their appearance or attendance at judicial proceedings;
4. The release or detention status of the accused;
5. The acceptance of a plea of guilty or nolo contendere or the results of a trial;

6. The date set for sentencing if the defendant is found guilty;

7. The sentence imposed including the date on which the defendant may be eligible for parole; and

8. For victims, the opportunity to address the court at the time of sentencing.

If the victim or witness has requested notice and has provided the responsible official with a current address or telephone number, he or she shall be advised in advance of the defendant's release from custody. In the event of an escape by the defendant, such victim or witness shall be apprised as soon as practicable. Moreover, a victim should be notified in advance of any parole hearing under the procedures specified above.

C. Consultation Services

Consistent with the interests of justice, Department officials should consult victims of serious crimes to obtain their views and provide explanations regarding the following:

1. The release of the accused pending judicial proceedings and the conditions thereof;

2. The decision not to seek an indictment or otherwise commence a prosecution;

3. The proposed dismissal of any or all charges, including dismissal in favor of State prosecution;

4. Any continuance of a judicial proceeding;

5. The proposed terms of any negotiated plea including any sentencing recommendation to be made by the prosecutor;

6. The proposed placement of the accused in a pretrial diversion program;

7. The proposed proceeding against the accused as a juvenile defendant;

8. Restitution as described in Part IV; and

9. Presentation to the court of the victim's views regarding sentencing.

It is recognized that consultation services must be limited in some cases to avoid endangering the life or safety of a witness, jeopardizing an ongoing investigation or official proceeding or disclosing classified or privileged information.

D. Other Services

In addition to the services described above, additional assistance should be extended as follows:

1. Department officials should avoid, to the extent possible, disclosing the addresses of victims and witnesses. Prosecutors should resist attempts by the defense to obtain the addresses of victims and witnesses;

2. To the extent possible, victims and other witnesses for the prosecution who are called as witnesses in any judicial or administrative proceeding should be afforded a waiting area, removed from and out of sight and earshot of the defendant and defense witnesses;

3. Property of any victim or witness which is held for evidentiary purposes should be maintained in good condition and promptly returned. If the property is not to be returned promptly, an explanation should be given to the victim or witness

as to the property's significance in any criminal prosecution;

4. Upon request by a victim or witness, the responsible official should assist in notifying:

a. The employer of the victim or witness if his cooperation in the investigation or prosecution of the crime causes his absence from work; and

b. The creditors of the victim or witness, where appropriate, if the crime or his cooperation in its investigation or prosecution affects his ability to make timely payments;

5. Responsible officials should establish programs to assist Department employees who are victims of crime;

6. Victims and witnesses should be provided information or assistance with respect to transportation, parking, translator services and related services; and

7. Responsible officials shall ensure that sexual assault victims are not required to assume the cost of physical examinations and materials used to obtain evidence; if a victim is billed for such an examination or materials, the victim shall be reimbursed therefor by the appropriate component of the Department.

III. Victim Impact Statement

The responsible official should ensure that the appropriate U. S. Probation Officer is fully advised of the information in his possession pertinent to preparation of the victim impact statement required by Rule 32(c)(2) of the Federal Rules of Criminal Procedure so that the report will fully reflect the effects of the crime upon victims as well as the appropriateness

and amount of restitution. The victim should be apprised that the Probation Officer is required to prepare a victim impact statement which includes a provision on restitution. The victim should be advised as to how to communicate directly with the Probation Officer if he or she so desires. Consistent with available resources and their other responsibilities, federal prosecutors should advocate the interests of victims at the time of sentencing.

IV. Restitution

Restitution may be ordered under 18 U.S.C. 3579. Consistent with available resources and their other responsibilities, federal prosecutors should advocate fully the rights of victims on the issue of restitution unless such advocacy would unduly prolong or complicate the sentencing proceeding.

V. Obstruction of Justice

Victims or witnesses should routinely receive information on the prohibition against victim or witness intimidation and harassment and the remedies therefor. The responsible official should, if warranted, advise the component of the Department having the enforcement responsibilities as set forth in 28 C.F.R. 0.179a, of instances involving intimidation or harassment of any victim or witness.

VI. Training

All components of the Department of Justice covered by the provisions of these guidelines should, beginning not later than 30 days after the issuance of these guidelines, provide training to existing and new employees concerning their responsibilities

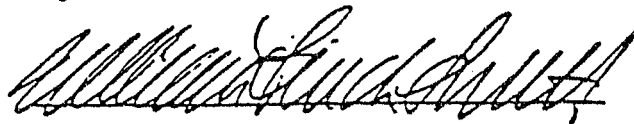
in carrying out these guidelines and provide written instructions to appropriate subcomponents to ensure that the provisions of this part are implemented.

Further, all training units conducted or supported by the Department of Justice shall develop programs which address victim assistance from the perspective of the personnel they train. These units include the FBI Academy at Quantico, the Attorney General's Advocacy Institute, and field training conducted by the FBI and DEA. Through agreements between the Departments of Justice and Treasury, similar efforts shall be undertaken at the Federal Law Enforcement Training Center at Glynco, Georgia.

VII. Non-Litigability

These guidelines provide only internal Department of Justice guidance. They are not intended to, do not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter civil or criminal. Nor are any limitations hereby placed on otherwise lawful litigative prerogatives of the Department of Justice. Rather, these guidelines are intended to ensure that responsible officials, in the exercise of their discretion, treat victims and witnesses fairly and with understanding.

Approved this 9th day of July, 1983.



William French Smith

Attorney General

COMPLIANCE SURVEY FOR U.S. FEDERAL PROSECUTORS

Pursuant to the Victim and Witness Protection Act of 1982, P.L. 97-291, and the Attorney General's Guidelines for Victim and Witness Assistance, signed July 9, 1983, this survey is designed to assess the level of compliance with the requirements to meet the needs of victims of serious crime. Under the Victims of Crime Act, 42 U.S.C. 10603(c)(3)(A) as amended, the Assistant Attorney General, Office of Justice Programs, has the responsibility for monitoring compliance by Federal law enforcement officials with the Attorney General's guidelines.

The definitions of "victims," "witnesses," and "serious crime" provided in the Attorney General's Guidelines should be followed in completing this survey. The term "staff" refers to all staff in the U.S. Attorney's Office, including Assistant U.S. Attorneys and Victim/Witness Coordinators/LECC coordinators.

(Note: Please elaborate, if desired, on any question at the conclusion of this survey.)

1. How many criminal cases did your office accept for prosecution for calendar year 1986?

Total cases = _____

- 1.1 Estimate the total number of cases to which the Attorney General's Guidelines apply:

Total cases = _____

- 1.2 Estimate the total number of victims to which the Attorney General's Guidelines apply:

Number of Victims = _____

- 1.3 Estimate the total number of witnesses to which the Attorney General's Guidelines apply:

Number of Witnesses = _____

Comments: _____

NOTE: QUESTIONS 2 THROUGH 8 APPLY ONLY TO CASES TO WHICH THE GUIDELINES APPLY.

2. How often does your staff provide the following information to victims and witnesses of serious crime, who provide a current address or telephone number:

2.1 notify witnesses of scheduling changes and/or continuances affecting appearance at hearings?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

2.2 notify victims of the apprehension, release, or detention of the accused?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

2.3 advise victims and/or witnesses of a plea agreement or trial results?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

2.4 advise victims and/or witnesses of sentencing hearing dates?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

2.5 advise victims of their right to include statements/speak at sentencing?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

2.6 explain to victims the ramifications of sentence (i.e. actual time to be served, date of parole eligibility)?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

Comments: _____

3. When a victim or witness requests it, how often does your staff provide the necessary information about them (name, address, telephone number) to the Victim/Witness Coordinator or the Bureau of Prisons, so that they may notify the victim or witness:

3.1 immediately, or as soon as practical, of the release from custody or escape of the defendant?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

3.2 of parole hearing dates, times, and places?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

Comments: _____

4. Victim/Witness Coordinators should develop and maintain accurate resource materials that identify available counseling and treatment programs in their jurisdictions. How often does your staff provide victims with information or referrals in regard to the following services:

4.1 compensation for which the victim may be entitled under applicable law and how to apply for such compensation:

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

4.2 the availability of appropriate public or private programs that provide counseling, treatment, or support?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

4.3 transportation, parking, translator services and related services?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

Comments; _____

5. How often does your staff consult with victims of serious crime to obtain their views and provide explanations in regard to:

5.1 the pretrial/disposition release of the defendant and the conditions of such release?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

5.2 the decision not to seek an indictment or otherwise prosecute?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

5.3 the proposed dismissal of any or all charges, including dismissal in favor of State prosecution?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

5.4 continuances in the judicial proceedings?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

5.5 proposed terms of any negotiated plea agreement, including the prosecution's sentencing recommendations?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

5.6 the proposed placement of the accused in a pretrial diversion program?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

5.7 the proposed proceedings against the accused as a juvenile defendant?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

5.8 the possibility that restitution may be ordered at sentence under 18 U.S.C. 3579 and their rights to restitution?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

5.9 presentation of the victim's views to the court regarding sentence?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

5.10 the significance of holding their property as evidence for prosecution and return it as soon as possible?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

Comments: _____

6. How often are victims' and witnesses' home addresses provided to the defense?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

Comments: _____

7. How often are victims and witnesses afforded a waiting area separate from defendant and defense witnesses during judicial and/or administrative proceedings?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

Comments: _____

8. How often does your office:

8.1 upon request, notify the employer of a victim or witness if his/her cooperation in the investigation or prosecution causes absence from work?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

8.2 ensure that the sexual assault victims do not pay for the cost of forensic examinations?

a. ___ Never b. ___ Sometimes c. ___ Frequently d. ___ Always

8.3 assist the Probation Officer in preparing a victim impact statement, which includes a provision on restitution?

a. Never b. Sometimes c. Frequently d. Always

8.4 when intimidation or harassment of a victim or witness is reported, notify the component of the Department having the enforcement responsibilities as set forth in 28 C.F.R. 0.79a?

a. Never b. Sometimes c. Frequently d. Always

Comments: _____

9. Does your office have a program to assist your own employees who are victims of crime?

yes no

Comments: _____

10. Does your office coordinate its victim/witness activities with State and local law enforcement officials and appropriate victim service providers?

yes no

11. Has your office provided training to existing and new employees concerning their responsibilities in carrying out these guidelines and provided written instructions to appropriate subcomponents to ensure that the guidelines are implemented?

yes no

Comments: _____

12. Please provide the following regarding the person who completed this survey:

Name: _____ Title: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: (____) _____

Date Completed: _____

13. Please provide additional comments regarding services, specific needs, and/or other anecdotal information which may be helpful in compiling the Attorney General's Report to Congress:

Lined area for providing comments.

Please return completed survey to: Jane Nady Burnley, Ph.D.
Director
Office for Victims of Crime
633 Indiana Avenue, N.W.
Washington, D.C. 20531

Please contact Bill Modzeleski, OVC, at (202) 272-6500 if you any questions or need assistance in completing this survey.

Table 1: Responses to Survey

	1) Estimate Total Number of Criminal Cases Accepted for Prosecution for <u>Calendar Year 1986</u>	1.1) Estimate Total Number of Cases to which Attorney General's Guidelines <u>Apply</u>	1.2) Number of Victims to which Attorney General's Guidelines <u>Apply</u>	1.3) Estimate Total Number of Witnesses Covered by Attorney General's Guidelines
Alabama				
Middle District	105	58	30	500
Northern District	313	235	175	1645
Southern District	a	a	a	a
Alaska	144	5	5	2
Arizona	629	275	550	960
Arkansas				
Eastern District	263	125	60	300
Western District	116	6	20	55
California				
Central District	1250	150	200	160
Eastern District	800	400	50	700
Northern District	2158	b	b	b
Southern District	1085	16	62	b
Colorado	385	150	100	3000
Connecticut	194	5	5	5
Delaware	110	37	135	50
District of Columbia	26,715 c	6,550 c	6,550 c	19,550 d
Florida				
Middle District	b	b	b	b
Northern District	534	220	50	a
Southern District	1443	137	384	640
Georgia				
Middle District	467	467	5	b
Northern District	651	164	328	1640
Southern District	136	136	17	882
Guam/Northern Mariana Is.	67	7	9	9
Hawaii	119	40	50	200
Idaho	162	5	6	65
Illinois				
Central District	212	106	106	1272
Northern District	1670	700	200	500
Southern District	380	86	100	150
Indiana				
Northern District	273	25	25	20
Southern District	190	100	100	1000
Iowa				
Northern District	223	40	60	200
Southern District	100	25	3	50

	<u>1) Estimate Total Number of Criminal Cases Accepted for Prosecution for Calendar Year 1986</u>	<u>1.1) Estimate Total Number of Cases to which Attorney General's Guidelines Apply</u>	<u>1.2) Number of Victims to which Attorney General's Guidelines Apply</u>	<u>1.3) Estimate Total Number of Witnesses Covered by Attorney General's Guidelines</u>
Kansas	368	185	130	520
Kentucky				
Eastern District	270	195	250	1000
Western District	476	280	334	1860
Louisiana				
Eastern District	333	103	500	750
Middle District	74	5	5	8
Western District	186	36	67	230
Maine	210	17	23	a
Maryland	574	212	75	528
Massachusetts	a	a	a	a
Michigan				
Eastern District	380	250	1000	1000
Western District	b	b	b	b
Minnesota	273	135	270	1200
Mississippi				
Northern District	81	34	61	85
Southern District	175	12	75	350
Missouri				
Eastern District	338	138	750	1500
Western District	a	a	a	a
Montana	302	127	152	128
Nebraska	262	20	29	110
Nevada	662	254	8	172
New Hampshire	162	40	5	100
New Jersey	360	150	50	175
New Mexico	412	74	92	592
New York				
Eastern District	1705	300	10	1000
Northern District	b	b	b	b
Southern District	a	a	a	a
Western District	325	25	30	55
North Carolina				
Eastern District	463	300	100	550
Middle District	227	45	180	210
Western District	300	100	350	500
North Dakota	85	33	40	160

	1) Estimate Total Number of Criminal Cases Accepted for Prosecution for <u>Calendar Year 1986</u>	1.1) Estimate Total Number of Cases to which Attorney General's Guidelies <u>Apply</u>	1.2) Number of Victims to which Attorney General's Guidelines <u>Apply</u>	1.3) Estimate Total Number of Witnesses Covered by Attorney General's Guidelines
Ohio				
Southern District	323	319	300	b
Northern District	400	40	75	60
Oklahoma				
Eastern District	100	40	20	120
Northern District	220	b	b	b
Western District	297	100	25	400
Oregon	361	216	225	3600
Pennsylvania				
Eastern District	886	645	b	b
Middle District	136	15	12	50
Western District	286	82	810	51
Puerto Rico	613	21	23	48
Rhode Island	a	a	a	a
South Carolina	584	375	350	3000
South Dakota	195	89	120	31
Tennessee				
Eastern District	260	39	39	b
Middle District	745	449	525	350
Western District	540	170	480	1000
Texas				
Eastern District	303	102	162	617
Northern District	b	b	b	b
Southern District	1616	500	500	2000
Western District	1134	101	197	175
Utah	526	29	250	400
Vermont	181	b	b	b
Virgin Islands	a	a	a	a
Virginia				
Eastern District	1059	110	10	100
Western District	a	a	a	a
Washington				
Eastern District	364	12	14	106
Western District	a	a .	a	a
West Virginia				
Northern District	a	a	a	a
Southern District	539	200	275	0

	1) Estimate Total Number of Criminal Cases Accepted for Prosecution for <u>Calendar Year 1986</u>	1.1) Estimate Total Number of Cases to which Attorney General's Guidelines <u>Apply</u>	1.2) Number of Victims to which Attorney General's Guidelines <u>Apply</u>	1.3) Estimate Total Number of Witnesses Covered by Attorney General's Guidelines <u>General's Guidelines</u>
Wisconsin				
Eastern District	208	162	54	871
Western District	95	80	40	800
Wyoming	148	121	121	141
TOTAL	61,754	17,019	23,579	60,265

- a Did not submit a questionnaire
- b Response not submitted or cannot be analyzed
- c D.C. Superior Court only
- d District Court only

Table 2: Responses to Survey

Total

2. How often does your staff provide the following information to victims and witnesses of serious crime, who provide a current address or telephone number:

- 77 2.1 notify witnesses of scheduling changes and/or continuances affecting appearance at hearings?
a. 0 Never b. 1 Sometimes c. 15 Frequently d. 61 Always
- 77 2.2 notify victims of the apprehension, release, or detention of the accused?
a. 0 Never b. 25 Sometimes c. 37 Frequently d. 15 Always
- 77 2.3 advise victims and/or witnesses of a plea agreement or trial results?
a. 0 Never b. 25 Sometimes c. 37 Frequently d. 15 Always
- 77 2.4 advise victims and/or witnesses of sentencing hearing dates?
a. 1 Never b. 15 Sometimes c. 42 Frequently d. 17 Always
- 77 2.5 advise victims of their right to include statements/speak at sentencing?
a. 4 Never b. 15 Sometimes c. 38 Frequently d. 20 Always
- 76 2.6 explain to victims the ramifications of sentence (i.e. actual time to be served, date of parole eligibility)?
a. 3 Never b. 33 Sometimes c. 29 Frequently d. 11 Always

Comments: _____

3. When a victim or witness requests it, how often does your staff provide the necessary information about them (name, address, telephone number) to the Victim/Witness Coordinator or the Bureau of Prisons, so that they may notify the victim or witness:

- 70 3.1 immediately, or as soon as practical, of the release from custody or escape of the defendant?
a. 5 Never b. 8 Sometimes c. 9 Frequently d. 48 Always
- 70 3.2 of parole hearing dates, times, and places?
a. 5 Never b. 9 Sometimes c. 12 Frequently d. 44 Always

Comments: _____

Total 4. Victim/Witness Coordinators should develop and maintain accurate resource materials that identify available counseling and treatment programs in their jurisdictions. How often does your staff provide victims with information or referrals in regard to the following services:

- 76 4.1 compensation for which the victim may be entitled under applicable law and how to apply for such compensation?
a. 2 Never b. 9 Sometimes c. 7 Frequently d. 15 Always
e. 43 Generally not applicable because of low number of relevant cases
(See Attorney General Guidelines)
- 71 4.2 the availability of appropriate public or private programs that provide counseling, treatment, or support?
a. 5 Never b. 23 Sometimes c. 27 Frequently d. 16 Always
- 74 4.3 transportation, parking, translator services and related services?
a. 0 Never b. 13 Sometimes c. 33 Frequently d. 28 Always

Comments: _____

5. How often does your staff consult with victims of serious crime to obtain their views and provide explanations in regard to:
- 72 5.1 the pretrial/disposition release of the defendant and the conditions of such release?
a. 4 Never b. 28 Sometimes c. 26 Frequently d. 14 Always
- 71 5.2 the decision not to seek an indictment or otherwise prosecute?
a. 6 Never b. 27 Sometimes c. 22 Frequently d. 16 Always
- 73 5.3 the proposed dismissal of any or all charges, including dismissal in favor of State prosecution?
a. 4 Never b. 29 Sometimes c. 24 Frequently d. 16 Always
- 75 5.4 continuances in the judicial proceedings?
a. 1 Never b. 18 Sometimes c. 27 Frequently d. 29 Always
- 75 5.5 proposed terms of any negotiated plea agreement, including the prosecution's sentencing recommendations?
a. 4 Never b. 25 Sometimes c. 34 Frequently d. 12 Always

Total

67 5.6 the proposed placement of the accused in a pretrial diversion program?
a. 5 Never b. 26 Sometimes c. 25 Frequently d. 11 Always

59 5.7 the proposed proceeding against the accused as a juvenile defendant?
a. 16 Never b. 20 Sometimes c. 15 Frequently d. 8 Always

75 5.8 the possibility that restitution may be ordered at sentence under 18
U.S.C. 3579 and their rights to restitution?
a. 1 Never b. 9 Sometimes c. 38 Frequently d. 27 Always

75 5.9 presentation of the victim's views to the court regarding sentence?
a. 4 Never b. 15 Sometimes c. 33 Frequently d. 23 Always

71 5.10 the significance of holding their property as evidence for prosecution
and return it as soon as possible?
a. 2 Never b. 10 Sometimes c. 35 Frequently d. 24 Always

Comments: _____

74 6. How often are victims' and witnesses' home addresses provided to the defense?
a. 39 Never b. 21 Sometimes c. 10 Frequently d. 4 Always

Comments: _____

76 7. How often are victims and witnesses afforded a waiting area separate from
defendant and defense witnesses during judicial and/or administrative
proceedings?
a. 2 Never b. 12 Sometimes c. 22 Frequently d. 40 Always

Comments: _____

8. How often does your office:

76 8.1 upon request, notify the employer of a victim or witness if his/her
cooperation in the investigation or prosecution causes absence from
work?
a. 2 Never b. 7 Sometimes c. 8 Frequently d. 59 Always

56 8.2 ensure that the sexual assault victims do not pay for the cost of
forensic examinations?
a. 10 Never b. 5 Sometimes c. 6 Frequently d. 35 Always

76 8.3 assist the Probation Officer in preparing a victim impact statement, which includes a provision on restitution?
a. 1 Never b. 9 Sometimes c. 23 Frequently d. 26 Always
e. 17 Generally not applicable

72 8.4 when intimidation or harassment of a victim or witness is reported, notify the component of the Department having the enforcement responsibilities as set forth in 28 C.F.R. 9-179a?
a. 7 Never b. 6 Sometimes c. 7 Frequently d. 52 Always

Comments: _____

76 9. Does your office have a program to assist your own employees who are victims of crime?
15 yes 61 no

Comments: _____

74 10. Does your office coordinate its victim/witness activities with State and local law enforcement officials and appropriate victim service providers?
58 yes 16 no

11. Has your office provided training to existing and new employees concerning their responsibilities in carrying out these guidelines and provided written instructions to appropriate subcomponents to ensure that the guidelines are implemented?

73 yes 53 no 20

Comments: _____

12. Please provide the following regarding the person who completed this survey:

Name: _____ Title: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: (_____) _____

Date Completed: _____

Item #	<u>Response of Frequently or Always</u> Total Response	Percentage
2.1	76/77 =	99%
2.2	52/77 =	68%
2.3	52/77 =	68%
2.4	59/77 =	77%
2.5	58/77 =	76%
2.6	58/76 =	77%
<hr/>		
3.1	57/70 =	82%
3.2	56/70 =	80%
<hr/>		
4.1	22/33 = (43 not applic)	67%
4.2	43/71 =	61%
4.3	61/74 =	83%
<hr/>		
5.1	40/72 =	56%
5.2	38/71 =	54%
5.3	40/73 =	55%
5.4	56/75 =	75%
5.5	46/75 =	62%
5.6	36/67 =	54%
5.7	23/59 =	39%
5.8	65/75 =	87%
5.9	56/75 =	75%
5.10	59/71 =	83%
<hr/>		
6.	14/74 =	19%
7.	62/76 =	82%
8.1	67/76 =	89%
8.2	41/56 =	74%
8.3	49/59 = (17 not applic)	83%
8.4	59/72 =	82%
9.	61/76 =	81%
10.	58/74 =	79%
11.	53/73 =	73%