

CAP TIPS #1 *To Improve Public Awareness*

How to Promote the 2009 National Crime Victims' Rights Week Theme

"25 Years of Rebuilding Lives: Celebrating the Victims of Crime Act"

Introduction

It is helpful to begin with an assumption that the general public, the news media, key allied professionals, and even many crime victims and survivors, are **not** aware of what the *Victims of Crime Act* (VOCA) is, and the powerful impact it has had on crime victims' rights and services in America. By beginning with this basic premise, you can help develop victim awareness and public messages relevant to the 2009 NCVRW theme that explains VOCA, how it has helped crime victims and the agencies that assist them, and has contributed to public safety in America.

What is VOCA, and What Does it Do?

Enacted in 1984, VOCA created a special **Crime Victims Fund** to be used exclusively to support important services for crime victims. The Fund consists entirely of fines and other penalties paid by Federal criminals. More than **\$9 billion** in Federal criminal fines and penalties have been deposited in the Crime Victims Fund through 2008. Most of these funds result from criminal prosecutions brought by United States Attorneys throughout the country.

NO taxpayer dollars are used for VOCA-supported victim services.

VOCA is the *only* Federal program that funds services to help victims of *all* types of crimes. Its hallmark has been its grants for a variety of victim services, including direct victim assistance and crime victim compensation programs.

NAVAA has prepared a Fact Sheet about the *Victims of Crime Act* that clearly describes how VOCA funds are used to support state VOCA victim assistance; state crime victim compensation programs; and victims of Federal crimes. It also includes a chart that describes VOCA allocations to each state over the past quarter-century for both victim assistance and crime victim compensation grants. The Fact Sheet can be downloaded at: http://cap.navaa.org/VOCA_Fact_Sheet.pdf. The Fact Sheet can be used as a handout at your NCVRW CAP events and activities, as an attachment to your press releases or simply as background information for introductions, speeches, invitations, etc.

General Themes for 2009 NCVRW

- VOCA is often viewed as a major “funding stream” for crime victim services and victim compensation but, in reality, it is *so much more!* VOCA has been a *catalyst* to promote awareness about the plight of crime victims, their rights and needs:
 - Prior to 1984, there were few laws that defined and protected victims’ rights. Today, all 50 states have “Victims’ Bills of Rights;” and 33 states have constitutional amendments that clarify how victims should be treated within their states’ justice systems.
 - The passage of VOCA in 1984 provided an impetus for the Office for Victims of Crime, U.S. Department of Justice – created the year before – to create Federal leadership for crime victims’ rights and services, and to begin to develop “promising practices” to guide the development of a then-nascent victim assistance field.
 - Through OVC discretionary grant programs and other VOCA- supported initiatives, efforts to promote collaboration among victim assistance, justice and allied professionals – both system- and community-based – have been enhanced.
 - Before VOCA there were virtually no services for victims of Federal crimes. Today, there are victim service professionals in all U.S. Attorneys’ Offices and FBI field offices.
 - In pre-VOCA days, victim services on Native American reservations were largely ignored. Today, VOCA funded services are provided through OVC discretionary funds and through the OVC-administered Children’s Justice Act Partnerships for Indian Communities.

- The brilliance of VOCA is that its funds are derived *not* from taxpayers’ dollars, but from fines and fees assessed against convicted Federal offenders. This links directly to *offender accountability* for the harm that their crimes have caused to their victims, their communities, and America as a whole. In other words, “Crime Doesn’t Pay. *Offenders Do!*”

- The Federal fines and fees that go into the Crime Victims Fund are collected by U.S. Attorneys in 93 districts across the nation (to find *your* U.S. Attorney’s Office, please visit <http://www.usdoj.gov/usao/offices/index.html> for contact information).

- Prior to the passage of VOCA, only 36 states had victim compensation programs. Today, all 50 states, the District of Columbia, Puerto Rico and U.S. Virgin Islands have victim compensation programs that are funded in part by VOCA.

- VOCA has provided a *consistent stream of funding* for victim services for a quarter century. Prior to VOCA, crime victims and survivors had very few services, and little assistance in implementing their rights (*see below*). Many well-intentioned victim assistance programs opened, but were soon shut down due to lack of funding.

- VOCA-funded assistance programs are available for both victims who report crimes, *and* victims who choose not to report crimes. Since the majority of victims of crime *do not* report to law enforcement – in 2007, 46% of all violent victimizations and 37% of all property crimes were reported to police (Criminal Victimization, 2007, National Crime Victimization Survey, Bureau of Justice Statistics, accessible at <http://www.ojp.usdoj.gov/bjs/pub/pdf/cv07.pdf>) – the availability of VOCA-funded assistance services to non-reporting victims is an important feature.
- VOCA supported services are, for the most part, available to all victims *at no charge*. This includes critical, often life-saving emergency shelter, legal assistance, and crisis intervention services.

What Types of Crime Victim Assistance Services Does VOCA Support?

VOCA-funded victim services vary by state and jurisdiction. It is helpful to *clearly describe* how crime victims and survivors are helped in *your* jurisdiction with support from VOCA. The following list – which can be adapted to your jurisdiction's or agency's VOCA-funded services – highlights the range of victim services, and the implementation of victims' rights, that are enhanced by VOCA:

Crime Victim Compensation

Financial assistance that helps violent crime victims cover the many out-of-pocket costs associated with criminal victimization, including a wide variety of expenses and losses related to criminal injury and homicide. Beyond medical care, mental health treatment, funerals, lost wages and loss of support, a number of programs also cover crime-scene cleanup, transportation to medical providers, rehabilitation (including physical therapy and occupational therapy), modifications to homes or vehicles for paralyzed victims, and the cost of housekeeping and child care.

VOCA not only supplements state funds to pay these benefits, but all VOCA funded assistance programs help their clients apply to their state's crime victim compensation program.

Crisis intervention

Services provided in-person, over the telephone, or via the Internet that help victims cope with the immediate mental health effects of victimization, assess their most essential needs, and provide services such as counseling, mental health support, and help to address sustenance issues. Many VOCA supported programs provide immediate 24/7 on-scene response.

Emergency housing

Shelters and safe homes provide short-term (usually up to 30 days or so) or long-term housing and related services for victims and their families.

Emergency financial assistance

Funds that are available in some communities to provide emergency cash awards to victims who are in dire financial straits or who need help to address basic survival concerns (such as health, housing, clothing, food, and transportation).

Home safety checks

A service that is usually offered by law enforcement agencies or bonded volunteers to improve the security of a victim's home, either by making recommendations or actually providing physical improvements and reinforcements (such as new locks, security systems, lighting, and landscape design).

Safety planning

An advocacy and support service to help victims identify concerns and issues related to their personal security and the safety of their family; protective measures that can enhance their personal safety; and contingency plans to cope with emergency situations.

Advocacy or intervention with employers, creditors, landlords, etc.

A service provided to victims who, because of their need for medical or mental health treatment, personal safety, help in addressing sustenance issues, or participation as a witness in criminal justice proceedings, may require intervention with their employers (person) to take time off from work without being penalized or possibly losing their jobs and with others on behalf of the victim.

Development or enhancement of the victim's social support system

A service to help victims identify people who can provide them with immediate-, short-, and long-term support, which may include family members, friends, neighbors, co-workers, faith community members, victim assistance professionals, or others.

Mental health counseling

Services include crisis intervention; mental health needs assessment; individual counseling; and family counseling.

Victim support groups

Programs that provide peer support through victims reaching out to other victims, regularly scheduled victim support group meetings, and advocacy throughout criminal or juvenile justice processes.

Legal advocacy and services

Programs help victims understand and access their victims' rights under the law and to assist victim in obtaining emergency protective orders.

Referrals for social services

Programs provide victims with information about additional services that are *not* victim-specific, such as housing, food banks, transportation, employment, and family support; as well as services that are available in adjunct government systems, such as Child Protective Services, Adult Protective Services, disability services, education systems, etc.

Information regarding what to do in case of emergency

Providing victims with vital information about "911" emergency services, crisis hotlines, and other resources that can provide crisis responses to their immediate needs.

Information about crime victims' rights

Crime victims have many rights established by statutes and state-level victims' rights constitutional amendments. These rights are relevant from the time the crime occurs through the court processes and, in many cases, appellate processes.

Information about victims' rights is generally provided by most criminal and juvenile justice and victim assistance programs, and includes:

- Information about their rights under the law as victims of crime.
- Information about and assistance with filing a victim compensation claim in cases involving violent crime.
- Orientation to the criminal or juvenile justice process to help them understand what is happening, their basic rights, and any role they may have in justice proceedings.
- Information about their right to protection.
- Information about their right to attend and participate in key justice proceedings.
- Information about and assistance with completing a pre-sentence investigation interview—referred to as “pre-adjudication interview” within the juvenile justice system—which is usually conducted by a probation officer prior to sentencing or adjudication to enable the judge to learn more about the defendant and the impact of the crime on the victim.
- Information about their right to submit a victim impact statement (VIS), either orally or in writing.
- Information about their right to restitution, and assistance with seeking and documenting losses for restitution orders from the court.
- Information about their right to other legal/financial obligations from the convicted offender, such as child support, payment of health insurance, etc.
- Notification of the outcome of criminal or juvenile justice proceedings.
- *For cases involving incarceration or detention:* Notification of the location of the offender while he or she is incarcerated, and any movement (including release or escape).
- *For cases involving community supervision:* Information about victims' right to give input into conditions of community supervision; their right to protection (including assistance with obtaining protective orders); their right to financial/legal obligations owed by the offender (such as child support, restitution, payment of house mortgages or rent, etc.); their right to be notified of any violations, to give input into any violation hearings, and to be notified of the outcome of any violation hearings; and their right to receive contact information for the agency/professional who will be supervising the offender.

- *For cases involving criminal appeals:* Information about victims' rights and relevant roles throughout the appeals process (usually provided by the prosecutor's office that tried the case or the state office of the Attorney General).

Office for Victims of Crime Discretionary Funds

VOCA has supported OVC discretionary funds that have helped grow our field from a grassroots advocacy movement to a truly professional discipline. Through discretionary grants, OVC has:

- Created model policies, procedures and programs to enhance crime victim services and the implementation of victims' rights in law enforcement, jails, prosecutors' offices, courts, community and institutional corrections, and state Attorneys General offices.
- Developed videotapes and DVDs that highlight the impact of crime on victims, and focus on how system- and community-based agencies and programs assist victims of crime.
- Created resources to help underserved victims of crime, including victims with disabilities; victims in urban and rural jurisdictions; victims of human trafficking; and victims of hate crimes (among others).
- Created the OVC Resource Center that houses myriad documents that strengthen the capacity of victim assistance and allied professionals to help crime victims and survivors (<http://www.ojp.usdoj.gov/ovc/ovcres/welcome.html>).
- Created the OVC Training and Technical Assistance Center to promote education and leadership development for professionals who serve victims of crime (<https://www.ovcttac.gov/>).
- Support for the National Victim Assistance Academy and many State Victim Assistance Academies.
- Supported the development of victim services in many Federal agencies (U.S. Attorneys' offices, the Federal Bureau of Investigation, and the U.S. Department of State, among others).
- Provided funding for the Community Awareness Projects and for the annual publication of the National Crime Victims' Rights Week Resource Guide.

Tips for Promoting the Silver Anniversary of the Passage of VOCA

An important tip is to immediately view the NCVRW Theme DVD, which is included in the Resource Guide that OVC is mailing to you. The DVD has victims, advocates and leaders in our field who were involved with the passage of VOCA in 1984, and offers unique and personal perspectives about the impact of VOCA.

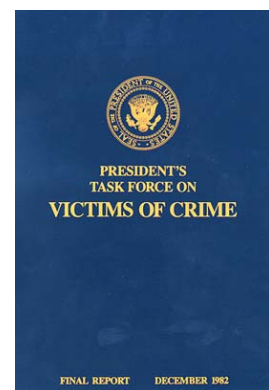
While this CAP TIP offers *general* information about VOCA and its impact on crime victim assistance and victim compensation, it's up to *you* to personalize the impact of VOCA to your state, your jurisdiction, and your agency. The "local impact" of VOCA will be much more relevant to crime victims, allied organizations, and the news media in your community.

The following tips can help you create a "local angle" that emphasizes the impact of VOCA:

- Focus on the "power of the personal story:"
 - Identify victims whose lives were positively affected by receiving VOCA-funded victim services.
 - Identify victims who received victim compensation to help them cope with the physical, psychological, financial, social and spiritual impact of crime.
 - Ask them to provide testimonies about their personal experiences, either "on the record" (that can help promote public awareness) or "off the record" (that can be documented without identifying the actual victim).
 - Use victim/survivor testimonials in your media relations (press releases, opinion/editorial columns, and public service announcements) to personalize what could be perceived as "just another Federal fund."

- **MAKE IT PERSONAL:** Statistically, most people in America have been victims of crime or know someone who has been a victim of crime:
 - Crime is personal, and it affects all of us.
 - Every time a crime occurs, it affects the quality of life of not only the direct victim, but also his/her neighborhood and community.
 - VOCA has helped crime victims – including those who report crimes and those who don't – to cope with the often traumatic effects of victimization.
 - VOCA provides a "safety net" for crime victims, *most of whom are unaware that the services and support they receive are funded by convicted Federal offenders.*

- The impetus for VOCA emerged in 1982, when President Reagan convened a Task Force on Victims of Crime that held hearings around the Nation and obtained suggestions from crime victims, victim service providers, and justice and allied professionals about how to improve the treatment of crime victims in America. The *Final Report* of the President's Task Force on Victims of Crime provided a strong foundation that led to the passage of VOCA. It includes many "sidebar quotations" from crime victims that describe their treatment *prior to the passage of VOCA* (that can help you define a "before VOCA" and "after VOCA" framework). The *Final Report* in its entirety can be downloaded at:
<http://www.ojp.usdoj.gov/ovc/publications/presdntstskforcrprt/welcome.html>.



- Conduct some basic research about how VOCA funding has affected your state or community. Talk to chronologically-gifted victim advocates who were working in our field *prior* to the passage of VOCA, or in its early stages of implementation:
 - Reference the above “What Types of Crime Victim Assistance Services Does VOCA Support?” and *personalize it to your agency or jurisdiction* – how has VOCA made a difference?
 - Provide a comparison of victims’ rights and services “before VOCA” and “after VOCA.”

- Engage the U.S. Attorney and Assistant U.S. Attorneys for your district in your NCVRW activities. You can recognize their efforts to assist victims of Federal crimes and to collect fines and fees from convicted Federal offenders that support the VOCA Fund by:
 - Inviting him/her to present opening remarks or another presentation at your NCVRW event(s).
 - Providing him/her with a personalized “certificate of appreciation” (a template is included in the OVC NCVRW Resource Guide) for efforts related to Fund collections.
 - Describing the important role of U.S. Attorneys in collecting fines and fees for VOCA and restitution for individual victims of Federal crimes in *any* media relations (see below) you conduct prior to or during 2009 NCVRW (press releases, opinion/editorial columns, etc.).
 - Seek media opportunities to promote the NCVRW theme that includes victim service providers and U.S. Attorneys talking about the importance of the Fund; how it holds offenders accountable; and the types of victim services it supports in your community.

- Most people do not realize that many Federal agencies provide victim assistance services. You can highlight appropriate services provided by the FBI, Postal Service, State Department (for Americans victimized in other countries), and even the Internal Revenue Service, among other Federal agencies.

- Contact your state’s VOCA Assistance Administrator and Crime Victim Compensation Administrator. Contact information is available on the NAVAA Web site (www.navaa.org) and the NACVCB Web site (www.nacvcb.org). Ask them for information that defines:
 - The types of victim assistance programs they currently fund, and have funded since 1984. Which agencies in your area receive VOCA assistance funds?
 - How many crime victims in your state (and community) are served annually with support from VOCA?
 - How many victims receive crime victim compensation annually in your state and county? What were the total amount of benefits paid?
 - See the VOCA Fact Sheet at http://cap.navaa.org/VOCA_Fact_Sheet.pdf for the total dollar amount of VOCA assistance and compensation grants awarded to your state since VOCA began.

- Media relations:
 - Use the “general themes” (see above in this CAP TIP) to deliver succinct messages about the impact of VOCA:

- Funded by convicted Federal offenders, *NOT* taxpayers' dollars ("Crime Doesn't Pay. *Offenders Do!*")
 - More than \$9 billion collected since 1984, including (amount) that has gone to *your* state's victim assistance and victim compensation programs
 - Describe the range of victim services that VOCA supports in your community (see above, "What Types of Crime Victim Assistance Services Does VOCA Support?").
 - In your media outreach (press releases, opinion/editorial columns, and letters-to-the editor), publicly recognize your U.S. Attorneys' Office for its efforts that contribute to the Fund and recover restitution for victims:
 - Seek media interviews (television, radio, print and web-based) – in concert with your U.S. Attorney – that highlight the impact of VOCA on your community; and the role of your U.S. Attorney in collecting the fines and fees that contribute to the VOCA fund.
 - If/when you honor your U.S. Attorney's Office for its diligence in collecting fines and fees for VOCA, make sure you invite the media to attend!
- Focus on the Silver Anniversary of the passage of VOCA:
 - Identify *25 victims* who can articulate the importance of VOCA in personally helping them in the aftermath of their criminal victimization:
 - Ask them to provide you with two-to-three sentences about how victim assistance helped them cope in the aftermath of their victimization.
 - Include their testimonies in a NCVRW package for:
 - Your local elected officials or state legislators.
 - Local broadcast, print and web-based media.
 - Describe *25 differences* that VOCA has made in your community in the past quarter-century.
 - Create 25 visual depictions of the impact of VOCA (i.e., posters or essays to be displayed in your courthouse; ornaments to be hung on a tree, etc.)
- Visit the OVC Oral History Project Web site, which contains videotaped interviews and written transcripts of over 60 pioneers in our field, many of whom addressed the significance of VOCA in their interviews. Go to <http://vroh.uakron.edu/index.php>, and use the "search" function to obtain quotations about VOCA with the following key words:
 - VOCA
 - Crime Victims Fund
 - Victims of Crime Act

For More Information

Please contact National Crime Victims' Rights Week Community Awareness Project Consultant Anne Seymour via email at annese@atlantech.net; or by telephone at 202.547.1732.