



CAP TIPs is a series of periodic messages to assist in the planning and implementation of NCVRW Community Awareness Projects. Please feel free to send your individual questions or requests for assistance to Anne Seymour at annesey@atlantech.net

CAP TIP #10

To Improve Public Awareness

Office of Victims of Crime Directors' Perspectives on 30 Years of VOCA and Expansion of Victim Service

Introduction

In order to enhance the efforts of CAP recipients to promote the 2014 National Crime Victims' Rights Week theme – “30 Years: Restoring the Balance of Justice” – your CAP Program reached out to the current and previous Directors of the Office for Victims of Crime within the U.S. Department (sponsor of the CAP initiative). We shared the 2014 theme with them, and asked them to talk about the progress that has been made in our field since 1984; any key landmarks over the past three decades that have contributed to “restoring the balance of justice” for crime victims and survivors, and those who serve them (including the impact of VOCA); and their personal thoughts about the history and future of our field.

The informative and inspiring responses from three OVC Directors and the Chair of the 1982 President's Task Force on Victims of Crime are included in this CAP TIP for your consideration and review.

Tips to Incorporate the OVC Directors' Comments in your NCVRW Activities and Outreach

The five tips below offer ideas on how to promote the Office for Victims of Crime, the 2014 NCVRW theme and the Crime Victims Fund, accomplishments of our field since 1984, and challenges that remain, in conjunction with 2014 National Crime Victims' Rights Week.

1. You can select specific “pull quotes” from the Directors' and Judge Haight's comments to generate awareness about OVC, and your organization's designation as “a **2014 NCVRW Community Awareness Project** – ‘one of 71 programs selected nationwide by the Office for Victims of Crime within the U.S. Department of Justice to promote public awareness of crime victims' rights and services in conjunction with 2014 NCVRW, April 6 – 12.’” A brief description of OVC's purpose from its website is as follows:

“Established in 1988 through an amendment to the Victims of Crime Act of 1984, OVC is charged by Congress with administering the Crime Victims Fund (the Fund). Through OVC, the Fund supports a broad array of programs and services that focus on helping victims in the immediate aftermath of crime and continuing to support them as they rebuild their lives. Millions of dollars are invested annually in victim compensation and assistance in every U.S. state and territory, as well as for training, technical assistance, and other capacity-building programs designed to enhance service providers’ ability to support victims of crime in communities across the Nation.”

A *Fact Sheet* about OVC’s mission and services can be accessed at http://ojp.gov/ovc/publications/factshts/what_is_OVC2010/fs_000321.html.

2. In promoting the 2014 NCVRW theme, you can use brief “pull quotes” from the Directors that articulate the impact of VOCA and the Crime Victims Fund in your public presentations and media relations.
3. Quotations about the profound impact of crime victims and survivors who have courageously spoken out about victims’ rights and needs can be used in your NCVRW outreach and publicity efforts to emphasize the importance of the “power of the personal story” of victims as a driving force of our entire field since 1984.
4. Challenges that our field faces in the future are described by the Directors, and can be used as an impetus for discussions about challenges that victims served by *your organization* and *within your jurisdiction* face, for example:

“Challenges remain. New forms of victimization are emerging and too many victims are unaware of the rights and services to which they are entitled. And over 40 percent of crime victims never report their victimization. As we commemorate the progress of the last thirty years, we must do so facing forward into the future and with a renewed sense of purpose.” -- *Current OVC Director Joye Frost*

“There has been much improvement in the way victims of crime are treated and it can all be traced back to the cornerstone set by the President’s Task Force; however, we still have a long way to go. There is still new ground to plough and unpaved roads to travel.” – *Former OVC Director John W. Gillis (2001 – 2009)*

“The focus for the future must remain on ensuring access to individualized assistance for *all* victims of crime and sensitive assistance – that takes the victims’ concerns into consideration – through all phases of the criminal justice process.” – *Former OVC Director Dr. Jane Nady Sigmon (1987 – 1981)*

5. The publication of the 1982 President’s Task Force on Victims of Crime *Final Report* is considered the very foundation of our field and its 30+ year history of providing rights and services for crime victims. You can use quotations from the Directors and Judge Haight about the *Final Report*, and consider the context of how its recommendations provided the impetus for significant changes in justice processes and victim services. A copy of the succinct 1982 President’s Task Force on Victims of Crime *Final Report* can be

accessed on the NCVRW CAP Subgrantee website and at
<http://ojp.gov/ovc/publications/presdntstskforcrprt/welcome.html>.

Joye Frost
(Current OVC Director)
2013 –

“Four years ago, as the Acting Director of the Office for Victims of Crime, I launched a strategic initiative entitled “Vision 21: Transforming Victim Services” to document the successes of the field, identify enduring and emerging challenges, and conceptualize a framework for moving forward to meet the needs of all crime victims in the 21st century. It was my belief, shared by so many others in the crime victims’ field, that it was not enough to maintain the status quo. We knew that it was our responsibility – and our privilege – to reach that “gold standard” of access to rights and services for every crime victim and to continue the momentum of a movement that is coalescing into a professional, respected and vital discipline.

As we commemorate 30 years of progress on behalf of crime victims since the inception of the Victims of Crime Act of 1984, we acknowledge and thank the courageous victims and stalwart advocates who laid the groundwork for the ultimate goal of a fair and balanced justice system that treats victims with dignity and respect. At great personal cost, they ignited the Nation’s conscience and brought greater understanding that the issue of crime victims’ rights is a human rights issue – and that the unjust treatment of crime victims diminishes us all. Their legislative successes and passionate advocacy are the foundation of this field, and remain an inspiration to each of us.

Challenges remain. New forms of victimization are emerging and too many victims are unaware of the rights and services to which they are entitled. And over 40 percent of crime victims never report their victimization. As we commemorate the progress of the last thirty years, we must do so facing forward into the future and with a renewed sense of purpose. I consider it an extraordinary privilege to lead OVC, and to work with each of you to reach our ultimate goal of ensuring that in the 21st century, every victim in our Nation can begin his or her journey of emotional, physical and financial recovery.”

John W. Gillis
2001 – 2009

“In 1863 President Abraham Lincoln signed the Emancipation Proclamation (an Executive Order) abolishing slavery in certain states. While the Executive Order did not abolish slavery in all states, nor change the hearts and minds of all Americans, it did lay the cornerstone which became the foundation for basic human rights of slaves and their descendants. Since the signing of that important document there have been a continuous multitude of laws and court decisions that continue to add to, build and bind together the rights of people of color in America. The Emancipation Proclamation symbolizes the cornerstone of freedom and liberty and the new laws, court decisions and legal opinions symbolize bricks and mortar that secure the liberty, justice and freedom of all Americans.

In 1984, 121 years after the Emancipation Proclamation, President Ronald Reagan established by Executive Order the President's Task Force on Victims of Crime. Just as the Emancipation Proclamation was the freedom and liberties cornerstone for descendants of slaves, the President's Task Force was the cornerstone that began the foundation for crime victims' rights in America. As of this writing, thirty-three states have answered the call to assist in building a strong foundation for the rights of crime victims' by amending their state constitutions to protect the crime victims. The response of these states is an indication of the wisdom and profundity of establishing the President's Task Force and its work. Every state has not seen the wisdom and necessity to amend its constitution, but those that did have laid a foundation that is on its way to becoming a strong base that will support future crime victims. Unfortunately, states not stepping forward to protect the rights of their residents dampen the effectiveness of states that vigorously fight to protect victims' rights.

As a nation, we have come a long way in protecting victims' rights since 1984. At the time the President's Task Force was formed, it was not unusual to find jurisdictions across America where the crime victim bore every expense directly related to the crime. Ambulance travel to the hospital, medical exams, emergency treatment and other related expenses were usually charged to the victim while the public picked up the tab for the perpetrator. There has been much improvement in the way victims of crime are treated and it can all be traced back to the cornerstone set by the President's Task Force; however, we still have a long way to go. There is still new ground to plough and unpaved roads to travel.

As I travelled across the country during my tenure as Director of OVC, I was always taken aback by the horrific acts of violence experienced by crime victims, but I was buoyed by their ability to bounce back. They showed the incredible strength to pick up the pieces from their devastated lives and dreams and reassemble those pieces to form something that was workable. However, there was a sub-set of victims that seemed not to be able to get the pieces together and move forward. These were the victims who had been devastated by the crime and also were financially ruined, or about to be ruined. These were the victims who lost their jobs, lost their homes, and lost their financial viability. The losses were directly attributable to their victimization. We don't know how much of the homeless population in America is attributable to direct crime victimization. We do not know the percentage of crime that is committed by individuals who became criminals due to prior criminal victimization. The percentage may be small but it does exist and our next challenge is to provide support for these victims. These victims are truly, truly an endangered species. If we can provide loans to assist people in natural disasters, agri-businesses, and dairy businesses, we can provide assistance and loans to families financially devastated by crime."

Dr. Jane Nady Sigmon
1987 – 1991

"In looking back at the time in which I served as OVC Director and since then, I found some concrete examples of progress that contributed to advancing rights and services for victims. These beginnings of VOCA administration formed the foundation for remarkable progress over 30 years. As you can see below, I truly believe that the leadership exercised by OVC has been critical in bringing about change.

Today, as I work internationally on crime victim assistance, I am continually reminded of progress in the U.S. and the challenges that remain. Most countries do not have crime victims' rights in the law or criminal justice

system-based victim advocates, and many lack adequate compensation programs and the vast array of non-profit victim service programs. VOCA – with its expanding mandates and brilliant funding scheme – has dramatically changed the landscape of victim services in the U.S.

Understanding the challenges of the past and recognizing the signs of progress are useful in maintaining perspective and help to chart the course for the future. For example, in most places in the US – but not all – the field has moved beyond establishing basic rights, compensation, and victim assistance services. Where services are lacking, new resources must be established. In most places, the challenge is making rights a reality and ensuring that quality assistance is available and offered – even for underserved victims of violence such as teenage girls and LGBT youth who are victims of sex trafficking and migrant workers and other vulnerable individuals who are exploited and abused in forced labor. Too often these victims of crime are seen as criminals or less worthy of assistance and services, and their access to justice is limited. In some instances, critical services are dependent upon cooperation with law enforcement. The focus for the future must remain on ensuring access to individualized assistance for *all* victims of crime and sensitive assistance – that takes the victims' concerns into consideration – through all phases of the criminal justice process.

A few signs of progress and landmarks – from way in the past:

1. **Establishment of the Crime Victims' Fund and the Office for Victims of Crime** combined to enable high-level national leadership and a permanent source of funding for program development – features that even today remain uniquely powerful in promoting justice for crime victims. The field would not have developed as it did without these two resources.
 - The Attorney General's Task Force on Family Violence in 1984 charted a new national course for how domestic violence and criminal child abuse cases should be treated. The **availability of VOCA funding beginning in 1986** provided the revenue to support expansion of the number and range of services for domestic violence victims and helped spur the expansion of multidisciplinary programs to address criminal child abuse.
 - Through OVC's stewardship and partnership with the state VOCA agencies, **victim assistance service programs have grown by the thousands**. In 1986, \$35.4 million was awarded to 1,489 victim service programs; in 1991, \$65.7 million was awarded to 2,500 victim assistance programs. By 1990, more than \$500 million had been collected from Federal criminals and applied to rehabilitation, recovery and compensation for crime victims. The types of crimes for which victims received services expanded to include victims of homicide, drunk driving crashes, hate crime, gang violence, physical assault, robbery, and others. A comparison with more current figures will be even more dramatic.
 - **State victim compensation programs and resources would not have grown so rapidly without the incentive of federal funding** – and the policy strings attached that promoted greatly uniformity in the crimes covered (e.g., in 1988 states could not exclude domestic violence and drunk driving crimes). Fewer than 40 states had compensation programs in 1986 and those that did were inadequately funded, had huge backlogs, and various restrictions.

2. **OVC's leadership has spurred progress** nationally by highlighting new challenges and underserved groups of victims, supporting new programs, facilitating improvements across the Federal government and continually focusing on the power of survivor advocacy.
- New challenges recognized and new programs created:
 - The lack of services for native Americans in Indian country was recognized in 1987 – and OVC responded with **support for victim assistance programs in Indian country** (in 1990, 19 tribes received VOCA funds for victim assistance programs); advocacy for an earmark for specialized programs on reservations under the Children's Justice Act in 1988; and creation of an Emergency Assistance Fund for victims of Federal crimes, which was used primarily to assist victims of violent crime on reservations.
 - **Payne v. Tennessee** – argued by Attorney General Thornburgh in the U.S. Supreme Court in 1991 – OVC advocated for USDOJ participation in this case to 'ensure that the balance of justice is restored to all victims of crime.'
 - OVC's establishment of an **Emergency Assistance Fund to aid states and localities in responding to mass casualty incidents** created a new and more nimble mechanism that has been tapped numerous times.
 - When the expansion of crime victim service programs brought new advocates and the field was calling for professionalization, OVC supported **development of the foundational curriculum and training program for victim service providers, the National Victim Assistance Academy**. This was followed by support for state academies, which continue to provide ongoing training while facilitating local networking.
 - The power of survivor advocacy has been evident repeatedly and OVC has supported and nurtured survivor advocacy over the years. Enactment of the **Campus Security Act of 1990** is an example of this. After the murder of their daughter, Jeanne, on the campus of Lehigh University, Howard and Connie Clery fought successfully for legislation in Pennsylvania to require all institutions of higher learning to make public their crime statistics – the first state to do so. The *New York Times* reported that after meeting the Clerys, President Bush said he would support such legislation. Howard and Connie were selected by OVC to receive the NCVRW award and were recognized for their advocacy by President Bush in the Rose Garden in April 1990. This recognition combined with OVC's advocacy within the Executive branch helped to overcome obstacles to Federal support for the new legislation and it culminated in a White House briefing on Crime on Campus in May 1990, which paved the way for broader support for the legislation.
 - OVC's support for personnel in other Federal agencies has promoted significant change within those agencies and most have taken on victim services within their own mandates. The State Department's policies on consular assistance for American citizen crime victims overseas are examples of this."

Judge Lois Haight Herrington
Chair, 1982 President's Task Force of Victims of Crime
U.S. Department of Justice Assistant Attorney General, 1983 – 1986

"The Office for Victims of Crime was born out of the vision of President Ronald Reagan and his groundbreaking establishment of the President's Task Force on Victims of Crime that I was honored to have chaired. We held public hearings in six cities across the United States and in December 1982, we presented our Task Force Report to the President, followed by a widely attended Rose Garden Ceremony at the White House. One of the more important recommendations of the Report was to establish an Office for Victims of Crime at the United States Department of Justice in Washington D.C. Later, when I was sworn in as Assistant Attorney General of the United States, it was my privilege and honor to hang up the first sign, "Office of Victims of Crime," in a U.S Department of Justice Building. What a day it was. One of the first acts of the OVC was the establishment of a National Victims Resource Center and, from this incredible resource and data base, help and information for victims began to flow.

The rest is history.

For More Information

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