

Impact on VOCA Funding Cuts on Victim Services

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EXECUTIVE SUMMARY

This report sheds light on how the decrease in federal funding to victim services through the Victims of Crime Act (VOCA) has affected victim service agencies that offer support to victims of sexual assault, domestic violence, and their dependent children in South Dakota. The report begins by outlining an overview of VOCA and details the developments concerning this fund. It proceeds to examine funding levels and their implementation at a statewide level. Considering federal funding reductions, the report then assesses the justification for these cuts in light of changing crime trends and the resulting demand on victim service agencies. Lastly, it explores the localized effects of these reductions by highlighting a few example agencies.

Key Takeaways include:

- Victim service providers experienced a 61.36% cut in funds from FY 23 to FY 24.
- VOCA funded agencies are serving the same number of clients despite cuts.
- The demand for services remains at the same level, despite loss of resources to provide supports.
- For every \$1 million in funding reduction, we lose an estimated 44,877 victim services.
- The \$4.1 million reduction from FY23-FY24 signifies an estimated 180,917 fewer victim services.

INTRODUCTION

The Victims of Crime Act (VOCA) is a federal law that was created to support local agencies assist victims of crime. Funds from VOCA are derived from federally convicted perpetrators and from other gifts. These funds provide support to victim service agencies (such as domestic violence shelters, rape crisis centers, and child abuse centers) and support victim compensation programs of all types.² A shift in Department of Justice practices – moving from prosecuting towards deferred prosecution and non-prosecution agreements – has reduced the compensation fund. This shift resulted in a 70% decrease in the fund, affecting state block programs.

The result has been a steady decrease in federal dollars to support to South Dakota's shelters and centers serving victims of crime. Prior support services receiving VOCA funds must either find alternative means of supporting their budgets or cut services. A recent bill has been passed (called the VOCA-fix) to stabilize and rebuild the fund³, but it will take many years for the funds to recover. Until that time, the agencies and centers serving South Dakota survivors of domestic violence and sexual assault are dealing with massive cuts to their operating budgets. While these agencies and centers move into emergency mode attempting to maintain their mission, fewer victims will receive the support they need.

¹ Analysis herein is the work of the author and not necessarily the views of the University of South Dakota.

² <https://ovc.ojp.gov/about/crime-victims-fund>

³ <https://www.congress.gov/bill/117th-congress/house-bill/1652>

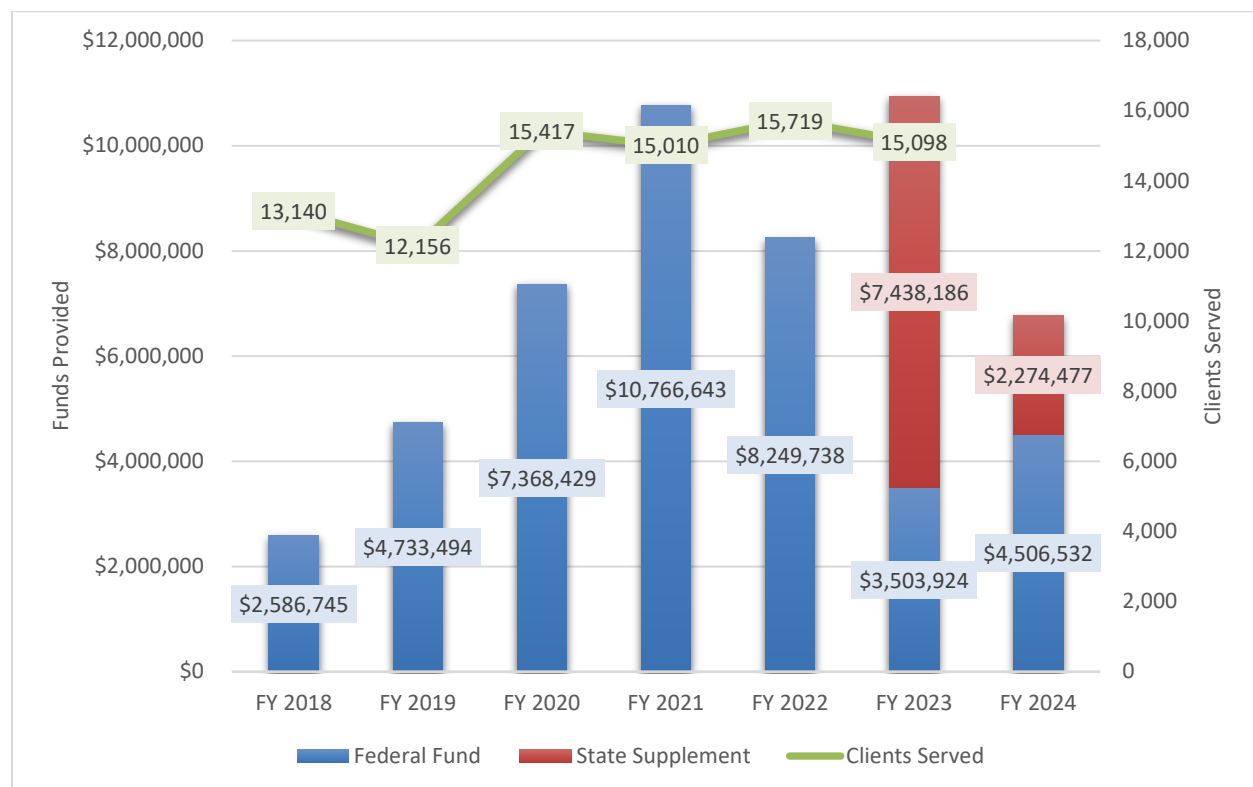
This paper provides an analysis of the financial support trends received by relevant agencies. It then covers the need for these services through providing information on related crime rates. Finally, it provides a snapshot of how some of our local agencies have been affected by the drop-in support.

FUNDING LEVELS

The State of South Dakota has a variety of resources that go to support victim service providers and victims of crime. These include federal block grants to the state (such as VOCA, FVPSA, STOP, and SASP) and state set aside funds (DASA). DASA fund amount has remained unchanged for over a decade at \$225,000 per year. When the VOCA issue occurred, South Dakota provided additional funding to offset the VOCA reduction. This was not an increase to DASA funds.

Figure 1 shows the disbursement to the victim service provider subawards (~51 agencies) that receive funds either through federal block grants or DASA (in blue) and the additional state supplement dollars⁴ provided in FY23 and FY24 (red). These subaward agencies serve victims interpersonal violence including domestic violence, sexual assault, human trafficking, stalking, and children who are impacted by domestic violence.⁵

Figure 1. Federal Block Grant Funds & State Supplements



Source: Data provided from the SD Department of Public Safety Victim Services

⁴ South Dakota called this funding “State VOCA funds” but these should not be confused with the federal VOCA dollars. The “State VOCA funds” are the red “State Supplement” in Figure 1.

⁵ Child Abuse Centers (CACs) and Court Appointed Special Advocates (CASA) are vital supports for child victims of violence. However, given available data, this analysis relies on data related to adult victims of interpersonal violence and their children who are affected by those crimes. The needs of child victims should also be considered.

As illustrated in this figure, there was a precipitous drop in VOCA funds in 2022 and gain in 2023. In 2023, the state supplemented funds to remain at approximately the 2021 level. In 2024, the state reduces its supplemental dollars by over 5 million dollars (see Table 1).

Table 1. Average Funding Received by Subaward 2021-2024

	Subawards	Total Funds (State & Federal)	Average Award	Percent Change
2021	53	\$10,766,643	\$203,144.21	--
2022	51	\$ 8,249,738	\$161,759.56	-20.31
2023	51	\$10,942,110	\$214,551.18	32.64
2024	51	\$ 6,781,009	\$132,960.95	-61.36

Source: Data provided from the SD Department of Public Safety Victim Services

In 2022, subawards received an average of \$203,144 in VOCA fundings (51 subawards). In 2023, with the state offsetting the heavy drops in VOCA funding, 51 subawards received an average of \$214,551.18. However, with the state drop in supplemental funding by over \$5 million, agencies suffered a 61.36% drop to their supplemented budget. At the same time, the number of victims served by supported agencies remained stable (green line in Figure 1).

RELATED CRIME TRENDS

An important point for analysis is the demand for victim support services. One way to estimate demand is to examine crime against person trends. Specifically, we will focus on those crimes most directly related to domestic violence and sexual assault.⁶

The most consistent source of crime data in South Dakota is the Attorney General “Crime in South Dakota” report. This data comes from law enforcement reports. As discussed below, there are several important short comings of this data. We will draw on the most recent report from 2022⁷ as summarized in Table 2.

Table 2. Assault as Reported to the Attorney General’s Office 2018-2022

Offense	2018	2019	2020	2021	2022
Assault (Aggravated, Simple, Intimidation)	10,433	11,249	12,050	10,806	11,415
Sex Offenses - Forcible (Rape, Sodomy, Sexual Assault with an Object, Fondling)	928	990	968	940	886
Sex Offenses - Non-Forcible (Incest, Statutory Rape)	122	168	162	178	165

Source: SD Attorney General “Crime in South Dakota: 2022” Report

In the 2022 report, 71.3% (97) of South Dakota law enforcement agencies provided their data and are included in this report. Importantly, Tribal law enforcement never report their data as they are included in the FBI reports. Further, the data is a snapshot and doesn’t reflect final numbers for the year as data gets updated as cases proceed. The report also notes that many law enforcement agencies are having

⁶ There is very little data in South Dakota on human trafficking. What exists relies on hotline calls to The National Human Trafficking Hotline and can be viewed here: <https://doh.sd.gov/media/fllpeoyc/2021-sexual-violence-report.pdf>.

⁷ <https://sdcrime.nibrs.com/CrimePublication/CrimePublicationReports>

issues with their reporting systems, indicating likely under reports of crime. Second, this data only reflects incidents known to law enforcement agencies. National estimates indicate that less than half (41%) of violent crimes against persons are reported to police.⁸ Again, this suggests that reports are vastly underestimating the actual crime. This is essential to note as domestic violence agencies and rape crisis centers do not require a victim to report to law enforcement to obtain services.

The next two sections will refer to Table 2 to discuss the trends in domestic violence and sexual offenses in South Dakota.

Domestic Violence

As the data shows, assaults have remained fairly stable over time. A full understanding of the nature of this data and of domestic violence clearly illustrates that these numbers are not representative and provide a conservative barometer for domestic violence services needed by survivors in our state.

When considering the assault data, it is important to note that there is no statewide reporting of domestic violence for South Dakota. As a codified law, domestic violence is charged as assault (either simple or aggravated) with domestic violence as an additional tag. The state reported figures on assault provided by the Office of the Attorney General does not differentiate between assault arrests and assault arrests with a tag. However, there is a subsequent table that provides the relationship of the perpetrator to the victim. In 2022, 5,327 (or about 47%) of reported assaults were committed by family members.

However, not only would this data not include victims who do not report their crime, it also would not include everyone who is eligible (and needs) victim services. The codified law provides a narrow definition of “domestic abuse” (one that focuses on imminent fear, threat, or infliction of physical harm or bodily injury).⁹ The definition implemented by the Department of Justice for the provision of victim services includes any “pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner.”¹⁰ Research indicates that abuse experienced for the maintenance of control (frequently termed “coercive control”) results in high rates of negative psychological, emotional, physical, and economic consequences (see Lohmann and colleagues, 2024).¹¹

Defining abuse criminally under the concept of coercive control is a newer effort being undertaken internationally and by a few U.S. states. These jurisdictions are still grappling with how to implement these laws effectively and fairly.¹² The point is not to critique South Dakota’s definition of domestic abuse, rather to point out that the statistics related to this crime far underestimate the number of people who qualify for services from victim service providers. Following the Department of Justice definition, service agencies provide support to individuals who are victims of domestic violence who may not qualify for prosecution under the domestic abuse codified law (and thus would not show up in these figures).

⁸ <https://bjs.ojp.gov/content/pub/pdf/cv19.pdf>

⁹ <https://sdlegislature.gov/Statutes/25-10-1>

¹⁰ <https://www.justice.gov/ovw/domestic-violence>

¹¹ Lohmann, S., Cowlshaw, S., Ney, L., O’Donnell, M., & Felmingham, K. (2024). The Trauma and Mental Health Impacts of Coercive Control: A Systematic Review and Meta-Analysis. *Trauma, Violence, & Abuse*, 25(1), 630-647. <https://doi.org/10.1177/15248380231162972>

¹² Iain Brennan, Andy Myhill, Coercive Control: Patterns in Crimes, Arrests and Outcomes for a New Domestic Abuse Offence, *The British Journal of Criminology*, Volume 62, Issue 2, March 2022, Pages 468–483, <https://doi.org/10.1093/bjc/azab072>

National statistics on domestic violence show that Native American and Alaska Native women and men experience domestic violence at a vastly disproportionate rate.¹³ For example, 55.5% of Native women report experiencing physical violence by an intimate partner (43.2% of men).¹⁴ Given that South Dakota shares geography with nine sovereign nations, the demand for domestic violence support from Native victims would likewise be substantial.

Sex Offenses

According to the Attorney General's data (Table 2), crimes of sexual assault have also remained fairly stable with a slight increase from 2021 to 2022 (5.66%). Unlike domestic violence, South Dakota does not provide an annual report on sexual assault supported by the Department of Health. The most recent version is the 2021 report.¹⁵ According to this report, while the United States rape rate has declined since 1992, the rate in South Dakota continually climbs and maintains at a rate higher than the U.S. (59.7 per 100,000 vs. 28.3 per 100,000 in 2021). Calculated rape rates from FBI data were higher for five of the nine sovereign nations (with no information from one nation).

Again, these statistics should be applied with care. Sexual assault is vastly underreported – and the above data sources rely on official reports. South Dakota does not collect self-report data on sexual violence – which is what some national clearinghouses do to offset the bias in the data based on relying on official statistics. Further there are complex jurisdictional issues when it comes to reporting sexual assault on Tribal lands. The DOH report discusses these issues in more details. The result is that we should expect those requesting supports for sexual assault to be higher than what appears in this report.

Crime Trends Summary

While there is much left to be desired by the breadth and depth of data on these crimes, the Crime in South Dakota Report provides the same measure of the same behavior in the same way every year. What we can be comfortable concluding from this data is that there has been very little change over time in the amount of domestic and sexual violence occurring within the state. In summary, there is no evidence that the demand for services for domestic violence or sexual assault serving agencies is diminishing.

ISSUES FROM CURRENT AGENCIES

In preparing this report, agencies provided information about how the FY2024 cuts have affected operations. Given that these reductions are new, it is fortunate that some agencies have not yet had to cut clients or services as they draw down on reserves. These agencies note that their reserves are coming to an end. A FY2025 funding cycle like that of FY2024 will result in difficult choices. For those anticipating future cuts and those having to make them now, they express similar concerns. Foremost among these was that lack of funds results in inability to hire and train a qualified workforce educated in trauma-informed best practices for supporting victims of crime. Beyond staffing issues, the agencies report that they have had to reduce the number of services provided. The below figure highlights three agencies and what they had to share about how they are dealing with the reduction in funding.

¹³ Rosay, André B., *Violence Against American Indian and Alaska Native Women and Men: 2010 Findings from the National Intimate Partner and Sexual Violence Survey*. Washington, D.C.: U.S. Department of Justice, National Institute of Justice, 2016, NCJ 249736.

¹⁴ <https://www.ojp.gov/pdffiles1/nij/249815.pdf>

¹⁵ <https://doh.sd.gov/media/filpeoyc/2021-sexual-violence-report.pdf>

Figure 2. Three Agencies as Case Studies

Agency A experienced a budget cut of \$122,020. The shelter cut 1 FTE. They provided fewer services cutting the provisioning of food, clothing, counseling, housing support, and travel. They also cut training for staff and didn't purchase needed equipment.



Agency B lost 40% of their funding (\$22,000). Thankfully, they tapped into modest reserves, preventing the necessity for immediate cuts. Nonetheless, as these funds diminish rapidly, they face tough decisions ahead if current trends persist.



Agency C lost approximately 72,000 in funding support. They had to go without staff for 8 months because they could not hire at the salary rate they could afford. The board volunteered to work in the shelter just to keep the doors open. The lack of quality pay continues to stress recruiting and retaining staff.

As Figure 1 indicated, these agencies have continued to serve the same number of clients. Some of this is undoubtedly because agencies are currently able to offset costs with some emergency savings and early fundraisers. But even fundraisers take staff time and resources that, as one agency pointed out, these cuts make no longer possible. Agencies report needing to cut services already and will likely see fewer clients if these cuts continue.

Service Impact

What does this mean for victims of domestic violence and sexual assault in practice? To answer this question, it is first necessary to discuss what we are talking about when we mention victim services. Victim services allowable under VOCA include:¹⁶

1. Response to the emotional, psychological, and physical needs of crime victims;
2. Assistance to crime survivors to stabilize their lives after victimization;
3. Assistance to crime survivors to understand and participate in the criminal justice system; and
4. Restoring a measure of safety and security to crime survivors (i.e. repairing locks).

In terms of South Dakota agencies, this includes everything from providing safety planning, shelter, support with orders of protection, explanation of court processes, support during a sexual assault medical forensic exam, housing, job training, emergency supplies, and more.

A report out of Montana was able to estimate that the average cost per service as \$22.¹⁷ Without a similar legislative funded analysis of services in South Dakota, it is reasonable to adopt this figure for estimating purposes – particularly given many similarities between the two states. Using this figure, in FY 2022 when federal funding was 8.2 million, we estimate 356,684 services to victims. As drops continue, for every \$1

¹⁶ <https://ejusa.org/resource/apply-for-voca-funding/how-do-you-apply/services-voca-funds/>

¹⁷ <https://leg.mt.gov/content/Publications/fiscal/2023-Interim/IBC-D/HJ-29-Study-Report-Final.pdf>

million in reduced funding results in a loss of 44,877 services to victims. With a drop of 4.1 million from FY 2023 to FY 2024, we would estimate a loss of 180,917 services to victims.

CONCLUSION

In conclusion, the report summarizes far-reaching repercussions of reduced VOCA funds, outlining the challenges faced by victim service agencies in South Dakota.

- **Background:** VOCA, a federal law, supports local agencies aiding victims of crime using funds from convicted perpetrators and other sources. A shift in Department of Justice practices led to a 70% decline in the compensation fund, affecting state block programs and causing decreased support for victim service providers.
- **Financial Support Trends:** There was a significant drop in VOCA funds in 2022 which the state provided funds to offset in 2022 and 2023. There was a substantial reduction in state supplemental funding in 2024. Agencies witnessed a 61.36% decrease in supplemented budgets despite maintaining support levels for victims.
- **Crime Trends:** Examining crime data, primarily from law enforcement reports, indicates that demand for services should not see declines based on victimization rates. Further, these reports underestimate the actual prevalence of domestic and sexual violence, emphasizing the continued need for victim services.
- **Agency Concerns:** Feedback from affected agencies—facing FY2024 cuts—reflects shared concerns. Inadequate funds restrict hiring and training of qualified personnel, force service reductions, and impede agency operations. Despite many maintaining current service levels in the short term, agencies foresee challenges in continuing support amidst these cuts.
- **Service Impact:** VOCA-supported victim services cover a wide spectrum, including emotional, physical aid, navigating legal systems, and restoring safety. Estimated at \$22 per service, the funding decline from FY 2023 to FY 2024 is projected to result in approximately 180,917 fewer services to victims, indicating a significant impact.

Despite legislative efforts to stabilize funds, recovery remains slow. Current appropriations at a federal level are very likely to fall short of needed levels to provide adequate victim services in South Dakota. This ongoing struggle with limited resources jeopardizes essential victim support, highlighting the pressing need for sustained financial backing to ensure adequate assistance to survivors of crime.