

SENATE BILL REPORT

SB 5362

As of February 24, 2025

Title: An act relating to victims of crime act funding.

Brief Description: Concerning victims of crime act funding.

Sponsors: Senators Dhingra, Frame, Hasegawa, Salomon, Trudeau and Wilson, C..

Brief History:

Committee Activity: Law & Justice: 2/03/25, 2/06/25 [DPS-WM].

Ways & Means: 2/26/25.

Brief Summary of First Substitute Bill

- Creates the Victims of Crime Act Account.
- Requires the state treasurer to deposit funds into the VOCA account for victim services that total certain aggregate amounts each fiscal year.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5362 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Holy, Ranking Member; Fortunato, Lovick, Salomon, Torres, Valdez and Wagoner.

Staff: Ryan Giannini (786-7285)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Trevor Press (786-7446)

Background: Victims of Crime Act of 1984. The Victims of Crime Act (VOCA) of 1984

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

is a federal law that established the Crime Victims Fund (CVF). The CVF was established to support state victim compensation and local victim assistance programs. VOCA funding is distributed to thousands of programs throughout the nation supporting victims who have suffered physical, emotional, and financial harm. Federal, state, and tribal victim assistance programs receive formula grants, discretionary grants, and set-asides according to an established annual allocation process.

The CVF is financed by criminal fines, penalties, and bond forfeitures from convictions in federal cases. The total balance of the CVF has fluctuated and deposits into the fund have varied from year to year. In 2001, an amendment to VOCA allowed for gifts, donations, and bequests by private parties to be deposited into the CVF. In 2021, Congress passed the VOCA Fix to Sustain the Crime Victims Fund Act of 2021 in response to steady declines in deposits since 2018.

Victims Services Funding in Washington. The Office of Crime Victims Advocacy (OCVA) funds programs, tribes, and tribal organizations throughout Washington that provide support and assistance to individuals who have been hurt, harmed, or identify as being victims or survivors of crimes. OCVA serves as the administrator of VOCA funds allocated to Washington each fiscal year. Such funds must be expended within approximately three years. OCVA uses a rolling average of VOCA allocations received over the past three-year period to determine the total federal funding for Washington each fiscal year.

Since 2022, the Legislature has supplemented victim services funding to OCVA due to decreased VOCA allocations.

Summary of Bill (First Substitute): The Victims of Crime Act Account is established in the Washington Treasury. Each fiscal year, the state treasurer shall deposit funds into the Victims of Crime Act Account for victim services that total, in the aggregate, together with the amount received under VOCA in the prior year:

- \$50 million annually for fiscal years 2026 through 2029;
- \$60 million annually for fiscal years 2030 through 2033; and
- \$70 million annually for each fiscal year thereafter.

OCVA shall support programs providing services for victims of crime throughout the state and ensure that awarded state funds:

- are administered in a unified process with other federal and state funds;
- are used to supplement, but not supplant, funding that support programs receive from other sources;
- may be used as a match for VOCA funds; and
- may not be used for capital projects.

No more than 5 percent of the funds deposited into the Victims of Crime Act Account may be used for OCVA's administrative costs in supporting programs providing services for victims of crime.

OCVA shall submit a report to the Legislature every five years with data on crime victim services and recommendations for future aggregate funding levels with a preliminary report due December 15, 2039.

EFFECT OF CHANGES MADE BY LAW & JUSTICE COMMITTEE (First Substitute):

- Removes requirement that the Legislature appropriate funds to the Office of Crime Victims Advocacy in specified ongoing amounts to support programs providing support to crime victims.
- Creates the Victims of Crime Act Account as a dedicated account in the state Treasury.
- Directs the state treasurer to transfer specified amounts, less receipts pursuant to the Victims of Crime Act, into the account.
- Caps the office of crime victims advocacy assistance administrative costs at 5 percent.

Appropriation: None.

Fiscal Note: Requested on January 26, 2025.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill (Law & Justice): *The committee recommended a different version of the bill than what was heard.* PRO: The state has been struggling with federal funding for crime victims for a long time. Every year, victim services providers advocate for the state to close the gap in federal funding with state dollars, but the state does not do that. OCVA has received hundreds of applications for funding, but because of limited funds, OCVA has only been able to support less than half of such applications. This creates stress and uncertainty for these organizations. Survivors need access to critical services. Funding shortages will negatively affect a variety of victim services which will result in longer wait times and cuts in life-saving emergency services and programs for thousands of survivors. Funding shortages will also likely result in the closure of victim services providers. States across the country are dealing with this issue. This bill will create a stable, predictable source of funding for victim services providers.

OTHER: OCVA receives VOCA funding and distributes these funds to 140 organizations across Washington to support services for victims of various crimes. These funds directly support community-based advocates. OCVA's federal funding has steadily declined over the years. In fiscal year 2018, OCVA received \$74.7 million. In fiscal year 2024, OCVA

received \$17.8 million. The Legislature has provided supplemental funding over the past four years, but this does not provide predictable sustained funding levels for victim services providers. Without additional funding, critical crime victim services will face a 55 percent reduction beginning July 1, 2025. Program cuts will disproportionately affect tribes, rural communities, and communities of color.

Persons Testifying (Law & Justice): PRO: Senator Manka Dhingra, Prime Sponsor; James McMahan, WA Assoc Sheriffs & Police Chiefs; Russell Brown, WA Association of Prosecuting Attorneys; Katie Whittier, YWCA Clark County; Leesa Manion, King County Prosecuting Attorney's Office; Paula Reed, CAC-WA; Esther Warwick, The Arc of King County; Sherrie Tinoco, WSCADV; Annalise Martucci, Office of Civil Legal Aid; Jade Carela, Tulalip Tribes Family Advocacy; Lindsay Finney, Mary Bridge Pediatric Care Continuum Children's Advocacy Center of Pierce County; Anne-Marie Schwerin, YWCA Walla Walla; Carlyn Sampson, Rebuilding HOPE; Suzi Fode, New Hope & Kids Hope; Jane Smith.

OTHER: Trisha Smith, Department of Commerce.

Persons Signed In To Testify But Not Testifying (Law & Justice): No one.