

### Crime Victims' Rights in America:

#### A Historical Overview

Our Nation's victims' rights movement and victim assistance discipline have together achieved many significant milestones over the last 41 years. These accomplishments have been the landmarks that have helped chart the course of victims' rights and services and have been achieved not by lone individuals, but by the power of coming together to achieve in unity what could not be done alone. This summary Historical Overview—from 1965 to the present—charts those landmarks, including the passage of critical federal and state laws; the implementation of promising practices that improve the delivery and scope of crime victim services; and the development of new victim assistance strategies that expand capacity for and outreach efforts to crime victims and survivors.

This summary document can be an important tool for developing public awareness messages for inclusion in brochures, service announcements, flyers, presentations, speeches, and other public and media outreach and education efforts during NCVRW and throughout the year. Using the landmarks highlighted in this overview document for messages created for NCVRW will not only educate the community about what has been accomplished on behalf of victims and survivors of crime, but also inspire the community—its leaders, potential volunteers, victims, and those who serve them—to unite to continue to improve laws and services that benefit the community as a whole, by benefiting the crime victims and survivors in its midst. The documented landmarks can be used to emphasize the power and strength of collaboration. Only by recognizing the *strength in unity* can the crime victims' movement truly achieve justice for all crime victims.



# CRIME VICTIMS' RIGHTS IN AMERICA: A HISTORICAL OVERVIEW

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**“The future is not some place we are going to, but one we are creating. The paths are not to be found, but made, and the activity of making them changes both the maker and the destination.” *John Schaar***

## 1965

- The first crime victim compensation program is established in California.
- By 1970, five additional compensation programs are created—New York, Hawaii, Massachusetts, Maryland and the Virgin Islands.

## 1972

- The first three victim assistance programs are created:
  - Aid for Victims of Crime in St. Louis, Missouri.
  - Bay Area Women Against Rape in San Francisco, California.
  - Rape Crisis Center in Washington, DC.

## 1974

- The Federal Law Enforcement Assistance Administration (LEAA) funds the first victim/witness programs in the Brooklyn and Milwaukee District Attorneys' offices, plus seven others through a grant to the National District Attorneys Association, to create model assistance programs for victims, encourage victim cooperation and improve prosecution.
- The first law enforcement-based victim assistance programs are established in Fort Lauderdale, Florida, and Indianapolis, Indiana.
- The U.S. Congress passes the Child Abuse Prevention and Treatment Act, which establishes the National Center on Child Abuse and Neglect (NCCAN). The new Center creates an information clearinghouse and provides technical assistance and model programs.

## 1975

- The first “Victims’ Rights Week” is organized by the Philadelphia District Attorney.
- Citizen activists from across the country unite to expand victim services and increase recognition of

victims’ rights through the formation of the National Organization for Victim Assistance (NOVA).

## 1976

- The National Organization for Women (NOW) forms a task force to examine the problem of battering. It requests research into the problem, along with money for battered women’s shelters.
- The first national conference on battered women is sponsored by the Milwaukee Task Force on Women in Milwaukee, Wisconsin.
- In Fresno County, California, Chief Probation Officer James Rowland creates the first victim impact statement to provide the judiciary with an objective inventory of victim injuries and losses at sentencing.
- The first hotline for battered women is started by Women’s Advocates in St. Paul, Minnesota. Women’s Advocates and Haven House in Pasadena, California establish the first shelters for battered women.
- Nebraska and Wisconsin become the first states to abolish the marital rape exemption.

## 1977

- The National Association of Crime Victim Compensation Boards is established by the existing 22 state victim compensation programs to promote the creation of a nationwide network of compensation programs.
- Oregon becomes the first state to enact mandatory arrest in domestic violence cases.

## 1978

- The National Coalition Against Sexual Assault (NCASA) is formed to combat sexual violence and promote services for rape victims.
- The National Coalition Against Domestic Violence (NCADV) is organized as a voice for the battered women’s movement on a national level.
- Parents Of Murdered Children (POMC), a self-help support group, is founded in Cincinnati, Ohio.
- Minnesota becomes the first state to allow probable cause (warrantless) arrests in cases of domestic

## A Historical Overview (continued)

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assault, regardless of whether a protection order has been issued.

### 1979

- Frank G. Carrington, considered by many to be “the father of the victims’ rights movement,” founds the Crime Victims’ Legal Advocacy Institute, Inc., to promote the rights of crime victims in the civil and criminal justice systems. The nonprofit organization was renamed VALOR, the Victims’ Assistance Legal Organization, in 1981.
- The Office on Domestic Violence is established in the U.S. Department of Health and Human Services, but is later closed in 1981.
- The U.S. Congress fails to enact the Federal Law Enforcement Assistance Administration (LEAA) and federal funding for victims’ programs is phased out. Many grassroots and “system-based” programs close.
- The World Society of Victimology is formed to promote research of victims and victim assistance; advocate for victims’ interests; and advance cooperation of international, regional and local agencies concerned with crime victims’ issues.

### 1980

- Mothers Against Drunk Driving (MADD) is founded after the death of 13-year-old Cari Lightner, who was killed by a repeat offender drunk driver. The first two MADD chapters are created in Sacramento, California, and Annapolis, Maryland.
- The U.S. Congress passes the Parental Kidnapping Prevention Act of 1980.
- Wisconsin passes the first “Crime Victims’ Bill of Rights.”
- In October, the First National Day of Unity is established by NCADV to mourn battered women who have died, celebrate women who have survived the violence, and honor all who have worked to defeat domestic violence. This day becomes Domestic Violence Awareness Week and, in 1987, expands to a month of awareness activities each October.
- NCADV holds its first national conference in Washington, DC, thus gaining federal recognition of critical issues facing battered women, and sees the birth of several state coalitions.

- The first Victim Impact Panel is sponsored by Remove Intoxicated Drivers (RID) in Oswego County, New York.

### 1981

- Ronald W. Reagan becomes the first President to proclaim “National Victims’ Rights Week” in April.
- The disappearance and murder of missing child Adam Walsh prompt a national campaign to raise public awareness about child abduction and enact laws to better protect children.
- The Attorney General’s Task Force on Violent Crime recommends that a separate Task Force be created to consider victims’ issues.

### 1982

- In a Rose Garden ceremony, President Reagan appoints the Task Force on Victims of Crime, which holds public hearings in six cities across the nation to create a greatly needed national focus on the needs of crime victims. The Task Force’s *Final Report* offers 68 recommendations that become the framework for the advancement of new programs and policies. Its final recommendation, to amend the Sixth Amendment of the U.S. Constitution to guarantee that “...the victim, in every criminal prosecution, shall have the right to be present and to be heard at all critical stages of judicial proceedings...” becomes a vital source of new energy pushing toward the successful efforts to secure state victims’ rights constitutional amendments through the 1980s and beyond.
- The Federal Victim and Witness Protection Act of 1982 brings “fair treatment standards” to victims and witnesses in the federal criminal justice system.
- California voters overwhelmingly pass Proposition 8, which guarantees restitution and other statutory reforms to crime victims.
- The passage of the Missing Children’s Act of 1982 helps parents guarantee that identifying information about their missing child is promptly entered into the FBI National Crime Information Center (NCIC) computer system.

## A Historical Overview (continued)

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### 1983

- The Office for Victims of Crime (OVC) is created by the U.S. Department of Justice within the Office of Justice Programs to implement recommendations from the President's Task Force on Victims of Crime. OVC establishes a national resource center, trains professionals and develops model legislation to protect victims' rights.
- U.S. Attorney General William French Smith establishes a Task Force on Family Violence, which holds six public hearings across the United States.
- U.S. Attorney General Smith issues the first Attorney General Guidelines for Victim and Witness Assistance, which outlines standards for federal victim and witness assistance for implementation of victims' rights contained in the Federal Victim and Witness Protection Act of 1982.
- In April, President Reagan honors crime victims in a White House Rose Garden ceremony.
- The First National Conference of the Judiciary on Victims of Crime is held at the National Judicial College in Reno, Nevada, with support from the National Institute of Justice. Conferees develop recommendations for the judiciary on victims' rights and services.
- President Reagan proclaims the first National Missing Children's Day in observance of the disappearance of missing child Etan Patz.
- Wisconsin passes the first Child Victim and Witness' Bill of Rights.
- The International Association of Chiefs of Police Board of Governors adopts a Crime Victims' Bill of Rights and establishes a Victims' Rights Committee to bring about renewed emphasis on the needs of crime victims by law enforcement officials nationwide.
- President Reagan signs the Justice Assistance Act, which establishes a financial assistance program for state and local government and funds 200 new victim service programs.
- In February, Crime Prevention Week is marked by a White House ceremony with McGruff, the crime-fighting mascot of the National Crime Prevention Council.
- The National Center for Missing and Exploited Children (NCMEC) is created as the national resource agency for missing children. Passage of the Missing Children's Assistance Act provides a Congressional mandate for the Center.
- The Task Force on Family Violence presents its report to the U.S. Attorney General with recommendations for action, including the criminal justice system's response to battered women; prevention and awareness; education and training; and data collection and reporting.
- The National Minimum Drinking Age Act of 1984 is enacted, providing strong incentives to states without "21" laws to raise the minimum age for drinking, saving thousands of young lives in years to come.
- The first of several international affiliates of MADD is chartered in Canada.
- The Spiritual Dimension in Victim Services is founded to involve the faith community in violence prevention and victim assistance.
- The U.S. Congress passes the Family Violence Prevention and Services Act, which earmarks federal funding for programs serving victims of domestic violence.
- The ad-hoc committee on the victims' rights constitutional amendment formalizes its plans to secure passage of amendments at the state level.

### 1984

- The passage of the Victims of Crime Act (VOCA) establishes the Crime Victims Fund, made up of federal criminal fines, penalties and bond forfeitures, to support state victim compensation and local victim service programs.
- Concerns of Police Survivors (COPS) is organized at the first police survivors' seminar held in Washington, DC, by 110 relatives of officers killed in the line of duty.
- The first National Symposium on Sexual Assault is co-sponsored by the Office of Justice Programs and the Federal Bureau of Investigation, highlighting at the

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federal level the important needs of victims of rape and sexual assault.

- A victim/witness notification system is established within the Federal Bureau of Prisons.
- OVC hosts the first national symposium on child molestation.
- Victim/witness coordinator positions are established in the U.S. Attorneys' Offices within the U.S. Department of Justice.
- California State University, Fresno, initiates the first Victim Services Certificate Program offered for academic credit by a university.
- OVC establishes the National Victims Resource Center, now named the Office for Victims of Crime Resource Center (OVCRC), to serve as a clearinghouse for OVC publications and other resource information.

### 1985

- The Federal Crime Victims Fund deposits total \$68 million.
- The National Victim Center (renamed the National Center for Victims of Crime in 1998) is founded in honor of Sunny von Bulow to promote the rights and needs of crime victims and to educate Americans about the devastating effect of crime on our society.
- The National Institute of Mental Health and NOVA sponsor a services, research and evaluation colloquium about the "Aftermath of Crime: A Mental Health Crisis."
- The United Nations General Assembly adopts the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power that serves as the basis for victim service reform at national and local levels throughout the world.
- President Reagan announces a Child Safety Partnership with 26 members. Its mission is to enhance private sector efforts to promote child safety, to clarify information about child victimization, and to increase public awareness of child abuse.
- The U.S. Surgeon General issues a report identifying domestic violence as a major public health problem.

### 1986

- The Federal Crime Victims Fund deposits total \$62 million.
- OVC awards the first grants to support state victim assistance and compensation programs.
- Two years after its passage, the Victims of Crime Act is amended by the Children's Justice Act to provide funds specifically for the investigation and prosecution of child abuse.
- Over 100 constitutional amendment supporters meet in Washington, DC, at a forum sponsored by NOVA to refine a national plan to secure state victims' rights constitutional amendments.
- Rhode Island passes a victims' rights constitutional amendment granting victims the right to restitution, to submit victim impact statements, and to be treated with dignity and respect.
- MADD's "Red Ribbon Campaign" enlists motorists to display a red ribbon on their automobiles, pledging to drive safe and sober during the holidays. This national public awareness effort has since become an annual campaign.
- By the end of 1986, 35 states have established victim compensation programs.

### 1987

- The Federal Crime Victims Fund deposits total \$77 million.
- The National Victims' Constitutional Amendment Network (NVCAN) and Steering Committee are formed at a meeting hosted by the National Victim Center.
- Security on Campus, Inc. (SOC) is established by Howard and Connie Clery, following the tragic robbery, rape and murder of their daughter, Jeanne, at Lehigh University in Pennsylvania. SOC raises national awareness about crime and victimization on our nation's campuses.
- The American Correctional Association establishes a Task Force on Victims of Crime.
- NCADV establishes the first national toll-free domestic violence hotline.

## A Historical Overview (continued)

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- National Domestic Violence Awareness Month is officially designated to commemorate battered women and those who serve them.
- In a 5-4 decision, the U.S. Supreme Court rules in *Booth v. Maryland* (482 U.S. 496) that victim impact statements are unconstitutional (in violation of the Eighth Amendment) when applied to the penalty phase of a capital trial as “only the defendant’s personal responsibility and moral guilt” may be considered in capital sentencing. However, significant dissenting opinions are offered.
- Victims and advocates in Florida, frustrated by five years of inaction by their legislature on a proposed victims’ rights constitutional amendment, begin a petition drive. Thousands of citizens sign petitions supporting constitutional protection for victims’ rights. The Florida legislature reconsiders, and the constitutional amendment appears on the 1988 ballot.
- Victims’ rights constitutional amendments are introduced in Arizona, California, Connecticut, Delaware, Michigan, South Carolina and Washington. Florida’s amendment is placed on the November ballot, where it passes with 90 percent of the vote. Michigan’s amendment passes with over 80 percent of the vote.
- The first “Indian Nations: Justice for Victims of Crime” conference is sponsored in Rapid City, South Dakota, by OVC.
- Amendments to the Victims of Crime Act legislatively establish the Office for Victims of Crime, elevate the position of Director by making Senate confirmation necessary for appointment, and induce state compensation programs to cover victims of domestic violence, homicide and drunk driving. In addition, VOCA amendments added a new “priority” category for funding victim assistance programs at the behest of MADD and POMC for “previously underserved victims of violent crime.”

### 1988

- The Federal Crime Victims Fund deposits total \$93 million.
- OVC sets aside funds for the Victim Assistance in Indian Country (VAIC) grant program to provide direct services to Native Americans by establishing “on-reservation” victim assistance programs in Indian Country.
- The National Aging Resource Center on Elder Abuse (NARCEA) is established by a cooperative agreement among the American Public Welfare Association, the National Association of State Units on Aging, and the University of Delaware. Renamed the National Center on Elder Abuse (NCEA), it continues to provide information and statistics.
- *State v. Ciskie* is the first case to allow the use of expert testimony to explain the behavior and mental state of an adult rape victim. The testimony is used to show why a victim of repeated physical and sexual assaults by her intimate partner would not immediately call the police or take action. The jury convicts the defendant on four counts of rape.
- The Federal Drunk Driving Prevention Act is passed, and all states raise the minimum drinking age to 21.
- OVC provides funding for the first time to the National Association of Crime Victim Compensation Boards to expand national training and technical assistance efforts.
- OVC establishes a Federal Emergency Fund for victims in the federal criminal justice system.

### 1989

- The Federal Crime Victims Fund deposits total \$133 million.
- In a 5-4 decision, the U.S. Supreme Court reaffirms in *South Carolina v. Gathers* (490 U.S. 805) its 1987 decision in *Booth v. Maryland* that victim impact evidence and arguments are unconstitutional (in violation of the Eighth Amendment) when applied to the penalty phase of a capital trial as “a sentence of death must be relevant to the circumstances of the crime or to the defendant’s moral culpability.” Again, significant dissenting opinions are offered.
- “White Collar Crime 101” is published and begins a national dialogue about the implementation of rights and resources for victims of fraud.
- The legislatures in Texas and Washington pass their respective victims’ rights constitutional amendments, which are both ratified by voters.

## A Historical Overview (continued)

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### 1990

- The Federal Crime Victims Fund deposits total \$146 million.
  - The U.S. Congress passes the Hate Crime Statistics Act requiring the U.S. Attorney General to collect data of incidence of certain crimes motivated by prejudice based on race, religion, sexual orientation or ethnicity.
  - The Student Right-to-Know and Campus Security Act, requiring institutions of higher education to disclose murder, rape, robbery and other crimes on campus, is signed into law by President George Bush.
  - Congress passes the Victims of Child Abuse Act, which features reforms to make the federal criminal justice system less traumatic for child victims and witnesses.
  - The Victims' Rights and Restitution Act of 1990 incorporates a Bill of Rights for federal crime victims and codifies services that should be available to victims of crime.
  - Congress passes legislation proposed by MADD to prevent drunk drivers and other offenders from filing bankruptcy to avoid paying criminal restitution or civil fines.
  - The Arizona petition drive to place the victims' rights constitutional amendment on the ballot succeeds, and the amendment is ratified by voters.
  - The first National Incidence Study on Missing, Abducted, Runaway and Thrownaway Children in America shows that annually over one million children are abducted.
  - The National Child Search Assistance Act requires law enforcement to enter reports of missing children and unidentified persons into the NCIC computer.
- ### 1991
- The Federal Crime Victims Fund deposits total \$128 million.
  - U.S. Representative Ilena Ros-Lehtinen (R-FL) files the first Congressional Joint Resolution to place victims' rights in the U.S. Constitution.
  - The Violence Against Women Act of 1991 is considered by Congress.
  - California State University, Fresno, approves the first Bachelors Degree Program in Victimology in the nation.
  - The Campus Sexual Assault Victims' Bill of Rights Act is introduced in Congress.
  - The results of the first national public opinion poll to examine citizens' attitudes about violence and victimization, *America Speaks Out*, are released by the National Victim Center during National Crime Victims' Rights Week.
  - In a 7-2 decision in *Payne v. Tennessee* (501 U.S. 808), the U.S. Supreme Court reverses its earlier decisions in *Booth v. Maryland* (1987) and *South Carolina v. Gathers* (1989) and rules that testimony and prosecutorial arguments commenting on the murder victim's good character, as well as how the victim's death affected his or her survivors, do not violate the defendant's constitutional rights in a capital case.
  - The Attorney General's Summit on Law Enforcement and Violent Crime focuses national attention on victims' rights in the criminal justice system.
  - The U.S. Attorney General issues new comprehensive guidelines that establish procedures for the federal criminal justice system to respond to the needs of crime victims. The 1991 *Attorney General Guidelines for Victim and Witness Assistance* implement new protections of the Crime Control Act of 1990, integrating requirements of the Federal Crime Victims' Bill of Rights, the Victims of Child Abuse Act and the Federal Victim and Witness Protection Act.
  - The first national conference that addresses crime victims' rights and needs in corrections is sponsored in California by OVC.
  - The first nationwide survey is conducted to determine the scope of fraud and its effects, which finds that an estimated \$40 billion is lost to fraud each year. One-third of the people surveyed reported that an attempt to defraud them had occurred in the previous year.
  - The first International Conference on Campus Sexual Assault is held in Orlando, Florida.

## A Historical Overview (continued)

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- The American Probation and Parole Association (APPA) establishes a Victim Issues Committee to examine victims' issues and concerns related to community corrections.
  - The International Parental Child Kidnapping Act makes unlawful removal of a child to outside the United States a federal felony.
  - The Spiritual Dimension in Victim Services facilitates a conference of leaders of 13 religious denominations to plan ways in which these large religious bodies can increase awareness of crime victims' needs and provide appropriate services.
  - The New Jersey legislature passes a victims' rights constitutional amendment, which is ratified by voters in November.
  - Colorado legislators introduce a victims' rights constitutional amendment on the first day of National Crime Victims' Rights Week. Fifteen days later, the bill is unanimously passed by both Houses to be placed on the ballot in 1992.
  - In an 8-0 decision, the U.S. Supreme Court rules in *Simon & Schuster v. New York Crime Victims Board* that New York's notoriety-for-profit statute was overly broad and, in the final analysis, unconstitutional. Notoriety-for-profit statutes had been passed by many states by this time to prevent convicted criminals from profiting from the proceeds of depictions of their crimes in the media or publications. States must now review their existing statutes to comply with the Supreme Court's decision.
  - The Washington Secretary of State implements the nation's first Address Confidentiality Program, which provides victims of domestic violence, stalking and sexual assault an alternate, confidential mailing address, and offers confidentiality for two normally public records: voter registration and motor vehicle records.
  - By the end of 1991, seven states have incorporated victims' rights into their state constitutions.
  - OVC provides funding to the National Victim Center for the Civil Legal Remedies for Crime Victims Project to train victim advocates nationwide about additional avenues for victims to seek justice within the civil justice system.
- 1992**
- The Federal Crime Victims Fund deposits total \$221 million.
  - *Rape in America: A Report to the Nation*, published during National Crime Victims' Rights Week by the National Crime Victims Research and Treatment Center and the National Victim Center, clarifies the scope and devastating effect of rape in our nation, including the fact that annually, 683,000 women are raped in the United States.
  - The Association of Paroling Authorities, International (APAI) establishes a Victim Issues Committee to examine victims' needs, rights and services in parole processes.
  - Congress re-authorizes the Higher Education Bill, which includes the Campus Sexual Assault Victims' Bill of Rights.
  - The Battered Women's Testimony Act, which urges states to accept expert testimony in criminal cases involving battered women, is passed by Congress and signed into law by President George Bush.
  - In a unanimous decision, the U.S. Supreme Court—in *R.A.V. v. City of St. Paul*—strikes down a local hate crimes ordinance in Minnesota.
  - Five states—Colorado, Kansas, Illinois, Missouri and New Mexico—ratify victims' rights constitutional amendments.
  - Twenty-eight states pass anti-stalking laws.
  - Massachusetts passes a landmark bill creating a statewide computerized domestic violence registry and requires judges to check the registry when handling such cases.
  - The first national conference is convened with support from OVC to bring together representatives from VOCA victim assistance and compensation programs.
- 1993**
- The Federal Crime Victims Fund deposits total \$144 million.
  - Wisconsin ratifies its victims' rights constitutional amendment, bringing the total number of states with these amendments to 14.

## A Historical Overview (continued)

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- President Bill Clinton signs the “Brady Bill,” requiring a waiting period for the purchase of handguns.
- Congress passes the Child Sexual Abuse Registry Act, establishing a national repository for information about child sex offenders.
- Twenty-two states pass anti-stalking statutes, bringing the total number of states with anti-stalking laws to 50, plus the District of Columbia.

### 1994

- The Federal Crime Victims Fund deposits total \$185 million.
- The American Correctional Association (ACA) Victims Committee publishes the landmark *Report and Recommendations on Victims of Juvenile Crime*, which offers guidelines for improving victims’ rights and services within the juvenile justice system.
- Six additional states pass victims’ rights constitutional amendments—the largest number ever in a single year—bringing the total number of states with amendments to 20. States with new amendments include Alabama, Alaska, Idaho, Maryland, Ohio and Utah.
- President Clinton signs a comprehensive package of federal victims’ rights legislation as part of the Violent Crime Control and Law Enforcement Act. The Act includes:
  - The Violence Against Women Act (VAWA), which authorizes more than \$1 billion in funding for programs to combat violence against women.
  - Enhanced VOCA funding provisions.
  - Establishment of a National Child Sex Offender Registry.
  - Enhanced sentences for drunk drivers with child passengers.
- Kentucky becomes the first state to institute automated telephone voice notification to crime victims of their offender’s status, location and release date.
- OVC establishes the Community Crisis Response (CCR) program, using the NOVA model, to improve services to victims of violent crimes in communities that have experienced a crime resulting in multiple victimizations.

### 1995

- The Federal Crime Victims Fund deposits total \$233 million.
- Legislatures in three states—Indiana, Nebraska and North Carolina—pass victims’ rights constitutional amendments that will be placed on the ballot in 1996.
- The National Victims’ Constitutional Amendment Network (NVCAN) proposes the first draft of language for a federal victims’ rights constitutional amendment.
- The U.S. Department of Justice convenes a national conference to encourage implementation of the Violence Against Women Act (VAWA).
- The first class graduates from the National Victim Assistance Academy (NVAA) in Washington, DC. Supported by OVC, the university-based Academy provides an academically-credited 45-hour curriculum on victimology, victims’ rights and myriad other topics.
- The U.S. Department of Justice issues Attorney General Guidelines for Victim and Witness Assistance.
- The Beijing World Conference on Women issues a landmark call for global action to end violence against women.

### 1996

- The Federal Crime Victims Fund reaches a historic high with deposits over \$525 million.
- Federal victims’ rights constitutional amendments are introduced in both houses of Congress with bipartisan support.
- Both presidential candidates and the Attorney General endorse the concept of a federal victims’ rights constitutional amendment.
- Eight states ratify the passage of victims’ rights constitutional amendments—raising the total number of such state constitutional amendments to 29 nationwide.
- The Community Notification Act, known as “Megan’s Law,” provides for notifying communities of the location of convicted sex offenders by amendment to the national Child Sexual Abuse Registry law.

## A Historical Overview (continued)

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- President Clinton signs the Antiterrorism and Effective Death Penalty Act, providing one million dollars to strengthen antiterrorism efforts, make restitution mandatory in violent crime cases, and expand compensation and assistance services for victims of terrorism both at home and abroad, including victims in the military.
  - OVC uses its new authority under the Antiterrorism and Effective Death Penalty Act to provide substantial financial assistance to the victims and survivors of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City.
  - The Mandatory Victims' Restitution Act, enacted as Title II of the Antiterrorism and Effective Death Penalty Act, allows federal courts to award "public harm" restitution directly to state VOCA victim assistance programs. The Act made restitution in federal cases mandatory, regardless of the defendant's ability to pay. It also requires federal courts to order restitution to victims of fraud.
  - The VOCA definition of "crime victim" is expanded to include victims of financial crime, allowing this group to receive counseling, advocacy and support services.
  - The National Domestic Violence Hotline is established by Congress to provide crisis intervention information and referrals to victims of domestic violence and their friends and family.
  - OVC launches a number of international crime victim initiatives, including working to foster worldwide implementation of a United Nations Declaration on Victims' Rights and working to better assist Americans who are victimized abroad.
  - The Church Arson Prevention Act is signed into law in July, in response to increasing numbers of acts of arson against religious institutions around the country.
  - The Drug-induced Rape Prevention Act is enacted to address the emerging issue of drug-facilitated rape and sexual assault.
  - The Office of Juvenile Justice and Delinquency Prevention (OJJDP), within the U.S. Department of Justice, issues the Juvenile Justice Action Plan that includes recommendations for victims' rights and services within the juvenile justice system for victims of juvenile offenders.
- 1997**
- The Federal Crime Victims Fund deposits total \$363 million.
  - In January, a federal victims' rights constitutional amendment is re-introduced in the opening days of the 105th Congress with strong bipartisan support.
  - In February, OVC convenes the first National Symposium on Victims of Federal Crimes. Coordinated by NOVA, the symposium provides intensive training to nearly 1,000 federal employees around the world who work with crime victims.
  - In March, Congress passes at historic speed the Victims' Rights Clarification Act of 1997 to clarify existing federal law allowing victims to attend a trial and to appear as "impact witnesses" during the sentencing phase of both capital and non-capital cases. Supported by the U.S. Department of Justice, President Clinton immediately signs the Act, allowing the victims and survivors of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City to observe the trial and to provide input later at sentencing.
  - In April, the Senate Judiciary Committee conducts hearings on the proposed federal victims' rights constitutional amendment. While not endorsing specific language, Attorney General Janet Reno testifies in support of federal constitutional rights for crime victims.
  - In June, President Clinton reaffirms his support of federal constitutional rights for crime victims in a Rose Garden ceremony attended by members of Congress; criminal justice officials; and representatives of local, state and national victims' rights organizations. Also that month, the Judiciary Committee in the U.S. House of Representatives conducts its first hearing on the proposed federal victims' rights constitutional amendment.
  - To fully recognize the sovereignty of Indian Nations, OVC for the first time provides victim assistance grants in Indian Country directly to the tribes.
  - Congress enacts a federal anti-stalking law.

## A Historical Overview (continued)

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- Due to the large influx of VOCA funds in the previous fiscal year, OVC hosts a series of regional meetings with state VOCA administrators to encourage states to develop multi-year funding strategies to help stabilize local program funding, expand outreach to previously underserved victims, and to support the development and implementation of technologies to improve victims' rights and services.
- OVC continues its support of the victims and survivors of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City by funding additional advocates, crisis counseling and travel expenses for the bombing victims to attend court proceedings. When the venue of the trial is changed to Denver, Colorado, OVC provides funding for a special closed-circuit broadcast to victims and survivors in Oklahoma City.
- A comprehensive national training conference for VOCA assistance and compensation programs is hosted by the National Association of Crime Victim Compensation Boards (NACVCB) and NOVA with support from OVC. VOCA representatives from all 50 states and every territory are in attendance.
- During National Crime Victims' Rights Week, OVC officially launches its homepage, [www.ojp.usdoj.gov/ovc](http://www.ojp.usdoj.gov/ovc), providing Internet access to its comprehensive resources about victims' rights and services.
- *New Directions from the Field: Victims' Rights and Services for the 21st Century* is published by OVC. It assesses the nation's progress in meeting the recommendations set forth in the *Final Report* of the 1982 President's Task Force on Victims of Crime, and issues over 250 new recommendations from the field for the next millennium.
- Four new states pass state victims' rights constitutional amendments: Louisiana by a voter approval margin of 69 percent; Mississippi by 93 percent; Montana by 71 percent; and Tennessee by 89 percent. Also in 1998, the Supreme Court of Oregon overturns the Oregon state victims' rights amendment, originally passed in 1996, citing structural deficiencies.
- In April, representatives from system- and community-based organizations meet in St. Louis for OVC's Fraud Victimization Focus Group. Participants call for increased awareness, research, accountability and services for victims of fraud and identity theft. OVC's "Victims of Fraud & Economic Crime" publication results from this focus group.
- The Higher Education Amendments of 1998 is passed. Part E of this legislation, "Grants to Combat Violent Crimes Against Women on Campus," is authorized through the year 2003 and appropriates a total of \$10 million in grant funding to the Violence Against Women Grants Office for fiscal year 1999. Another primary aim of this legislation is to reduce binge drinking and illegal alcohol consumption on college campuses.
- Congress enacts the Child Protection and Sexual Predator Punishment Act of 1998, providing for numerous sentencing enhancements and other initiatives addressing sex crimes against children, including crimes facilitated by the use of interstate facilities and the Internet.
- Congress passes the Crime Victims with Disabilities Act of 1998, representing the first effort to systematically gather information about the extent of victimization of individuals with disabilities. This legislation directs the Attorney General to conduct a study within 18 months on crimes against individuals with developmental disabilities. In addition, the Bureau of Justice Statistics must include statistics on the nature of crimes against individuals with developmental disabilities and victim characteristics in its annual National Crime Victimization Survey (NCVS) by 2000.
- In October, the Identity Theft and Deterrence Act of 1998 is signed into law. This landmark federal

### 1998

- The Federal Crime Victims Fund deposits total \$324 million.
- Senate Joint Resolution 44, a new bipartisan version of the federal victims' rights constitutional amendment, is introduced in the Senate by Senators Jon Kyl (R-AZ) and Dianne Feinstein (D-CA). The Senate Judiciary Committee subsequently approves SJR 44 by an 11-6 vote. No further action is taken on SJR 44 during the 105th Congress.

## A Historical Overview (continued)

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legislation outlaws identity theft and directs the U.S. Sentencing Commission to consider various factors in determining penalties, including the number of victims and the value of losses to any individual victim. The Act further authorizes the Federal Trade Commission to log and acknowledge reports of identity theft, provide information to victims, and refer complaints to appropriate consumer reporting and law enforcement agencies.

- OVC provides funding to the U.S. Department of State to support the development of a Victim Assistance Specialist position to improve the quality and coordination of services provided to U.S. citizens who become victimized abroad.

### 1999

- The Federal Crime Victims Fund deposits total a record \$985 million.
- On January 19, 1999 the federal victims' rights constitutional amendment (Senate Joint Resolution 3, identical to SJR 44) is introduced before the 106th Congress.
- The Victim Restitution Enforcement Act of 1999 is officially re-titled a Bill to Control Crime by Requiring Mandatory Victim Restitution. Components of the proposed bill include establishment of procedures regarding the court's ascertaining of the victim's losses; requirement that restitution to victims be ordered in the full amount of their losses without consideration of the defendant's economic circumstances; and authorization of the court, upon application of the United States, to enter a restraining order or injunction, require the execution of a satisfactory performance bond, or take any other action necessary to preserve the availability of property or assets necessary to satisfy the criminal restitution order.
- On January 20, 1999, Senator Joseph Biden (D-DE) introduces the Violence Against Women Act II, a bill that extends and strengthens the original 1994 Violence Against Women Act. Key provisions of this bill would:
  - Strengthen enforcement of “stay away” orders across state lines.

- Increase spending for more battered women's shelters.
  - End insurance discrimination against battered women.
  - Extend the Family and Medical Leave Act to cover court appearances by battered women.
  - Target the “acquaintance rape drug,” Rohypnol, with maximum federal penalties.
- The fifth National Victim Assistance Academy (NVAA) is held in June at five university locations across the United States, bringing the total number of Academy graduates to nearly 1,000.
  - OVC issues the first grants to create State Victim Assistance Academies.
  - The National Crime Victim Bar Association is formed by the National Center for Victims of Crime to promote civil justice for victims of crime.

### 2000

- The Federal Crime Victims Fund deposits total \$777 million.
- Congress passes a new national drunk driving limit of 0.08 blood alcohol concentration (BAC) with the strong support of MADD and other victim advocacy organizations, as well as leading highway safety, health, medical, law enforcement and insurance groups. The new law, passed with strong bipartisan support, requires states to pass 0.08 “per se intoxication” laws or lose a portion of their annual federal highway funding.
- In October, the Violence Against Women Act of 2000 is signed into law by President Clinton, extending VAWA through 2005 and authorizing funding at \$3.3 billion over the five-year period. The Act:
  - Authorizes \$80 million a year for rape prevention and education grants.
  - Expands federal stalking statutes to include stalking on the Internet.
  - Authorizes \$875 million over five years for battered women's shelters.

## A Historical Overview (continued)

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- Provides \$25 million in 2001 for transitional housing programs.
  - Provides funding totaling \$25 million to address violence against older women and women with disabilities.
  - The Internet Fraud Complaint Center Web site, [www.ifccfbi.gov](http://www.ifccfbi.gov), is created by the U.S. Department of Justice, Federal Bureau of Investigation, and the National White Collar Crime Center to combat Internet fraud by giving consumers a convenient way to report violations and by centralizing information about fraud crimes for law enforcement.
  - Victimization rates as reported in the National Crime Victimization Survey (NCVS) are the lowest recorded since the survey's creation in 1973.
  - The Treasury Department conducts the National Summit on Identity Theft, which addresses prevention techniques, victims' experiences and remediation in the government and private sector.
  - In April, the federal victims' rights constitutional amendment (SJR 3) is addressed for the first time by the full U.S. Senate. On April 27, following two-and-a-half days of debate, SJR 3 is withdrawn for further consideration by its co-sponsors, Senators Kyl (R-AZ) and Feinstein (D-CA), when it becomes apparent that the measure would not receive a two-thirds majority vote necessary for approval.
  - In October, Congress passes the Trafficking Victims Protection Act of 2000 (P.L. 106-386) to combat trafficking in persons and to protect such victims by providing for: immigrants who have been victimized in the most severe fashion to remain longer in the United States and, in some cases, receive federal and state assistance; protections for certain crime victims, including violence against women; and a comprehensive law that enables law enforcement agencies to pursue the prosecution and conviction of traffickers. Congress authorizes the U.S. Attorney General to make grants to states, Indian tribes, units of local government, and nonprofit, nongovernmental victim service organizations to provide services to alien victims trafficked into the United States.
  - In November, the National Victim Assistance Academy (NVAA) launches its Advanced Topic Series with an offering of "The Ultimate Educator: Maximizing Adult Learning Through Training and Instruction."
- 2001**
- The Federal Crime Victims Fund deposits total \$544 million.
  - The National Crime Victimization Survey (NCVS) results for 2000 are released, showing that victimization rates continue to drop, reaching a new low of 25.9 million victims.
  - There were 3,047 victims killed in the terrorist attacks on American soil on September 11, 2001: 2,175 males and 648 females died at the World Trade Center; 108 males, 71 females, and five unknown died at the Pentagon; 20 males and 20 females died in the plane crash in Somerset County, Pennsylvania; and countless others were injured by these terrorist attacks.
  - Congress responds to the terrorist acts of September 11 with a raft of new laws providing funding for victim assistance, tax relief for victims, and other accommodations and protections for victims. A new federal victim compensation program was created specifically for the victims of September 11 as part of the Air Transportation Safety and System Stabilization Act. The program included many types of damages normally available only through civil actions, such as payment for pain and suffering, lifetime lost earnings and loss of enjoyment of life. To receive compensation, claimants must waive their right to bring civil action for damages suffered as a result of the terrorist acts.
  - As a part of the package of antiterrorism legislation called the USA Patriot Act of 2001, changes are made to the Victims of Crime Act (VOCA), including increasing the percentage of state compensation payments reimbursable by the federal government and allowing OVC to fund compliance and evaluation projects.
  - OVC augments state victim compensation funding to aid victims of the September 11 terrorist attacks in New York, Virginia and Pennsylvania; offers assistance to victims of the September 11 terrorist attack on the

## A Historical Overview (continued)

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Pentagon through the Pentagon Family Assistance Center; and establishes a toll-free telephone number and secure Web site for victims and their immediate family members.

- The Child Abuse Prevention and Enforcement Act and Jennifer's Law increase the annual Crime Victims Fund set-aside for child abuse victims from \$10 million to a maximum of \$20 million, and allows the use of Byrne grant funds for the prevention of child abuse and neglect. Jennifer's Law authorizes \$2 million per year through FY 2002 for states to apply for grants to cover costs associated with entering complete files of unidentified crime victims into the FBI's NCIC database.
- Regulations for victims of trafficking are adopted, providing a wholesale change in the way the federal government responds to a class of crime victims, affecting policies and procedures at the U.S. Department of State, the U.S. Department of Health and Human Services, and several U.S. Department of Justice agencies, including the FBI, the Immigration and Naturalization Service, and U.S. Attorneys' Offices.

### 2002

- The Federal Crime Victims Fund deposits total \$519 million.
- In January, OVC releases final program guidelines and an accompanying application kit for the Antiterrorism and Emergency Assistance Program for Terrorism and Mass Violence Crimes, which provides funding to compensate and assist victims of terrorism and mass violence that occur within and outside the United States.
- The National Crime Victimization Survey (NCVS) continues to show a decline in crime victimization. Violent crime victimization dropped 10 percent and property crime dropped six percent.
- The National Association of VOCA Assistance Administrators (NAVAA) is created. With OVC support, NAVAA provides technical assistance and training to state VOCA assistance administrators.
- OVC sponsors a National Public Awareness and Education Campaign in conjunction with Justice

Solutions, Parents Of Murdered Children and the Victims' Assistance Legal Organization to promote the scope and availability of victims' rights and services nationwide.

- OVC sponsors a series of national regional roundtables to hear first-hand from victims and survivors about their experiences with the criminal and juvenile justice systems.
- OVC makes available the first Helping Outreach Programs to Expand grants to grassroots, nonprofit, community-based victim organizations and coalitions to improve outreach and services to victims of crime through the support of program development, networking, coalition building and service delivery.
- Congress appropriates approximately \$20 million to fund services to trafficking victims, including: shelter; medical and mental health care; legal assistance; interpretation; and advocacy.
- By the end of 2002, all 50 states, the District of Columbia, U.S. Virgin Islands, Puerto Rico and Guam have established crime victim compensation programs.

### 2003

- The Federal Crime Victims Fund deposits total \$361 million.
- OVC celebrates its 20th anniversary of service to crime victims and those who assist them.
- The Senate Judiciary Committee passes the federal victims' rights constitutional amendment to ensure basic rights to victims nationwide.
- Congress makes the Office on Violence Against Women (formally the Violence Against Women Office within the Office of Justice Programs) a permanent independent office within the U.S. Department of Justice.
- Congress passes the PROTECT Act of 2003—also known as the “Amber Alert” law—which creates a national network of AMBER (America's Missing: Broadcast Emergency Response) to facilitate rapid law enforcement and community response to kidnapped or abducted children.

## A Historical Overview (continued)

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- The American Society of Victimology (ASV) is established at the first American Symposium on Victimology held in Kansas City, Kansas. The ASV serves as a forum for academicians and practitioners on all topics related to victimology in partnership with the World Society of Victimology.
- In July, Congress passes the Prison Rape Elimination Act designed to track and address the issue of rape in correctional institutions and develop national standards aimed at reducing prison rape.
- Congress establishes January as National Stalking Awareness Month.
- The National Domestic Violence Hotline receives its one millionth call.
- In October, the United States Postal Service releases the Stop Family Violence postage stamp to raise money for domestic violence prevention programs.
- In November, Congress appropriates \$22 million for the U.S. Department of Defense's Family Advocacy Program, \$900,000 of which is to be used for the National Domestic Violence Hotline Awareness, Intervention, and Prevention Campaign in the military services.
- In November, Congress passes the Fair and Accurate Credit Transactions Act providing new protections against identity theft, as well as provisions to help victims of identity theft recover their financial losses.
- In December, Congress passes the Trafficking Victims Protection Reauthorization Act. Along with reauthorizing programs created under the first TVPA, this legislation includes provisions aimed at strengthening prevention efforts and increasing the prosecution of offenders; increases protections for trafficking victims by enabling victims between the ages of 15 and 18 to obtain special visas (T-visas); simplifying the process by which victims are certified eligible for benefits; and allowing benefits and services to be available for victims' family members who are legally allowed to come to the United States. In addition, the legislation creates a civil cause of action for victims of forced labor or forced prostitution.

### 2004

- The Federal Crime Victims Fund deposits total \$834 million, the second highest level since its inception.
- The U.S. Department of Defense Task Force on Care for Victims of Sexual Assault releases its report and recommendations for preventing sexual assault in the military and providing a sensitive response to victims. The recommendations include establishing a single office within the U.S. Department of Defense to handle sexual assault matters; launching an information campaign to inform personnel about services available to victims; and convening a summit to update the definition of sexual assault and address victim privacy concerns within the military context.
- Congress passes legislation defining aggravated identity theft and establishing penalty enhancements for the crime, i.e., offenders who steal another person's identity information in connection with the commission of other specified felonies (for example, crimes relating to immigration, nationality, and citizenship and various forms of fraud) would be sentenced to an additional two years in prison. The legislation also prohibits the court from ordering an offender's sentence for identity theft to run concurrently with a sentence imposed on the same offender for any other crime.
- In September, the Office on Violence Against Women, U.S. Department of Justice, convenes a two-day symposium in Washington, DC, to commemorate the 10th anniversary of the Violence Against Women Act (VAWA).
- October 12th marks the 20th anniversary of the enactment of the Victims of Crime Act and the Federal Crime Victims Fund that has collected \$6 billion for services to crime victims since its passage.
- The U.S. Congress passes the Justice for All Act of 2004, which provides substantive rights for crime victims and mechanisms to enforce them, and authorizes \$155 million in funding over the next five years for victim assistance programs at the federal and state level. This omnibus crime legislation enacts the Debbie Smith Backlog Grant Program that provides \$755 million to test the backlog of over 300,000 rape kits and other crime scene evidence in

## A Historical Overview (continued)

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our nation's crime labs; and authorizes more than \$500 million for programs to improve the capacity of crime labs to conduct DNA analysis, reduce backlogs, train examiners, and support sexual assault forensic examiner programs. It also includes the Kirk Bloodsworth Post-conviction DNA Testing Program that authorizes \$25 million over five years to help states pay the costs of post-conviction DNA testing, among other provisions.

### 2005

- The Federal Crime Victims Fund deposits total \$668 million.
- The U.S. Department of Justice establishes an online national sex offender registry that provides real-time access to public sex offender data nationwide with a single Internet search.
- OVC and the Bureau of Justice Assistance issue the first joint solicitation for funding law enforcement task forces and victim services to respond to human trafficking. The primary goals of this program are to develop sustainable programs to combat human trafficking through proactive law enforcement and prosecution at all levels of government; to coordinate U.S. Attorneys Offices' efforts, and to collaborate with trafficking victim service providers; and to increase the identification and rescue of trafficking victims.
- The U.S. Congress House of Representatives establishes the first-ever U.S. Congress Victims' Rights Caucus, chaired by Congressman Judge Ted Poe (R-TX). The mission of the Caucus is to elevate crime victim issues in Congress in a bipartisan manner without infringing on the rights of the accused, and represent and advocate before the Administration and within the U.S. Congress on behalf of crime victims.
- The Silver Anniversary of National Crime Victims' Rights Week is observed nationwide in April 2005, and commemorates the pioneering efforts of President Ronald W. Reagan by dedicating the week to him.
- During the National Crime Victims' Rights Week ceremony, OVC announces the creation of the Ronald Wilson Reagan Public Policy Award to honor an outstanding individual whose leadership, vision, and innovation have led to significant changes in public policy and practice that benefit crime victims. The award is to be presented each year during National Crime Victims' Rights Week.
- As part of an integrated campaign to increase awareness about victims' rights, educate the public about the impact of crime, and promote crime victim resources, OVC launches its [crimevictims.gov](http://crimevictims.gov) Web site, which ties directly to the release of seven public service announcements (PSA) that begin to air nationally during National Crime Victims' Rights Week. This site provides information and resources for crime victims in need of assistance, individuals looking for volunteer opportunities, and service providers searching for resources or interested in registering as a PSA partner.
- The National Association of VOCA Assistance Administrators (NAVAA) releases the Crime Victims Fund Report. The Report highlights the Federal Crime Victims Fund's contribution to the federal government's efforts to assist victims, analyzes the sources of deposits into the Fund, examines the challenges in administering the Fund, and explores future challenges to the Fund's capacity to meet victims' needs.
- The American Bar Association releases "Elder Abuse Fatality Review Teams: A Replication Manual," developed by the ABA Commission on Law and Aging and funded by OVC. This groundbreaking manual provides guidance to communities interested in establishing elder abuse fatality review teams, which review deaths caused by or related to elder abuse and can improve the response of community agencies to elder abuse victims.
- In October, the Violence Against Women Act of 2005 goes to a U.S. Congress House-Senate conference committee to reach a compromise on a final version of the bill for a vote by the full Congress. The final version is expected to pass before the end of the session.

