



Guidelines for Counties Establishing a Local Victim Services Fund (Pursuant to Act 77 of 2022)

Overview

Prior to Act 77 of 2022 (Act 77), the Crime Victims Act (CVA) 18 P.S. § 11.1101 (a)(1) states, in part, “a person who pleads guilty or nolo contendere or who is convicted of a crime, shall pay costs of at least \$60 and may be sentenced to pay additional costs up to the statutory maximum monetary penalty for the offense committed.” The CVA also provides that the \$60 is divided as follows: \$35 to the Crime Victim’s Compensation Fund, and \$25 to the Victim Witness Services Fund. Finally, the statute provides that where the court imposes a cost above the \$60 minimum, the monies are divided in the following manner: 30% to the Crime Victim’s Compensation Fund, and 70% to Victim Witness Services Fund (**Act 96 funds**).

Act 77 was signed into law on July 11, 2022 and amends CVA 18 P.S. § 11.1101 (b)(2) Disposition. This section provides “that 70% of any costs which exceed \$60 shall be paid into a local victim services fund, established and administered by the county treasurer of each county. **Act 34 was signed into law on December 13, 2023 and clarifies that 70% of all costs (including Act 96 funds, that were previously deposited into the Victim Witness Services Fund) imposed on offenders that exceed the minimum \$60 penalty assessment, regardless of the date of the offense, are to be deposited into the Local Victim Service fund.** The county treasurer shall disperse money from a local victim services fund at the discretion of the county district attorney. The money in the local victim services fund shall be used only for victim services. Each county treasurer shall by August 31 of each year provide the commission with an annual statement which fully reflects all collections deposited into and expenditures from the local victim services fund for the preceding fiscal year.”

Pursuant to Act 77, “The Commission, as advised by the Victim Services Advisory Committee, shall develop guidelines for the administration of the Local Victim Services Fund.”

These Local Victim Services (LVS) Fund Guidelines provide counties with guidance on the establishment and administration of the LVS Fund pursuant to Act 77. These guidelines only apply to those counties where costs are imposed on offenders that exceed the minimum \$60 penalty assessment. Information is provided on the responsibilities of counties and should be used to develop or tailor existing policies and procedures as needed to comply with Act 77 of 2022.

Responsibilities of County District Attorneys and County Treasurers

The \$25 assessment imposed on certain offenders, supports the Rights and Services Act (RASA) Program. These funds are provided to support responsibilities assigned to the Prosecution and Juvenile Probation under the [Crime Victims Act](#) (Act 85 of 2002), [the Juvenile Act](#), and [Pennsylvania’s Rules of Juvenile Court Procedure](#). The goal is to ensure that victims of crimes committed by adult and juvenile offenders, whose cases are processed within the criminal and juvenile justice systems, receive all the rights and services to which they are entitled by law.

Under Act 77, the LVS Funds “shall only be for victim services” and support/strengthen the same provision of services to victims as delineated under the [Crime Victims Act](#), [the Juvenile Act](#), and [Pennsylvania’s Rules of Juvenile Court Procedure](#).

In accordance with Act 77, a county must establish a Local Victim Services (LVS) Fund that will be funded by 70% of any costs collected exceeding \$60 (the VPA). The LVS Fund must be administered by the county treasurer and will disperse monies from this fund (**including any interest earned**) only at the discretion of the county district attorney. The remaining 30% is kept by the Commonwealth **and is** deposited into the state Crime Victims’ Compensation Fund.

The county district attorney shall provide direction to the county treasurer regarding how the LVS funds will be utilized to support the provision of services to victims. This information should include **the name of the victim service provider**, the amount of funds to be utilized, **and the eligible RASA/VOJO/VOCA services that will be supported with the funding. This information will be required to be provided with the submission of the LVS Annual Report.**

The implementation and administration of the LVS Fund should outline the eligible activities and expenses that the LVS funds can support.

- **RASA/VOJO** eligible activities and expenses include the provision of services and notifications to victims of crime **that** they are entitled to receive under the law as their case progresses through the criminal and juvenile justice systems (please refer to [Appendix A “RASA/VOJO Eligible Activities and Expenses”](#)). These rights and services are assigned to the Prosecution and Juvenile Probation under the [Crime Victims Act](#) (Act 85 of 2002), [the Juvenile Act](#), and [Pennsylvania’s Rules of Juvenile Court Procedure](#).
- **VOCA funds are used to support essential, direct services which respond to the emotional and physical needs of crime victims and assist victims in stabilizing their lives after a victimization** (please refer to [Appendix B “VOCA Eligible Activities and Expenses”](#))

Policies and procedures **shall** be in place for those instances, where costs are imposed on offenders that exceed the minimum \$60 penalty assessment to address:

- 30% shall continue to be sent to the Commonwealth to support the state Crime Victims’ Compensation Fund;
- 70% shall be retained and deposited into a newly established Local Victim Services Fund (LVS).

Policies and procedures should address how the receipt of the funds will be tracked and dispersed utilizing established financial procedures and applicable regulations. This includes maintaining an adequate system of internal accounting and controls. The county should maintain documents to support all transactions and should include maintaining purchase orders, receiving records, paid invoices, cancelled checks, personnel, payroll, time and attendance records, and other evidence to support expenditures.

Pursuant to Act 77, “each county treasurer shall by August 31 of each year provide the commission with an annual statement which fully reflects all collections deposited into and expenditures from the local victim services fund for the preceding fiscal year.” The fiscal year will be considered July 1st of the previous year through June 30th of the current year.

The annual statement submitted by the county treasurer by August 31st will include the following:

- i. Total collections deposited into the LVS Fund for the preceding fiscal year (July-June).
- ii. **Total interest earned, if LVS funds are in an interest-bearing account for the preceding fiscal year (July-June). *NOTE* If LVS funds are in an interest-bearing account, the interest earned will be utilized as LVS funds for victim services.**
- iii. Total expenditures from the LVS fund for the preceding fiscal year (July-June).
- iv. The county district attorney must sign off on the annual statement.

The Commission, at its discretion, may ask for a more detailed breakdown of the annual statement of deposits and expenditures at any time.

The annual statement shall be submitted to the Commission through e-mail to RA-OVS-FundingInfo@pa.gov

RASA/VOJO Eligible Activities and Expenses

Accompaniment (Criminal Cases/Juvenile Cases)	Victims receive accompaniment during court-related activities and hearings. Accompaniment is the in-person support provided to a victim.
Pre-Disposition Notifications (Juvenile Cases)	Victims receive, in formats accessible to them, all notifications and services available to them throughout all appropriate pre-disposition proceedings in the juvenile justice system. Examples of pre-disposition notifications include information on available victim services; Allegation Filed; Informal Adjustment; Juvenile Petition Filed; Consent Decree; and if Adjudication Hearing Date is Set.
Post-Disposition Notification (Juvenile Cases)	Victims receive, in formats accessible to them, all notification and services available to them throughout all appropriate post-disposition proceedings in the juvenile justice system. Examples of post disposition notifications include Dispositional Hearing; Dispositional Outcome; Transfer to Another County; Transfer to Adult System; Commitment Review; Dispositional Review; Probation Revocation Hearing; Dispositional Review Hearing; Detention Hearing; Home Passes; Release from Placement; Termination of Probation; Escape from Detention Facility and Re-Apprehension.
Pre-Sentencing Notifications (Criminal Cases)	Victims receive, in formats accessible to them, all notifications and services available to them throughout all appropriate pre-sentencing proceedings in the criminal justice system. Examples of pre-sentencing notifications include information on available victim service; court hearing; and trial.
Post-Sentencing Notifications (Criminal Cases)	Victims receive, in formats accessible to them, all notifications and services available to them throughout all appropriate post-sentencing proceedings in the criminal justice system. Examples of post-sentencing notifications include: County Release State Correctional Release including Information on PA SAVIN and the Office of the Victim Advocate (OVA); and Victims as Witnesses to Execution.
Prior Comment (Criminal Cases/Juvenile Cases)	Victims receive assistance on how to provide prior comment on all adult and/or juvenile criminal matters concerning, but not limited to, the potential reduction or dropping of a charge, plea agreements, or case diversions including referrals to restorative practices, specialty courts, Accelerated Rehabilitative Disposition (ARD), informal adjustment, or consent decree.

Property Return (Criminal Cases/Juvenile Cases)	Coordinate the expeditious return of property, used as evidence, to the victim.
Restitution (Criminal Cases/Juvenile Cases)	Inform victims regarding their right to restitution under Pennsylvania law and advocate on behalf of the victim(s) for the necessity and collection of restitution.
Victims Compensation Assistance (Criminal Cases/Juvenile Cases)	Provide information to the victim about Victims Compensation Assistance and assist, directly or indirectly, in the preparation, filing and follow-up of any claim for Victims Compensation Assistance.
Victim Impact Statement (Criminal Cases/Juvenile Cases)	Provide assistance to victims regarding their right to offer a written and/or oral victim impact statement.
Victims' Rights Notification (Criminal Cases/Juvenile Cases)	Provide victims with timely information of their rights under the Crime Victims Act, and other relevant victims' rights laws (including rights automatically granted under the law and those related to victim requests for services).

The following activities and practices cannot be supported with the LVS Funds:

- Prosecution activities: These include activities that are directed towards prosecuting an offender and/or improving the juvenile justice system's effectiveness and efficiency, such as witness locating services, Victim/Witness protection costs, witness relocation expenses. The preparing, drafting, generating, mailing, or serving subpoenas, other than to the victim, is prohibited under this funding.
- Collection of restitution payments
- Counseling or therapy services
- Investigative services
- Reimbursement of victims' expenses or losses otherwise covered by the Victims' Compensation Assistance Program (VCAP)
- Relocation expenses for crime victims
- Promotional items for outreach purposes, i.e. refrigerator magnets, stress balls, key chains, etc. Please note that printing costs for pamphlets, brochures, and other program related materials are eligible.

VOCA Eligible Activities and Expenses

LVS funds may be used to support any, all, or one of the following direct services:

A. Information & Referral	Contact with victims to identify services offered and support available by victim service agencies and other community agencies. This includes the following activities:
A1. Information about the Criminal Justice Process	Informing victims about the criminal justice system and process. Could include information on how to file a police report and/or how a case might progress through the legal system. Includes explanation of legal terminology, post-sentencing services, notifications and information about property return.
A2. Information about Victim Rights, how to obtain notifications, etc.	Information about victim rights, information about victims' compensation, and/or how to obtain notifications regarding key proceeding dates, and information about SAVIN Notification System.
A3. Referral to other victim service programs	Referral to other victim service programs. This could occur if another agency is better able to provide the type of service needed, developmentally or culturally appropriate services, or services that better correlate with the offense experienced.
A4. Referral to other services, supports, and resources	Referring to other services to meet a victim's needs. Includes assessment of service needs, provisions of referrals, or providing victims with information and contacts to obtain services on their own.
B. Personal Advocacy & Accompaniment	Personal Advocacy refers to assistance with addressing the immediate practical problems created by the victimization. This includes:
B1. Victim Advocacy/Accompaniment to emergency medical care.	Emergency Medical Advocacy/Accompaniment to an emergency healthcare facility to provide emotional and/or physical support during medical care. This excludes FRE accompaniment but may include accompaniment to a medical provider using a light source to help determine if strangulation occurred.
B2. Victim Advocacy/Accompaniment to medical forensic exam.	Medical Forensic Exam Advocacy/Accompaniment to a healthcare facility to provide emotional and/or physical support during the forensic examination. This is a service that is only provided to the direct victim of a sexual assault related crime, not a significant other.
B3. Law enforcement interview advocacy/accompaniment.	Coordinating and/or helping a victim prepare for an interview with law enforcement. This includes emotional and/or physical support during interviews with law enforcement.

<p>B4. Individual Advocacy</p>	<p>Advocating on behalf of the service recipient with others (beyond providing information or a referral). This may include assistance recovering property collected as evidence, assistance managing practical issues created by the victimization, accompanying the victim to appointments with social services, providing Case Management.</p>
<p>B5. Performance of Medical or Non-Medical Forensic Exam or Interview, or Medical Evidence Collection</p>	<p>Forensic Exam and medical evidence collection for victims that is performed by specially trained examiners, such as Sexual Assault Nurse Examiners.</p> <p>-OR-</p> <p>Conducting a forensic interview by a professional trained in an NCA approved Forensic Interview model. The purpose is to elicit a child's unique information when there are concerns of possible abuse.</p>
<p>B6. Immigration Assistance</p>	<p>Non-attorney assistance for refugee and immigrant victims with specific immigration issues. This may include supportive services to help obtain special visas, continued presence application, and other immigration relief, etc.</p>
<p>B7. Intervention with employer, creditor, landlord, or academic institution</p>	<p>Advocating for a victim to secure rights, remedies, and services from non-criminal justice system providers on behalf of a victim. This includes responding to requests for records from other service providers, intervening with employers, school administrators, creditors, bill collectors, and landlords on behalf of the victim. This also includes advocacy to help the victim maintain financial and/or academic stability in the aftermath of a victimization.</p>
<p>B8. Child or dependent care assistance</p>	<p>Providing childcare OR assistance in Securing child or dependent care for counseling, criminal justice proceedings, or other appointments that pertain to the victimization.</p> <p>Agency staff may actively assist with securing suitable care, agency staff may provide the childcare, or the agency may provide monetary assistance with payment of childcare in order for victim to attend appointments or a proceeding pertaining to the victimization.</p>
<p>B9. Transportation Assistance</p>	<p>Transportation to assist the victim with attending appointments, criminal/juvenile justice proceedings, and other proceedings relevant to the victimization.</p> <p>May include coordination of transportation, costs associated with transportation (including rideshare services such as Uber, Lyft, etc.), or agency provided transportation.</p>
<p>B10. Interpreter Services</p>	<p>Includes interpreting for non-English speaking, deaf or hard of hearing, or limited English proficiency.</p> <p>This includes translation/interpretation by third party services, texting, or distributing translated documents, as well as interpretation/translations provided via staff/volunteers.</p>

C. Emotional Support or Safety Services	Specialized services and activities that provide victims emotional support, empathetic listening and guidance to meet their needs. These include:
C1. Crisis Intervention <i>(in person, includes safety planning)</i>	Communicating among professionals and victims regarding activities resulting from the victimization. Refers to specialized in-person emotional support. Includes actions necessary to expedite a case for victim protection, initiation of legal actions needed to protect the victim such as probation revocation, etc.
C2. Hotline/Crisis Line Counseling	Crisis intervention counseling provided via hotline/telephone, virtually, or through a secured chat feature or mobile application, that is provided by a counselor/advocate to provide emotional support, guidance and counseling. Individuals may be identified or may be anonymous contacts.
C3. Individual Counseling	One-to-one trauma informed interaction, via in-person, telephone or virtually, by a counselor/advocate provided to victims in response to the victimization. Interaction can include goal planning as it relates to the victimization.
C4. On-scene crisis response <i>(community response)</i>	Trained crisis responder who responds individually or as part of a team, to assist an individual(s) or a community that may have suffered trauma in the aftermath of a criminal event (e.g. KCIT response). These services must occur at the scene of a crime, immediately after a crime, or become immediately necessary due to the crime.
C5. Therapy	Specialized, intensive professional psychological/psychiatric treatment for individuals, couples, and family members that is designed to meet the needs of crime victims. This includes the evaluation of mental health needs, as well as the actual delivery of psychotherapy. Types of therapy can include alternative models such as art, healing-yoga, writing, and play. Also allows for Substance Abuse Treatment if determination can be made that substance abuse is the direct result of the victimization. Please refer to Therapy Standard for additional guidance,
C6. Support Groups	Providing or facilitating supportive group activities led by staff, volunteer or peer. This can include group counseling sessions, peer support groups, or other groups that bring victims together to aid in the healing process.
C7. Emergency Financial Assistance	Refers to payment for emergency transportation, emergency food, emergency shelter, emergency clothing, and emergency safety measures (boarding up victims' broken windows and replacing/repairing locks destroyed in the commission of a crime). Emergency funding can be used to pay for medications (prescription and non-prescription) and durable medical equipment (wheelchairs, crutches, hearing aids, eyeglasses) if

	<p>they were damaged due to the crime or victims had to leave them behind and they cannot be funded through an alternative source within 48-hours of the crime.</p> <p>Costs of short-term (up to 45 days) in-home care and supervision services for children and adults who remain in their homes when the offender/caregiver is removed.</p> <p>(See Emergency Financial Assistance Standards for requirements.)</p>
D. Shelter/Housing Services	<p>Shelter/Safe House refers to offering specialized short-term and long-term housing and related victimization support services for victims and members of their families following victimization.</p>
D1. Emergency Shelter or Safe House	<p>Temporary emergency housing provided to victims and members of their family following victimization. May include an agency provided shelter, costs for hotel accommodations, etc.</p> <p>Costs of short-term (up to 45 days) emergency shelter for elderly or disabled victims when domestic violence shelters may not be able to provide the appropriate level of care and a nursing home, adult foster care, or group home placement is needed for adults with no other safe, short-term residence.</p>
D2. Transitional Housing	<p>Housing that is provided to victims who need more time to stabilize themselves before living independently. Designed to promote self-sufficiency and help victim work towards economic stability. (See Transitional Housing standard for requirements.)</p> <p>Note: Referrals to transitional housing should be counted under section “A – Information and Referral”.</p>
D3. Relocation Assistance	<p>Assisting crime victims with locating long-term housing, regardless of distance, based on safety needs. Necessary for safety and well-being due to circumstances of victimization. Includes providing reasonable moving expenses; housing security deposits; rental expenses; and utility startup costs identified with a line item in the agency’s VOCA budget to pay for the expenses. (See Relocation standard for requirements.)</p> <p>Can also include an advocate working with a crime victim to identify relocation needs and developing a relocation plan (location, budget, etc.) but using non-VOCA funds to pay for the relocation expenses. (More comprehensive than providing Referrals or Individual Advocacy.)</p>

E. Criminal/Civil Justice System Assistance	Criminal/Civil Justice System Assistance Includes the following activities:
E1. Notification of criminal justice events	<p>A procedural service of providing notification to crime victims of any criminal justice event occurring as a result of their criminal or juvenile case. May include notification of hearings and appearances, defendant's release from jail, case status, bond hearings, disposition options, appellate decisions, etc.</p> <p>This includes assisting victims in contacting Office of the Victim Advocate (for those under probation/parole and incarcerated at Department of Corrections), community supervision, county jails, etc. to get information of any changes in the convicted defendant's status.</p>
E2. Victim Impact Statement Assistance	<p>Assistance in preparation of a statement that details the physical, psychological and economic effects of the crime on the victim and the victim's family, and assistance submitting their statement. This also includes preparing supporting letters, registering for impact panels, facilitating participation in pardons/clemency hearings, etc.</p>
E3. Assistance with Restitution	<p>Assisting victims in requesting restitution when collection efforts are not successful. May include compiling expenses incurred as a result of the crime and advocating for restitution on behalf of the crime victim.</p>
E4. Civil legal attorney assistance in obtaining protection or restraining order	<p>Services provided by an attorney to victims of domestic violence, sexual assault, child abuse, dating violence, stalking, human trafficking, or elder abuse. These services include helping a crime victim obtain a Protection from Abuse Order, Sexual Violence Protection Order, Protection from Intimidation Order, and other protective orders, as well as follow-up hearings associated with finalizing such order.</p>
E5. Civil legal attorney assistance with family law issues (custody, visitation, or support)	<p>Services provided by an attorney, where reasonable and where the need for such services arises as a direct result of the victimization. Such legal services may include financial exploitation, custody, housing disputes, public utilities termination, public benefit hearing/terminations, vacating/expunge convictions or similar actions for victims of human trafficking, assistance in criminal proceedings to assert safety, privacy or other interests as victims.</p>
E6. Other Emergency Justice Related Assistance by Victim Advocates (non-legal assistance)	<p>Actions directly connected to family violence cases that are taken to ensure the health and safety of the victim. This includes filing Emergency Protection From Abuse orders, Emergency Sexual Violence Protection orders, injunctions, elder abuse petitions, child abuse petitions, and other protective orders. Assistance with filing for emergency custody/visitation rights is eligible only if directly connected to a family violence case.</p>

E7. Immigration Attorney Assistance	Attorney or DOJ Accredited Representative providing assistance for refugee and immigrant victims with specific immigration issues such as obtaining a visa. May include Assistance with special visas, continued presence application, and other immigration relief, etc.
E.8 Prosecution Interview Advocacy/Accompaniment	Providing emotional support and/or physical accompaniment in preparation for and/or during interviews with prosecutors or other agents for prosecutorial investigation.
E.9 Law Enforcement interview Advocacy/Accompaniment	Attorney provided emotional support and/or physical accompaniment in preparation for and/or during interviews with law enforcement.
E10. Criminal Advocacy/Accompaniment	Advocate providing support, accompaniment, assistance, and/or advocacy to victims at any stage of the criminal or juvenile justice process. This includes filing an initial police report, testimony, post-sentencing services, and support.
E11. Other Legal Advice and/or Counsel	Legal Advice not captured in the above provided by an attorney to victims of crime. This could include converting ex-parte protection order to permanent orders, eviction or adversary employment actions arising from the victimization, or responding to requests for records by the courts. Civil matters related to the victimization are also included (custody, dependency, juvenile court actions, etc.).

VOCA funds can be used for activities which support the provision of direct services and administrative costs. This can include, but is not limited to, supervision of direct service providers, skills training for staff, training-related travel, and operating expenses.

The following activities and practices cannot be supported with the LVS Funds:

- **Lobbying**
- **Fundraising**
- **Research**
- **Construction**
- **For a more detailed list of eligible and ineligible VOCA activities, please refer to the [Victims of Crime Act \(VOCA\)](#)**