

U.S. SENATOR PATRICK LEAHY

CONTACT: Office of Senator Leahy,
202-224-4242

VERMONT

Leahy Introduces Crime Victims Reauthorization Bill

WASHINGTON (Wednesday, June 24, 2009) – Senator Patrick Leahy (D-Vt.) Wednesday introduced legislation to preserve and enhance federal assistance to crime victims under the Victims of Crime Act. The Crime Victims Fund Preservation Act will ensure that victims of crime, through victim service providers around the country, will receive essential services that they need to become survivors and move forward with their lives.

The Crime Victims Fund serves roughly four million crime victims every year, including victims of domestic violence, sexual assault, child abuse, elder abuse, and drunk driving, as well as survivors of homicide victims. This year marks the 25th anniversary of the Victims of Crime Act (VOCA). The Act serves as the primary source of financial support for crime victim services. The Crime Victims Fund is supported by money collected from fines, penalty assessments, bond forfeitures collected from convicted federal offenders, and other collections. It is not supported by taxpayer dollars. Grants are awarded annually by the Department of Justice under a statutory formula.

“This bill will support the intent of Congress to use revenues generated from criminal fines and forfeitures to provide direct services and compensation to crime victims,” said Leahy. “This legislation will help ensure sufficient, stable and predictable resources for victims of crime and their families, and will allow victim service providers to plan ahead in order to maximize these resources. Victim service professionals have seen a clear increase in victimization with the economic downturn, as job losses and economic stress translate into increased violence in the home and in our communities. This legislation will build upon Congress’s strong support for victims of crime by improving the mechanism through which funding is distributed to victim service providers throughout the States.”

The Leahy-authored legislation will authorize a minimum funding level for programs under the Victims of Crime Act through 2014.

In 2000, for the first time, Congress imposed a “cap” on the fund to allow Congress to ensure that adequate resources remained in the fund from year-to-year. In subsequent years, this cap has fluctuated due to its imposition on a year to year basis. Nationwide, more than 4000 agencies are supported by VOCA dollars every year. According to the National Census of Domestic Violence Services, on one day in 2008, nearly 61,000 adults and children sought support from local domestic violence programs. Due to lack of resources, almost 9000 requests were unmet due to lack of resources.

The Senate Judiciary Committee, which Leahy chairs, held a [hearing](#) earlier this year during National Crime Victims’ Rights Week to examine the services provided by the Victims of Crime Act. [Susan Russell](#) of Warren Vermont, a crime victim survivor, and [Judy Rex](#), the Executive Director of the Vermont Center for Crime Victim Services both testified at the hearing.

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**Statement Of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committee,
On The Introduction Of Crime Victims Fund Preservation Act Of 2009
June 24, 2009**

I am pleased to join with Senator Crapo to introduce the Crime Victims Fund Preservation Act of 2009, which would restore and increase critical funding for direct services and compensation to victims of crime under the Victims of Crime Act.

I was honored to support the passage of the Victims of Crime Act of 1984 (VOCA), which has been the principal means by which the Federal Government has supported essential services for crime victims and their families. The Victims of Crime Act provides grants for direct services to victims, such as state crime victim compensation programs, emergency shelters, crisis intervention, counseling, and assistance in participating in the criminal justice system. These services are all financed by a reserve fund created from fines and penalties paid by Federal criminal offenders, at no cost to taxpayers.

A number of us have worked hard over the years to protect the Crime Victims Fund (“the Fund”). State victim compensation and assistance programs serve nearly four million crime victims each year, including victims of violent crime, domestic violence, sexual assault, child abuse, elder abuse, and drunk driving. The Crime Victims Fund makes these programs possible and has helped hundreds of thousands of victims of violent crime bravely move forward with their lives.

Several years ago, I worked to make sure that the Crime Victims Fund would be there in good times, and in bad. We made sure it had a “rainy day” capacity so that in lean years, victims and their advocates would not have to worry that the Fund would run out of money and that they would be left stranded. More recently, an annual cap has been set on the level of funding to be spent from the Fund in a given year, in part to help preserve adequate funds from year to year. When this cap was established, and when President Bush then sought to empty the Crime Victims Fund of unexpended funds, I joined with Senator Crapo, Senator Mikulski and others from both political parties to make sure that the Crime Victims Fund was preserved. And fortunately Congress has consistently rejected efforts to rob crime victims of resources that are appropriately set aside to assist them and their families.

Unfortunately, the cap on the Fund has not kept pace with the demand for compensation and services. From 2006 to 2008, VOCA victim assistance formula grants were cut by \$87 billion or 22 percent. This reduction in funding, coupled with the current economic climate, was devastating to victim service providers who were forced to curtail services, lay off staff, and close their doors, jeopardizing the well-being and recovery of many crime victims.

In addition, victim service professionals have seen a clear increase in victimization and victim need in the past year as job losses and economic stress translate into increased violence in the home and in our communities. The National Crime Victims Helpline reported a 25 percent increase in calls in recent months and the National Domestic Violence Hotline reported a similar increase. Local shelters and crisis lines are also reporting a rise in demand as the shortage of affordable housing and rising unemployment are increasing the time that victims stay in emergency shelters. The rising unemployment rate also means victims are less likely to have insurance to cover their crime-related expenses.

At a Judiciary Committee hearing I chaired in April on the Victim of Crime Act, witnesses testified that there has also been an increase in the variety of crimes being committed. The National Crime Victims Helpline has seen an increase in calls from fraud victims – people falling

prey to “work at home” scams, secret shopper scams, investment scams, mortgage fraud, and construction fraud. Such victims are in desperate need of financial counseling and mental health counseling to overcome the stress and emotional impact of falling victim to these scams. Under Federal regulations, states may use compensation and victim assistance programs to aid financial crime victims, but services are not available. Victim service providers are reluctant to expand their outreach and services without assured increased funding and there is already too much competition for the limited funds available. The National Census of Domestic Violence Services conducted last fall showed that in one day, nearly 9,000 victims were turned away from shelter, counseling, and other crucial services because local programs were unable to serve them.

The need for victim assistance and compensation has grown. The Crime Victims Fund can provide more help. Recent years have seen an increase in collections from criminal fines and penalties. Accordingly, Congress has the ability to provide stable and predictable growth without jeopardizing the sustainability of the Fund, and should do so through this legislation. The Crime Victims Fund Preservation Act would establish a minimum funding level for programs under VOCA to ensure reasonable and predictable growth in victim services through FY 2014. Providing a stable and predictable funding stream will enable states to expand their programs and outreach to the thousands of victims who have nowhere to turn. Again, I emphasize that it does not cost a dime of taxpayer funds but will come exclusively from Federal criminal fines and penalties.

I want to commend Senator Mikulski, the Chairwoman of the Commerce, Justice, and Science Appropriations Subcommittee, and Senator Shelby, the Ranking Member, for working with the President to provide \$100 million in the economic recovery package for crime victims. That additional funding is sorely needed right now and I know it was sincerely appreciated by victim service providers. Funding in the Omnibus Appropriations Act of 2009 together with the Recovery Act funds, restored funding to the 2006 level, adjusted for inflation. A 2010 cap on total VOCA obligations of \$705 million is expected to maintain the funding level for assistance grants provided in 2009 through the Recovery Act funding and annual appropriations. I believe that the certainty this legislation will provide will be helpful to the states, victim service providers, and the citizens they serve, and will help improve this vital program.

I look forward to working with Senator Crapo, Senator Mikulski and many other interested Senators on this initiative to provide increased, stable, and predicable funding for to meet the ongoing need for essential services for crime victims and their families in the years ahead. I ask unanimous consent that a copy of the bill be printed in the record.

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