

United States Senate

WASHINGTON, DC 20510

May 6, 2009

The Honorable Barbara A. Mikulski, Chairwoman
The Honorable Richard C. Shelby, Ranking Member
Subcommittee on Commerce, Justice, and Science
Senate Committee on Appropriations
Washington, DC 20510

Dear Chairwoman Mikulski and Ranking Member Shelby:

Crime typically rises during tough economic times and crises centers and hotlines are reporting an alarming increase in victimization and victim need nationwide. As you begin work on the Subcommittee's appropriations for Fiscal Year (FY) 2010, we respectfully request that you raise the cap on the Crime Victims Fund ("the Fund") and oppose any proposal to rescind all amounts remaining in the Fund at the end of FY 2010.

Since its enactment more than twenty years ago, the Victims of Crime Act (VOCA), Public Law 98-473, has been the principal means by which the Federal government has supported essential services for crime victims. Congress created this Fund within VOCA so that fines, forfeitures, and other penalties paid by federal criminal offenders—*not taxpayer dollars*—generate the revenue to support our national response to victims.

Unfortunately, the previous four budget proposals sent to Congress sought to rescind the Fund and transfer those amounts into the General Treasury. Congress has repeatedly and emphatically rejected those proposals. We are hopeful the current administration will cease such attempts and we request that Congress once again protect the Crime Victims Fund and retain all amounts in the Fund to ensure stable funding for the exclusive support of crime victim services.

The Crime Victims Fund supports both victim compensation, which pays many of the out-of-pocket expenses incurred by victims as a result of crime, and victim assistance programs, which provide victims with support and guidance in the aftermath of crime. More than 4 million victims a year are served by over 4,400 local and state victim service agencies funded by VOCA. VOCA assistance grants support programs that provide assistance to victims of all kinds of crime including victims of assault, robbery, gang violence, intoxicated drivers, fraud, elder abuse, domestic violence, child abuse and neglect, sexual assault, stalking and survivors of homicide, and many others. VOCA also provides assistance for those involved in the federal criminal justice system, including survivors of terrorist acts.

During the past year, victim service professionals have seen a clear increase in victimization and victim need, 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.

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Across the board, victim service providers are strapped for resources, forcing many to curtail specialized services, lay off staff and close their doors, jeopardizing many victims' lives.

Recent years have seen an increase in collections, and the balance of the Fund has increased dramatically. In FY 2008 alone, approximately \$896 million was collected for the Fund—\$186 million more than had been anticipated. With \$625 million deposited into the Fund through the first quarter, FY 2009 is likely to yield even higher returns. This trend will likely continue for years to come as the Department of Justice has already announced a series of negotiated settlements in criminal cases that will generate some \$2 billion spread out over several years.

While the balance of the Fund has grown, so has the need for victim assistance and compensation. The economic downturn has resulted in limits on state government funding and significant decreases in private giving, while at the same time disbursements from the Fund have been level or even decreased in recent years. With the increased need for funding, and the ample balance in the Fund, now is the time to raise the cap on the Crime Victims Fund and release additional money for the purpose for which it was and continues to be collected.

Accordingly, we request that the cap on total obligations from the Crime Victims Fund be set to a level that at minimum restores state assistance grants to the amount awarded in FY 2006. We estimate that amount to be \$705 million (adjusted for inflation).

Your Subcommittee has a tradition of defending the Crime Victims Fund and we greatly appreciate your efforts to protect and restore VOCA funding. In the past several years, repeated attempts were made to rescind or even cancel the Fund, and the Subcommittee soundly rejected those attempts. Now we ask you to further honor the spirit of the Victims of Crime Act and the Crime Victims Fund by raising the cap to meet the ongoing need for essential services for crime victims.

Thank you for your leadership in this critical area and for your consideration of this request.

Sincerely,


Patrick Leahy

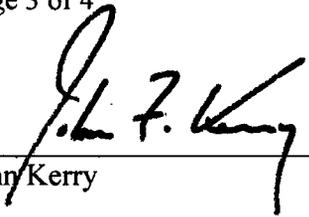

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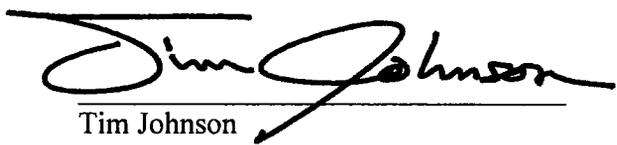

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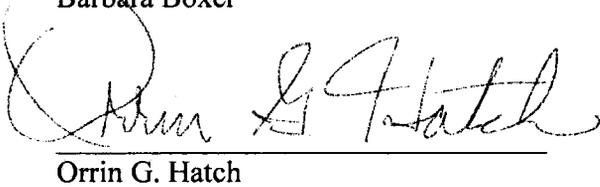

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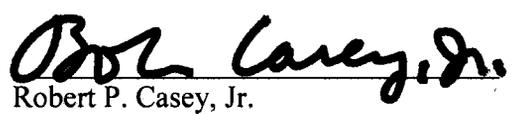

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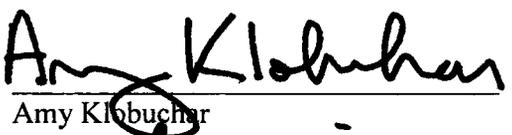

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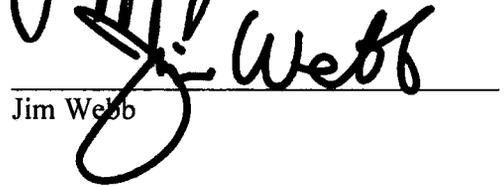

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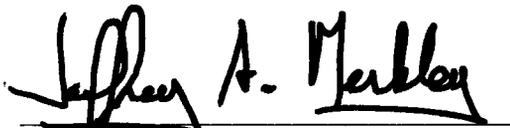
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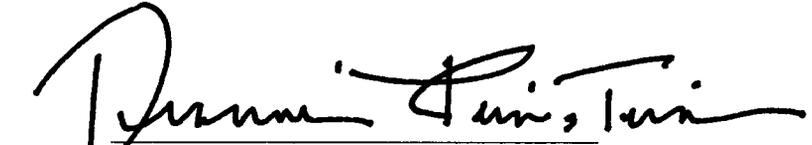
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cc: The Honorable Daniel K. Inouye, Chairman,
Senate Committee on Appropriations

The Honorable Thad Cochran, Ranking Member
Senate Committee on Appropriations