



August 17, 2009

The Honorable Barbara Mikulski
Chair, Subcommittee on Commerce,
Justice, Science and Related Agencies
United States Senate
503 Hart Senate Office Building
Washington, DC 20510-2002

The Honorable Richard Shelby
Ranking Member, Subcommittee Commerce,
Justice, Science and Related Agencies
United States Senate
304 Russell Senate Office Building
Washington, DC 20510-0103

SENT VIA FAX

Dear Chairman Mikulski and Ranking Member Shelby:

We wish to express our sincere gratitude to you and the members of the Commerce, Justice, Science and Related Agencies Appropriations Subcommittee for your efforts in protecting and restoring funding under the Victims of Crime Act. Your actions in response to repeated attempts to rescind the fund were recognized and appreciated. Additionally, as a result of your actions in both the FY 2009 Omnibus Appropriations Act and the American Recovery and Reinvestment, VOCA funding for state assistance programs in 2009 will be returned to the amounts available in 2006. These programs provide important, often life-saving services to some 4 million victims of all types of crime every year.

While reversal of previous reductions in VOCA assistance funding was significant for crime victim services, the needs of crime victims continue to increase. We know, for example, that according to a 24-hour census conducted in 2008 by the National Network to End Domestic Violence, some 9,000 requests for shelter and other services on just one day were unmet because of "a critical shortage of funds and staff." The National Crime Victims Helpline reports a 25 percent increase in calls and the National Domestic Violence Hotline reported a similar increase.

Senate Bill 1340, "The Crime Victims Fund Preservation Act," introduced by Senators Patrick Leahy (D-VT) and Michael Crapo (R-ID), will provide victim service agencies with a steady, predictable and reasonable increase in VOCA funding through 2014. As representatives of national and state victim advocacy, criminal justice and other groups that support services for victims of all types of crimes, we strongly endorse S. 1340. We believe that this proposal retains a level of savings to meet the planning needs of appropriators and protect the stability of the Fund, and urge you and the members of the subcommittee to join with us in support of S. 1340.

As a result of the cap on annual VOCA obligations and some extraordinarily large criminal fines, the amount retained in the Crime Victims Fund (the "rainy day balance") has and will continue to accumulate. Based on already published judgments in federal criminal cases, a minimum of \$2.4 billion in criminal fines will be deposited into the Fund between 2009 and 2014. Thus, even under S. 1340 there will still be a substantial Fund balance carried over each year, thereby ensuring the Fund's sustainability.

Consistent with Congress' express intent that the Crime Victims Fund be used only to support victim services, Senators Leahy and Crapo introduced S. 1340 to draw down these funds to be used as provided for in the VOCA statute. Under the bill, the VOCA statute would establish a minimum cap for fiscal years 2010 through 2014; the 2010 cap would be \$705 million (a \$70 million increase over the FY 2009 cap) and then increase by 23 percent

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each year through 2014. As a result, the VOCA cap will exceed \$1.6 billion in 2014 yet a sufficient amount will be retained in the Fund to ensure its sustainability

We believe that drawing down the Fund balance is essential to meeting the ever-growing needs to assist crime victims' recovery and will help protect against future attempts to rescind the Fund balance.

We look forward to your support and assistance to enact this important legislation providing critically needed resources to help victims of crime.

For more information, please contact Steve Derene, National Association of VOCA Assistance Administrators, steve@navaa.org, (608) 233-2245 or Susan Howley, National Center for Victims of Crime, showley@ncvc.org, (202) 467-8722.

Sincerely,

National Association of VOCA Assistance Administrators
National Center for Victims of Crime
American Probation and Parole Association
American Society of Victimology
Arizona Voice for Crime Victims
Association of Prosecuting Attorneys
Association of VAWA Administrators
Break the Cycle
Casa de Esperanza
CASA of New Jersey
Coalition of Pennsylvania Crime Victim Organizations (COPCVO)
Colorado Organization for Victim Assistance
Family Violence Prevention Fund
International Organization for Victim Assistance
Jewish Women International
Justice Solutions, Inc.
Maryland Crime Victims Resource Center
Mothers Against Drunk Driving
National Alliance to End Sexual Violence
National Association of Crime Victim Compensation Boards
National Association of Victim Service Professionals in Corrections (NAVSPIC)
National CASA Association
National Coalition Against Domestic Violence
National Congress of American Indians Task Force on Violence Against Women
National Council of Jewish Women
National Crime Victim Research and Treatment Center
National Crime Victims Law Institute
National Criminal Justice Association
National District Attorneys' Association
National Judicial College
National Network to End Domestic Violence
National Organization for Victim Assistance

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National Organization of Parents of Murdered Children
SafeNOW Project
Security on Campus, Inc.
Stop Family Violence
Texas CASA
The National Coalition of Victims In Action (NCVIA)
The National Organization of Sisters of Color Ending Sexual Assault (SCESA)
The Renée Olubunmi Rondeau Peace Foundation (RORPF)
The Wellstone Institute
Victims' Assistance Legal Organization (VALOR)
Wisconsin CASA Association
YWCA USA

cc: Members of Senate Subcommittee on Commerce, Justice, Science and Related Agencies
Hon. Patrick Leahy
Hon. Mike Crapo