

TESTIMONY OF MARY LOU LEARY
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Before the Committee on the Judiciary United States Senate
January 8, 2009

"Helping State and Local Law Enforcement during an Economic Downturn"

Good morning, Chairman Leahy, ranking member Specter, and members of the Committee. My name is Mary Lou Leary, and I am the executive director of the National Center for Victims of Crime. For over twenty years the National Center has worked to ensure that victims have the rights and resources they need to recover and rebuild their lives after a crime. We help thousands of victims each year through our toll-free National Crime Victim Helpline. We provide advice and technical assistance to policy makers and victim service providers across the country. We work to raise public awareness of the impact of crime on victims and train thousands of professionals at national and regional conferences to help them address victims' needs more effectively.

We would like to thank the Committee for giving us the opportunity to speak to this important issue: the link between our economic downturn and the need to fully fund victim services and our local law enforcement response to crime. For the past eight years, the issue of crime in our communities has been neglected at the federal level. As important as homeland security is, the safety of our neighborhoods is just as important. We are hopeful that this hearing will encourage the incoming administration and Congress as a whole to refocus attention on this issue.

The current situation.

I would like to take a few minutes to talk about the increase in victimization across the country. Is there a relationship between the economic downturn and rates of victimization? We know that there is always a time lag before fluctuations in crime rates are reflected in official statistics like the Uniform Crime Report (UCR). However, we also know that in a 2008 study of 124 U.S. cities by the U.S. Conference of Mayors, more than four in 10 of the surveyed cities reported an increase in crime as a result of worsening economic conditions at that time.¹ They also reported a simultaneous cutback in budgets for local law enforcement. Since that report, the economy has only plunged further.

And only yesterday the Washington Post reported a 7.7 percent increase in major crime in Montgomery County, Maryland--the largest annual percentage increase in 17 years.

But regardless of how direct the correlation between the economic downturn and crime rates may be, during the past year, victim service professionals have seen a clear increase in victimization and victim need, coupled with significantly reduced funding to respond to this crisis.

At the National Center, we have seen a 25 percent increase in calls to our National Crime Victim Helpline in the past year (from October 2007 to October 2008). Many hotlines and crisis lines around the country are seeing similar increases, as job losses and economic stress factor into increased violence in the home and in our communities.

We recently polled our members about crime and victimization in their communities. What they told us can only be described as a crisis in the nation's ability to respond to victims of crime. I'd like to share with you some of their responses.

First, 92 percent of respondents reported an increase in victimization. In particular, they noted increases in robberies, property crimes, and domestic violence. Many also mentioned an increase in the level of violence associated with these crimes. Some of the comments we received:

? A prosecutor-based assistant for domestic violence victims said, "I've seen my victim base double in the year I have been doing my job."

? Another prosecutor-based victim assistant told us, "We've had a 143 percent increase from 2005 to 2007 in face-to-face contact with victims [and] a 215 percent increase in . . . telephone contact."

? One shelter worker reported, "There has been a 34 percent increase in victim services over the last several months in my domestic violence shelter."

? A law enforcement-based victim assistant said, "Services to new victims . . . have increased by 11 percent over the previous year. Elder abuse referrals have increased by 19 percent, and services to our growing immigrant population have increased by 13 percent."

Many said that victims were also requiring more services. They told us repeatedly that due to a shortage of affordable housing, the increased cost of living, and rising unemployment, victims are requiring longer stays in emergency shelters. And many victims are coming to victim services with a broader range of needs.

Nearly 90 percent of respondents thought this increased demand for victim services was linked to economic conditions. Some of their observations were telling. Some noted the link between financial stress and increased drug and alcohol use, which in turn, they felt, was connected to increased violence. Others noted an increasing homeless population, people who are particularly vulnerable to crime. Several reported increased requests for victim compensation, stating that victims are less likely to have insurance to cover their crime-related expenses. One victim service provider responded that since their services were free, they were seeing an influx of victims who used to be treated by mental health centers, senior centers, and other programs that have been downsized or closed.

One respondent who works with sexual assault victims observed that victims may suffer from longterm depression, posttraumatic stress disorder (PTSD) or other trauma-related disorders. When faced with additional stressors such as a job loss or decrease in income, victims can be pushed into a "crisis mode" where past trauma resurfaces and sets the victim on a downward spiral.

Across the board, victim service providers reported that they are strapped for funding. Many spoke of a decline in corporate and individual giving, and of significant state and county budget cuts.

Several respondents in rural areas spoke of the funding pressures they face. Many, who are currently serving nine or 10 counties, are under financial pressure to reduce the size of their service area. Rural programs reported a lack of funding for transportation either to bring victims to services or bring services to outlying areas. One prosecutor-based victim assistance provider told us, "If our program goes away, there is no one else in our county who is there to help victims of crime."

Addressing this crisis

How can we address this crisis? We understand that budgets are tight. But we believe that smart investments by Congress would both significantly improve services to victims and help save millions of dollars that would otherwise be lost as a result of the harm suffered by victims of crime. This harm is

reflected in lost wages and productivity, substance abuse, posttraumatic stress disorder, a host of physical and psychological injuries, suicide, and loss of financial stability. Smart investments include releasing additional Victims of Crime Act (VOCA) funds, fully funding the programs included in the Violence against Women Act, restoring funding for Byrne/JAG grants, funding the COPS Office, and funding alternatives for at-risk juveniles.

VOCA

In our view, the best way for Congress to support a more effective response to victims is by releasing additional VOCA funds.

The Victims of Crime Act (VOCA) Fund is the principal source of funding for victim services. Funded entirely through fines and penalties on federal offenders, the VOCA fund supports both crime 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. Nearly 4 million victims a year are served by more than 4,000 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, survivors of homicide, and many others. VOCA also supports victim assistance for those involved in the federal criminal justice system, including survivors of terrorist acts.

For the past several years, Congress has imposed a cap on the funds disbursed each year, in part to promote a steady and predictable level of funding. In recent years the cap has hovered around \$625 million, but last year it decreased to \$590 million. At the same time, the balance of the fund has grown to an estimated \$1.9 billion. Approximately \$896 million was collected during FY08 alone. That was the third largest amount deposited in one year in the history of the VOCA Fund, and it is \$186 million above what was anticipated. There are indications that FY09 will be another high year for collections into the VOCA Fund, considering media reports of additional high-dollar criminal fines to be imposed in negotiated federal sentencing agreements. Therefore, Congress can release additional VOCA funds with no impact on the overall budget figures, and no fear of draining the fund.

Releasing additional VOCA funds would provide immediate relief to state victim assistance of all types.

VAWA

Another extremely important source of funding for our national response to victims is provided under the Violence Against Women Act. Many important programs authorized by VAWA 2005 have not yet been funded or have received only a fraction of their authorized funding. These include the Sexual Assault Services Program (SASP), which funds direct services for victims of sexual offenses, and programs aimed at teen victims such as the Advocates for Youth/Services for Youth Victims and the Access to Justice for Youth grant programs.

Other VAWA programs received an expansion of their purpose areas and an accompanying increase in authorization levels, but have never received the additional funding needed to serve their broadened mission. One example of this is the Services for Rural Victims program, expanded to serve victims of domestic violence, dating violence, sexual assault, stalking, and child victimization. This program was designed to address the need for additional funding for victim services in rural communities. Those

victims face increased barriers to services, including lack of transportation to services that may be hundreds of miles away, increased privacy concerns in small rural communities, and lack of legal assistance in obtaining protective orders. This grant program is authorized at \$55 million but has only received \$40 million.

Fully funding these and other VAWA programs would make a significant difference in our ability to serve victims.

Byrne/Justice Assistance Grants (JAG)

As this Committee knows, the Byrne/JAG formula grant program sustained a devastating 67 percent cut in funding last year, crippling innovation and coordination efforts for state and local law enforcement.

This flexible grant program provides funding not only for local police departments, but also for a host of innovations that often become "best practices" in prosecution, defense, specialized courts, juvenile justice, forensics, and victim services. Byrne can, and does, fund programs that directly benefit crime victims and improve their access to justice. For example, Kansas has funded its victim services in the Department of Corrections using Byrne/JAG funding. And Utah funded an Internet Crime Victims' Assistance Project, which pays to bring victims of cybercrime into the state to testify when the suspect was in Utah at the time of the crime.

Many of Byrne/JAG initiatives are not direct "victim services" but are crucial for victims seeking justice.

As examples of such uses of Byrne funding:

- ? New York funded domestic violence courts and enhanced prosecution efforts for identity theft;
- ? Vermont funded additional DNA forensic technicians;
- ? Wisconsin funded a Court Appointed Special Advocate (CASA) program;
- ? Rhode Island funded school resource officers;
- ? Maryland funded the Baltimore Domestic Violence Unit Centralization Project;
- ? Hawaii funded a special program to address financial exploitation of dependent adults;
- ? Arizona, California, Oklahoma, and other states funded special efforts to address gang violence;
- ? South Carolina funded a special child and elder abuse investigator; and
- ? Pennsylvania funded a registry for protection orders.

Other funding

I would like to mention two additional ways that Congress could invest in serving victims of crime. First, direct funding toward services for teens and at-risk youth.

Our Teen Victim Initiative works with Boys and Girls Clubs around the country, many of which report an increase in crime in their neighborhoods. We know that services to at-risk youth are crucial to prevent crime and reduce victimization. You may remember our recent survey of youth through the Boys and Girls Clubs in the greater Boston area, where we asked teens about their experience with gangs and witness intimidation. The kids told us--fund alternatives. One said, "We have two choices, you either play basketball or you join a gang." They told us they want to be safe, they want to be a part of making their neighborhoods safe, and they need adults they can trust.

Unfortunately, programs that serve at-risk youth have also seen significant funding reductions. We need to address this problem in order to prevent young people from becoming either victims or perpetrators.

Finally, we strongly urge you to fund the COPS program. Robust local law enforcement is critical to keeping communities safe through effective enforcement, prevention, and partnership with the community. COPS funds can be used not only to hire law enforcement officers, but also for crime analysts, school resource officers, and other personnel. We suggest that those funds also be used to improve law enforcement's ability to work with victims by, for example, hiring victim advocates to work with survivors of homicide.

Conclusion

In summary, demand for victim services is up, budgets and critical services are being cut, and Congress can make a difference. In VOCA, VAWA, Byrne, and COPS, Congress has the tools to relieve this crisis. We urge Congress to act swiftly: crime victims are counting on you.