

AMERICAN BAR ASSOCIATION

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May 26, 2005

Honorable Jerry Lewis
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Honorable David R. Obey
Ranking Member
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Lewis and Representative Obey:

As Chair of the Criminal Justice Section of the American Bar Association and of its Victims Committee, we wish to express our concerns about a proposal to rescind monies from the Crime Victims Fund and express our strong support for retaining the availability of funds.

The Victims of Crime Act (VOCA) has been in existence since 1984. Since that time, every state has passed laws, most constitutional amendments, giving crime victims basic rights. VOCA funds are the primary vehicle used to carry out these mandates and to provide direct services and compensation to crime victims who include those who are survivors of homicides, victims of domestic violence, sexual assault, child abuse, elder abuse, and drunk driving. VOCA funds have also improved collaboration between agencies that work with victims to provide coordinated services. VOCA funds are not appropriated with taxpayer dollars, instead they are made up primarily of fines and forfeiture monies. As a direct result of the fund, thousands of prosecutors' offices, police departments, and public and private agencies now work together to provide critical services to many millions of victims every year. The vast majority of these programs, public and private, rely heavily on VOCA funds to help victims.

A small percentage of the fund is also allocated by Congress to support innovative programs, training, publications, and conferences addressing child victims of physical and sexual abuse. Through the federal Children's Justice Act, interdisciplinary "State Children's Justice Task Forces" have distributed funds to bring about essential reforms to better protect children while assuring procedural fairness in the criminal justice system. An example is support for forensic interview training that better prepares professionals to question children about alleged abuse. Loss of VOCA funding would effectively result in the demise of all this important Children's Justice work.

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A Congressional cap was placed on the fund in 1999 to ensure that there would always be access to funds if the current fund balance was lacking. The "rainy day" fund is critical to ensure stable funding and has already been accessed three times in the past six years. If Congress removes the availability of these funds, there will be a zero balance to begin FY 2007. The lack of ability to draw funds will devastate programs and severely deplete tight local resources. Ultimately, without a stable source of funding, services will only be available to victims with money. This is an untenable situation. It destroys any hope of providing services to persons already devastated by crime. It also makes empty the promise of "rights" for victims.

We urge your continued support for full funding for the Crime Victims Fund.

Sincerely,



Hon. Catherine Anderson
Chair
Criminal Justice Section



Mary L. Boland
Chair, Victims Committee
Criminal Justice Section