

# Written Testimony

## FY19 Funding: VAWA, VOCA Programs & Crime Victims Fund

Prepared for presentation to the  
U.S. Senate Appropriations Subcommittee on  
Commerce, Justice, Science, and Related Agencies

*Submitted By:*

**Eva Jean Fomalont**

National President

*Daughters of Penelope*

1909 Q Street, NW, Suite 400, Washington, DC 20009

[www.daughtersofpenelope.org](http://www.daughtersofpenelope.org) • (202) 234-9741 • [dophq@ahopa.org](mailto:dophq@ahopa.org)

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Chairman Moran, Ranking Member Shaheen, and distinguished members of the Commerce, Justice, and Science Appropriations Subcommittee, the **Daughters of Penelope (DOP)**, an international service organization for women of Greek heritage and Philhellenes, which is dedicated in part to supporting victims of domestic violence, is requesting support for **Victims of Crime Act (VOCA)** and **Violence Against Women Act (VAWA)** programs at the Department of Justice. Specifically, we request a **Crime Victims Fund** cap for FY2019 to be set at least at the FY2018 level of \$4.4 billion and without any transfers to programs not authorized under the VOCA statute; and we support a strong investment of \$571 million for **VAWA** programs.

### **VOCA Programs & Crime Victims Fund**

The Victims of Crime Act (VOCA) created the Crime Victims Fund, which serves as a mechanism to fund compensation and services for the nation's victims of federal crime. The Fund is comprised of money from criminals, and by law, the Fund is dedicated solely to victim services. For example, the Fund is used to help pay for state victim compensation and assistance programs, grants to victim service providers, and other victim related programs. A considerable amount of this money supports victims' out-of-pocket expenses such as medical and counseling fees; lost wages and funeral and burial costs. According to the Department of Justice, in FY2017, state VOCA victim assistance grants supported an estimated 14,000 victims' services projects administered by 7,800 public and community-based agencies in the United States. These agencies provided services to nearly millions of victims of crime, including victims of murder, assault and sexual assault, domestic violence, stalking and elder abuse, among many others.

The Crime Victims Fund is financed by fines, forfeitures, or other penalties paid by federal crime offenders. Therefore, the Crime Victims Fund is not funded by taxpayer dollars. However, it is unfortunate Congress often carves out funds from the Crime Victims Fund to use as offsets for other government programs. Because the

Crime Victims Fund is comprised of non-taxpayer dollars, it should not be considered available for use for non-VOCA programs in the federal budget. Moreover, according to the co-chairmen of the Congressional Victims' Rights Caucus, U.S. Reps. Ted Poe (R-TX) and Jim Costa (D-CA), "not only does raiding the Crime Victims Fund violate the intent of the law, but it violates the [VOCA] statute itself..." Therefore, we recommend to the Subcommittee that the Crime Victims Fund be used only for programs authorized under the VOCA statute. However, recent major appropriations bills passed by Congress, and previous administrations' budget requests, have carved out funds from the Crime Victims Fund for non-VOCA authorized programs. As examples, the FY2018 omnibus appropriations bill transferred \$492 million from the Crime Victims' Fund to VAWA programs and the administration's FY2019 budget proposes a \$485.5 million transfer from the Crime Victims' Fund to VAWA programs. We request the elimination of transfers that harm the Fund's long-term viability and ability to commit fully to crime victims. Another unfortunate ramification of allowing transfers from the Fund is that it causes politicization of the Fund. This is why we support **H.R. 5363, Crime Victims Fund Preservation Act of 2018**. The bipartisan-backed bill creates a "lockbox" to ensure that money in the Fund cannot be used for anything other than victims' programs authorized under the VOCA statute. Also, the bill permanently excludes the Crime Victims Fund from any future government sequestration.

Finally, we recommend setting the Crime Victims Fund cap to at least the FY2018 enacted level of \$4.4 billion. Congress established an appropriation cap on funds available for distribution intended to maintain the Crime Victims Fund as a stable source of support for future victim services. At the cap level, Congress will not only ensure the continuation of enhanced services to victims to meet their needs, but it also does not contribute to, or add to, the national debt or deficit because these are non-taxpayer funds.

### **VAWA Programs**

Domestic violence is a pervasive, life-threatening crime affecting millions of individuals across our nation regardless of age, gender, socio-economic status, race or religion. The statistics are alarming. According to the Centers for Disease Control and Prevention (CDC) and The National Intimate Partner and Sexual Violence Survey (NISVS), 2010-2012 State Report:

- In the United States, Intimate partner contact sexual violence, physical violence, and/ or stalking was experienced by 37.3% of U.S. women during their lifetime.<sup>1</sup>
- One in 4 women and 1 in 9 men have experienced severe physical violence by an intimate partner during their lifetime.<sup>2</sup>
- In 2015, 1270 women and men were murdered by an intimate partner (e.g. husband, wife, boyfriend, girlfriend).<sup>3</sup>

Also, of concern, are the following stats:

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<sup>1</sup> <https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportBook.pdf>

<sup>2</sup> <https://www.cdc.gov/violenceprevention/pdf/NISVS-infographic-2016.pdf>

<sup>3</sup> <https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportBook.pdf>

- Nationwide, an average of 3 women are killed by a current or former intimate partner every day.<sup>4</sup>
- Approximately 15.5 million children are exposed to domestic violence annually.<sup>5</sup>

Our nation's response to intimate partner violence is driven by VAWA programs at the U.S. Department of Justice. Each of these programs is critical to ensuring that victims are safe, that offenders are held accountable, and that our communities are more secure. Thanks to VAWA, steady progress has been made there are many victims who still suffer in silence. In fact, a 2016 24-hour survey of domestic violence programs across the U.S. found that although 20,239 Hotline calls were answered (averaging more than 14 calls every minute), that nearly 12,000 requests for services (such as emergency shelter, transportation, or legal representation) went unmet because programs lacked the resources to provide them. The unconscionable gap between need and resources only widens.

### **Daughters of Penelope's Work to Support Domestic Violence Shelters**

Why are VAWA and VOCA programs important to the Daughters of Penelope? In addition to our chapters supporting domestic violence shelters in their respective local communities, the Daughters of Penelope is a national sponsor and stakeholder of two domestic violence shelters—**Penelope House**, in **Mobile, Alabama**; and **Penelope's Place**, in **Brockton, Massachusetts**. In the past, the Daughters of Penelope has supported WIN Hellas, which is an NGO based in Athens, Greece that is active in the prevention of violence against women.

Regarding Penelope House, it was the first of its kind in Alabama when it opened its doors in 1979. Since then, Penelope House has become a nationally-recognized as a model shelter for others to emulate. VAWA and VOCA grant funding has been critical in helping Penelope House to meet its mission of providing safety, protection and support to victims of domestic violence and their children through shelter, advocacy, and individual and community education.

For example, Penelope House has been awarded VAWA and VOCA grants from the following programs: Shelter Services, Court Advocate Program, and Transitional Living Program. Portions of these grants help to fund the case managers, case and court advocates, and children's counselors and program coordinators, among other employees who help to provide the life-saving support to domestic violence victims and their children.

### Statistics – Effectiveness and Importance of VAWA & VOCA Grant Funding

- **VOCA/VAWA grant funding comprises 27% of Penelope House's 2018 budget.**
- VOCA is the largest source of Penelope House's funding.

Penelope House's Court Advocacy Program is funded by VOCA & VAWA. It's stats for clients served are:

- Adult Clients: 4,895

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<sup>4</sup> NNEDV Domestic Violence Fact Sheet, accessed <https://nnedv.org/mdocs-posts/domestic-violence-and-sexual-assault-factsheet/>

<sup>5</sup> Ibid.

- Children: 4,676
- Court Appointments with Clients: 3,904
- Clients Assisted to obtain protection from abuse or no contact orders: 1,272

VOCA supports the salaries and benefits for **seven Court/Victim Advocates** who provide services to victims of domestic violence throughout Mobile, Washington, Clarke and Choctaw Counties of Alabama as they navigate within the court system. (VOCA grant funding has become increasingly important to Penelope House because Penelope House's services has been expanded to include to more counties in Alabama.)

VAWA supports a **full-time Court Advocate Assistant** and a portion of the salary for a Court/Victim Advocate for the Court Advocacy Program. The Court Advocate Assistant provides administrative support to Court/Victim Advocates and provides assistance to the Court Advocacy Supervisor. The Court Advocate Assistant collects and complies program data needed for the evaluation of the Court Advocacy Program. The Court Advocate Assistant is dually trained to serve as a Court/Victim Advocate when necessary in case of illness or any other absence of court advocates. Thus, a victim will not have to be alone as he/she attempts to navigate within the court system.

Penelope House's Emergency Shelter Program is funded by VOCA. It's 2017 service stats are:

- Adults sheltered: 402
- Children sheltered: 431
- Total Client Service Hours: 12,773
- Total Nights of shelter provided: 7,960
- Crisis calls: 1,602
- Meals Served: 23,880

### **RECOMMENDATION**

The Daughters of Penelope (DOP) is requesting support for **Victims of Crime Act (VOCA)** and **Violence Against Women Act (VAWA)** programs, which are vital to DOP programs that serve its mission. Specifically, we request a Crime Victims Fund cap for FY2019 to be set at least at the FY2018 level of \$4.4 billion and without any transfers to programs not authorized under the VOCA statute; and we support a strong investment of \$571 million for VAWA programs.

The Crime Victims Fund is not funded by taxpayer dollars. Therefore, the cap can be sustained or raised without adding to the national debt or deficit and transfers (or carve outs) must be eliminated in FY2019 and going forward. Also, it therefore must not subject to sequestration.

Clearly, as the missions of domestic violence centers across the country, such as Penelope House, have expanded into jurisdictions due to the unfortunate increased need to provide victims' services, that the viability of the Crime Victims Fund, VOCA, and VAWA grants, have become increasingly important to meet the victims' needs.

Thank you for the opportunity to present and submit our written testimony before the Subcommittee.