

1 **POLICY RESOLUTION: Support of Passage of the “Crime Victims Fund Preservation Act”**

2 **COMMITTEE: Law and Criminal Justice**

3 **TYPE OF POLICY: Action**

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5 The National Conference of State Legislatures (NCSL) recommends to the Congress of the
6 United States that an increasing minimum annual cap on obligations from the Crime Victims
7 Fund be established as provided for in “The Crime Victims Fund Preservation Act of 2009.”

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9 **WHEREAS**, the Victims of Crime Act of 1984 (Public Law 98-473, 42 U.S.C. § 10601 et seq.)
10 established the Crime Victims Fund, which is one of the main sources of money and support for
11 crime victims and crime victims services all states, the District of Columbia, Puerto Rico, U.S.
12 Virgin Islands and territories; and

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14 **WHEREAS**, the Crime Victims Fund provides critical funding for formula grants to states for
15 victim compensation and victim assistance and for Federal discretionary grants, in addition to
16 earmarks for Federal victim assistance within the United States Attorneys' Offices, FBI and
17 Victim Notification System and the Children's Justice Act; and

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19 **WHEREAS**, state compensation programs pay directly for medical care, counseling, lost wages
20 and funerals for victims of domestic violence, child abuse, rape and homicide; and

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22 **WHEREAS**, state victim assistance programs provide critical, often life-saving services,
23 including crisis intervention, counseling, emergency shelter, child care and emergency
24 transportation; and

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26 **WHEREAS**, discretionary grants awarded by the Office for Victims of Crime to organizations
27 fund demonstration projects, training and technical assistance to expand and improve the
28 delivery of services to crime victims as well as support for services to victims of Federal
29 offenses; and

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31 **WHEREAS**, all funds placed in the Crime Victims Fund are derived from criminal fines and other
32 penalties paid by offenders of Federal crimes and does not rely on any tax-generated revenues;
33 and

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35 **WHEREAS**, states may utilize compensation grants and victim assistance grants over a four-
36 year period, thus enabling them to plan and manage the distribution of funds over time; and

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38 **WHEREAS**, since 2000, Congress began capping annual obligations from the Crime Victims
39 Fund which has limited the amount of funding that would otherwise have been available to
40 support victim assistance services; and

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42 **WHEREAS**, in the past eleven years, a total of nearly \$9 billion has been deposited into the
43 Crime Victims Fund while only \$6 billion has been obligated resulting in an accumulated
44 balance of nearly \$3 billion in the Fund as of the beginning of 2010; and

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46 **WHEREAS**, Congress has repeatedly affirmed that the cap was imposed to ensure that a stable
47 level of funding remains available for use to fund crime victim programs in future years; and

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49 **WHEREAS**, victim service programs in all states and jurisdictions are facing severe budgetary
50 shortfalls because of cutbacks in other victim funding programs and private donations while the
51 need for services continue to increase; and

52 [Note: should be S. 1340]

53 **WHEREAS**, the Crime Victims Fund Preservation Act, S. 1304 introduced by Senators Patrick
54 Leahy and Mike Crapo and H.R. 3402 introduced by Representatives Ted Poe and Jim Costa
55 would establish increasing minimum caps on annual Crime Victims Fund obligations through the
56 year 2014 which will significantly increase the amount available for state VOCA victim
57 assistance grants and discretionary grants awarded by the Office for Victims of Crime without
58 jeopardizing the long-term sustainability of the Fund; and

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60 **THEREFORE, BE IT RESOLVED** That the National Conference of State Legislatures fully
61 supports purposes of the Crime Victims Fund Preservation Act (S. 1304/H.R. 3402); and the
62 purposes recommend that Congress enact the Crime Victims Fund Preservation Act; and

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64 **BE IT FINALLY RESOLVED** that a copy of this resolution shall be sent to state
65 legislative leaders, Congressional sponsors of S. 1304 and H.R. 3402, and members of the
66 Senate Committee on the Judiciary, Senate Committee on Appropriations, House Committee on
67 the Judiciary, and the House Committee on Appropriations.