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ATTORNEY GENERAL

*Department of Justice*

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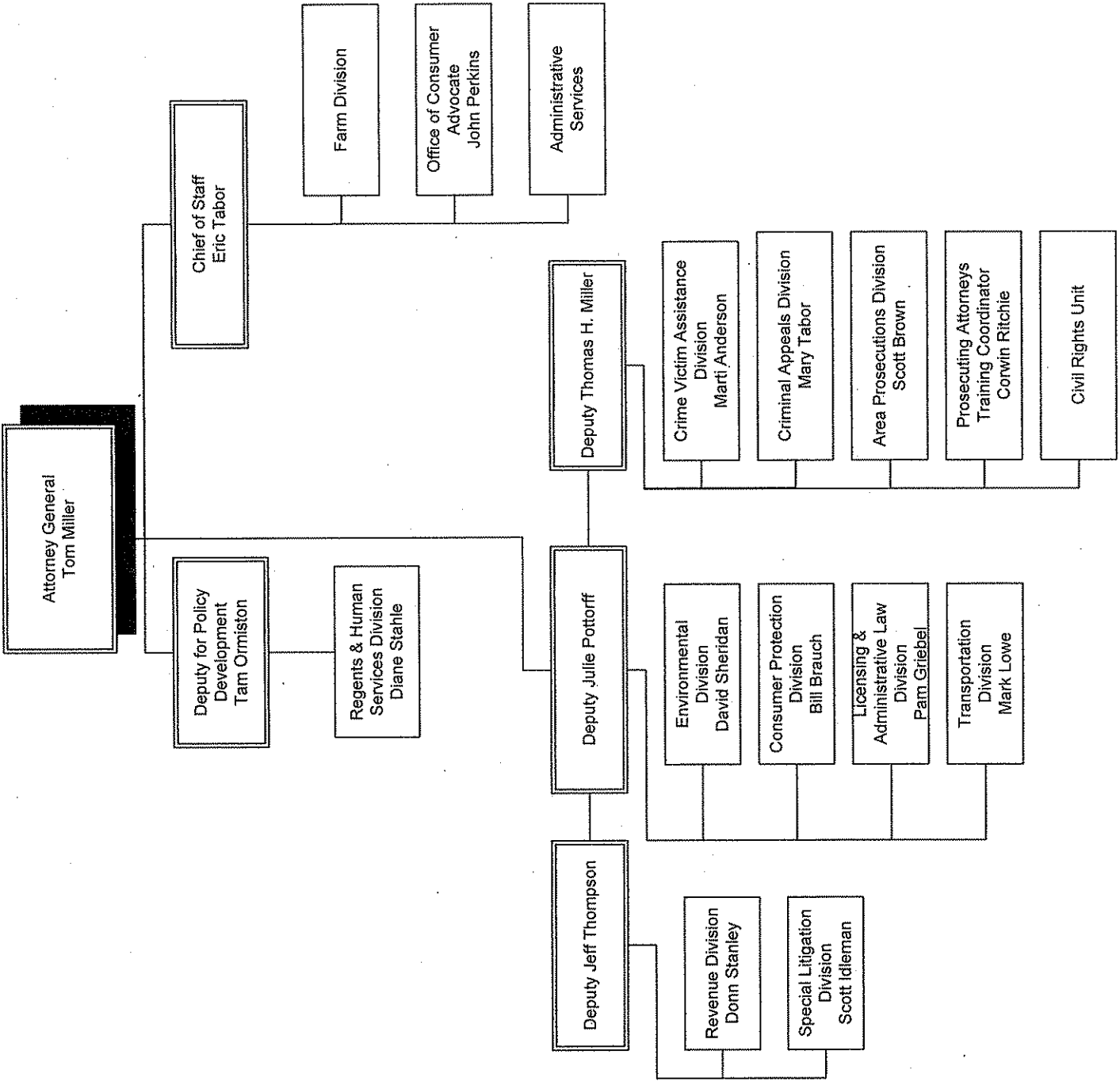
# DEPARTMENT OF JUSTICE

## PRESENTATION TO

## JUSTICE SYSTEMS APPROPRIATIONS SUBCOMMITTEE

**FEBRUARY 5, 2009**

**Department of Justice**  
Iowa Attorney General's Office  
January 2009



**Budget Request #1**  
**Appropriate Additional \$3,200,000 to Victim Assistance Grants**

Background. The current general fund appropriation for Crime Victim Assistance Grants is \$150,000. (These grants support local domestic violence and sexual assault programs.) For several years, the Legislature has mandated that the Attorney General's Office ("Office") use \$3,200,000 from the Crime Victim Compensation Fund ("Fund") to supplement the appropriation for victim assistance grants. (The Fund is intended to compensate individuals for losses related to serious crimes.) The Fund is severely depleted and can no longer sustain both programs at current levels.

Request. The Office requests an additional appropriation of \$3,200,000 for Crime Victim Assistance Grants. Correspondingly, the Office requests the removal of language that mandates that the Office transfer \$3,200,000 from the Fund to victim assistance grants.

**Budget Request #2**  
**Appropriate Additional \$850,000 to Victim Assistance Grants**

Background. For FY09, the Legislature moved \$850,000 from the Office's Forfeited Property Fund to Crime Victim Assistance Grants. The resources were needed to offset serious cuts in federal funding. This type of transfer is not feasible in FY10. The Forfeiture Fund is much diminished and is being used for other law enforcement purposes.

Request. The Office requests an additional appropriation of \$850,000 for Crime Victim Assistance Grants to keep the local victim assistance programs at status quo funding.

**Governor's Recommendations**

The Governor has accepted the Office's recommendations and has included an appropriation of \$4,188,146 for Crime Victim Assistance Grants in his budget. (Calculated as follows: Current appropriation of \$150,000 *minus* 1.5% across-the-board cut *plus* \$3,200,000 *plus* \$850,000.)

Biography of Kathleen Nebel, a victim of crime who has been served by  
Iowa's Crime Victim Assistance Programs.



**“I have taken back my life”**

Kathleen Nebel

Kathy Nebel lives in the Des Moines area with her family. I took my children and left “X” 23 years ago, but he changed how we live our lives forever. It was my second marriage. He was an officer in the military. He seemed like a stand-up guy, successful. But it was all fake. It was all, literally, a lie.

He never once hit me, but it was everything else. Verbal violence was much more severe and had longer-lasting effects. I really believed everything he said. I was worthless, I would never amount to anything, nobody would ever love me, I could never succeed, I was lower than dirt. Those scars, I don't think ever go away. I still hear those words, those insults. I hear the threats.

Three months after our daughter was born, he locked her into a bathroom and was going to kill her and himself if I left him. That's when I finally said, “I'm packing up my children and I'm leaving. I'm going back to Iowa.” He proceeded to pack up and come to Iowa too, after me. The stalking and harassment started immediately, from the day I left him. It was like Jekyll and Hyde. He would come to our home and leave objects on our door. He'd ice-pick our tires, smash out our windows, I lost a couple of jobs because he'd come to my place of employment and threaten to blow up the building, threaten to kill the employees.

His own parents were so afraid once they had bars put on their windows and changed all their locks. He followed my husband before we got married and got his driver's license and contacted his employer. X was arrested in church. I turned and he was directly behind me, two rows, in his army fatigues with a knife down one leg and a gun in the other leg of his pants. So they started Mass and three policemen came in and had to drag him out of the church.

And yes, he had weapons. He is certified as an expert sharpshooter. I had all the paperwork, the restraining orders, the no contact orders, but there was no way to control him.

He would take me to court and act as his own attorney ("pro se"). I would have to take the stand, and answer directly to him. It was all about power and control. He sued my parents, he sued the Des Moines Register for an article about stalking that they wrote, he sued (the county attorney), he sued my professor at Drake that handled my case for 10 years, filed ethical complaints against her. Once he took me into court because I didn't get permission first before I had my daughter's hair cut. He stood in court in front of the judge one day and said, "I will never stop until she's destroyed."

I've been to court over 800 times in Polk County. I have journals, court documents, because who would ever imagine this? It was just this mental terrorism. He waged a war, this mental game.

I have a permanent restraining order. For life. Do I carry it with me? Everywhere I go. It's all tattered and torn, and it's got three addresses previous to this one. Some people say, "Why didn't you move away?" Well, I'm safer here, because the Des Moines police know, the county attorney's office knows. I know I have a good support system here.

And why hasn't he killed me? I don't know. Maybe this is meeting some kind of need of his. The sad thing was, my children were going through this entire process with us. My children and I have never had trick-or-treaters come to our door, because we're so afraid it would be "X" in a mask or a costume. My daughter was in counseling from two until 16. She got a new identity after she reached 18, but he's found her somehow. How, I don't know.

There used to be days when I would lay there and think, "What's he going to do next? Now, he's done this, he's ice-picked the tires, he's smashed out the windows, he threatened my attorney, so what's he going to do?"

I focused so much and spent so much energy on that...and then you lose yourself and he wins: he has power and control, in the highest sense. He has total control over your mind and your thinking. The doctor told me, "You have all of these physical conditions from the stress."

It was killing me. Without a touch, it was killing me. I told my daughter, "We're not going to let him do this. We're not going to let him control our lives. We have to keep living."

I started making a list, pages of things he had taken that I was getting back. Not objects, but parts of me that I felt he had taken. I know at one point there were ten pages. It broke my heart.

But, when I started taking back those things, and the checkmarks were starting to come, it was like, "Look at what I've got done!" Then half a page of the list is done and then, it was like, "I'm doing it!"

When I went to work for the state, at the Capitol, eight years ago, that was my declaration of independence. I was a tour guide. I was as public as I can get, in the most public building in the state of Iowa, and if you want to come get me, let's do it. I was no longer going to live in fear.

Am I a survivor? What I want to say is, "No, I'm way past that. I didn't just survive it, I took back what he ripped from my life." What do you call that? I don't know.

Now I am LIVING my life. I am CELEBRATING my life. I want to just be joyous and happy and enjoy the simplest things. The blue sky. I can look out and go out and sit on my deck and not be afraid. That's a great victory.

## Attorney General and Crime Victim Advocates ask Lawmakers:

# Maintain Current Levels of Crime-Victim Funding

Attorney General Tom Miller is asking the Legislature to maintain at least current levels of state funding for 31 local crime victim programs all over the state, and for the crime victim compensation program, which helps pay certain expenses for victims of violent crime.

"We are asking the Legislature to directly provide \$4 million for 31 programs around the state that come to the aid of victims of domestic abuse and sexual assault, so we don't have to deplete compensation funds used to aid individual crime victims," Miller said.

"Last year the local programs provided critical services to more than 26,000 victims, including more than 5,000 children, and individual victim compensation served 5,249 victims," Miller said. "We urgently need to avoid cutting those programs below current levels." [[map of local programs](#). [list of local programs](#).]

Miller said for the last few years the Legislature has directed that funding for the local victim services programs be taken from reserves in the state's Crime Victim Compensation Fund. That fund is designed primarily to pay specified out-of-pocket expenses for individual victims of violent crime – such as funeral expenses of someone who is murdered, or medical costs not covered by insurance for an assault victim. But Miller said reserves in the Compensation Fund no longer can sustain full funding of both the compensation program for individuals and state funding for the 31 local programs around the state.

"Something has to give," Miller said. "We have advised the Legislature for several years that the Compensation Fund, which comes from various fines and penalties paid by criminals, would not always be able to fully fund both programs. Now we've hit that crunch time. We need the Legislature's direct appropriation of funds again – as it did in years past – for the crucial network of local programs all over Iowa." [[AG's letter to lawmakers, Oct. 17, 2008](#).]

Miller said the 31 programs are located in 27 communities, but they serve the whole state. "These programs already are stretched thin with current funding, and they ought to receive more support. They do a heroic job. But I know these are difficult times for everyone, and I ask the Legislature at least to maintain current funding of these programs," he said.

"If the Legislature doesn't directly fund the local programs as it did in the past, and again requires the local program funding primarily from the Compensation Fund, then there will not be enough in that fund to pay compensation for individual victims of assault, victims of drunk drivers, survivors of murder victims, and so many other victims of violent crime," Miller said.

"It is difficult for me to ask for this funding in these hard financial times, but I believe this is a matter of justice and a matter of safety. It's a matter of justice because Iowa has a long record of assisting victims of crime, and not just punishing and rehabilitating criminals," he said.

"And it's a matter of safety and security and recovery for victims," Miller said. "These programs give indispensable, life-saving services, including helping victims with safety plans, finding safe places to stay for victims and kids, guiding victims through the criminal justice system, and helping Iowans cope with the unforeseen costs of being victims of violent crime."

Miller led a news conference Wednesday at the State Capitol about maintaining funding for crime victim services. He was joined by Beth Barnhill, Director of the Iowa Coalition Against Sexual Assault (ICASA), who also represented the Iowa Coalition Against Domestic Violence (ICADV); Mary Ingham, Director of Crisis Intervention Service of Mason City, which serves crime victims in eight north-central Iowa counties; Katie Thompson, a survivor of domestic abuse who is the author of "Our Stories," a book about 31 Iowa women who have survived being crime victims; and Rodney Fritz, whose family received crime victim compensation help after his 19-year-old son, Cody, was killed in a crash caused by a drunk driver.

[ICADV and ICASA website, [www.victimstosurvivors.org](http://www.victimstosurvivors.org), which has information and resources on crime victim funding issues.]

-30 -

### More background and details:

#### The Attorney General's legislative request.

The AG's two budget requests for FY10, in order of priority, were first submitted to all legislative leaders on October 17, 2008:

(1) Appropriate \$3.2 million to victim assistance funds for local crime victim service programs. Remove language that now requires the AG Office to transfer \$3.2 million from the Compensation Fund to the assistance program for local programs. "This would put the Compensation Fund on a more solid footing and would permit the Office to pay victims their full benefits on a prompt basis," the AG's letter to lawmakers said. The A.G. would retain current legal authority to transfer money from the Comp. Fund to local programs if fiscally possible.

(2) Appropriate an additional \$850,000 for local crime victim service programs. (This would provide \$850,000 for FY10 that was moved in FY09 from the AG's Forfeited Property Fund to the grant program funds in order to replace lost federal funds.)

#### Brief history of Legislative funding in these areas:

In 1979, the Legislature established an appropriation to partially pay for local victim service programs to serve victims of sexual abuse and domestic abuse. In 1983, the Legislature established the Compensation Fund (funded entirely by percentages of various criminal fines and penalties) to pay for legislatively-authorized compensation for out-of-pocket expenses of victims of violent crime – such as counseling, burial or medical expenses not covered by insurance.

In 2002, after two decades of making appropriations, the Legislature "zeroed-out" the appropriation for community-based domestic and sexual abuse victim services. At that time, the Compensation Fund had built a significant reserve and was able to sustain funding of the state's share from the reserve. Over several years, the Attorney General's Office informed the Legislature that the "Comp Fund" would not be able to always sustain all of the local victim service funding. The Compensation Fund also has seen a steep increase in the cost of medical expenses incurred by victims of violent crime; that is one reason for the request to the Legislature for authority to pay medical bills for victims of violent crime at a lower than 100% rate. The Attorney General's Office also is making substantial efforts to save Compensation Funds through cost-savings of various kinds.

#### Numbers of Iowa crime victims served by the Compensation Fund program, and by local programs for whom the appropriation is requested for FY10:

Last year (FY08), the Crime Victim Compensation Program served 5,249 Iowa victims of crime and paid \$7.2 million of their out-of-pocket expenses of being an innocent victim of crime. Examples of compensation authorized by the Legislature: Counseling for victims, up to \$5,000; medical care for victims, up to \$25,000; funeral and burial expenses, up to \$7,500; child care required for court or medical proceedings, up to \$1,000; compensation for lost wages due to crime-related injuries, up to \$6,000, and for lost wages for court proceedings, up to \$1,000; and so on. The application process is simple. Applications are accepted through the mail or by telephone. The Crime Victim Compensation Program cannot erase the painful memories of a crime, but it can help in recovery and ease the financial burdens victims face. (For information, go to [www.iowaAttorneyGeneral.org](http://www.iowaAttorneyGeneral.org) – click on "protecting crime victims.")

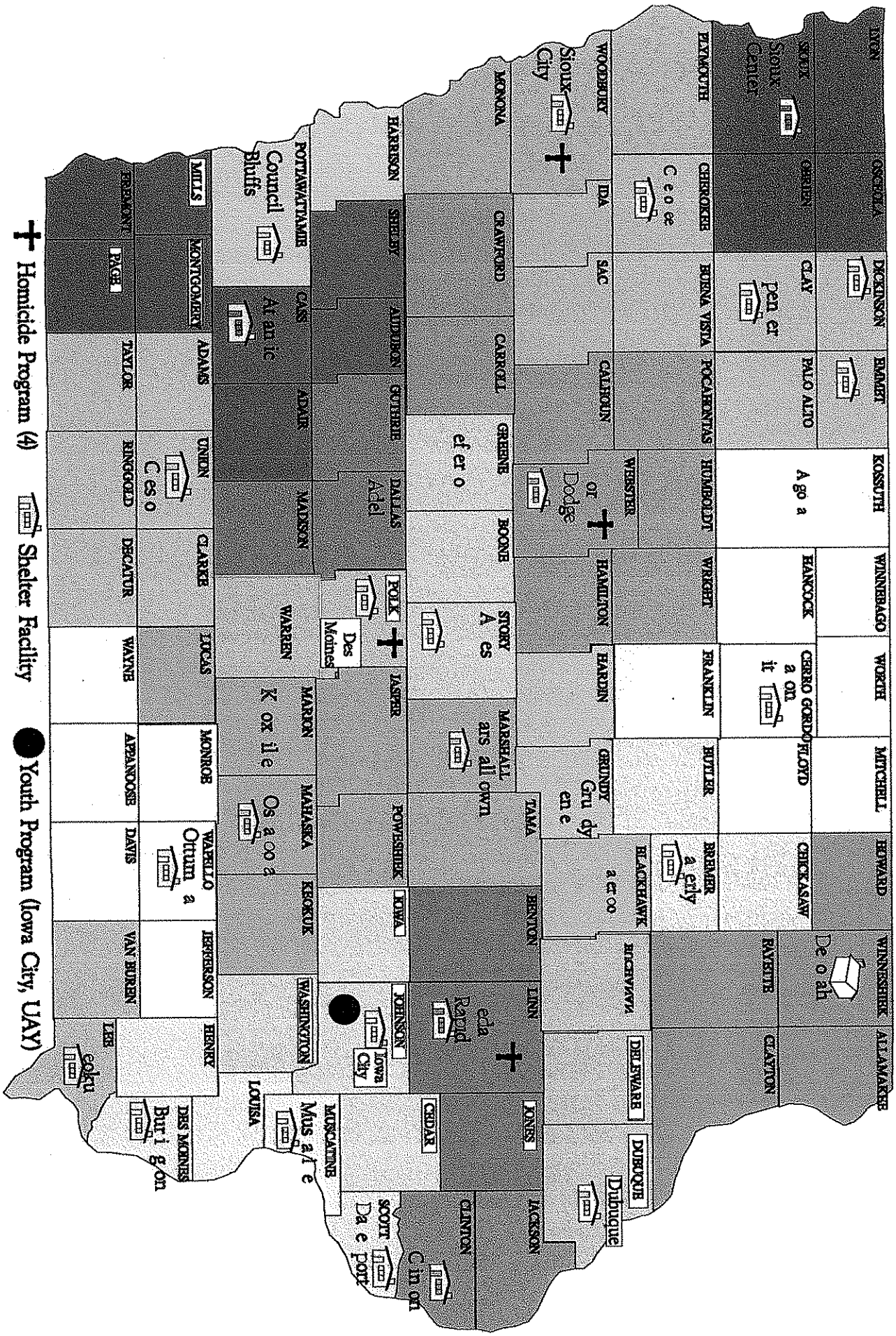
Last year (FY08), Iowa's local domestic abuse and sexual abuse programs served 26,934 victims – 20,042 women, 5,294 children, and 1,058 men. The programs provided 100,814 nights of safe shelter to 4,416 victims and children. Local programs provide emergency shelters, counseling, medical advocacy, crisis hotlines, guidance for victims going through criminal justice proceedings, and many other services. Most of the local programs serve huge geographic areas – some up to 6 or 8 counties – with small, low-paid staffs of dedicated professionals.

The Attorney General's letter to lawmakers in October concluded: "We respectfully ask the Legislature and the Governor to dedicate necessary resources to crime victim assistance so we can continue to treat crime victims with the compassion, dignity, and support they deserve."

END



# Grant Funded Victim Service Programs - Fiscal Year 2009



† Homicide Program (4)

🏠 Shelter Facility

● Youth Program (Iowa City, UAY)

**IOWA ATTORNEY GENERAL'S OFFICE  
CRIME VICTIM ASSISTANCE DIVISION  
VICTIM SERVICES GRANT PROGRAM**

STATISTICAL INFORMATION  
STATE FISCAL YEAR 2008  
(July 1, 2007 through June 30, 2008)

**CRIME VICTIM SERVICE INFORMATION**

**Victims Served by Type of Crime**

Domestic Abuse:	22,508
• <i>Women:</i>	<i>17,992</i>
• <i>Men:</i>	<i>958</i>
• <i>Children:</i>	<i>3,558</i>
Sexual Abuse:	3,886
• <i>Adults:</i>	<i>1,840</i>
• <i>Incest Survivors:</i>	<i>310</i>
• <i>Teens:</i>	<i>989</i>
• <i>Children:</i>	<i>747</i>
Child Physical Abuse:	277
Elder Abuse:	70
Homicide Victim Survivors:	653
Drunk/Intoxicated Driving:	225
Robbery:	354
Stalking:	668
Assault:	1,442
Other Violent Crimes:	<u>328</u>
<b>Total Victims Served:</b>	<b>30,411</b>

**Victims Service Crisis Calls**

Crisis Calls: 82,077

**Victims Service Safe Shelter**

Domestic Abuse Programs with Shelters:	23
Total shelter beds:	538
Average beds per shelter:	23

**Total nights of shelter Provided : \* 100,814**

\* One night of shelter for one adult and her children

Emergency Shelter Provided by Victim Type:

Domestic Abuse Victims:	4,416
• <i>Women:</i>	<i>2,362</i>
• <i>Men:</i>	<i>11</i>
• <i>Children:</i>	<i>2,043</i>
○ <i>0-12 years old:</i>	<i>1,592</i>
○ <i>13-17 years old:</i>	<i>451</i>

Sexual Abuse Victims:	78
Other adult crime victims:	<u>16</u>

Total persons sheltered: 4,510

**Funded Programs by Type\***

Sexual Abuse Victim Programs:	27
Domestic Abuse Victim Programs:	27
Domestic and Sexual Abuse Statewide Hotlines:	2
Prosecutor-based Victim Programs:	17
Homicide Victim Survivor Programs:	4
Teen Victim Programs:	1
State University based Sexual Abuse Response Teams	2
Violence Against Women Law Enforcement Programs:	29
Violence Against Women Special Prosecutors:	11
Violence Against Women Statewide Programs:	<u>6</u>
<b>Total Programs funded:</b>	<b>126</b>

\*An agency may operate multiple programs, each responding to victims of a different type of crime.

**Non-Profit Victim Service Program Staff and Volunteers\***

Number of non-profit programs:	61
Total paid staff for programs:	382
Average paid staff per program:	6.3
Total volunteers for programs:	4,035
Average volunteers per program:	66
Total volunteer hours for programs:	123,933
Average volunteer hours per program:	3,443

\*Does not include law enforcement, prosecutor-based, or court programs.

**Public Awareness and Prevention**

Total Program Media Contacts:	2,870
Total Program Public Presentations:	5,974
Total Audience at Presentations:	140,960
Total Program Training Sessions:	1,047
Total Individuals Trained:	19,817

## List of the Domestic Violence (DV) and Sexual Abuse (SA) Programs

Combined Domestic Abuse/Sexual Abuse Programs	
<p>Crisis Intervention &amp; Advocacy Center                      P.O. Box 40                      Adel, IA 50003                      Phone: 515-993-4095                      Crisis Line: 1-800-400-4884                      Counties Served: Dallas, Guthrie, &amp; Madison                      Director: Johna Sells</p>	<p>ACCESS                      P.O. Box 1429                      Ames, IA 50014                      Phone: 515-292-0500                      Crisis Line: 1-800-203-3488                      Website: <a href="http://www.assaultcarecenter.org">www.assaultcarecenter.org</a>                      Counties Served: Boone, Greene, &amp; Story                      Director: Shelly McQueeney</p>
<p>Family Crisis Support Network                      P.O. Box 11                      Atlantic, IA 50022                      Phone: 712-243-6615                      Crisis Line: 1-800-696-5123 or 1-800-547-1910                      Counties Served: Adair, Audubon, Cass, Fremont,                      Mills, Montgomery, Page &amp;                      Shelby                      Director: Wendy Richter</p>	<p><i>Offers a Deaf Women of Iowa Against Abuse Program, TTY Line: 515-244-0875 (local) or toll-free at 1-800-244-0875.</i></p> <p><i>Website Addresses:</i>  <a href="http://www.dwiaa.org">www.dwiaa.org</a> or <a href="http://www.dwiaa.com">www.dwiaa.com</a>                      Counties Served: <i>Statewide</i></p>
<p>YWCA Domestic Violence Shelter &amp; Sexual Assault Center                      616 North 8<sup>th</sup> Street                      Burlington, IA 52601                      Phone: 319-752-0606                      Crisis Line: 1-800-693-1399                      Counties Served: Des Moines, Henry, &amp; Louisa                      Director: Ruby McGraw</p>	<p>Waypoint- Services for Women, Children &amp; Families                      318 5<sup>th</sup> Street SE                      Cedar Rapids, IA 52401                      Phone: 319-365-1458                      Crisis Line: 1-800-208-0388                      Counties Served: Benton &amp; Linn                      DV/SA Director: Valerie Davis</p>
<p>YWCA Domestic Violence/Sexual Assault Resource Center                      317 7<sup>th</sup> Avenue South                      Clinton, IA 52732                      Phone: 563-242-2110                      Crisis Line: 1-800-381-9319                      Counties Served: Clinton &amp; Jackson                      Director: Linda Kranz</p>	<p>Catholic Charities                      411 E. Broadway                      Council Bluffs, IA 51503                      Phone: 712-256-2059                      Crisis Line: 1-888-612-0266                      Counties Served: Pottawattamie &amp; Harrison                      Director: Diane McKee</p>
<p>Rural Iowa Crisis Center                      P.O. Box 384                      Creston, IA 50801                      Phone: 641-782-2706                      Crisis Line: 1-888-782-6632                      Counties Served: Adams, Clarke, Decatur,                      Ringgold, Taylor, &amp; Union                      Director: Vicki Hodge</p>	<p>Family Resources, Inc.                      Violence Intervention Counseling Services                      805 W. 35<sup>th</sup> Street, Suite 200                      Davenport, IA 52806                      Phone: 563-322-1200                      Crisis Line: 1-563-326-9191                      Counties Served in Iowa: Scott                      Director: Nicole Cisne</p>

<p>Helping Services for Northeast Iowa, Inc  Domestic &amp; Sexual Abuse Resource Center  P.O. Box 372  Decorah, IA 52101  Phone: 563-382-1260  Crisis Line: 1-800-383-2988  Counties Served: Allamakee, Clayton, Howard,  Fayette, &amp; Winneshiek  Director: Linda Watson</p>	<p>Latinas Unidas por un Nuevo Amanecer (LUNA)  515 28th Street  Des Moines, IA 50312  Phone: 515-271-5060  Crisis Line: 1-800-256-7668 or 1-866-256-7668  Counties Served: Polk  Director: Adriana Flores</p>
<p>Monsoon – United Asian Women of Iowa  c/o Iowa Coalition Against Sexual Assault  515 28th Street, Suite 107  Des Moines, IA 50312  Phone: 515-244-7424  Counties Served: Polk and throughout Iowa  Director: Mira Yusef</p>	<p>Domestic/Sexual Assault Outreach Center  P.O. Box 773  Fort Dodge, IA 50501  Phone: 515-955-2273  Crisis Line: 1-888-356-2006  Website: <a href="http://www.dsaoc.com">www.dsaoc.com</a>  E-Mail: <a href="mailto:dsaoc@dsaoc.com">dsaoc@dsaoc.com</a>  Counties Served: Calhoun, Carroll,  Crawford, Hamilton, Humboldt,  Pocahontas, Webster &amp; Wright  Director: Connie Harris</p>
<p>Seeds of Hope  804 1<sup>st</sup> Street  Grundy Center, IA 50638  Phone: 319-824-5522  Crisis Line: 1-888-746-4673  Counties Served: Black Hawk, Grundy &amp;  Hardin  Director: Beth Jackley</p>	<p>Tri-State Coalition Against Domestic &amp; Sexual  Abuse  P.O. Box 494  Keokuk, IA 52632-0494  Phone: 319-524-8520  Crisis Line: 1-800-498-5095  Counties Served in Iowa: Lee &amp; Van Buren  Director: Sue Prochazka</p>
<p>Domestic Violence/Alternatives Sexual  Assault Center  P.O. Box 1507  Marshalltown, IA 50158  Phone: 641-752-3245  Crisis Line: 1-800-779-3512  Counties Served: Jasper, Marshall, Poweshiek  &amp; Tama  Director: Billie Dall</p>	<p>Crisis Intervention Service  P.O. Box 656  Mason City, IA 50402-0656  Phone: 641-424-9071  Crisis Line: 1-800-479-9071  Counties Served: Cerro Gordo, Franklin,  Floyd, Hancock, Kossuth,  Mitchell, Winnebago &amp; Worth  Director: Mary Ingham</p>
<p>Family Resources, Inc. – Sexual Assault/  Domestic Abuse Program  119 Sycamore Street, Suite 200  Muscatine, IA 52761  Phone: 563-263-0067  Crisis Line: 1-563-263-8080  Counties Served in Iowa: Muscatine  Director: Rachel Riley-Smock</p>	<p>Crisis Intervention Services  500 High Avenue West  P.O. Box 211  Oskaloosa, IA 52577  Phone: 641-673-0336  Crisis Line: 1-800-270-1620  Counties Served: Keokuk, Lucas, Mahaska &amp;  Marion  Director: Martha Zylstra</p>

<p>Crisis Center &amp; Women's Shelter  P.O. Box 446  Ottumwa, IA 52501  Phone: 641-683-1750  Crisis Line: 1-800-464-8340  Counties Served: Appanoose, Davis, Jefferson,  Monroe, Wapello &amp; Wayne  Director: Cheryl Brown</p>	<p>Family Crisis Centers of Northwest Iowa  P.O. Box 295  Sioux Center, IA 51250  Phone: 712-722-4483  Crisis Line: 1-800-382-5603  Counties Served: Lyon, O'Brien, Osceola &amp; Sioux  Director: Shari Aaker-Kastien</p>
<p>Council on Sexual Assault &amp; Domestic  Violence  P.O. Box 1565  Sioux City, IA 51102  Phone: 712-277-0131  Crisis Line: 1-800-982-7233  Counties Served in Iowa: Monona, Plymouth &amp;  Woodbury  Director: Margaret Sanders</p>	<p>Centers Against Abuse &amp; Sexual Assault  P.O. Box 996  Spencer, IA 51301  Phone: 712-262-4612  Crisis Line: 1-877-362-4612  Counties Served: Buena Vista, Cherokee, Clay,  Dickinson, Emmet, Ida, Sac &amp;  Palo Alto  Director: Rhonda Dean</p>
<p>Cedar Valley Friends of the Family  P.O. Box 807  Waverly, IA 50677  Phone: 319-352-1108  Crisis Line: 1-800-410-SAFE (7233)  Website: <a href="http://www.cvfriendedsofthefamily.org">www.cvfriendedsofthefamily.org</a>  Counties Served: Bremer, Butler &amp; Chickasaw  Director: Linda Miller</p>	
<b>Domestic Abuse Programs (not a Dual DV/SA Program)</b>	
<p>Children &amp; Families of Iowa (CFI) –  Family Violence Center (FVC)  1111 University Avenue  Des Moines, IA 50314  Phone: 515-471-8699  Shelter Line: 515-243-6147  Crisis Line: 1-800-942-0333  Counties Served: Polk &amp; Warren  FVC Director: Sandy Smith  CFI Director: Gloria Gray</p>	<p>CFI – Statewide Domestic Abuse Hotline  1111 University Avenue  Des Moines, IA 50314  Phone: 515-471-8699  Crisis Line: 1-800-942-0333  Counties Served: Statewide  Hotline Coordinator: Diana Smith</p>
<p>YWCA Domestic Violence Program  624 Bluff Street  Dubuque, IA 52001  Phone: 563-588-0048  Crisis Line: 1-800-332-5899  Counties Served: Buchanan, Delaware &amp;  Dubuque  Director: Sister Charla Bulko</p>	<p>Domestic Violence Intervention Program  P.O. Box 3170  Iowa City, IA 52244-3170  Phone: 319-354-7840  Crisis Line: 1-800-373-1043  Counties Served: Cedar, Iowa, Johnson  &amp; Washington  Director: Kristie Doser</p>

## Sexual Assault Programs (not a dual DV/SA program)

Polk County Victim Services  
525 SW 5<sup>th</sup> Street, Suite H  
Des Moines, IA 50309  
Phone: 515-286-3600  
Crisis Line: 1-515-286-3535  
Counties Served: Polk  
Director: Sandra McGee

Riverview Center, Inc.  
2600 Dodge Street, Plaza 20  
Dubuque, IA 52003  
Phone: 563-557-0310  
Crisis Line: 1-888-557-0310  
Counties Served: Buchanan, Delaware & Dubuque  
Director: Josh Jasper or Stacie Speirs-Pfeiffer

Rape Victim Advocacy Program (RVAP)  
320 South Linn Street  
Iowa City, IA 52240  
Phone: 319-335-6001  
Crisis Line: 1-800-284-7821  
Counties Served: Cedar, Iowa, Johnson &  
Washington  
Director: Karla Miller

RVAP- Statewide Sexual Abuse Hotline  
320 South Linn Street  
Iowa City, IA 52240  
Phone: 319-335-6001  
Crisis Line: 1-800-284-7821  
Counties Served: Statewide  
Director: Tara Wood

## Statewide Coalitions

Iowa Coalition Against Domestic Violence (ICADV)  
515 28<sup>th</sup> Street, Suite 104  
Des Moines, IA 50312  
Phone: 515-244-8028  
Website: [www.icadv.org](http://www.icadv.org)  
Director: Laurie Schipper

Iowa Coalition Against Sexual Assault (IowaCASA)  
515 28<sup>th</sup> Street, Suite 107  
Des Moines, IA 50312  
Phone: 515-244-7424  
Website: [www.iowacasa.org](http://www.iowacasa.org)  
Director: Beth Barnhill

## Statewide Hotline/Crisis Line Programs

Statewide Domestic Abuse Hotline through Children & Families of Iowa  
1111 University Avenue  
Des Moines, IA 50314  
Phone: 515-471-8699  
Crisis Line: 1-800-942-0333  
Hotline Director: Diana Smith

Statewide Sexual Abuse Hotline through the Rape Victim Advocacy Program  
320 South Linn Street  
Iowa City, IA 52240  
Phone: 319-335-6001  
Crisis Line: 1-800-284-7821  
Hotline Director: Tara Wood



THOMAS J. MILLER  
ATTORNEY GENERAL

**Department of Justice**  
October 17, 2008

ADDRESS REPLY TO:  
HOOVER BUILDING  
DES MOINES, IOWA 50319  
TELEPHONE: 515/281-5164  
FACSIMILE: 515/281-4209

The Honorable Chester Culver  
Governor, State of Iowa

The Honorable Patrick Murphy  
Speaker of the House

The Honorable Kevin M. McCarthy  
House Majority Leader

The Honorable Christopher C. Rants  
House Minority Leader

The Honorable Jo Oldson  
State Representative

The Honorable J. Scott Raecker  
State Representative

The Honorable Todd Taylor  
State Representative

The Honorable Steven F. Lukan  
State Representative

The Honorable John P. Kibbie  
Senate President

The Honorable Michael E. Gronstal  
Senate Majority Leader

The Honorable Ron Wieck  
Senate Minority Leader

The Honorable Robert E. Dvorsky  
State Senator

The Honorable Steve Kettering  
State Senator

The Honorable Tom Hancock  
State Senator

The Honorable Paul McKinley  
State Senator

Dear Governor Culver and Legislative Leaders:

I am writing to you concerning the urgent need for additional state resources for crime victim assistance in Iowa.

**Types of Crime Victim Assistance**

My office, through the Crime Victim Assistance Division ("CVAD"), provides two types of assistance to victims of crime:



(1) Crime Victim Compensation. The Legislature established a Crime Victim Compensation Fund ("Fund"). The Fund is comprised of criminal fines and penalties, including federal criminal fines provided to the state through grants. Victims of violent crime are eligible for several types of benefits related to the crime, including medical expenses, counseling expenses, funeral expenses, and lost wages. A depiction of the in-flow and out-flow of money from the Fund is found in Attachment 1.

(2) Grants to Victim Service Providers. CVAD also administers the Victim Services Grant Program which is funded with state funds combined with three federal grants. The funds support 91 local victim service programs. The state portion of the funds are directed to 27 domestic violence programs and 27 rape crisis programs throughout the state. In all but three communities, the rape crisis and domestic violence programs are combined under one agency. A depiction of the in-flow and out-flow of the money in the Victim Services Grant Program of the CVAD is found in Attachment 2. Also, a map of the location of the programs is found in Attachment 3.

#### **History of Funding of Crime Victim Assistance**

Before turning to the current need for additional resources, it is useful to review a history of how victim assistance has been funded in the past. (The numbers discussed here are included on spreadsheets found in Attachments 4 and 5.)

Prior to FY 2003. Prior to FY03, there was a separate budget line item for victim service grants. The Attorney General's Office ("Office") routinely requested increases in the amount of money appropriated to the programs. For several years, including FY02, the line item was about \$1,800,000.

Additionally, for many years, the Office annually transferred money from the Fund to be used for victim service grants. For several years, this transfer was \$250,000. In FY02, the transfer was \$712,319. (The Office is authorized to transfer money from the Fund to grants under Iowa Code section 915.94.)

FY03 - FY04. Beginning with FY03, the Legislature combined all of the budget line items of the Office into one single line item. The line item for victim service grants was eliminated. In order to keep victim service programs operating, the Office used its authority to transfer \$2,185,065 from the Fund to grants. This resulted in an approximately 15% cut from the amount appropriated and transferred to grants in FY02. The Fund balance at the end of FY03 was \$4,232,750.

In FY04, the Office transferred \$2,251,273 from the Fund to grants. The Fund balance at the end of FY04 was \$3,724,727.

FY05. For FY05, the Office requested that the Legislature reinstate a line item for victim service grants and fund the line item appropriately. In materials submitted to the Legislature, the Office stated that “[t]he reserve of the Crime Victim Compensation Fund cannot be the sole source of state funds to domestic and sexual abuse programs indefinitely.” The Legislature did reinstate a line item of \$5,000 for victim service grants.

In FY05, the Office transferred \$2,273,009 from the Fund to grants. The Fund balance at the end of FY05 was \$3,844,358.

FY06. In FY06, the Legislature did not increase the appropriation for grants, but instead mandated that the Office transfer \$2,450,000 from the Fund to grants. The Fund balance at the end of FY06 was \$3,804,040

FY07. For FY07, the Office presented information to the Legislature about the great need for increased state support for domestic violence shelters and rape crisis centers. The Office asked the Legislature to increase the line item for grants from \$5,000 to \$205,000.

In response, the Legislature did not increase the appropriation for grants, but instead mandated that the Office transfer \$3,200,000 from the Fund to grants. The Fund balance at the end of FY07 was \$3,463,157.

FY08. For FY08, the Office asked the Legislature to increase payment limitations on crime victim benefits payable from the Fund. Benefit limitations had not been raised for many years and benefits, such as allowable medical expenses were not keeping pace with costs incurred by victims. The Office estimated that the state cost of the expanded benefits would be about \$400,000. To fund this proposal, the Office asked the Legislature to increase the appropriation for victim service grants from \$5,000 to \$1,000,000. Correspondingly, the Office asked that the mandatory transfer from the Fund to grants be reduced from \$3,200,000 to \$2,450,000. (The Office argued that with increases in benefit limitations, the resources of the Fund would be severely strained.)

In response, the Legislature did increase benefit limitations. It also increased the line item for victim grants to \$150,000. However, the Legislature did not reduce the requirement that the Office transfer \$3,200,000 from the Fund to grants. The Fund balance at the end of FY08 was only \$1,538,095.

FY09. In my presentation to the Joint Justice Systems Appropriations Subcommittee concerning FY09, I made it clear that, during FY09, the Office could face serious cash-flow problems in making timely payments of victim compensation claims from the Fund. I also made it clear that the Legislature would likely need to appropriate a sizable amount of money to grants in FY10 so transfers from the Fund could be reduced and the solvency of the Fund could be maintained.

In response, the Legislature again mandated that the Office transfer \$3,200,000 from the Fund to grants. The Legislature also moved \$850,000 from the Office's Forfeited Property Fund to victim service grants. This transfer was intended to back-fill for cuts in federal grants for domestic violence shelters and rape crisis centers. Furthermore, in the Office's FY09 appropriation bill, the Legislature included a statement that it intended to appropriate \$1,000,000 from the state general fund for victim grants during FY10.

#### **Status of FY09 Funding**

As predicted for FY09, the Office will face serious cash flow issues with the Fund. The cash flow problem is particularly acute because the primary federal grant to the Fund (projected to be \$2,900,000 in FY09) is typically not received by the Office until very late in the fiscal year.

The Office has two mandatory obligations to pay in a prompt manner from the Fund: (a) administrative costs of its Crime Victim Assistance Division and (b) grants to victim assistance programs pursuant to grant agreements and as mandated by the Legislature. Crime victim compensation is not mandatory and, under Iowa law, can be delayed, reduced, or not paid at all. See Iowa Code § 915.88. The Office could delay, reduce, or not pay crime victim compensation in FY09. We feel this approach would unfairly punish crime victims and should be avoided, if at all possible. We will make every attempt to use available resources to pay victim compensation in a timely manner in FY09.

#### **Projections for FY10 Funding**

In FY10, we estimate that money available in the Fund will be about \$2,000,000 less than is necessary to pay victim benefits on a status-quo basis. (See figures for FY10 in Attachment 4.) In other words, unless action is taken, the Fund will be completely depleted at the end of FY10 and about \$2,000,000 in victim claims would go unpaid in FY10. Moreover, the cash flow problem discussed above for FY09 will be in play in FY10, as well.

The Office will try to accrue savings for the Fund, where possible. We will attempt to cut administrative costs, including travel.

The Honorable Chester Culver  
Legislative Leadership  
October 17, 2008  
Page 5

However, it is obvious that the Fund can no longer support both types of crime victim assistance, compensation and grants, at current levels unless the Legislature dedicates more resources in this area.

In the FY10 budget request that we submitted to the Legislature, we have two proposals for increased spending, in the following order of priority:

- (1) We ask the Legislature to appropriate **\$3,200,000** to victim assistance grants. Correspondingly, we ask the Legislature to remove language requiring the Office to transfer \$3,200,000 from the Fund to grants. This request would put the Fund on a more solid footing and would permit the Office to pay victims their full benefits on a prompt basis.
- (2) We ask the Legislature to appropriate an additional **\$850,000** to victim service grants to replace the \$850,000 moved from the Office's Forfeited Property Fund to grants in FY09. The reductions in federal grant money have not been restored and the Office's Forfeited Property Fund is much diminished and is being dedicated to other law enforcement purposes.

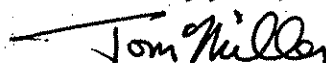
### Conclusion

Victims of violent crime suffer enormous pain and loss. For decades, the State of Iowa has been committed to offering aid to ameliorate the harm and hardship done to these individuals. The time has come for the State of Iowa to renew this commitment.

We respectively ask the Legislature and the Governor to dedicate necessary resources to crime victim assistance so we can continue to treat crime victims with the compassion, dignity, and support which they deserve.

Thank you for your consideration of this request.

Sincerely yours,



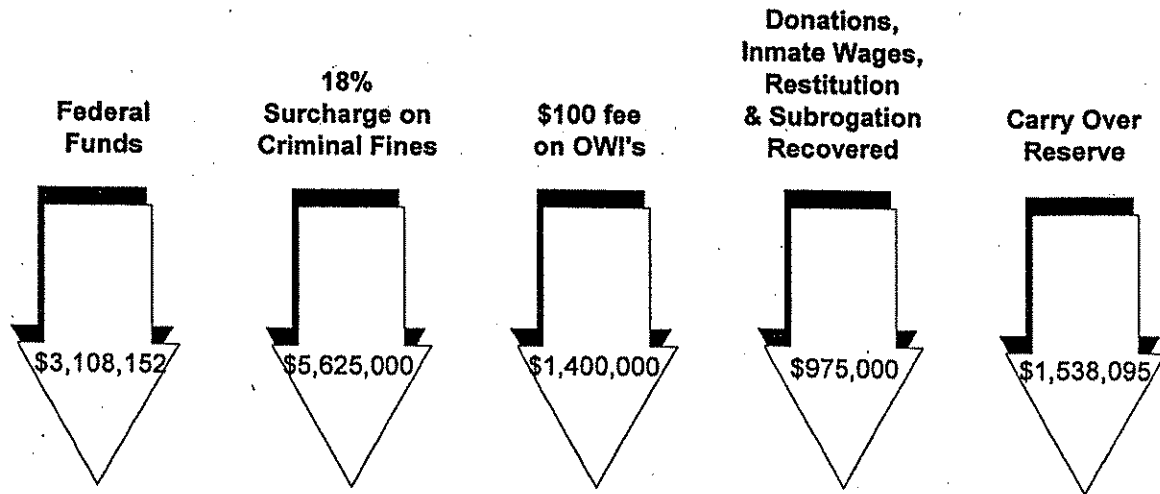
Tom Miller  
Iowa Attorney General

### Attachments

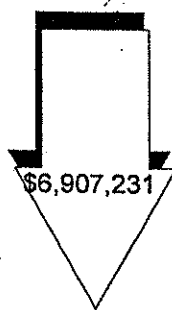
cc: Charlie Krogmeier  
Dick Oshlo  
Beth Lenstra

# VICTIM COMPENSATION

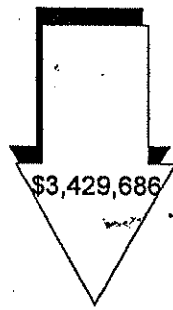
Attorney General's Office  
Projected FY 2009



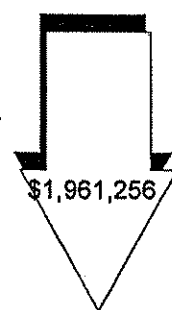
Victim Compensation Fund  
\$12,646,247



Eligible  
Victims



Victim  
Service  
Grants



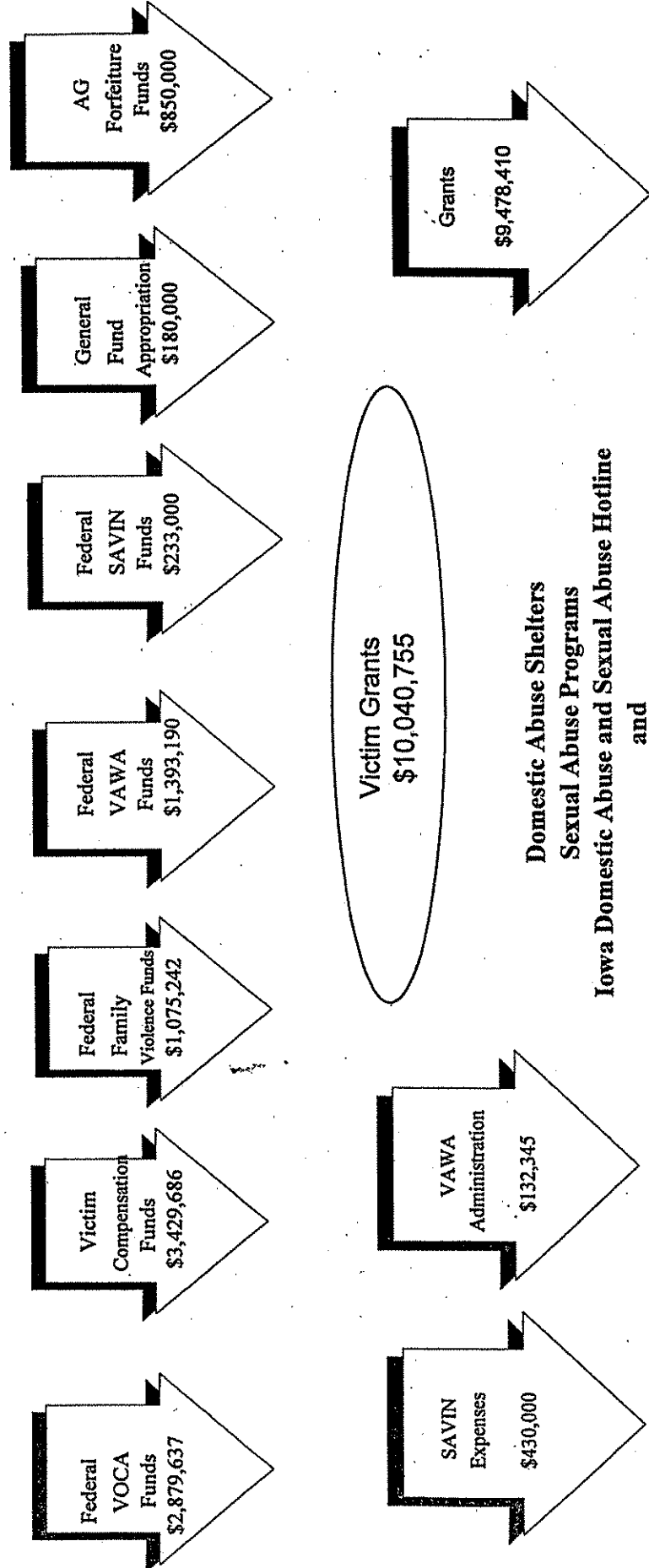
Crime Victim  
Assistance Division  
Operations

Total Expenses from Fund  
\$12,298,173

Reserve  
\$348,074

**VICTIM GRANTS**

**Attorney General's Office  
Projected FY 2009**



**Domestic Abuse Shelters  
Sexual Abuse Programs  
Iowa Domestic Abuse and Sexual Abuse Hotline  
and  
Other Violent Crime Programs**



Resources	Victim Compensation Fund							
	Actual FY 2003	Actual FY 2004	Actual FY 2005	Actual FY2006	Actual FY2007	Actual FY2008	Budget FY2009	Budget FY2010
OWI Fines	\$ 1,666,902	\$ 1,527,500	\$ 1,477,452	\$ 1,436,235	\$ 1,465,000	\$ 1,396,283	\$ 1,400,000	\$ 1,400,000
Criminal Surcharge	4,230,361	4,750,493	5,368,987	5,473,465	5,658,035	5,621,363	5,625,000	5,625,000
Restitution	438,857	472,210	550,848	642,898	598,803	640,707	650,000	650,000
Inmate Wages	58,229	74,164	82,668	100,865	107,451	122,450	125,000	125,000
Donation	0	0	0	0	0	0	0	0
Subrogation	78,833	92,433	131,633	179,041	160,027	198,567	200,000	200,000
VOCA Compensation	1,560,000	1,238,000	1,843,000	2,241,000	2,359,000	1,845,000	2,900,000	2,100,000
Transfer Comp. Admin.	0	0	0	0	0	0	0	0
VOCA Admin./Training	429,767	198,900	205,445	226,669	207,850	194,308	151,560	165,000
Federal FVPSA Admin.	114,292	58,753	58,099	57,920	57,465	57,337	56,592	56,500
Congressional Earmark				13,923	0	0	0	0
VAWA Admin			31,814	0	0	0	0	0
Carryover	4,366,235	4,232,750	3,724,727	3,844,357	3,804,041	3,463,157	1,538,095	348,074
Carryover Adjustment		2,250	4,195	1,111	2,118	1,535	0	0
<b>Total</b>	<b>\$ 12,943,476</b>	<b>\$ 12,647,454</b>	<b>\$ 13,478,869</b>	<b>\$ 14,217,484</b>	<b>\$ 14,419,791</b>	<b>\$ 13,540,706</b>	<b>\$ 12,646,247</b>	<b>\$ 10,669,574</b>
<b>Expenditures</b>								
Operations	\$ 1,738,737	\$ 1,409,681	\$ 1,418,441	\$ 1,692,655	\$ 1,776,102	\$ 1,817,725	\$ 1,931,256	\$ 2,471,255
Victim Services Grants	2,185,065	2,251,273	2,273,009	2,465,392	3,189,159	3,196,587	3,429,686	3,232,686
Victim Advocate Training	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
Collection Expenses	43,050	30,041	30,041	93,460	-	-	-	-
Compensation Paid	4,213,242	4,602,032	4,883,955	4,809,531	4,585,342	5,584,794	5,532,231	5,532,231
Sexual Abuse Exams	500,632	599,700	999,064	1,322,406	1,376,030	1,373,505	1,375,000	1,375,000
Transfer to Unemp. Comp.	0	0	0	0	-	-	-	-
<b>Total</b>	<b>\$ 8,710,726</b>	<b>\$ 8,922,727</b>	<b>\$ 9,634,511</b>	<b>\$ 10,413,444</b>	<b>\$ 10,956,633</b>	<b>\$ 12,002,612</b>	<b>\$ 12,298,173</b>	<b>\$ 12,641,172</b>
Ending Balance	\$ 4,232,750	\$ 3,724,727	\$ 3,844,358	\$ 3,804,040	\$ 3,463,157	\$ 1,538,095	\$ 348,074	\$ -1,971,598



Victim Assistance Grants Account

Resources	Actual FY 2003	Actual FY 2004	Actual FY 2005	Actual FY 2006	Actual FY 2007	Actual FY 2008	Budget FY 2009	Budget FY 2010
General Fund	\$ 30,000	\$ 30,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 180,000	\$ 180,000	\$ 180,000
Income Tax Check-off	0	0	0	0	0	0	0	0
VOCA Assistance Grant	4,028,445	3,619,686	3,618,134	3,704,292	3,932,189	3,602,222	2,879,637	3,135,000
FVPSA	1,152,835	1,119,056	1,107,915	1,106,833	1,079,210	1,098,013	1,075,242	1,073,500
VAWA	1,883,784	1,775,213	1,595,423	1,504,984	1,480,607	1,350,711	1,393,190	1,399,659
Congressional Earmark	0	0	210,211	67,011	0	0	0	0
SAVIN Grant	0	0	0	0	657,175	360,214	233,000	250,000
Victim Comp. Fund	2,185,065	2,251,273	2,273,009	2,465,392	3,189,159	3,196,587	3,429,686	3,232,686
Forfeiture Fund	0	0	0	0	0	0	850,000	0
Carryover	4,751	0	0	0	0	0	0	0
<b>Total</b>	<b>\$ 9,284,880</b>	<b>\$ 8,795,228</b>	<b>\$ 8,839,692</b>	<b>\$ 8,883,512</b>	<b>\$ 10,373,340</b>	<b>\$ 9,787,747</b>	<b>\$ 10,040,755</b>	<b>\$ 9,270,845</b>
<b>Expenditures</b>								
Operations	\$ 127,491	\$ 139,455	\$ 145,883	\$ 123,462	\$ 774,362	\$ 477,672	\$ 562,345	\$ 382,345
Transfer to Comp. Fund	253,728	0	0	0	0	0	0	0
Grants	8,903,661	8,655,774	8,693,809	8,760,050	9,598,978	9,310,075	9,478,410	8,888,500
<b>Total</b>	<b>\$ 9,284,880</b>	<b>\$ 8,795,228</b>	<b>\$ 8,839,692</b>	<b>\$ 8,883,512</b>	<b>\$ 10,373,340</b>	<b>\$ 9,787,747</b>	<b>\$ 10,040,755</b>	<b>\$ 9,270,845</b>
Ending Balance	\$ 0	\$ -0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Victims served:	27,497	28,964	29,964	30,888	29,974	30,275	30,275	30,275