



Department of Justice

STATEMENT OF

**MARY LOU LEARY
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OFFICE OF JUSTICE PROGRAMS
U.S. DEPARTMENT OF JUSTICE**

BEFORE THE

**SUBCOMMITTEE ON CRIME, TERRORISM,
AND HOMELAND SECURITY
COMMITTEE ON THE JUDICIARY
U.S. HOUSE OF REPRESENTATIVES**

ENTITLED

“THE CRIME VICTIMS RIGHTS ACT OF 2004”

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Mr. Chairman, Ranking Member Gohmert and Members of the Subcommittee: I am pleased to have the opportunity to discuss the Department of Justice's (DOJ) efforts to implement the Crime Victims Rights Act (CVRA) of 2004. We appreciate this Subcommittee's interest in this issue.

My name is Mary Lou Leary and I am the Acting Assistant Attorney General for the Office of Justice Programs (OJP) within the Department of Justice. OJP's mission is to increase public safety and improve the fair administration of justice across America through innovative leadership and programs. A critical part of this mission is ensuring that crime victims are treated with respect and fairness. Within OJP, our Office for Victims of Crime (OVC) provides resources and leadership to support key services for crime victims. OJP's Bureau of Justice Assistance, as part of its support of state, local and tribal criminal justice systems, also administers programs that help crime victims.

As you are probably aware, my commitment to serving crime victims goes back to my service as an Assistant District Attorney in Middlesex County, Massachusetts. I also made victim assistance a priority in my work as an Assistant United States Attorney for the District of Columbia and my initial service at OJP. Most recently, before rejoining OJP, I was the Executive Director of the National Center for Victims of Crime.

Helping crime victims and protecting their rights is a high priority for Attorney General Holder, the Department of Justice and OJP. As GAO's recent audit demonstrated, the Department has made substantial efforts to comply with its obligations to the victims of crime, whether those obligations are imposed by the CVRA or by other provisions of federal law. OJP has played a critical role in those efforts through its policy development and program funding.

As the Subcommittee is aware, the CVRA tasks OVC with collecting victim service information from other Department of Justice components, including the number of victims assisted, the component staff responsible for helping victims, the programs and procedures to serve victims, related training, and evaluations of its victim assistance efforts. The Act requires OVC to submit a report with this information to the Attorney General. This year OVC submitted a combined 2005 through 2007 AG Compliance Report that both summarized the DOJ component reports and made recommendations for improvement.

Currently, OVC is working on completing the 2008 AG Compliance Report. In addition, in response to a recommendation in the GAO audit report, OVC, in a partnership with the Department's Office of Legal Policy and in coordination with other components with victim-related responsibilities, is developing a standardized compliance survey to be completed annually by all such components in the future.

The AG report is just one of many ways that OVC is working with other DOJ components to improve victim services and protect victims' rights. OVC has long provided support for federal victim coordinator and specialist positions in the 94 U.S. Attorneys' Offices and 56 Federal Bureau of Investigation (FBI) field offices. In Fiscal Year 2005, OVC provided the Executive Office of U.S. Attorneys (EOUSA) with \$1 million to provide CVRA training. In Fiscal Year 2009, OVC has provided over \$1 million for model projects, particularly in Indian Country, that provide support to U.S. Attorneys Offices and Bureau of Indian Affairs District Offices to enhance victim services and ensure that victims' rights in Indian Country are upheld.

OVC also supports the Nationwide Victim Notification System (VNS), a shared web-based application involving the FBI, the United States Postal Inspection Service, the United States Attorneys' Offices, the Department's Criminal Division, and the Federal Bureau of Prisons. Through VNS, notification of case events begins during the investigative stage and continues throughout the prosecution and corrections stages of a criminal case. VNS provides federal crime victims a toll-free number where they can access current case information and the Victim Internet System (VIS) Web site that allows them to view their notifications and update their personal contact information.

In cases with many victims, use of the VIS and the VNS Call Center frequently is the most cost-effective and efficient means of notification. OVC is working with EOUSA to ensure that all DOJ components, including the U.S. Parole Commission, are linked to VNS.

In addition to its work with its federal partners, OVC has undertaken other efforts to enhance the provision of victim services at all levels of the criminal justice system. From Fiscal Year 2006 through Fiscal Year 2009, OVC has awarded over \$4 million to the National Crime Victim Law Institute (NCVLI) for the Crime Victims' Rights Enforcement Project. Under the auspices of this Project, legal clinics across the country are providing direct representation to victims to enforce their rights in criminal courts at the federal, state, and tribal level. NCVLI provides intensive technical assistance, training, and support to all the clinics.

NCVLI also undertakes education, training, and technical assistance on victims' rights issues nationally and works to build a network of private attorneys to represent victims pro bono in the enforcement of their rights in criminal court. FY 2007 OVC funding under the Crime Victims' Rights Enforcement Project also supported grants to two additional organizations that established legal clinics to provide direct services to victims. In FY 2009, moreover, NCVLI received an award from the Bureau of Justice Assistance under the American Recovery and Reinvestment Act (ARRA) – to be administered by OVC – to provide critical support for continued operations of its national victim legal clinic network.

In addition to OVC's effort, OJP's Bureau of Justice Assistance has awarded over \$39 million to 38 states and Puerto Rico through the Statewide Automated Victim Information and Notification (SAVIN) Program, which assists states in building,

implementing, and improving victim notification capacity. Through SAVIN, states work to increase victim safety by developing policies, practices, and technology solutions for the timely and accurate dissemination of information about offenders and their cases. This information-sharing capability is extended to court, corrections, and law enforcement officials, thereby enhancing national information sharing capacity and helping to prevent crime.

Eligible states may use SAVIN funds either to create a statewide victim notification system, or in the case of states with existing notification capacity, to enhance features or availability of the current system.

SAVIN helps states obtain effective technology to manage critical information about offenders in near real-time. Crime victims in states receiving SAVIN funds have unprecedented timely access to information. They may:

- Register to be notified via telephone, e-mail, Telecommunication Device for the Deaf (TDD), or written letter each time the status of their offender or case changes.
- Access critical case information through a web site or toll-free number with support from a live operator 24 hours a day.
- Access information about their offender's arrest, initial incarceration, pretrial release, judicial process, final disposition, post-conviction incarceration, and community supervision.

BJA has also awarded over \$1.8 million to provide SAVIN training and technical assistance to the grantees. In addition, BJA, in coordination with the Integrated Justice Information Systems (IJIS) Institute, developed *Planning, Implementing and Operating Effective Statewide Automated Victim Information and Notification (SAVIN) Programs*, which identifies minimum program guidelines and standards to help ensure interoperability between victim notification systems across the country. OJP's National Institute of Justice is currently conducting an evaluation of the SAVIN program.

Please be assured that the Department will continue to expand and improve its efforts to assist victims and protect their rights, both under the CVRA and other pertinent provisions of law. This has always been a critical part of OJP's mission, and it will remain so.

This concludes my statement, Mr. Chairman. Thank you for the opportunity to testify today. I welcome the opportunity to answer any questions you or Members of the Subcommittee may have.