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Executive Director

April 28, 2006

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Attorney General of Georgia

VICE PRESIDENT
LAWRENCE WARDEN
Attorney General of Idaho

IMMEDIATE PAST PRESIDENT
WILLIAM H. SORRELL
Attorney General of Vermont

Via Facsimile

The Honorable J. Dennis Hastert, Speaker
United States House of Representatives
H-232, The Capitol
Washington, DC 20515

The Honorable Nancy Pelosi, Minority Leader
United States House of Representatives
H-204, The Capitol
Washington, D.C. 20515

The Honorable Bill Frist, Majority Leader
United States Senate
S-230, The Capitol
Washington, DC 20510

The Honorable Harry Reid, Minority Leader
United States Senate
S-321, The Capitol
Washington, DC 20510

The Honorable Jerry Lewis, Chair
Committee on Appropriations
United States House of Representatives
2112 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Dave Obey, Ranking Member
Committee on Appropriations
United States House of Representatives
2314 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Thad Cochran, Chair
Committee on Appropriations
United States Senate
113 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Robert Byrd, Ranking Member
Committee on Appropriations
United States Senate
311 Hart Senate Office Building
Washington, DC 20510

We, the undersigned Attorneys General, write to express our grave concern over the proposed reductions in spending on state, territorial and local law enforcement assistance programs as found in the Administration's FY 2007 budget request for the U.S. Department of Justice. We are also alarmed at the Administration's renewed effort to rescind the balances in the Crime Victims Fund. These proposals, if enacted, will devastate state law enforcement efforts, especially as related to drug crime, as well as hamper efforts to provide services to the innocent victims of crime.

State, Territorial and Local Law Enforcement Assistance

Funding for the Byrne Justice Assistance Grant (JAG) program, which was established two years ago by combining the Byrne Formula Grant program and the Local Law Enforcement Block Grant program, is completely eliminated in the Administration's proposed budget. The Administration also proposed eliminating this program in FY 2006, and although Congress restored funding to \$416.5 million, this figure was down more than 34% from the \$634 million allocated in FY 2005. These cuts continue a trend of significant funding reductions for law enforcement assistance programs at the Department of Justice which began in FY 2003.

The JAG program provides funds to assist state, territorial and local law enforcement in combating crime and violence in their respective communities. According to data compiled by the National Criminal Justice Association for the 2004 grant year, task forces funded in part by Byrne/JAG were responsible for:

- 54,050 weapons seized;
- 5,646 methamphetamine labs seized;
- \$250 million in seized cash and personal property (does not include the value of narcotics seized);
- Massive quantities of narcotics removed from America's streets, including:
 - 2.7 million grams of amphetamines/methamphetamine;
 - 1.8 million grams of powder cocaine;
 - 278,200 grams of crack;
 - 73,300 grams of heroin;
 - 75 million cultivated and non-cultivated marijuana plants;
 - 27 million kilograms of marijuana

In addition, funding for the Community Oriented Policing Services (COPS) programs, including the vital Methamphetamine Hotspots program, is reduced by almost 72% in the Administration's proposed budget.

These law enforcement cuts could not have come at a worse time for the states and territories. Significant budget problems still face state and/or territorial legislatures. At the same time, the states and territories are reeling from the explosion in heroin, prescription narcotic, and methamphetamine abuse. The proposed reductions to the state, territorial and local law enforcement assistance programs administered by the Department of Justice will, if enacted, significantly reduce the ability of state, territorial and local law enforcement agencies to protect communities across the nation. Many state, territorial and local law enforcement agencies have been able to expand their capabilities to protect their communities as a direct result of the resources provided by this federal funding.

In March 2005, 53 Attorneys General (48 states and the District of Columbia, American Samoa, the Northern Mariana Islands, Puerto Rico and the Virgin Islands) sent a letter to Congress urging the restoration of federal funding for these important state,

territorial and local law enforcement assistance programs. We once again urge Congress to assist state, territorial and local law enforcement through the provision of critical federal funding.

Crime Victims Fund

The Crime Victims Fund was created as part of the Victims of Crime Act of 1984 (VOCA) and is funded entirely through collections from federal criminal fines, forfeitures and special assessments. These *offender-generated* revenues, with no additional amounts provided by taxpayers, are used to support approximately 4,400 local programs to provide counseling, shelter, support and advocacy to nearly 4 million victims of domestic violence, sexual assault, child abuse, drunk driving, elder abuse and robberies, as well as families of homicide victims and other victims of crime

In April 2005, Attorneys General from all 50 states, the District of Columbia, American Samoa, Puerto Rico and the Northern Mariana Islands wrote Congress to express their concern about the proposed rescission to the Crime Victims Fund contained in the Administration's proposed FY 2006 budget. Fortunately, through your leadership, the Crime Victims Fund was preserved. Regrettably, the Administration again seeks to deplete the Crime Victims Fund in its FY 2007 budget proposal. We write again to urge you to reject the movement of over one billion dollars from the Crime Victims Fund into the general fund.

Movement of these *offender-generated* revenues from the Crime Victims Fund undermines the effectiveness of the criminal justice system and imposes an insurmountable burden on victims by removing their primary means of overcoming the crimes committed against them. The Administration's request to remove \$1.255 billion from the Crime Victims Fund would leave no funds for any VOCA supported grants in FY 2008 and would have a devastating impact on our ability to support victims of crime.

This approach is wholly inconsistent with the precise language of the statute which states that A... all sums deposited in the Fund in any fiscal year that are not made available for obligation by Congress in the subsequent fiscal year shall remain in the Fund for obligation in future fiscal years, without fiscal year limitation.@ 42 U.S.C. ' 10601(c). It also undermines the commitment, made in recent years when a cap was introduced on annual grants, Ato ensure that a stable level of funding will remain available for these programs in future years.@ (Public Law 106-113, Conf. Report 106-479, Title VI, General Provisions, Sec. 620). Victims are challenged enough by their experiences. It would be an injustice to make the future of VOCA funding uncertain.

Preservation of the Crime Victims Fund is critical to our efforts to serve victims in our communities. Without the assistance provided through VOCA grants, we will be unable to provide the services necessary to help the victims of crime recover physically, emotionally, and financially. No victim of crime should be left without the means to overcome the horrific acts committed against them. Use of funds that directly connect

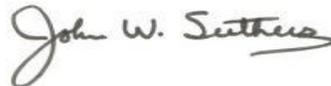
offenders to victims for general fund purposes should not be permitted because it minimizes both the responsibilities of offenders and the substantial injustices that must be overcome by victims.

In closing, we ask that Congress, through your leadership, fully fund state, territorial and local law enforcement programs to a level that allows states and territorial jurisdictions to build on the past results of the successful state/territorial/local/federal law enforcement partnership. Restoration of this funding will ensure that law enforcement agencies are able to maintain the core capabilities they need to protect their communities from the scourge of crime and violence. Moreover, we implore you to continue fight for the victims of crime by safeguarding the Crime Victims Fund. We urge you to preserve the connection between *offender-generated* revenues and the provisions to innocent victims by rejecting the proposed rescission of balances in the Crime Victims Fund.

Sincerely,



Bill Lockyer
Attorney General of California



John Suthers
Attorney General of Colorado



Lawrence Wasden
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G. Steven Rowe
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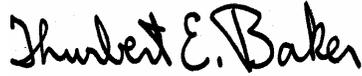
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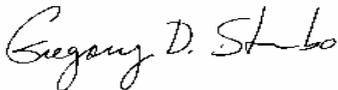
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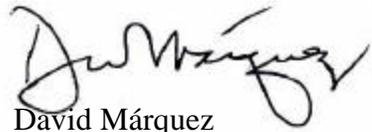
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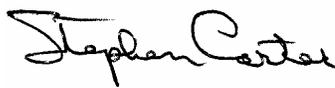
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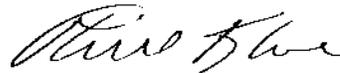
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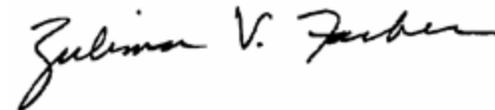
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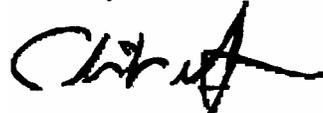
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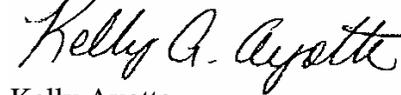
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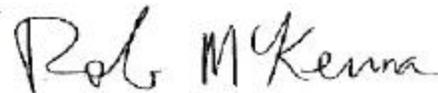
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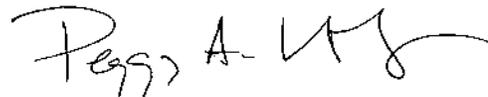
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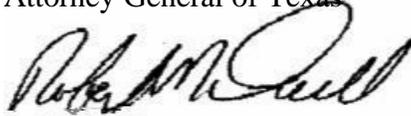
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