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Victim-advocate services face deep cuts

By Troy Graham
Inquirer Staff Writer

After Carole McDonnell's daughter was killed by a driver who had been awake, partying, for 30 hours, she was so grief-stricken she couldn't perform the most basic tasks.

As the driver's vehicular homicide case went to trial, she wandered into a criminal justice system designed around the rights of the defendant, not the victim.

But McDonnell had an advocate at the Camden County Prosecutor's Office whose sole task was to tend to the needs of crime victims and witnesses.

"They're with you for the worst time of your life," McDonnell said. "The defense attorneys and the prosecutors ... have no clue what's going on . . . with the victim."

Each of New Jersey's 21 counties has a victim-witness office, funded through federal grants. In Philadelphia, a coalition of more than 20 nonprofit victim-witness programs relies on the same federal money.

In the budget before Congress, those grants have been slashed, forcing victim advocates to consider drastic cuts in their services.

The offices in Camden and Gloucester Counties could lose about 75 percent of their funding. Burlington County's stands to lose about half.

"That decimates the program," said Linda Burkett, who has been the victim-witness coordinator in Camden County since 1987. "That has the potential to destroy everything we've worked for."

Although the Philadelphia District Attorney's Office victim-witness unit is not funded by the federal grants, it relies on the coalition agencies to provide services and link crime victims with the help they need.

Those agencies would face up to a 40 percent cut by 2010 under the federal reductions, according to Jerry Bolzak, executive director of Northeast Victim Services and spokesman for the Philadelphia Coalition for Victim Advocacy.

"Does that mean I have 40 percent less to pay for victims' funerals or medical costs?" he asked. "The people we help don't have a lot of resources."

McDonnell, who volunteers with the Gloucester County victim-witness program, said she does not understand how the federal government could cut that money.

"Obviously they've never been victims," she said. "I question if they know what [the advocates] do, because they would never cut them if they did."

The prosecutors in each of the three South Jersey counties said they hoped to find the funding elsewhere if necessary, possibly asking their freeholders to make up the difference.

Laying off advocates, they said, would be a disaster.

"To me, this is really the guts of what our offices should be doing, and that's to help the victims," said Burlington County Prosecutor Robert D. Bernardi. "These people are on the front lines of dealing with the pain that these people suffer every day."

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The federal grants come from a fund established by Congress in 1984. The money is collected from fines and penalties assessed to federal convicts, and it must be spent to help crime victims.

The federal budget proposes a cut for New Jersey from about \$10.4 million last year to about \$8 million this year. In Pennsylvania, the cut would be from about \$14.7 million to about \$11.3 million.

Pennsylvania operates on a two-year grant cycle, so the effects of the cuts would not be felt until 2009.

By law, the grant money cannot be spent elsewhere in the federal government, so cutting it would not save any taxpayer money.

"It's hard for me to know what's going on with their budget," said New Jersey Attorney General Anne Milgram. "The money is obviously there for this purpose, and it should be used for that."

She said she had lobbied the state congressional delegation and President Bush personally, during a recent trip to Washington, to restore the full funding.

In New Jersey, the county victim-witness offices would bear the brunt of the cuts - their awards would drop from \$5.6 million last year to \$2.5 million this year. Funding to nonprofits and other agencies would remain the same.

Milgram said the decision was made not to cut the nonprofits because they provide victims with direct services, such as counseling and legal help.

"We value both, and we didn't want to cut either. I'm really deeply upset about it," she said. "We developed a formula that we thought was the right thing to do, based on the resources we have."

But the list of services provided by the county advocates is extensive as well.

Aside from the major task of helping victims navigate the court system, they also provide transportation and help them get money for groceries and prescriptions.

They can arrange for broken locks and doors to be replaced at the homes of burglary victims. They can get hotel stays for victims who are threatened. And their help, prosecutors said, is integral in getting witnesses, especially frightened and reluctant ones, into court.

Camden County dealt with nearly 4,000 new victims in 2007, and the advocates note that they never close a case.

"How would one choose what services to eliminate?" Burkett asked. "How could I say to sexual assault victims, 'I can't serve you?'"

If advocates are lost, investigators and lawyers, overworked and ill-equipped to deal with grieving relatives, would have to make up the slack.

"I can't picture attorneys or investigators sitting for hours and hours with a victim in court [while] thinking, 'I should be out on the streets investigating this case or writing a brief,'" Burkett said.

Other services could become far more impersonal and less effective.

"They run interference with employers so [victims] can get to court," said Acting Camden County Prosecutor Joshua M. Ottenberg. "Who's going to do that? I guess I can develop a form letter."

New Jersey assesses its own fines and penalties to criminal defendants, and prosecutors have discussed lobbying to have those fines increased to get more money for the victim-witness programs.

The man who caused the accident that killed McDonnell's 20-year-old daughter was acquitted.

Though he admitted smoking crack earlier, he was not considered intoxicated at the time of the accident.

McDonnell got active and persuaded the Legislature in 2003 to pass Maggie's Law, targeting drowsy driving.

But she remembers a time after her daughter's death when "I couldn't even remember my name."

"That's the way your brain works. You totally shut down," she said. "The smallest thing is overwhelming, and the victims' advocates understand that."

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