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Public Comment for House Bill 2 – Judicial Branch, Law Enforcement, & Justice

Domestic & Sexual Violence Services

- Domestic and Sexual Violence Services (DSVS) serves the 20,000 Montanans who live in Carbon and Stillwater Counties. We are the only community-based advocate organization serving our rural and isolated region. We provide many services for our community, including a 24-hour confidential crisis hotline, transportation (120 miles) to the closest hospital providing medical care and exams for people who have been sexually assaulted, emergency shelter for victims fleeing abusers, and offer survivors opportunities to increase their safety and build their independence. Without our organization, each year, 600 crisis calls would go unanswered, more than 80 victims reporting assault may fail to receive legal or medical care, and hundreds of survivors would miss resources and opportunities to start their lives anew with safety and confidence. We are a necessary and vital part of mitigating the negative impacts violence has on the lives of victims and on the community at large. The vast majority of domestic and sexual violence crimes in our state go unreported. Montana holds the dubious recognition of being 13th in the nation for femicide, and our two counties can attribute 10% of all victim crimes reported as associated with domestic violence, sexual violence, or stalking. We are not unique. Communities across Montana struggle with addressing domestic and sexual violence with an appropriately robust response. Importantly, our services can be a first step to empowering survivors to participate in the criminal justice system - preparing witnesses for testimony, providing court accompaniment and encouragement, helping victims understand all of their options. Sometimes the abuse survivors endure acts as a barrier to accessing the justice system altogether. We understand those barriers intimately. We coordinate with systems-based partners to ensure they understand those barriers intimately. And ultimately, our work complements the work of law enforcement and judicial agencies to provide better outcomes for victims and a safer community for all of us. We recognize the responsibility you have to Montanans to make wise decisions on how to allocate hard-earned tax dollars. Victims of Crime Act (VOCA) funding has dwindled dramatically over the years. We are requesting state general fund dollars be added to the budget of the Montana Board of Crime Control. These funds would be matched by VOCA funding that the state receives annually. Without this infusion of state general fund dollars, DSVS will not be able to maintain our existing services. Specifically, a reduction in VOCA funds would mean the following immediate consequences Carbon and Stillwater Counties: 1. Loss of advocate presence in Stillwater County, where they have also been without a Victim Witness Advocate for the better part of six months - this would mean the loss of an average of 600 services to victims in Stillwater County each year. 2. Loss of transitional housing support - victims will lose funding to help temporarily cover housing and utilities expenses while they get reestablished away from their abuser, and lose access to financial counseling and coaching sessions proven to increase their overall success in living safer, more stable lives with economic resilience. 3. Diminished advocate capacity overall - DSVS clients would receive diminished services and have less capability to connect with systems partners.

We serve people in our community who have had their decision-making power to control their own lives taken away from them by violence. You have a responsibility to protect these survivors and everyone in the community by being proactive in keeping people safe and empowering survivors to participate fully in society. We complement systems-based work, for the benefit of our clients and for everyone. Our communities are safer when we work together, survivors are empowered when we work together, and fiscal conservation is possible because

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of the leveraging of resources. As VOCA support dwindles, the relationships necessary to achieve results suffer, because like all relationships, they require attention and resources to steward. Allocating state budget dollars to support community-based advocacy is necessary, urgent, and good common sense.

-Libby Johnson

- I am the director of the Gallatin County Victim Services program through the County Attorney's office. Our program is responsible for advocating for all victims of violent crime in Gallatin County, this includes misdemeanor and felony cases. We work within the criminal justice system and attend court hearings in eleven different courts in the county. Our staff includes five advocates and an administrative assistant. We are the only advocacy program in our area that supports victims through the criminal justice system. I was happy to hear that Senator Vance from my area was on this committee. Thank you, Senator Vance, for your service.

We are requesting state general fund dollars be added to the budget of the Montana Board of Crime Control. The funds we are requesting would be matched with federal VOCA dollars the state receives annually. As you've heard from prior testimony, the VOCA fund dollars have diminished significantly over the past several years. We need this infusion of state general fund dollars to maintain existing services in Montana. Programs have already faced cuts and we know that even more cuts are on the table in the coming years if the funds aren't increased and stabilized.

Our program is critical to supporting the needs of violent crime victims. We are a prosecutor-based victim assistance program whose primary responsibility is to provide information, support and advocacy services to victims of violent crime. We work with prosecutors and law enforcement to act as a liaison between all involved. Each advocate is responsible for working with the victim until the case is resolved. This process can take months and in very serious felony cases, it may take years. During this time, advocates are making sure they are getting input from victims, keeping them up to date on the case and referring victims to other resources in the community.

Funding for advocacy services is critical and necessary in every community in Montana. Our program is based in the criminal justice system, however, we work alongside community-based advocacy programs to provide critical support to victims and survivors. I strongly believe that the advocacy work in our communities holds offenders accountable, keeps our communities safer and provides for healing and support that our victims, survivors and family members need.

-Stacy Wesen

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- “Good morning; my name is McKenley Hayes (spell).

On April 7th, 2017, I attended a school swing dancing event at Montana State University. I was halfway through the spring semester of my freshman year. My roommate and I had attended swing dancing in Romney Hall many times that year. It was an environment that felt safe; I never had to worry about my safety among the cowboys and FFA kids. I did not know my life would drastically change when I left my dorm room. That night I was sexually and physically assaulted. I woke up on the morning of April 8th, bleeding, bruised, concussed, and scared. I felt ashamed; I felt confused; I felt alone. I was terrified, and I didn't know what to do next. Hours later, afraid that I would be blamed for what happened but more afraid that my body wasn't okay, I found myself at Bozeman Deaconess with a detective, Sexual Assault Examiner Nurse (SANE), and a Sexual Assault Counselor Advocate from the local community rape crisis center. The process of a forensic exam is extremely traumatic. The detective, SANE nurse, and community-based counselor-advocate supported me throughout the exam. They provided trauma education and crucial information about the next steps. My community based-advocate connected me with crucial resources that day and for months after the assault. I spent that summer suffering from nightmares, scared to let anyone touch me, and contemplating suicide. I stayed in contact with my community-based advocate, and when I returned to campus in the fall, so did the assailant. I was concerned about my safety on campus. My community-based advocate helped connect me with legal advocates and the Montana Coalition Against Domestic and Sexual Violence's pro-bono attorneys. Those attorneys helped me with an order of protection, preparing me to testify, see the assailant in the courtroom, and be cross-examined. At the time of the court cases, the county-attorney system advocates also provided support and expertise. Without all this help, I would not have been able to navigate the justice system well. These advocates all worked together to prepare me for the criminal trial, ensuring that the county attorney represented my wishes as much as possible. Even before my case went to court, I received sexual-trauma-specific counseling from the counselor-advocates at the sexual assault counseling center. I worked with a counselor-advocate for over a year on healing my trauma. Because of her expertise with sexual trauma and the justice system, I never had to try to make her understand what I was experiencing; she already knew. I do not share my story lightly, and I do not speak hyperbolically when I say that the community counselor-advocate at the Sexual Assault Counseling Center, SANE Nurse, detective, Montana Coalition Against Domestic and Sexual Violence's attorney, and the system-based advocate at the County Attorney's office saved my life. This was the darkest time of my life, and there were many days when I wanted to end my life to take away the pain. The victim services resources I've talked about here gave me the expert support and life-changing encouragement I needed to keep going.

Five short years later, my life has changed. I graduated with my Undergraduate degree on time, I pursued my graduate degree in counseling, I got a strong start on my healing, I found love, I got married, and I have had the opportunity to give back. In May 2021, I began my work as a counselor-advocate at the Sexual Assault Counseling Center and its child program, the Gallatin County Child Advocacy Center. The agency I work for provides free community-based advocacy and trauma counseling services for victims of crimes. Our counselor-advocates provide 24/7 support, psychoeducation, and advocacy during forensic SANE exams and forensic interviews to survivors and families. We conduct safety, danger, and suicide assessment, collaborate with community partners to ensure the best care for survivors, and provide a myriad of other crucial

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and life-saving services. As both a survivor and a counselor-advocate, I have seen firsthand the impacts our services have. I have personally experienced each part of victim services funded by the VOCA grant, and I would not have made it through any part of the process without each person. I do not want to imagine anyone going through this process without all the parts. Today, we are requesting state general fund dollars be added to the Montana Board of Crime and Control budget. This funding is imperative for the continuation of victim services. Without stabilizing funding for victim services, victims will be left to navigate complex and nuanced systems without the life-saving support I had. Services like the sexual assault counseling center are crucial for our communities and our state. This is my first public testimony, and I am here because I think it is so important that you know what these dollars do; these dollars saved my life and save others' lives. Thank you for the opportunity to testify on this important issue - I appreciate the committee's time and dedication."

-McKenley Hayes

- "The Abbie Shelter has been providing victim services to Flathead County since 1976, serving approximately 1200 victims of domestic and sexual violence related crimes every year. Domestic violence is a leading cause of death and a leading cause of injury to women in Montana. Our agency wraps these women in care and direct services. 24hour Helpline. Shelter. Legal advocacy - our organization serves all five courts in Flathead County. Mental health counseling. Safety planning. Case management. Housing advocacy. Gas Cards. Helping a victim fix their car after their abuser smashed the windshield. You name it, we do it. We are a community-based agency and we strive to address the most significant barriers standing between victims and safety from an abusive partner, whatever those barriers may be.

We are requesting state general fund dollars be added to the budget of the Montana Board of Crime Control. The funds we are requesting would be matched with federal Victims of Crime Act (VOCA) dollars the state receives annually. We know that VOCA fund dollars have diminished and will continue to diminish. Our community-based programs cannot continue to meet the rising demand for our services while funds diminish. We need the state to contribute to sustaining these vital programs, to prevent further shrinking of victim services in our state.

As a community-based agency, we are nimble. We can serve victims who are not able to safely access the judicial system. (Research tells us that this is over half of victims of intimate partner violence!) We are leading nonprofit organizations in our communities, often blazing the path for how to best serve people in crisis.

We depend on VOCA dollars to fund our Legal Advocate, Community Advocate, and 24-Hour Helpline Coordinator. These people are the backbone of our agency's services. VOCA is the backbone of our funding plan. When VOCA dollars are sufficient, we can use the money we raise out in the community to make our organization more robust. We can do things like: Prevention education in schools, buying a client's bus ticket to safety, or having a paid mental health practicum student.

When VOCA dollars diminish, our capacity shrinks. We cannot be as responsive or as innovative. We can't adequately address domestic violence in our communities if we don't have enough money to do so.

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Please support adequate funding for VOCA and for victim services in Montana. A significant portion of your constituents depends on us for safety. In Flathead County, we know that 1200 people each year are counting on our agency to help them stay safe from an abusive partner. We need you to help us make sure we have the capacity to answer their calls.

Thank you for your service to our state, and for doing everything you can to represent victims of intimate partner violence crimes.

Hilary Shaw, Executive Director, director@abbieshelter.org, 406-261-9082”

-Hillary Shaw

- “I intend to speak during public comment after the Board of Crime Control budget presentation.”

-Wyatt Glade

- “I apologize that we are submitting our written testimony this way. The website is not recognizing our word file to attach it, so we have to cut and paste. From the MT Coalition Against Domestic and Sexual Violence:

We are pleased to come before you to ask for state support for victims and survivors of crime. Although there are admittedly various programs sharing this general title, the topic of this testimony are the programs in our communities that help to support victims beginning when they are harmed. The services continue to help them through the criminal justice system and on to establishing their new normal after having been offended against. They are truly community services and are provided by local non-profits as well as county and city officials and employees.

It is not said nearly enough that victims and survivors are one of the most crucial parts of our criminal justice system. Without their testimony about what happened to them, many if not most prosecutions could not occur. Our constitutional system puts a tremendous amount of responsibility upon them. It asks them to face the person who harmed them, speak in public about one of the worst things that has ever happened to them, and then be cross examined by an expert who is doing all they can to make them appear that they are mistaken, lying, not very smart or worse. We not only owe them all of the support they need to survive the crime and navigate the criminal justice system while rebuilding their lives -- we owe them our tremendous gratitude.

Local victim services programs help victims to find safer housing, apply for programs to feed their children, counsel, and support them about how to rebuild their lives, provide support in related civil matters, help them in the criminal proceeding brought about what happened to them, and even provide support to fix windows or other property damaged by the offender.

These local programs currently receive federal funds to provide these victim services. These funds are provided to the states through the Victims of Crime Act of 1984 or VOCA. They are

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dispersed through grants by the Montana Board of Crime Control. These local programs do not receive state funding for these victim services advocacy and support. This federal funding had steadily increased until FY 2018 when Montana received \$11 million. Unfortunately, the federal contribution has dropped markedly to only \$5.1 million for this fiscal year. This was disastrous for the system and destabilized many programs as the Montana Board of Crime Control needed to vastly curtail the funds distributed to each program and county.

We cannot afford this kind of instability in a system that does such critical work. Few people think about these services until they need them. When they need them, they need them immediately. They should be as reliable and stable as the other parts of the criminal justice system: the judiciary, law enforcement, the prosecution, and jails and prisons. We are asking for the state to contribute to fill this gap in funding to ensure that victims have what they need to be part of the criminal justice system, a system that they never asked to be a part of in the first place. Thank you,”

-Elizabeth Brenneman

- “SAFE has been serving Ravalli County since 1988. We received our first VOCA award in the 1990s and have relied on this funding since then as we serve over 450 people each year. VOCA funding provides the resources for our community to benefit from a 24-hour hotline, emergency shelter and advocacy services for those experiencing domestic or sexual violence. These services are so important because they provide an avenue to interrupt violence, be safely housed and secure resources to live a safer future. Survivors depend on these services, as does our community. In addition to the crisis-based services supported by VOCA, SAFE also provides transitional housing, prevention activities and leadership for Ravalli County’s Coordinated Community Response to domestic and sexual violence. In Ravalli County, VOCA funds also support a systems-based advocacy program, housed in the Ravalli County Attorney’s Office.

As the community-based advocacy program, SAFE works hand in hand with our local systems-based advocacy programs, in the Ravalli County Attorney’s office and the City of Hamilton Attorney’s Office. These systems-based programs provide important support for those who have cases in the criminal justice system-such as support with victim impact statements and restitution and by keeping victims informed of criminal justice events. SAFE works to meet the remainder of the needs that crime victims have following a victimization-the need for safe housing, the need for access to an income, the need for childcare, the need for transportation assistance, the need for support and help mitigating the impact of trauma. SAFE also provides services to those who are unable to access the criminal justice system. Crime victims are sometimes unable to safely access the criminal justice system. This is particularly true for sexual assault victims, as prosecution of sexual assault cases occurs more rarely. Of the crime victims served by SAFE in any given year, only 30-40% have current involvement with the criminal justice system, either because their case is not being prosecuted, their case has been adjudicated but they are still in need of advocacy support or because their victimization was not reported to law enforcement. Those that do not have active criminal cases are ineligible to receive services from systems-based advocates. Both community based and systems based advocacy programs are crucial for assisting victims and crucial for creating communities that are free of violence, and both types of advocacy services are funded with VOCA dollars. As Ravalli County’s population has grown, the need for SAFE’s advocacy and shelter services has

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also grown substantially. During our 2022 program year, our shelter was at or over capacity 82% of nights. Due to this limited capacity, we were unable to provide needed emergency shelter 90 times to those in need. By comparison, the prior year we were unable to provide shelter 46 times. Due to this escalation of need in our community, SAFE is currently working to expand our emergency shelter so that fewer people will be without this important resource.

Additional, and sustainable, funds are important to Ravalli County and to communities across the state. Without these funds, survivors have less access to these important, and often lifesaving, resources. VOCA funds are an important resource for victims services organizations, particularly in rural Montana communities where there is little or no county or city financial support for community-based advocacy services. In Ravalli County, SAFE there is no county or city funding available to support our services. With a significant decrease forecast for VOCA funds, we are concerned about our ability to sustain our service levels. VOCA dollars are crucial to our ability to keep survivors and their children safe, hold offenders accountable and build safer communities. I urge you to add general fund dollars to the Montana Board of Crime Control for the purpose of supporting victims services.”

-Stacey Umhey