



Working to end sexual violence in Maryland

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Testimony
Senate Subcommittee on Public Safety, Transportation, and Environment
&
House Subcommittee on Public Safety & Administration Regarding
Rape Crisis & Sexual Assault Funding
Governor's Office of Crime Prevention, Youth & Victim Services Budget
Lisae C. Jordan, Executive Director & Counsel
March 4, 2022 (Senate) and March 7, 2022 (House)

The Maryland Coalition Against Sexual Assault (MCASA) is Maryland's state sexual assault coalition. Its mission is to prevent sexual assault, advocate for accessible, compassionate care for survivors of sexual violence, and work to hold offenders accountable. MCASA also certifies the State's rape crisis centers to ensure survivors are provided with high quality and trauma-informed care. The Governor's Office of Crime Prevention, Youth & Victim Services (GOCPYVS, formerly GOCCP) is required by state law to "regularly consult, collaborate with, and consider the recommendations" of MCASA regarding "sexual assault crisis programs and policies, practices, and procedures that impact victims of sexual assault." Crim.Pro. §11-923(e). Additionally, the Director of the Victim Services Unit at the Office is specifically required by statute to work with MCASA regarding these issues. Crim.Pro. §11-1103(c).

Rape Crisis Centers provide services to thousands of victims annually throughout the State of Maryland, and the need for services has been increasing dramatically. Victims and survivors of sexual violence and abuse receive counseling, accompaniment to court, advocates in court rooms and emergency rooms, and more from comprehensive sexual assault programs serving every jurisdiction in the State. Services are now available virtually and in person in response to the COVID pandemic.

MCASA appreciates all of the work by members of the General Assembly, including the Women's Caucus, to maintain funding and ensure that rape crisis centers continue to provide basic services for victims of sexual assault. **The budget language that the Budget & Tax and Appropriations Committees included in the budget last session was vital and programs would have suffered further instability without this important action. Thank you for your FY22 oversight and direction regarding expenditures. We urge similar action this year.**

Sexual Assault in Maryland During the Pandemic

Perpetrators are emboldened by the COVID pandemic and continuing effects. They are using the pandemic to gain or renew access to victims, intimidate survivors into silence, and interfere with survivors' attempts to seek safety and justice. All across the state, we are hearing reports that violence is becoming more severe.

Sexual assault survivors face increasing mental health needs, substance abuse issues, amplified trauma, and isolation. Economic instability, homelessness, job loss continue to be concerns, with the uneven economic recovery. Practical concerns like internet access, lack of privacy, and COVID exposure complicate access to services.

For each person who reaches out, the survivor is often asking for help with more issues. Where a client might have needed help with a protective order before, now they also need help with eviction, unemployment benefits or other issues. Where a survivor might have needed support from a counselor and a short series of counseling session, now they are finding themselves triggered by the anxiety of the pandemic layered on top of their experience of trauma and in need of long term therapy. Survivors who previously felt stable and secure in their recovery and returning and new survivors are being victimized and new needs are created.

Workforce Challenges and Administrative Burdens

Rape crisis and sexual assault programs are experiencing enormous workforce challenges. Programs report 20%-33% of staff positions in transition as people retire, resign, or change jobs. This is having a direct impact on funding needs. First, programs have increased salaries in order to retain staff. Non-profit providers are now competing with fast food restaurants and retail establishments offering higher wages, benefits, and bonuses. Demand for professional staff, particularly counseling staff, is even more intense, with private firms actively seeking out and recruiting rape crisis center staff for their expertise responding to trauma. Second, greater flexibility is needed to administer grant funds. Policies requiring that every dollar be expended by a date certain are simply unworkable when staff positions may become vacant weeks prior to the expected end of a grant. The federal government provides grantees with more flexibility than the GOCPYVS. Grantees need support for no-cost extensions asking for additional time to spend down funds and flexibility to reallocate funds between expenses like travel (down because of the pandemic) and salaries (up because of the pandemic). The State's onerous administrative apparatus is simply taking resources away from services.

Experiences of Community Based Rape Crisis & Sexual Assault Programs

Filed with this testimony is additional information with stories and experiences from the sexual assault and rape crisis programs in your communities. MCASA urges the committee to read and consider the impact of budget cuts. The Dove Center in Garrett County sums up the impact with the simple message:

There are no words for how important it is for the VOCA gap to be filled.
Lives will be lost without it.

Sources of Support for Rape Crisis & Sexual Assault Programs

General Funds for Rape Crisis & Sexual Assault

General funds provide for core funding for Maryland's rape crisis center pursuant to Criminal Procedure §11-923 (mandating funding of \$3 million beginning FY18). Administration of funding for rape crisis center and domestic violence programs is housed in the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS). While this statute includes formula increases in funding, no increase is included in the Governor's budget books.

Regular (non-COVID) Federal Funding, including Victim of Crime Act (VOCA) and Violence Against Women Act (VAWA)

Federal funding under the Violence Against Women Act (VAWA) and the Victim of Crime Act (VOCA) also help support services for survivors of sexual assault and abuse. VAWA funding is expected to be virtually flat from last year unless there are significant changes at the federal level. VOCA funds, however, are facing a **significant reduction of approximately \$62.5%**. This is not reflected in the Governor's budget books, which seem to suggest anticipated VOCA revenue of \$48.6 million. In reality, predictions are that Maryland will receive \$18.9 million.¹ This gap in FY23 funding is not structural, but temporary. This summer Congress passed the [VOCA Fix bill](#) with bipartisan support and [President Biden signed it](#) into law. This will replenish the pool of federal VOCA funding that has long supported vital victim services. The replenishment will, however, take several years.

MCASA respectfully suggests that Maryland and the Hogan Administration should fill this temporary gap. The "Refund the Police" initiative does not do this. The victim services piece of that initiative includes \$20 million for the cuts that were restored last fall. The remaining \$6 million annual allocations are for specific projects and, in any event, are far below the expected shortfall. MCASA was relieved to see information in the budget analysis suggesting that ARPA funds are available to fill the gap, but note that prior information was that only \$14million in unexpended ARPA was available. We urge the budget committees to look carefully at whether and how much funding is actually available.

Both VOCA and VAWA funding support **core services**, such as:

- Rape Crisis & Recovery counseling for sexually abused children and adults
- Hospital accompaniment during sexual assault forensic exams (rape kits)
- Advocacy for students who are sexually assaulted at college or in K-12 schools
- Helping survivors seek protective orders
- Child advocacy centers providing child-centered responses to victims of child abuse
- Victim-witness coordinators who help crime victims in the criminal justice system
- Long term legal services, such as divorce and child custody
- Emergency shelters and programs
- Safe Harbor programs for services for child victims of sex trafficking

¹ This assumes that the continuing resolution for the federal budget remains in place and new budget is not enacted by Congress. If a new budget is enacted, projections are that Maryland could receive about \$24.6 million. This increase is a result of the federal VOCA Fix legislation passed last summer.

VOCA in particular, has long been a source of stable funding for existing service providers and is not a “special project” fund. Funding comes from the federal government on a rolling basis, with funds awarded for a three year period. Again, MCASA expresses the deep appreciation from the field of sexual assault services providers for the General Assembly’s oversight and budget language adopted last session. **Without the actions of the budget committees, there is no question that survivors would have had fewer resources in the midst of the pandemic, despite the availability of significant federal COVID relief funds.** Even with the General Assembly’s actions, VOCA grants to programs were cut nearly 20% on September 24th, days before the grants were set to begin on October 1st. Fortunately, the Governor responded to the repeated requests from legislators and from the field to restore these cuts. Unfortunately, there has been no response to [requests to fill the devastating cuts](#) that are looming. We hope the subcommittees will help encourage action to fix the temporary VOCA funding dip.

Last session, the General Assembly attempted to address both the need for transparency and the need for continued VOCA funding through budget language requiring reports and by requiring an independent audit of grant administration. MCASA urges continued oversight and notes the recommendations contained in the [evaluation of GOCPYVS](#) are important and needed.

In particular, last year’s budget instructions included that VOCA allocations were “to continue services to victims of crime” and expressed “the intent of the budget committees that the primary purpose of the programs funded through the VOCA grant awards be to ensure continuity of trauma–informed, high–quality services for victims of crime as the COVID–19 pandemic progresses.” Continued for existing services was supported and guidance was provided regarding funding allocation if cuts were necessary. **MCASA urges the Committees to again provide this guidance and support.** We also acknowledge and support the need for more funding for new programs. This should be accomplished through increased allocations, however, not by forcing sexual assault programs and other victim services providers into a round of the Hunger Games, where new programs are funded by harming existing services.

MCASA urges the Budget Committees to require continued support for core services for victims and to take steps to keep funding stable. In particular, we urge the Committees to continue efforts to increase transparency and to provide clear guidance to the GOCPYVS regarding VOCA expenditures.

COVID Emergency Funding

Emergency federal COVID relief has been important for sexual assault services providers to remain safe, open, and to transition to virtual services. At the start of the pandemic, funds were provided for PPE, technology, and other needs related to transitioning to virtual services and to keeping survivors and staff safer. Needs are now primarily related to staffing. Domestic violence programs received emergency Family Violence Prevention Services Act (FVPSA) funding. Rape crisis programs (often housed at the same agency) did not receive this type of dedicated funding at the start of the pandemic, however, both domestic violence and sexual assault programs will receive additional supplemental ARP funds to expend over the next two years. For sexual assault programs, this will be approximately \$1.35million for both FY23 and FY24.

Stable Funding for Core Services for Survivors of Sexual Assault is Needed

Maryland is facing multiple challenges and we must all work together to meet them. We are fortunate that sexual assault programs have support from federal VAWA and VOCA dollars as well as state general funds. While MCASA is not suggesting that awards of federal funding never change, we do strongly encourage that the Committees take steps to stabilize federal expenditures and grant awards over the coming year. In particular, **MCASA expresses serious concern about the impact of VOCA cuts on sexual assault survivors and urges the State to take steps to prevent the devastating cuts services that will result from the temporary reduction in VOCA funds.**

