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When the Crime Victims' Compensation Fund was originally established by the Legislature in 1979, the intent was to provide financial reimbursement to crime victims for expenses resulting from that crime. This purpose was further strengthened by Texas voters with an amendment to the Texas Constitution that dedicated the CVC Fund for "victim-related compensation, services or assistance."

Over the years the Fund succeeded to such an extent that its solvency made it a target for various legislative grants and appropriations to agencies for programs that did not necessarily meet the spirit of the Fund's original intent. The inappropriate uses of the Fund seriously threatened its solvency. The problem was so serious that, during the 2003 legislative session, it was projected that in just a couple of years there would be no money available for basic victim needs such as burial expenses for murdered loved ones.

In response to serious concerns about this situation shared by crime victims' advocates and legislators alike, the House Committee on Criminal Jurisprudence conducted an interim investigation on whether funds had been diverted from crime victims and whether the Fund was meeting the objective of its authorizing legislation. In a report issued by the Committee, it was determined that funds were in fact being diverted for purposes contrary to the original legislative intent and legislative action was recommended to preserve the integrity of the Fund by prohibiting further inappropriate expenditures.

The Committee determined that many of the expenditures from the Fund, while sometimes worthy and compelling, were nevertheless for programs that did not directly assist victims of crime and furthermore violated the plain wording of the Texas Constitution. Such expenditures included counseling for *offenders*, payment of salaries for judicial personnel of courts, academic studies on crime and the purchase of supplies for local law enforcement investigations.

Through passage of amendments I authored to HB1489 and SB1, the 79th Legislature acted decisively to preserve the integrity and constitutional intent of the Fund. Changes enacted through my amendments now define victim-related services as "compensation, services, or assistance provided directly to a victim or claimant for the purpose of supporting or assisting the recovery of the victim or claimant from the consequences of criminally injurious conduct" and furthermore strictly provide that excess money in the Fund can only be expended for those purposes. The changes also clarify that individuals who suffer emotional trauma as a result of crime are entitled to the same rights as those who suffer physical injury and those rights are extended to victims of injury to a child and to elderly or disabled individuals.

The recently enacted changes should prevent future attempts to raid the Fund for programs not directly related to actually helping the crime victims themselves. You can read a copy of the Criminal Jurisprudence Committee's detailed report in its entirety by going to the following link on House website at http://www.house.state.tx.us/committees/reports/78interim/criminal_jurisprudence.pdf

