

Testimony on

“Crime Victims Fund and the FY2007 Budget”

Before the
Senate Subcommittee on Federal Financial Management,
Government Information and International Security
U.S. Senate Committee on Homeland Security and Governmental Affairs

Presented by
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Mr. Chairman and members of the Subcommittee:

On April 18, 1995, the day before the Oklahoma City bombing, I was not familiar with the criminal justice system. I had no comprehension of the consequences of having a daughter murdered, or a two-year-old granddaughter crying for her mother who would never return. I did not know the psychological impact such a crime would have on my family... or how it still impacts my life almost eleven years later. I did not know about victim services or where people who had been impacted by crime turned for help. That was not my life.

On April 19, 1995, I was confronted with the fragility of life and the realization that everything can change in a split second. My daughter, Frankie Merrell, worked for the Federal Employees Credit Union, located on the third floor of the Alfred P. Murrah Building in downtown Oklahoma City. I was at home approximately ten miles from where my daughter worked taking care of my granddaughter, Morgan. At 9:02 am an explosion shook my home. Little did I know from that moment on how much my life would change. Five days later my family was notified of Frankie's death. The world we knew no longer existed. Our family was broken and in deep despair. The feeling of powerlessness and hopelessness was daunting.

Visions of Frankie's childhood are vivid and clear, like photographs in my mind. I can still see her taking her first steps and speaking her first words. Holidays, birthdays and school days form an endless stream of memories that are now both bitter and sweet. I remember her wedding day like it was yesterday. Frankie got married at home. Sometimes I still see her standing in front of the fireplace. She was so beautiful, radiant, and happy. The day Frankie got married she and I sat on her bed...the two of us reminiscing about her childhood. We laughed and cried. The day her daughter, Morgan, was born was the happiest day of her life, an unforgettable day that I was privileged to share with my daughter. I will never forget looking into her eyes and seeing my little girl become a mother. Watching Frankie hold her child brought back such fond memories of

the day Frankie was born. Life passes so quickly. Frankie was a wonderful mother. Pictures of Morgan adorned her window at the credit union. How tragic for Morgan to have lost the kind of care that so few children are given. How unbearable to bury a child.

Weeks later I was made aware of victim services. Families, survivors and rescue workers were in desperate need of help. The Office for Victims of Crime stepped in and started covering bomb-related expenses which included identifying victims, providing us with referral information for medical expenses, psychological counseling, and compensation for lost wages incurred due to the bombing. Oklahoma citizens used \$114,679 in state Victims of Crime Act (VOCA) funds, plus \$98,948 in state VOCA compensation funds. These funds came from fines and fees imposed on Federal criminal offenders. They were not derived from taxpayers' dollars.

The trials for Tim McVeigh and Terry Nichols were moved to Denver, Colorado. For most victims and family members, this meant another economic hardship which most could not afford. The Office of Victims of Crime funded initiatives to help us. More than \$1.7 million was used to provide victim services and support throughout the two federal trials in Colorado. These funds provided us with information about the status of the criminal investigation and prosecution of the criminal case against the suspects; facilitated victim participation in the criminal case through trial attendance; and prepared victims to present impact statements during sentencing. Families and survivors were also provided a safe haven in a church near the Federal Court House in Denver and offered mental health and spiritual counseling during the trials. The funds enabled some victim's families and survivors of the Oklahoma City bombing to attend one week of the trial. Lodging and transportation were paid. Selection was based on a lottery system. It wasn't perfect, but it was the only assistance we received.

I was employed as a consultant in the District of Columbia's Mayor's office during 2003-2004 to help create the Office of Victim Services in the Office of the Deputy Mayor for Public Safety and Justice. Subsequently, I started meeting with other groups of victims unrelated to the Oklahoma City bombing and found that many victim groups were in desperate need of services. In my quest for information about services for victims, I learned that many groups received minimal services, and programs were not adequately funded. For example, there was a lack of emergency shelters and transitional bed space for victims of domestic violence. There were barriers to access help, such as language, age disabilities, sexual orientation, religion, mental health status and cultural diversity. There are thousands of victims in communities such as Wards 7 and 8 here in the Nation's Capitol who are underserved.

The stigma around victimization has the same effect no matter in what "class" one falls. The trauma faced by crime victims is the same for "served" victims and underserved. I benefited from VOCA funds as would any other sector of the population.

A large part of VOCA funds go to train judges and prosecutors on how to treat victims with dignity, compassion and respect. These funds are used to fund case managers and

victim advocates positions in states' attorney's offices. When properly trained, these personnel are available for victims as they go through the criminal justice system.

The impact of crime cannot be erased, and the painful aftermath of victimization cannot be avoided. A response that does not further traumatize a victim is possible, and in fact, should be expected. While the impact of crime will never be forgotten, providing a response that is well coordinated, effective and supportive will help alleviate the additional trauma that so many victims experience.

No person, regardless of life choices or situations, should experience harmful or limited victim services. Each victim should be provided with the opportunity to access services based on their individual needs. Victims should not be further traumatized by a system that is neither prepared nor open to their needs due to lack of funding. There is seldom dialogue regarding the impact crimes have on the lives of the victim or surviving family members impacted by crime. Too often those who survive are thought of as a separate and less critical element of the crime and are left to deal with the long-lasting impact without proper assistance.

We live by laws in this country so that, ideally, no one will ever have to know what it's like to be a victim of crime. Crimes such as that which were committed against my family are intolerable in any society that calls itself not only free but civilized. For Congress to consider reducing money used to help victims is not an option. This critical fund is a lifeline to many who otherwise would not survive.

Opinions may be colored by religion, parental values or popular opinion. For me, finding a solution is a process; not a simple learning process, but a searching of the soul, a journey.

In closing I would like to pose a couple of questions: How often are you obligated to make decisions associated with issues that you have never experienced first hand? Is it easy to express your views? Are there times when the responses to these issues aren't clear? Whom do you serve?

Respectfully,

Marsha Kimble