

Testimony of Legal Services of the Hudson Valley
To the Joint Budget Hearing of the Senate Finance Committee
And Assembly Ways and Means Committee
Regarding Public Protection

Testimony Presented by Rachel Chazin Halperin, Esq.
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Thank you for your invitation to testify before the Legislature regarding the cuts to funding to victim service providers across New York State. This loss of funding and consequently supportive services is devastating to crime victims, including victims of domestic violence, sexual assault and child abuse. **I am here today to request that New York State take immediate action to dedicate emergency state funding to ensure the continuity and sustainability of New York's legal services for crime victims.**

My name is Rachel Halperin, and I am the Chief Executive Officer at Legal Services of the Hudson Valley (LSHV). LSHV is the sole provider in the Hudson Valley of free, comprehensive, legal services in civil matters for individuals and families who cannot afford an attorney when their basic human needs are at stake. This includes urgent legal needs such as: housing emergencies (eviction and foreclosure prevention); domestic violence (orders of protection, child custody, etc.), healthcare, children's advocacy, disability and benefits, elder law, consumer fraud and more. In pursuit of this mission, LSHV maintains a staff of 171 individuals, including 101 attorneys working across nine offices throughout our service area including:

Westchester, Putnam, Rockland, Orange, Dutchess, Ulster and Sullivan counties. In 2021, LSHV opened approximately 12,000.00 cases.

In 2018, LSHV partnered with victim assistance program in all seven counties in the Hudson Valley to receive funding from the Office of Victim Services (OVS) to support civil legal services for crime victims. This funding enabled LSHV to create 20 new positions solely dedicated to assisting victims of crime in a broad spectrum of civil legal issues including orders of protection, elder abuse, immigration, housing, consumer, foreclosure, public benefits, and disability. **Since the inception of this project in 2018, LSHV has provided legal services to over 1,138 crime victims in 1,900 cases throughout our region.** Through the newly created Crime Victims Legal Network, LSHV has connected with other legal services attorneys across the state who are servicing victims of crime for shared training, best practices, and peer support.

Unfortunately, last month, OVS notified all recipients of the Civil Legal Services funding that because of the decline in federal Victim of Crime Act (VOCA) funding, it was cancelling this five-year funding one year early and would be terminating funding in September 2022. OVS explained that this early termination of the funding was due to the significant declines in New York's Victim of Crime Act (VOCA) funding from the federal government.

Upon receipt of this notice, LSHV was forced to immediately close intake for crime victims throughout our region. Because legal matters such as immigration cases, custody and divorce cases, and orders of protection matters can take several months to several years to resolve, LSHV could not continue to open new cases for crime victims without certainty of continued funding. Attorney's ethical responsibilities necessitate that once an attorney has

entered a notice of appearance with the court, the attorney is obligated to continue representation of the client until the matter is resolved. Consequently, LSHV is left with the probability that it will have hundreds of open cases for clients when the OVS funding ends in September, with no funding to support this program. Further, LSHV has left open positions that are funded by OVS vacant because it could not find an attorney who would take a position for only the few remaining months on the contract. Moreover, these cuts will eliminate 20 union positions at LSHV.

On behalf of the New York Legal Services Coalition and in coordination with the New York State Coalition for Domestic Violence, I recently met with members of the Governor's staff to communicate the dire circumstances this cut in funding is immediately having on crime victims throughout the New York. We urged the Governor to include funding in her budget to make up for the shortfall of federal VOCA funding. Unfortunately, the Governor did not include this funding in her budget.

Consequently, crime victims throughout the Hudson Valley and New York are left without assistance while navigating the complicated and complex civil court system – often in cases where they are forced to face their abusers directly, thus further endangering themselves and their children. OVS' cuts coincide with a continued increase in need for victim services as crime rates in New York State are on the rise. **Now is not the time to be cutting back on these critical and life-saving supportive services for crime victims.**

I urge the Legislature to earmark \$280 million of the surplus funds in the State budget, or the State American Rescue Plan Act funding, to eliminate the shortfall in New

York's VOCA grants, thereby preventing catastrophic cuts to victim services providers through New York State. All New York providers who depend on this funding to provide these critical services should be able to maintain their programs at current or increased levels so that service delivery is uninterrupted to this vulnerable population.