

Compensating Victims of Crime

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SUMMARY |

Victims of certain crimes in the United States are entitled to financial compensation to cover the costs associated with victimization. Lawmakers believe that victims should have rights that are comparable to the legal rights of offenders. The government has a moral obligation to assist innocent victims of violent crime and their families as they experience the traumatic effects of violent crime. For this reason, the federal and state governments provide funding to assist victims of crime. The specific provisions of compensation policies vary, including eligibility requirements, sources of funding, and maximum amounts paid to victims. The federal government distributes a large portion of compensation funds, and there is currently more than \$10 billion in the Crime Victims Fund. With such a large amount of reserve funds, federal officials are often tempted to use a portion of the funds to balance budget lines or for other non-victim purposes. Victim compensation is a valuable program that helps thousands of victims each year, but compensation programs are underutilized and administrative complexity often makes it difficult for victims to receive compensation. This report gives an overview of the victim compensation system, explores problems with the system, and offers suggestions for improvement.

INTRODUCTION |

Victim compensation is the government's way of financially assisting victims and survivors of crime, but the current system is underused and sometimes misused. Violence affects victims and survivors of crime in a number of ways. In addition to physical harm, victims and survivors may suffer emotionally and financially. Victim costs can include medical and mental health counseling expenses and the costs of fixing or replacing damaged or destroyed property. Victims who are unable to work because of physical or mental impairment lose income. When victimization results in death, surviving family members may be responsible for funeral costs. Without insurance, these costs may become overwhelming.

Government-funded victim compensation programs provide financial relief to victims and survivors of crime. There is some overlap between victim compensation and restitution in that both are payments to victims of crime, but they differ in terms of eligibility, source funding, and distribution. Courts may require offenders to pay restitution to their victims, but this is only possible if the victim reports the crime, a criminal investigation results in apprehension of the offender, the offender is convicted in court, and a judge requires the offender to pay restitution. Victim compensation refers to government funds that cover victims' and survivors' out-of-pocket expenses (e.g., medical bills, funerals) and lost wages. Courts can order restitution for a wide range of damages, including offenses involving property damage. Victim compensation covers a narrower range of damages usually pertaining to violent offenses that resulted in physical harm, although some states offer compensation for victims who experience emotional trauma. Very few states award compensation for property loss or damage, so a victim of burglary or theft is far more likely to receive restitution than victim compensation. Victims are not permitted to receive restitution and compensation for the same damages. Victim compensation is nontaxable while restitution is generally considered taxable income (Trang 2002).

Victim compensation funds assist approximately 200,000 victims and survivors of crime each year, and nearly \$500 million is awarded to victims and survivors annually (National Association of Crime Victim Compensation Boards a). However, this represents only a small percentage of all victims. In 2012, there were nearly seven million victims of violent crime age 12 and older (Truman, Langton and Planty 2013). This suggests that very few of the crime victims who are eligible to receive compensation, apply for and ultimately receive it (Alvidrez et al. 2008).

This report discusses the system by which victims and survivors can be compensated for expenses resulting from their victimization or from the death of a family member. Compensation originates from state statutes and is supplemented by federal funds, which represent one-third of benefits paid. States distribute compensation in the form of reimbursements to eligible victims and survivors whose claims are approved. The financial structure of victim compensation is problematic at the federal level, where funds are vastly under allocated. While some states have more than enough funds to pay compensation benefits, other state programs are understaffed or suffer from improper methods of accounting.

BACKGROUND |

Victim compensation was developed because of the government's moral responsibility to provide financial relief to victims of crime, to enhance public safety, and to encourage citizen cooperation with the criminal justice system. Prior to victim compensation programs, victims and survivors were often not able to access financial reparation for costs associated with their victimization or loss. Some offenders are never apprehended, and many who are arrested and convicted do not have the means to pay restitution or simply refuse to pay. In response, government-funded victim compensation emerged in the 1960s to offer monetary resources to victims and survivors who had not been compensated through other means. Early state victim compensation programs were largely ineffective at ameliorating the financial plight of victims and survivors because the programs suffered from a lack of funding, limited public exposure, and inaccessibility to victims and survivors (Fritsch et al. 2004). Furthermore, the programs did not improve crime reporting as its founders had initially hoped (Fritsch et al. 2004).

The federal government passed the Victims of Crime Act of 1984 (VOCA) to provide financial support to state compensation programs that were unable to cover victims of federal crimes. VOCA also led to the development of victim compensation programs in the 14 states that lacked compensation programs at the time VOVA was enacted (S. Derene, personal communication, May 21, 2014). VOCA established the Crime Victims Fund (CVF), a federal source of funding that reimburses out-of-pocket expenses and funds services for victims and survivors of crime. The Department of Justice administers these funds, which come from offenders convicted of federal crimes in the form of criminal fines, penalties for criminal convictions, forfeited bail bonds, forfeitures of profits from crime, and charges for convictions that range from \$25 for misdemeanors to \$400 for felonies (Office for Victims of Crime 2013a).

DEPOSITS AND DISBURSEMENTS

VOCA is a mandatory spending program, which means that VOCA funds are legally required to be spent on certain programs that benefit victims. Initially, all funds deposited into the CVF were distributed amongst states the following year. From 1984 until it was lifted in 1993, there was a limit on the amount of funds that could be deposited into the CVF, which vacillated between \$100 million and \$150 million (Office for Victims of Crime 2013a). There were no limits on the amount of funds that could be disbursed until 2000, when Congress capped the disbursement amount at \$500 million because of year to year fluctuations in deposit amounts. The cap gradually increased to \$705 million in 2010 and remained at that amount through 2012 (Office for Victims of Crime 2013a). According to an official at the National Association of VOCA Assistance Administrators, nearly \$20 billion has been deposited into the CVF since 1984. Of this amount, approximately 60 percent consists of fines paid by 48 defendants, some of which are large corporations convicted of fraud or price fixing. The current fund has a balance approaching \$11 billion (S. Derene, personal communication, February 10, 2014).

Annual Deposit Amounts and Caps on the Crime Victims Fund

| Fiscal Year | Previous Year Deposits | Cap on Disbursements |
|--------------------|-------------------------------|-----------------------------|
| 2000 | \$985,185,354 | \$500,000,000 |
| 2001 | \$776,954,858 | \$537,500,000 |
| 2002 | \$544,437,015 | \$550,000,000 |
| 2003 | \$519,466,480 | \$600,000,000 |
| 2004 | \$361,341,967 | \$621,312,500 |
| 2005 | \$833,695,013 | \$620,000,000 |
| 2006 | \$668,268,054 | \$625,000,000 |
| 2007 | \$649,631,046 | \$625,000,000 |
| 2008 | \$1,017,977,475 | \$590,000,000 |
| 2009 | \$896,316,825 | \$635,000,000 |
| 2010 | \$1,745,677,602 | \$705,000,000 |
| 2011 | \$2,362,337,940 | \$705,000,000 |
| 2012 | \$1,998,220,205 | \$705,000,000 |
| 2013 | \$2,795,547,045 | \$730,000,000 |
| 2014 | N/A | \$745,000,000 |

Source: National Association of VOCA Assistance Administrators

The Office for Victims of Crime (OVC) administers funds from the CVF. A formula determines how the funds are distributed. First, approximately \$20 million is allocated to fund child abuse investigation and prosecution. Funds are then allocated to Victim Witness Coordinator positions in U.S. Attorney's Offices (\$22 million in 2012), Victim Specialists in the FBI (\$16 million in 2012), and the Victim Notification System (\$5 million in 2012). Of the remaining funds, up to 95 percent is split between two formula grants - state victim compensation grants that reimburse victims and survivors for expenses related to victimization, and victim assistance grants that fund state victim service programs. The OVC uses the remaining five percent as discretionary grant funds to support training, technical assistance, and demonstration projects (Office of the Inspector General 2013). Federal compensation for victims does not exist except in the event that a U.S. citizen is the victim of terrorism while traveling abroad (National Association of Crime Victim Compensation Boards a).

STATE VICTIM COMPENSATION |

Each state has a crime victim compensation program that provides reimbursement funds to victims of violent crimes and/or their surviving family members for out-of-pocket expenses (National Center for Victims of Crime 2012). States administer their victim compensation programs independently, but there are similarities and distinctions across states regarding sources of funding for compensation programs, balances in state compensation accounts, the process of submitting a claim and receiving approval for compensation, compensable costs, and amount of payments to victims and victim assistance programs.

SOURCES OF FUNDING

The federal government contributes annual VOCA grants to states to fund their victim compensation programs. Victim compensation programs are then managed and funds are distributed at the state level. States receive approximately 37 percent of their victim compensation funds from federal VOCA/CVF funds and the remainder comes from state sources (Newmark and Schaffer 2003). States have four years to spend annual allotments for victim compensation. They must return remaining funds to the federal government after that period. In addition to VOCA grants, many states supplement their own victim compensation funds using fees levied on individuals convicted of felony and misdemeanor crimes and fines imposed on those who commit traffic violations. Alaska requires individuals convicted of felonies or multiple misdemeanors to forfeit their annual checks that all residents receive from the state oil fund. Connecticut garnishes three percent of the wages of halfway house clients for its victim compensation program. The District of Columbia funds its program through court revenues. Delaware fines sex offenders to offset the costs of forensic rape exams. Hawaii, Indiana, Kansas, Minnesota, Nebraska, and New Mexico garnish a portion of inmate wages (National Association of Crime Victim Compensation Boards b). (See Appendix A for a list of sources of state victim compensation funding.)

STATE BALANCES

Some states publish the outstanding balances in their victim compensation fund accounts. This refers to the amount of funds remaining after compensation programs have disbursed funds to victims. Three states listed balances of less than \$2 million: Illinois, Connecticut, and Rhode Island. Three states reported balances between \$2 million and \$10 million: Arizona, Michigan, and Alabama. Two states listed balances in their victim compensation fund of more than \$10 million: Ohio and Florida.

Victim Compensation Fund Balances: Selected States that have Reported

| State | Balance | Year |
|--------------|--------------|---------------------------|
| Alabama | \$9,020,489 | As of 9/30/2012 |
| Arizona | \$2,678,700 | FY 2014 projected balance |
| Connecticut | \$1,572,531 | FY 2014 projected balance |
| Florida | \$14,820,135 | As of 6/30/2013 |
| Illinois | \$767,000 | Start of FY 2013 |
| Michigan | \$3,748,428 | End of FY 2013 |
| Ohio | \$13,800,000 | End of FY 2013 |
| Rhode Island | \$1,936,968 | Start of FY 2013 |

ACCESSING COMPENSATION

The application process for victim compensation begins in the state where the crime occurred. States have different requirements and procedures for victims who wish to receive compensation. The general requirements include the following: 1) the crime must be reported to law enforcement within a specified amount of time; 2) an application for compensation must be filed within a required time period; 3) victims/claimants must cooperate with law enforcement and prosecutors in the investigation of the crime and prosecution of the offender; and 4) victims/claimants must not have been involved as a participant in the crime (National Center for Victims of Crime 2012).

Nearly half the states require victims or survivors to report the crime to law enforcement within 72 hours of its occurrence in order to be eligible for compensation; 12 states require a police report to be filed in five to ten days; and seven states require a crime to be reported in a reasonable time period or have no time limit for reporting (National Association of Crime Victim Compensation Boards b).

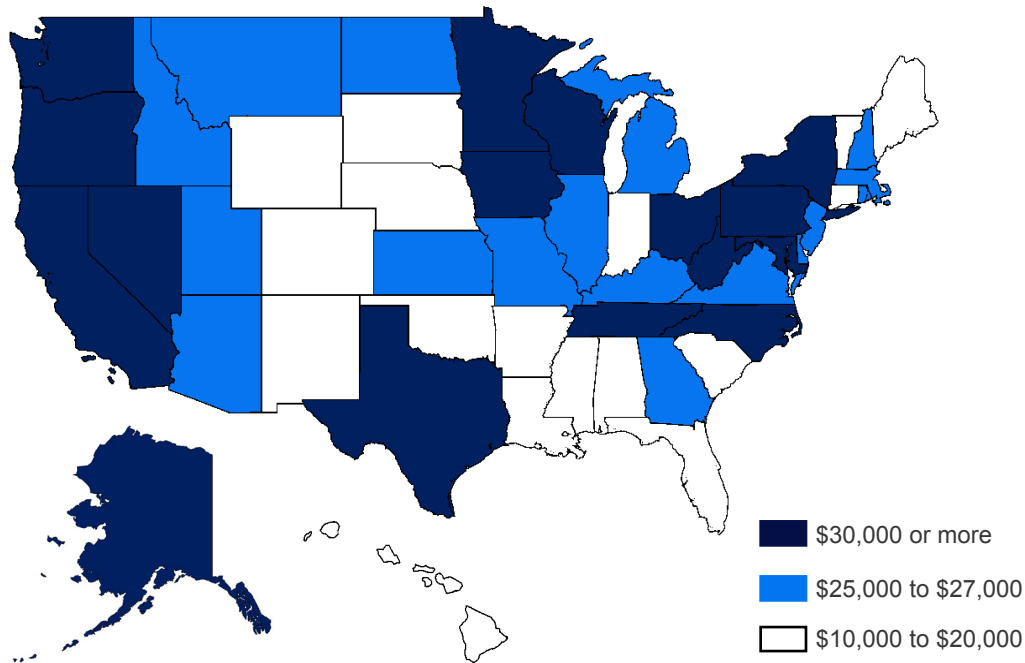
States also have different time limits for filing an application to access compensation. The majority of states require victims and survivors to file a compensation claim within one to two years. Victims and survivors in thirteen states are allowed three or more years to file a compensation claim (National Association of Crime Victim Compensation Boards b). Eligibility requirements vary by state as well. For instance, several states (e.g., California, Missouri, Ohio) place restrictions on the receipt of victim compensation for any individuals with a felony conviction in the last ten years. (See Appendix B for victim compensation eligibility requirements by state).

The maximum amount of compensation that victims and survivors can receive varies by state. California has the highest listed maximum compensation amount (\$63,000), although two states (Iowa and New York) do not have a limit on the amount of compensation that victims and survivors can receive (National Association of Crime Victim Compensation Boards b). The average maximum across all states is approximately \$26,000. However, several states offer additional funds ranging from \$5,000 to \$150,000 for catastrophic injuries, permanent disability, or funeral expenses (National Association of Crime Victim Compensation Boards b). New York is the only state that does not limit spending for victims' medical reimbursements (E. Cronin, personal communication, May 27, 2014).

Individuals who are eligible for victim compensation include the following: 1) a victim of a crime who has been physically injured; 2) a victim who suffers emotional injury as a result of violence/attempted violence regardless of physical injury incurred (for most states); 3) family members of deceased victims; and 4) in some states, any individual who pays for expenses resulting from a victim's injury/death (National Association of Crime Victim Compensation Boards c).

Three primary factors determine whether a victim will receive compensation: coverage, benefits, and eligibility. Coverage dictates that compensation depends on the type of crime committed and the loss that victims incur. Benefits refers to the amount of existing funds in state victim compensation programs. Eligibility

Maximum Compensation Awards that States Pay to Victims of Crime



Source: National Association for Crime Victim Compensation Boards (b)

means that victims receive less compensation or are ineligible if they were involved in the offense in any way (Smith 2006). Victims must provide supportive documentation to have their compensation claim processed. This can include a police report verifying that they were the victim of an eligible crime and expense documentation (e.g., medical receipts) validating that expenses are authorized for reimbursement. In New York, for example, victims are potentially eligible for compensation if they report the crime to any criminal justice agency, including the police, district attorney, family court, Child or Adult Protective Services. A forensic rape exam at a certified provider fulfills the reporting requirement (E. Cronin, personal communication, May 27, 2014).

Each state has a different procedure for reviewing and approving compensation claims. Some states have a board that reviews compensation claims and makes a final determination. In other states, an executive director, program director, compensation director, or program board has the authority to award or deny compensation claims (National Association of Crime Victim Compensation Boards b). (See Appendix C for a state by state list of determining authorities.) The Office for Victims of Crime (2013b) compiled information from 53 states and territories in 2012 and found that more than 186,000 victim compensation claims (or about 74%) were approved and about 66,000 claims were denied. Some states have a higher claim acceptance rate than others. For instance, in the fiscal year 2011-2012 Kansas paid out nearly \$4 million to 928 victims while denying 193 claims (79% approval) (Kansas Attorney General 2012). In the same fiscal year, Virginia awarded 1,328 victims of crime more than \$2 million and denied 660 claims (49% approval) (Virginia Workers Compensation Commission 2012).

COMPENSABLE COSTS

Victim compensation covers certain expenses in all states, but some states allocate additional funds for other expenses. All states reimburse victims and survivors for medical costs, mental health counseling, lost wages, loss of support to dependents, and funerals associated with the victimization. Some states also reimburse victims and survivors for travel to court appearances, property loss, crime scene cleanup, and attorney fees (National Center for Victims of Crime 2012). Certain states only provide funds to victims who experience physical injuries resulting from crime while other states extend payment to those who experience emotional trauma stemming from victimization. Arizona, Arkansas, Michigan, New York, North Dakota, West Virginia, and Washington, DC provide compensation to residents who are victims of terrorist attacks that occur while they are abroad, in lieu of federal compensation (National Association of Crime Victim Compensation Boards b). Victim compensation is a payer of last resort, meaning that reimbursements only cover expenses that are not already covered by restitution, insurance, or other financial sources.

Compensable Costs Vary Across States

| Compensable Costs | States that Compensate |
|-----------------------------------|--|
| Medical Expenses | All States |
| Mental Health Counseling | All States |
| Lost Wages | All States |
| Funeral Costs | All States |
| Travel | 42 States |
| Crime Scene Cleanup | 35 States + Washington, DC |
| Emergency | 34 States + Washington, DC |
| Attorney Fees | 31 States + Washington, DC |
| Rehabilitation | 29 States |
| Replacement Services | 24 States |
| Moving/Relocation Expenses | 24 States + Washington, DC + some Colorado districts |
| Pain and Suffering | Hawaii, Tennessee |
| Property Loss | Florida, New York |
| Stolen Cash | New Jersey, New York, Pennsylvania |
| Transportation | Washington, DC |
| Return of Abducted Child | Minnesota |
| Guide Dog Expenses | Connecticut |
| Domestic Services | New Jersey |
| Home Healthcare | Pennsylvania |
| Forensic Exams in Sexual Assaults | New York, Washington |

Source: National Association for Crime Victim Compensation Boards (b)

CLAIMS AND PAYMENTS TO VICTIMS AND VICTIM ASSISTANCE PROJECTS

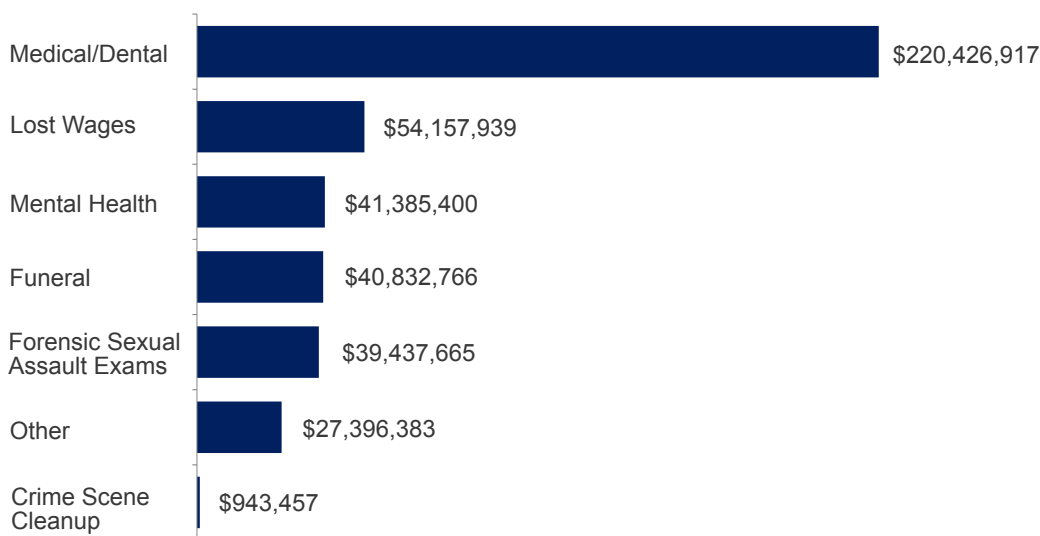
Victims and survivors of crime who wish to receive financial compensation must first file a claim. However, many victims do not file claims and thus never receive compensation (Alvidrez et al. 2008). Data from 2012 indicate that nearly half of all victims who filed a claim and were approved for financial compensation were victims of assault (Office for Victims of Crime 2013b). Approximately half of all compensation payments covered medical and dental costs.

Total Claims and Amount Paid by Crime Type (2012)

| Crime Type | Number of Claims | Amount Paid |
|-----------------------|------------------|----------------------|
| Assault | 71,466 | \$230,076,117 |
| Homicide | 14,430 | \$59,048,081 |
| Child Abuse | 28,266 | \$28,402,992 |
| Robbery | 9,012 | \$19,609,999 |
| Sexual Assault | 13,157 | \$16,047,691 |
| Non-DUI/DWI Vehicular | 3,093 | \$15,686,586 |
| DUI/DWI | 2,222 | \$12,484,221 |
| Stalking | 866 | \$982,846 |
| Kidnapping | 492 | \$833,034 |
| Arson | 238 | \$708,810 |
| Terrorism | 67 | \$230,780 |
| Other | 4,160 | \$10,205,876 |
| Total | 147,469 | \$394,317,033 |

Source: Office for Victims of Crime (2013b)

Total Amount Paid for Victim Services and Support (2012)

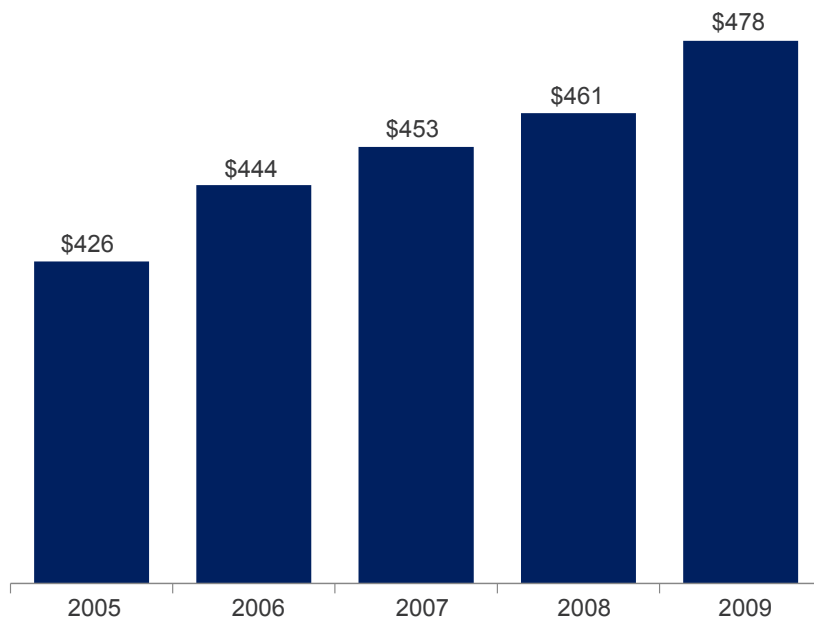


Source: Office for Victims of Crime (2013b)

Payments to victims and survivors of crime fluctuate from year to year. From 2005 (\$426 million) to 2009 (\$478 million), the amount of money that states paid to victims and survivors gradually increased (National Association of Crime Victim Compensation Boards b). The violent crime rate during this time period actually decreased, from 469 per 100,000 in 2005 to 387 per 100,000 in 2009 (Federal Bureau of Investigation 2013). This suggests that victim compensation payments are unrelated to the crime rate. The amount of compensation paid to victims decreased after 2009. In 2012, the 50 states and Washington, DC paid a combined \$422 million to victims and survivors of crime, which is an average of more than \$8 million per state. Texas (\$70 million) and California (\$69 million) paid the most to victims and survivors, while half of all other states distributed less than \$4 million each in compensation (Office for Victims of Crime 2013c). California paid victims and survivors \$125 million in 2001-2002, one of the highest annual victim compensation amounts any state has paid, but the large payout was due primarily to a one-time concerted effort to eliminate a backlog (California Victim Compensation and Government Claims Board 2012). Payments to victims are a function of the number of applicants, number of approved claims, amount of federal VOCA funds allocated to states, and total compensation funds available in each state. (See Appendix D for victim compensation awards by state.)

All states have an appeals process for applicants whose claims for victim compensation are rejected. Many states also have a reconsideration process where applicants can request that the compensation board reconsider their claim first and then go through a separate appeals process if the reconsideration hearing still results in a denial of their claim. About half of all states require an appeal to be made within 30 days of the applicant's notification of rejection.

Total Victim Compensation Paid in Millions



Source: National Association for Crime Victim Compensation Boards (2011)

Victim assistance programs are distinct from victim compensation payments that are paid directly to victims and survivors. Victim assistance projects include shelter for victims, as well as services such as counseling, crisis intervention, and legal assistance, depending on the programs that are available in each jurisdiction. States fund their victim assistance programs through VOCA assistance grants, other federal grant programs, and state funding (S. Derene, personal communication, May 21, 2014).

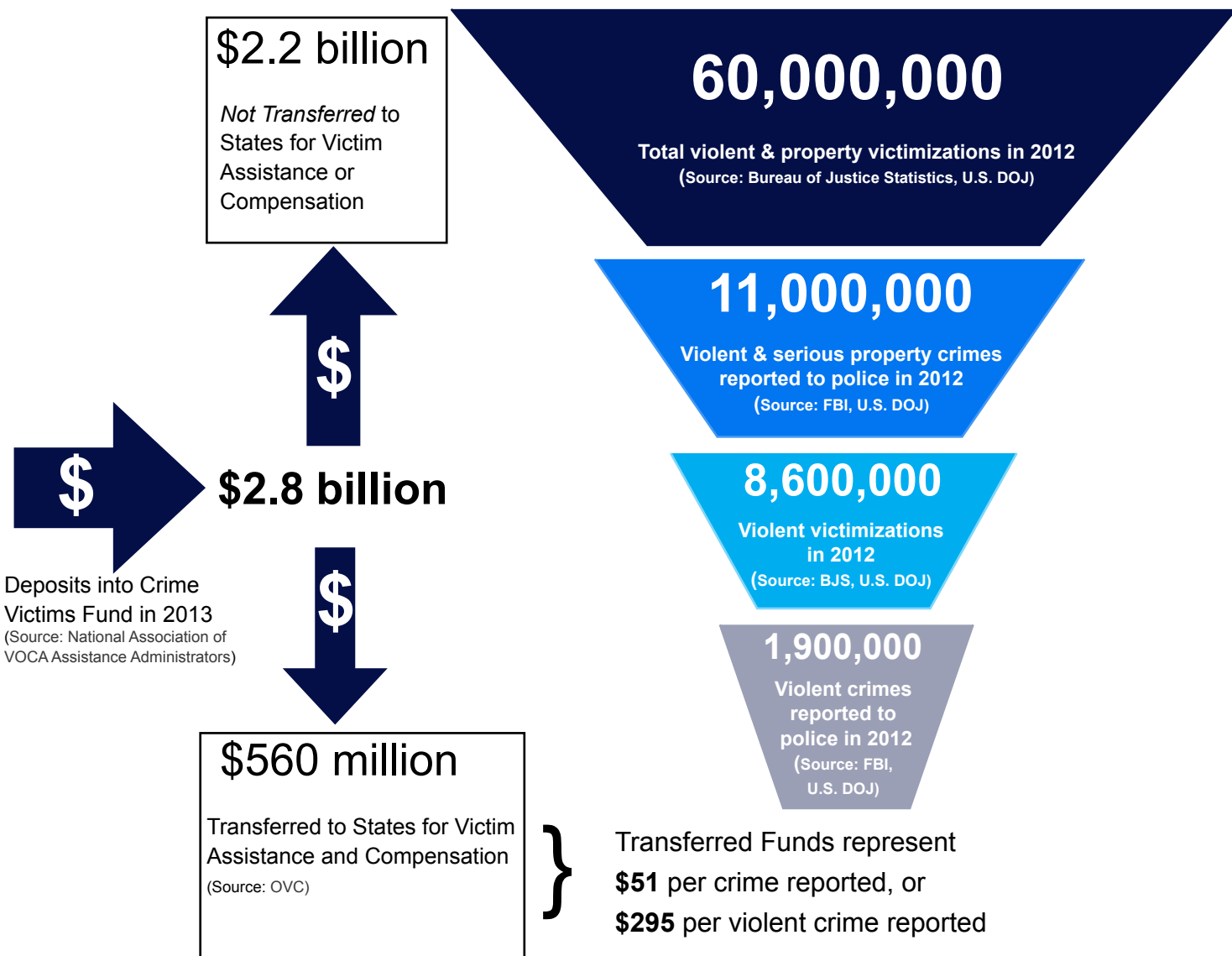
PROBLEMS WITH VICTIM COMPENSATION |

There are several issues that impede victims and survivors of crime from receiving compensation that would offset the financial costs and loss of income resulting from their victimization. Many victims do not report their victimization to law enforcement, which makes them ineligible for compensation. In some instances, compensation eligibility requirements are unclear and victims may not know if they are eligible to apply. Administrative complications may also prevent entitled victims from receiving compensation. Additional issues at the federal and state level often reduce the amount of services and financial resources available to victims and survivors of crime.

VICTIMS AND SURVIVORS

Many victims and survivors of violent crimes are ineligible to receive compensation because they *did not report* their crimes to the authorities within the allotted time frame or they did not report the crimes at all. According to the National Crime Victimization Survey, 42 percent of victims do not report even serious violent crimes to law enforcement officials (Langton et al. 2012). There are a variety of reasons why people do not report crime, including fear of repeat victimization, mistrust of police, and fear of stigmatization. Certain victim characteristics are associated with a lower likelihood of reporting victimization. Victims who are young, male, and ethnic minorities, especially African Americans, are less likely to report violent crimes committed against them (Alvidrez et al. 2008). Victims cannot receive compensation unless they make an official report and cooperate with law enforcement during follow up investigations.

Victims and survivors *may not always be aware* of compensation programs, which is an issue that has existed since victim compensation programs first began. Studies conducted in both Texas and Florida found that victims are not consistently notified of their rights to receive compensation (Davis and Mulford 2008). The Office for Victims of Crime asked states to report the issues that prevent victims from filing compensation claims, and several states indicated that many victims and survivors are not aware of the existence of compensation programs and lack education on compensation benefits (Office for Victims of Crime 2013c). Because victim compensation is not as well-known as other forms of compensation (i.e., workers compensation), lack of awareness is often the primary obstacle that victims and survivors must overcome (Newmark and Schaffer 2003).



More than 80% of victims of violent crimes have a low likelihood of receiving services or supports due to non-reporting

The application process can be difficult for some victims and survivors. Some states have reported that *language barriers* prevent many victims and survivors from accessing compensation (Office for Victims of Crime 2013c). Non-English speaking victims and survivors may have more difficulty pursuing compensation claims, especially if multi-lingual staff is not available to assist them.

In the event that victims are eligible to receive compensation, *victim characteristics and the type of crime* can affect the amount of compensation received. Youth and male victims receive lesser amounts of compensation compared to elderly and female victims (Newmark et al. 2003). Poor and African American male victims are usually those most in need but are least likely to receive victim compensation (Smith 2006). The nature of the offense committed

affects compensation award amounts. Victims of domestic abuse, who are almost always female, receive the highest amount of victim compensation while assault victims receive lesser amounts (Newmark et al. 2003). The behavior of victims can create dilemmas for compensation boards that have to make decisions whether or not to award financial compensation. In one instance, a Maryland man took a teenaged boy to his house, gave him alcohol, and attempted a sexual advance. The boy attacked the man, who later submitted a victim compensation claim. The compensation board determined that the man did not violate the law with his sexual advance because at 16, the boy was legally old enough to give consent. Even though the man gave the boy alcohol, the boy did not attack him as a result of consuming the alcohol, so the claim was approved (Newmark and Schaffer 2003). The compensation board followed the law in this case, but this example illustrates the thorny issues officials face in awarding compensation.

ADMINISTRATIVE

Various administrative issues impede or even preclude victim compensation payments. The more common administrative problems include *delays in claims processing* and unclaimed expenses. In a survey of 452 victims and survivors, more than one-fourth indicated that delays in processing compensation claims created problems (Newmark 2004). The primary reason for delays in compensation payments is that the verification process is lengthy. It takes considerable time to gather documentation, to ensure that the victim's crime is eligible under state law, to confirm that expenses are eligible for compensation, and to verify that other sources of reimbursement do not exist (Newmark 2004). Even when their claims are processed, some victims and survivors may receive less than they are eligible for because they may not realize that certain expenses are reimbursable through victim compensation.

Another issue is that only five percent of VOCA grants to states are allotted for *administrative funding*. Although they find these funds useful, some state officials believe the amount is insufficient to improve program operations because they only cover basic costs, such as staff training and office equipment (Newmark et al. 2003). The lack of administrative funds makes it difficult for states to enhance their technological infrastructure, a development that could improve service provision and increase victim access to compensation (Office for Victims of Crime 2013d).

Some state victim compensation offices have *difficulty recruiting employees* who are a good fit for the program because diversity is lacking and staff are underpaid (Office for Victims of Crime 2013d). Staff diversity can benefit interactions between service personnel and victims. Minority victims may have an easier time relating to minority service personnel. Understaffing is another problem for some state agencies. The agency in Indiana responsible for distributing victim compensation funds has only three staff members -- not nearly enough to meet the demand of victims and slows the claims filing and payment processes. As of 2009, the victim compensation agency in Indiana was three years behind on payments and a majority of claims had not even been processed. The system was so flawed that the agency had no data on pending applications or payments to victims (Evans, Alesia and Gillers 2009).

FEDERAL AND STATE ISSUES

Financial setbacks at the federal level have made it difficult for victims and survivors to access financial compensation. In 2012, the federal government cut \$48 million (11%) from VOCA victim assistance grants to states because Department of Justice administrative costs were taken from the fund (National Association of VOCA Assistance Administrators 2013). The result was that VOCA assistance grants supported several hundred fewer victim service agencies and nearly 630,000 fewer victims of crime (National Association of VOCA Assistance Administrators).

The 2013 fiscal year budget increased the annual victim fund by \$25 million (S. Derene, personal communication, May 21, 2014). Presidential proposals sought to add additional VOCA funds to programs that had previously been funded through general appropriations, including Violence Against Women STOP grants (\$144.5 million), DNA Initiative (\$100 million), Missing and Exploited Children (\$67 million), Children Exposed to Violence (\$23 million), Implementation of the Adam Walsh Act (\$20 million), and Human Trafficking (\$10.5 million). Some of these programs directly benefit victims while others have indirect benefits for victims. However, Congress did not enact the proposals. Officials worry that use of VOCA funds for purposes other than direct support of victims and survivors weakens the integrity and threatens the long-term stability of the Crime Victims Fund (National Association of VOCA Assistance Administrators 2013).

The FBI receives and administers CVF funds to support 134 victim specialists across the country. Victim specialists are charged with informing victims about available services, including compensation programs, support groups, and mental health counseling (Office of the Inspector General 2013). An audit of the FBI found that the agency does not have sufficient control over the tracking and documenting of CVF fund disbursement. Although the audit did not find evidence of misuse of funds, it did find that nearly \$250,000 in CVF transactions lacked adequate documentation. Also, more than \$531,000 in unused CVF funds remaining at year's end should have been returned to the FBI Office for Victim Assistance (OVA) account, according to protocol, but the funds were not returned and thus were not used to fund victim services. The funds were not recorded in the FBI's CVF carryover amount, which meant that the FBI could have received additional funds in the following fiscal year. Problems with the FBI's accounting and reporting could raise questions about CVF misuse and affect the amount of funds that state and local victim compensation programs receive in the future (Office of the Inspector General 2013).

Victim compensation funds may not always be used to serve victims and survivors of crime. The law requires federal funds that remain in the CVF at the end of a fiscal year be retained in the Fund for victim services in subsequent years (National Association of VOCA Assistance Administrators 2013). However, the federal government uses a portion of remaining CVF funds as an "offset" against spending on other federal programs (S. Derene, personal communication, May 21, 2014). Just under three billion dollars was deposited into the CVF in the fiscal year 2012, the most ever in a fiscal year, and states received less than \$600 million of these funds to support victims, survivors and victim services (Office for Victims of Crime 2013a). Suisse Bank was recently ordered to pay \$2.8 billion in fines for helping U.S. citizens evade taxes (Protess and Silver-Greenberg 2014).

Of this amount, \$1.3 billion will be deposited into the CVF (S. Derene, personal communication, May 21, 2014)

States or local entities may sometimes misappropriate victim compensation funds (Bunn, Maton and Suarez-Martinez 2013). Each state has a pool of federal and state funds that are to be used to compensate victims of crime, but it is difficult to ascertain the extent to which these funds, more specifically unclaimed funds at the end of each fiscal year, are used for victim compensation. If funds remain at the end of a fiscal year, what happens to them? Are they reapportioned to the following year's fund? Are they used to balance budget lines? It is important to know how states spend, track, and account for victim compensation funds.

Some states are known to have used their victim compensation funds for purposes other than reimbursing victims and survivors for victimization-related expenses. In California, state lawmakers moved \$80 million from the victim compensation fund into the state's general fund. The action reduced the funds for victim compensation and cost the state an additional \$48 million in federal matching funds, which then reduced the maximum reimbursement amount that victims and survivors could receive (Foxman 2011).

In Texas, the amount of victim compensation funds decreased from nearly \$270 million to less than \$9 million between 2000 and 2012. The reduction was the result of a diversion of funds from victim compensation to other state agencies as well as declining court fees collected statewide (Ward 2013). Court fees comprise 65 percent of the crime victims fund in Texas (Pinkerton 2010). Additionally, from 2002 to 2004 state legislators transferred \$184 million from the state's Crime Victim Compensation Fund to other programs in order to balance the budget; the reapportioned funds went to foster care, family violence services, a crime victims institute at Sam Houston State University, and a peace officer death benefit (Robinson 2004). Texas expected a \$16 million deficit in the crime victim compensation fund in 2013 due to the aforementioned factors and an overestimation of available funds (Grissom 2012).

Some state compensation programs lack financial and managerial accountability, which creates problems for victims and survivors. In New Jersey, the Victims of Crime Compensation office was accused of having inadequate oversight and improperly compensating victims. In one instance, a victim who filed a claim for workplace harassment was paid \$11,000 more than the maximum compensation benefit even though the offense was considered ineligible for compensation (Megeerian 2010).

Miscalculation of compensation fund balances causes problems in some states. In 2012, the three-member California Victim Compensation and Government Claims Board cut more than \$18 million from the fund for crime victims because of presumed deficits. Officials later realized that the fund contained \$29 million more than they initially thought. Different methods of accounting were responsible for the miscalculation that led officials to believe there was \$28.4 million in the fund when in reality the balance was \$57.1 million. The problem was due in part to fund volatility, which is a consequence of the state funding victim compensation through fees and fines levied on convicted offenders. Also, the state legislature often uses money from the fund to prevent cuts from other state budget lines (Miller 2012).

Tennessee experienced a situation involving misplacement of some of its compensation funds. A juvenile court clerk uncovered more than \$100,000 in lost victim compensation funds that had been sitting in a number of accounts for about 20 years. A judge ordered the money to be paid to prior victims of juvenile crime (Bellinger 2011).

Fund shortages and overpayment of victims occurs across the country. Some states do not have enough financial resources to meet the demands of victims who request compensation. In 2010, the victim compensation fund in Ohio was on pace to be depleted because the state paid out \$30 million more to victims than it received between 2005 and 2010. To counteract this and maintain the fund's solvency, the state Attorney General cut staff and slashed hourly payments to lawyers who help victims with compensation applications (Bischoff 2010).

PROPOSED SOLUTIONS |

Although victim compensation programs have provided millions of victims and survivors with financial resources and support to enhance recovery, the system could benefit from improvements that would make compensation more readily available, improve administrative setbacks, and maximize the resources available to victims and survivors at the federal and state levels.

VICTIMS AND SURVIVORS

Victims and survivors of crime are responsible for pursuing their own compensation claims. They must report the crime to law enforcement and file a compensation claim to meet initial eligibility requirements. However, many victims do not report crime, and of those who do, some are unaware of the existence of victim compensation. To remedy the issue of underreporting of victimization, more research should explore why so many violent crimes are not reported (Office for Victims of Crime 2013d). Policies could offer incentives for victims who report crime. Officials in Savannah, Georgia operate a program called Silent Witness, which offers reward money to those who report crime. The amount of the reward depends on the quality of the evidence, the severity of the crime, and the risks involved in reporting the crime (National Crime Prevention Council 2014).

Enhanced public awareness is necessary to increase victim and survivor access to victim compensation. Legislating victims' rights is not enough because victims eligible for compensation may not even be informed of their right to receive it. The agencies and officials in charge of victim compensation need to be responsible for providing this information to victims and survivors and for notifying them of their rights (Davis and Mulford 2008). A solution to increase awareness of compensation programs is implementation of statewide compensation toll-free numbers, which victims could call to seek information about filing a claim and accessing victim services. Also, states could hire staff members as "victim liaisons," which would be similar to the victim specialists that the FBI employs (Newmark et al. 2003). Washington, DC has created an innovative method of increasing victim awareness and access to compensation. Most state compensation programs receive applications digitally or via mail or fax. In Washington, DC, a compensation program is located within a hospital, which allows staff to provide immediate information and compensation to victims in

the form of services, food cards, and transportation vouchers (Office for Victims of Crime 2013e). Some State Attorney's offices offer victim-witness services to help victims navigate the criminal justice process. Criminal justice officials should bear some responsibility for notifying victims about compensation programs. Many states require prosecutors to inform victims and more than half the states require law enforcement officers to notify victims about compensation programs (Newmark et al. 2003). Internet and mobile technology can be utilized to enhance and expedite notification and service delivery to victims (Office for Victims of Crime 2013d).

Other modifications can help improve victim and survivor access to compensation programs. New Mexico assigns special advocates to victims who apply for compensation within five days of receiving applications. Advocates provide personalized assistance throughout the application process (Office for Victims of Crime 2013e). New Jersey assists victims and survivors with court costs, which is most helpful for those who must go through the legal system to access compensation but are unable to afford the costs. For victims who submit a claim up to \$1,000, New Jersey offsets the cost of legal representation for victim compensation claims, which is deducted from the claim award (Office for Victims of Crime 2013e). Some compensation claims are denied for any number of reasons but not all states inform victims of the reasons behind a claims denial. It would increase transparency and show respect to victims and survivors if agencies promptly explained to victims why their claims were denied so they could pursue further legal action (Newmark et al. 2003).

The process of submitting a victim compensation claim may be straightforward for some and more difficult for others. There may be language barriers that preclude non-English speaking victims and survivors from accessing compensation. Many states have staff who can communicate in multiple languages. However, the state compensation programs that do not have multi-lingual staff or translators usually need more funding or better accounting methods to free up funding and account for the potential for language barriers.

Victim demographic characteristics, such as age, race, and socio-economic status, affect the likelihood that victims and survivors will receive compensation as well as the amount that they receive if their claims are approved. Outreach is necessary for informing victims, particularly those who lack resources, about compensation and the process of accessing it. A study of victims of violent crime found that outreach and provision of comprehensive services increased the number of victims who filed compensation claims and attenuated disadvantages associated with youth, homelessness, and lack of education, which are factors that traditionally reduce the likelihood that a victim will apply for compensation (Alvidrez et al. 2008).

ADMINISTRATIVE

Compensation programs need documentation to substantiate the crime and the expenses resulting from the victimization. Victims and survivors are usually responsible for acquiring and submitting the necessary documents. To speed up the verification process, programs should use proactive approaches to acquire the necessary documentation to process the compensation claim. For example, program officials could contact law enforcement and insurance companies

to attain the necessary documentation directly from them and avoid waiting for claimants who are often unaccustomed to communicating with agencies and eliciting documentation (Newmark et al. 2003). Also, coordination and collaboration between victim compensation program administrators and direct service providers would help streamline resources to victims and survivors more efficiently.

States can use very little VOCA money for training and outreach (E. Cronin, personal communication, May 27, 2014). States need sufficient administrative funding to focus on advanced activities, including strategic planning, coordination, technology development, and the creation of operational manuals. States that have invested in these activities have indicated that they are very useful (Newmark et al. 2003). Allocating more CVF funds allocated to administrative tasks could enable the hiring of a larger and more diverse staff that better reflects the demographics of victims. An adequate staff size is necessary to handle all the problems and delays that are associated with compensation claims. Indiana has demonstrated that a small staff results in backlogs and delays for victims and survivors (Evans, Alesia and Gillers 2009). A study of victim compensation claims found that claims processing time ranged from less than one week to more than one year, but 10 weeks is representative of efficient program operations (Newmark et al. 2003).

FEDERAL AND STATE

The federal government controls the amount of VOCA funds that are released to states each year. For the last nine years, the cap on the amount of VOCA funds distributed to states has been lower than the amount of funds deposited into the federal VOCA account in the preceding year. A higher cap would enable states to use additional VOCA dollars to fund more victim assistance programs that provide services to victims of crime. The greater allocation of VOCA funds to states would also allow states to address victims of other types of prevalent crime, including financial fraud and cyberbullying. In order to meet the needs of all victims of crime and provide them with adequate services, a \$1 billion cap would be necessary, which is more than \$250 million more than the 2014 federal cap on VOCA funds (National Association of VOCA Assistance Administrators 2013).

In recent years, the cap on VOCA funds has remained constant or increased slightly. However, the 2008 cap was lower than the cap in each of the previous five years. Congress could raise the cap a set amount each year, but not too excessively that the funding level cannot be maintained. As of 2014, there is nearly \$11 billion in the CVF. It is always tempting for the federal government to use some of these funds for other purposes (e.g., reducing the debt, funding other programs). To combat this, federal officials could reduce the size of the fund by allocating more to states or using a portion of the reserves to fund administrative expenses associated with victim compensation. This would help to ensure that the fund is not tapped for expenditures that are unrelated to victims and survivors.

It is important for the federal government to fund programs that address specific groups of victims (e.g., child abuse victims, female victims of violence, human trafficking victims) but not at the expense of individual victims and survivors. The federal government could establish a separate fund for these programs (National Association of VOCA Assistance Administrators 2013).

The FBI, which receives VOCA funds to hire victim specialists, has demonstrated deficiencies in internal controls regarding the use of these funds. A U.S. Department of Justice audit recommended that the FBI tighten its internal controls to comply with VOCA regulations and to better track CVF funds to ensure they are spent properly and unspent funds are transferred to the appropriate OVC account at year's end.

A system of enhanced accountability at the state level could improve program administration and maximize the amount of funds available to assist victims. Some states have miscalculated or misplaced chunks of their victim compensation funds due to flawed accounting. State officials may track their compensation payments, but state legislatures could enhance state accountability by requiring victim compensation programs to keep organized records and submit annual or semi-annual reports on the use of compensation funds. This would ensure that funds are being monitored and used appropriately. All states submit victim compensation data in the form of annual reports to the federal Office for Victims of Crime, which then releases it to the public on its website. However, some states have submitted incomplete reports. This problem could be remedied with state-level accountability for data reporting.

States need to have systems for managing remaining victim compensation funds at the end of each year. States could hold onto the excess funds and use them for victim compensation in subsequent years or could disperse them to counties that are in need of more funding that year. In Arizona, counties must return any remaining funds to the state at the end of each fiscal year. The state then redistributes the funds amongst counties that are in need of additional funds (Chavez 2012). VOCA grant funds not spent within four years are deobligated and returned to the CVF (S. Derene, personal communication, May 21, 2014). Returning unused funds to the CVF could enable the federal government to disperse additional funds to states experiencing shortages.

Arizona and Colorado are the only states with decentralized systems of victim compensation. Compensation claims are handled at the local-level. This is advantageous because it spreads the amount of work across each county rather than holding one central agency responsible for every compensation claim in the state. However, it results in some inconsistency across counties in terms of guidelines and compensation decisions (Chavez 2012).

RESEARCH

Much of the existing research on victim rights and victim compensation is outdated. More research is needed to explore current problems with victim compensation and to gather data with which to guide policymakers and practitioners. Research must be conducted on victim service issues that traverse jurisdictions, including the nature and extent of cybercrime and victimizations of U.S. citizens outside of the country. Many states do not compensate victims of cybercrime and child pornography and do not have specific provisions for victims of crime that occurs outside of the U.S. (Office for Victims of Crime 2013d). Research could assess the fiscal viability of compensating victims of these crimes.

Thorough data collection is necessary for research purposes as well as program oversight. State compensation programs should continue to collect and report information on the number of claims that are filed and paid in relation to the total amount of compensation eligible crimes that are reported in that state. The states that have ineffectively collected and released this information may need more staff support, resources, and accountability to submit reliable reports. This data is necessary to provide consistent indication of the rate at which victims seek and receive compensation across all states.

Finally, the field of victim compensation would benefit from implementation and expansion of evidence-based practices and incentives to improve service quality and delivery. Service standards could improve claims processing and the amount of time required for claims payments. Program evaluations could provide essential information to improve victim programs and services. Evaluations of existing programs and services could yield information about their value through a calculation of their costs and identification of benefits to victims. The goal of program evaluations would be to make recommendations for refining existing victim program practices and informing those that are in development. Utilizing evidence-based practices could increase the breadth and flexibility of victim-related laws, policies, and programs (Office for Victims of Crime 2013d).

CONCLUSION |

Victim compensation demonstrates the government's interest in providing for victims and survivors of crime who lack other resources to meet financial needs resulting from crime. Currently, victim compensation funds are comprised of criminal fees, fines and penalties that are distributed in the form of victim compensation and victim assistance programs. There is approximately \$11 billion in the federal Crime Victims Fund, and a maximum of \$745 million will be expended from the fund in 2014 despite the fact that there are vastly more victims than those who submit compensation claims and receive payments. With such a large amount of money in the fund, it remains tempting for federal legislators to use the funds for non-victim purposes, such as reducing the national debt or funding other federal programs. Misuse of victim compensation funds erodes the integrity and longevity of the program. Despite the financial problems, the system of victim compensation demonstrates respect for victim's rights and represents a way to ameliorate the burden that victimization places on victims and survivors of crime. The federal government should explore options for gradually spending the \$11 billion in a way that is equitable and meets victim demand but does not create unreasonable expectations.

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APPENDICES

Appendix A: Sources of State Victim Compensation Funding

| State ¹ | Court costs | Offender fines | Traffic fees | Annual Approp. | Other |
|--------------------|-------------|----------------|--------------|----------------|-----------------------|
| Alabama | ● | ● | ● | | Victim assessment |
| Alaska | | | | | Forfeit annual checks |
| Arizona | | ● | ● | | |
| Arkansas | ● | | | | |
| California | | ● | ● | | |
| Colorado | | ● | ● | | |
| Connecticut | | ● | ● | | Halfway house fee |
| D.C. | ● | ● | | | |
| Delaware | | ● | ● | | |
| Florida | ● | ● | ● | | |
| Georgia | | ● | | | Parole/Probation fees |
| Hawaii | | ● | | | Inmate wages |
| Idaho | | ● | | | |
| Illinois | | | | ● | |
| Indiana | ● | | | | Work release wages |
| Iowa | | ● | | | DUI license fee |
| Kansas | | ● | | | Inmate fee |
| Kentucky | ● | | | | |
| Louisiana | | ● | ● | | |
| Maine | | ● | | | |
| Maryland | | ● | ● | | |
| Massachusetts | | | | ● | |
| Michigan | | ● | | | |
| Minnesota | | | | ● | Inmate wages |
| Mississippi | | ● | | | Parole/Probation fees |
| Missouri | | ● | | | |
| Montana | | | | ● | |
| Nebraska | ● | | | | Work release wages |
| Nevada | ● | ● | | | Bail forfeitures |
| New Hampshire | | ● | | | |
| New Jersey | | ● | | ● | % inmate commissary |
| New Mexico | | | | ● | Inmate wages |
| New York | | ● | ● | | |
| North Carolina | | | | ● | % inmate commissary |
| North Dakota | | | | | Parole/Probation fees |
| Ohio | | ● | | | |
| Oklahoma | | ● | | | Remaining restitution |
| Oregon | | ● | | | % punitive damages |
| Pennsylvania | | ● | | | |
| Rhode Island | | ● | | | Legislative approp. |
| South Carolina | | ● | | | |
| South Dakota | | ● | ● | | |
| Tennessee | | ● | | | % parolee wages |
| Texas | | ● | | | |
| Utah | | ● | | | |
| Vermont | | ● | | | |
| Virginia | | ● | | | |
| Washington | ● | | | | |
| West Virginia | | ● | | | |
| Wisconsin | | | | ● | |
| Wyoming | | ● | | | |

¹ All states receive federal VOCA grants

Source: National Association for Crime Victim Compensation Boards (b)

Appendix B: State Victim Compensation Eligibility Requirements

| State | Who else can apply ¹ | Cooperate with Police | No Role in the Crime | Limit on Felons | Must Report Crime within | Must File Claim within |
|----------------|---------------------------------|-----------------------|----------------------|-----------------|--------------------------|------------------------|
| Alabama | ● | ✦ | ■ | ◇ | 72 hours | 1 year |
| Alaska | ● | ✦ | ■ | | 5 days | 2 years |
| Arizona | ● | ✦ | ■ | | 72 hours | 2 years |
| Arkansas | ● | ✦ | □ | ◆ | 72 hours | 1 year |
| California | ● | ✦ | ■ | ▧ | Reasonable | 3 years |
| Colorado | ● | ✦ | ■ | | 72 hours | 1 year |
| Connecticut | ● | ✦ | ■ | | 5 days | 2 years |
| D.C. | | ✦ | ■ | | 7 days | 1 year |
| Delaware | | ✦ | ■ | | 72 hours | 1 year |
| Florida | | ✦ | ■ | ◆ | 72 hours | 1 year |
| Georgia | | ✦ | ■ | ▧ | 72 hours | 1 year |
| Hawaii | ● | ✦ | | | 72 hours | 18 months |
| Idaho | | ✦ | ■ | | 72 hours | 1 year |
| Illinois | ● | ✦ | ■ | ▧ | 72 hours | 2 years |
| Indiana | | ✦ | ■ | | 48 hours | 180 days |
| Iowa | | ✦ | ■ | | 72 hours | 2 years |
| Kansas | | ✦ | ■ | | 72 hours | 2 years |
| Kentucky | | ✦ | | | 48 hours | 5 years |
| Louisiana | ● | ✦ | ■ | ◆ | 72 hours | 1 year |
| Maine | ● | ✦ | ■ | | 5 days | 3 years |
| Maryland | ● | ✦ | ■ | | 72 hours | 3 years |
| Massachusetts | ● | ✦ | ■ | | 5 days | 3 years |
| Michigan | | ✦ | ■ | | 48 hours | 1 year |
| Minnesota | ● | ✦ | ■ | | 30 days | 3 years |
| Mississippi | ● | ✦ | ■ | ◆ ▧ ◇ | 72 hours | 36 months |
| Missouri | | ✦ | | ◆ | 48 hours | 2 years |
| Montana | | ✦ | ■ | | 72 hours | 1 year |
| Nebraska | ● | ✦ | ■ | | 72 hours | 2 years |
| Nevada | | ✦ | ■ | | 5 days | 1 year |
| New Hampshire | ● | ✦ | ■ | | 5 days | 1 year |
| New Jersey | | ✦ | ■ | | 9 months | 3 years |
| New Mexico | ● | ✦ | ■ | | 30 days | 2 years |
| New York | ● | ✦ | ■ | | 7 days | 1 year |
| North Carolina | ● | ✦ | ■ | | 72 hours | 2 years |
| North Dakota | ● | ✦ | ■ | | 72 hours | 1 year |
| Ohio | | ✦ | ■ | ◆ | No limit | No limit |
| Oklahoma | ● | ✦ | ■ | | 72 hours | 1 year |
| Oregon | | ✦ | ■ | | 72 hours | 6 months |
| Pennsylvania | | ✦ | ■ | | 72 hours | 2 years |
| Rhode Island | | ✦ | | | 10 days | 3 years |
| South Carolina | | ✦ | | | 48 hours | 180 days |
| South Dakota | ● | ✦ | ■ | | 5 days | 1 year |
| Tennessee | | ✦ | ■ | | 48 hours | 1 year |
| Texas | ● | ✦ | ■ | ▧ | Reasonable | 3 years |
| Utah | ● | ✦ | ■ | | No limit | No time limit |
| Vermont | | ✦ | ■ | | No set period | No set period |
| Virginia | ● | ✦ | ■ | | 5 days | 1 year |
| Washington | | ✦ | ■ | ◆ | 1 year | 2 years |
| West Virginia | ● | ✦ | | | 72 hours | 2 years |
| Wisconsin | | ✦ | ■ | | 5 days | 1 year |
| Wyoming | ● | ✦ | ■ | ◇ | Reasonable | 1 year |

- Other authorized persons or those who incur financial losses
- ✦ Claimant must cooperate with police investigations to be eligible for compensation
- ✦ Cooperation with police not specified
- Claim may be denied if victim was involved in the crime or contributed to their own injury
- Claim reduced if victim was involved in the crime or contributed to their own injury
- ◆ Those with prior convictions for certain felony offenses are ineligible for compensation for a specified time
- ▧ Those on felony parole or probation are ineligible for compensation
- ◇ Those convicted of a felony after submitting a claim are ineligible for compensation

Source: National Association for Crime Victim Compensation Boards (b)

¹ In addition to victims of crime and their dependents, spouses, and/or parents

Appendix C: Who determines Victim Compensation Claims in each State

| State | Determination Authority |
|----------------|---|
| Alabama | Commission rules on claims over \$2,000. Executive director rules on claims less than \$2,000. |
| Alaska | Program administrator makes a recommendation to the board, which makes final decisions. |
| Arizona | County boards determine all claims awards. |
| Arkansas | Staff, administrator and director make recommendations to the board, which makes decisions. |
| California | Staff members in victim/witness centers make determinations. |
| Colorado | Boards in each district make determinations. |
| Connecticut | Program staff makes final decisions. |
| D.C. | Program director rules on all claims. |
| Delaware | Program staff rules on claims under \$12,500. Board rules on claims greater than \$12,500. |
| Florida | The Division of Victim Services in the Office of the Attorney General makes decisions. |
| Georgia | The program director makes determinations. |
| Hawaii | Program staff determines all claims awards. |
| Idaho | Case manager makes determinations. |
| Illinois | A panel of 7 judges renders decisions. |
| Indiana | Program director makes determinations. |
| Iowa | Compensation director has the final decision on all claims denials. |
| Kansas | Investigative staff and executive director inform board members, who make final decisions. |
| Kentucky | Single board members make recommendations and the full board votes on each claim. |
| Louisiana | The board makes determinations. |
| Maine | Program director makes recommendations to the board, which decides by unanimous vote. |
| Maryland | Approval from 3 board members and the Secretary are needed for decisions to be rendered. |
| Massachusetts | Program staff makes determinations. |
| Michigan | Claims specialist makes recommendations and program director makes determinations. |
| Minnesota | Program staff reviews and approves most claims. Board handles claims with eligibility issues. |
| Mississippi | Program director makes decisions. |
| Missouri | Program manager, with input from program staff, makes determinations. |
| Montana | Program staff makes award or denial. |
| Nebraska | Hearing officer makes determinations. |
| Nevada | Compensation officer makes most decisions. |
| New Hampshire | Coordinator makes recommendations to the commission, which makes final determinations. |
| New Jersey | Claims processors make recommendations to the Victims of Crime Compensation Office. |
| New Mexico | The board decides payment, but the director approves or denies applications. |
| New York | Office of Victim Services makes decisions. |
| North Carolina | Program director rules on claims less than \$7,500. Board rules on claims greater than \$7,500. |
| North Dakota | Administrator makes eligibility determinations. |
| Ohio | Attorney General's Office makes decisions regarding compensation claims. |
| Oklahoma | Central staff rules on claims less than \$10,000. The board rules on all other claims. |
| Oregon | Claims examiners make decisions and director or assistant director reviews all decisions. |
| Pennsylvania | Claims specialists and claims review officers approve claims. Legal counsel review denials. |
| Rhode Island | Program administrator makes determinations. |
| South Carolina | Program staff makes determinations. |
| South Dakota | Program investigator decides claims up to \$3,000. Program manager rules on all other claims. |
| Tennessee | Claims supervisor approves claims. Division of Claims Administration makes final decisions. |
| Texas | Program staff makes determinations on eligibility and payment. |
| Utah | Reparations officer makes decisions under the supervision of the director. |
| Vermont | Compensation manager determines claims and the board reviews determinations. |
| Virginia | The program director makes final determinations. |
| Washington | Claims managers make determinations. |
| West Virginia | Investigator processes claims and a judge reviews and awards or denies claims. |
| Wisconsin | Claims specialist awards or denies claims. Program director reviews all claims denials. |
| Wyoming | Program director makes decisions about claims. |

Source: National Association for Crime Victim Compensation Boards (b)

Appendix D: State Victim Compensation Payment Amounts (2012)

| State | Total Amount Disbursed for Victim Compensation Awards |
|----------------|---|
| Alabama | \$2,192,391 |
| Alaska | \$2,192,391 |
| Arizona | \$3,273,068 |
| Arkansas | \$4,071,031 |
| California | \$69,558,334 |
| Colorado | \$13,603,164 |
| Connecticut | \$2,780,433 |
| D.C. | \$8,770,530 |
| Delaware | \$3,525,880 |
| Florida | \$19,949,504 |
| Georgia | \$15,128,079 |
| Hawaii | \$611,448 |
| Idaho | \$1,477,815 |
| Illinois | \$9,131,537 |
| Indiana | \$6,505,533 |
| Iowa | \$6,188,083 |
| Kansas | \$2,917,769 |
| Kentucky | \$1,155,741 |
| Louisiana | \$1,418,872 |
| Maine | \$682,109 |
| Maryland | \$2,410,448 |
| Massachusetts | \$3,260,116 |
| Michigan | \$6,640,197 |
| Minnesota | \$2,989,473 |
| Mississippi | \$3,565,879 |
| Missouri | \$7,226,869 |
| Montana | \$1,110,627 |
| Nebraska | \$125,009 |
| Nevada | \$6,112,639 |
| New Hampshire | \$667,130 |
| New Jersey | \$10,120,775 |
| New Mexico | \$1,543,789 |
| New York | \$27,972,032 |
| North Carolina | \$8,779,836 |
| North Dakota | \$861,896 |
| Ohio | \$12,748,985 |
| Oklahoma | \$5,227,438 |
| Oregon | \$4,649,049 |
| Pennsylvania | \$11,503,821 |
| Rhode Island | \$1,361,967 |
| South Carolina | \$11,771,701 |
| South Dakota | \$648,518 |
| Tennessee | \$13,190,655 |
| Texas | \$70,744,304 |
| Utah | \$6,652,690 |
| Vermont | \$701,707 |
| Virginia | \$4,165,973 |
| Washington | \$10,822,561 |
| West Virginia | \$3,726,298 |
| Wisconsin | \$4,990,437 |
| Wyoming | \$1,140,209 |

Source: Office for Victims of Crime (2013c)

Research & Evaluation Center

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