

National Study of Victim Compensation Programs

Barriers and Challenges to Compensating Victims of Crime

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Abstract

State victim compensation programs across the U.S. provide financial assistance to victims of crime to cover expenses associated with the financial, physical, and psychological burden of victimizations. In 2003, a seminal study, the *National Study of Victim Compensation Programs*, was conducted across all fifty states and four U.S. territories to understand the program trends, challenges, and successes. In 2021, NORC at the University of Chicago and the Urban Institute were funded to conduct a national, multi-method study to update knowledge about victim compensation programs. Relying on data from a survey conducted with victim compensation program administrators across the U.S. and semi-structured interviews conducted with victim compensation stakeholders in four states, this brief presents barriers and challenges to administering compensation programs and providing compensation support to victims of crime.

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Introduction

Victimization remains a prevalent and important societal concern, with individuals and households in the U.S reporting increased rates of victimization from 2021 to 2022, the most recent year for which we have national data. According to the National Crime Victimization Survey (NCVS), there were 6.6 million violent victimizations of persons aged 12 or older in 2022, an increase from 4.6 million violent victimizations of persons aged 12 or older in 2021. Additionally, the violent victimization rate rose from 16.5 victimizations per 1,000 persons in 2021 to

23.5 in 2022.¹ Crime victimization has far-reaching consequences that cut across socioeconomic status and racial and ethnic groups; however, low-income individuals and individuals of color are disproportionately impacted.² The unexpected financial, physical, and emotional consequences of victimization place additional harm on affected individuals, which include direct victims, their families and friends, and the community.

Since 2003, all U.S. states and territories have administered state and federally funded victim compensation programs to help support and offset costs related to victimization.³ States and territories

Study Goals and Methods

With funding from the U.S. Department of Justice, National Institute of Justice (NIJ), NORC at the University of Chicago and the Urban Institute partnered on a two-year project to update knowledge about state victim compensation programs. Five research questions guided this study:

1. How are victim compensation programs structured, operated, funded, and utilized today?
2. What key barriers and challenges do victim compensation programs face today?
3. How do victim compensation programs directors, funders, service providers, and claimants measure “effectiveness” and “success”?
4. What are the characteristics, experiences, and perspectives of individual claimants who request victim compensation?
5. Looking at the next 20 years of victim compensation, what do program directors and stakeholders perceive as most critical to improving and/or sustaining the performance of victim compensation programs?

To answer these research questions, we administered a survey to victim compensation program administrators in each state and partnered with Arizona, Delaware, New York, and West Virginia for a deep-dive assessment of their programs. In each of the four deep-dive states, we interviewed victim compensation program stakeholders, collected victim compensation data, and surveyed individuals who filed for victim compensation. (See Hussemann et al, 2024).⁸

establish eligibility thresholds for providing reimbursement to crime victims for expenses related to physical, dental, and mental health; funerals and burial expenses; and loss of wages related to victimization. While eligibility criteria for compensation varies, most require that the crime be reported to law enforcement within a certain time frame, that victims cooperate with law enforcement, and that claimants not contribute to the crime that resulted in the victimization.

Because victim compensation programs are administered at the state-level, program operations, funding, claims processing, decision-making, and effectiveness can vary. In 2003, the Urban Institute published the first comprehensive study of state victim compensation programs to understand compensation program structure, operations, efficiencies, and effectiveness.⁴ The current study offers the most rigorous data collection effort on state compensation programs since the 2003 study. Based on findings from a survey with victim compensation program administrators and interviews victim compensation stakeholders, this brief discusses the challenges and barriers to administering victim compensation reported by state victim compensation programs. In the following pages, we reflect on both how current barriers and challenges are similar to barriers and challenges reported by compensation programs

twenty years ago, and recommendations to better support compensation programs and victims of crime moving forward.

Data

Findings for this brief rely on survey data collected with victim compensation program administrators and semi-structure interview data collected in 2023 with victim compensation program stakeholders.

The *National Survey of Victim Compensation Programs* was administered to victim compensation program administrators in all 50 states and the District of Columbia, Puerto Rico, and Guam. The survey included questions about victim compensation policies, practices, utilization, effectiveness, emerging issues, impact of state and federal funding levels, and areas for future development. A total of 47 states and the District of Columbia and Puerto Rico completed the survey, resulting in a 92% response rate. Analysis of survey data revealed five key barriers and challenges to administering compensation programs and providing compensation to victims of crime.

Semi-structured interviews were conducted with victim compensation stakeholders in four states

who agreed to partner with NORC-Urban as deep-dive states for the study. These states included Arizona, Delaware, New York, and West Virginia. A total of 46 interviews were completed and included program administrators and community-level providers. Interviews focused on program structure, funding, staffing, access to compensation, claims processing, utilization, equity, perceptions, and recommendations.

Findings

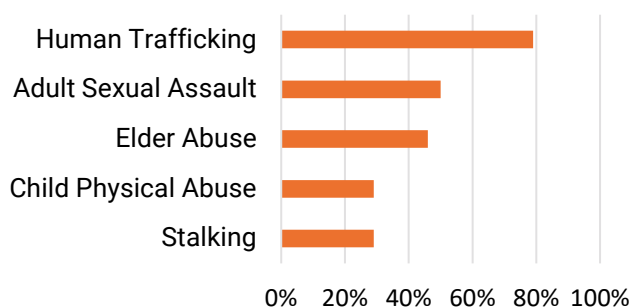
Analysis of survey and interview data revealed five key barriers and challenges faced by victim compensation programs. These include underserved populations, victim notification, funding and staffing, and the COVID-19 pandemic.

UNDERSERVED POPULATIONS

A key finding of the 2003 report on compensation programs was administrators' concern about victims who were underserved by compensation programs. Victims of domestic violence, elder abuse, child physical and sexual abuse, and adult sexual assault were highlighted as victims who were applying for compensation less frequently than others based on victimization rates.⁵ Results from the current study indicate that the concern has not changed much over the past twenty years.

Specifically, responses to the 2023 national survey indicate that over half of state administrators (n = 26) reported that victims who experienced certain crime types were under-utilizing the program and less likely to apply for compensation. These crime types included human trafficking (79%), adult sexual assault (50%), elder abuse (46%), child physical abuse (29%), and stalking (29%).

Figure 1. Underserved Victims, by Crime Type



When asked why some crime victims do not apply for compensation, 77% of state administrators indicated that victims were not aware of the compensation program. Other top reasons cited for not using the program included emotional trauma, embarrassment, and mistrust of authority. Groups with certain demographic or geographic characteristics were also reported as underusing the program. These groups included non-English speaking victims, LGBTQAI victims, and victims from indigenous communities who live on and off reservations.

VICTIM NOTIFICATION AND ACCESS

Interviews conducted with stakeholders in the four-deep dive states highlighted challenges in how victims of crime are notified of state compensation programs or the process by which victims access the program. For example, while law enforcement, as first responders, present a key opportunity to provide information to victims about state compensation programs, stakeholders indicated a gap in officers awareness of victim compensation programs program. Also, victims who do not seek out victim services or report to law enforcement may not learn about the existence of the compensation program.

Completing an application to receive victim compensation can also be a barrier to receiving compensation for a crime. Applications may be burdensome for victims due to the length of the application, the need to locate and provide proper documentation, such as police reports, and requirements for paperwork to be notarized. The application process may also be more of a burden for those who do not speak English, are older, or live in rural communities. For online applications, access to a computer and a degree of technological literacy is needed, which introduce barriers for individuals who are older with lower tech literacy, individuals who live in disadvantaged communities without access to computers, and individuals who have difficulty reading and writing.

FUNDING AND STAFFING

While 89% of state administrators indicated that they have sufficient funds to pay all eligible claims, many noted that changes or reforms at the state and federal level have impacted their program's ability to

pay all eligible claims. New statutes around reducing and repealing criminal justice fees, fines, and penalty payments for individuals convicted of a crime contributed to a substantial revenue reduction, leading some states to pay out more in expenditures than in revenue received. Other statute changes like increasing the number of eligible crime types created concerns about how programs will receive additional funding to accommodate more victims. Some of these funding changes have also caused programs to reduce the number of staff or move full-time staff to part-time, therefore increasing concerns about workload and risk of burnout.

These findings are fairly similar to those reported in the 2003 study. Notably, of the victim compensation programs surveyed in the 2003 study, only ten stated indicated that they did not have enough sufficient funding the pay the claims that they received, however programs also reported concerns about staff burnout.⁶

TECHNOLOGY ISSUES AND CLAIMS PROCESSING

Increased technological capacity was highlighted in 2003 as a recommendation for enhancing compensation program's ability to track claims and expedite claims processing. Since this study, most compensation programs have integrated case management system and other technological advancements into their daily operation. Findings from the 2023 national survey, for example, indicate that the amount of time required to process a claim for victim compensation has been impacted in some states by transitions in technological systems to collect and manage claims data or delays in obtaining correct or complete information from claimants and service providers for processing. Older paper management systems contributed to slower processing times, and the implementation of new advanced technology systems had learning curves which also impacted processing times initially.

Interviews with victim compensation stakeholders also revealed a number of challenges related to claims processing, including: (1) having to stick to guidelines or legal parameters when making decisions, resulting in limitations on making emergency awards; (2) not being able to contact victims to get needed paperwork; (3) not receiving the right information from medical providers; (4)

issues with staffing retention that impacts processing time and efficiency; (5) and outdated management systems.

THE COVID-19 PANDEMIC

Most state programs (n = 33) reported experiencing hardships during the first year of the COVID-19 pandemic. As offices were forced to transition to remote work, trainings and outreach conducted by compensation programs were either paused or conducted remotely, limiting the number of victims compensation programs were able to reach. The pandemic also created staffing shortages that impacted work capacity. Turnover due to burnout was highlighted as a challenge for many state programs, and due to funding constraints, rehiring and training was also challenging during this time. Some states reported that staff who were working from home were burdened with additional responsibilities of caretaking and navigating illnesses, which impacted their ability to work for certain periods of time. Remote work also made it challenging to contact service providers or non-governmental organizations as some were unable to remain open during the pandemic or didn't have the financial or staffing capacities to work remotely.

Compensation programs reported experiencing an initial decrease in the number of applications for victim compensation during the COVID-19 pandemic due lockdowns implemented across the U.S. However, Stay at Home orders also contributed to increases in domestic violence cases in some states, and without the ability to meet with victims in-person, services could not always be rendered safely.⁷ Increases in applications related to sexual assault and child victimizations did occur during this time yet fear of COVID resulted in hesitancy among victims to go to the police to report crimes or to medical facilities for treatment. These factors impacted victims from initially coming forward, learning about the compensation programs, and from applying for compensation. Although the first year of the pandemic saw a significant decrease in applications, rates increased between six months after the lockdown to about two years after the lockdown. This trend was reported in both responses to the national survey and in interviews with stakeholders.

COVID further impacted the ability to pay for claims for the first few months and decreased the number of victims assisted. Many states experienced a loss of revenue due to fewer cases being prosecuted or disposed, causing fewer fees and fines to be paid. Other programs stopped all civil judgments on unpaid restitution due to the widespread financial hardship that impacted the general public. This impacted the disbursement levels from the state and decreased the compensation match at the federal level.

Recommendations

A goal of this study was to understand the supports that victim compensation programs need to ensure their success over the next 20 years. Through the national survey and interviews with victim compensation program staff, we asked administrators and stakeholders for their recommendations, reflecting on the barriers and challenges that they are currently facing. These recommendations included improved outreach strategies to reach underserved populations, increased funding to support improved claims processing procedures, and supporting victim-centered approaches to compensation program work.

- **Improved outreach strategies.** While most states are currently employing multiple strategies to reach diverse populations of crime victims, such as (i.e., providing brochures or handouts with key information related to the victim compensation program, having materials translated into multiple languages, making the application accessible via website, and training health care providers, law enforcement and victim service providers on compensation), over 60% of administrators indicated that they would need improved communication technology, increases in staffing, increases in focus on underserved victim groups, and increases in state funding to achieve and sustain effective outreach and training.
- **Increased funding.** Over half of respondents reported a need for increased federal/VOCA funding to support improved data collection and case management systems. Also,

having more staff to sustain expeditious and accurate claims processing was also endorsed by nearly 75% of administrators. When asked about sustained financial planning, over 60% responded that increases in state and federal VOCA funding is critical to the success of victim compensation programs.

- **Ensuring a victim-centered approach.** Interviews with stakeholders reiterated the need for compensation programs to be victim-centered and to be positioned to adequately support the need of victims. In this regard, stakeholders discussed the need for transparency with victims about the compensation program, including what expenses are covered, how long it will take to make decisions, and reasons for final determinations. Administrators also recommended revising eligibility and law enforcement reporting requirements so that more victims can receive benefits and ensuring that communications with victims are trauma-informed, that there are referrals to resources for victims of crime, and appropriate training for staff who work directly with victims.

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