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The American Rescue Plan:

Five Ways Illinois Can Use Recovery Funds to Support Victims and Promote Safety

In this brief, the Alliance for Safety and Justice (ASJ) outlines a framework and five recommendations on how to spend the \$14 billion in American Recovery Plan's (ARP) State and Local Fiscal Recovery Funds allocated to Illinois to support victims and reduce the increase in violent crime associated with the COVID-19 pandemic.

Key recommendations to address the needs of underserved crime victims and reduce violence include:

- 1. Ensure that trauma recovery and community-based victims' support services are widely available, particularly in highly-victimized and underserved communities;
- 2. Provide victims with help to attain housing, employment, and flexible, upfront cash assistance;
- 3. Invest in community-based victim service providers in the communities most impacted by violence;
- 4. Provide premium pay to essential workers who have assisted victims during the pandemic;
- 5. <u>Fund research, evaluation, and infrastructure to support and help sustain ARP Recovery Funds' investments.</u>

These recommendations bring together ASJ's analysis from national reports on the American Rescue Plan and its National Crime Victims Agenda: A ten-point plan to address the needs of our nation's diverse victims of crime. As this brief explains, its five recommendations, and the ARP more generally, represent an unprecedented opportunity for state and local policymakers to make key investments in public-health programming, address the recent rise in violence and victims needs, and build the infrastructure needed to promote the safety and well-being of all Illinois residents. To help inform state and local advocacy, this brief's appendix includes outreach templates to contact state, local, and federal elected officials.

When quoting from the U.S. Department of the Treasury's <u>Interim Rule</u>, which is the official guidance on how governments should administer the ARP Recovery funds, this brief will hyperlink to the paragraph/section in which the text appears. Illinois' ARP State and Local Recovery Fund allocations can be found <u>here</u>.





For communities in crisis, COVID-19 has created a "pandemic within a pandemic."

COVID-19 has had a destabilizing impact throughout Illinois, but it has been especially devastating for many of the state's low-income, rural, immigrant, Latinx, and Black communities. Lockdowns, job loss, and social disconnection have aggravated pre-existing community-level concentrated disadvantages, including high rates of unemployment, victimization, justice involvement, segregation, and a lack of investment and supportive services. These conditions have produced a "pandemic within a pandemic," a cycle

From 2019 to 2020, cities across the state saw shootings and gun related homicides spike, with some cities seeing increases of 50 percent or more. According to the National Commission on COVID-19 and Criminal Justice, this increase is part of a national trend that has "no modern precedent."

of violence and trauma that not only puts people at "increased risk of getting sick and dying from COVID-19," but is also associated with significant spikes in certain violent crimes, with particularly sharp increases in homicides in many of Illinois' cities.¹

Despite the impact of trauma, most victims do not receive help.

While the precise causes of these spikes in violence are unclear, research has documented a link between public health challenges and safety. Without effective interventions, the public health crisis caused and exacerbated by the pandemic could lock in the increased rates of victimization Illinois has experienced over the last year. This is a problem because research shows that the vast majority of victims of violence, especially repeat violence, experience one or more symptoms of trauma.² Left unaddressed, trauma can cause a lifetime of debilitating outcomes for people's physical health, mental health, and economic stability. Unresolved trauma can also lead people to engage in destructive behavior, like substance abuse. It is not surprising that past victimization is also strongly associated with future victimization, or that while most victims do not become involved in the criminal justice system, most justice-involved people have histories of victimization.³

Despite the devastating impact of violence on individuals and their communities, research has consistently shown that our existing systems of care and prevention fail to provide victims the assistance they need. A 2016 <u>survey</u> of Illinois crime victims documented large gaps between crime victims' needs and what they

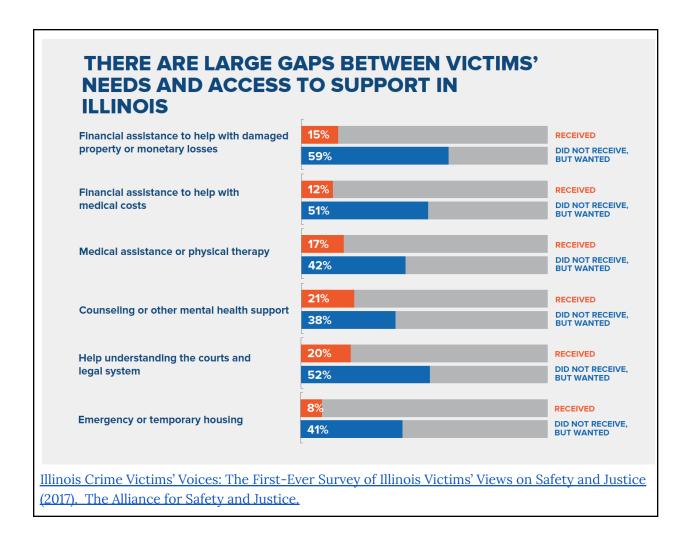
¹ See Megan L. Evans, et al., A Pandemic within a Pandemic—Intimate Partner Violence during Covid–19, N. Engl. J. Med. 383:2302–04 (Dec. 10, 2020), available at https://www.nejm.org/doi/full/10.1056/NEJMp2024046; Centers for Disease Control and Prevention, "Health Equity Considerations and Racial and Ethnic Minority Groups." Retrieved from https://bit.ly/3u3L5ap.

² See Maureen Outlaw, Barry Ruback, Chester Britt., Repeat and multiple victimizations: The role of individual and contextual factors. Violence and Victims, National Criminal Justice Reference Services (March 2002), available at https://bit.ly/35SHQI6.

³ See Contributions of victimization to delinquency in inner cities. The Journal of Criminal Law and Criminology, 78, 586–613.; Farrell, C., & Zimmerman, G. M. (2018). Is exposure to violence a persistent risk factor for offending across the life course? Examining the contemporaneous, acute, enduring, and long-term consequences of exposure to violence on property crime, violent offending, and substance use. Journal of Research in Crime and Delinquency, 55(6), 725–765.



actually received. Only around one in five reported receiving the basic support one needs in the aftermath of a crime, such as emergency or temporary housing, medical assistance, mental health counseling, or help understanding the court system.



These unmet needs in Illinois are consistent with longstanding findings from national research on why so few victims receive help. The reasons include the lack of investments needed to meet victims' needs; the failure to support culturally appropriate and trauma-informed services for repeatedly victimized communities and populations; and overreliance on the criminal justice system to deliver and connect victims to services.

The criminal justice system's entanglement with victim assistance is especially problematic. As the government's primary investment in addressing victimization, public safety agencies play an essential role in connecting victims to services, from Crime Victim Compensation benefits to emergency housing assistance. Whether it is through statutory requirements or informal practices in which the criminal justice system serves as a gatekeeper, victims' services and related forms of assistance often depend on reporting and cooperating with law enforcement agencies. The problem, however, is that most violent crime is never reported to law enforcement. This means that most victims are effectively excluded from receiving the help they need.

ALLIANCE FOR SAFETY AND JUSTICE

Federal Advocacy BRIEF

For victims who access services, the overreliance on the criminal justice system creates other challenges. Standard criminal justice procedures, like requiring cooperation with law enforcement, can compound common symptoms of trauma, such as leading victims to blame themselves for their victimization or to feel unworthy of assistance. This kind of negative experience can make it more difficult for victims to recover from crime and prolong and exacerbate the trauma caused by the harm they have suffered.

Models exist to address trauma—they just need to be scaled up.

While unresolved trauma can perpetuate victimization, survivors of violence are resilient, particularly when they are able to access the resources they need. Likewise, research indicates that when victims are provided with assistance without the conditions criminal justice systems typically impose on them, victims are more likely to want to work with law enforcement to address their crime.

In recent years, Illinois has made important investments in public health and community-based responses to violence. Since 2018, Illinois has used a combination of state and federal funds to open five Trauma Recovery Centers (TRCs) across the state. The TRC is an <u>evidence-based program</u> designed to provide wrap-around mental health and other kinds of essential services to underserved crime victims. The problem is not that solutions like the TRC do not exist for Illinois victims. It is that they are not supported at scale to reach and support the number of people in need. Among the tens of thousands of people who are victims of violent crime in Illinois every year, the state's current TRCs can serve, at most, a few hundred annually.

Federal funds represent an unprecedented opportunity to scale up support for victims.

In May, Illinois state and local governments received their first allocations of a collective total of \$14 billion in the American Rescue Plan's State and Local Fiscal Recovery Funds ("ARP Recovery Funds"). These federal stimulus funds present an unprecedented opportunity for Illinois not only to address the safety issues associated with COVID-19, but also to make necessary investments in state and local public health responses to violence, like the TRC.

In the official administrative guidance, the U.S. Department of the Treasury's Interim Rule is clear that the ARP Recovery Funds are intended for this kind of purpose. To determine whether and how ARP Recovery Funds can be used to support an intervention to address the pandemic's public health emergency or its negative economic impacts, it must satisfy two basic conditions: "first, [it must] identify a need or negative impact of the COVID-19 public health emergency and, second, [it must] identify how the program, service, or other intervention addresses the identified need or impact."

To help state and local governments focus ARP Recovery Funds on the kinds of interventions that will help victims and promote safety, the Interim Rule recommends <u>"evidence-based community violence intervention programs to prevent violence and mitigate the increase in violence during the pandemic."</u> More broadly, the Interim Rule highlights that <u>"the public health and economic impacts of the pandemic have fallen most severely on communities and populations disadvantaged before it began</u> and therefore



"encourages recipients to consider funding uses that foster a strong, inclusive, and equitable recovery, especially uses with long-term benefits for health and economic outcomes."

Further, the Interim Rule urges governments to address short-term and potential long-term harm using a social determinants of health framework, which emphasizes "the social and environmental conditions that affect health outcomes, specifically economic stability, health care access, social context, neighborhoods and built environment, and education access."

The ARP represents an unprecedented federal investment in a public health response to violence. The funding should be directed to interventions that crime victims have said will address trauma and help survivors heal.

National Crime Victims Agenda: A ten-point plan to address the needs of our nation's diverse victims of crime

As efforts to reform the criminal justice system grow nationwide, it has never been more important to envision new approaches to safety and justice that meet the needs of crime victims, especially those who are most harmed and least helped. Crime Survivors for Safety and Justice represents 46,000 survivors from across the country and regularly surveys representative groups of survivors to understand their needs. In the National Victims Agenda, Crime Survivors for Safety and Justice offers policymakers a plan to address the needs of diverse survivors of crime and stop the cycle of violence and victimization.

The National Crime Victims Agenda calls for:

- **Expanding Victims' Rights**. Policymakers should increase legal protections to prevent job and housing loss, and expand victims' access to civil legal service to help victims stabilize, and ensure dignity, respect, and support for victims of unsolved crimes.
- **Ending Discrimination**. Policymakers should expand victims' services to all victims of crime and violence and ensure equal access to victim compensation and services.
- Ensuring More Help, Less Red Tape. Policymakers should reach more survivors in crisis, and do so faster, cover actual costs of recovery, extend deadlines for help, and ensure that trauma recovery services are more widely available. Policymakers should invest more deeply in community-based victims' service providers and fund urgent crisis needs now.

For more information on the National Crime Victims Agenda, go to https://allianceforsafetyandjustice.org/national-victims-agenda



Recommendations

1. Ensure that trauma recovery and community-based victims' support services are widely available, particularly in highly-victimized and underserved communities.

Model trauma recovery programs like the TRC that provide wraparound case management and mental health support can help victims heal and prevent further victimization and violence.

Policymakers should:

- Expand access to trauma recovery. While Illinois has opened TRCs in Peoria, Springfield, Chicago, Rockford, and Lake County, more trauma-informed service providers are needed. This should include new TRCs in communities that need them as well as training and capacity-building for existing community-based organizations to work with victims who may not need TRC's intensive mental health services but would still benefit from trauma-informed programming and assistance.
- Expand trauma support at schools. Places that have nearly daily contact with young people, like schools, are an ideal touchpoint for youth traumatized by violence, as well as a means of connecting their families to services. Policymakers should use ARP Recovery Funds to increase support for these kinds of proven, trauma-informed interventions led by school-based mental health clinicians—particularly in schools where a high proportion of students has been exposed to violence. Models for such programs for children include the Wraparound Center in Peoria's Trewyn School, which provides a "community one-stop-shop for students and families to receive therapeutic supports and access services and resources from community agencies."
 - In a separate ARP allocation from the U.S. Department of Education, the Elementary and Secondary School Emergency Relief (ESSER) Fund, the Illinois State Board of Education and local public-school systems will receive almost \$2 billion. The U.S. Department of Education has urged recipients to use these funds which can be used, among other things, to support "strategies to reduce violence and enhance public safety, as described below, to the benefit of their students, families, and communities, as part of their efforts to recover from the pandemic." Policymakers should ensure that Illinois' ESSER Funds support ARP Recovery Funded programs.
- 2. Provide victims with help to attain housing, employment, and flexible, upfront cash assistance.

The pandemic has exacerbated two factors that increase victims' risk of future victimization: housing instability and a lack of living wage work. The ARP Recovery Funds provide multiple ways to break the cycle of violence that the lack of safe housing and living-wage employment engender, at both the individual and community level. These resources should be made available wherever victims seek help.



Policymakers should:

• Ensure that victims have safe, affordable, and stable housing. In the aftermath of a crime, a victim may need immediate safe housing, and the ability to transition to permanent housing while in recovery. The Interim Rule outlines several examples of how policy makers can use ARP Recovery Funds to invest in supportive housing services, affordable housing development, and housing vouchers. These resources should be specifically provided to victims.

Victory for crime victims
In 2021, ASJ helped make critical changes to Illinois' Crime Victim Compensation program. This included statutory reforms that increased reimbursements for funeral expenses, mandated faster processing time of applications for awards, extended overall time limits to file victims compensation applications from 2 years to 5 years, and reduced exclusions to aid for victim family members of crime survivors.

- Provide victims with workforce development, training and assistance. One
 - of the core statutory purposes of the ARP Recovery Funds is to address the pandemic's negative economic impact. The Interim Rule encourages state and local governments to focus employment resources on helping people who struggled to find work that pays a living wage during the pandemic. Like housing assistance, ARP Recovery-funded employment resources should be specifically provided to victims. While victimization would not automatically make someone eligible for these funds, research indicates that poverty is strongly associated with higher rates of victimization, and that being a crime victim can deeply impact the ability to attain employment or remain at work.
- **Provide flexible and up-front cash assistance.** Victims need up-front support, without having to make the expenditure first, and then seek reimbursement. Along with housing and employment resources, the Interim Rule outlines a process to provide people in need with cash assistance. The Interim Rule states that governments "may assume a household or population suffered a negative economic impact from the pandemic and is therefore eligible for cash assistance if they [meet any of these three conditions:] they were unemployed, experienced increased food or housing insecurity or are low or moderate income." This assistance is perfectly suited to meet the immediate needs many victims commonly experience, which can trap them in cycles of violence.

Expanding the rights of crime victims

In 2021, Illinois Crime Survivors for Safety and Justice member, Evangeline Semark, helped expand employment rights of Illinois workers affected by violent crime. First enacted in 2003, Illinois Victims' Economic Security and Safety Act (VESSA) entitled victims of domestic, sexual, and gender violence and their families with workplace protections that allow them to seek help without the threat of job loss or fear of employer retaliation or discrimination. In HB3852, Evangeline designed amendments that expanded these rights to all crime survivors. She organized with fellow survivors, activists, and advocacy groups and testified before House and Senate Committees to garner support for the bill. HB3852 passed both chambers of the Illinois General Assembly with bipartisan support.





3. Invest in community-based victim service providers in the communities most impacted by violence.

As the causes of violence are often rooted in concentrated community-level disadvantages, community investment should be seen as an essential part of trauma recovery and violence prevention. The federal funds should be focused on the expansion of services in the places most impacted by crime, and should prioritize community-based victim service providers.

Policymakers should:

- Fund community based victim service providers in places that experience the most violence. Research shows that the most chronically underserved victims are young, low income, and from communities of color. The Interim Rule explains that these dollars can be used to fund comprehensive services for low-income communities that have experienced increases in violence during the pandemic. The Interim Rule states that governments should presume that certain expenses are "responsive to the public health impacts of the pandemic" in Qualified Census Tracts (QCTs). These presumptively eligible interventions also have the capacity to help victims recover from and help reduce the community violence associated with the pandemic, and can be delivered by community-based victims' service providers who are best equipped to address the needs of underserved victims. The types of community-based victims service interventions that can be funded include:
 - Funding community health workers to help community members access health services and services to address the social determinants of health:
 - Funding public benefits navigators to assist community members with navigating and applying for available Federal, State, and local public benefits or services," such as Crime Victim Compensation;
 - "Housing services to support healthy living environments and neighborhoods conducive to mental and physical wellness;
 - Remediation of lead paint or other lead hazards to reduce risk of elevated blood lead levels among children; and
 - Evidence-based community violence intervention programs to prevent violence and mitigate the increase in violence during the pandemic."

4. Provide premium pay to essential workers who have assisted victims during the pandemic.

One of the mandated purposes of the ARP Recovery Funds is to support eligible essential workers with premium pay. As established in the Interim Rule, premium pay is an amount up to <u>"\$13 per hour in addition to wages or remuneration the worker otherwise receives and in an aggregate amount not to exceed \$25,000 per eligible worker."</u> This amount is <u>"entirely additive to a worker's regular rate of wages and other</u>

⁴ Qualified Census Tracts (QCTs). QCTs are low-income jurisdictions identified by the U.S. Department of Housing and Urban Development (HUD) that have "50 percent of households with incomes below 60 percent of the Area Median Gross Income or have a poverty rate of 25 percent or more."# HUD's map of 2020-21 QCTs can be found here.



remuneration and may not be used to reduce or substitute for a worker's normal earnings." Premium pay may also be <u>"retrospective."</u> In other words, essential workers in community-based victims provider organizations can be paid this extra income for eligible essential work they performed at any time during the pandemic, including in 2020. As Governor Pritzker deemed public health and human service providers part of the state's essential infrastructure, victim service providers, trauma recovery specialists, and similar workers could therefore be eligible for extra income based on their work during the pandemic.

Policymakers should:

- Establish a fund to pay eligible essential workers in community organizations premium pay who have assisted victims during the pandemic.
- 5. Fund research, evaluation, and infrastructure to support and help sustain ARP Recovery Funds' investments.

While state and local governments have long supported programming to reduce violence and assist victims, they often lack the capacities to use data and research to plan, implement, and evaluate government-funded interventions. As a result, there is very little data available to hold public systems accountable, and plan for more resources to be reallocated to community-based victim service providers that are targeting underserved crime survivors.

To address this gap, the Interim Rule states that ARP Recovery Funds may be used "<u>to engage in planning</u> and analysis in order to improve programs addressing the COVID-19 pandemic, including through use of targeted consumer outreach, improvements to data or technology infrastructure, impact evaluations, and data analysis."

Policymakers should:

- Fund researchers to work with victims, victim service providers, violence intervention organizations, and communities in crisis to identify, implement, and evaluate the assistance they need to heal and recover from the pandemic's public health crisis.
- Invest in data collection and infrastructure needed to provide policymakers and communities feedback they need to ensure that interventions are measurably increasing safety and wellbeing.



Appendix

Language to request state and local fiscal recovery funds from Governor Pritzker, mayors, and county board executives

Governor Pritzker, Illinois mayors, and county board executives will primarily be responsible for overseeing Illinois' State and Local ARP Fiscal Recovery Funds. As described above, while there will be significant competition for these resources, the ARP supplies several ways that these elected and government leaders can use these funds to support community-led safety initiatives. The best funding requests will combine what ARP mandates the funds should be used for, an analysis of how the pandemic has negatively impacted the organizations making the request, and an estimate of the funding needed for these organizations to address the specific harms caused by the pandemic. As these funds expire on December 31, 2024, requests could be spread out over the next three years.

To contact Governor Pritzker, go to

https://www2.illinois.gov/sites/gov/contactus/Pages/default.aspx

Dear [ELECTED OFFICIAL/GOVERNMENT LEADER],

Representing more than [NUMBER OF ORGANIZATIONS AND THE KINDS OF SERVICES THEY PROVIDE] that serve [JURISDICTION'S] communities most impacted by crime, violence, and unaddressed trauma, we believe that immediate, targeted, and additional investments are urgently needed to address the severe increases in homicides and victimization associated with the COVID-19 pandemic.

As [ELECTED OFFICIAL/GOVERNMENT LEADER] determines how it will spend the approximate [TOTAL AMOUNT] of fiscal recovery funds it will receive from the American Rescue Plan (ARP), we ask that you dedicate [REQUESTED AMOUNT] to support [LIST SAFETY PROGRAMMING] through the end of 2024, when the funds expire.

As the ARP makes clear, these funds are dedicated "to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19)," which includes "the negative economic impacts" it has had on "nonprofits." These mandated purposes perfectly align with our requests. The COVID-19 pandemic has had a profoundly destabilizing impact on [JURISDICTION], driving severe spikes in violence and crime. [USE STATE AND LOCAL GOVERNMENT DATA AND/OR DATA FROM ORGANIZATIONS THAT PROVIDE SERVICES ON HOW CRIME AND HARMS HAVE INCREASED DURING THE PANDEMIC.]

In normal times, our organizations are on the frontlines of addressing violence. During the pandemic, our organizations have gone above and beyond their normal work to respond to this aspect of the pandemic's "public health emergency." Throughout [JURISDICTION], the staff of our organizations have risked their own health and safety to serve as front-line workers, mediating conflicts, preventing violence, and responding to crisis mental health needs during the pandemic, as well as delivering food,





PPE, and other essential services to people who lack access to vital resources.

On behalf of [ORGANIZATIONS], we urge you to make these targeted investments with the [JURISDICTION'S] ARP fiscal relief funds in communities that have suffered from increases in homicides associated with the pandemic. By investing in these proven solutions that provide targeted prevention and recovery to communities in crisis, [JURISDICTION] can reduce violence and promote safety and well-being of all its residents.

Sincerely,

Outreach language for Senator Durbin, Senator Duckworth, Representatives, and state and local champions

Members of Congress and state and local elected officials can be vital champions to help access ARP resources. Use the language below to inform them about your work, asking for assistance that they can provide. Your request for assistance will depend on the official you are contacting and the funds you are seeking, but should include requests like asking for help meeting with state and local executives and support for your request for fiscal relief.

To find your state legislator, go to https://www.elections.il.gov/ElectionOperations/DistrictLocator/AddressFinder.aspx

To find your member of Congress, go to https://www.govtrack.us/congress/members/map#address=.

Dear [ELECTED OFFICIAL],

Representing more than [NUMBER OF ORGANIZATIONS AND THE KINDS OF SERVICES THEY PROVIDE] that serve [JURISDICTION'S] communities most impacted by crime, violence, and unaddressed trauma, we are contacting your office today to inform you about our work to access resources from the American Rescue Plan (ARP) and to ask [BE AS PRECISE AS POSSIBLE IN YOUR REQUEST FOR ASSISTANCE.]

We believe that the ARP presents a significant opportunity to invest in public-health programming and infrastructure that can help our communities recover from the pandemic by investing in the solutions that we need to reduce violence and promote safety.

As you know, the COVID-19 has had a profoundly destabilizing impact on [JURISDICTION], driving severe spikes in violence and crime. [USE STATE AND LOCAL GOVERNMENT DATA AND/OR DATA FROM ORGANIZATIONS THAT PROVIDE SERVICES ON HOW CRIME AND HARMS HAVE INCREASED DURING THE PANDEMIC.] In normal times, our organizations are on the frontlines of addressing violence. During the pandemic, our organizations have gone above and beyond their normal work to respond to this aspect of the pandemic's "public health emergency." Throughout [JURISDICTION], the



staff of our organizations have risked their own health and safety to serve as front-line workers, mediating conflicts, preventing violence, and responding to crisis mental health needs during the pandemic, as well as delivering food, PPE, and other essential services to people who lack access to vital resources.

Consistent with the ARP's statutory purposes, we have asked [GOVERNOR/MAYOR/COUNTY EXECUTIVE] for [AMOUNT OF FISCAL RELIEF] to support our organization's work "to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19)." We are also preparing to apply for funding opportunities, including [LIST RELEVANT FUNDING OPPORTUNITIES

LISTED ABOVE ON PAGE 5].

On behalf of [ORGANIZATIONS], we ask for your support in using APR resources to provide the vital assistance needed by our communities that have suffered from increases in victimization associated with the pandemic. By investing in solutions that provide targeted prevention and recovery to communities in crisis, [JURISDICTION] can reduce violence and promote safety and well-being of all its residents.

Sincerely,



About the series from the Alliance for Safety and Justice.

This is the third report from the innovations division of the Alliance for Safety and Justice that takes a deep dive into the American Rescue plan, and how federal funds can be used to address core safety issues. Other reports in the series include <u>The Promise of the American Rescue Plan Funding Opportunities to Reduce Violence, Meet the Needs of Underserved Communities, and Promote a Vision for Shared Safety (April, 2021), and Seven key takeaways that show how State and Local Fiscal Recovery Funds can support innovative safety policies and programs (June 2021).</u>

About the Alliance for Safety and Justice.

The Alliance for Safety and Justice is a national organization that aims to win new safety priorities in states across the country, and brings together diverse crime survivors to advance policies that help communities most harmed by crime and violence.

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