

Healing from Harm: Expanding Access to Victim Compensation

An inventory of state legislative changes to victim compensation programs, 2020-2022



CRIME SURVIVORS FOR
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Introduction

In 2022, the Alliance for Safety and Justice (ASJ) released a report outlining model policies states could adopt to strengthen their victim compensation programs. This brief serves as an update and addendum to that report, and includes a comprehensive roundup of positive changes that state legislatures enacted between 2020 and 2022.

More than 16 million victimizations took place in the U.S in 2021. Over 4.5 million of these victimizations were violent, amounting to more than 2.7 million individuals experiencing at least one violent crime during a single year.¹ The destabilization survivors experience in the wake of violence can run deep. Left unaddressed, this painful trauma can have devastating lifelong effects that can make it difficult for people to return to the life they once knew.

Victim compensation programs can play a critical role in survivor healing. Every state has a program, which can cover urgent costs like counseling, funeral expenses, and lost wages. But according to a national poll the Alliance for Safety and Justice conducted in 2022, **96 percent of victims of violent crime did not receive victim compensation to help in their recovery.** Often survivors are not aware that these programs even exist. But even when survivors are directed toward such relief, the application process can be overwhelming – especially when navigating trauma – and far too many survivors are disqualified due to harmful eligibility restrictions. These processes have a disproportionate impact on communities of color: despite being significantly more likely to be victimized in violent incidents, people of color and other marginalized survivors face barriers in law, policy, and practice that make it even harder to receive help.²

For the past decade, ASJ and its flagship program, Crime Survivors for Safety and Justice, alongside other advocates, have been working to change compensation policy to benefit all survivors of violent crime. In its 2022 report, ASJ outlined model policies states are adopting to improve compensation. These model guidelines were driven by the voices of marginalized survivors and advocates across the country, and based on ASJ's work to help pass legislation improving compensation programs in more than eight states.

The guidelines covered:

1 Ending harmful exclusions and expanding eligibility to all victims through policies that:

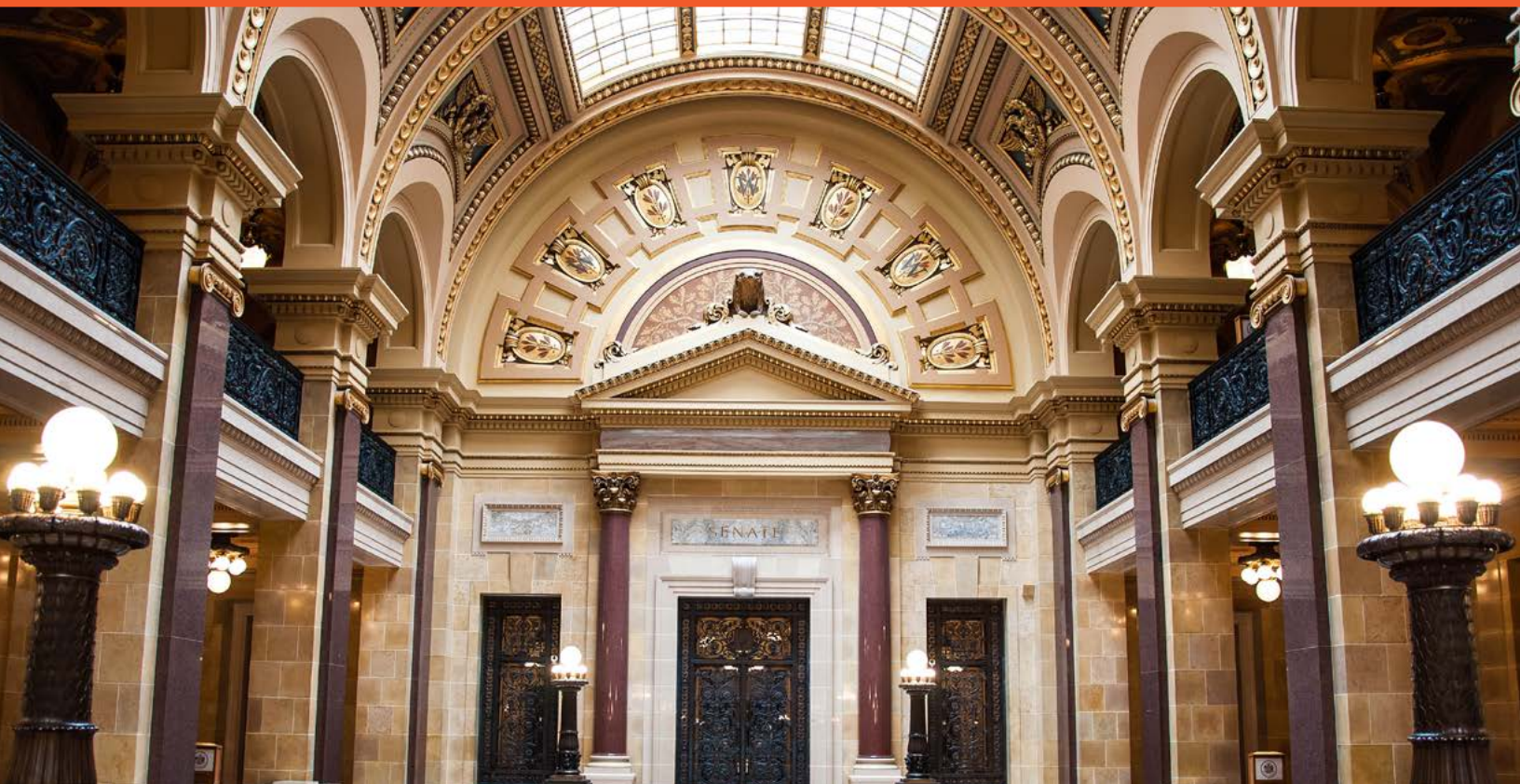
Remove restrictions on victims who do not report the crime to law enforcement

Expand eligibility to victims on probation or parole or who have a criminal record

Broaden support to include victims of police violence

End eligibility exclusions that effectively blame victims for their own victimization

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2 Covering actual costs through policies that:

Ensure benefits cover the true cost of expenses resulting from violent victimization

Expand benefits to cover victims' urgent health and safety needs

Ensure Fund Stability

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3 Delivering more urgent help with less red tape through policies that:

Extend deadlines to apply for help

Simplify the application process

Ensure that immediate financial needs are met quickly

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4 Reaching more survivors in crisis through policies that:

Expand outreach programs

Conduct outreach in multiple languages

Expand the definition of family members eligible for compensation

Grow the number of trauma recovery centers and programs for victims

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State legislatures around the nation are hearing from survivors and advocates, taking notice of barriers in compensation laws, and adopting legislation to address them. **A number of states that had not seen meaningful change for years or even decades made significant overhauls to policies that have long excluded the most vulnerable survivors. Other states adopted smaller changes that hopefully light a path for more impactful future revisions. This brief inventories all state victim compensation legislation passed in 2020, 2021, and 2022.** The hope is to paint a picture of the state of legislative reforms to these programs. Of course, legislation is just one component of program improvement, and this brief does not capture the breadth of administrative and regulatory changes agencies that administer compensation have implemented to strengthen programs.

Ending harmful exclusions and expanding eligibility to all victims

Removing restrictions on victims based on reporting or cooperation with law enforcement. Most states still use police reports to limit access to compensation, and base eligibility for most survivors on police determination of whether the survivor appeared cooperative with law enforcement. **Nationally, more than half of violent crimes are never reported,³ so making access contingent on a police report inherently excludes the majority of survivors.** Additionally, by relying on subjective determinations about cooperation made by police officers, these policies can end up influenced by conscious or subconscious biases and perceptions of survivors as “deserving” or “undeserving,” disproportionately denying survivors of color help.⁴ Survivors too traumatized to go through reporting, fearful of retaliation, distrustful of the justice system, or just not ready to revisit a traumatic experience have been systematically excluded from compensation programs.

Recognizing this, a number of states, including Illinois, Louisiana, Connecticut, Indiana, Nebraska, Oklahoma, Utah, Virginia, Texas, and the District of Columbia passed legislation that address exclusions to compensation based on law enforcement reporting or subjective determinations about a victim’s cooperativeness. Illinois and Louisiana joined New Mexico to offer alternative documentation options to a police report for all otherwise eligible survivors, and the District of Columbia joined several states that can now waive the law enforcement reporting or cooperation requirement for any victim if they identify mitigating circumstances that stood in the way of reporting. Other states joined a growing list with narrower exceptions to reporting and cooperation requirements, focusing on accessibility for survivors of certain victimization experiences, including child abuse, sexual assault, human trafficking, and domestic violence. These groups of survivors need and deserve these protections, but **states must do more to make sure all victimization experiences are included. Survivors and family members of victims of other types of violence including gun violence, physical assaults, and homicide also need other options, are too often ignored in reform efforts, and are persistently denied compensation due to restrictions entangled with law enforcement.** More states should follow the lead of states like Louisiana and Illinois, and provide alternatives options for all survivors.

Expanding eligibility to victims on probation or parole or who have a criminal record. The overwhelming majority of states do not have laws restricting aid to survivors on the basis of a past conviction or status on community supervision. And the number of states that do have these restrictions shrank even further between 2020 and 2023. Illinois, Ohio, California, Delaware, and New Jersey all passed long overdue changes to remove restrictions related to a victim’s past convictions or status under community supervision, and New Jersey also ensured help to victims who are victimized while incarcerated, though many states continue to deny incarcerated victims help. People under community supervision and people who have completed sentences are more likely to be victims, and are less likely to feel safe. Because of well-documented racial disparities within the criminal justice system, these restrictions impact Black and Brown victims and their families the most heavily. Now, just five states (AR, FL, MS, NC, RI) remain that have eligibility restrictions for certain victims based on a conviction history alone.⁵ Another two states (CA and GA) continue to deny compensation to people under community supervision for certain offenses⁶ – though this is set to go down to one in 2024 as a result of recent legislation in California. Four more states (AZ, NJ, OR, WA) may deny compensation to people with certain conviction histories if they have not fully paid conviction-related fines/fees.⁷ Eradicating these restrictions in all compensation programs is well within reach.

Ending eligibility exclusions that effectively blame victims for their own victimization. States commonly have vague and subjective eligibility restrictions that deny victims help based on assessments about their behavior. These determinations are often driven by initial impressions recorded in a police report, and susceptible to biases based on a survivor’s past interactions with the justice system. A look at data from several states show states deny help to Black victims and families significantly more often than White victims under policies which authorize denials based on subjective determinations about a victim’s behavior.⁸ Law enforcement often is not even aware that recording a first impression can lead to a lack of support. Members in CSSJ’s survivor network have shared that these kinds of determinations can send the message to survivors that they are not worthy of help to heal. In most states, restrictions apply even in homicide cases, leaving parents and children of people killed without support for counseling or funeral expenses, and compounding the trauma of loss for survivors. Several state legislatures have taken notice of the harmful impact of these types of restrictions, and a handful of states have made significant progress toward undoing them. In just the last three years, legislatures in Ohio, Illinois, Pennsylvania, New Jersey, Delaware, and New Hampshire have all passed laws narrowing these barriers to help for survivors.

Covering actual costs

Ensure benefits cover the true cost of expenses resulting from violent victimization. California, Delaware, Indiana, Illinois, Kansas, Louisiana, Michigan, Montana, New Hampshire, New York, North Carolina, Ohio, Washington, West Virginia, and the District of Columbia all took steps toward covering the actual costs of victimization. Changes included increasing the maximum award per victim, increasing the amount that may be allocated for emergency awards, and increasing caps on reimbursement for funeral expenses, property loss, crime scene cleanup, relocation and other costs. Programs typically set expense caps that limit coverage, and many states have not adjusted these caps in years or even decades. For example, **caps on benefits for funeral and burial expenses are rarely high enough to cover the true costs of burying a loved one.** The National Funeral Directors Association estimates the median cost of a burial with a vault (required by most cemeteries) is \$9,420⁹—and this does not take into account cemetery or tombstone expenses which likely bring the total cost to well over \$10,000, or considerably more in expensive areas. Illinois, California, Michigan, and North Carolina all raised their funeral/burial award limits to \$10,000 or higher (and California is set to have a \$20,000 cap in 2024, reflecting the higher cost of living in that state) – joining at least seven other states with caps set at or above \$10,000.¹⁰

Expand benefits to cover victims' urgent health and safety needs. Several states including California, Delaware, Indiana, Kansas, Louisiana, Michigan, Montana, New York, Pennsylvania, and Oregon also expanded the types of pressing victimization-related costs their state will cover – joining other states that were already providing critical help for expenses like rent and relocation, transportation, childcare, and bereavement loss of income.

Ensuring Funding Stability. While several states have long solely or primarily funded the state share of victim compensation program funding with general fund dollars, most states rely on fines and fees levied on people charged with crimes. Relying on fines and fees is inherently unstable, creating challenges for states that wish to expand access to help. Onerous fines and fees also trap people in the justice system in cycles of impossible debt, interfering with community safety goals.

Some states have taken steps to provide more stable funding for their programs. For example, Arizona added a one-time allocation of \$10 million in 2022 and dedicated \$2 million annually ongoing, and Colorado allocated a portion of marijuana tax revenue towards victim compensation. Victims compensation programs are largely state funded, but a federal match program amplifies state spending. The passage of the federal VOCA Fix Act increased the federal government's match rate from 60 cents per-state dollar spent to compensate survivors in 2022 to 75 cents for every state dollar spent to compensate survivors, such that ultimately federal funds pay for about 43% of compensation payments. Given this change, there is no better time for states to invest more in compensation programs. Funding victim compensation through general appropriations and alternative revenue streams is the best way to improve stability and equity.

Delivering more urgent help with less red tape

Extending Deadlines to Apply for Help. Delaware, Indiana, Kansas, Michigan, Illinois, Nebraska, Pennsylvania, Tennessee, and the District of Columbia all extended deadlines to apply for help. Now, seven states¹¹ give all survivors at least 5-years to apply for compensation, including one state with a 7-year deadline and two states with no deadline.

Simplifying the Application Process. States including California, Delaware, Illinois, Michigan, Nebraska, New Jersey, and Ohio also took legislative steps to simplify their application processes or make these processes more transparent, and to reduce waiting periods for funding distribution and increase access to emergency awards.

Ensuring that immediate financial needs are met quickly. Survivors continue to need and advocate for more accessibility and less red tape in the compensation application process, while also pursuing alternative ways to access resources. California, for example, created a pilot flexible assistance program and allocated \$50 million toward it. Through this program, survivors will be able to get financial help quickly from trusted community-based providers.

Reaching more survivors in crisis

Many states updated their laws to expand coverage to reach more survivors and more accurately reflect the true constellation of people impacted by violence. This included Delaware, Indiana, Illinois, Kansas, Ohio, Michigan, Montana, New Hampshire, Vermont, New Jersey, New York, Virginia, and the District of Columbia. Michigan joined the majority of states that provide help to survivors of violent acts where there is no physical injury but a significant traumatic impact, for example, stalking or armed robbery that does not result in physical injury. Other states extended coverage for specific additional victimization experiences not already covered.

States including Michigan, Illinois, Indiana, New York, Kansas, and Vermont also extended coverage to recognize more secondary victims who may need help as a result of a crime, including current or former household members, people in dating relationships, domestic partners, witnesses, and grandparents/grandchildren. Some of these changes brought states up to speed with many other states, others were more forward thinking overhauls that recognize more experiences of trauma and a breadth of connection that is not captured by traditional family definitions. Still, most states have a way to go to ensure more direct and secondary survivors can get the help they need and deserve.

2020-2022 STATE BY STATE POLICY CHANGES

While there is still so much work to do, several states have made promising legislative changes. **What follows is an inventory of states that have taken steps forward in 2020, 2021, and 2022, from small proposals that continue to exclude too many survivors, to larger scale rewrites that tackle some of the most pressing barriers to help.** Victim compensation programs in the United States continue to exclude too many survivors and offer too limited aid. But some of these reforms demonstrate a willingness to tackle persistent shortcomings.

Arizona

In 2022, the Arizona legislature added a \$10 million one-time allocation to the 2021 budget to bolster the Victims Compensation Program's fund balance, with an additional commitment of a continuous, annual appropriation of \$2 million, dedicated to the fund's continuity and stability.

California – AB 200 (2022) & AB 160 (2022)

California made strides in 2022 toward reducing red tape and covering actual costs with the passage of several changes through the budget and budget trailer bills AB 200 and AB 160 (changes that were originally introduced as part of SB 993, which was featured in ASJ's 2022 report). The legislature: 1) authorized \$50 million to fund a flexible emergency cash assistance pilot grant program, wherein community based organizations rooted in communities most harmed by violence and incarceration will distribute funds directly to survivors without the hurdles of a lengthy application process; 2) raised expense caps, and committed to increasing caps and expanding coverage further in 2024 - including by raising funeral/burial coverage to \$20,000, relocation to \$7,500, and the overall maximum to \$100,000; 3) ensured that people who are unemployed at the time of their victimization or family members who need to take off work to care for a loved one or for bereavement after a homicide can access loss of income support; and 4) committed to ending eligibility restrictions for people on probation or parole. California still has a long way to go to remove discriminatory hurdles - the legislature failed to approve critical victims compensation legislation that would have allowed all survivors alternatives to a police report, ended victim blaming eligibility restrictions, strengthened communication between the program and applicants, and ensured survivors of police violence could get help through the program. Survivors and advocates are urging the legislature to take action on these long overdue changes in 2023.

Colorado – HB 1315 (2021); SB 292 (2021)

Colorado ensured more reliable and fair funding practices by allocating \$311,000 in marijuana tax revenue to the compensation program and authorizing other general fund and federal American Rescue Plan Act (ARPA) revenue to replace certain fines and fees from young people in juvenile court, and to reduce reliance on fines and fees funding from justice involved adults.

Connecticut – HB 5001 (2022)

Connecticut extended alternatives to a police report to child survivors of sexual abuse or exploitation, adding to the list of victimization experiences for which survivors can use alternative documentation, which prior to this change only included survivors of sexual assault and human trafficking.

Delaware – HB 182 (2021)

The Delaware legislature passed legislation in 2021 which moved the state forward on a number of issues related to Delaware's compensation program. Among the changes included in this legislation, the bill 1) expanded the types of victimization experiences that are covered, and increased expense caps on funeral and burial costs; 2) removed bureaucratic red tape that slowed down decisions on claims and processing of payments; and 3) lessened discriminatory denials by eliminating a clause that required denials if a victim was engaged in drug-related crimes.

District of Columbia

D.C. Council passed the omnibus bill, “Expanding Supports for Crime Victims Amendment Act of 2022,” which 1) expanded eligibility to more survivors; 2) increased coverage of actual costs by increasing maximum award amounts on certain expenses; 3) expanded the types of out-patient counseling that the program can cover; 4) allowed alternative options for any survivor whose ability to report to law enforcement was impacted by certain mitigating circumstances; and 5) reduced administrative burdens on claimants by clarifying certain other documentation requirements. Additionally, though not specifically a victim compensation program change, D.C.’s omnibus bill also formalized two support roles for victims of crime—crime victim counselors and hospital-based violence intervention program members. The bill ensures these support parties can accompany victims to certain settings, and allows confidential communications between victims and these advocates (parallel to protections that already exist with human trafficking, sexual assault, and domestic violence counselors).

Indiana – HB 1292 (2022)

Indiana’s HB 1292: 1) extended coverage to more secondary victims of violence; 2) expanded alternatives to law enforcement reporting and cooperation requirements for sexual assault survivors; and 3) removed bureaucratic limitations on awards and increased coverage of actual costs by adding several eligible expenses, including replacement of windows and locks and crime-scene cleanup following an incident.

Illinois – HB 3653 (2021) and HB 3295 (2021)

Illinois passed two bills in 2021—HB 3653 and HB 3295—that included overhauls to a number of elements of the victim compensation program to remove hurdles and create more equity. Among the bills’ provisions, the legislation: 1) ensured any victim who accesses medical care at a hospital is eligible for compensation without needing a police report and regardless of whether they are ready to cooperate with law enforcement; 2) increased expense caps; 3) removed eligibility restrictions for survivors on probation and parole; 4) narrowed victim-blaming restrictions; 5) ensured family members of homicide victims are not denied help based on the deceased victim’s alleged actions; and 6) extended help to people whose relationship to the victim is akin to close family, and extended the timeline to apply to five years, or later if there is good cause for delay.

Kansas – HB 2574 (2022) & HB 2077 (2021)

Kansas passed legislation that: 1) increased expense caps for multiple coverage areas—funeral expenses, economic loss and crime scene cleanup; 2) extended time limits for compensation; and 3) expanded coverage to more survivors of certain crimes, including minor witnesses and survivors of sexually violent crimes.

Louisiana – HB 648 (2022)

HB 648, which passed the Louisiana legislature unanimously in 2022: 1) provided all eligible victims additional reporting options beyond a police report to show eligibility for compensation; 2) increased the amount of funds a survivor can receive; and 3) added relocation services as a reimbursable cost. The bill was championed by Louisiana Survivors for Reform, a coalition of survivors of violence and homicide victims’ loved ones creating change in the criminal justice system.

Michigan – HB 4674 and 4675 (2022)

In 2022, Michigan’s legislature passed HB 4674 and 4675 as part of the Safer Michigan Act. This legislation represents the first major changes to the program in decades, and a first leap towards making the program work for more survivors. The legislation is set to go into effect in August 2023, and: 1) Changes unrealistic time limits by removing the 48 hour time limit for reporting and increasing the time limit to apply from one to five years; 2) speeds up access to help and reduce red tape by allowing for online applications, ensuring survivors can request emergency awards to have bills paid more quickly, and reducing outdated hurdles that slow down applications – including a previously required waiting period for law enforcement approval; 3) expands eligibility to include victims of violent acts that result in emotional injury and recognizes family members, household members, and other loved ones of direct victims who are like close family as survivors who are eligible for support for expenses like counseling, lost wages, childcare, and other costs; and 4) covers more actual costs by increasing award caps and adding coverage for expenses like relocation, repairing broken windows, replacing locks, and bereavement lost wages for family members grieving the loss of a loved one.

Montana – HB 211 (2021)

Montana made strides towards covering actual costs of victimization by extending lost wages benefits to guardians and raising limits for secondary victims.

Nebraska – LB 497 (2021) & LB 372 (2021)

Nebraska passed legislation to: 1) allow for direct billing from medical health providers; and 2) exempt survivors of sexual assault, domestic or child abuse, and sex trafficking from Nebraska's three day law enforcement reporting requirement.

New Hampshire – HB 1235 (2022) & HB 576 (2022)

New Hampshire legislation: 1) increased the maximum award cap to \$50,000; 2) extended alternatives to law enforcement reporting and cooperation to survivors of sexual abuse and human trafficking; and 3) expanded coverage and eligibility to survivors of sexual abuse and human trafficking who were minors at the time of the crime, regardless of when the claim was filed.

New Jersey – SN 498 (2020)

SN 498, effective since August 2020, overhauled compensation limits, caps, and procedures. This law: 1) increased multiple coverage caps; 2) expanded coverage to more survivors; 3) eliminated contributory conduct exclusion for families of homicide victims; and 4) made strides towards protecting incarcerated individuals, providing for compensation to survivors who are incarcerated following their victimization or who sustained injury while incarcerated.

New Mexico – HB 342 (2019)

HB 342 made New Mexico one of the first states to allow all groups of victims to use alternatives to a police report to document the crime. *[Note: Other states made important changes to their victim compensation laws before 2020 that are not included in this report, but this change felt important to highlight, especially given the impact of changes like this on reducing racial disparities in access to compensation].*

New York – AB 7489 (2022) & AB 7502 (2022) & SB 8005 (2022)

New York took minor steps toward covering more of the actual costs of victimization by increasing the cap on essential personal property coverage and providing flexibility to its physical injury requirement by exempting certain victims from the requirement (though notably many states have no physical injury requirement). In the upcoming session, survivors and advocates are encouraging the New York legislature to consider “Fair Access to Victim Compensation” SB 214 (2023)—comprehensive victim compensation legislation which would provide alternatives to the law enforcement reporting requirement for all survivors and extend reporting and application time limits.

North Carolina – HB 560 (2021)

North Carolina made strides towards covering actual costs by increasing the overall maximum award cap to \$45,000 and also increasing caps on coverage of funeral expenses. The legislation also required the inclusion of outreach and awareness measures taken by the Commission in the annual report and clarified that the commission can use funds for outreach.

Ohio – SB 36 (2021) & SB 288 (2022)

The Ohio state legislature passed SB 36 in 2021, and addressed many of the most harmful barriers survivors faced to accessing help in Ohio and in the nation. These changes included: 1) ending eligibility restrictions for survivors with past convictions; 2) ending the practice of denying victims' compensation to victims who allegedly possessed drugs at the time of the incident, or if drugs showed up in a toxicology or autopsy report; 3) extending coverage to secondary victims, including immediate family members; 4) greatly restricting circumstances under which a victim can be denied based on their alleged conduct; and 5) ensuring that family members of homicide victims are never denied help because of allegations about their deceased family members' actions. In 2022, the Ohio legislature also passed an omnibus bill (SB 288) which included a change that made victims eligible for up to \$7,500 in emergency compensation awards to cover funeral/burial costs.

Oklahoma – SB 16 (2021)

SB 16 enacted a limited expansion of alternatives to law enforcement reporting and cooperation requirements for survivors of sexual assault who underwent a sexual assault forensic exam within 120 hours.

Pennsylvania – SB 2464 (2022)

Pennsylvania passed major changes in 2022 to reduce discrimination and red tape in the compensation program. Among other things, the legislation: 1) eliminates the 72 hour time limit to report the crime; 2) narrows restrictions that blame the victim for their own victimization; 3) bars alleged “contributory misconduct” denials altogether for any survivors seeking counseling expenses, and for family members of homicide victims for funeral costs; and 4) increases the time limit to apply from 2 to 5 years – while also allowing for exceptions to the 5-year limit if the applicant has good cause for a delay.

Tennessee – HB 870 (2021)

Tennessee addressed bureaucratic hurdles by extending the time period to apply from 1 to 2 years. This time limit is still significantly shorter than that of many other states.

Texas – SB 957 (2021)

In 2021, the Texas legislature passed SB 957, which ensures survivors are not denied compensation based on their readiness to speak with law enforcement at the scene or in the hospital and narrows discriminatory restrictions by clarifying that no victim or applicant could have compensation reduced or denied based on interactions with law enforcement at the scene or in the hospital following the victimization.

Utah – HB 228 (2022)

Utah expanded alternatives to law enforcement reporting and cooperation requirements for survivors of sexual assault and intimate partner violence with strangulation.

Vermont – HB 553 (2022)

Vermont expanded coverage to survivors by extending eligibility to domestic partners.

Virginia – HB 988 (2020) & HB 1867 (2021)

Virginia expanded coverage to grandchildren of deceased victims and eliminated the law enforcement reporting requirement for survivors of sexual violence.

Washington – SB 6181 (2020)

Washington reduced red tape for survivors applying for compensation by extending the time limit for applying from 2 to 3 years—and up to 5 years if good cause is shown—and moved towards covering actual costs by adding wage loss for guardians of minor victims who accompany the victim to medical care or criminal justice proceedings to covered costs.

West Virginia – HB 4307 (2022)

West Virginia addressed covering actual costs for survivors by adding work loss to covered expenses and increased relocation, mental health counseling, and travel caps.

CONCLUSION

In just a three year period, a number of states have made important changes to improve access to help for survivors. Still, there remains much work to do. Too many victims remain unrecognized and unhelped by compensation programs due to discriminatory barriers written into law – barriers that disproportionately exclude survivors of color. Survivors across the nation who are eligible continue to face unnecessary hurdles to accessing compensation. Limits on support that programs provide and long delays in receiving compensation remain pervasive, and mean help is often insufficient or arrives too late. ASJ recommends states continue to pursue reforms toward the vision of equitable and meaningful access to help for all survivors.

Contact us at victimscomp@safeandjust.org to develop a model victims' compensation policy in your state.

ENDNOTES

- 1 Thompson, A. and Tapp, S.N. Criminal Victimization, 2021. Bureau of Justice Statistics, NCJ 305101 (September 2022), <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/cv20.pdf>.
- 2 See Anderson, L. (2022). *In Their Names: The Untold Story of Victims' Rights, Mass Incarceration, and the Future of Public Safety*. The New Press. <https://thenewpress.com/books/their-names>
- 3 Thompson, A. and Tapp, S.N. Criminal Victimization, 2021. Bureau of Justice Statistics, NCJ 305101 (September 2022), <https://bjs.ojp.gov/content/pub/pdf/cv21.pdf>.
- 4 See Alameda County Grand Jury (2021). Final report: Racial Inequities in Police Responses to Victims' Needs. <http://grandjury.acgov.org/grandjury-assets/docs/2020-2021/Racial%20Disparities.pdf>; Solomon, J. (2023, January 23). Racial disparities in denials of victims compensation benefits, researcher finds: Black men are significantly more likely to be denied a compensation claim for failure to cooperate with law enforcement. *Times Union*. <https://www.timesunion.com/state/article/Racial-disparities-in-denials-of-victims-17733341.php>
- 5 Ark. Code § 16-90-712(5) - lifetime ban on anyone ever convicted of a specified felony; Fla. Stat. § 960.065(2)(d) and (e) - lifetime ban of anyone ever convicted of a specified felony; Miss. Code Ann. § 99-41-17 - bar on any victim or claimant who was under supervision of a department of corrections for a felony in previous five years; N.C. Gen. Stat. § 15B-11(c1) - discretionary (non-mandatory) denial if the claimant was convicted of a felony in the 3 years preceding the qualifying crime; 120 R.I. Code R. § 120-RICR-000-00-2.9 - discretionary (non-mandatory) reduction or denial if the victim was convicted of a specified offense in previous 5-years.
- 6 Cal. Gov Code § 13956 - ineligible to receive compensation while on probation or parole for a specified felony (AB 160 passed in 2022, which will repeal this restriction in 2024 pending funding availability), and ineligible while required to register for a sex offense; GA - O.C.G.A. § 17-15-7(h) - ineligible while under supervision for a specified felony.
- 7 Ariz. Admin. Code § R10-4-106(3)(c)(iii) - ineligible if unpaid criminal court costs, fines, fees, or restitution; N.J. Stat. § 52:4B-18 - discretionary reduction if the victim has not paid in full certain specified fees or restitution; Oregon Revised Statute § 147.105 - ineligible if the victim has an unpaid financial obligation for any past criminal conviction, unless the department finds good cause for failure to pay or interest of justice otherwise requires; Revised Code of Washington § 7.68.060 - ineligible if the victim was convicted of a specified felony in the last five years, and the victim has not satisfied financial obligations. Note: All states are subject to a federal law, which for states to be eligible to receive federal matching fund requires denial if a victim is delinquent on fines resulting from federal convictions, but states are not currently able to comply with this law, and the law will remain inactive unless and until the federal government develops an adequate system for tracking this.
- 8 See Alameda County Grand Jury (2021). Final report: Racial Inequities in Police Responses to Victims' Needs. <http://grandjury.acgov.org/grandjury-assets/docs/2020-2021/Racial%20Disparities.pdf>; Adcock, C. (2019, July 9). Uncompensated Loss: Black families of murder victims more likely to be denied aid from state program. <https://www.readfrontier.org/stories/uncompensated-loss-black-homicide-victims-more-likely-to-be-denied-funds-from-a-state-program-to-help-victims-of-violent-crime-data-shows/>.
- 9 National Funeral Directors Association (2021). 2021 NFDA General Price List Study Shows Funeral Costs Not Rising as Fast as Rate of Inflation.
- 10 Additional states with funeral/burial caps set at or above \$10,000 include: Alaska, Arizona, New Hampshire (\$7000 for funeral and grave marker; \$3000 for burial), Rhode Island, Virginia, West Virginia, and Wyoming (\$15,000).
- 11 Utah (no limit), Vermont (no limit), California (7-years, no reporting time limit), Michigan (5-years effective August 2023, no reporting time limit effective August 2023), Pennsylvania (5-years, no reporting time limit), Illinois (5-years, 72 hour reporting time limit which can include seeking medical care), and Kentucky (5-years).

RELATED REPORTS AND RESOURCES

- » Crime Survivors Speak: National Survey of Victims' Views on Safety and Justice
- » National Crime Victims Agenda: A ten-point plan to address the needs of our nation's diverse victims of crime
- » Creating a Model Victims' Compensation Policy: Guidelines for Lawmakers to Advance New Safety Solutions
- » Scaling Safety: A Roadmap to Close America's Safety Gaps



Alliance for Safety and Justice (ASJ) is a national organization that aims to win new safety priorities in states across the country, replacing wasteful prison spending with new safety solutions focused on prevention, stopping the cycle of crime and fostering community well-being. ASJ partners with state leaders to advance reforms through coalition building, research, education and advocacy.



Crime Survivors for Safety and Justice, a flagship program of Alliance for Safety and Justice, is a national network of crime victims and survivors advocating for policies that best serve those affected by crime and stop cycles of victimization.