

# The Right to Heal And a New Approach to Public Safety



CRIME SURVIVORS FOR  
SAFETY AND JUSTICE

# Introduction

Over forty years ago, the crime victims' rights movement emerged to ensure victims had a voice in the criminal justice system. As a result, every state has enacted a victims' bill of rights law, with two-thirds incorporating these rights into their state constitutions.<sup>1</sup> However, the phrase "victims' rights" has become synonymous with rights in courts and during a prosecution, in opposition to the rights of defendants and centering systems many survivors do not turn to for help and that too often contribute to further violence and trauma.

Despite the tremendous efforts of the movement, 96% of violent crime victims never receive help from state victim services programs.<sup>2</sup> More than 9 in 10 victims - whom we also refer to as crime survivors - report not receiving any help from a victim services agency.<sup>3</sup> While state victim compensation programs exist nationwide, they often impose subjective, victim-blaming eligibility restrictions that disproportionately deny help to Black victims.<sup>4</sup> Too many victims face perilous choices between their safety and their job or housing stability.<sup>5</sup> Meanwhile, nearly every person with an arrest or conviction record has also been victimized, yet most never received the support needed to recover.<sup>6</sup> This framework has yet to deliver what we now know are needs and preferences of the overwhelming majority of victims – including a need for healing, and a preference for violence prevention and rehabilitation over harsh punishment.<sup>7</sup>

Victims overwhelmingly want healing and crime prevention, and to have what happened to them to never happen to them or anyone else again. More than half of violent victimizations are never reported to law enforcement, and yet, the services and rights designed to help victims remain tied to the criminal justice system, leaving the majority of victims from receiving support. These outdated structures undermine efforts to prevent, respond to, and recover from violence. All crime survivors deserve a safety and justice system that works – one that prioritizes recovery from harm, prevention, and stopping cycles of crime.

## A New Vision for Victims' Rights

It is time to redefine "victims' rights" as a real right to heal. With healing and safety as the goal, policies would focus on stopping violence before it starts, interrupting cycles of crime, and creating pathways for healing and wellbeing. No one would be denied assistance based on unfair eligibility rules. And the more than 90% of people with arrest records who were also victims<sup>8</sup> would have received support in the aftermath of their own victimizations, instead of facing a system that compounds trauma.

There is growing momentum in statehouses and Washington D.C. to establish new rights to healing and safety, including recent reforms to critical elements of the Victims of Crime Act and the Violence Against Women Act, and legislator-led state-level reforms to strengthen housing, workplace, and legal protections for victims.

## IF VICTIMS HAD A REAL RIGHT TO HEAL, AND WE PURSUED A NEW APPROACH TO PUBLIC SAFETY, THEY WOULD HAVE:

1. A right to have trusted and accessible help to recover from trauma.
2. A right to emergency financial help, without red tape or unfair restrictions.
3. A right to safe housing in the wake of violence.
4. A right to maintain job stability, including leave time and reasonable accommodations.
5. A right to debt forgiveness and financial recovery when victimization caused debt.
6. A right to support in schools and communities for children exposed to violence.
7. A right to dignity, respect, and support for the victims of unsolved crimes.
8. A right to protection from deportation arising from victimization to keep victims' families together.
9. A right to protection from arrest or conviction arising from victimization.
10. A right to post-injury help, regardless of who caused the harm, including law enforcement.
11. A right to ask for restorative justice or alternative accountability processes.
12. A right to communities where violence prevention and crisis assistance are considered essential safety services, not just more incarceration.

## The Time to Act is Now

Now is the time to make this vision a reality. Policymakers can take concrete steps to create this future. What follows is a twelve point plan to make a Right to Heal a reality for victims - one that reflects survivors' needs for healing, safety, and dignity, rather than more incarceration.

This platform represents the most extensive effort ever conducted to document the experiences and needs of underrepresented crime survivors. Since 2014, Crime Survivors for Safety and Justice has surveyed, interviewed, and convened over 15,000 crime survivors across the country and hundreds of local victim-serving organizations. In the summer of 2024, Crime Survivors for Safety and Justice also gathered input with hundreds of crime victims and service providers and 2,000 victim advocates across the country to strengthen and refine this final platform.

These crime survivor voices and experiences must be at the forefront of policymaking to address violent crime and support victims in the nation. The solutions victims are calling for are clear: **advance healing, expand protections, reduce bureaucratic barriers that undermine stability, and create real safety solutions** for the people and communities most harmed by crime and violence.

# Guaranteed Care: Strong Protections and Accessible Healing Services for All Survivors

## 1. End partiality in victims' compensation eligibility and ensure fair access to victims' services

### RIGHTS ADDRESSED

- A right to emergency financial help, without red tape or unfair restrictions.
- A right to debt forgiveness and financial recovery when victimization caused debt.
- A right to post-injury help, regardless of who caused the harm, including law enforcement.



**YOLANDA JENNINGS, Crime Survivors for Safety and Justice Philadelphia Chapter Coordinator** is a survivor of domestic violence and her autistic son was killed by the police during a mental health call. She has been struggling emotionally with the death of her son. However, she is not eligible for victims compensation because he was killed by law enforcement in Ohio.

Victim compensation programs promise survivors a lifeline in times of crisis, covering medical bills, burial costs, relocation, mental healthcare, lost wages, and support for dependents of homicide victims who are left behind. These financial resources help crime survivors reach stability, access safety and interrupt cycles of harm.<sup>9</sup> But in many states, victims face bureaucratic obstacles, bias, and unfair restrictions that prevent them from accessing help. Without support, survivors are forced to scramble to try to raise funds for critical expenses while still traumatized or grieving.

State agencies administering victim compensation programs are led and staffed by professionals who dedicate their lives to supporting crime victims, and who work hard every day to get real help to victims and to strengthen access to their programs. These offices are often doing this life changing work in the face of uncertain or unstable state and federal funding, and within the confines of outdated laws governing operations.

But laws that govern program administration too often undermine efforts to meet the needs of victims in communities experiencing concentrated violence. **The key barriers that crime survivors face include:**

- **Complicated and bureaucratic application processes.** The daunting application processes deter many victims from seeking help and make it impossible for many recovering survivors to get urgent help. It can take months or even years in some cases for an application to be approved.

- **Complicated and bureaucratic application processes (continued).** Caps on compensation coverage amounts, and time limits for crime survivors to apply ignore the immediate and lifelong recovery needs of victims and their loved ones.
- **Exclusions** written into state statute that effectively blame victims for their own victimization are cited to deny help to survivors.<sup>10</sup>
- **Unrealistic reporting requirements.** The more than half of violent crime survivors who do not immediately report to law enforcement<sup>11</sup> are ineligible for compensation in many states.
- **Exclusion of victims based on who caused the injury.** Victims injured by law enforcement and family members of those killed by law enforcement are virtually ineligible for compensation.<sup>12</sup>

Increasingly, victims across the country are partnering with legislative champions and victim compensation program administrators to make victim compensation programs more accessible, fair, and impactful.<sup>13</sup>

**Policymakers have an unparalleled opportunity to make changes to policies that remove barriers and expand access to victim compensation, including:**

- **Provide help to crime survivors with less red tape.** When victims are in crisis, excessive red tape can prevent them from accessing the urgent support they need. Survivors must navigate overwhelming paperwork, restrictions that limit the kinds of resources they are eligible to receive, unrealistic time limits to document victimization, and bureaucratic delays that limit their access to essential resources. For victims struggling to recover from immense trauma, the application process can be crushing, leading many to become so discouraged they opt out altogether. This red tape fails to account for how trauma affects survivors' ability to seek help, while long processing times leave victims waiting months or even years for help. To address these barriers, state and federal policymakers should work to:
  - **Simplify applications and speed up processing times.** State lawmakers should ensure compensation offices have the resources and staffing they need to increase their processing time, simplify the application and approval processes, and provide compensation faster, including emergency help for survivors.
  - **End unrealistic time limits** for survivors to apply for compensation or to document the victimization. Victims should not be denied help simply because they did not immediately report or apply within unrealistic deadlines.
  - **Provide help for more urgent costs at the level of actual need.** Increasingly, states are recognizing the need to cover critical expenses like childcare, accessibility modifications and equipment, bereavement lost wages, legal help, transportation, and relocation support. States should also consider providing compensation for survivor-identified healing activities, such as arts or enrichment activities for young people who have lost a parent to violence. Policymakers must also revisit outdated caps on expense awards, which fail to reflect current costs and leave victims without the help they need.
  - **Increase outreach and accessibility. Support compensation offices to amplify information about the program.** Too many victims say they were unaware of available compensation. Lawmakers should support and fund outreach efforts in multiple languages, which should be planned in partnership with survivor leaders from communities most harmed by violence.

- **Eliminate harmful and unfair eligibility restrictions.** Many states impose restrictive eligibility rules that unfairly deny victim compensation.<sup>14</sup> These rules include limitations on allowable forms of documentation victims can use to verify eligibility, denials based on assessments of victim cooperativeness with officials, denials based on past arrest or conviction record (even though national data show that 91% of individuals with an arrest or conviction record have been victims of crime, compared to 44% of those without a record<sup>15</sup>), and victim-blaming policies that deny help based on subjective allegations about the victim’s behavior – applicable in most states even in cases where the victim is not alive to defend themselves. Recognizing these issues, many states have recently passed legislation to allow survivors to use alternative forms of documentation to access compensation, and to exempt victims from assessments of cooperativeness.<sup>16</sup> Some states have also adopted policies to limit denials based on victim behavior<sup>17</sup> and to remove restrictions based on a sentence or old record.<sup>18</sup>
- **Ensure eligibility helps families impacted by violence.** Many states provide compensation to some family members, but too often eligibility is narrowly defined to include only a parent, spouse, or child, and expense coverage also does not reflect the actual needs of loved ones. Eligibility should reflect those who may be directly impacted by a crime, including other close family and caregivers. Coverage should also ensure that loved ones of homicide victims who become caregivers to children in the wake of tragedy have support for related expenses.
- **Ensure all victims can access compensation.** Victims of police excessive use of force are virtually ineligible to receive compensation due to a number of barriers built into state laws and the way these cases are handled.<sup>19</sup> A police report documenting the victimization often labels the victim as the perpetrator regardless of whether the victim was doing anything wrong at the time of the interaction. Survivors may not want or be able to speak with law enforcement, resulting in exclusion for noncooperation. Compensation policies must explicitly include people who have been seriously injured by police as well as family members of those killed, and remove eligibility restrictions that exclude these victims.

## 2. Provide sustainable funding for victims’ services at their level of need and end reliance on unstable fines and fees

As noted throughout this report, survivor-serving programs like victim compensation and VOCA assistance have historically received funding from unstable revenue streams. Without federal and state action, victim services providers across the country are currently facing devastating cuts that will mean less support for crime survivors. And, many state compensation programs are rightfully concerned about funding instability, which can discourage policymakers from adopting desperately needed changes to improve support for victims. While compensation is funded by a mix of state money and federal matching dollars, most funding comes from the state.<sup>20</sup> And, while a handful of states fund their programs with general fund dollars or other sources, overwhelmingly states use fines and fees levied on low-income people in the criminal justice system for funding, which is inherently unstable. Policymakers must commit to fully funding victim compensation at the level of real need, through general appropriations or alternative revenue streams that do not rely on unstable fines or fees. Onerous fines and fees also trap people in cycles of insurmountable debt, interfering with public safety goals.<sup>21</sup>

### 3. Enact new legal protections to ensure victims can maintain safe and stable jobs, housing and education

#### RIGHTS ADDRESSED

- A right to safe housing in the wake of violence.
- A right to maintain job stability, including leave time and reasonable accommodations.
- A right to support in schools and communities for children exposed to violence.

In times of crisis, crime survivors and their loved ones need to be able to count on safety and stability in their homes, workplaces, and schools. Housing and economic stability are keys to individual and community safety.<sup>22</sup> But too many victims across the country lack basic protections in the wake of violent victimization to ensure that they can remain safely housed, take time off work, and access accommodations related to violence in their workplaces and schools.

#### NATIONALLY:

- More than half of violent crime victims report that they wanted to relocate following a violent crime, yet nearly half (44%) of those were unable to.<sup>23</sup>
- More than one in four violent crime survivors feared being forced out of their housing or were evicted as a result of their victimization.<sup>24</sup>
- One in six victims of violent crime report losing their jobs or being demoted because they needed to take time off following the victimization.<sup>25</sup>
- More than half of violent crime survivors (52%) report difficulties with work or school.<sup>26</sup>
- Young adult survivors of violence were three times as likely to have been evicted in the last year compared to those who had not been victimized in that time period.<sup>27</sup>



**KRISTY STANFORD, Crime Survivors for Safety and Justice member in Arizona** was told she would have to give 60 days notice to break her lease after her husband was shot over 10 times in their apartment parking lot. When she and her daughter moved anyway for their safety, her old property manager filed a judgement against her for breaking the lease. Several years later, record of this judgement continues to make it difficult to find other housing.



**NAKESA SINEATH, Crime Survivors for Safety and Justice member from Florida** had to go back to work just a few days after her two year old son was killed by his father. At work, a child that age got separated from his parents and ran into the back of her legs saying, “Mommy, Mommy!” Nakesa found the child’s parents, but then had a breakdown and had to leave her job entirely.

A growing number of states have adopted trailblazing policies that allow survivors of gender-based violence like domestic violence and sexual assault to end a lease early if they need to move, protect themselves from eviction, and take time off work to recover or get to safety.<sup>28</sup> Increasingly, legislators are considering policies that extend these protections to all victims of violence and their families. Data from the National Crime Victimization Survey indicates that survivors across all forms of victimization face job and housing instability and would benefit from comprehensive protections.<sup>29</sup> Lawmakers must adopt and expand legal workplace and housing protections, and fund comprehensive civil legal services to make protections real, including:

- **Adopt workplace policies that allow all victims and their loved ones to take paid time off work in the wake of violence if needed, and to have reasonable flexibility in the workplace.** Nationally, hundreds of thousands of victims of violence and their loved ones lose pay every year as a result of their victimization.<sup>30</sup> Localities, states, and the federal government must adopt inclusive safe leave policies that protect survivors and the loved ones of victims who need to take time off to recover, get to safety, or grieve following a violent victimization.<sup>31</sup> These policies benefit businesses and ensure a strong workforce – when employees can recover and get to safety after experiencing a victimization, they are more likely to return to work as productive members of the team.
- **Ensure crime survivors and their loved ones can end a lease early without penalty, or change their locks if they stay.** No victim should have to choose between their safety and their housing stability. After violent victimization, survivors and their family members may need flexibility related to their housing situation to increase their physical safety and promote recovery. For example, they may need to end a lease early to relocate or change their locks to stay safe. Staying in the home may compound a survivor’s trauma, expose the victim and their family to further violence, or run counter to accessibility needs created by violent victimization. State and local lawmakers should adopt or expand existing lease termination and lock change protections to ensure victims of any kind of violence and their loved ones can relocate if they need to, or change their locks to stay safe. These policies create clarity for property owners and victims, who have a shared interest in safety on the property.

- Protect victims from eviction and unfair judgment in housing searches, and create pathways to seal old eviction records.** Survivors and their families are more vulnerable to being evicted, which can perpetuate cycles of crime and economic insecurity. More than 4 in 10 young adults (ages 18-32) who were evicted in the previous year (43%) also experienced a violent victimization during that period.<sup>32</sup> Eviction not only disrupts lives but also increases vulnerability to new or repeat crime for tenants who have been displaced and for communities with high eviction rates.<sup>33</sup> While 38 states and localities have some eviction protection laws in place for survivors,<sup>34</sup> these policies primarily cover those experiencing gender-based violence like domestic violence and sexual assault, and do not reflect the range of reasons survivors are vulnerable to eviction. Policymakers should adopt or strengthen policies to prevent all violent crime victims and their loved ones from being losing their homes, account for tenants who have fallen behind on rent due to victimization, ensure legal representation for tenants confronting eviction proceedings, prevent prospective tenants from being denied housing because of their past victimization, and seal eviction records at the point of filing. These are the powerfully effective anti-crime strategies that communities need.
- Expand housing and employment protections to account for the constellation of loved ones impacted by victimization, and recognize the complex needs of crime survivors.** Housing and workplace protections are strongest when they recognize the range of physical, emotional, safety, and financial needs victims and families experience in the wake of violent crime. For example, family members of homicide victims often unexpectedly become caregivers to children tragically left behind.<sup>35</sup> A grandparent or godparent suddenly caring for young children may need to relocate to a larger unit, take time off from work to attend to unexpected childcare needs, or accompany children who are traumatized and grieving to mental healthcare appointments – all while grieving themselves. Laws which only allow time off work or lease termination for direct victims or their household members, or for reasons limited to a direct threat of violence, ignore the painful realities of victimization, and the complex needs of crime survivors.
- End rental ordinances which force landlords to evict victims and people with records.** Often landlords are forced to evict or penalize tenants who make repeated calls for emergency services, who are victimized, or who live with people with arrest or conviction records because of “crime free” and nuisance property ordinances, which are widespread. Government actors at all levels are increasingly taking action to eradicate these harmful ordinances, which infringe on property owner rights and disproportionately fuel housing instability for victims, people with old records, and people of color – and which the Department of Justice affirms may violate several federal laws.<sup>36</sup> There is no evidence that these policies prevent crime, and instead eviction causes instability which makes our communities more vulnerable to crime.<sup>37</sup> Localities must repeal these ordinances where they exist, and states and the federal government must take action to prohibit these ordinances.
- Ensure children who have been exposed to violence or lost a loved one to homicide have support in schools to address trauma.** Children and teens who have been exposed to violence or who have lost loved ones to violent crime also face increased risk of school absenteeism,<sup>38</sup> and the attendant long term consequences of missing class and of schools labeling them truant. Schools across the country have made strides in recognizing and attending to the symptoms of trauma, but students and educators need more support. Lawmakers should consider adopting strong policies that direct more resources toward school-based support for traumatized young people, including those who need to take days off school in the wake of violent crime without labeling them truant, ensuring they are connected to supportive services and provided reasonable accommodations when they return, and resources for adults including caregivers who are providing support.

## 4. Prevent victimization debt, cover actual costs and cut red tape to reach more victims faster

### RIGHTS ADDRESSED

- A right to emergency financial help, without red tape or unfair restrictions.
- A right to debt forgiveness and financial recovery when victimization caused debt.
- A right to post-injury help, regardless of who caused the harm, including law enforcement.

Victims and families affected by violent crime face urgent financial burdens, including moving costs, meals, funeral expenses, medical expenses, and other basic needs. When the person killed or injured is a parent, family members may unexpectedly become caregivers for children who are traumatized or grieving – suddenly contending with childcare and all its associated costs. Crime survivors need help to cover these expenses in the immediate aftermath of victimization, and can't wait for a victim compensation application to be approved. Federal data show that many Americans cannot afford a \$400 emergency,<sup>39</sup> leaving survivors vulnerable to post-victimization debt that impacts their long-term financial stability and recovery. These issues can affect a person's ability to access housing or even find a job moving forward.<sup>40</sup>

Victims need relief from victimization debt and legal options to be able to repair damaged credit. To address these financial issues, policymakers should:

- **Establish flexible assistance grant programs.** The community organizations closest to victims are best positioned to provide flexible and fast financial assistance – and need the funds to do so. States have piloted these approaches successfully through Domestic Violence Housing First programs,<sup>41</sup> though these do not serve survivors across victimization experiences. Some state and local governments have recently considered or established flexible assistance grant programs for marginalized crime victims.<sup>42</sup> Governments can also increase flexibility in existing grant programs so that organizations can use more funding towards cash assistance and/or income support programs for survivors, and establish income help programs that provide a safety net to victims and their loved ones struggling to make ends meet.



**BERTHA PURNELL, Crime Survivors for Safety and Justice Chicago Chapter Coordinator** lost her son Maurice to gun violence. As a response to a need in the community, she started MothersonAMission28—a grassroots organization designed to bridge the gap where existing services fall short by providing support including emergency financial support. Without these funds, trauma often goes unaddressed, which can lead to job loss, homelessness, mental health or addiction issues. Emergency financial help allows those she served to start a healthy healing process.

*In loving memory of Crime Survivors Speak member,  
Bertha Purnell*

- Provide real help to caregivers of children who lost parents to homicide.** When a loved one is killed suddenly, families must often confront grief while dealing with cascading financial and logistical challenges. Grandparents, godparents, or other family members may become full-time guardians of young children who have tragically lost a parent. These new caregivers struggle to come up with funds to bury their loved one, while figuring out childcare, losing wages from time off work, relocating to a home that can accommodate children, dealing with other costs like transportation to school, and trying to afford activities and counseling that can help children cope. Many of these experiences are not covered by victim compensation programs or recognized as survivor needs. Caregivers need flexible cash assistance and basic income support to stabilize and move forward.
- Adopt post-victimization debt help and credit repair pathways.** Victims of violence are less likely than the general population to be insured, and thus more likely to face the consequences of lasting medical and other debt. One study found that more than half (52%) of survivors who called the National Domestic Violence Hotline had debt in their name because of coercive or fraudulent transactions made by their abuser.<sup>43</sup> And data show that nearly 2 in 3 people (64%) who receive trauma care for gun injuries in the United States are uninsured or publicly insured.<sup>44</sup> Debt can make it hard for survivors to leave an unsafe situation, find a new place to live, or get a job – all essential for securing lasting safety and stability. Some policymakers have taken positive steps to address the impacts of coerced debt on survivors of human trafficking and domestic violence,<sup>45</sup> and to relieve consequences of medical debt.<sup>46</sup> But survivors need more and stronger pathways for debt and credit repair help that account for different types of debt and experiences. Survivors would also benefit from broader systems that prevent debt from accumulating in the first place like broad healthcare coverage and flexible financial assistance.



**DARLA AND ELLIOT SAUNDERS, Crime Survivors for Safety and Justice Tampa Chapter Coordinators,** were denied victims compensation after their son’s murder because the investigator said their son had “contributed to his own death.” The investigator never gave any evidence for that charge and the case was never solved. When that investigator moved on, another investigator was assigned to the case. He told the Saunders that there was no evidence that their son had been involved in any wrongdoing. However, by that time, the deadline for victims’ compensation had passed, so they lost access to support for mental health, trauma or grief counseling.

- **Replace excessive and rarely-paid monetary restitution orders with real financial help.** Crime victims rarely receive restitution.<sup>47</sup> Even among the small fraction who do, it is often unhelpful and set up in ways that can cause more harm without meeting needs. More than half of violent victimizations are not reported,<sup>48</sup> and even if reported, they rarely result in an arrest or prosecution, let alone a restitution order. In rare cases where a crime committed against a victim is prosecuted and restitution is ordered, it usually goes unpaid by low-income defendants, or is paid in very small increments years later – which is unhelpful in meeting the urgent financial needs crime survivors face in the wake of violence, and can be retraumatizing. One survey found that payments were often “slow and unpredictable” and that receiving small checks years after the crime occurred can be an unwelcome and unhelpful reminder of the victimization.<sup>49</sup> Meanwhile, many of those who owe restitution debt are also crime victims themselves who never received help. One survey found that 78% of people who owe restitution were also crime survivors<sup>50</sup> – and another found hardly any crime victims who also have convictions were ever paid restitution for a crime committed against them.<sup>51</sup> Restitution orders are typically levied against low-income people of color, from the same communities that are most affected by violent victimization. Restitution debt impacts not just people who have orders against them, but entire families including children, making communities less safe. Survivors need real and fast help in the aftermath of victimization, and current restitution practices often cause more harm without helping survivors.

## 5. Stop the victimization-to-incarceration pipeline and protect victims whose trauma response led to arrests and convictions

### RIGHTS ADDRESSED

- A right to have trusted and accessible help to recover from trauma.
- A right to protection from arrest or conviction arising from victimization.

Experiencing violence and trauma can sometimes lead survivors to subsequent criminalization. Victims who act in self-defense from ongoing violence, are coerced into illegal activity by abusers, or use substances as a part of an abusive dynamic may end up arrested, convicted, and incarcerated as a result of their victimization.<sup>52</sup> Instead of being punished for responses tied to their victimization, victims need pathways to health, safety and stability. Policymakers should adopt and strengthen protections that ensure victims have the opportunity to share evidence about what happened to them when facing charges in the criminal justice system as a result of attempts to escape violence or cope with its impact.

- **Expand diversion and affirmative defense opportunities for victims.** Survivors who are arrested or charged in direct relation to their victimization experience need opportunities to recover, rather than prosecution or punishment. The ability to access diversion pathways before being charged in federal or state criminal justice systems, and assert affirmative defense during court proceedings, gives survivors opportunities to present evidence for law enforcement or courts to consider regarding the connection between their actions and their violent victimization experience.

- **Create specific sentencing mitigation options and resentencing pathways for survivors.** A growing number of states are passing sentencing mitigation laws for survivors who are or have been convicted for offenses tied to their victimization experience. Some laws create mechanisms for judges to reduce the severity of the punishment at sentencing,<sup>53</sup> while others allow survivors who have already been sentenced to petition for resentencing or release consideration.<sup>54</sup> Policymakers at the state and federal levels must act to ensure that victims convicted of offenses stemming from violent victimization experiences have the opportunity to be considered for appropriate sentencing adjustments and relief.
- **Recognize and address the compounding trauma of incarceration.** Most people who are incarcerated are also survivors of violence, and they face heightened risks of further victimization due to being imprisoned.<sup>55</sup> Research shows that more than one in three people (35%) incarcerated for one week or longer were victimized during their incarceration.<sup>56</sup> The harsh conditions of incarceration - including extreme isolation and inadequate healthcare - further undermine victims' well-being.<sup>57</sup> Reducing incarceration is essential to preventing victimization and increasing safety and wellbeing for all.
- **Adopt and strengthen record relief pathways for survivors.** Research shows that many victims have a criminal record as a result of their victimization.<sup>58</sup> Having a record creates lasting barriers to safe and stable housing, securing employment, caring for children and other loved ones, furthering their education, and obtaining care and resources that help them to recover and attain stability in the wake of their victimization. While many states recognize that victims need some access to criminal record relief for offenses related to their victimization,<sup>59</sup> protections are often too limited in scope. Lawmakers must expand eligibility and adopt broad pathways to record relief for survivors. Record clearance is also most effective when the record is fully nullified or vacated – recognizing that victims should not be held criminally responsible due to the actions of the person who harmed them.<sup>60</sup>

## 6. Protect immigrant victims for matters related to their victimization

### RIGHTS ADDRESSED

- A right to protection from deportation arising from victimization to keep victims' families together.

In a 2018 survey, more than half of law enforcement officers reported that fear of deportation was a primary reason immigrant survivors of crime were hesitant to cooperate.<sup>61</sup> Immigrant victims of crime face unique barriers to safety and support. Immigrant crime survivors may be especially vulnerable to violence and economic exploitation, where threats of deportation are leveraged to maintain control or to prevent them from seeking help.<sup>62</sup> Language and other barriers also contribute to immigrant survivors being among the most underserved by victim services programs.<sup>63</sup>

While U Visas, T Visas, and immigration relief through the Violence Against Women Act provide help, the application processes are complex and lengthy, leaving victims in limbo or without protection.<sup>64</sup> Eligibility decisions depend on inconsistent local law enforcement agency policies, leading to inequitable access to relief.<sup>65</sup> Victims seeking asylum as a direct result of victimization also face high denial rates and legal hurdles.

- **Ensure victims have consistent and fair access to documentation necessary for immigration relief.** To receive a U Visa, law enforcement must certify that an eligible survivor of violence is or will likely be helpful in the case. In many but not all cases, trafficking survivors may need a similar certification to access a T Visa. Certifying agencies have no standardized process in many states regarding whether and when to certify, creating a system whereby access to relief often depends on where a survivor lives and the practices of the particular agency handling their case.<sup>66</sup> Several states have adopted legislation to standardize practices and ensure law enforcement provides certifications to survivors in a timely manner.<sup>67</sup> State legislatures can adopt or strengthen policies that standardize presumptive certification eligibility for survivors, and that create clarity and consistency in the process. The federal government can also remove bureaucratic barriers and allow more forms of documentation to establish eligibility.<sup>68</sup>
- **Remove caps on U-Visa relief and reduce wait times.** The cap on the number of U-Visas that the federal government can issue in a year contributes to sometimes decades-long waits for relief, and years-long waits to be able to work.<sup>69</sup> This can be life-threatening for victims, undermining the goals of the U-Visa program and leaving victims vulnerable to further violent crime. Federal policymakers should eliminate these caps and reduce wait times for work authorization and for visa issuance.
- **Increase supportive services for immigrant victims.** Policymakers and government agencies must ensure that victim services information is available in multiple languages and that organizations rooted in immigrant communities receive adequate funding to provide culturally competent staff who speak languages other than English.

## 7. Ensure dignity, respect, and support for the victims of unsolved crimes – especially loved ones of homicide victims

### RIGHTS ADDRESSED

- A right to have trusted and accessible help to recover from trauma.
- A right to dignity, respect, and support for the victims of unsolved crimes.
- A right to post-injury help, regardless of who caused the harm, including law enforcement.

Too often, the families of homicide victims - particularly Black and Latino families - are met with indifference, disrespect, or suspicion from law enforcement as they seek answers about their loved ones' deaths. This treatment compounds trauma, delays grieving,<sup>70</sup> and can interfere in survivor access to critical resources like victim compensation.

The majority of crimes – including violent crimes – remain unsolved,<sup>71</sup> and even in homicide cases, about half of all cases go unsolved.<sup>72</sup> Families are often left without information, unsure of who to contact or whether personal belongings of their loved ones are still in police custody.<sup>73</sup> Too often, the only survivors who obtain information or help from the justice system are those for whom an arrest or prosecution is underway or has occurred in their case. The absence of communication and resources exacerbates the lasting emotional and financial burdens faced by surviving family members.<sup>74</sup> Policymakers should ensure the dignity and support of all survivors of crime.

- **Ensure family members of homicide victims have access to clear and consistent information about the investigation and whom to contact in their case.** Too often, family members are given inconsistent or insufficient information about their loved one's death and the investigation associated with it. Many families are left navigating a confusing system when trying to get basic information – including the investigator's contact information, and information about their child's belongings or what is known about their death. Law enforcement agencies should provide families with clarity about who is responsible for communicating with the family and provide clear, consistent information about their loved one's case.
- **Connect families in unsolved homicide cases and victims of other unsolved crimes with ongoing information and recovery support.** The impact of violence can be all-consuming, affecting every aspect of the lives of survivors and loved ones of victims.<sup>75</sup> When cases go unsolved, survivors and loved ones often report not receiving information or help from the justice system. Though states have laws requiring that crime survivors receive information about support available to them, this information is often shared in the form of a piece of paper at a crime scene, when a victim is unable to process it. Crime survivors need regular communication and help accessing support and services in the aftermath of crime, regardless of whether law enforcement has made an arrest or is prosecuting the case.

# Effective Accountability: Alternatives to Traditional Legal Processes and Incarceration

## 8. Provide effective accountability options beyond traditional prosecution and incarceration, such as restorative justice or other alternatives to incarceration

### RIGHTS ADDRESSED

- A right to ask for restorative justice or alternative accountability processes.
- A right to communities where violence prevention and crisis assistance are considered essential safety services, not just more incarceration.

The common belief that crime victims always seek the harshest punishments is misleading. In reality, survivors consistently report a more nuanced and diverse perspective. The most common aim is to prevent what happened to them from happening again, yet traditional sentencing - focused primarily on punishments such as incarceration - fails to achieve that goal. Survivors more often support a range of options beyond incarceration to ensure accountability, repair and an end to the cycle of harm.

A 2022 national survey found that fewer than 1 in 10 victims viewed the criminal justice system as very helpful.<sup>76</sup> Studies show that victims who are offered alternative pathways to accountability and healing, such as restorative justice, over traditional prosecution are overwhelmingly more satisfied and benefit from the process. People who have committed harm who participate in restorative justice programs also are less likely to cause harm again.<sup>77</sup>

Community-based accountability options, such as restorative justice, are becoming increasingly available, yet remain underutilized. Rooted in indigenous practices, restorative justice processes focus on accountability, repair, and the victims' needs over ineffective punishment. These processes, typically led by community-based organizations, support survivors and offer them the opportunity to share about the impact of harm, engage in a dialogue with the person who caused harm, and make requests for repair.

But victims are rarely given the choice to pursue restorative justice or even to express support for other alternative accountability measures if they wish to. Survivors deserve the option to engage in alternative approaches to accountability instead of traditional prosecution. These processes also require confidentiality protections to protect their integrity.

Crime survivors support prioritizing rehabilitation over punishment as a strategy to break cycles of harm and prevent future violence.<sup>78</sup> Reducing reliance on incarceration can lessen the related negative outcomes including increased recidivism, lower workforce engagement and economic mobility, higher levels of retraumatization, worse health outcomes, and a wide variety of other family- and community- level burdens.<sup>79</sup> If we aim to reduce repeat violence, our justice system must minimize, instead of exacerbate, trauma. This requires policies that scale back excessive incarceration and expand reentry programs for people coming home from incarceration. For people serving incarceration or supervision sentences in the criminal justice system, providing rehabilitative opportunities paired with release mechanisms and offering robust reentry supports helps people succeed after incarceration and improves safety outcomes.<sup>80</sup>

- **Provide victims information about and opportunities to request alternative accountability options like restorative justice.** Survivors should be given information about alternative options at every stage of the justice system, and supported if they wish to pursue alternatives to prosecution like restorative justice.
- **Protect confidentiality when survivors choose to engage in a restorative justice process or alternative accountability process.** Policymakers should ensure that when victims choose to engage in an accountability or healing process in the community, those processes remain confidential, and participants know that they can speak freely without their words becoming admissible as evidence in court. Ensuring participants can speak honestly is critical to the effectiveness of these processes.<sup>81</sup>
- **Fund community organizations leading restorative justice.** Organizations rooted in communities most harmed by violence and incarceration have been leading efforts to grow alternatives to the traditional prosecution system. These organizations have deep expertise and community trust, but need more support to bring their work to scale.
- **Encourage and enact policy change to reduce reliance on incarceration and shift investments toward community-driven safety solutions that strengthen communities.** Research shows that responding to violence with incarceration and other types of punishments typically does not lead to more safety,<sup>82</sup> but rather destabilizes communities and prevents tax dollars from being invested in effective solutions. Lawmakers can expand diversion, adjust sentencing laws, improve release mechanisms, and reallocate savings to prevent violence and better serve survivors.
- **Ensure sufficient access to rehabilitative programs in prisons and jails and for people on supervision, and pair programming with incentives for early release or termination.** Offering a wide range of programs and other opportunities to engage in rehabilitative activities for people in prison and on community supervision can increase public safety by helping individuals gain the skills and tools to be successful when they finish their sentences.<sup>83</sup> Policy approaches such as earned credits – which allow people engaging in rehabilitative programming and activities to accelerate prison release or supervision termination, or earn earlier consideration for release or termination– can promote more efficient use of public safety resources, and strengthen incentives to complete recidivism-reduction programming.

## 9. Provide more pathways for people with old records to get them cleared.

### RIGHTS ADDRESSED

- A right to communities where violence prevention and crisis assistance are considered essential safety services, not just more incarceration.

Old criminal records can create significant barriers to employment, stable housing, access to health care, and people's ability to care for their families, all of which reduce the chances that they will return to the criminal justice system in the future. Crime victims overwhelmingly believe that excluding people with old criminal records from the job market, housing opportunities, or from participating fully in their communities jeopardizes safety.<sup>84</sup> Research supports this perspective, showing that strengthening pathways for people to clear old records will improve their ability to engage in the workforce and successfully support themselves and their families. Sealing records produces positive results for individuals and society. The most extensive study of the outcomes of record sealing, published in 2020 in the Harvard Law Review, found a 23% improvement in substantive employment two years after record sealing and a 23% increase in wages.<sup>85</sup> Creating meaningful and efficient record change opportunities improves safety, keeps workers in the workforce, and provides stability for families and communities.

- **Support and pursue efforts to automate record change.** Automated record change maximizes the intended benefits of record change policies. Automation also ensures that eligible people are granted relief, and allows government agencies to create more efficient ways to update records. Federal resources can support states seeking to build and launch automated systems, and states can pursue policy changes to authorize them.
- **Ensure broad access to record change.** Because record change promotes public safety and strengthens communities, access should be as broad as possible. People who have completed their sentences need access to meaningful pathways to change records so that they can get to work, care for their families, and move on with their lives.

# Universal Crime Prevention: Scale Up Proven Community Solutions that Stop Cycles of Harm

10. Promote community-level violence prevention, treatment, rehabilitation, and reentry initiatives over more incarceration.

**RIGHTS ADDRESSED**

- A right to communities where violence prevention and crisis assistance are considered essential safety services, not just more incarceration.

Crime survivors overwhelmingly support investing in violence prevention and essential services so violence does not happen in the first place. A 2022 survey found that victims prefer investing in crime prevention, crisis assistance, and community-based solutions over increasing arrests, punishment, and incarceration - by a two to one margin. Survivors name mental health care, substance use treatment, and violence prevention as their top public safety investment priorities.<sup>86</sup>

Research supports this approach. Expanding community-based strategies to prevent and reduce violence is a more effective and sustainable way to reduce violent crime.<sup>87</sup> A stronger infrastructure of community organizations is directly related to lower crime rates, particularly for violent crime.<sup>88</sup>

- **Fund and build community-based violent crime prevention and care.** Ensuring opportunities for local innovation related to prevention and diversion, and providing sufficient resources to meet local public safety programming and service needs, can advance this goal. Policymakers can support



**QIANA WIMPLY, Crime Survivors for Safety and Justice Detroit Chapter Co-Coordinator,** was shot while she was home from college during her Christmas break. She was an innocent bystander, who was left physically and emotionally harmed. However, she was not told about victims' compensation until after it was too late for her to apply. Mental health services or financial support would have helped make her healing process much smoother. She now runs a mental health private practice, The Guidance Couch, to help others get the mental health support they need.

communities in building a robust local infrastructure for violence prevention, healthcare provision, and community wellbeing outside the criminal justice system, which is an essential component of violence prevention.

- **Strengthen rehabilitative reentry supports for people who are returning home from incarceration.**

This can include policies to avoid interruption in health care provision for people who are exiting correctional facilities, to release people with necessary forms of identification and documentation, and to facilitate coordination and support among community-based reentry service providers. Ensuring that local reentry providers have resources and capacity to meet the needs of people coming home to their communities is also critical to preventing recidivism.

## 11. Invest in and grow accessible survivor-led, survivor-serving organizations

### **RIGHTS ADDRESSED**

- A right to have trusted and accessible help to recover from trauma.
- A right to support in schools and communities for children exposed to violence.
- A right to post-injury help, regardless of who caused the harm, including law enforcement.

Crime Survivors for Safety and Justice works alongside hundreds of frontline organizations across the country led by crime survivors, most of whom began responding to violence out of necessity, finding no support when they themselves experienced crime. These organizations and others like them are deeply knowledgeable about their communities, and have the expertise and credibility to address the needs of victims who have been left out of traditional clinical or criminal justice-system based services or who may be wary of engaging with traditional service providers.

However, many of these organizations struggle to stay open and meet the need for services due to bureaucratic barriers and lack of access to sustainable funding. Many have never received Victims of Crime Act (VOCA) or other government public safety grant dollars, even though they are the trusted first responders in their communities when violence happens, because they often lack the resources for grant writing or cannot meet the excessive reporting requirements.

When these organizations do not get the resources they need, victims often have nowhere to turn for help. Unresolved trauma can lead to someone becoming a victim again and fuel cycles of harm, with costly long-term consequences for individuals, families, and the community.<sup>89</sup> Nearly two-thirds of violent crime victims report experiencing repeat victimization.<sup>90</sup> Making sure crime survivors have what they need to stabilize and heal following crime is essential to reducing violence and improving safety.

It is possible to make grant funding more accessible and available to smaller frontline providers that have not previously received funding. Agencies and legislators that lead distribution of public funding for victim services can take the following steps to improve funding access and strengthen services in communities most harmed by violence:

- **Cut the red tape that makes grant funding inaccessible to frontline community organizations.** Overly stringent requirements box out trusted providers, who need to be able to work nimbly to meet emerging needs on the ground, and creatively to provide services tailored to victims in their communities.<sup>91</sup> These groups often do not have the resources to hire grant writers, or time to comply with unnecessarily specific and burdensome reporting requirements while working to respond to community members in crisis. To ensure resources get to these organizations, local, state, and federal agencies should:
  - **Provide technical assistance to organizations** that have not applied for or received state funding in the past.
  - **Design RFPs with local providers in mind, and developed in conversation with providers based in communities** that experience concentrated crime and violence.
  - **Allow for flexible funding and accessibility in grant programs**, including significant funding for general operating costs, with trust in those whom survivors call on first for help, so organizations can respond nimbly to emerging needs.
- **Fill funding gaps, and create additional funding streams for smaller frontline victim services providers rooted in communities most harmed by violence.**
  - **Increase state and federal government funding for victim services to backfill federal gaps.** Revenue into the federal Crime Victims Fund – and in turn Victims of Crime Act (VOCA) funding allocations for state victim services – has declined significantly in recent years. VOCA has historically been the largest source of federal funding for victim services in states.<sup>92</sup> Efforts in 2021 to stabilize funding through the VOCA Fix Act helped avert an even greater disaster, but in 2024 states saw funding cut by 42% – a cut of over half a billion dollars.<sup>93</sup> In the meantime, many states have stepped in to bridge funding gaps with state general fund dollars and federal American Rescue Plan Act dollars. Federal lawmakers must enact a sustainable fix to ensure stability for providers already receiving funds.<sup>94</sup> States must also act to permanently stabilize existing funding streams, and to invest more funding, especially for frontline organizations that have not received funding in the past.
  - **Allocate dollars toward new grant programs dedicated to victim services providers rooted in communities most harmed by violence** that have smaller operating budgets or that have not received state funding in the past.
  - **Implement competitive tiered models for distributing victim services grant funding so that small budget organizations compete in a separate category from larger organizations.** Include robust technical assistance that supports smaller organizations to scale up and eventually apply for larger grants.

- **Allocate public safety and victim services dollars to ensure sufficient funding for survivor supportive services rooted in community organizations** that are closest to survivors. Governments can direct public safety funding to victim-serving community organizations rooted in communities that experience concentrated violence, and ensure more public safety funding is reaching and supporting community-based violence prevention and victim support, instead of only arrest and incarceration.
- **Provide funding to support frontline organizations that offer accessible services** to survivors with disabilities and victims who face language and other barriers to accessing services

## 12. Trauma Recovery Centers (TRCs) for all

### RIGHTS ADDRESSED

- A right to have trusted and accessible help to recover from trauma.
- A right to support in schools and communities for children exposed to violence.
- A right to post-injury help, regardless of who caused the harm, including law enforcement.

Trauma Recovery Centers (TRCs) deliver an evidence-based and nationally-recognized model of care for survivors of violent crime to address the challenges they face after experiencing violence, overcome the barriers to access traditional victim services, and heal and recover from the effects of trauma.<sup>95</sup> Early intervention and support for violent crime victims – including the loved ones of homicide victims, who are often coping with deep grief while juggling new responsibilities and complex logistics such as stepping in to care for children and handle their loved one’s affairs – can help victims deal with the immediate consequences of trauma and prevent long-term negative consequences that affect everyone.

There are now 54 TRCs nationwide, but far too many crime survivors still do not have access.

**Growing the TRC network nationwide is key to ensuring that victims of crime who have not received services have access to the care and services they need.**

The TRC model includes assertive outreach to identify and engage the hardest-to-reach victims of crime, clinical case management to target a survivor’s multiple needs (medical, legal, financial, and others), and evidence-based psychotherapy to address trauma at no cost to the client. TRCs are staffed by a team that may include psychiatrists, psychologists, social workers, and outreach workers who are equipped to serve a diverse client base. Assertive outreach breaks down the barrier of the office visit by engaging clients in the community, including in their homes, while TRC clinicians provide a single point of contact for all services. TRCs’ flexible, coordinated, trauma-informed approach allows clinicians to tailor services to patients’ individual needs, providing victims of crime with the services and supports that are most important to them while eliminating the barriers to treatment that often prevent patients from accessing traditional services.

**An evaluation of the Trauma Recovery Center model found a range of improved outcomes for survivors, including:**

- A 44% increase in cooperation with law enforcement
- A 56% increase in return to employment for participants
- 87% increase in access to mental health services compared with usual care
- 95% of TRC participants reported feeling better emotionally
- 93% reported improvements in day-to-day functioning
- 90% reported improvements in relationships with family & friends<sup>96</sup>

Victims who receive services through a Trauma Recovery Center are also **less reliant on social services** – 92% of respondents in a national survey of TRCs reported that services provided through their organization result in their clients being less reliant on social services.<sup>97</sup>

A recent national survey of TRCs found that they are meeting their goal of providing vital services to underserved survivors who face multiple barriers to care. The most common victimization experiences among TRC clients include domestic violence, physical assault, sexual assault, and gun violence. TRC clients are disproportionately people of color, low income or unemployed, have limited or no English proficiency, do not have housing or have unstable housing, and are dealing with a variety of mental health challenges. The survey also found that TRCs are filling existing gaps in the victim services landscape and coordinating care with other service organizations.<sup>98</sup>

**Although the number of TRCs has grown in recent years, many states do not have a single TRC, and in states where TRCs exist, most do not have the capacity to fully serve all survivors seeking help.<sup>99</sup>**

To grow the network of TRCs, lawmakers can:

- **Provide dedicated and accessible funding for TRCs.** At the federal level, Victims of Crime Act (VOCA) Crime Victims Funds (CVF) fund grants are a key source of funding for TRCs. Because fluctuations in the fund negatively impact TRCs, dedicated funding would provide stability in service delivery. At the state and local level, several jurisdictions have established TRC-specific funding streams that ensure they can continue to serve victims without interruption, and more should follow suit. Minimizing the burden of applying for funding and providing technical assistance for applicants can ensure that all TRCs have access to funds.

# The Platform In Action:

## How Individuals and Communities Can Create a Right to Heal and a New Approach to Public Safety

**Sign-on** to support the Right to Heal platform

Ask your local, state, or federal elected official if they'll **sign-on to the Right to Heal platform**

**Share your story** and show your support

**Become a Member** to get updates and information on how to can join the movement for the Right to Heal

**Donate**

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# End Notes

- <sup>1</sup> See Congressional Research Service (2000). Victims' Rights Amendment: Background & Issues Associated With Proposals to Amend the United States Constitution; Pretrial Justice Center for Courts (nd). "Victims' Rights."; Victim Law (nd). "About Victims' Rights." Office for Victims of Crime (nd). Crime Victims' Rights in America: A Historical Overview. Wisconsin was actually first to adopt a victim bill of rights in 1980, so preceded the first formal federal recommendation to adopt a constitutional amendment that appeared in the President's Task Force on Victims of Crime Final Report in 1982.
- <sup>2</sup> See Alliance for Safety and Justice (2022). Crime Survivors Speak: National Survey of Victims' Views on Safety and Justice.
- <sup>3</sup> Tapp, S.N. and Coen, E.J. (2024). Criminal Victimization, 2023. US Department of Justice, Bureau of Justice Statistics.
- <sup>4</sup> Lauer, C. and Catalani, M. (2023). "Every state offers victim compensation. For the Longs and other Black families, it often isn't fair." Associated Press.
- <sup>5</sup> Nearly half of survivors surveyed who want to relocate following violence are unable to do so. 1 in 6 survivors of violence say that they lost their job or were demoted for taking time off following the victimization. Alliance for Safety and Justice (2022). Crime Survivors Speak: National Survey of Victims' Views on Safety and Justice.
- <sup>6</sup> Alliance for Safety and Justice (2023). Voices of Redemption: A National Survey of People with Records.
- <sup>7</sup> See Alliance for Safety and Justice (2022). Crime Survivors Speak: National Survey of Victims' Views on Safety and Justice.
- <sup>8</sup> Alliance for Safety and Justice (2023). Voices of Redemption: A National Survey of People with Records.
- <sup>9</sup> Kelly, V.G. et. al. (2010). Outreach, Engagement, and Practical Assistance: Essential Aspects of PTSD Care for Urban Victims of Violent Crime. Trauma, Violence and Abuse, 11(3): 144-156.
- <sup>10</sup> See Lauer, C. and Catalani, M. (2023). "Every state offers victim compensation. For the Longs and other Black families, it often isn't fair." Associated Press. <https://apnews.com/article/crime-victims-compensation-racial-bias-58908169e0ee05d4389c57f975eae49b>
- <sup>11</sup> Tapp, S.N. and Coen, E.J. (2024). Criminal Victimization, 2023. US Department of Justice, Bureau of Justice Statistics.
- <sup>12</sup> Los Angeles Time Editorial Board (Sept. 8, 2021). Editorial: Victims of criminal violence need help, but so do those harmed by law enforcement. <https://www.latimes.com/opinion/story/2021-09-08/compensation-police-violence>
- <sup>13</sup> See Alliance for Safety and Justice (2023). Healing from Harm: Expanding Access to Victim Compensation.; The Office for Victims of Crime (OVC) in the U.S. Department of Justice also proposed new regulations in February 2024 that reflect the calls of marginalized survivors, and that promise greater equity and access for survivors, and greater clarity for states. While these did not get done in time, OVC issued a Dear Colleague letter encouraging states to adopt many of these changes, in alignment with best practices for victim services. See Proposed Rule for Victims of Crime Act (VOCA) Victim Compensation Grant Program, 89 Fed Reg 7639 (proposed Feb 5, 2024) (to be codified at 28 CFR Part 94.; Rose, K. (Jan 17, 2025). "Dear Colleague Letter." US Department of Justice, Office for Victims of Crime.
- <sup>14</sup> National data show that as a result of policies that subjectively assess victim cooperativeness with law enforcement or that scrutinize victim behavior, Black victims and their families seeking help are disproportionately denied. These restrictions often rely on the initial impressions of law enforcement which are vulnerable to biases, and compound trauma for victims who receive the message that they are not worthy of help. Alliance for Safety and Justice & Crime Survivors for Safety and Justice (2022). Creating a Model Victims' Compensation Policy.
- <sup>15</sup> Alliance for Safety and Justice (2023). Voices of Redemption: A National Survey of People with Records.
- <sup>16</sup> See 2019 NM HB 342; 2021 IL HB 3653; 2022 LA HB 648; 2023 NY Senate Bill S214A; 2023 OR HB 2676; 2024 MD HB 575; 2024 IL HB 3713. And, most victims are ineligible for compensation in states which require a police report and cooperation with law enforcement because more than half of violent crimes – 53% in 2023 – are not immediately reported to police. Rates of nonreporting have remained fairly constant over the last two decades. When victims actually get the help they need first, they are more likely to feel safe and able to cooperate with law enforcement to help solve a case. Tying compensation to law enforcement cooperation may deter victims from getting help, undermining safety goals. See Bureau of Justice Statistics. (Percent of violent victimizations by reporting to the police, 1993 to 2023). Generated using the NCVS Dashboard (N-DASH) at [www.bjs.ojp.gov](http://www.bjs.ojp.gov). (Sept 20, 2024); Bureau of Justice Statistics. (Percent of violent victimizations by reporting to the police, 1993 to 2023). Generated using the NCVS Dashboard (N-DASH) at [www.bjs.ojp.gov](http://www.bjs.ojp.gov). (Sept 20, 2024); See Alvidrez, J., Shumway, M., Boccellari, A., Green, J. D., Kelly, V., & Merrill, G. (2008). Reduction of state victim compensation disparities in disadvantaged crime victims through active outreach and assistance: A randomized trial. American Journal of Public Health, 98(5), 882–888.; San Francisco Trauma Recovery Center Report to the Legislature. (May 2004). Prepared by the California Victim Compensation and Government Claims Board; See San Francisco Trauma Recovery Center Report to the Legislature (May 2004). Prepared by the California Victim Compensation and Government Claims Board.; Alvidrez, J., Shumway, M., Boccellari, A., Green, J. D., Kelly, V., & Merrill, G. (2008). Reduction of state victim compensation disparities in disadvantaged crime victims through active outreach and assistance: A randomized trial. American Journal of Public Health, 98(5), 882–888; Alliance for Safety and Justice (2023). Healing from Harm: Expanding Access to Victim Compensation.
- <sup>17</sup> Alliance for Safety and Justice (2023). Healing from Harm: Expanding Access to Victim Compensation. See also 2024 MD HB 575.
- <sup>18</sup> Eleven states remain that laws denying compensation to victims or applicants on the basis of an old conviction, status on supervision, or unpaid court fines and fees. Many more restrict compensation access for people who are incarcerated. People with records or who are serving a sentence are disproportionately vulnerable to victimization – in a representative national poll, nearly 9 out of 10 people with an arrest or conviction record (91%) reported having been a victim, compared to less than half (44%) of those without a record. Because of well-documented racial disparities within the criminal justice system, these restrictions impact Black and Latino victims and their families most heavily. See Alliance for Safety and Justice (2023). Healing from Harm: Expanding Access to Victim Compensation: An inventory of state legislative changes to victim compensation programs, 2020-2022; Alliance for Safety and Justice unpublished 50 state analysis of compensation statute and administrative code; Alliance for Safety and Justice (2023). Voices of Redemption: A National Survey of People with Records.
- <sup>19</sup> Los Angeles Time Editorial Board (Sept. 8, 2021). Editorial: Victims of criminal violence need help, but so do those harmed by law enforcement. <https://www.latimes.com/opinion/story/2021-09-08/compensation-police-violence>
- <sup>20</sup> States receive a 75% federal VOCA match for every state dollar they spend on compensation (changed in statute from 60% by the 2021 VOCA Fix Act), regardless of the caps set on the federal Crime Victims Fund, on a two year delay – so federal funding for victim compensation is less sensitive to fluctuations in the Crime Victims Fund discussed earlier in this report. But if states spend less state money in a given year, they receive less federal money down the line, causing fluctuations. This is often poorly understood, but the 75% match means that on average, about 43% of spending on compensation to survivors (not 75%) comes from federal money. For example, if a state spends \$100m in state money to reimburse survivors in 2021, and another \$8 million to staff its compensation program, it would get \$75m in federal VOCA compensation matching funds in 2023 (75% of \$100m). Ultimately, this means that federal funds account for an average of 43% of state payments to cover survivor expenses (75 out of 175), because when the state spends its federal matching dollars to compensate survivors, those dollars are not matched in subsequent years, only state dollars are matched. State spending to administer the program is also not matched, and states can only use up to 5% of federal VOCA dollars they receive on administration. See 34 USCS § 20102.
- <sup>21</sup> Fines and Fees Justice Center & Wilson Center for Science and Justice at Duke Law (2023). Debt Sentence: How Fines and Fees Hurt Working Families.
- <sup>22</sup> Rowhani-Rahbar, A. et. al. (2022). Income Support Policies and Firearm Violence Prevention: A Scoping Review. Preventive Medicine, Epidemiology and Prevention of Gun Violence.; M.E., and Lyengar, R. (2018). Economic Policies and Intimate Partner Violence Prevention: Emerging Complexities in the Literature. Journal of Interpersonal Violence 33, no. 21: 3367–87.; Kelly, Vanessa G., Gregory S. Merrill, Martha Shumway, Jennifer Alvidrez, and Alicia Boccellari. Outreach, Engagement, and Practical Assistance: Essential Aspects of PTSD Care for Urban Victims of Violent Crime. Trauma, Violence & Abuse 11, no. 3 (July 2010)
- <sup>23</sup> Alliance for Safety and Justice (2022). Crime Survivors Speak: National Survey of Victims' Views on Safety and Justice.
- <sup>24</sup> Alliance for Safety and Justice (2022). Crime Survivors Speak: National Survey of Victims' Views on Safety and Justice.
- <sup>25</sup> Alliance for Safety and Justice (2022). Crime Survivors Speak: National Survey of Victims' Views on Safety and Justice.
- <sup>26</sup> Alliance for Safety and Justice (2022). Crime Survivors Speak: National Survey of Victims' Views on Safety and Justice.
- <sup>27</sup> Alliance for Safety and Justice. (2024). The keys to safety: Why housing protections increase safety for all.
- <sup>28</sup> See National Housing Law Project (2024). Housing Rights of Domestic Violence and Sexual Assault Survivors: A State and Local Law Compendium.; Futures Without Violence and Legal Momentum (2022). State Guide on Employment Rights for Survivors of Domestic Violence, Sexual Assault, and Stalking.

- <sup>29</sup> Alliance for Safety and Justice. (2024). Lost Work, Pay, and Safety: Victims of Violence Urgently Need Safe Leave; Alliance for Safety and Justice. (Forthcoming). The Keys to Safety: People who Rent Their Homes Endure the Majority of Violence in America – Why Housing Protections Increase Safety for All.
- <sup>30</sup> Alliance for Safety and Justice. (2024). Lost Work, Pay, and Safety: Victims of Violence Urgently Need Safe Leave.
- <sup>31</sup> Safe Leave Working Group. (2024). The Need for Paid Safe Leave & Model Legislative Language.
- <sup>32</sup> Alliance for Safety and Justice. (2024). The keys to safety: Why housing protections increase safety for all.
- <sup>33</sup> Swartz, G.L. et. al. (2023). Eviction as a community health exposure. *Social Science & Medicine*: 116496; Goodman, L.A. and Smyth, K.F. (2011). A call for a social network-oriented approach to services for survivors of intimate partner violence. *Psychology of Violence* 1, no. 2: 79.; Weaver, R. (2023). No Shelter, No Safety: How Rising Evictions in New York Could Pose a Risk to Public Safety – and How Eviction Prevention is Violence Prevention. Cornell University.
- <sup>34</sup> National Housing Law Project (2024). Housing Rights of Domestic Violence and Sexual Assault Survivors: A State and Local Law Compendium.
- <sup>35</sup> See Altholz, R. (2020). Living with Impunity: Unsolved Murders in Oakland and the Human Rights Impact on Victims' Family Members.
- <sup>36</sup> U.S. Department of Justice (Aug 15, 2024). "Dear Colleague Letter."
- <sup>37</sup> Alliance for Safety and Justice. (2024). The keys to safety: People who rent their homes endure the majority of violence in America; why housing protections increase safety for all.
- <sup>38</sup> Rankine, J. et. al. (2022). School Absenteeism among Middle School Students with High Exposure to Violence. *Acad Pediatr*, 22(8).
- <sup>39</sup> Board of Governors of the Federal Reserve System (2023). Survey of Household Economics and Decisionmaking.
- <sup>40</sup> Amnesty International (2019) Scars of Survival: Gun Violence and Barriers to Reparation in the USA.
- <sup>41</sup> See Lopez-Zeron, G. et. al. (2019). DV Housing First: A Statewide Evaluation in California. Michigan State University Research Consortium on Gender-based Violence; Chen, J. and Sullivan, C.M. (2022). Domestic Violence Housing First Demonstration Evaluation Project: Final Report of Findings through 24 Months.].
- <sup>42</sup> California recently passed legislation to launch a flexible assistance grant program for marginalized survivors - See Cal Gov Code §§ 8699 - 8699.03; Nevada created a resiliency fund for survivors in the aftermath of the Route 91 Harvest Festival shooting in 2017 - See NRS 482.3791. The City of Chicago's Emergency Supplemental Victims' Fund offered flexible financial support to survivors of gun violence - See City of Chicago (nd). Emergency Supplemental Victims Fund.
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## CRIME SURVIVORS FOR **SAFETY AND JUSTICE**

Crime Survivors for Safety and Justice (CSSJ) is a national network of 200,000 crime victims that are joining together to share stories, heal together, and advocate for a justice system that prioritizes healing, prevention, and recovery. CSSJ is a flagship project of the Alliance for Safety and Justice.

<https://cssj.org>