



# Realizing the Promise of Crime Victim Compensation

## Recommendations to Help Community Violence Intervention Meet the Needs of Underserved Victims

Executive Summary | Authors: John Maki, Heather Warnken | June 2023



In 1984, Congress established the Victims of Crime Act (VOCA) Fund to provide federal support to state and local programs dedicated to assisting victims of crime who lack the necessary resources to cover expenses resulting from their victimization. VOCA's Crime Victim Compensation (CVC) program remains an underutilized tool in addressing community violence, particularly the disproportionately high rates of gun violence prevalent in low-income Black and Latino communities. In recent years, there has been increasing attention from advocates and government leaders on the challenges that victims encounter when attempting to access the benefits of the CVC program. Consequently, an impressive and growing movement of legislative advocacy has emerged to eliminate these barriers and broaden the range of reimbursable expenses. This expansion aims to support victims in their recovery, address trauma, and foster resiliency within affected communities.

Beyond helping underserved victims access services, these reform efforts can support initiatives to reduce community violence. To unlock this potential, government leaders and community-based organizations, especially community-violence intervention organizations, not only must continue to improve CVC law and policy, but they also need to work together to implement these reforms. This includes ensuring that state administering agencies have data on their state's victim populations to guide the use of CVC. It also requires allocating sufficient resources to staff CVC programs and maximize the state's use of federal funding. To explain these issues, this brief provides an overview of CVC from federal and state perspectives. It then outlines recommendations and actions for community-violence intervention organizations, government leaders, and other allied stakeholders to make the most of the program's potential to help underserved victims, strengthen violence-reduction efforts, and cultivate the trust and legitimacy they need to promote safety and wellbeing.

### KEY RECOMMENDATIONS AND ACTIONS

- **Develop collaborations** among community-based organizations, service providers, CVC administrators, and other key state- and local-government agencies. ([pgs. 13–15](#))
- **Use needs assessments** to examine and document how CVC programs can help address the unmet needs of their state's victim populations. ([pg. 16](#))
- **Support legislative and administrative reforms** to remove obstacles for victims, including unnecessarily restrictive reporting and law-enforcement cooperation requirements. ([pg. 17](#))
- **Increase state general revenue** for CVC programs to reduce reliance on fines and fees and strengthen their capacities to serve victims of community violence. ([pgs. 17–18](#))

# What Is Crime Victim Compensation?

With programs in all 50 states and the District of Columbia, CVC is supported through a mixture of federal and state funds. Federal law requires the [Office for Victims of Crime \(OVC\)](#) in the Department of Justice to make an “annual grant . . . to an eligible crime victim compensation program of 75 percent of the amounts awarded during the preceding fiscal year.”<sup>1</sup> To be eligible for these federal funds, federal law requires that all programs help “victims and survivors of victims of criminal violence” pay for medical care, mental healthcare, lost wages, and funeral expenses that are attributable to their victimization.<sup>2</sup> States must comply with these federal mandates, but federal law also gives states significant flexibility to determine how they should do so, from placing limits on expenses, to creating conditions of eligibility, to adding additional reimbursable expenses. As a result, while federal law creates a common foundation for CVC, there are often substantial differences in how states have chosen to implement its mandates.



## WHAT ARE THE VICTIMS OF CRIME ACT, CRIME VICTIM COMPENSATION, AND VOCA GRANT ASSISTANCE?

In the [Victims of Crime Act of 1984](#), Congress established the foundation for government-funded victim services. The law created the Crime Victims Fund (CVF) to collect deposits from federal fines and fees to help address the needs of victims. To that end, the Act mandated that the CVF support the Crime Victim Compensation program and the Victims of Crime Act Grant Assistance program, which are administered by the [Office for Victims of Crime](#) in the U.S. Department of Justice Office of Justice Programs.

Though there is a strong relationship between these two programs, it is important to distinguish between them, as their differences often cause confusion.

- VOCA [Crime Victim Compensation](#) uses CVF funds to provide participating states and territories with annual grants to support direct reimbursements to individual victims for the costs of certain expenses incurred as a result of their victimization that are specified in state law.
- The [VOCA Grant Assistance](#) program allocates CVF funds to states, territories, and the District of Columbia to support grantmaking to victim-service programs administered by nongovernmental organizations and government agencies.

---

<sup>1</sup> Victims of Crime Act. 34 U.S. Code §20102. <https://www.law.cornell.edu/uscode/text/34/20102>

<sup>2</sup> Victims of Crime Act.

Using CVC as an effective component of a state or local community violence-reduction strategy will likely require changes in law, policy, and practice, as well as targeted investments in programs' capacities to administer awards. This brief provides an overview of the issues that may need to be addressed, recommendations for how to do so, and action steps to maximize the potential of CVC. However, before discussing these challenges, it's important to ground efforts to improve CVC in a clear understanding of the programs' overall purpose and promise.

- **CVC is intended to help victims who lack resources.** CVC is a payer of last resort, designed to reimburse victims for out-of-pocket expenses not covered by insurance or government-supported programs.<sup>3</sup> This requirement is well suited to guide programs to focus CVC's outreach and resources on the country's most vulnerable and victimized populations. While it's critical that states document the particular needs of their victim populations, national-level research shows that people living in low-income households (earning \$25,000 or less) are at substantially higher risk for violent victimization than people with higher incomes.<sup>4</sup> Black male youths who live in low-income urban communities are the demographic at the highest risk of serious violent victimization, but the least likely to access victim services.<sup>5</sup>
- **CVC can help reduce state and local costs of violence and unaddressed trauma.** Victims who are able to cover the costs associated with their victimization are less likely to develop post-traumatic stress disorder and other related conditions.<sup>6</sup> Left untreated, these symptoms can have devastating effects on people's lives, including loss of employment, substance use, an overreliance on emergency rooms to manage pain and suffering, and, too often, cycling through jail and prison. CVC can support state efforts to help highly victimized people avoid these outcomes using federal funds. At the same time, CVC can help states reduce costs that would otherwise fall entirely on state and local governments and institutions.
- **CVC can be an important part of community violence-reduction efforts.** CVC can help reduce gun violence by providing resources that stabilize and support people engaged in behaviors and relationships associated with violent offending.<sup>7</sup> From their experience working with perpetrators and victims of gun violence, trauma-recovery specialists and community-violence interventionists know that people caught up in cycles of violence often want to change their lives but can also resist and be wary about accepting help.<sup>8</sup> In the aftermath of violent victimization, this ambivalence can break down, and people can become more open to change and receiving assistance.<sup>9</sup> Access to CVC resources can be an important tool for

---

<sup>3</sup> Victims of Crime Act.

<sup>4</sup> Warnken, H., & Lauritsen, J. (2019). *Who Experiences Violent Victimization and Who Accesses Services? Findings from the National Crime Victimization Survey for Expanding Our Reach* (NCJ 252853). Washington: Office of Justice Programs. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/who-experiences-violent-victimization-and-who-accesses-services>.

<sup>5</sup> Warnken & Lauritsen, 2019.

<sup>6</sup> 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. <https://doi.org/10.2105/AJPH.2007.113639>; Ozer, E. J., Best, S. R., Lipsey, T. L., & Weiss, D. S. (2003). Predictors of posttraumatic stress disorder and symptoms in adults: a meta-analysis. *Psychological Bulletin*, 129(1), 52. <https://doi.org/10.1037/0033-2909.129.1.52>.

<sup>7</sup> Berg, M. T., & Schreck, C. J. (2022). The meaning of the victim-offender overlap for criminological theory and crime prevention policy. *Annual Review of Criminology*, 5, 277–297. <https://doi.org/10.1146/annurev-criminol-030920-120724>; Horwitz et al., 2001; Papachristos, A. V., Wildeman, C., & Roberto, E. (2015). Tragic, but not random: The social contagion of nonfatal gunshot injuries. *Social Science & Medicine*, 125, 139–150. <https://doi.org/10.1016/j.socscimed.2014.01.056>.

<sup>8</sup> Carlsson, C. (2017). The transition to adulthood and the ambivalence of distance. In Blokland, A., & van, D. G. V. (Eds.). *The Routledge International Handbook of Life-Course Criminology* (pp. 324–341). New York: Taylor & Francis; Healy, D. (2010). Betwixt and between: The role of psychosocial factors in the early stages of desistance. *Journal of Research in Crime and Delinquency*, 47(4), 419–438. <https://doi.org/10.1177/002242781037557>; Kazemian, L. (2007). Desistance from crime: Theoretical, empirical, methodological, and policy considerations. *Journal of Contemporary Criminal Justice*, 23(1), 5–27. <https://doi.org/10.1177/1043986206298940>.

<sup>9</sup> Turanovic, J. J. (2019). Victimization and desistance from crime. *Journal of Developmental and Life-Course Criminology*, 5, 86–106. <https://doi.org/10.1007/s40865-018-0100-2>.

providers and law enforcement to engage people caught up in cycles of violent victimization, connect them to services, and help set them on a path of healing and desistance. Supporting violence interventions through victim services is especially promising, as law- and policy-based efforts have historically overrelied on a criminal justice framework to address violence in ways that have discounted victimization experiences in low-income Black and Latino communities.<sup>10</sup>

- **CVC can help foster social trust and legitimacy.** Through meeting the needs of victimized people, CVC can address individual and community-level factors that are linked to violence in highly victimized communities. At an individual level, violent victimization and the trauma it engenders can damage victims' overall ability to trust other people.<sup>11</sup> Trust is essential not only to living a healthy life and healing from the impact of violence.<sup>12</sup> At the community level, social trust (people's trust in others) and legitimacy (people's confidence in governmental institutions) also have strong relationships to crime.<sup>13</sup> High levels of social trust and legitimacy are associated with lower levels of crime. Conversely, increased levels of crime, particularly homicide, are linked to low levels of social trust and confidence in governments' competence to address core social problems like violent crime.<sup>14</sup> Significantly, low levels of social trust and legitimacy are also connected with high rates of incarceration and low levels of investment in social services.<sup>15</sup> These factors contribute to the violent victimization that is concentrated in many of the nation's low-income, urban, and Black and Latino communities.<sup>16</sup> At an individual and community level, victimization can fuel vicious cycles of distrust and violence. Government's ability to help interrupt these cycles is frustrated by the legacy of racism, disinvestment, and an overreliance on police, jails, and prisons. CVC offers government leaders a promising framework of care and support to confront these complex issues and earn the trust of the people and communities they serve.

---

<sup>10</sup> Hinton, E., & Cook, D. (2021). *The Mass Criminalization of Black Americans: A Historical Overview* (Vol. 4).

<https://doi.org/10.1146/annurev-criminol-060520-033306>; Lauritsen, J. L., Rezey, M. L., & Heimer, K. (2014). Violence and economic conditions in the United States, 1973–2011: Gender, race, and ethnicity patterns in the National Crime Victimization Survey. *Journal of Contemporary Criminal Justice*, 30(1), 7–28. <https://doi.org/10.1177/104398621350902>.

<sup>11</sup> Bell, V., Robinson, B., Katona, C., Fett, A. K., & Shergill, S. (2019). When trust is lost: The impact of interpersonal trauma on social interactions. *Psychological Medicine*, 49(6), 1041–1046. <https://doi.org/10.1017/S0033291718001800>; Eagle, G., & Kaminer, D. (2013). Continuous traumatic stress: Expanding the lexicon of traumatic stress. *Peace & Conflict: Journal of Peace Psychology*, 19(2), 85–99. <https://doi.org/10.1037/a0032485>; Harvey, M. R. (2007). Towards an ecological understanding of resilience in trauma survivors: Implications for theory, research, and practice. *Journal of Aggression, Maltreatment & Trauma*, 14(1/2), 9–3. [https://doi.org/10.1300/J146v14n01\\_02](https://doi.org/10.1300/J146v14n01_02).

<sup>12</sup> Herman, J.L. (2023). *Truth and Repair: How Trauma Survivors Evison Justice*. New York: Basic Books.

<sup>13</sup> The relationship between what this brief calls “social trust,” people’s trust in other people, and “legitimacy,” people’s trust in government institutions, is complex and has inspired a significant and growing body of research and scholarship. For a recent overview of some of this literature from the perspective of public safety, see National Academies of Sciences, Engineering, and Medicine. (2022). *Developing Policing Practices That Build Legitimacy*. Washington: National Academies. <https://doi.org/10.17226/26678>.

<sup>14</sup> Kirk, D. S., & Matsuda, M. (2011). Legal cynicism, collective efficacy, and the ecology of arrest. *Criminology*, 49(2), 443–472.

<https://doi.org/10.1111/j.1745-9125.2011.00226.x>; Kirk, D. S., & Papachristos, A. V. (2011). Cultural mechanisms and the persistence of neighborhood violence. *American Journal of Sociology*, 116(4), 1190–1233. <https://doi.org/10.1086/655754>; LaFree, G. (1997). Social institutions and the crime bust of the 1990s. *Journal of Criminal Law & Criminology*, 88, 1325. <https://doi.org/10.2307/1144258>; Morenoff, J. D., Sampson, R. J., & Raudenbush, S. W. (2001). Neighborhood inequality, collective efficacy, and the spatial dynamics of urban violence. *Criminology*, 39(3), 517–558. Sampson, R. J., Raudenbush, S. W., & Earls, F. (1997). Neighborhoods and violent crime: A multilevel study of collective efficacy. *Science*, 277(5328), 918–924. <https://doi.org/10.1126/science.277.5328.918>.

<https://doi.org/10.1111/j.1745-9125.2001.tb00932.x>; Tyler, T. R. (1990). *Why People Obey the Law*. New Haven: Yale University.

<sup>15</sup> Lappi-Seppala, T. (2008). Trust, welfare, and political culture: Explaining differences in national penal policies. *Crime and Justice: A Review of Research*, 37, 313–388. <https://doi.org/10.1086/525028>; Tapio Lappi-Seppälä. (2017). American exceptionalism in comparative perspective: Explaining trends and variations in the use of incarceration. In K. R. Reitz (Ed.). *American Exceptionalism in Crime and Punishment* (pp. 195–271). New York: Oxford University; Roth, R. (2012). *American Homicide*. Cambridge, Mass: Harvard University; Roth. (2018). How exceptional is the history of violence and criminal justice in the United States. In K. R. Reitz (Ed.). *American Exceptionalism in Crime and Punishment* (pp. 272–297). New York: Oxford University; Sampson, R. J., & Loeffler, C. (2010). Punishment's place: the local concentration of mass incarceration. *Daedalus*, 139(3), 20–31. [https://doi.org/10.1162/DAED\\_a\\_00020](https://doi.org/10.1162/DAED_a_00020).

<sup>16</sup> Currie, E. (2020). *A Peculiar Indifference: The Neglected Toll of Violence on Black America*. New York: Metropolitan.



## The Need for Reform

Despite CVC's promise, there is a growing body of reporting, policy analysis, and advocacy that has highlighted persistent challenges and inspired advocacy to address them. Victim applicants, their families, and their loved ones report feeling ignored and mistreated by CVC programs. These reports point to a wide range of issues, from difficulty complying with CVC requirements to feeling criminalized and retraumatized by the application process.<sup>17</sup> On the other hand, program administrators are sometimes frustrated that criticism of the program may not take into account the constraints created by the laws, policies, funding, administrative processes, or lack of resources and staffing, which they have no control over. Some of these problems stem from the requirements created in federal law; others are more specific to the assortment of state laws, policies, and administrative cultures; and still others follow from the ways in which federal and state law and policy overlap.

Here are some basic recurring challenges with CVC with references to recent reforms.

- **CVC programs often have counterproductive reporting and victim-cooperation requirements.** In its federal statute, CVC requires that states “promote victim cooperation with the reasonable requests of law enforcement authorities, except if a program determines such cooperation may be impacted due to a victim’s age, physical condition, psychological state, cultural or linguistic barriers, or any other health or safety concern that jeopardizes the victim’s wellbeing.”<sup>18</sup> While the VOCA Fix Act of 2021 added this explicit exception, this was not a new mandate, but rather a [clarification of longstanding law and policy](#).<sup>19</sup> In 2023, OVC initiated a review of CVC’s existing federal guidelines to ensure they are consistent with this mandate and provide clear guidance to states.<sup>20</sup> This is important because, from CVC’s inception, states have implemented stricter reporting requirements, broad victim “cooperation” mandates, and related practices that go beyond federal prescriptions that can exclude substantial shares of victims from accessing the program’s assistance. And while many of these restrictions can be waived for good cause in most states, their underlying assumptions remain fundamentally flawed. For instance, most CVC programs require victims to report their crime to law enforcement within 72 hours, but approximately half of all victimization is never reported to law enforcement at all.<sup>21</sup> CVC programs that enforce this kind of reporting requirement will therefore effectively bar a substantial percentage of their state’s victim population. Making a determination of cooperation is also subject to error based on process limitations or preconceptions, especially for victims of gun violence. These victims may be unable to provide investigatory information while receiving critical care, and if an incident report notes that the victims are known to law enforcement or have a criminal record, it might later result in a CVC denial based on perceived involvement or failure to cooperate without a meaningful mechanism to clarify during the process, especially without legal representation to appeal the claim. More fundamentally, while there is some evidence that providing CVC to victims without conditions increases their desire to work with law

---

<sup>17</sup> 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*. Chicago. <https://asj.allianceforsafetyandjustice.org/healing-from-harm>; Alliance for Safety and Justice. (2022). *Creating a Model Victim Compensation Program: Guidelines for Lawmakers to Advance New Safety Solutions*. Chicago.

<https://allianceforsafetyandjustice.org/wp-content/uploads/2022/06/CSSJ-Creating-a-Model-Victims-Compensation-Policy.pdf>; Californians for Safety and Justice. (2017). *Victims of Crime Act and the Need for Advocacy: A Toolkit for Advocates and Victims Services Providers to Ensure Victims of Crime Act (VOCA) Funds Reach Underserved Crime Victims*. Oakland. <https://safeandjust.org/wp-content/uploads/CSI-VOCA-toolkit-Mar2017-R2.pdf>; Hamblett, A., Persaud, J., Anthony, T., Kelleher, I., & Shepherd, K. (2022). *Eliminating Barriers to Healing: An Examination of Victim Compensation in New York State*. New York: Common Justice. <https://resources.commonjustice.org/eliminating-barriers-to-healing>; Maki, J. (2019). *Trauma, Dignity, and Restoration: How the State of Illinois’ CVC Program Can Help Heal Crime Survivors and Communities*. Advocates and Survivors for CVC Reform. Chicago: Alliance for Safety and Justice. [https://allianceforsafetyandjustice.org/wp-content/uploads/2021/10/Trauma\\_Dignity\\_and\\_Restoration.pdf](https://allianceforsafetyandjustice.org/wp-content/uploads/2021/10/Trauma_Dignity_and_Restoration.pdf).

<sup>18</sup> Victims of Crime Act.

<sup>19</sup> VOCA Fix to Sustain the Crime Victims Fund Act of 2021. 34 U.S.C. § 20101 (2021) <https://www.congress.gov/bill/117th-congress/house-bill/1652/text>.

<sup>20</sup> Office of Victims of Crime. (2023). Message from the Director: Update on VOCA Crime Victim Compensation Guidelines. <https://ovc.ojp.gov/news/announcements/message-director-update-voca-crime-victim-compensation-guidelines>.

<sup>21</sup> Langton, L., Berzofsky, M., Krebs, C. P., & Smiley-McDonald, H. (2012). *Victimizations Not Reported to the Police, 2006–2010* (NCJ 238536). Washington: Bureau of Justice Statistics. <https://bjs.ojp.gov/library/publications/victimizations-not-reported-police-2006-2010>.

enforcement, there is no research to suggest that conditioning access to victim services based on cooperation with law enforcement does anything to promote such a willingness.<sup>22</sup> Indeed, rather than improving cooperation with law enforcement, these requirements would seem more likely to reinforce feelings of resentment and cynicism toward law enforcement and erode government legitimacy.

- **Blaming the victim.** In most states, CVC programs can deny or reduce victim compensation awards if there is an administrative determination that they have contributed to their own victimization, regardless of whether they were charged or convicted for criminal conduct that caused their injuries. Likewise, in many states, outreach efforts often explicitly emphasize its assistance is only for “innocent” victims. Significantly, the only place where CVC’s federal statute directly addresses the relationship between victims’ actions and their victimization is a provision from the original 1984 Victims of Crime Act prohibiting states from denying services based on the “victim’s familial relationship to the offender, or because of the sharing of a residence by the victim and the offender.”<sup>23</sup> This provision was intended to counteract state policymakers who had barred domestic-violence victims from receiving assistance based on the idea that being in a relationship or sharing a residence with their abusers indicated that they were making up their claims to defraud the programs.<sup>24</sup> In rejecting this assumption for victims of domestic violence in its federal statute, CVC recognizes that relying solely on a framework of guilt and innocence is not an effective way to determine who should receive access to victim services. And while this provision in federal law was drafted to address a specific type of victimization, it points to a more general feature of violent victimization. Just as with victims of domestic violence, the lives of victims and perpetrators of gun and other forms of community violence are often interwoven in complex ways.<sup>25</sup> Laws, policies, and practices that effectively blame people’s victimization on their past behaviors, associations, or arrest and conviction records will exclude many of the most victimized people from getting the services they need to heal from violence. And like the strict reliance on cooperation with law enforcement, these requirements could cause victims to distrust and resent the very programs and government services capable of helping them.

## HELPING ALL VICTIMS HEAL

Across the country, advocates and government leaders are taking actions to remove barriers to CVC. In 2021, for instance, Ohio eliminated several longstanding provisions in its CVC statute that allowed administrators to deny benefits to people who had past criminal convictions, who possessed drugs or had drugs in their system when they were victimized, or who had been found to have somehow contributed to their victimization. (For a helpful list of recent legislative reforms to CVC, see Alliance for Safety and Justice 2023 report, “[Healing from Harm: Expanding Access to Victim Compensation.](#)”)

- **CVC uses an ineffective reimbursement model.** One of the most challenging issues with CVC is its mandated use of a reimbursement model. On its face, this is an ineffective way to help victims pay victimization expenses that they cannot afford to pay on their own. But even when eligible victims somehow find resources to pay for essential services and apply for CVC, they may experience other

<sup>22</sup> Alvidrez, et al., 2008.

<sup>23</sup> Office of Justice Programs. (1985). *Indexed Legislative History of the Victims of Crime Act of 1984*. Washington. [https://www.google.com/books/edition/Indexed\\_Legislative\\_History\\_of\\_the\\_Victi/WUR5icCsg0IC?hl=en&gbpv=0](https://www.google.com/books/edition/Indexed_Legislative_History_of_the_Victi/WUR5icCsg0IC?hl=en&gbpv=0).

<sup>24</sup> Herrington, L. H. (1982). *President’s Task Force on Victims of Crime: Final Report*. Washington: Office for Victims of Crime. <https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/front.pdf>; Rutledge, N. M. (2011). Looking a gift horse in the mouth—the underutilization of crime victim compensation funds by domestic violence victims. *Duke Journal of Gender Law & Policy*, 19, 223–273. <https://scholarship.law.duke.edu/djglp/vol19/iss1/6>.

<sup>25</sup> Berg & Schreck, 2022; Papachristos et al., 2015.

challenges related to CVC's reimbursement processes. It's not unusual in some states for applicants to wait several months or even more than a year to learn if their claim has been approved. Many applications are also rejected for a wide range of reasons, including not filing within their state's required timeframe, failing to comply with their state's law-enforcement reporting and cooperation requirements, submitting an incomplete application, and being found to have contributed to their own victimization.<sup>26</sup> To help address some of these issues, at least 25 states provide for a wide range of "emergency awards" for urgent needs. While these provisions are important, they are limited and can entail time-consuming decision-making processes that seem at odds with the emergency situations that low-income victims may find themselves in.

## EXAMPLES OF CVC STATUTORY-BASED EMERGENCY AWARDS

- [Illinois: Emergency awards for funeral and relocation costs \(Crime Victim Compensation Act\)](#)
- [Michigan: Emergency award must not exceed \\$4,000 \(effective August 2023\)](#)
- [Minnesota: Emergency award based on finding of "undue hardship . . . if immediate payment is not made"](#)
- [Ohio: Emergency award must not exceed \\$2,000 based on finding of "undue hardship if immediate if immediate economic relief is not obtained."](#)

- **Most CVC programs depend on diminishing and counterproductive support from state and local criminal justice fines and fees.** At the federal level, CVC is not supported through taxpayer funds, but rather an [assortment](#) of fines and fees deposited into the Crime Victims Funds (CVF). In 2021, Congress passed the [VOCA Fix Act](#) to ensure that the CVF had sufficient resources to support CVC and VOCA Grant Assistance programs. The law expanded the kinds of federal financial penalties that feed into CVF, and it increased the CVC federal grant funding from 60 percent to 75 percent of what states paid out in claims in the previous fiscal year. At the state level, CVC funding is more complicated. Some states use their general revenues to support their programs, but the majority rely mostly or entirely on criminal justice fines and fees. While the federal fines, penalties, and special assessments that account for the majority of the CVF balance often come from prosecution of white-collar crime, state fines and fees tend to be levied on people who are cycling in and out of the justice system and who are also disproportionately low-income and Black and Latino.<sup>27</sup> This creates multiple problems that undermine the sustainability of CVC and its ability to help underserved victims. The reliance on state and local criminal justice fines and fees functions as a tax on many of the same people, families, and communities it should serve yet disproportionately denies due to the reasons previously discussed. CVC is typically part of a diverse collection of governmental and nongovernmental services supported through fines and fees.<sup>28</sup> The recognition of this fact has inspired advocacy and legislative reforms across the country to reduce the reliance on fines and fees to pay for vital services. These reforms are fundamental to creating a more fair and effective criminal justice system. At the same time, in reducing revenues from fines and fees, these

---

<sup>26</sup> For documentation of state CVC programs performance, look up your state program on OVC's state support page, available at <https://ovc.ojp.gov/states>.

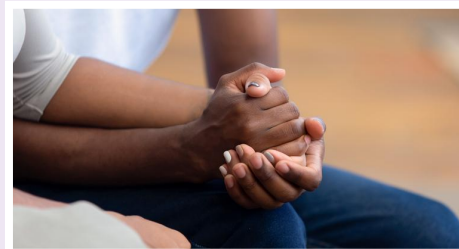
<sup>27</sup> Menendez, M., Eisen, L.-B., Atchison, N., & Crowley, M. (2019). *The Steep Costs of Criminal Justice Fees and Fines*. New York: Brennan Center for Justice. <https://www.brennancenter.org/our-work/research-reports/steep-costs-criminal-justice-fees-and-fines>. Mai, C., & Rafael, M. K. E. (2020). User funded? Using budgets to examine the scope and revenue impact of fines and fees in the criminal justice system. *Sociological Perspectives*, 63(6), 1002–1014. <https://doi.org/10.1177/0731121420974708>.

<sup>28</sup> Mendez, et al., 2109; Mai, et al., 2020.

reforms can deplete the resources for state CVC programs and create unintended impediments to supporting victims.

### INVESTING IN HEALING AND RECOVERY

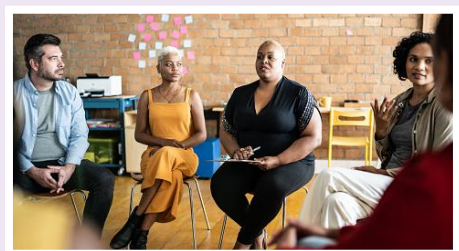
While most states depend on fines and fees to sustain their CVC programs, Illinois takes a different approach by utilizing General Revenue Funds. For instance, in the state fiscal year 2024, Illinois allocated [\\$20,000,000](#) of General Revenue Funds that could be used to pay for CVC claims. Although this allocation will likely surpass the total amount that the Illinois CVC program will disburse throughout the fiscal year, it serves as a crucial measure to guarantee coverage of victims' expenses. More fundamentally, this approach represents an investment in victims and a funding model that other states ought to adopt.



- **CVC programs need a better understanding of the capacities and funding that are necessary to meet their state's victim population.** As noted above, CVC and the VOCA Grant Assistance programs are the longest-standing and most significant investments that the federal government makes in supporting victim services. Federal law allows states to take up to five percent of their awards from OVC to support training and administration of CVC programs. This is the same percentage that federal law allows states to administer their VOCA Grant Assistance programs. In recent years, enabled by Congress removing the annual distribution cap on VOCA in 2015, OVC has made critical investments in VOCA Grant Assistance programs to help strengthen existing programs and expand grant-funded services to address unmet victim needs. At the same time, while in 2021 Congress increased federal reimbursement from 60 percent to 75 percent of what states paid out in claims in the previous fiscal year, CVC programs have never received a similar level of federal investment to assess and strengthen their administrative capacity, including staffing, community partnerships, and similar resources that are necessary to meet the needs of their state's victim populations.

### INVESTING IN DATA-DRIVEN SERVICES

CVC receives significantly less federal funding than does its companion program. In federal fiscal year 2022, for example, OVC allocated [\\$1.4 billion](#) to state VOCA Grant Assistance programs, but just [\\$177 million](#) to CVC. For CVC programs to meet the needs of all victims, it needs federal and state investments to assess state victim populations and build up their administrative capacities.



Efforts to improve and reform CVC must be based on a clear-eyed vision of existing resources and the work it will require. At the same time, it's critical not to lose sight of CVC's power to help victims, especially underserved victims who lack vital resources and are caught up in cycles of community violence and trauma. To assist these efforts, the next section outlines four recommendations and actions people and organizations can use to incorporate CVC into the different strategies, programs, and services that are dedicated to reducing community violence.



## Recommendations to Improve CVC for Underserved Victims of Community Violence

These recommendations and action steps can be used by any nongovernmental or governmental agencies, but they are drafted for community-based violence-intervention organizations and allied partners serving victims and their families. They assume that these organizations have limited knowledge of how CVC can help address their clients' needs. The recommendations are structured as sequential steps, but should be adapted to fit the needs of the people and communities these organizations serve and partner with. Above all, they are designed to provide a set of organizing frameworks and practical ideas to inspire dialogue among community and governmental stakeholders, to inform partnerships and coalition building, and to strengthen ongoing efforts to improve CVC.

### **Recommendation 1: Ground initial reforms in an understanding of existing federal and state requirements.**

Any effort to improve CVC requires a strong understanding of its laws and policies. CVC's combination of federal and state law and policy can seem—and often is—confusing and intimidating. Sometimes the people charged with administering these funds can feel the same way. As a result, staff may assume they are doing the right thing by following what the agency has always done. Learning the basic requirements of CVC will give you and your colleagues the grounding you need to advocate for changes to help victims of community violence you work with. This can also help you become a resource for your state's administrative agency on how to increase the program's impact, especially when it comes to designing and implementing policies and practices to meet the unique needs and circumstances of the victim population you serve.

#### **→ ACTION: Build recommendations on the foundation of CVC's federal mandates.**

As discussed above, federal law requires that state CVC programs cover a core group of victim types and victimization expenses. While federal law gives states significant latitude to build out and administer their programs—including adding additional reimbursable expenses or creating reporting and cooperation obligations—all CVC law and policy must be based on the fundamental requirements established in federal law. Efforts to reform CVC should take the same approach to improving the program's ability to help victims of community violence. This will not guarantee that proposed reforms will be immediately successful, but it will be clear they are both permissible and in the spirit of the program's federal authority.

Here are CVC's most important federal mandates:

- Eligible victimization must include: “victims and survivors of victims of criminal violence, including drunk driving and domestic violence” ([34 U.S. Code § 20102\(b\)](#)).
- Expenses must include: “(a) medical expenses attributable to a physical injury resulting from [compensable crime](#), including expenses for mental health counseling and care; (b) loss of wages attributable to a physical injury resulting from [compensable crime](#); and (c) funeral expenses attributable to a death resulting from a [compensable crime](#)” ([34 U.S. Code § 20102\(b\)\(1\)](#)).

The other most relevant condition in federal law addresses cooperation with law enforcement:

- CVC programs should promote “the *reasonable* requests of law enforcement authorities, *except* if a program determines such cooperation may be impacted due to a victim’s age, physical condition, psychological [state](#), cultural or linguistic barriers, or any other health or safety concern that jeopardizes the victim’s wellbeing” (emphasis added, [34 U.S. Code § 20102\(b\)\(1\)](#)).

As states often formally and informally require victims to cooperate with law enforcement to apply for CVC, it is worth re-emphasizing the above discussion on this topic. On the one hand, the federal law’s facial meaning does not universally require victims to cooperate with law enforcement to be eligible for CVC services. It first states that programs should “promote reasonable cooperation,” which it then allows states to disregard if doing so will negatively affect victims. On the other hand, your work with victims of community violence could help realize the law’s intent by identifying existing practices and policies that damage your clients’ trust in the criminal justice system and proposing changes in policy and practice that will help promote government ability to earn their trust.

**→ ACTION: Within your organization or in collaboration with other victim-serving partners, make a list of the most important reimbursable victimization expenses, based in federal law.**

Based on your review of CVC federal requirements, make a list of the three to five most significant victimization expenses that victims you work with need that federal law would allow. In doing so, make sure that the expenses are clear examples of one of the federal categories. Additionally, identify one or two examples that are directly attributable to violent victimization, but not listed in the law. For instance, many states include expenses related to crime-scene clean-ups or relocation, which in many jurisdictions represent substantial unmet needs. As you’re making this list, note how CVC can most effectively address these specific needs. For instance, ask yourself how much they typically cost, which organizations are best equipped to help victims you work with apply for services, and what is a realistic timeframe for victims to apply for services following their victimization.

Depending on your organization’s experience with CVC, you might already have a strong idea of the most important victimization expenses for victims you work with. Regardless of your familiarity with CVC, you are probably thinking the victims you work with have far more than three-to-five critical needs. This points to an important aspect of CVC reform: Because victims of community violence tend to have needs that stem from multiple victimization experiences, it will be hard to look at CVC and not think of all the things the program could do for people. This is an understandable reaction. However,

given CVC's complexity and the challenges that many programs are facing, early efforts to help underserved victims of community violence will likely be more successful by *starting* with a small number of manageable, implementable reforms and building from there.

## **FUNERALS AS A COMMUNITY-BASED VICTIM SERVICE**

Federal law requires that CVC programs reimburse people for “funeral expenses attributable to a death resulting from a compensable crime.” For this reason, CVC can be a critical source of support for burying loved ones with dignity in communities that suffer from high levels of gun-related homicides.

In helping victims of community violence pay for funeral costs, CVC programs could partner with CVI and other community-based organizations to help connect victims to other kinds of essential services victims might need, from counseling to violence interventions that could arise from retaliations.



### **→ ACTION: Identify opportunities and obstacles in your state's CVC law and administrative policy.**

After you review CVC's federal requirements and create a list of victimization-expense priorities, make a point of learning the laws and policies that govern the administration of your state's CVC program. You can find your state program on the website of the Office for Victims of Crime (OVC) [State Support](#) page or by searching for the program on the internet. Typically, CVC program websites will have downloadable application forms, reporting requirements, eligibility criteria, and links to relevant state law. Whenever possible, use the state law as your primary source of authority. State agencies must comply with the laws that govern them. At the same time, states also have flexibility to interpret key aspects of how to best implement them. It's essential to know if and where CVC state law is more expansive than the program's interpretation, which could point to the need for administrative as opposed to legislative advocacy. Likewise, as you learn more about your state's CVC program, it will be important to understand how decisions are made about how it interprets its federal requirements. Are these decisions made by administering-agency staff? Are there executive-branch lawyers responsible for determining how the state interprets relevant state and federal requirements? Are there established processes to review interpretations of federal law? How can your organization contribute to or, if needed, help create such a process?

Just as you made a short list of critical victimization expenses based on federal law, make a list of the following based on your review of your state's CVC program:

- What are the reimbursable expenses offered by your state CVC program that could help the victim population you work with? How do they overlap with the expenses you came up with based on your analysis of CVC's federal law?

- Eligibility and reporting requirements:
  - How does your state's CVC program ask applicants to substantiate their victimization experience? Is it only through law-enforcement reporting or does your state allow other agencies' or offices' documentation to verify people's victimization, like hospitals, counselors, etc.? Are those alternatives available to applicants of all victimization types?
  - How soon after a person is victimized must they apply for CVC? Does your state program allow for different timelines based on their victimization experience?
  - Are CVC applicants required to "cooperate" with police or prosecution efforts to apply for reimbursements?
  - Are victims excluded from CVC based on alleged criminal behavior or if they are found to have somehow contributed to their victimization? If so, how does the agency and state law describe how these exclusions are applied?
  - Are there any exceptions to eligibility and reporting requirements? If so, how does the agency and state law describe how they work?
- Does your state CVC program offer emergency reimbursements? If so, how does the agency and state law describe how they work?
- What is the process and who is ultimately responsible for making decisions about whether to accept CVC applications?

## REMOVING BARRIERS

In 2021, Illinois removed statutory language that prohibited people from receiving CVC benefits if they were on correctional supervision and [made](#) its cooperation requirements consistent with federal law. Here's the language from Illinois' statute:



“In determining whether cooperation has been reasonable, the Attorney General and Court of Claims [Illinois' CVC administrators] may consider the victim's age, physical condition, psychological state, cultural or linguistic barriers, and compelling health and safety concerns, including, but not limited to, a reasonable fear of retaliation or harm that would jeopardize the well-being of the victim or the victim's family, and giving due consideration to the degree of cooperation that the victim or derivative victim is capable of in light of the presence of any of these factors, or any other factor the Attorney General considers relevant.”

After you answer the above questions, make a list of opportunities and obstacles they present for the victim population you serve. Based on your work, ask yourself how the specific requirements and structure of your state's CVC program can be improved to serve victims of community violence. Likewise, identify what's positive and promising about existing policies and practices. This list should be a living document, as you and your colleagues will no doubt learn more about how your state CVC program works through engaging essential stakeholders, especially those with a diversity of perspectives and experiences in using CVC.



## **Recommendation 2: Build collaborations and alliances with government, non-governmental organizations, and communities to support CVC reform.**

CVC is dedicated to reimbursing individual victims' out-of-pocket expenses, but its effectiveness depends on coordination among victims, state agencies, and the diverse entities referring them to and providing services, from medical and mental-healthcare providers to funeral homes. These different organizations are not just necessary to help connect and provide CVC compensable services; they are also often untapped resources for information, expertise, and potential political support that CVC has historically lacked.

Below are lists of governmental and nongovernmental agencies and organizations you should consider meeting with about improving CVC's capacity to help victims of community violence. These lists are nonexhaustive and could be missing key stakeholders from your state. When possible, the list hyperlinks to national resources that can help identify state and local agencies, offices, and programs. As you meet with agency and organization representatives, discuss their capacities and interests in helping improve CVC, perhaps using the list you have made on victimization expenses as a starting point.

### **→ ACTION: Identify and develop working relationships with key state and local governmental agencies.**

- [State CVC administrative office](#). As discussed throughout this report, this is the agency that is responsible for overseeing CVC applications. This is the most important government agency for CVC, and the subject of Recommendation 3.
- [State Administering Agency](#) (SAA). Every state has a single or multiple executive agencies or offices that are tasked with receiving and granting out different pass-through formula awards from DOJ's Office of Justice Programs (OJP), including Justice Assistance Grants, Violence Against Women Act funds, and VOCA Assistance Grants. In some states, the CVC administrative office lies within the SAA, while in others it may be a separate entity. The close relationships these agencies have with OJP can make them critical partners, and the funds they administer could help support CVC capacity building. (To learn more about SAAs, see [National Criminal Justice Association \(NCJA\)](#), a national, nonpartisan organization that works with these agencies and provides them training and technical assistance.)
- [Statistical Analysis Centers](#) (SACs). Almost all states have offices that are dedicated to collecting, analyzing, and disseminating criminal justice information across state, local, and federal governments. Though they vary in scope and capacity, most SACs are housed within their SAA. Depending on their capacities, SACs could be an important resource for supporting CVC-reform efforts with research, data, and evaluation. Some have even done groundbreaking projects and analysis related to CVC, including statewide victim needs assessments. (To learn more about SACs, see [Justice Research Statistics Association \(JRSA\)](#), a national, nonpartisan organization that works to build SACs' capacities.)
- Local prosecutors and public defenders. Prosecutors have long been seen as a key part of the nation's victim-services infrastructure, including CVC. In many jurisdictions, prosecutor-based advocates are some of the most involved and knowledgeable partners in helping victims complete

applications. Seek to learn what your jurisdiction's prosecutor's offices know about CVC and how they use the program in their work. Public defenders are also an important government entity. Often siloed or left out of criminal justice-reform discussions, especially those involving victims, public defenders often have insights into working with vulnerable victims who have overlapping offending experiences or prior arrest records.

- Local police departments. Like your jurisdiction's prosecutor's office, local police departments have substantial roles in most CVC programs. In many jurisdictions, they serve as a gatekeeper to CVC for many victims, given the program's reliance on police reports for eligibility determination. Ask to meet with your police departments, particularly leadership tasked with working directly with the victim population you work with, including sworn and professional staff. Similar to engaging prosecutors, ask questions about what your police department already knows about CVC and how they use it. Examine how CVC might become a tool to help build trust with people through providing unconditional services designed not only to support victims in the aftermath of violence.
- [Office of Violence Prevention \(OVP\)](#) and other state- and local-government offices dedicated to violence reduction and victim services. Throughout state and local governments, there are typically offices or officials tasked with overseeing violence reduction in mayor's offices and other parts of government. One promising type of governmental agency is OVPs, which are mostly based in city governments. Seek to engage these offices and officials, collaborate on CVC issues, and put CVC on their radar as a resource for victim recovery and violence reduction where it is not already.

### → **ACTION: Identify and develop working relationships with nongovernmental service providers.**

- Victim-service organizations. All states have victim-service nonprofits that serve a range of victims, including of domestic violence, sexual assault, and homicide. In the 1980s, many of these organizations and their predecessors helped create the federal infrastructure for victim services, including CVC. Based on their experience and leadership, victim-service organizations will often have deep and practical knowledge of your state's CVC program. There is also a wide range of smaller, community-based organizations that are perhaps less plugged into the formal victim-service infrastructure and its funding streams, yet do vital work providing victim assistance to underserved populations. Through developing common goals, victim-service organizations will be invaluable partners to improve CVC for all victims.
- Services for victims of community violence, such as Trauma Recovery Centers and hospital-based intervention programs. The [Trauma Recovery Center \(TRCs\)](#) is an evidence-based model that is designed to meet the needs of underserved and highly victimized populations. [Hospital-based-violence-intervention programs \(HVIPs\)](#) are evidence-based programs for victims who are hospitalized, which use an interdisciplinary approach to help prevent violence and connect victims of violence to community-based services. This includes engaging victims through credible messengers, mentors, and staff who have similar experiences. Because TRCs and HVIPs work in and

with hospitals, they will likely have practical knowledge of CVC and its unique role in covering medical expenses, including its strengths and weaknesses.

- Funeral homes. Another significant provider of CVC-compensable services, especially in communities with high levels of gun violence, funeral homes are critical stakeholders. Based on your work with victims of community violence, determine the funeral homes people have relied on for services, request to meet them, and ask about the strengths and weaknesses of CVC's reimbursement system. This may include gauging interest from dedicated providers in being part of a larger effort to reform and improve CVC.

### **Recommendation 3: Develop a working relationship with your state CVC administrator.**

These recommendations assume that victims of community violence and organizations that serve them struggle to access or have limited knowledge of how CVC can help address their needs. If your organization and the victim populations you work with have greater or different knowledge and experiences, promote your work and partnerships so communities throughout the country can learn from them. But if you don't have a working relationship with your CVC administrator, it's essential to develop one. Ideally, this outreach and desire to work together will be a two-way street. Government agencies are often underresourced, understaffed, and underappreciated. For CVC to be a program that successfully serves victims of community violence, your state needs a sufficiently resourced and staffed CVC administrative office that is accessible and able to collaborate with its community partners. As you begin to meet with your state administrator, focus not only on what CVC can do for the victim populations you serve or what your analysis shows is problematic about the program—focus also on what's important about the administration's work, their critical mission, and the good work they are doing for victims. Be ready to share how your organization wants to be a resource to them and help them overcome challenges, advocate for resources, and expand and strengthen CVC for victims of community violence whom you work with. Build partnership from your common ground.

#### **→ ACTION: Request a meeting with your CVC administrator to discuss strategies to help victims of community violence access services.**

Before requesting a meeting with your CVC administrator, make sure you have a clear idea of the particular issues you want to raise and what you hope to achieve. Two of the most important goals can be to establish a meaningful line of communication and to create a longstanding partnership. To accomplish these goals, focus on demonstrating your organization's importance and value to the work it is mandated to do. Among other offers of assistance, this could include providing training and technical assistance along the following lines.

- Propose developing training to administrative staff on the particular needs and circumstances of the victim population your organizations serve and co-trainings for governmental organizations and businesses that provide access or CVC-compensable services, including police departments, funeral

homes, and mental-healthcare providers. The knowledge and time of your organization's staff should be valued and compensated. This is always a worthy topic of discussion with government partners gaining from that expertise and time.

→ **ACTION: Advocate for a needs assessment for victims of community violence.**

Community-based organizations that work with underserved victims of community violence understand the needs of the people they serve not only because of their work, but also because many of these organizations are staffed and led by people with similar life experiences and deep connections to the communities in which they are based. Often, when broader victim-needs assessment does happen, it focuses on types of violence more traditionally recognized in victim assistance, like domestic violence and sexual assault, while purporting to speak to the needs of all victims; or it reflects the perspectives of stakeholders more likely to interface with government or research entities, rather than those of highly victimized, disenfranchised groups. To incorporate the knowledge and expertise of community-violence-focused organizations, look into finding support to conduct a needs assessment of the state or your local jurisdiction's population of victims that examines, among other issues, how programs like CVC can help address gaps in services. Developing partnerships with other government agencies, like your State Administering Agencies, which are responsible for federal pass-through grant programs like the VOCA Grant Assistance Program and the [Justice Assistance Grant](#) (JAG) Program, can help support this work.

## VICTIM NEEDS ASSESSMENTS

In 2016, the Illinois Criminal Justice Information Authority (ICJIA) used administrative funds from the state's VOCA Grant Assistance award to conduct a [statewide victim needs assessment](#), which included analysis of unmet victim needs. ICJIA then used the assessment to inform strategic planning for Illinois' victim-services grantmaking. This is an example of how states can use existing federal funds to support data-driven efforts to improve their state- and federally funded victim services.



## Recommendation 4. Explore necessary legislative and funding reforms.

While amendments to your state's CVC statute may be necessary, efforts to improve the program's capacity to help victims of community violence should begin with doing everything possible to maximize the impact of current law and policy. Working with your state CVC program to understand current law and policy will also help you understand how it works and learn what it needs to help the victim population you serve, which may include factors outside the program's statute like increased staffing and training. Even when legislative changes are necessary, they take time and will likely not entirely solve the problems they are intended to address on their own. If legislative proposals are drafted without a complete understanding of the issues they are trying to fix, or don't have the support of the agencies required to implement mandated changes, they could not only fail, but also exacerbate the problems you are hoping to solve and create new ones.



As you explore possible legislative reforms to CVC, you should consider two kinds of actions: removing unnecessary obstacles to accessing CVC and increasing federal and state general-revenue funding.

**→ ACTION: Remove unnecessary statutory obstacles to CVC.**

Your state's CVC program must comply with federal requirements, but state law should not create additional barriers for victims, including conditioning access to services on strict cooperation and reporting requirements. Based on your analysis of federal law, the needs of victims of community violence, and the partnerships you cultivate with your administrative agency and governmental and nongovernmental agencies and organizations, develop legislation that complies with CVC federal requirements and meets the needs of victims.

**→ ACTION: Increase federal support to assess and strengthen CVC program capacities.**

CVC programs have arguably never had sufficient federal investment in their staffing and infrastructure. As interest in CVC has grown in recent years, this is a perfect moment to advocate for targeted federal support that can help CVC programs assess the needs of their state's victim populations and existing staffing levels and capacities, and design, support, and implement targeted changes to address those needs.

**→ ACTION: Increase state general-revenue funding.**

While most CVC programs rely on state fines and fees to support their operations, some states use contributions from their general revenue. As discussed above, the reliance on fines and fees is not appropriate or sustainable. Even if your state relies mostly or entirely on general revenue, it is also highly likely your state program will need more state investment to fulfill its promise to victims. Many state administrators have current concerns surrounding the sustainability of their programs and see solving these funding questions as a threshold issue to conversations about expansion of eligibility and other meaningful programmatic change. To ensure that increased funding will translate into improved services for victims, it is important to ground these requests in victim-needs assessments and analysis of existing CVC-staffing levels.

## Conclusion

This brief has examined the promise of CVC to help victims of community violence and the return on that investment. It has argued that strengthening CVC's capacity to serve this population will not only improve individual outcomes, it will also reduce the social and economic costs associated with victimization. The recommendations and corresponding actions outlined in this brief are practicable opportunities for violence-reduction leaders to help heal the broken bonds of social trust and legitimacy that all people need to be safe and to flourish.

The [NYU Marron Institute](#) conducts innovative applied research, working with cities to take on critical challenges of urban living.

This work was made possible, in part, with the generous support of the [Joyce Foundation](#).



#### About the Authors

John Maki is a fellow at the Marron Institute. His contributions were supported, in part, by [Spring Point Partners](#), a Philadelphia-based social-impact organization that champions community-driven change and promotes justice by investing in transformational leaders, networks, and solutions.



Heather Warnken serves as Executive Director of the Center for Criminal Justice Reform at the University of Baltimore School of Law.

We thank Janelle Melohn for her feedback on earlier version of this brief.