

CRIME VICTIM'S COMPENSATION

FACT SHEET

OCTOBER 2015

Experiencing violence or abuse is traumatic, and the recovery process can be extensive and challenging. People need time and space to focus on healing without additional financial concerns that can result from the violence, including costs of medical care, counseling or lost income. Crime Victim's Compensation Programs help aid victims with these expenses in the aftermath of a crime. Each state operates its own program, but collectively, these programs provide about \$450 million to nearly 200,000 crime victims annually.¹ While these programs have successfully provided a number of victims with compensation, there is still some difficulty achieving widespread awareness and use. Some of these barriers are especially problematic for people experiencing homelessness.

People experiencing homelessness are victims of violent crime more often than those who are housed.² These assaults not only cause physical and psychological injuries but can also prolong homelessness and require significant medical care that people experiencing homelessness are often unable to afford. In a survey of people experiencing homelessness, the National Consumer Advisory Board found that 49% of individuals surveyed reported being the victim of an attack. Of those who had been victimized and sought help, nearly 70% were unable to pay their medical bills, while only 14% were aware of victim compensation funds, and none had successfully accessed them. Those living in Medicaid expansion states will have an easier time getting coverage for care now, yet there are many still living in states with no access to health insurance. While we must work to understand why people experiencing homelessness are victimized so frequently and how we can prevent this violence, we must also help them heal from these traumas, and learn about their rights and resources when victimized.

Background

Crime Victims programs began as state-run programs, the first in California with other states soon following. In 1984, the federal Victims of Crime Act created the national Crime Victims Fund, which is the leading funding source for victim services in the country. These funds derive primarily through penalties for criminal offenders, not from taxpayers. Primary revenue sources include criminal fines, forfeited appearance bonds, forfeitures of collateral profits from crimes, and donations.³

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Expenses Covered

States all reimburse at different rates for different expenses, but all programs generally cover the following:

- Medical costs (including sexual assault exams)
- Mental health counseling
- Funeral and burial costs
- Crime scene clean-up
- Lost wages or loss of support
- Some states also compensate for other expenses including dental services or prosthetics

Eligibility Requirements

While details will vary, most states all have a similar set of criteria for eligibility including:

- Prompt reporting of the crime to law enforcement
- Cooperation with police prosecutors (exceptions are occasionally made for child victims)
- Timely submission of a victim compensation application
- Have a cost or loss not covered by insurance or another benefit program
- Not have committed a criminal or wrongful act that caused or contributed to the crime

How to Apply

If you are the victim of a crime and want to be compensated, apply to the program in the state where the crime occurred, regardless of your residency. Applications can be found from the compensation program in your state, the police, prosecutors or victim's services agencies. The National Association of Crime Victim Compensation Boards maintains a program directory of programs in all states at www.nacvcb.org.

Possible Challenges for People Experiencing Homelessness	Strategies for Overcoming Challenges
<p>PROCESS: Lack of awareness or knowledge of program. Time limits on how soon you must report the crime and file application can be limiting for those struggling to meet their basic needs. The intensive and lengthy criminal process or the application process for compensation funds may be difficult to consistently maintain, and those experiencing homelessness may lack a support system to help them manage this process.</p>	<p>Partnerships with victim’s services agencies and homeless service programs to increase awareness of victim’s compensation funds, and to support and assist people experiencing homelessness in navigating these systems.</p>
<p>REQUIREMENTS: Some states have requirements for official documentation that people experiencing homelessness may not have (i.e. birth certificate). Changing or unstable contact information including mailing addresses or phone numbers may prevent law enforcement or other officials from keeping in touch.</p>	<p>State-level engagement to ensure processes can accommodate changing addresses and contact information. Increased assistance at homeless service programs to help individuals obtain required documentation.</p>
<p>TENSE RELATIONSHIPS WITH LAW ENFORCEMENT: People who are homeless report crimes less often, occasionally due to past negative experiences with police. The restriction that a victim cannot have been engaged in a criminal or wrongful act at the time of the attack may be used against people who are homeless, especially if they live in an area that has banned sleeping, camping or related activities. If victim has mental health considerations and/or a lengthy criminal history, this may complicate interactions with police and/or accuracy of reporting (including perceived credibility as a witness).</p>	<p>Increased training for law enforcement, including dialogue with people experiencing homelessness. Engagement to ensure local jurisdictions do not criminalize activities people experiencing homelessness must engage in to meet basic human needs such as sitting, lying, sleeping, or eating in public spaces. <i>(These laws have the effect of pushing such behavior into more isolated places, thereby increasing the likelihood of violent crimes being committed against vulnerable people.)</i></p>
<p>MULTIPLE EXPERIENCES WITH TRAUMA: Frequency of trauma within this population may normalize the experience of violence, leading to delayed reporting (or no reporting).</p>	<p>Increase availability of programs that teach people experiencing homelessness about trauma, self-protection, coping skills, and healing.</p>

Each state has different eligibility requirements and benefits. To find information about the program in your state visit: www.nacvcb.org

References

¹ National Association of Crime Victim Compensation Boards. Crime Victims Compensation: An Overview. Retrieved: May 2015. Available at <http://www.nacvcb.org/index.asp?bid=14>.

² Meinbresse, M., Brinkley-Rubinstein, L., Grassette, A., Benson, J., et al. Exploring the Experiences of Violence Among Individuals Who Are Homeless Using a Consumer-Led Approach. 2014. *Violence and Victims* 29(1): 122-136.

³ For more information, refer to the Office for Victims of Crime. Crime Victims Fund Fact Sheet. June 2013. Available at <http://ojp.gov/ovc/pubs/crimevictimsfundfs.intro.html>.

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