

New Directions from the Field:

Victims' Rights and Services for the 21st Century

Recommendations for Crime Victim Compensation

The recommendations below, which appear in the May 1998 *New Directions* Report, have been reformatted for replication and distribution.

Compensation for victims of crime is one of the earliest forms of victim assistance. As of May 1998, victim compensation programs operate in all 50 States, the District of Columbia, and the Virgin Islands to help crime victims deal with some of the financial losses they incur as a result of criminal victimization. Although many compensation programs have sponsored extensive efforts to increase benefits, expand services and public awareness efforts, and eliminate minimum loss requirements, gaps in coverage still remain in some States that must be addressed. In an effort to encourage compensation programs to increase their efforts for outreach and advocacy on behalf of crime victims, and to improve overall operation and efficiency, the following recommendations are set forth by the field:

1. Every State victim compensation program should establish goals to process claims, including emergency awards, in the most expeditious manner possible.
2. States should examine the nature, level, and scope of benefits they provide for mental health treatment to ensure that all victims traumatized by crime receive financial support for adequate and culturally meaningful counseling services or healing practices. To achieve this goal, victim compensation programs should consult with advisory groups composed of mental health experts to develop guidelines for counseling benefits, including appropriate treatment lengths and types of mental health providers, documentation requirements for treatment plans and progress reports, and payment levels.
3. Victim compensation programs should expand the types of victims eligible to receive counseling benefits.
4. Victim compensation programs should increase medical benefits for victims of catastrophic physical injury.
5. Victim compensation programs should eliminate restrictive statutory reporting requirements and permit victims to report the crime within a reasonable period of time and to agencies other than law enforcement.
6. Statutorily mandated time restrictions on filing claims that require crime victims to apply for compensation within one year of the crime should be reevaluated. State compensation programs should consider eliminating filing restrictions or at least extending the time limit to three years, as was done in Texas and Massachusetts.
7. Every victim compensation program should coordinate with victim assistance programs to develop an effective community outreach strategy to increase public awareness about the purpose and availability of crime victim compensation. This strategy should include extensive outreach efforts to ensure that all victims, regardless of their race, culture, or language, have knowledge of and access to compensation program benefits.
8. Victim compensation programs have a responsibility to listen to and address the issues of the victims they serve. All programs should establish advisory boards that include victims. When developing policies for eligibility and benefits, compensation programs should seek the input of victim service groups, and criminal justice and allied professionals.
9. Victim compensation programs should establish multidisciplinary cross-training programs to ensure that victim advocates and allied professionals are fully informed of the scope of compensation programs and that compensation professionals are kept up to date on the services victims need most.
10. Victim advocacy should be institutionalized in victim compensation programs. Every program should include an advocate on staff to help victims access services and resources that are not available from the program.
11. States should maximize a victim's ability to recover losses and cover expenses, and should institute mechanisms for ensuring sufficient funding sources for victim compensation programs.

12. All State compensation programs should evaluate themselves to determine whether: (1) there are barriers to compensation that should be removed, (2) the program's outreach efforts are effective, (3) the services provided are effective, (4) the scope of victims that qualify for compensation is broad enough, (5) claims are processed as efficiently as possible, (6) available benefits for mental health treatment are sufficient, and (7) reasons for denial of compensation claims.
13. Compensation programs should make effective use of advanced technologies such as automated claims management systems and electronic linkages with medical providers, insurance companies, and criminal justice agencies.
14. State compensation programs should work with other State programs that provide funding for victim services to ensure that victims needs are met comprehensively throughout the State.
15. Compensation programs should consider the effects that more universal health care coverage (through expanded public benefits and broader private coverage) might have on their eligibility and benefits structures.
16. Compensation programs throughout the world should agree to compensate victims of crime within their borders regardless of nationality. The U.S. Departments of State and Justice should continue to work together to establish this principle as a basis for coverage in all countries.
17. Compensation programs should consider providing funds to cover transportation costs for victims who must travel across State lines to attend criminal proceedings.
18. Compensation programs should use excess funds to support victim assistance.