In the fall of 2014, the National Center for Victims of Crime convened leaders of the crime victims and survivors’ advocacy field to identify shared policy priorities for the next decade. We were joined by additional resource partners who shared their perspectives and led us to deeper consideration of the issues discussed. **One Day: Taking Stock, Moving Forward** gave us an opportunity to celebrate the tremendous progress that has been made for victims and survivors over the past three decades. It also provided a chance to share current concerns and set priorities for the national advocacy community for victims and survivors.

As advocates observe the 30th anniversary of the Victims of Crime Act and the Family Violence Prevention and Services Act, and the 20th anniversary of the Violence Against Women Act, we have much to celebrate. With a basic infrastructure to support victim services and compensation, the establishment of crime victims’ rights at the federal and state level, and many other policy accomplishments for victims of crime and abuse, victims and survivors are better supported today than ever before.

At the same time, we recognize that much remains to be accomplished. Many of our policy achievements are not uniformly implemented across the country; and many victims remain unable to access justice, safety, and important resources. After thoughtful and spirited discussions, we identified broad new policy priorities. We also agreed to circulate those priorities for endorsement by other national, state, and local victim and survivor advocacy organizations.

With the release and endorsement of these advocacy priorities, new advances in victim policy will help to bring hope, healing, and justice to survivors of crime and abuse nationwide.
We, the undersigned, commit to use our combined energies over the next decade to:

- Ensure that amounts collected for the Crime Victims Fund are released for their intended purpose, at levels necessary to meet the needs of crime victims and reduce the impact of victimization on individuals and society.

- Reform crime victim compensation to increase benefits, improve access, reduce barriers, and promote standardization across jurisdictions.

- Incorporate racial justice concerns in victim and survivor advocacy efforts.

- Protect the physical safety, emotional well-being, and financial security of all crime victims and witnesses.

- Pursue justice for all crime victims by continuing to reform our justice systems to increase transparency, ensure that victims’ voices are heard, and provide meaningful accountability.

- Promote fair and thoughtful roles for institutions in preventing and responding to victimization.

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Ensure that amounts collected for the Crime Victims Fund are released for their intended purpose, at levels necessary to meet the needs of crime victims and reduce the impact of victimization on individuals and society.

The principal support for crime victim services is the Crime Victims Fund, also called the Victims of Crime Act (VOCA) Fund. This fund, comprised of fines and penalties on federal offenders, had grown to nearly $13 billion by 2014. Yet, until this year, Congress released only a small portion each year, leaving too many victims of crime unserved.

As part of the FY 2015 appropriations legislation, Congress released $2.3 billion in VOCA funds, most of which will be used at the state level to expand direct services to victims. This funding will provide an opportunity for existing programs—including programs serving victims of sexual assault, domestic violence, or child abuse—to reduce or eliminate their waiting lists for shelter and counseling. It will also allow states to create new services for underserved victims, including trafficking victims, victims who are elderly or have disabilities, fraud victims, survivors of homicide victims, and many other victims of crime. The funding would also allow states to create culturally or ethnically specific services for immigrant victims, African American victims, victims who are lesbian, gay, bisexual or transgender, and other victim populations.

There is a clear need to maintain this higher level of disbursements from the VOCA Fund. Moreover, because average annual deposits into the fund over the past five years have exceeded $2 billion dollars, such disbursement levels are sustainable.

Maintaining the funding level is only one part of the answer to supporting a national response to victims of crime and abuse. Changes must also be made regarding the allocation and spending of this funding.

One such reform relates to the dire need for services for Native American and Alaska Native victims, who suffer extremely high rates of victimization. Currently the VOCA funding formula—unlike the federal Family Violence Prevention and Services Act (FVPSA) grants or formula grants under the Violence Against Women Act—does not contain a separate funding stream for tribal governmental programs. Some provision must be made that allows funding directly from the Department of Justice to tribes as sovereign entities.

Another limitation on the use of the Crime Victims Fund concerns the authority of the Office for Victims of Crime (OVC) to make discretionary grants. OVC’s current discretionary grant-making authority is limited to support for victims of federal crimes, training and technical assistance efforts, and demonstration projects. Meanwhile, there is a need for certain long-term programs that support victims on a national level, or Americans victimized abroad. Such programs might include national hotlines or resource centers, or programs for certain populations of victims—
those victimized on cruise ships, for example. These projects are unlikely to ever be funded by a given state, because the client base extends far beyond any one state’s residents; expansion of federal spending authority is needed to encompass such victim service programs.

Increased funding for victim services at the state and tribal levels must be coupled with a process to identify underserved victims and gaps in services. A planning process, similar to those required for other federal formula funding for crime and victim services, must be developed that ensures consultation with a range of stakeholders, including tribal consultations with the Department of Justice. It must also take into account other state plans for spending on justice or victim efforts, to better leverage all available funding and increase opportunities for collaboration.

In addition, much of today’s funding for victim services is narrow—provided for a limited time (often one year), for a limited purpose or form of services, to serve a limited group of crime victims. This can increase the administrative burden relating to filing funding requests and tracking and reporting grant activities. The effectiveness of VOCA spending could be improved by increasing flexibility in the use of funding and the creation of longer grant periods.

Increased funding must also involve increased use of outcome measures and evaluation to ensure that dollars are making a difference. However, any requirement that specific outcome measures be used must be adopted carefully, to ensure they align with program objectives. Moreover, measures must be crafted in way that does not overemphasize the volume of victims served. A focus on client volume can create a disincentive to supporting tailored services for smaller populations of marginalized victims, or to support the comprehensive, long-term services that some victims require to recover from crime and abuse.

Therefore, in pursuing our goal of maintaining a high level of distributions from the VOCA Fund, we will also advocate for:

- The creation of a planning requirement for jurisdictions receiving VOCA funding that involves stakeholders and ensures consideration of the range of crime victims and victim services.
- A separate funding stream for tribal victim services that recognizes tribal sovereignty.
- Changes in grant distribution and management that increase effectiveness and reduce administrative burden.
- Changes in OVC’s spending authority to permit the funding of national-level services and services for Americans victimized overseas.
Reform crime victim compensation to increase benefits, improve access, reduce barriers, and promote standardization across jurisdictions.

Every state has a program to reimburse crime victims for specified out-of-pocket expenses relating to the crime. These programs generally require victims to report the offense within a short period of time and cooperate in the prosecution. They cap the amount recoverable for various categories of expenses—as well as the overall amount payable to a crime victim—and these caps vary among states. The federal government, through the Crime Victims Fund, or VOCA Fund, reimburses states for 60 percent of the state payment for compensation. Convicted offenders can be ordered to pay restitution to their victims for additional expenses, and to compensation programs to reimburse them for payment to the victims.

This system, while providing important assistance to many victims, has left others with unmet needs.

Many victims do not meet the eligibility requirements for victim compensation. Programs generally require reporting of the crime within a short timeframe; however, many traumatized victims wait months or years to report the crime. Most programs also have deadlines for filing a compensation claim, but many victims do not learn about crime victim compensation until it is too late to file, are too overwhelmed in the immediate aftermath of the crime to apply, or do not recognize their need for counseling or other assistance until years after the crime. Eligibility for victim compensation is also generally linked to cooperation with the criminal justice system as well as the formal filing of a report. While states are permitted to make limited exceptions to such reporting and cooperation requirements, such as providing that in sexual assault cases it is sufficient for a victim to receive a forensic exam, and in domestic violence cases it is sufficient if a victim seeks a protective order. However, these exceptions have not been adopted uniformly. And states may reduce or deny an application for victim compensation depending on “contributory conduct,” which is defined unevenly.

These eligibility restrictions on victim compensation can have a discriminatory effect. For example, “contributory misconduct” may be interpreted to include any past affiliation with members of a gang, whether or not that affiliation is shown to be connected to the crime. The requirement to report an offense immediately or cooperate in prosecution may be a barrier to victims in communities that do not trust law enforcement.

Even where victims are eligible for compensation, it may not meet their needs. Victim compensation benefits are generally restricted to a list of eligible expenses. While they may cover an amount of lost wages, they can’t cover other—often modest—expenses that could help a victim retain employment or gain new employment, such as making needed repairs to a damaged vehicle. While they may cover counseling for a surviving family member of a homicide victim, they may not cover relocation expenses to allow a survivor to move from the scene of the crime.
Furthermore, because crime victim compensation is a reimbursement system, victims must ordinarily incur the expense and then wait—sometimes for many months—to be approved for coverage. This lag can be especially problematic for immediate expenses, such as crime scene cleanup after a violent death, or for funeral or burial expenses. Systems must be devised to better fund these expenses immediately. For example, a compensation program might pay these immediate emergency costs if there is a preliminary indication of eligibility, and only in the event of fraudulent filing or clear evidence of contributory misconduct on the part of the direct victim seek reimbursement. Victim service organizations might be tapped to serve as intermediaries for smaller out-of-pocket expenses that are barriers for some victims (such as the cost of transportation or lock changes) and then seek reimbursement from the compensation program.

Because compensation programs are generally limited to victims of violent crime, victims of financial or property crime are left without important resources to help them recover. While victims of fraud, identity theft, or financial exploitation often suffer significant emotional distress, they are not eligible in most states to seek compensation for mental health counseling. Even fewer states fund the important financial counseling that many of those victims need to rebuild their financial stability.

There are also limitations on funding for compensation programs, which must be addressed if compensation is to be expanded. Federal support is tied to the amount of state dollars spent on compensation. Many state funding mechanisms are insufficient to meet the demand for compensation; some compensation programs routinely run out of compensation dollars before the end of the year.

As a first step toward the goal of reforming victim compensation, we call for a comprehensive examination of our current crime victim compensation program, to identify:

- Gaps in victim access to compensation,
- Gaps in compensation benefits available,
- Victim outcomes from current compensation programs, and
- Current funding mechanisms and any need for additional funding to support comprehensive benefits.
Incorporate racial justice concerns in victim and survivor advocacy efforts.

Longstanding, routine, and often invisible racial and ethnic biases continue to exist in the criminal justice system. Uneven social and economic opportunities and outcomes for communities of color have exacerbated this situation.

If racial inequality is not consciously addressed by victim and survivor advocates, oppression can be inadvertently replicated, reinforced, or perpetuated. Thus, advocates should interweave the goal of fostering racial awareness and justice into their victim and survivor response and prevention policy work. Without this commitment, victims of color will never receive true justice.

Furthermore, for crime victims of color, this dynamic can negatively affect their trust in the justice system and make them less likely to report crime and cooperate in its prosecution. Recent high-profile cases have illustrated the deep mistrust of law enforcement prevalent in many communities. And the Secure Communities policy pursued by the Immigration and Customs Enforcement agency, relying on local police to enforce immigration law, has exacerbated the fear many immigrant victims have of law enforcement, raising the risk that crime will go unreported.

The lack of culturally specific services for racial and ethnic populations can keep some victims from receiving the assistance they need to recover from crime or abuse. To effectively serve victims who have suffered racial bias, victim services should be specifically designed to meet the needs of such victims. In addition and to the extent possible, the leadership and staff of victim and survivor organizations should reflect the communities they serve.

To further this policy priority, we must:

- Engage in open conversations about institutional bias, our individual biases, historical trauma, and privilege—and how those issues affect our justice efforts. Such conversations must include the voices of marginalized racial and ethnic communities.
- Develop public messaging and communications with an eye to ensuring that the terminology, visual representations, spokespersons, and stories we use reflect that crime can happen to and be perpetrated by anyone.
- Work with criminal justice allies to reexamine institutional practices and biases that can inhibit access to justice by communities of color and other marginalized populations.
- Examine our policy positions through a racial justice lens, to be sure we are not further marginalizing communities of color.
- Work to support racially and culturally specific services.
- Seek the guidance and promote the leadership of organizations led by people of color.
- Convene a national meeting to identify concrete actions to ensure that victim advocacy work meets the needs of victims of color.
Protect the physical safety, emotional well-being, and financial security of all crime victims and witnesses.

By reporting and cooperating in the criminal justice system, victims often risk repercussions from the accused, friends of the accused, members of the community, or even the victim’s family. These consequences may take the form of violence, threats, or isolation. Many victims who come forward to report crimes become the targets of bullying and online harassment. Undocumented victims risk discovery of their status and deportation if they contact law enforcement. Rural victims—including tribal victims—have special safety needs due to the low number of law enforcement officers covering large geographic areas. Witness protection programs are underdeveloped and underfunded.

Relocation and housing are particular safety needs. Victim compensation in many states can cover relocation expenses but usually only for certain victims—most commonly domestic violence. Others who may need to relocate for safety or mental health reasons, including child victims and their families, sexual assault victims, and survivors in homicide cases, may not be eligible for relocation benefits. Victims of witness intimidation who are not victims of the underlying crime are generally ineligible for victim compensation. Similarly, emergency and transitional housing programs are insufficient to meet the needs of victims. Not only are shelter and housing options for victims of domestic violence insufficient—especially in rural and areas and tribal lands—but there are few such services available for other victims, including victims of elder abuse, victims of trafficking (whether adult or minor), and victims who are lesbian, gay, bisexual or transgender.

Many victims, as well as intimidated or threatened witnesses, need access to protective orders, but most criminal justice officials are only familiar with protective orders for narrow categories of crime—primarily domestic violence but increasingly dating violence, sexual assault, and stalking as well. While judges have the general authority to issue protective orders in other appropriate cases, they are often unaware of this authority or hesitant to use it.

Once protective orders are issued, they must be enforceable. While systems have been created to promote law enforcement access to protective orders, there are still gaps in implementation. The federal Full Faith and Credit law, which requires the enforcement across jurisdictions of protective orders relating to domestic or sexual violence or stalking, does not apply to other protective orders. Furthermore, tribes do not have adequate access to the federal database of protective orders, limiting enforceability of those orders.

In addition, many dangerous offenders—including some released on bail or under a protective order—retain possession of firearms or the ability to purchase firearms. One part of this problem involves a backlog in entering information about convictions and protective orders into the National Instant Criminal Background Check System (NICS). Limited resources to address this backlog may cause law enforcement agencies to prioritize the entry of permanent firearms restrictions (such as felony convictions) over temporary restrictions in protective orders or pretrial
release orders—although in some cases a person under a short-term protective order may pose a higher risk than one with an older conviction. There must be adequate resources to remove firearms when appropriate and quickly enter needed information into NICS to block future firearm purchases.

In pursuing victim and witness protection, we support:

- A presumptive right to physical, psychological, and financial safety for all victims.
- The increased availability of protective orders for victims and witnesses whenever appropriate.
- Meaningful firearms restrictions on those under protective orders or convicted of offenses, including increased resources to implement such restrictions.
- Efforts to create a culture that supports victims who seek services and accountability, including actions to counter societal retribution and intimidation that can prevent victims from seeking justice and assistance.
Pursue justice for all crime victims by continuing to reform our justice systems to increase transparency, ensure that victims’ voices are heard, and provide meaningful accountability.

Victims cannot receive “justice” from a system they don’t understand; they cannot have confidence that a system is “fair” unless they know how the system is supposed to function and are kept informed during the process. Therefore, transparency is integral to any system that purports to consider or resolve allegations of crime or abuse against a victim—whether through the criminal, juvenile, military, or civil justice processes; university disciplinary processes; specialized court processes; or other avenues. A victim must be fully informed about each step of the justice process and all important events or proceedings.

Transparency requires language access, including interpreters for victims with limited English proficiency or who are Deaf or hard of hearing, from the reporting and investigation stage through the resolution of the case. It requires physical access to courtrooms and other forums for those with disabilities. And it requires a multi-pronged approach to ensure that victims understand the stages and limits of the process and their related legal rights.

Transparency regarding the workings and limits of the process should be wide ranging. It should go beyond traditional brochures to include approaches such as video explanations, the development of apps for smart phones or other technology, and the education of community-based advocates who work with victims. Information and education should include the basics of court rules and procedures and how charges and sentences or dispositions are determined.

Victims must also have a voice in the process, including an opportunity to make a full report of the crime to a well-trained investigator and to have input into pretrial release, diversion, and plea decisions. For victims to have a real voice, many of them require an independent advocate. Separate representation of crime victims by legal counsel is a very promising practice. If attorneys cannot be affirmatively provided to victims, there must be uniform standards to inform victims of their right to legal counsel and of referral sources for legal assistance.

While victim assistants employed in criminal justice agencies (such as law enforcement or the prosecutor’s office) provide a very important liaison role, they can also be subject to the inherent conflicts and pressures that come from being a part of the criminal justice system. Moreover, they are generally required to share certain information with the prosecutor—who in turn is mandated to share certain information with the defense counsel. These requirements limit the confidentiality such system-based assistants can provide victims. An independent advocate, who is not employed by a criminal justice agency, can hold all actors in the system accountable for honoring the rights of victims while protecting victim confidentiality.
Victims look to justice systems to provide accountability. Accountability from the perpetrator often includes restitution to the victim—repayment of the victim’s financial losses due to the crime. It can also mean other forms of restoration to the victim, particularly in cases where the victim sustained harm but only low out-of-pocket expenses, or in cases where the victim does not prioritize repayment. Such victims may instead want to request that the defendant agree to cease contact with the victim or to take specified steps toward reformation. When the defendant is ordered to make monetary resolution or take other actions as part of a sentence or conditions of probation, compliance with that order should be regularly monitored and promoted.

Restorative justice programs that emphasize repairing the harm of an offense, whether outside of or in conjunction with a judicial process, can provide accountability to victims. For such programs to repair the harm to victims, rather than aggravate the harm, victims should control their own involvement and their physical and emotional safety must be a consideration. We support the continued development of restorative justice programs as an option for accountability to victims.

Victims also require accountability from the system. There must be highly visible avenues for victims to make a complaint regarding poor treatment or violation of their rights, as well as consequences for either occurrence.

In furtherance of this policy priority, we support:

- Transparency in all justice processes, including language access for victims with limited English proficiency throughout the justice system.
- Special access and transparency features to accommodate the needs of victims with disabilities.
- A meaningful voice for victims in all justice processes.
- Avenues to provide legal counsel to victims.
- The enforcement of court orders affecting victims, including restitution orders.
- The continued development of restorative justice as an option for victims.
Promote fair and thoughtful roles for institutions in preventing and responding to victimization.

Institutions can come in contact with criminal victimization in three ways:

1) A crime can occur within the institution, implicating the institution’s legal responsibility to prevent, disclose, or respond to the crime;
2) Someone within the institution, such as an employee, student, or congregant is victimized outside the institution, requiring a supportive response; or
3) An employee or member of the institution commits a crime unrelated to their employment or membership, but by reason of a code of conduct, the institution has standing to discipline the individual.

Crime can occur in any setting, including institutions such as houses of worship, schools and universities, the military, athletic institutions, skilled nursing homes, and residential care facilities. Institutions bear a responsibility to victims because an institution’s actions can prevent crime or create an atmosphere of opportunity for crime to occur. Screening practices for employees, volunteers, or affiliates working with vulnerable populations; physical considerations for safety and security; policies and procedures related to supervision; and the organizational culture’s tolerance or encouragement of reporting misconduct can all affect an institution’s legal liability as well as its reputation. Institutions should be transparent when a crime has occurred and, just as transparently, seek to understand what happened, what role their setting or procedures played, and what could be changed to prevent future victimization. Institutions should also create opportunities to hear directly from victims to determine what they can do to help meet victims’ needs following a crime.

When an employee or member commits a crime outside the institution in violation of its code of conduct, the institution sends a strong message in how it enforces—or chooses not to enforce—the violation. If the institution punishes the violation too leniently or not at all, it trivializes the victim’s harm and signals to others that such conduct will be tolerated and is not considered serious. If the institution adopts a zero-tolerance policy requiring termination, such a policy could increase pressure on the victim not to report and even prevent victims from reporting, particularly if they are financially dependent on the offender’s employment.

When a member of the institutional community is the victim of a crime unrelated to the organization, that person may need supportive responses and accommodations from the institution. Institutions are also well-positioned to educate their communities regarding crime and victimization, to promote safety, and to link victims to resources in the aftermath of crime. Such efforts should start by training institutional staff members, since they both represent the institution and are integral to the institution’s response.

Because of their public prominence, institutions are in a position to influence society’s response to victimization. However they come in contact with criminal victimization, institutions should...
develop clear protocols to guide their response to victims of crime. In so doing, they should work
with knowledgeable experts to design systems to prevent and respond to crime that are trauma-
inform and reflect the best current thinking.

In promoting an institutional role in preventing and responding to crime, we will:

- Promote avenues for accountability to victims, including criminal, civil, and administrative
  remedies against perpetrators and against institutions whose actions bear some
  responsibility for the crime.
- Support institutional policy and protocol development to promote the safety and healing of
  crime victims.
- Urge institutions to educate potential victims, perpetrators, and other members or
  employees of institutions.
- Engage in ongoing efforts to encourage institutions at all levels to develop a supportive
  public response to victimization.

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