



## Law Enforcement & Victim Compensation

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## Roadmap

- What is victim compensation?
- Why is it important for law enforcement to know about victim compensation?
- How can law enforcement professionals encourage victim safety and healing through victim compensation?
- What do victim compensation programs need from law enforcement?
- What resources are available to support law enforcement?

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## What is victim compensation?

- Victim compensation has been described as a state loss reimbursement program for eligible crime victims and their families → Most states fund victim compensation through fines and fees on criminals: NO TAX \$\$\$
- Every state and territory has a victim compensation program. Every state is different but each has the same basic mission: *To compensate victims for financial losses resulting from a criminal victimization*
- Victim compensation may be denied to claimants who contributed to their own victimization or failed to participate in the law enforcement process or the compensation program

## What is victim compensation?

- Victim compensation is available to victims of certain crimes
  - Direct victims, and sometimes witnesses
  - Crimes generally include assault, homicide, drunk driving, domestic violence, and sexual assault
- State compensation programs reimburse costs for crime-related expenses, which often includes:
  - Medical/Dental
  - Counseling
  - Funeral/Burial
  - Lost wages
  - Loss of support
  - Crime scene clean up
- Other benefits may include:
  - Relocation
  - Transportation
  - Other basic necessities

## Why do law enforcement need to know about victim compensation?



- It can be very difficult for victims to participate in the criminal justice system if they are concerned about their basic physical and emotional needs
- Positive interactions between LE and victims
  - Support community policing
  - Trust-building
  - Have a cumulative effect on improving community-police relationships
- Some states require law enforcement officers to inform all victims about crime victim compensation

## Why do law enforcement need to know about victim compensation?



**To support COMMUNITY POLICING** and build lasting and meaningful relationships with communities to collaboratively identify neighborhood problems and build multi-disciplinary solutions.

## Why do law enforcement need to know about victim compensation?



### KEY COMMUNITY POLICING CONCEPTS:

- Community partnerships & relational policing
- Contrasts with transactional policing (concerned primarily with output)
- Relational policing focused on interpersonal interactions and relationships
- Engages resources, skills, abilities, and relationships that do not exist in the police
- Involves community in the production of outcomes
- Prepares police for low-frequency and unanticipated incidents
- Develops 'social capital'
- Connected closely to concept and practice of Procedural Justice

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## Why do law enforcement need to know about victim compensation?



### To support PROCEDURAL JUSTICE and the principle of POLICING BY CONSENT (*Peel Principle #2*):

*Recognize always that the power of the police to fulfill their functions and duties is dependent on public approval of their existence, actions and behavior, and on their ability to secure and maintain public respect.*

#### 5 Key Components

- 1) **RESPECT**: visibly and sincerely treat people with dignity and respect,
- 2) **VOICE**: give citizens 'voice' to ensure they feel they have been heard
- 3) **NEUTRALITY**: neutral, impartial, and consistent decision making
- 4) **UNDERSTANDING**: assist to comprehend process and decision-making while conveying trustworthy motives
- 5) **HELPFULNESS**: convey belief system players interested in personal situation

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## VOCA requirements

- Every law enforcement agency that receives VOCA funding is required to:
  - 1) Notify crime victims of the availability of compensation
  - 2) Assist crime victims with application forms and procedure
  - 3) Assist crime victims in obtaining necessary documentation to complete their claim
  - 4) Assist crime victims in checking on claim status

## How can law enforcement encourage victim safety and healing through victim compensation?

- Make victims aware of the availability of compensation
  - By providing referrals to victim services in the community
    - Verbally
    - Through a brochure or card outlining basic rights and services
      - Due to the effects of trauma, victims often forget what they are told at the scene of the incident
- Some jurisdictions have a victim specialist respond on scene

## How can law enforcement encourage victim safety and healing through victim compensation?



- Other jurisdictions have victim advocates who follow up with the victim once the law enforcement officer completes an incident report
- Many jurisdictions don't have victim advocates and therefore rely on law enforcement officers to get the information into the hands of the victim

## What do victim compensation programs need from law enforcement?



- Access to thorough, detailed, professional Incident Reports
  - Victim compensation programs are required to have a police report and to keep those reports confidential
  - *The #1 reason for slow claims is not having documentation*
- A listening ear: Recognize basic needs and understand how victim compensation and/or other available services may be able to help
- Understand the laws in your state: Don't steer a victim in the wrong direction

## What do victim compensation programs need from law enforcement?



- Don't promise something that can't be delivered
- *Get to know your advocates*
  - The Federal "Victims of Crime Act" (VOCA) requires Victim Advocates to provide information to victims about victim compensation
  - Victim advocates work with compensation programs on a daily or weekly basis
  - Victim advocates may be the best resource for you or the victim you are serving

## Resources



- IACP: Training videos, sample tip cards, sample social media posts, and more to help law enforcement understand and implement their role in supporting crime victim access to compensation programs
  - [www.theiacp.org/LE-Role-in-Victim-Compensation](http://www.theiacp.org/LE-Role-in-Victim-Compensation)

## Resources

- National Association of Crime Victim Compensation Boards: Directory and map of victim compensation programs by state  
➤ [www.NACVCB.org](http://www.NACVCB.org)
- National Crime Victim Law Institute: Victim Resource Map of victim support by crime type or location  
➤ [https://law.lclark.edu/centers/national\\_crime\\_victim\\_law\\_institute/for\\_victims/self\\_help/](https://law.lclark.edu/centers/national_crime_victim_law_institute/for_victims/self_help/)
- IACP: Enhancing Law Enforcement Response to Victims: A 21st Century Strategy & Implementation Guide  
➤ <http://www.theiacp.org/Victim-Response>

## Conclusions and questions

- Law enforcement agencies and victim compensation programs have overlapping goals:  
*To increase safety and healing for crime victims*
- Questions?
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