

National Study of Victim Compensation Programs Perceived Fairness of Outcomes Among Claimants

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Abstract

State victim compensation programs across the U.S. provide financial assistance to victims of crime for the financial, physical, and psychological impacts associated with victimization. In 2021, NORC at the University of Chicago and the Urban Institute were funded to conduct a national, multi-method study to update knowledge about victim compensation programs. Relying on survey data collected from claimants who filed for victim compensation in Delaware, New York, and West Virginia, this brief presents findings on how claimants perceived the fairness of the outcome of their victim compensation claim.

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Introduction

The impacts of victimization can vary, but often include social, emotional, physical, and financial impacts, each with short and long-term implications. The nature of costs victims incur can also vary by the crime experienced, with survivors of vehicular crimes, child sexual abuse, and homicide accumulating some of the greatest expenses.¹ Also, while some victims may face similar challenges and absorb comparable costs, diverse challenges can arise depending on the person and the victimization experienced. For example, some victims of crime may experience immediate consequences including property damage and physical injuries, while others may suffer longer-term consequences, including psychological trauma and long-term employment

loss. A seminal study on the cost of crime published in 1996 estimated that the annual cost of personal crime is \$105 billion in medical costs, lost earnings, and victim assistance programs; however, the estimated cost rises to \$405 billion annually when pain, suffering, and reduced quality of life are taken into account.² Yet, research indicates that people who receive compensation to cover at least some of the costs associated with the victimization are less likely to develop post-traumatic stress disorder or other psychological conditions that may stem from being a victim of crime.³

To help support victims of crime, U.S. states and territories administer victim compensation programs to provide reimbursement for costs associated with victimization. In 2022, the total payout by state victim compensation programs was \$234,778,746,

Study Goals and Methods

With funding from the U.S. Department of Justice, National Institute of Justice (NIJ), NORC at the University of Chicago and the Urban Institute partnered on a two-year project to update knowledge about state victim compensation programs. Five research questions guided this study:

1. How are victim compensation programs structured, operated, funded, and utilized today?
2. What key barriers and challenges do victim compensation programs face today?
3. How do victim compensation programs directors, funders, service providers, and claimants measure “effectiveness” and “success”?
4. What are the characteristics, experiences, and perspectives of individual claimants who request victim compensation?
5. Looking at the next 20 years of victim compensation, what do program directors and stakeholders perceive as most critical to improving and/or sustaining the performance of victim compensation programs?

To answer these research questions, we administered a survey to victim compensation program administrators in each state and partnered with Arizona, Delaware, New York, and West Virginia for a deep-dive assessment of their programs. In each of the four deep-dive states, we interviewed victim compensation program stakeholders, collected victim compensation data, and surveyed individuals who filed for victim compensation. (See Hussemann et al, 2024).¹⁶

which supported approximately 208,000 victims.⁴ While victim compensation programs are generally similar, specific eligibility criteria and allowable expenses may vary across programs. Further, some expenses incurred may be allowable by the state (e.g., loss of essential property), but not eligible for federal reimbursement.⁵ Eligible expenses typically include expenses related to physical, dental, and mental health, funerals and burial expenses, and loss of wages. Victim compensation programs are a payer of last resort, meaning they are intended to cover out-of-pocket expenses not paid by any other reimbursement source, including health insurance, civil suits, state disability insurance, worker's compensation, and so forth.

Data on victim compensation programs from 2020 indicates that over 230,000 people applied for victim compensation. Among the applications received, 73% of applications were approved, with 27% denied. The most common reasons that compensation programs denied applications related to the application being incomplete, the claim or crime being ineligible for compensation, a failure to cooperate or report the crime to law enforcement, contributory misconduct, or the application not being filed within the allowable timeframe.⁶

Because victim compensation programs can vary in their eligibility criteria, allowable expenses, and interactions with claimants, it is important to understand how claimants understand their

experiences with victim compensation programs. In 2003, the Urban Institute published the first comprehensive study of state victim compensation programs to understand compensation program structure, operations, efficiencies, and effectiveness.⁷ The current study offers the most rigorous data collection effort on state compensation programs since the 2003 study. Based on findings from a survey with claimants who filed for victim compensation in Delaware, New York, and West Virginia, this brief discusses claimants' perceptions of fairness of the outcomes of their victim compensation claims.

Data

Data presented in this brief was collected through the *Victim Compensation Claimant Survey* which was administered in 2023 to individuals who filed for victim compensation in Arizona, Delaware, New York, and West Virginia. The survey collected information about the victim, crime type, expenses associated with the victimization, awareness of and experiences with filing for compensation, the process and outcome of filing a claim, interactions with program staff, and recommendations for improvements. The survey took about 15 minutes to complete and was administered to individuals who filed a request for compensation in their respective state within the year prior to survey administration.

Everyone who completed the survey received a \$30 incentive for their participation in the study.

In Delaware and West Virginia, the research team conducted direct outreach to claimants using claimant contact information provided by the victim compensation programs after informing claimants about the study and providing opportunities to opt-in and out of the study. New York and Arizona declined to provide claimant contact information due to policies regarding confidentiality and information sharing. To support the administration of the survey, each state mailed invitation letters with a link to the survey to claimants along with with decisions letters about their claims for victim compensation. In New York, survey invitations were mailed monthly. Because victim compensation is administered at the county-level in Arizona, each county managed the mailing of the invitation letters which meant the the frequency in which the letters were mailed varied.

Table 1 presents the total number of *Victim Compensation Claimant Survey* invitations, completed survey, and response rates for each state.⁸ Due to insufficient sample size, respondents from Arizona were excluded from this analysis.⁹ We also excluded respondents who were not themselves the victims of the crime, i.e., those who had completed the survey on behalf of the victim, as well as respondents under the age of 18 years.

Table 1. Claimant Survey Responses

State	Survey Invites	Survey Completes	Response Rate
AZ	1,053	32	3%
DE	928	272	29%
NY	2,427	104	4%
WV	404	125	30%

Methods

To understand how claimants perceived the fairness of the outcome of their victim compensation claim, we relied on survey responses to the following statement: “The outcome of my compensation claim was fair.” Response options included: a) Strongly Disagree, b) Disagree, c) Agree, d) Strongly Agree,

and e) I Don’t Know. For the purposes of this analysis, we excluded respondents who reported “Don’t Know” and collapsed “Strongly Agree” with “Agree” and “Strongly Disagree” with “Disagree” to create a dichotomous measure. A total of 197 claimants were included in the analysis for Delaware, 81 for New York, and 72 for West Virginia.

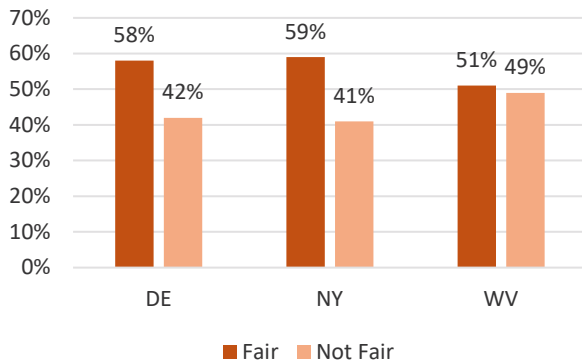
To identify factors that are associated with claimants’ perceptions of fairness in each state, we first estimated the unadjusted relative risk of perceived fairness using a range of survey items as predictors¹⁰. Most of these predictors were binarized for ease of interpretation. Some predictors could not be modeled for New York¹¹ or West Virginia¹² due to limited sample sizes or insufficient variation.¹³

A modified Poisson regression model was run for each predictor individually to calculate the relative risk of perceived fairness in claim outcomes. We hypothesized that a strong predictor of perceived fairness would be the determination of a compensation claim, with claimants whose applications were approved more likely to perceive the outcome as fair than those whose applications were denied. Thus, for each factor that was significantly associated with perceived fairness in the unadjusted model, we estimated a second regression model controlling for the status of a claimant’s application for victim compensation (denied vs. approved).¹⁴ Among survey respondents, a total of 226 claims for victim compensation were approved, including 135 in Delaware, 51 in New York, and 40 in West Virginia. A total of 102 claims for victim compensation were denied, including 52 in Delaware, 24 in New York, and 26 in West Virginia.

Findings

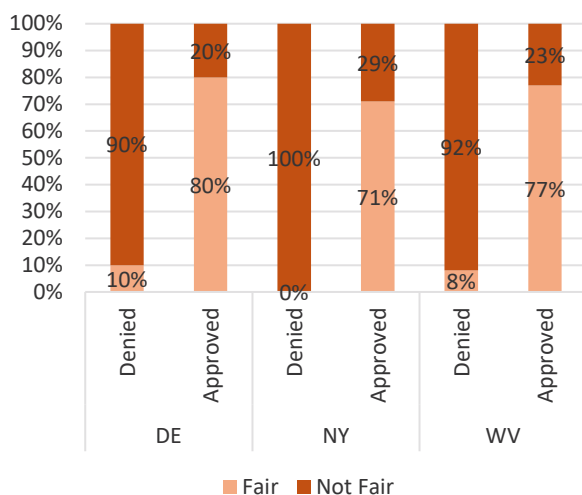
Analysis of survey data revealed that in Delaware, New York, and West Virginia, over half of claimants who filed for victim compensation perceived their outcome to be fair. Specifically, 58% of claimants in Delaware, 59% of claimants in New York, and 51% of claimants in West Virginia felt that their outcome was fair. However, over 40% of claimants across all states felt that the outcome of their claim for victim compensation was not fair. (See Figure 1).

Figure 1. Perceived Fairness of Claim Outcome, by State



Of the respondents whose claims were approved, more than 70% agreed that the outcome of their application was fair, with 80% of claimants in Delaware, 71% of claimants in New York, and 77% of claimants in West Virginia indicating that they felt that the outcome was fair. Notably, nearly 20% or more of respondents in each state whose applications were approved did not agree that the outcome of their claim was fair. This may reflect dissatisfaction in the amount of compensation received compared to what was requested.

Figure 2. Perceived Fairness of Claim Outcome, by Approval Status and State



Ninety percent of respondents in each state whose claims for compensation were denied did not feel that the outcome of the claim was fair. As expected, very few respondents in Delaware and West Virginia whose claims were denied agreed that the outcome

was fair. In New York, no respondents whose claims were denied agreed that the outcome was fair.¹⁵

DELAWARE

In Delaware there were several factors that were associated with claimants’ perceptions of their outcome as fair. Among the factors examined, the factor most strongly associated with perceived fairness of the outcome was feeling informed about the claim decision (RR=9.34, p<.001). Other factors associated with perceiving the claim outcome to be fair included:

- receiving help applying for compensation (RR=1.73, p=.001).
- being paid compensation in a reasonable amount of time, among those whose applications were approved (RR=1.88, p=.002).
- speaking with compensation program staff during the application process (RR=1.96, p=.012).
- feeling that one’s background and experience was understood by program staff, among those who spoke to program staff (RR=3.37, p<.001).
- having been treated with respect by program staff (RR=5.15, p<.001).
- feeling informed about the claim process (RR=7.05, p<.001).
- having one’s claim approved (RR=7.70, p<.001).
- receiving needed support from program staff (RR=8.96, p<.001).

Several factors were also associated with claimants’ perceptions of their outcome as unfair. Among the factors examined, the factor most strongly associated with perceived unfairness of the outcome was wanting but not receiving help in applying for compensation (RR=0.44, p<.001). Other factors that were significantly associated with perceiving the claim outcome to be unfair included:

- reporting that communications from the compensation program were difficult to read or understand (RR=0.52, p=.027).

- appraising the application paperwork to be burdensome (RR=0.64, p=.017).
- experiencing problems due to the amount of time it took to receive compensation, among those whose applications were approved (RR=0.68, p<.001).
- having out-of-pocket expenses related to the victimization that were not covered by the program, among those whose applications were approved (RR=0.70, p=.003).
- waiting one month or more until receiving a decision on the application (RR=0.71, p=.001).

Wanting but not receiving help with the application (RR=0.53, p=.009), experiencing difficulty reading or understanding communications from the program (0.46, p=.045), finding the application paperwork to be burdensome (RR=0.69, p=.027), and waiting one month or more to receive a decision (RR=0.75, p=.003) each remained significantly associated with a reduced risk of perceiving the outcome to be fair even after controlling for a respondent's approval status.

NEW YORK

Among the factors examined in New York, only one factor emerged as significantly associated with perceived fairness at the p<.05. Specifically, **claimants who reported that the application paperwork was burdensome were significantly more likely to perceive the claim outcome as unfair (RR=0.51, p=.012)**. Reporting that the application took a long time to fill out and having a decision take at least one month to be received were also associated with perceiving the claim outcome to be unfair at the p<.1 (RR=0.53, p=.071 and RR=0.71, p=.059, respectively).

None of the factors analyzed were significantly associated with an increased perceptions of the fairness of the claim outcome in New York.

WEST VIRGINIA

In West Virginia, four factors were associated with claimants' perceptions of their outcome as fair. **Among the factors examined, the factor most significantly associated with perceived fairness of the outcome was whether one's application was**

approved (RR=9.62, p=.001). Other factors associated with perceived fairness included:

- having someone else fill out the application (RR=1.93, p<.001).
- feeling that one's background and experience was understood by program staff, among those who spoke to program staff (RR=3.76, p=.012)
- receiving help applying for compensation (RR=3.78, p<.001).

Speaking with compensation program staff during the application process was also associated with an increased perceptions of fairness at a trend-level (RR=1.73, p=.062). Among the factors associated with perceived fairness, having someone else fill out the application and receiving help applying for compensation remained significant predictors of perception of fairness of the outcome, even after controlling for whether one's application had been approved (RR=1.34, p=.006 and RR=2.11, p=.009, respectively).

Two factors were significantly associated with a perceiving the claim outcome to be unfair:

- appraising the application paperwork to be burdensome (RR=0.32, p=.013).
- experiencing problems due to the amount of time it took to receive compensation, among those whose applications were approved (RR=0.54, p=.019).

However, after controlling for whether a claimant's application was approved, burdensome paperwork was no longer significantly associated with perceived fairness.

Summary

The goal of this brief was to examine perceptions of fairness of outcomes of victim compensation claims. Findings were based on surveys conducted in 2023 with individuals who filed claims for victim compensation in Delaware, New York, and West Virginia.

Overall, the results of our analyses indicate that just over half of claimants who filed for victim compensation felt that their outcome was fair, with

between 41% to 49% indicating that they felt that their outcome was not fair. For the claimants whose application for compensation was approved, more than 70% agreed that the outcome of their application was fair, whereas 90% of claimants in each state whose claims for compensation were denied did not feel that their outcome was fair.

When examining specific factors that are associated with perceptions of fairness, there were no factors that were consistently associated with perceived fairness across all states. However, the factors that were significantly associated with perceived fairness of the compensation outcome in Delaware and West Virginia, for example, indicate the positive impact that victim support and compensation staff can have on victim's experience with the claim process. These factors include: 1) the claimant receiving help filling out the application and applying for compensation, 2) being able to speak with compensation staff during the application process, 3) feeling informed about the compensation process, 4) feeling that one's background and experience is understood by program staff, and 5) feeling respected by compensation staff.

While operations, processes, and claims decision-making procedures vary among compensation programs, findings published through this study have highlighted the need for victim compensation programs to both ensure that a victim-centered approach is integrated into daily practices and that victim compensation programs continue to train new and seasoned staff.¹⁶ Given the turnover that compensation programs can face and the experiences of the individuals who compensation staff interact with, it is important that compensation programs continue to prioritize the training of staff on issues related to the victim compensation process, equitable decision-making, victimization, trauma, and services available to victims in their community. Training should also include how best to communicate with victims and how to support victims who are struggling to complete applications and/or gather required authorizations or paperwork. In doing so, compensation programs can be better positioned to adequately support the needs of victims and increase positive experiences for individuals who file claims for victim compensation.

Endnotes

1. Newmark, L., Bonderman, J., Smith, B., Liner, B., Allen, R., Waul, M., Rosenfeld, J., White, R., Mulmat, D. H., & Jones, L. (2003). The national evaluation of state victims of crime act assistance and compensation programs: Trends and strategies for the future. In Urban Institute. Urban Institute. <https://www.urban.org/sites/default/files/publication/59536/410924-The-National-Evaluation-of-State-Victims-of-Crime-Act-Assistance-and-Compensation-Programs-Trends-and-Strategies-for-the-Future-Full-Report-.PDFReferences>
2. Miller, T. R., Cohen, M. A., & Wiersema, B. (1996). Victim costs and consequences: a new look. Research Report. National Institute of Justice, Office of Justice Programs, US Department of Justice. <https://www.ojp.gov/pdffiles/victcost.pdf>
3. 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>
4. Office of Victims of Crime. (2024). 2024 crime victims fund compensation and assistance allocations. Office for Victims of Crime. <https://ovc.ojp.gov/funding/2024-crime-victims-fund-compensation-and-assistance-allocations>; In 2018, victim compensation programs paid over \$400 million to support victims and their families.
5. Eligible, reimbursable 5. Eligible, reimbursable expenses and the VOCA Compensation Guidelines were last revised in 2001. During the writing of this report, the U.S. Department of Justice proposed changes to the guidelines and requirements for the Victim Compensation Grant Program. A decision regarding a final proposed rule change is outstanding. The proposed rule change was introduced to promote access and equity and reduce the number of denials. Specifically, the

proposed rule would broaden allowable reimbursable medical and mental health expenses, specifically to account for individuals living in rural areas and to be more responsive to Tribal communities, clarify statutory requirements, as well as broaden the definitions of eligible claimants beyond a close familial relationship to the victim and of reimbursable property damage expenses related to an individual's safety. (See Laurer, C., & Catalini, M. (2024, February 5). Justice Department proposes major changes to address disparities in state crime victim funds. AP News; The Associated Press.

<https://apnews.com/article/crime-victims-compensation-reform-7491173e36eed267e2f63a2c577fb4a1>

6. Hamilton, B. A. (2022). Victim compensation formula grant program: Fiscal year 2020 data analysis report. In Office of Victims of Crime: Victims of Crime Act (VOCA) Administrators (pp. 1–12). Department of Justice.
<https://ovc.ojp.gov/program/victims-crime-act-voca-administrators/performance-reports/fy-2020-voca-compensation-performance-report.pdf>
7. Newmark, L., Bonderman, J., Smith, B., Liner, B., Allen, R., Waul, M., Rosenfeld, J., White, R., Mulmat, D. H., & Jones, L. (2003). The national evaluation of state victims of crime act assistance and compensation programs: Trends and strategies for the future. In Urban Institute. Urban Institute.
<https://www.urban.org/sites/default/files/publication/59536/410924-The-National-Evaluation-of-State-Victims-of-Crime-Act-Assistance-and-Compensation-Programs-Trends-and-Strategies-for-the-Future-Full-Report-.PDF>
8. Survey representativeness analyses to compare survey respondents with those invited showed some differences. In Delaware, those who participated in the survey were less likely to be male and Hispanic (than either White or Black) compared with claimants who were invited but did not participate in the survey. In New York, those who participated in the survey

were significantly older (by 10 years) and almost twice as likely to be white (than either Black or Hispanic), compared with claimants who did not participate in the survey; both groups were equally likely to be male or female. In West Virginia, those who participated in the survey were more likely to be female and Black (than White), compared with claimants who were invited but did not participate in the survey.

9. Due to the method by which the survey was administered in Arizona, participation rates were particularly low, and we lacked information about when and if survey letters were shared with claimants. To increase response rates, the incentive was increased from \$30 to \$40, and a QR code was added to the invitation letter; however, these adjustments had no impact on responses.
10. Factors examined include the following: Age (respondent); Amount of time it took to receive the payment caused problems (such as not enough money to pay bills, or call from collection agencies, etc.); Application took a long time to fill out; Asked to send additional information after applying; Claim was approved; Claim was approved; Claim was paid by program in reasonable amount of time; Communications (letters, emails) from program were difficult to read or understand; Covid-19 pandemic affected experience filing a claim with the compensation program; Expenses were approved and/or paid by the compensation program; Felt informed about claim decision; Felt informed about claim process; Female (respondent); First claim for victim compensation; Government assistance is main source of income; Learned about program 1 or more months after crime; Non-white (respondent); Paid money from own pocket for expense, without being paid back by compensation, restitution, insurance; Paperwork to apply was burdensome; Program staff provided needed support; Received a decision on claim after 1 or more months; Received help applying for compensation; Someone else filled out application; Spoke with staff at

compensation program; Staff at program understood background and experience; Treated with respect by program staff; Wanted but did not receive help applying.

11. Factors examined in NY include those referenced in DE except: Claim was approved; Felt informed about claim decision; Felt informed about claim process; Program staff provided needed support; Treated with respect by program staff.
12. Factors examined in WV include those referenced in DE except: Felt informed about claim decision; Felt informed about claim process; Program staff provided needed support; Treated with respect by program staff.
13. These items included: whether program staff treated the claimant with respect; whether program staff provided support if needed by the claimant; whether the claimant felt informed about the claim process; and whether the claimant felt informed about the claim decision.
14. Some survey items were only asked of those respondents whose claims were approved. A second model controlling for the status of applicants' claim (approved vs. denied) was not run for these items.
15. For this reason, we were unable to estimate the second set of regression models controlling for approval status for New York as there was insufficient variation in the data.
16. Hussemann, J., Dusenbery, M., Yahner, J., ... Fording, J., et al. 2024. *Twenty Years Later: National Study of Victim Compensation Program Trends, Challenges, and Successes*. Chicago: NORC at the University of Chicago. See additional study publications at www.norc.com and www.urban.com.

ACKNOWLEDGEMENTS

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NORC at the University of Chicago conducts research and analysis that decision-makers trust. As a nonpartisan research organization and a pioneer in measuring and understanding the world, we have studied almost every aspect of the human experience and every major news event for more than eight decades. Today, we partner with government, corporate, and nonprofit clients around the world to provide the objectivity and expertise necessary to inform the critical decisions facing society.

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