



# An Evaluation of Crime Victim Compensation in Delaware

Part of a National Study of Victim Compensation Programs

*Malore Dusenbery, Joshua Fording, and Jennifer Yahner*  
URBAN INSTITUTE

*with Jeanette Hussemann and Robbie Dembo*  
NORC AT THE UNIVERSITY OF CHICAGO

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**Victims of crime can experience serious harms and face significant costs with long-term implications for their economic security and safety. All US states and territories have crime victim compensation programs that provide financial assistance to cover out-of-pocket expenses associated with the financial, physical, and psychological burdens of victimization. From 2022 to 2024, the Urban Institute and NORC at the University of Chicago conducted a National Study of Victim Compensation Program Trends, Challenges, and Successes, which included evaluations of four state crime victim compensation programs.<sup>1</sup> This brief presents the findings of the evaluation we conducted of Delaware’s victim compensation program to understand its utilization and professionals’ and victim claimants’ perspectives on its ability to meet victims’ needs.**

In 2003, the Urban Institute published a seminal report, *The National Evaluation of State Victims of Crime Act Assistance and Compensation Programs: Trends and Strategies for the Future* (Newmark et al. 2003). Twenty years later, updated research was needed to provide guidance to victim compensation practitioners and policymakers. With funding from the National Institute of Justice, NORC at the

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University of Chicago partnered with Urban to conduct this current national study.<sup>1</sup> Our study aims to examine the effectiveness, utilization, and comprehensiveness of state crime victim compensation programs, including identifying strengths and challenges of policies and funding models and best practices. Our multimethod design included (1) a national survey of victim compensation program administrators, and (2) deep-dive evaluations in four diverse states: Arizona, Delaware, New York, and West Virginia. The state evaluations included interviews with victim compensation staff (“staff”) and community-based providers (“providers”), analysis of compensation claims data, and a survey of people who filed for compensation (“claimants”) about their experiences and perspectives (see box 1 for our methods).

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## BOX 1

### Our Methods for Evaluating Crime Victim Compensation in Delaware

For this evaluation, leadership of the Delaware Victims’ Compensation Assistance Program (VCAP) voluntarily facilitated our collection of quantitative and qualitative data. Our three primary data sources were deidentified claims data, stakeholder interviews, and an online survey of claimants. This assessment was also informed by data from the Office for Victims of Crime’s Performance Measurement Tool and VCAP leadership’s responses to our National Survey of Victim Compensation Program Administrators.<sup>a</sup>

**Claims data.** VCAP provided data for the three-year period of 2020 to 2022 on claims (filing date, victimization, victim demographics), decisions (date, outcome, reason for denial), and payments (expense type, amount, date). Urban cleaned, merged, and analyzed the data using the programming language R. We conducted longitudinal comparisons of key frequencies and descriptive statistics, t-tests and ANOVAs to compare means, chi-square tests to compare cross-tabulations and frequencies, and ordinary least squares and logistic regressions to model claim outcomes and payments.

**Interviews with professionals.** Urban received contact information for 15 professionals and sent up to three email invitations to each requesting their participation in a voluntary 60-minute virtual interview.<sup>b</sup> A total of 12 professionals participated (an 80 percent response rate), including 5 staff from the compensation program and 7 professionals from community- and legal-based programs. We used a thematic coding structure to synthesize qualitative information from these interviews.

**Claimant survey.** We confidentially received contact information for claimants with recently closed claims who did not opt out of the study. NORC sent email, mail, and/or phone invitations for voluntary and confidential participation in an online survey about their claims experiences to 928 claimants, 294 of whom (32 percent) completed the survey. NORC used Stata to analyze the survey data, sharing relevant frequencies, descriptives, and cross-tabulations with Urban. See table 1 below for participant demographics.

<sup>a</sup> This evaluation has several limitations similar to other social research. Although we interviewed 14 professionals, the sample size is relatively small, and Delaware has additional professionals in the victim assistance space whom we did not have capacity to interview. Though we received a large amount of Delaware claims data, analysis of it was limited to the fields collected by the compensation program. With regard to the claimant survey, 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.

<sup>b</sup> The interview protocol is attached to the national evaluation report (Hussemann et al. 2024).

# Introduction to Victim Compensation in Delaware

Crime victims in Delaware first gained access to compensation in 1974 when the state’s general assembly created the Victim’s Compensation Fund and the Violent Crimes Compensation Board to manage the fund. In 2010, the fund became the Victims’ Compensation Assistance Program (VCAP) and was moved to the Delaware Department of Justice.<sup>2</sup> As a program within the attorney general’s office, VCAP aims to “alleviate the financial burden and distress that crime leaves behind by awarding financial compensation for losses that victims sustain as a result of crime.”<sup>3</sup>

Key Numbers: DE State Context	
Population (2022)	1.02 million
Counties	3
Population density (2020)	17.4% rural

Compensation staff were proud to be a resource for the community but some felt that having to reimburse victims and enforce caps on benefits can cause frustration. They reported that sharing an agency with the state department of justice, which is led by the state attorney general, allows for efficiency. Specifically, they can work with prosecutors to learn more about a victim’s needs and have more direct access to police reports. Staff disagreed, however, on whether being housed in the department of justice is a deterrent to victims who might not want to interact with a legal system agency and on whether there is enough separation between VCAP and the prosecution units.

Like other states’ compensation programs, VCAP’s primary state funding source is a surcharge levied on criminal offenses (including motor vehicle offenses), but it also receives funds from restitution, probation interest, and subrogation reimbursements. The program then receives federal funding from the Crime Victims Fund based on the level of state funding. In general, VCAP staff believe the available program funding is sufficient to cover claims despite a slight decrease in revenue. One staff member shared they could do more to collect unclaimed restitution, and another shared they would benefit from additional funds to train staff.

VCAP is led by an executive director, who oversees all applications, decisions, and payment processes, and is supported by several administrative staff. Claims are processed by victim service specialists who are organized by crime category. For example, staff assist primarily with gun violence and homicides, domestic violence and sexual assault, or lower-level crimes. There are also two bilingual victim service specialists. Because of this division, caseloads can differ widely but in general are large. Once awarded, claims are paid by accounting staff who do not interact directly with claimants. VCAP staff was capped at eight employees until the legislature changed the statute in 2021.<sup>4</sup> Staff all said this number is insufficient to process the increasing number of claims they receive and make payments in a timely manner. Efforts are being made to get approval to hire additional staff, which staff say is needed on both the investigative and accounting side. One particularly recommended hiring specialists dedicated to non-English-speaking populations. Staff also shared that staff training has improved but remains an area of need. Currently staff learn to provide compensation on the job or through informal training, but they also attend outside training, such as the Delaware

Victim Assistance Academy and the OVC Training and Technical Assistance Center training on trauma-informed victim services.

## Victims and Claimants in Delaware

Crime victims and compensation claimants in any state do not perfectly overlap. Compensation is limited to certain crimes and out-of-pocket costs, and not all victims who are eligible apply. But understanding victims' needs and victimization trends across a state helps in evaluating the comprehensiveness, effectiveness, and accessibility of the state's compensation program.

### Victim Needs and Costs

We asked Delaware victim assistance providers about the victimization experiences they see in their communities. Several reported increases in violent crimes, shootings, and homicides, including domestic violence homicides. One shared that use of domestic violence shelters and hotlines spiked during the COVID-19 pandemic and has since decreased some but not to prepandemic levels. Other common or increasing victimizations cited were domestic-related stalking, labor and sex trafficking, child abuse, and robberies. Two providers attributed these increases to the economy and specifically high inflation, the housing crisis, and cuts to food stamps. When asked about the greatest costs victims face and the costs they most see increasing, six of the seven providers interviewed referenced housing and moving costs. Four providers also discussed funeral costs, medical costs, and mental health care, for which there are often long waitlists. Other costs mentioned included safety items, lost wages, and loss of support.

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*It might not necessarily be the needs have changed, but the cost of those needs has gone up. Even funeral expenses, for instance, have gone up. Our victim compensation program has had to be proactive in changing with the times in those areas. –Community provider*

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Victim compensation programs are a valuable resource for crime victims, but they are the payers of last resort, with finite resources and strict limitations on what they cover.<sup>5</sup> As a result, victims' ability to recover from the full range of financial costs of crime often depends on their access to insurance and health care, other social programs and benefits (such as worker's compensation), community resources, and direct court-ordered payments. VCAP staff and community-based providers generally agreed that Delaware has strong resources in place to help victims recover and that the compensation program is an important and effective part of that system. But many nonetheless believed that despite the resources available, most victims can never fully recover financially. This perception is reflected in our claimant survey: 42 percent of 185 claimants surveyed

said they had to pay money from their own pockets for expenses without being paid back by victim compensation, restitution, insurance, or other sources, with an average estimated total of \$3,523.

The resources available for victims in Delaware include victim services and shelters, social services, housing services, restitution, and compensation, but there are limitations to people’s access to these. For example, professionals interviewed referenced housing shortages, long waiting lists for therapy and other community-based resources, and statutory limits on compensation based on allowable crimes and caps on maximum awards. The types of victims that providers think are less able to recover financially include victims of crimes not covered by compensation, undocumented immigrants, people with lower socioeconomic status whose employment may be at risk from lost days of work, and family members of loved ones who have been killed. Challenges engaging historically marginalized groups are common to victim assistance and compensation providers nationally and a priority for OVC.

### Compensation Claimants

VCAP tracks costs related to 30 different crime categories. From 2020 to 2022, claimants most commonly submitted claims related to assault (24 percent), followed by sexual assault (13 percent), offensive touching (9 percent), and homicide (7 percent).<sup>6</sup> VCAP can add a flag to crime types indicating special victim situations, such as domestic and family violence, elder abuse and neglect, hate crimes, and bullying. Across all crimes, 33 percent of claims were flagged as domestic violence, of which the most common cases involved offensive touching, assault, and protection from abuse orders. In 2022, of Delaware’s three counties, New Castle County had the most claims overall (712, versus 215 in Sussex and 159 in Kent) and the most claims per 100,000 residents (125, versus 89 in Sussex and 87 in Kent).

The claimants we surveyed reported on the expenses they incurred regardless of coverage by victim compensation. As shown in table 1, the most frequently incurred costs were from lost wages, mental health counseling, moving or relocation, medical treatment, and property loss. Of the claimants who reported each cost, most but not all requested compensation, with some variation. Attorney fees, loss of support, and stolen cash or checks were the costs least requested for reimbursement.

TABLE 1

Claimant Costs and Requests for Reimbursement among Crime Victims in Delaware

Cost incurred	Percentage of survey respondents who incurred this cost	Percentage of survey respondents who requested compensation for this cost
Lost wages	35%	79%
Mental health counseling	30%	74%
Moving or relocation	29%	88%
Medical treatment	23%	80%
Other property loss or replacement	21%	74%
Temporary housing	14%	89%

	Percentage of survey respondents who incurred this cost	Percentage of survey respondents who requested compensation for this cost
Transportation services	10%	75%
Crime scene cleanup	8%	65%
Loss of support	8%	55%
Stolen cash or checks	7%	57%
Attorney fees	7%	30%
Funeral/burial fees	7%	90%

Source: Survey of claimants in Delaware administered by NORC in 2023.

Notes: n=294. Totals may not add up to 100 percent, as respondents could skip questions and select multiple choices.

VCAP claims data show that from 2020 to 2022, mental health care was the most common expense type reimbursed by the compensation program, accounting for 34 percent of compensated expenses. The other most common expenses were medical care (12 percent), personal safety items (9 percent), and sexual assault nurse exams (8 percent).

The demographics of Delaware claimants also help illustrate the program’s usage and can be affected by the types of crimes covered, help-seeking behaviors, and access to information. As shown in table 2, across both data sources claimants were more likely to be female and Black. Claimants from 2020 through 2022 were 33 years old on average, and half of survey respondents reported income from their own employment. In the claimant survey, 50 out of 288 claimants were not the direct victim, with half being a parent or guardian and others a spouse, sibling, or other family member.

TABLE 2

**Demographics of Claimants Who Used Delaware’s Victim Compensation Program**

	Percentage of claimants (2020–2022)	Percentage of survey respondents (2023)
<b>Sex</b>		
Male	30%	12%
Female	70%	86%
Transgender	N/A	0%
Prefer not to answer	N/A	2%
<b>Race/ethnicity</b>		
White	27%	40%
Black	50%	46%
Asian/Pacific Islander/Hawaiian	1%	0%
American Indian/Alaskan Native	0%	0%
Hispanic/Latino	15%	14%
Other	1%	7%
Multiracial	N/A	6%
Unknown	6%	N/A
<b>Age</b>		
0–17	16%	N/A
18–24	15%	8%
25–34	26%	28%
35–44	21%	36%
45–54	11%	15%

	Percentage of claimants (2020–2022)	Percentage of survey respondents (2023)
55–64	8%	9%
65+	4%	3%
<b>Main sources of income at time of crime</b>		
Own employment	N/A	52%
Other family members' income	N/A	13%
Government assistance	N/A	14%
Financial aid/school loans	N/A	2%
Another form of income	N/A	15%

**Source:** Claims data for 2020–2022 shared with the Urban Institute and survey of claimants administered by NORC in 2023.

**Notes:** N/A = not available.  $n=3,741$  for 2020–2022 claims and  $n=294$  for claimant survey. Survey respondent totals may not add up to 100 percent, as respondents could select multiple choices and skip questions.

## Accessibility of Victim Compensation in Delaware

The accessibility of a crime victim compensation program depends on the program’s eligibility and coverage requirements, awareness of the program in the community, outreach efforts by the program, the type and ease of the application process, and resources available to assist victims in making claims.

### Eligibility

Eligibility for VCAP requires that a qualifying crime occurred in Delaware or to Delaware residents in a state that does not offer comparable benefits, the crime was reported to law enforcement within 72 hours, the victim demonstrated reasonable cooperation with law enforcement, the claim was filed within one year of the crime, and the claimant did not perpetrate the crime or collude with the perpetrator of the crime on which the claim is based.<sup>7</sup> The statute enables VCAP to extend the filing deadline based on its discretion and to waive the law enforcement reporting requirement if the crime was reported to another appropriate governmental agency, the victim submits a protection from abuse order, the victim cooperated with an appropriate governmental agency in a domestic violence or sexual assault case, or VCAP determines the circumstances “render this requirement unreasonable.” Secondary victims, such as the parents, spouse, children, or siblings of the primary victim, may be eligible to receive compensation for some costs. Cases may be heard on an emergency basis or may be reopened if new action is taken in the legal case or the person who committed the crime is released from incarceration.

Of the 3,741 claims submitted from 2020 to 2022, only 6 percent were categorized as not involving a covered crime (148 claims) or as involving no crime (48 claims). Nearly all interviewed staff and community-based providers felt strongly that the eligibility requirements are fair and reasonable. A couple respondents mentioned that requiring the crime to have been reported to law enforcement within 72 hours is acceptable because that is the time needed to investigate a crime scene and because most victims already file police reports within that period. Several staff and providers emphasized that VCAP staff work to figure out the circumstances and approve claims if they can make the case, whether that entails using protection from abuse orders to prove self-defense, reviewing

police reports and speaking with the detectives to get additional information, or learning from claimants why they delayed filing claims. The only challenge raised regarding eligibility was the fact that family members of people killed while committing other illegal acts are ineligible for compensation, but this has since been resolved with the recent statute change.

## Awareness of the Compensation Program

According to our claimant survey, 70 percent of claimants learned about VCAP after the crime occurred or was reported and 12 percent when it was reported. After the crime, 44 percent learned about the program within a week, 23 percent within two to four weeks, and 16 percent within one to six months. For 26 claimants, the delay in learning about the program caused problems in filing their claim. As shown in table 3, most claimants learned about the program from a victim service provider, advocates in law enforcement or prosecution offices, and law enforcement officers. Claims data (not shown below) indicated that Black people were referred more from legal system staff, white people more from medical providers, and Hispanic/Latino people more from community-based victim service providers.

TABLE 3

### How Surveyed Claimants Learned about the Delaware Victim Compensation Program

	Number	Percentage
<b>Source claimant learned about the program from</b>		
Victim service provider	127	43%
Victim/witness staff or advocates employed by law enforcement	74	25%
Victim/witness staff or advocates employed by prosecutors' offices	54	18%
Law enforcement personnel	42	14%
Health care or mental health care provider, including substance use providers	28	10%
Other legal system staff, such as pretrial staff, judges, victim assistance staff in correctional facility, public defenders, or probation or parole staff	23	8%
Court social worker	20	7%
State or local protective service agencies, such as those serving child abuse victims, elder abuse victims, and vulnerable adults	20	7%
Another victim or their survivor	7	2%
Funeral director	5	2%
Internet search	5	2%
Public awareness or education campaign, such as billboards, social media, newspapers, other printed materials, or online ads	4	1%
Other	25	9%

**Source:** Survey of Delaware compensation claimants administered by the Urban Institute and NORC research team in 2023.

**Notes:** n=294. Totals may not add up to 294 or to 100 percent, as respondents could skip questions and select multiple choices.

The professionals interviewed were divided regarding the public's level of awareness of VCAP. Seven VCAP staff and community providers reported that people generally only learn about it after there has been a crime, which is common across many state compensation programs. Conversely, four respondents thought the program is "pretty well known" because of VCAP's outreach efforts, the level of awareness of providers, and word of mouth. Professionals all thought people who report a crime

will find out about the program through advocates and support staff in the legal system. Because of the “robust law enforcement–based victim services community,” as perceived by one staff member, victims have access to advocates through every Delaware state troop police station, county and local police offices, and most courthouses and prosecutors’ offices. Participants also said victims find out about the program through medical providers, shelters, mental health providers, and community events (such as those where VCAP tables, like the state fair). Several noted, however, that victims who do not go to a hospital or report to law enforcement, perhaps out of caution because of past experiences, are less likely to know about VCAP.

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*I think we do a good job of getting the word out. There are some who fall through the cracks, but we do a good job. It’s a good resource for advocates as well because it’s a tangible resource that you can offer. It is something we’re eager to let them know about.*  
–Community provider

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Staff and providers all spoke highly of the level of awareness of providers. One provider shared, “I don’t really see too many challenges. I feel confident in making referrals and getting information.” There are some differences in awareness between advocates and law enforcement or medical providers. For example, one provider said, “If I don’t educate people hospital-wide, no one would know who is going to pay for this bill.” Others working with law enforcement reported advocates are more likely to understand the nuances of the program than law enforcement officers, who more often just know the program exists. The providers did not think this was a problem, however, because the goal is for the officers to refer to their in-house victim assistance program.

The respondents also spoke highly of the mechanisms through which VCAP educates these professionals. They reported that VCAP staff, and the executive director in particular, conducts a wide range of outreach and training for law enforcement and advocates. New service providers can spend a half day learning about compensation at the state’s victim assistance academy training. They also conduct workshops for advocates in law enforcement agency–specific trainings. These advocates then generally educate law enforcement officers about compensation in their police academies. In addition to its standard training, VCAP has done targeted trainings and webinars about changes in policy, the application, or the online portal and has developed brochures explaining the program for providers and victims. The providers interviewed all felt the advocates and VCAP have a “really good working relationship” with an open line of communication to staff and the executive director. One provider said, “If there is a question, we just pick up the phone and figure it out,” and another added, “There is a staff person I can communicate with and she’s responsive and helpful.”

## Improving Awareness and Accessibility

As described above, VCAP seeks to improve awareness through formal training for providers and regular presence at community events, including by the bilingual investigators. In recent years, it has also enacted several big changes to increase accessibility. Until 2022, the only way to file an application was through a paper application. Now, claimants have the option to complete an application online and access an online portal. The application has also been shortened. VCAP has reduced barriers for Spanish speakers by employing two Spanish-speaking specialists, providing the application and brochures in Spanish, and sending decision letters in Spanish and English. One provider interviewed indicated that these changes emerged in part because of feedback service providers gave during conferences about what their clients need, and several others noted the changes made applying easier and more accessible. Respondents also shared that Delaware is planning to open family justice centers across the state in 2025 where victim compensation would be available alongside services to build a “one-stop shop” for victims. Lastly, statutory changes to eligibility made in 2021 through H.B. 182 have increased accessibility (Alliance for Safety and Justice 2022). This law expanded the types of victimization experiences eligible for compensation, added eligibility for mental health compensation for people who discover and report a homicide, and extended the deadlines for requesting reconsideration or appeal. Perhaps the most significant change, however, was to rules for denying claims based on contributory conduct: claimants are no longer deemed ineligible based on participation in criminal activity not related to the crime in a claim or in drug-related crimes, and payments owed from unrelated criminal orders are no longer considered.

## Perceptions of Accessibility

All but one of the staff members and providers interviewed felt that VCAP is accessible. Several thought offering the option to complete a paper or online application means there is not “a technological bar at all to applying.” Multiple respondents also noted the accessibility for Spanish speakers, and one staff member reported seeing an increase in applications from typically underserved populations, including Spanish-speaking claimants and older claimants, “in large part due to connections made to groups who work with those populations.” Some staff also thought the process and decisions are unbiased and “race and gender is irrelevant to applications.” One provider said that knowledge is the only barrier, but others thought it is easy to learn about the program on the internet. Advocates said they try to make it as easy as possible for victims and that it helps when they can screen people preemptively to make appropriate referrals.

Of the claimants surveyed, 52 percent did not have help applying and 48 percent did, with no differences by race/ethnicity or gender. Of those who got help, the most common sources were compensation program staff (18 percent), law enforcement–based advocates (12 percent), victim service providers (7 percent), court social workers (7 percent), and prosecution-based advocates (7 percent). The type of help received was evenly split: 40 percent said these people explained the program to them, 30 percent said they helped them fill out the application form, and 27 percent said they gave them materials that explained the program. A further 25 percent of claimants surveyed said

they wanted but did not receive help completing their application, whether that meant help understanding the program, gathering the paperwork required, or filling out the application.

Staff and providers identified several groups for whom VCAP is less accessible. Several thought it might be difficult to access for someone who is not either an English or Spanish speaker. One provider specifically flagged Middle Eastern and Asian victims who may lack culturally specific services in the community that could refer them to VCAP. Participants also thought people with lower incomes might face barriers to access, particularly if they do not have internet or computers to research the program or complete an application online, do not have a phone or email address to communicate with about the program or their claim, or do not have transportation to attend in-person appeals hearings. Other groups participants suggested might face barriers include people with a mental illness who are not connected to an advocate, domestic violence victims whose partners might be restricting communication, and people who are afraid to interact with law enforcement. The primary recommendation suggested by the professionals was to further increase outreach efforts in the community, particularly through less common avenues, such as school resource officers and culturally specific organizations.

## Claims Processing in Delaware

Claimants can submit claims electronically or by mailing or dropping off a paper application. In our claimant survey, 41 percent of respondents submitted their application by mail, 26 percent submitted online, and 23 percent submitted in person. Administrative staff enter claims into the system and the director assigns them to victim service specialists on a weekly basis. The specialists first determine eligibility based on the requirements, exceptions, and documentation provided, then reach out to the claimant and advocates, law enforcement, or prosecutors if needed. After submitting their claim, 49 percent of claimants surveyed were asked for additional information and most provided all requested. The specialists each meet weekly with the director to present their claims and recommended decisions. Once they reach an agreement, the director will sign off on it and send the decision letter. The policy is to begin an investigation within 30 days of receiving an application and decide within 90 days. For approved claims, accounting receives the bill and makes payments, ideally within 30 to 60 days. For denials, there is a worksheet and standardized protocol to make sure they are being made uniformly. Denied claimants have 30 days to file a reconsideration request, which is handled by the director, and if they are denied again they can present their case before an appeals board made up of five diverse professionals appointed by the governor and representing each county.

## Claims Outcomes

From 2020 to 2022, the average time for VCAP to reach a decision was 23 days from the filing date. Payment decisions took an additional 76 days. The average total processing time from filing to payment was 92 days. It took slightly longer for men to get a decision than women, and longer for American Indian and Alaska Native claimants, Hispanic/Latino claimants, and claimants of other races to receive a decision than Black, white, and Asian claimants. These

statistically significant differences disappear when controlling for crime type, except for Hispanic/Latino victims, who have longer processing times regardless of other factors. This likely stems from VCAP having only two specialists to handle all Spanish-language claims, for whom they produce all communications in both English and Spanish. It may also take longer for claimants who do not speak English to get the proper paperwork from providers who do not speak Spanish. Processing time also differed by year: the average time between filing and decision increased from 2020 to 2021, likely because of the COVID-19 pandemic. Despite VCAP introducing the online portal in 2022, time to reach a decision did not change from 2021 to 2022. Total overall time between filing and payment increased from 2020 to 2021 and decreased from 2021 to 2022.

From 2020 to 2022, roughly 80 percent of claims submitted were approved. The most common reasons claims were denied, accounting for 48 percent of denials, were because the claim was not for a covered crime or the claimant was not found to be a victim. Denials for contributory conduct and lack of cooperation with law enforcement both dropped from 2020 to 2022 (from 41 to 25 claims and from 36 to 15, respectively), likely because of the 2021 statute change. This is particularly true for Black men: Black men were overrepresented among contributory conduct denials in 2020 and 2021, but no longer were in 2022. However, Black men were still overrepresented in all years for denials for noncooperation with law enforcement. This could have contributed to them and Black people generally being significantly more likely to be denied in all time periods, even when controlling for crime type.

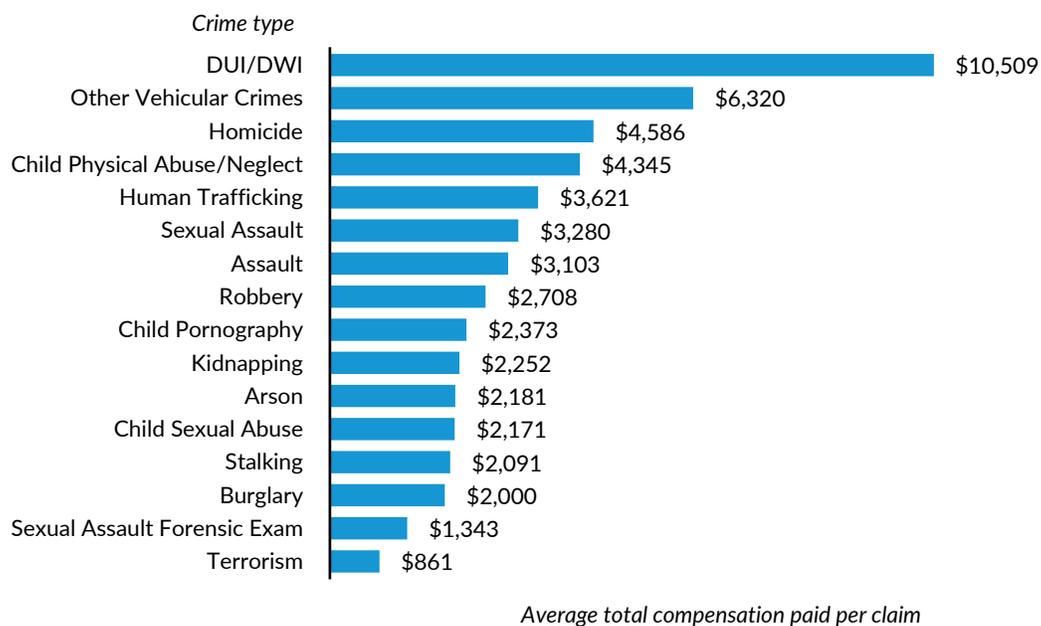
The average payment across the three years was \$2,882, but payments ranged widely, up to a maximum of \$49,871. There were some differences in total payment amounts by race/ethnicity and gender, with Hispanic and Black claimants receiving higher total payments on average than white, Asian, Native American, and other claimants. Men received on average \$1,776 more than women. However, the effects of victims' race and gender went away when controlling for type of crime experienced.<sup>8</sup> As shown in figure 1, the total compensation paid by crime type varies widely. On average, victims of people driving under the influence or while intoxicated and other vehicular crimes received the most compensation between 2020 and 2022. VCAP staff theorize this is because victims apply to VCAP when the other driver does not have insurance, leaving compensation to cover all costs

### Key Numbers: Compensation Claims Made in Delaware, 2020–2022

Average annual number of claims	1,247
Average approval rate	80%
Average payment (mean)	\$2,882
Average time filing to decision	23 days
Average time approval decision to payment	76 days

which may also include longer-term medical costs and lost wages. The next most costly victimizations were homicide, child physical abuse, and sexual assault. In contrast, victims of stalking and burglary, and claims for sexual assault exams, received the least compensation on average. The costs with the highest average payments were funeral benefits (\$3,959), loss of support (\$2,309), and lost wages (\$2,275). The cost categories with the lowest average payments were lock changes (\$232), eye care (\$184), and mileage and transportation (\$172). However, there were 1,349 claims that were approved but did not report any payments made.

**FIGURE 1**  
**Average Total Compensation per Claim Issued by Delaware’s Victim Compensation Program by Crime Type, 2020–2022**



**Source:** Claims data for 2020–2022 shared with the Urban Institute by the Delaware Victims’ Compensation Assistance Program.

**Notes:** Urban collapsed the Victims’ Compensation Assistance Program’s categories into crime type categories from the Office for Victims of Crime’s Performance Measurement Tool.

Of the claimants who completed the survey and reported their application was approved, 79 percent reported that compensation for their expenses was approved, with 43 percent reporting the payment went to them and 36 percent reporting it was paid to their service providers. Of the claimants who completed the survey and were denied compensation, only 13 percent reported that someone explained the appeals process to them, and only 14 percent felt they understood the appeals process. Most claimants who were denied (86 percent) did not file an appeal.

Staff and community providers also shared their perceptions of claim outcomes. One staff member shared, “The only thing that effects the length of time it takes to process a claim is if we don’t

hear from law enforcement,” and most staff members generally felt they processed claims in a reasonable amount of time and rarely issued denials. Nearly all the providers interviewed felt that the amount of time it took to reach a decision, and the decisions and amounts, were reasonable. Several respondents shared that processing times overall have greatly improved under the current structure compared with when decisions were made by a board, as well as under current leadership. One provider also noticed improvements in what they can cover, which affects their perception of the decisions made, and another noted that VCAP “does a really good job of explaining why [claimants] were or were not awarded.”

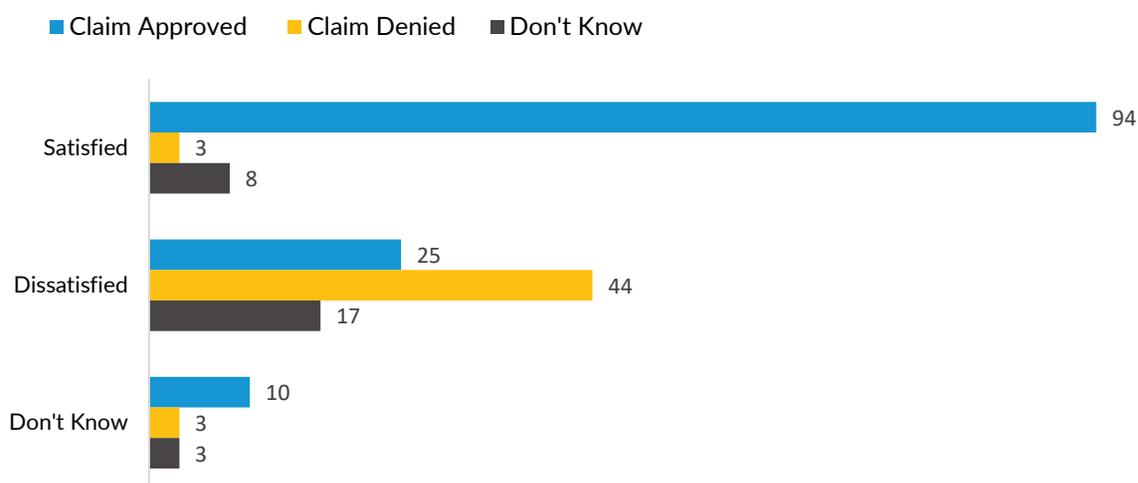
## Experiences of Claimants

Of the claimants surveyed, 81 percent filled out the application themselves. Although only 9 percent said the application was hard to fill out and 16 percent said it took a long time to fill out, 27 percent found it hard to get all the paperwork together. However, people who applied by mail were slightly less likely to think the application was easy to fill out than those who submitted online or in person. There were also some differences in perceptions of ease, with Black participants and participants of other races finding the application easier than white and Latino or Hispanic participants, who were more likely to say they did not know. People who filed in person were also more likely to respond with uncertainty about the ease, but people who submitted by mail were more likely to say it was not easy. Community-based providers reported that from their experience, the paperwork can be hard and some feel frustration from waiting, but that it has become easier and much more streamlined in recent years.

Of claimants who received communication from the compensation program during the process, 83 percent found the letters or emails easy to understand. A large share of the claimants surveyed (77 percent) spoke to someone at VCAP during the process and 84 percent felt listened to, 83 percent had their questions answered, and 66 percent felt the staff understood their background and experience. However, 65 of the 83 people (78 percent) who needed to be called back felt this was not done promptly.<sup>9</sup> Out of 175 claimants surveyed, 60 percent felt the program paid their claim in a reasonable amount of time, but 46 percent reported the amount of time to receive payment caused them problems. Overall, claimants were only slightly more satisfied than dissatisfied with the outcome of their claim (50 percent versus 40 percent), but figure 2 shows that satisfaction was largely predicted by the claim outcome. Only 6 percent of the 50 surveyed claimants whose claims were denied reported satisfaction, compared with 73 percent of people who were approved. This diverges slightly from community providers’ perspective, which is that overall victims are pleased with the outcomes, particularly because most are approved. They also felt having an advocate help with the application and process is invaluable for victims because they are going through shock or trauma.

FIGURE 2

Number of Claimants Who Felt Satisfied with the Outcome of their Claim, by Claim Outcome



Source: Survey of Delaware victim compensation claimants administered by the Urban Institute and NORC team in 2023.

Note: n=268.

### Processing Strengths, Challenges, and Recommendations

Compensation staff believe their key strength is their efficiency with processing claims, which staff attribute to the procedures they have in place and their system of assigning claims to investigators by crime type. One staff member felt this allows staff to develop a routine and relationships with specific providers and advocates in that field. The providers interviewed concurred, and added that staff are thorough and specific in getting paperwork done and are clear in their communication with claimants so claimants understand what is expected, what they need, and the time frame. Staff and providers both shared that staff always try to help in some way, even recognizing when a claimant is entitled to something they did not request and talking to the victim so it is not a lost benefit. Lastly, respondents think the appeals process works well and that the board members are open to hearing victims' stories and new information.

The main challenge that staff, and appeals board members, reported was having to stay with the law and thus having to issue denials if claimants lack the required documents. Staff said they may face pushback from providers for not being able to cover certain costs unrelated to the crime. Similarly, one said that some claimants "are told one thing and we have to tell them another about what we can and cannot do and cover. That's the biggest challenge because then they're disappointed when we have to explain that it's going to take some time and all the things we need from them." An additional processing challenge is getting in touch with the victim and law enforcement (VCAP closes claims if the claimant does not respond after one month of email, voicemail, and letter outreach). Providers expressed similar challenges of not being able to get ahold of victims to complete an application within the time constraints. Recommendations included being more explicit about the law in claimant

resources, having more presence in the community to do applications on the spot, employing a social worker to help with more supportive functions for the victim, and providing more training for appeals board members.

## Perceptions of the Victim Compensation Program

### Factors Affecting the Program

Interview participants reported about policy impacts on the compensation program and impacts related to the COVID-19 pandemic. The primary policy changes, both discussed above, that have affected the program were the elimination of the cap on the number of VCAP staff and the change to the contributory conduct policy, which have led to more approvals and less racial discrepancies in denials.<sup>10</sup> One respondent acknowledged that, because the program is funded primarily by fines and fees,<sup>11</sup> any future changes to those laws would affect the program's funding. But unlike in other states, that has not yet been an issue. Lastly, one provider felt VCAP benefits from some proactive legislators in Delaware who champion victims' issues and will sponsor relevant bills. Regarding COVID, the program was quick to pivot to remote work, and its existing remote claims system allowed for normal processing. This perception was reflected in the claimant survey, in which only 18 percent of surveyed claimants thought COVID affected their experience filing a claim, mostly because of challenges reaching staff or getting support for their application and longer waits for a decision. The appeals board meetings also became remote, then hybrid, which some felt was difficult to navigate. They suggested that the virtual option should be there for people with barriers to transportation, but that in-person attendance is best.

Interview participants reported on trends affecting the program's functioning, including the increase in applications overall, which may owe to increased crime or more widespread awareness, and an increase in applications during summer months. One provider added that they lack resources to support migrant populations specifically and that agencies and shelters are overwhelmed. Another noted that they have made changes to educate clients about the program more immediately and consistently. Lastly, VCAP is supported by an advisory board that can bring attention to issues facing victims generally but also what they see regarding the program specifically. In general, participants feel the program has improved greatly to be more victim-centered and trauma-informed.

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*I think that over the years, the agency [VCAP] has really looked at being victim-friendly, more trauma-informed, more trauma-aware, and I just think that's really been helpful and you can see the shift in what they've done over the years. –Community provider*

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## Comprehensiveness

Of the 12 professionals interviewed, six said the crimes and costs covered are sufficiently comprehensive, with the rest giving more qualified answers. Several noted the total benefit amount is capped by statute at \$25,000 and there are some individual cost caps, but they are generally adequate and may be more generous than in other states. One staff member reported that it is rare for a claimant to meet the maximum statutory cap, and in certain injury cases the state allows a catastrophic benefit that doubles the amount. Another noted the only benefit they process as an emergency award is temporary housing with a maximum of \$1,500, which staff thought is sufficient given the purpose of VCAP. Other respondents also noted that some costs could be higher, but they have a finite pot of money to work with and they have already implemented some improvements, such as increasing and splitting out funeral and burial benefits. However, several people noted these still fall short of the need.

While the professionals reported success covering ongoing costs like medical and mental health, they thought other areas may fall short, including lost wages and personal property, which are decided on a case-by-case basis. One staff member reported that they have some issues covering dental costs, in large part because dentists do not want to accept VCAP benefits. Several noted that people who have experienced certain harms or incurred certain costs may fall through the cracks if those harms and costs do not fall into the proper category, but they acknowledged that this is an issue with legislation rather than how the program is functioning. Similarly, another provider thought there were more issues with the amount of money coming in to the compensation program.

## Equity

VCAP staff stated that race, gender, age, disability, and immigration status do not affect award decisions or payments, and community providers believe VCAP staff are “being as equitable as they can be.” One provider noted that the program is “very good about bending a little bit” to waive reporting and filing requirements, especially in domestic violence and sexual assault cases. One staff member acknowledged that one’s access to funds is less about their identity and more a matter of whether they know about the program. Two staff members suggested that communities that do not speak English or Spanish, or that otherwise have less access to advocates, might be less aware of the program. And throughout interviews, professionals reported on the barriers people might face if they are hesitant to report to or cooperate with law enforcement and the distrust some might have of an agency housed under the attorney general. Another staff member shared that they are trying to connect more with the LGBTQ+ community and add a question about that identity to their application. However, as we present above, analysis of claims data from 2020 to 2022 revealed some racial and gender discrepancies, some of which can be accounted for by differences in crime type or other factors, some of which have improved over time, and some of which remain unexplained. These unexplained differences deserve further exploration to maximize equity.

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*Every victim needs to provide the same documentation as every other victim, and everyone's [claims] get calculated on the same standard. On the outside, we have no control over who gets victimized by crime. That's a societal problem. –VCAP staff member*

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## **Effectiveness**

The professionals we interviewed defined a successful victim compensation program as having the following components:

- **Efficiency:** The program has a quick turnaround time and is less reliant on waiting for reports, which allows it to issue payments in a timely manner. As a result, victims perceive the program and process as going smoothly.
- **Accessibility:** Claimants, and particularly victims who have experienced trauma, are able to submit applications easily and face minimum barriers to the program.
- **Responsiveness:** The program serves as many victims as possible and is responsive to victims' needs, which includes keeping claimants informed throughout the whole process.
- **Fairness:** The process and decisions are consistent and employ guidelines that remove personal judgement from influencing the application while allowing for some flexibility.

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*Our stated goal is to help alleviate the financial burden. I think if we were able to really help with financial stress without barriers that would be more impactful. –VCAP staff member*

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When asked to what extent the Delaware compensation program is currently meeting their definition of success, staff and providers had a wide range of perspectives, though nearly all acknowledged that the program and its staff are generally doing the best they can in the face of policy constraints and staffing challenges. Staff tended to be more critical of the program's success, with several saying they could be more effective if they had more staff, including in the financial department or staff who can provide more emotional support to victims. Another staff member thought the number of claims that VCAP approved as eligible but did not make payments for was a missed opportunity to help people while using valuable staff time. Potential areas of improvement raised by staff included navigating HIPAA barriers and improving information sharing with medical

providers, continuing to improve outreach to increase awareness, and helping staff feel prioritized, seen, and heard so they can better withstand the challenges of responding to victims and be more effective in their outreach.

Providers more uniformly perceived the program as working well. Although several said that VCAP, like any program, has room for improvement, they think it is responsive to victims' needs and responsive to community-based providers for whom the "lines of communication are extensive and open." They said VCAP staff work hard to find ways to help claimants to the extent allowed by the policies and that the timeliness has improved greatly in the past 5 to 10 years. Several also expressed gratitude that such a program exists to help victims, even if there are some necessary constraints. They mainly suggested continuing to make improvements regarding flexibility and timeliness.

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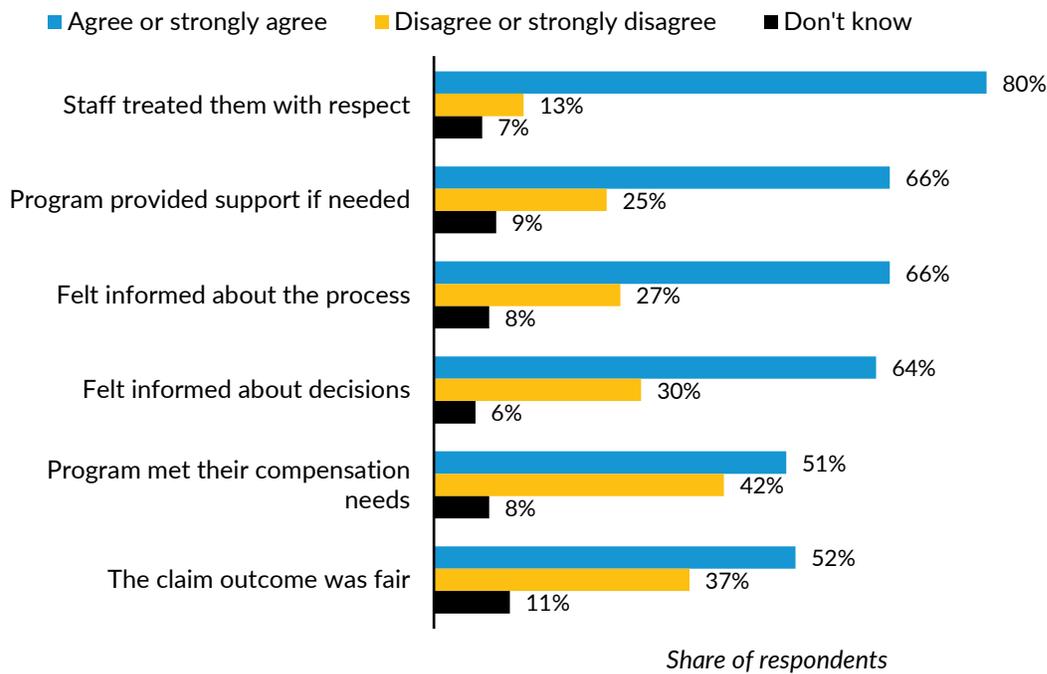
*It's the kind of thing that you are not going to get success stories from victims because they are traumatized from their experience. But I do think they [VCAP] are doing a lot of good in the world, and better than they were doing previously. –Community provider*

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We asked claimants about their perceptions of the compensation program. As shown in figure 3, surveyed claimants overwhelmingly felt treated with respect, with slightly fewer feeling informed about the process or decisions. There were some differences in the latter by gender: only women strongly disagreed or expressed uncertainty, whereas men were more likely to disagree or strongly disagree in general. Although still the majority, fewer still felt their claim outcome was fair or that the program met their needs. These responses almost entirely depended on whether the respondent's claim was denied or approved. And while 30 percent of claimants surveyed said seeking compensation was more trouble than it was worth, only 12 percent said they would not recommend the program to a friend.

FIGURE 3

Claimants' Perceptions of the Delaware Victim Compensation Program



Source: Survey of Delaware compensation claimants administered by the Urban Institute and NORC team in 2023.

Note: n=270.

## Conclusion and Recommendations

This evaluation of the Delaware victim compensation program synthesizes findings from three years of deidentified claims data, an online survey of 294 claimants, and interviews with 12 compensation program staff and community-based victim assistance providers. We conclude that the Delaware compensation program is well-respected by and connected to providers in the community and provides valuable benefits to victims in a mostly efficient, effective, and responsive way. Program staff and assistance providers noted great improvement in the program's functioning since it switched from oversight by a board to the current structure that standardizes decisionmaking by investigative staff. Being located in the state's department of justice allows for efficiency with legal system agencies, though it may increase distrust among some communities. The compensation program recently enacted several major changes to improve its comprehensiveness, efficiency, and accessibility; these included introducing an online application and portal, removing the statutory cap on the number of program staff, and changing the contributory conduct policy. While we saw some effects of these changes in the data, we encourage VCAP to identify the effects of these changes through ongoing assessment (particularly effects on racial disparities for Black and Hispanic claimants) and to find new areas for improvement. Many disparities in the data related to race and gender are attributable to differences in the crimes experienced and reported by different racial and gender groups, which receive different amounts of compensation. Future research could dive deeper into these findings to

better understand these patterns. The professionals interviewed also suggested that further legislative changes be made to law enforcement cooperation requirements to more consistently address differences in denial rates for groups with greater distrust of the legal system.

Professionals in the compensation program and providers in the community offered recommendations for improving Delaware's victim compensation program regarding victim awareness and accessibility, program staffing, compensation coverage, and program funding. Regarding outreach, several thought the program should continue to build its strong presence in the community to increase awareness among assistance providers and victims, including co-locating staff in Delaware's new family justice centers and targeting communities where gaps in awareness remain. Additional staff, particularly to conduct investigations, work with Spanish speakers, support claimants, and process payments, would help compensation staff process claims faster and increase responsiveness to claimant outreach, which claimants in our survey noted was sometimes delayed. Other recommendations suggested by professionals were that compensation staff could more uniformly inform denied claimants about the compensation program's appeals process. Program leadership and staff should also routinely investigate claims that are approved but not paid to tailor outreach and communication accordingly.

A number of additional recommendations focused on policy changes to the compensation program's coverage. In general, compensation staff and assistance providers we interviewed would like to increase many of the amounts covered in response to rising costs. They would also like to see the program include other costs and crimes, such as mental health benefits for witnesses of homicide or mass casualty events, more coverage for attorneys' fees and damaged or stolen goods, or mental health care for past trauma triggered by the covered crime. One professional would like to negotiate with funeral homes to create a comprehensive compensation package that covers all costs because that is often a large gap for claimants who lost a loved one to homicide. To support the funding of the program, two participants recommended courts in Delaware do more to ensure that fines, fees, and restitution orders are properly assigned and paid, which might require policy change and additional judicial training. Lastly, one respondent recommended reviewing and updating the statute at most every 10 years to assess whether it is working and what needs to be changed, while another encourages more cross-learning about approaches and successes in other state compensation programs.

Many of these findings and recommendations align with those emerging nationally in conversations about how to improve victim compensation programs (Alliance for Safety and Justice 2022; Hussemann et al. 2024; Maki and Warnken 2023). We are grateful that programs such as Delaware's remain open to evaluation and eager to understand how to continue expanding and improving their accessibility, responsiveness, and compensation coverage to provide meaningful benefits to victims in need.

## Notes

- <sup>1</sup> Visit [www.urban.org](http://www.urban.org) and [www.norc.org](http://www.norc.org) for additional products resulting from this national study.
- <sup>2</sup> “FY 2021 Annual Report: Victims’ Compensation Assistance Program,” Delaware Department of Justice, accessed June 26, 2021, <https://attorneygeneral.delaware.gov/wp-content/uploads/sites/50/2022/06/FY-2021-ANNUAL-REPORT-SIGNED.pdf>.
- <sup>3</sup> “Helping Victims Recover,” Delaware Victims’ Compensation Assistance Program, accessed June 26, 2024, <https://attorneygeneral.delaware.gov/wp-content/uploads/sites/50/2019/08/VCAP-Brochure.pdf>.
- <sup>4</sup> Among other changes to improve the efficiency of the VCAP, Delaware General Assembly H.B. 182 lifted the statutory employment cap on the number of VCAP employees.
- <sup>5</sup> Being a “payer of last resort” means the compensation only reimburses victims for costs that are not covered or paid by health insurance, restitution, workers compensation, or any other source.
- <sup>6</sup> We collapsed several VCAP crime types into general categories.
- <sup>7</sup> See statute contained in Title 11, Chapter 90 “Compensation for Innocent Victims of Crime,” 11 Del. C. § 9010.
- <sup>8</sup> Racial disparities were likely driven by high numbers of homicide and assault and low numbers of sexual assault forensic exams and child sexual abuse for Black victims. Hispanic/Latino victims also had low numbers of sexual assault forensic exams and burglaries, whereas white victims had high numbers of forensic exams and low numbers of homicides. Male victims had higher numbers of assault, DUI/DWI, homicide, and other vehicular crimes, but low numbers of burglary, child sexual abuse, sexual assault forensic exams, and stalking.
- <sup>9</sup> The survey did not define “prompt” and as a result the respondents may have different interpretations than each other or VCAP.
- <sup>10</sup> An [AP investigation](#) found racial discrepancies in denials for 2018–2021 in Delaware; data we analyzed from 2022 indicate improvement, but longer-term data are needed to identify the full effects of policy changes.
- <sup>11</sup> Funding for most state compensation programs currently depends on fines and fees, but conversations about alternative sources of funding—such as via general state revenues—are occurring nationally, in part for the sustainability of compensation programs but also because of the disproportionate effects that fines and fees have on people of color and living in poverty.

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## About the Authors

**Malore Dusenbery** is a principal policy associate in the Urban Institute’s Justice Policy Center focusing on victimization and gender-based violence. Her research, evaluation, and technical assistance aim to

improve victim services and increase access to justice. As associate director of the national Center for Victim Research, she further fosters collaboration between researchers and practitioners.

**Joshua Fording** is a research analyst in the Justice Policy Center. His research and technical assistance focus on crime victimization and violence prevention in the United States and Mexico, with an emphasis on victimization among marginalized communities.

**Jennifer Yahner** is a senior research fellow in the Justice Policy Center, where she co-leads the Victim Safety and Justice portfolio. Yahner has conducted research for more than 20 years, focused on the needs and experiences of historically marginalized and resilient populations, including crime survivors, older adults, and Latinx people.

**Jeanette Hussemann** is a principal research scientist in the Economics, Justice & Society department at NORC at the University of Chicago.

**Robbie Dembo** is a senior research scientist at NORC at the University of Chicago.

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500 L'Enfant Plaza SW  
Washington, DC 20024  
[www.urban.org](https://www.urban.org)

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