



An Evaluation of Crime Victim Compensation in New York

Part of a National Study of Victim Compensation Programs

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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.¹ This brief presents the findings of the evaluation we conducted of New York State’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

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practitioners and policymakers. With funding from the National Institute of Justice, NORC at the University of Chicago partnered with Urban to conduct this current national study.¹ Our study aims to examine the effectiveness, utilization, and comprehensiveness of 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).

BOX 1

Our Methods for Evaluating Crime Victim Compensation in New York State

For this evaluation, we partnered with the New York state compensation program leads, who 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 New York program leads’ responses to our National Survey of Victim Compensation Program Administrators.^a

Claims data. New York’s compensation program provided data from 2019 to 2022 on claims (filing year, victimization, victim demographics, New York State Police troop), decisions (date, outcome), and payments (expense type, total paid per claim). 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, Kruskal-Wallis tests and Dunn’s tests to compare distributions of data between sub-groups, 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 17 professionals and sent up to three email invitations to each requesting their participation in a voluntary 60-minute virtual interview.^b A total of 14 professionals participated (an 82 percent response rate), including 6 staff from the compensation program and 8 professionals from community- and legal-based programs. We used a thematic coding structure to synthesize qualitative information from these interviews.

Claimant survey. We developed a letter requesting claimants’ voluntary and confidential participation in an online survey about their claims experiences, which the New York compensation program sent alongside all claims decision letters mailed from July to October 2023. It was sent to 2,428 claimants, 108 of whom (4.3 percent) completed the survey. NORC used Stata to analyze the survey data, sharing relevant frequencies, descriptives, and cross-tabulations with Urban for this brief. See table 1 below for participant demographics.

^a This evaluation has several limitations, similar to other social research. Although we interviewed 14 professionals, the sample size is relatively small, and New York has additional professionals in the victim assistance space whom we did not have capacity to interview. Though we received a large amount of New York claims data, analysis of it was limited to the fields collected by the compensation program; for example, there was no information on reasons for claim denials. With regard to the claimant survey, 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.

^b The interview protocol is attached to the national evaluation report (Hussemann et al. 2024).

Introduction to Victim Compensation in New York

The New York victim compensation program was created in 1966 as the Crime Victims Compensation Board, an independent state agency that became the Office of Victim Services (OVS) in 2010. OVS administers the state compensation program and supports more than 200 victim assistance programs statewide to provide services to crime victims.² According to compensation program staff we interviewed, their goals are to “make things as seamless and easy and efficient for victims and for the advocates who are filing on behalf of the victims” and to provide as much compensation as possible with the available funding.

Key Numbers: NY State Context	
Population (2022)	19.7 million
Counties	62
Population density (2020)	21.5% rural

Compensation staff expressed in interviews that sharing an agency with state victim assistance staff allows for more seamless communication with programs serving victims and even collaboration through joint training of community-based victim assistance programs. Staff also highlighted the benefit of being a standalone agency—separate from other state administrators—while maintaining a strong “bidirectional relationship” with the governor’s office and autonomy to make decisions about claims without approval by a board. There are some bureaucratic drawbacks to having all decisions approved at the top, however, such as the time it takes to process cases.

In general, compensation staff believe that available compensation program funding is sufficient to cover claims, but they reported some challenges. Like other states, New York must maintain a certain level of state funding to maximize its receipt of federal funding, which can be difficult to balance and anticipate. Multiple people also noted that the amount of federal money available for administrative costs was insufficient, covering only a small fraction of staff salaries, with the remainder coming from state funding. State funding of victim compensation comes from fines and fees collected into a fund by the New York State Division of Criminal Justice Services and the New York Department of Motor Vehicles. Because of legislative changes in fines and fees and factors such as the COVID-19 pandemic, the balance available has dwindled and fluctuated somewhat while remaining positive overall.

The New York compensation program has units that investigate claims and receive and process medical bills. Unlike other states, New York’s program has no cap on eligible medical costs and can pay claims for the life of the claimant. Staff reported that claims investigators typically have between 200 and 250 claims assigned to them at a time. Staff generally felt that their roles are appropriate but that the current number of staff—roughly 30—is insufficient to process this volume of claims. Multiple staff members also referenced high turnover and hiring challenges owing to policy constraints around the pool of candidates they are required to select from and the specific job titles that make it difficult for compensation staff to move and advance in the New York civil service.

Victims and Claimants in New York

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 New York victim assistance providers about the victimization experiences they see in their communities. Providers reported increases in gun violence and homicides, child abuse, and financial scams against older adults. Victimization in general and scams against older adults in particular (which can carry financial losses that can far exceed the compensation cap)³ were both said to have increased during and since the COVID-19 pandemic. When asked about the greatest costs victims face, five of the eight providers interviewed referenced housing and moving costs. Emergency needs and needs related to food, transportation, and clothes were also reported by many providers. Three providers said the greatest costs that family of homicide victims face are funeral expenses, which they felt have increased since OVS last raised its cap to \$6,000. Other costs referenced were medical bills, particularly when victims do not want to use their insurance because they do not want anyone to find out; loss of support and time off work; stolen personal property; and mental health care costs.

There is absolutely no safe affordable housing, I think that's across the board. Rents have gone up astronomically. It's difficult for us to help folks. We get calls because people want to move because they feel unsafe, but there's nowhere to send them to. Housing issues are just so hard to serve that we've stopped offering that. –Community victim assistance provider

Compensation programs are a valuable resource for victims, but they are payers of last resort, with finite resources and limitations on what they cover.⁴ As a result, victims' ability to recover financially depends on their access to insurance and health care, other social programs (such as worker's compensation), community resources, and court-ordered payments. Compensation staff felt generally positive about the benefits their program provides, particularly because there is no limit on medical expenses. Staff felt the program was one piece of the safety net for victims in New York, which they rated overall as "pretty strong" and "quite generous." Victim assistance providers were more divided about whether victims in New York are ever able to fully recover financially from crime. Several gave qualified answers, saying that it depends on the incident or that it is difficult but not

impossible, particularly if the victim receives restitution or compensation. Several others said that there is no safety net or no way to recuperate all costs, but that compensation helps. One provider noted, “Lots of resources are strained, so it’s harder for people to recover. We’re seeing people struggle for longer than they had previously.” This reality is reflected in our claimant survey: 34 of 67 claimants (51 percent) said they had expenses beyond what victim compensation, restitution, insurance, or other sources covered.⁵

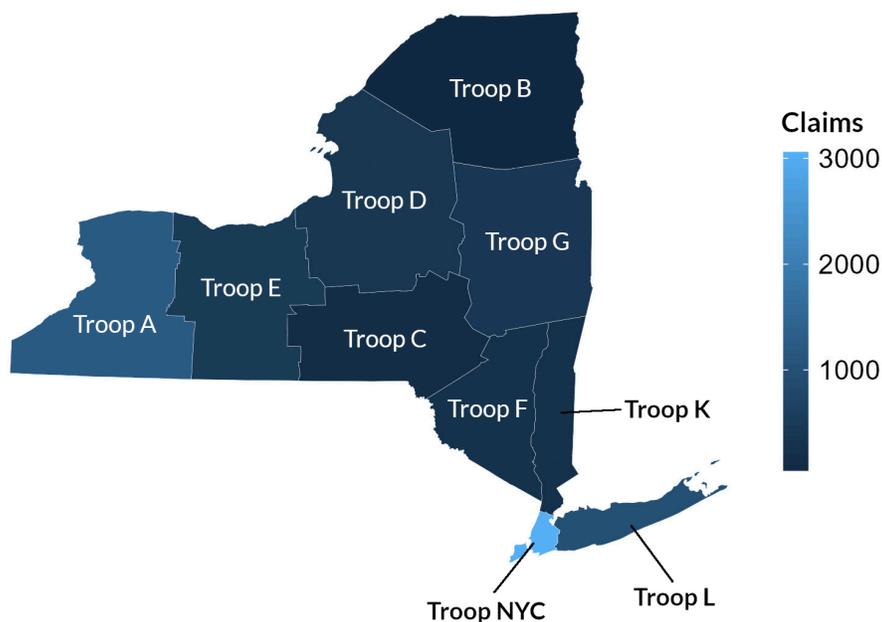
The community providers indicated victims face key challenges related to a lack of housing, jobs, and emergency assistance; gaps in mental health services; and eligibility thresholds for public benefits. The victims that providers think are less able to recover financially include victims of crimes not covered by compensation; victims in households where the person suspected of child abuse is the primary earner; gang-involved victims; victims in communities of color with distrust of law enforcement; older adults; immigrants and migrants; LGBTQ+ victims, particularly in small communities; and teenagers and college students. Compensation staff also acknowledged that they miss out on helping people in New York who are not submitting claims and who perceive barriers to reporting their victimization.

Compensation Claimants

OVS provided Urban with four years of compensation data (2019 to 2022), covering costs related to 20 different crimes and reaching 32,596 people who had been impacted by crime. Figure 1 shows the total number of claims received from each New York State Police troop area in 2022.

FIGURE 1

Total Claims for Victim Compensation Received in 2022, by New York State Police Troop Area



Source: Urban Institute.

Claimants most commonly reported assault by a large margin (32 percent), followed by homicide (9 percent), fraud or financial crimes (7 percent), and sexual assault (7 percent). Some crime categories were small but showed responsiveness to emerging issues or events. For example, the claims related to terrorism averaged five per year for 2019, 2020, and 2021. But in 2022, the compensation program processed 72 such claims, likely in response to the mass shooting event in Buffalo in May of that year.

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 property loss or replacement, stolen cash or checks, lost wages, medical treatment, and mental health counseling. Of the claimants who reported each cost, most but not all requested compensation, with some variation. Crime scene clean up, loss of support, and moving or relocation were the costs least requested for reimbursement. From 2019 to 2022, essential personal property was the most common expense type reimbursed by the compensation program, accounting for 63 percent of compensated expenses and 73 percent of claims. The other most common expenses were medical or dental care (15 percent of expenses; 16 percent of claims) and funeral costs (6 percent of expenses; 10 percent of claims).

TABLE 1

New York Claimant Costs and Requests for Reimbursement

	Percentage of Survey Respondents who Experienced This Cost	Percentage of Survey Respondents who Requested Compensation for This Cost
Property loss or replacement	31%	88%
Stolen cash or checks	21%	95%
Lost wages	18%	74%
Medical treatment	18%	79%
Mental health counseling	15%	69%
Moving or relocation	13%	64%
Transportation services	11%	67%
Funeral/burial fees	5%	100%
Crime scene clean up	4%	25%
Loss of support	4%	50%

Source: Survey of claimants administered by NORC in 2023.

Notes: n=108. Totals do not add up to 100%, as respondents could skip questions and select multiple choices.

The demographics of New York 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 white. Victims from 2019 through 2022 were distributed across all age groups, with slightly larger representation of young adults (23 percent) and older adults (22 percent). Furthermore, OVS data captured that 14 percent of victims had a disability and 63 percent were single rather than married, divorced, separated, or widowed. In the claimant survey, only 8 percent were the parent or sibling of the victim rather than the direct victim themselves. Regarding income, 47 percent of claimants surveyed reported government assistance, 23 percent reported their own employment, 10 percent reported other family members' income, and 40 percent reported some other form of income.

TABLE 2

Demographics of Claimants Who Used New York State's Victim Compensation Program

	Percentage of victims (2019-2022)	Percentage of survey respondents (2023)
Gender		
Male	43%	32%
Female	57%	64%
Transgender	N/A	1%
Prefer not to answer	N/A	3%
Race/ethnicity		
White	41%	64%
Black	29%	17%
Asian/Pacific Islander/Hawaiian	4%	8%
American Indian/Alaskan Native	1%	0%
Hispanic/Latino	19%	17%
Other	4%	7%
Multiracial	N/A	5%

	Percentage of victims (2019–2022)	Percentage of survey respondents (2023)
Unknown	2%	N/A
Age		
0–17	14%	N/A
18–29	23%	N/A
30–39	19%	N/A
40–49	13%	N/A
50–59	9%	N/A
60+	22%	N/A

Source: Claims data for 2019–2022 shared with the Urban Institute and survey of claimants administered by NORC in 2023.

Notes: N/A = not available. $n=32,596$ for 2019–2022 claims and $n=108$ for claimant survey. Survey respondent totals may not add up to 100 percent, as respondents could select multiple choices.

Accessibility of Victim Compensation in New York

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 the New York victim compensation program as prescribed by statute requires that a qualifying crime occurred in New York, the crime was reported to law enforcement within seven days, the victim demonstrated reasonable cooperation with law enforcement, and the victim was found not to have contributed to the crime. There are also some additional age and disability requirements among the eligibility criteria for certain types of crime. Some professionals interviewed felt that these limitations, specifically those around who qualifies for compensation for essential personal property or costs related to fraud against older adults, pose a barrier to victims. However, compensation staff noted that the challenge with expanding eligibility is that it costs money that the program does not have. As one staff member shared, “Changing eligibility costs money unless you’re restricting it...we’ve been discussing reducing barriers for certain types of payments. There’s a lot we could do with more money if the system were less rigid.”

Others noted that there may be challenges related to law enforcement and contributory conduct rules, but they often noted exceptions and nuances for making those determinations. Staff reported that they can waive the police reporting requirement with acceptable alternative documentation, such as an order of protection or forensic rape exam. In 2019, New York also changed the policy for contributory conduct found in homicide claims: such claims can no longer be fully denied or denied more than 50 percent. And in December 2023 the governor signed legislation that eliminates the mandatory law enforcement reporting requirement and allows alternative documentation to show a crime was committed, which will take effect in December 2025.⁶ Staff also reported that the claims investigators make great efforts to discuss each case with the detectives, district attorneys, and

victims to understand the circumstances and avoid a finding of contributory conduct as much as possible.

Awareness of the Compensation Program

According to our claimant survey, 86 percent of claimants learned about New York’s compensation program after the crime occurred or was reported. After the crime occurred or was reported, 27 percent learned about the program within a week, 29 percent within two to four weeks, and 30 percent within one to six months. For 8 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, a protective service agency, or law enforcement advocates or officers.

TABLE 3
How Surveyed Claimants Learned about the New York State Victim Compensation Program

	Number	Percentage
Source claimant learned about the program from		
Victim service provider	41	38%
State or local protective service agencies, such as those serving child abuse victims, elder abuse victims, and vulnerable adults	21	19%
Victim/witness staff or advocates employed by law enforcement	16	15%
Law enforcement personnel	12	11%
Other	11	10%
Victim/witness staff or advocates employed by prosecutors’ offices	8	7%
Public awareness or education campaign, such as billboards, other printed materials, or online ads	4	4%
Other legal system staff, such as public defenders, other attorneys, victim assistance staff in correctional facilities, or court social workers	4	4%
Health care or mental health care provider	4	4%
Internet search	3	3%
Social media	2	2%
Employer	1	1%
Another victim or their survivor	1	1%

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

Notes: n=107. Totals may not add up to 107 or to 100 percent, as respondents could skip questions and select multiple choices.

Claimant survey data largely reflect OVS’s data, which show that from 2019 to 2022, more than half (56 percent) of claimants were referred to the compensation program through a victim assistance program. Other common referral sources included the police (15 percent), district attorneys (12 percent), and hospitals (6 percent). Differences exist between racial/ethnic groups in terms of who referred them to the program. White victims and those filing on their behalf were more likely than people of color to have been referred through a victim assistance program, and less likely to have been referred through a hospital or district attorney. Asian/Pacific Islander/Hawaiian and Hispanic/Latinx claimants and those filing on their behalf were more likely than others to have been referred to the program through a district attorney. Differences also exist by sex, with male victims and those filing on their behalf more likely to have been referred to the program through a district attorney, a hospital,

the internet, and the police, and female victims and those filing on their behalf more likely to have been referred through a victim assistance program.

The professionals interviewed confirmed that there is a widespread lack of awareness about the compensation program among the general public and that people generally only learn about it after there is a need for it, which is common across many state compensation programs. However, there are mixed perceptions about the extent to which crime victims are made aware of the program. Most compensation staff believed they were doing a good job getting the word out to victims but that awareness is still lower than they want. Several of the community providers also credited OVS's efforts at outreach and awareness campaigns. Providers said that victims find out about the compensation program primarily through them as well as through hospitals, funeral homes, and therapists. One provider shared that victims who are not American citizens, who cannot read and write in English, and who are not able to physically seek resources are less likely to know about the program.

No one wants to think they or a loved one will be a victim of crime, so they're not paying attention until it's really needed. That's why it's important there are programs that are trained and can tell people that there is a process for getting help. –Community provider

Compensation staff reported that they have a presence in the victim assistance programs in all but one county in New York and provide training, develop resources, and answer questions. The providers interviewed reported benefiting from OVS and compensation-specific training (both online and in person), conferences, and short videos to guide people through applications. Compensation staff believe this system works well given that many of their claims come in from the advocacy programs or by individual victim/claimants who are referred, but one noted there could be more formalized trainings for law enforcement. Law enforcement and district attorneys' offices have a statutory responsibility to inform victims about and provide materials on the compensation program. The program tries to work with them to encourage referrals to the program, but staff say there is variation in how well agencies do.

Improving Awareness and Accessibility

Past and current efforts by the compensation program to improve awareness include providing written materials to law enforcement to hand out, participating in coalition meetings, improving trainings, and running public awareness campaigns. Regarding training, most providers interviewed reported receiving training and several noted the benefit of having virtual options and helpful online videos. Staff shared that in 2016 they did a large public service awareness campaign but did not see a

resulting increase in claims. They undertook another campaign in 2023, which used social media and tried to put ads where they would reach people who they considered to be in marginalized communities. They also reported a partnership with a street outreach program to train their workers and co-locate case managers.⁷

The largest changes related to increasing accessibility have been the program's creation of an online portal and its effort to shorten the claims application from four to two pages. Several providers noted big advances from the portal. Staff shared that they are continually revising their claims assistance database and trying to make the portal more user-friendly, but one shared they would love to also have an app if they had funding. The shortened claims form represents a shifting priority from getting everything up front from the claimant to reducing the burden on the victim. They are also expanding language access and created Resource Connect, a "locate a program" service to find relevant providers through the website.

Affecting both awareness and accessibility are efforts to receive feedback from and knowledge about the victim and victim services community. OVS is currently involved in a comprehensive needs assessment to identify gaps in services and awareness, the advisory council provides insights about the needs of victims, and staff participate in site visits and review Performance Measurement Tool data submitted by grantees about compensation experiences. Lastly, investigators get feedback directly from service providers and several providers reported that it is extremely easy to communicate with the program and share about challenges people encounter.

Perceptions of Accessibility

Staff and providers felt that victim assistance programs do a good job connecting victims with the compensation program and that the compensation program is responsive to victim/claimants, but that there have been challenges with accessibility related to law enforcement reporting requirements and law enforcement not sharing information consistently. Several professionals interviewed referenced general challenges related to the lack of knowledge about the process and the amount of documentation required, which can be overwhelming particularly when someone has experienced or is still experiencing trauma. And while the creation of the online portal in addition to paper applications is appreciated by many, the technology may seem less accessible to others. These accessibility challenges are exacerbated for people who are immigrants, not native English speakers, or older.

OVS data show that from 2019 to 2022, 77 percent of claimants worked with an advocate. Of the claimants surveyed, 45 percent did not have help applying and 55 percent did, with female claimants (67 percent) significantly more likely to report getting help than male claimants (38 percent). The same pattern was observed in OVS's data, with 81 percent of female victims and those filing claims on their behalf receiving help from an advocate, compared to 72 percent of male victims and those filing on their behalf. Of the claimants surveyed that got help, the most common sources were compensation program staff (13 percent), state or local protective services agencies (19 percent), and victim service providers (12 percent). The type of help was evenly split: 42 percent said these

individuals helped them fill out the application form and 40 percent said they explained the program to them. A further 16 percent of claimants surveyed said they wanted but did not receive help completing their application; there were statistically significant differences by race/ethnicity and sex, with people identifying as Latino/Hispanic and women more likely to report that there was help they wanted but did not get.

Claims Processing in New York

Claimants can submit claims electronically through a portal or by mailing in a paper application. In our claimant survey, 40 percent of respondents submitted their application by mail and 50 percent submitted online. The compensation program’s intake team enters claims into the system and assigns them to investigators, who review the applications and may send an initial letter to claimants explaining whether additional materials are needed, and staff may request police reports if not included. If claims are deemed eligible, the medical reimbursement unit handles all ongoing medical costs and forensic sexual assault exams. Once documentation is received, the investigator will render a decision to award or deny the claim. The compensation division chief oversees claims when there is not agreement about the decision. All payments then go through the administrative service unit. Any claimant can ask for their claim to be reopened, and denied claimants have the right to appeal the decision, which involves presenting to a three-member panel why they disagree with the decision and presenting additional documentation.

Claims Outcomes

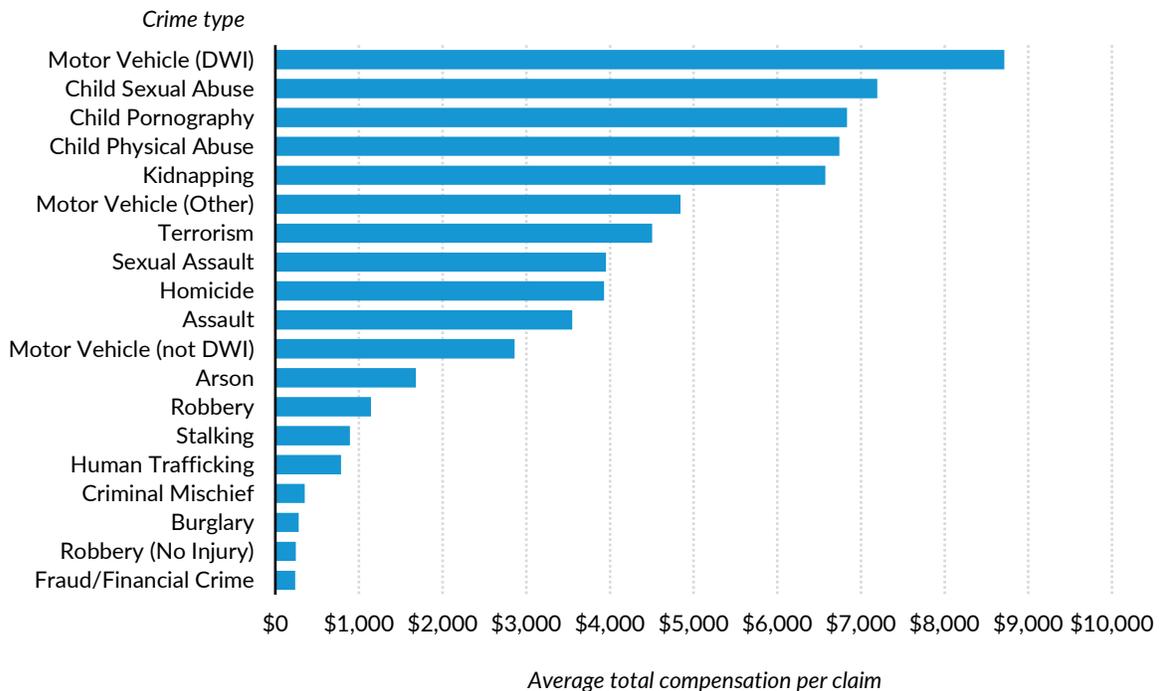
Across the four years of claims data we analyzed, roughly 65 percent of claims submitted were approved either on initial or amended decision, with men (69 percent) having a slightly higher approval rate than women (62 percent) across all races and ethnicities. This disparity likely occurs because men are more likely to be victims of homicide and robbery, which have much higher approval rates than most other crime types (87 percent and 78 percent, respectively). The average payment across the four years was \$2,392 but with a wide range up to the lifetime maximum of \$858,939. There were some differences in total payment amounts by race and gender, with Hispanic and Black claimants receiving higher total payments on average than white, Asian and Pacific Islander, and other claimants. Men received on average \$1,415 more than women. However, the type of crime experienced is a much stronger predictor of payment amount than victims’ race and gender.⁸

As shown in figure 2, there is also a wide range of total compensation paid by crime type. On average, victims of people driving while intoxicated received the most compensation between 2019 and 2022, followed

Key Numbers: Compensation Claims Made in New York State, 2019–2022	
Average annual number of claims	8,149
Average approval rate	65%
Average payment (mean)	\$2,392

by victims of child sexual abuse, child pornography, child physical abuse, and kidnapping. In contrast, victims of fraud/financial crime, robbery (no injury), burglary, criminal mischief, and human trafficking received the least compensation on average.

FIGURE 2
Average Total Compensation per Claim Issued by New York State’s Victim Compensation Program, by Crime Type, 2019–2022



Source: Urban Institute.

Of the claimants who completed the survey and reported their application was approved, 79 percent reported that compensation for their expenses was approved, most of which was paid directly to them. Of the claimants who completed the survey and were denied compensation, 40 percent reported that someone explained the appeals process to them, but only 25 percent felt they understood the appeals process. Most claimants who were denied (67 percent) did not file an appeal. Of the 24 claimants who responded to our survey, none who were denied were denied for contributory conduct; rather, the most common reason was that the crime was not eligible. OVS data reveal that between 2019 and 2022, only 1 percent of claimants who were originally denied filed an appeal, while 10 percent of those who were originally denied received an approval upon amended decision.

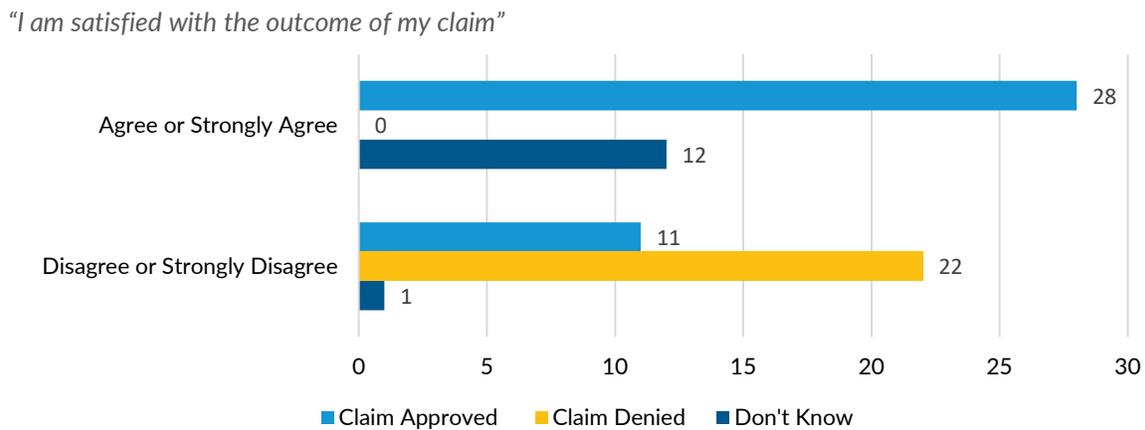
Providers also shared their perceptions of claim outcomes. The majority of the providers interviewed felt it takes too long for decisions to be made, and several referenced turnover in the compensation program and the hiring crisis. However, they felt staff tried to be transparent about

those expectations. Despite that frustration, nearly all providers felt the decisions and amounts awarded are reasonable. One shared that regarding contributory conduct specifically, “they’ve gotten a lot better with their process and decisionmaking, and even how it’s framed when issuing decisions.” They shared that very few of their clients go through the appeals process and when they do it can be tedious to gather the proper documentation, but that the process works and victims generally feel good about it.

Experiences of Claimants

Of the claimants surveyed, 70 percent filled out the application themselves, 66 percent found the application easy to fill out, and 60 percent said it did not take a long time to fill out. However, claimants who applied online were less likely to say it was easy to fill out than those who applied by mail. Nonwhite participants also found it harder to get all the paperwork together. When they received communication from the compensation program during the process, 70 percent found the letters or emails easy to understand. Of the 54 claimants who spoke to someone in the program during the process, 90 percent felt listened to, 80 percent had their questions answered, and 67 percent felt understood, with no differences by race/ethnicity or gender. However, 17 of the 25 people who needed to be called back felt this was not done promptly. Overall, almost twice as many claimants were satisfied with their claim outcome or thought it was fair, with nearly all claimants who were denied reporting dissatisfaction compared to a fifth of those approved as shown in figure 3.

FIGURE 3
Number of Claimants Who Felt Satisfied with the Outcome of their Claim, by Claim Outcome



Source: Survey of New York compensation claimants administered by the Urban Institute and NORC team in 2023 (n=106).

Community-based providers reported that from their experience, the complicated process can be very overwhelming or even revictimizing to claimants because they may already be overwhelmed with what has happened to them. Several shared that it is not easy to understand the form or collect all the paperwork on their own but that it is easier or even essential to have an advocate or another

professional to help. Some also observed that claimants can be frustrated by the amount of time it takes but that they are generally grateful for the assistance, particularly for counseling and medical costs.

Processing Strengths, Challenges, and Recommendations

Victim compensation staff believe their key strengths are their claims processing software and that the structure of their system allows for consistent eligibility and approval determinations, as opposed to when it was a board that made decisions. Staff also cited the creation of the medical claims unit and vocational rehabilitation claims unit as improving the processing of claims. Other processing strengths were the change to do a preliminary check of a claimant's eligibility before getting all documentation, and staff ability to reach out to claimants directly to figure out documentation or going directly to the provider instead. The community-based providers we interviewed also added that compensation program staff have excellent response times when providers reach out with questions.

One key challenge reported is that the program does not have enough staff to process claims quickly, particularly when medical claims accumulate, which could be paid throughout a claimant's life. Several staff also expressed that the claims management system is outdated,⁹ and that technology has advanced to where it would be helpful to have a web-based system that is integrated with the online portal. Similarly, it can be challenging to get documentation from law enforcement and the process for accessing information could be streamlined. The main challenges providers perceived were the amount of paperwork required and the time it takes to process claims, which staff also support addressing.

Perceptions of the Victim Compensation Program

Factors Affecting the Program

Interviewees shared that changing the program is not just a matter of changing internal policy. Rather, compensation policy is dictated by executive law and changes must go through the legislative process. Although OVS can submit annual proposals to the governor's office to fill gaps or correct shortcomings, the governor's office decides which ideas to submit to the legislature. For example, OVS met with victim advocates about legislation on law enforcement cooperation and provided recommended language. One participant shared there is limited political support to allocate additional funds to compensation, so there are concerns about opening up additional opportunities for funds and running out of money for claims. Some also worry that reductions in federal victim assistance funds would lead to cuts in forensic examination programs and mental health care, leading to increases in compensation requests. Lastly, they reported some movement to reduce fines and fees in the criminal legal system as part of efforts to improve equity, but this would impact the current funding stream for the compensation program.¹⁰

There's a push and pull there, from trying to make fines, fees, and surcharges as they're related to criminal prosecutions...less onerous on the perpetrators' end. That takes money away from the state [for victim compensation]. –Compensation staff member

Interview participants reported on other crime and cost trends that affect the program's functioning, including the increase in migrant populations in New York, which has created more need and costs, and challenges related to a rise in employment in the informal economy. The OVS advisory council meets quarterly and brings attention to issues facing victims generally but also what it sees regarding the program specifically. This has led to trainings for compensation staff on specific crimes and informed recommendations for legislative changes.

The compensation program already saw a drop in the fines and fees that make up the program's main funding source when courts shut down in 2020 during the pandemic. Community providers have observed issues with staff retention and turnover, which have created longer wait times for compensation decisions and decreased responsiveness from staff since COVID. Providers also reported that since COVID, victim' needs have increased, particularly for mental health care. However, 83 percent of surveyed claimants did not think COVID had affected their experience filing a claim.

Comprehensiveness

Of the 14 professionals interviewed, three staff members and four providers think that there are no clear gaps in coverage for victims' out-of-pocket expenses and that the program is sufficiently comprehensive. Staff reported that the program structure has evolved in how eligibility determinations are made and the benefits offered as it sees claimants evolving. At least one victim assistance provider agreed that the compensation program is adaptable to be more responsive to needs. One staff member shared, "If somebody comes to us with something and it's something we've never addressed or never covered, we always have a conversation: 'Is this something we can cover by our statute?'" Staff are proud of being the only state with no limitation on medical expenses, which includes mental health, and providers appreciate this flexibility as well. The compensation program also provides direct reimbursement for medical providers to provide forensic sexual assault exams. Similarly, staff and providers are proud to be one of the only states to cover certain personal property losses and noted that their program has recently increased essential personal property and emergency award caps.¹¹

However, other interview participants reported that although victims they have worked with are grateful for compensation, it is often not enough. Even though the compensation program increased the caps on personal property and emergency awards, the remaining limitations still leave victims with out-of-pocket costs. Similarly, several victim assistance providers reported that funeral awards are not meeting the full costs that victims incur. Other costs not covered that providers raised are for the loss

of financial support when a loved one is killed, time off work to go to court to address victimization case issues, and transportation for police interviews and prosecution meetings.

Equity

The professionals interviewed had mixed perceptions of the extent to which the New York victim compensation program is equitable, though any inequities were thought to be from external barriers to accessing the program or inherent policy constraints in the program rather than decisionmaking by program staff. Several respondents asserted that there is not a systemic block in access and that for the most part it is fair. Staff reported they review their statistics and find consistent decisions among different cultural populations. They also shared about the program's efforts to expand equity, including building up nontraditional service programs in communities of color to assist with compensation; expanding definitions of who is eligible, such as changing the wording in the statute from "spouse" to "domestic partner"; and allowing proof of crime to come from family court, adult or child protective services, or forensic rape exams instead of law enforcement. OVS should continue assessing their data to determine if these changes, and similar policy efforts, have on equitable utilization of the program.

There are constraints inherent in the program. It's not the program that is unfair and inequitable, it's the fact that it is curtailed. And that's hard for people. –Community provider

However, other professionals see different groups not seeking out the program because of external and internal barriers. One staff member shared, "It's not us being available to them, it's them coming to us. There are populations that don't want to be identified as victims. There are populations that don't see themselves as victims." Several noted differences in access to compensation depending on access to a computer and/or broadband, comfort with technology, and in rural areas where there are fewer victim assistance programs to help people apply. One respondent thinks the compensation and assistance programs should do more to engage with specific tribal groups in the state. Several others noted that inequities may result because communities of color and other traditionally marginalized communities have understandable distrust of the criminal legal system and government agencies. These perceptions are reflected in the differences in referral sources by race and gender described above. People with lower socioeconomic status or who lack stable housing might also have trouble accessing the records that need to be submitted. One interviewed provider felt that the program's reimbursement-based nature could be seen as classist because it keeps some people from getting what they need right away.

Effectiveness

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

- **Comprehensiveness:** The program meets the needs of all communities across the state without gaps and provides all the services it can for a victim or victim's family.
- **Efficiency:** The program responds in a reasonable time frame, processes claims in a timely manner, and awards everyone eligible in an efficient manner.
- **Accessibility:** The program is easy for the public to understand, people know it exists because every victim is informed and advocates understand it, filing a claim is easy, and the program is trusted.
- **Transparency:** Program staff have good communication with claimants and are transparent about the status of claims.
- **Trauma-informed:** Staff are empathetic, warm, and respect victims, they do personal outreach to their caseload and do not ask unnecessary questions, and the program provides choice and flexibility to "the person who knows what they need more."

Providers also indicate a successful program would be able to work with local victim assistance programs to support the victim. It should be adaptable to responses from the field and provide support for victims through the whole process. Lastly, a successful program will have "created a strong cadre of victim service professionals in the community who can help guide victims through the compensation process" and victim service programs should be better funded so they are better able to serve victims.

A successful victim comp program meets the needs of all the communities across the state, where there are no gaps and where the ability of filing a claim is easy. And one where people know that it exists and trust it. –Compensation staff member

When asked to what extent the New York 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 trying and generally doing the best they can in the face of policy constraints, limited pools of funding, and staffing challenges. Another barrier to meeting their definition of success is the bureaucracy of being a state agency and how long it takes to enact changes to eligibility, technology, and other factors. Despite these challenges, some staff and providers think the New York program would be more successful if gave more flexibility to victims,

creating automatic eligibility for more crimes than sexual assault, and reducing contributory conduct rules.

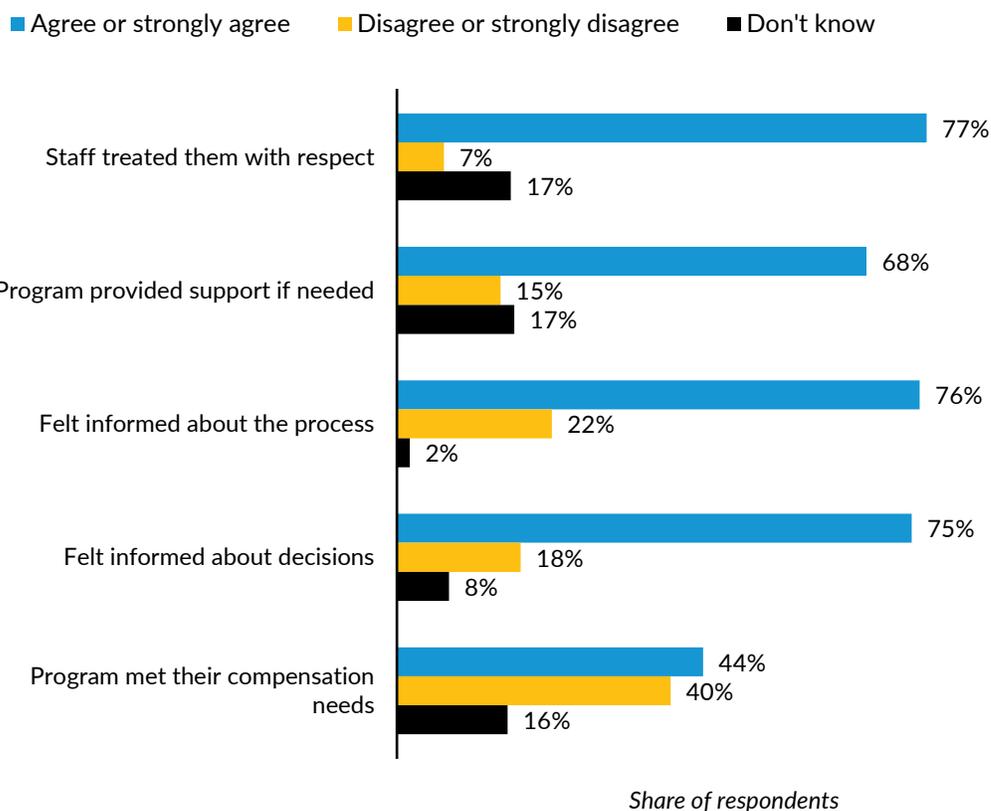
However, staff and providers also identified several areas for improvement that may be within the program's ability to address. For example, they could continue increasing knowledge about the program and do more to reach underserved communities. And while many think staff are empathetic and go above and beyond to do all they can within the statutes, some interview participants think certain compensation program staff still need training on interacting with victims so everyone responds in a consistently trauma-informed way.¹² Decisionmaking could also be made more consistent by implementing robust policy and procedure manuals.

I give the federal government an F in funding consistently. –Community provider

We also surveyed claimants about their perceptions of the compensation program. As shown in figure 4, claimants who responded to the survey overwhelmingly felt treated with respect and informed about the process and decisions, whereas significantly fewer felt the program met their needs. These responses largely depended on whether the respondent's claim outcome. But while 23 percent of claimants surveyed said seeking compensation was more trouble than it was worth, only 10 percent said they would not recommend the program to a friend. People who identified as white or other races were more likely to recommend the program than people who identified as Black or Latino/Hispanic.

FIGURE 4

Claimants' Perceptions of the New York State Victim Compensation Program



Source: Survey of New York State victim compensation claimants administered by the Urban Institute and NORC research team in 2023 (n=107).

Conclusion and Recommendations

This evaluation of the New York state victim compensation program synthesized findings from four years of deidentified claims data, 108 claimants who responded to our survey, and perspectives of 14 OVS staff and community victim assistance providers shared in interviews. We conclude that the New York compensation program serves a vital role helping victims address the financial burden of crime with many strengths and recent improvements. Although participants identified some gaps in coverage, the program is overall comprehensive, with no limits on medical costs and increases to property and funeral coverage. And despite challenges making changes to compensation coverage, professionals appreciate that the program has been able to evolve eligibility and benefits based on victims' needs, which we hope they continue to do for new communities (e.g., migrants) and emerging costs (e.g., informal economy wages). The program has made great efforts to be accessible, with multiple ways to submit a newly shortened application, frequent training and outreach to victim assistance providers and other programs, and a statewide awareness campaign and needs assessment in 2023. The program also recently enacted several major changes to improve the accessibility and

equity of the program, particularly eliminating the requirement to report to law enforcement and changing the policy on contributory conduct for homicide claims. We encourage New York's program to implement ongoing assessment to identify the impacts of these changes, particularly in the demographics of claims received, approved, and paid. Many disparities in the data related to race and gender were attributable to differences in types of crimes experienced and reported by race and gender groups, which have differing compensation amounts. Future research may dive deeper into these findings to better understand these patterns. However, despite these efforts and other improvements to make consistent decisions, the program faces challenges related to funding, staffing, and technology that affect their claims processing.

Professionals in the compensation program and the community offered recommendations for improving New York's compensation program regarding awareness and accessibility, compensation coverage, and program funding and staffing. The most common suggestion was to do more public information campaigns and advertising to increase people's awareness of the program before they become victims. This could help reduce the 30 percent of claimants surveyed who learned about the program one to six months after the crime occurred or was reported. To start, the program could track whether applications increased after their 2023 campaign and from what sources. The program could also conduct training and education alongside providers and educate programs in underserved communities beyond victim assistance programs, including schools, hospitals, YMCAs, social services, and family service providers. One provider reported that evidence supports the idea that victims want to receive information from people who look like them, speak their language, and are trusted. OVS can tailor outreach efforts based on the differences in referral sources revealed by the data analysis above. To improve accessibility, we suggest investigating why survey respondents found the online application harder to fill out and several professionals suggested implementing more training on how to interact with victims and understand what they're going through. Lastly, one provider would like investigators to be more responsive to their outreach with questions, which some claimants wanted as well.

Some professionals would like to see eligibility requirements and coverage expanded; for example, increasing the cap on funeral expenses, emergency awards, and travel expenses. We also encourage the program to investigate opportunities to increase awards for lost wages, moving, transportation, and funeral costs, which were the greatest costs and needs cited by providers and the biggest gaps between cost and compensation request in the survey. Several others simply want more transparency regarding who is eligible and what can be covered. Providers feel that some literature or advertisements can be misleading or confusing when there are more nuances about when and for whom something might be covered. Participants also want more transparency in the turnaround time for claims so victims know what to expect and want alternative ways to structure payments that don't "put people on hold for so long" and a streamlined system for receiving documentation from law enforcement.

A few staff members would like more funding and staff in general for the program, but the majority of staff specified that they need more predictable and consistent funding. One shared that

they could manage the program better knowing how much money they will get, saying “We have to be very intentional and careful about when we’re spending federal money, state money, and what we’re spending it on. They make us jump through so many hoops to try to create stability, and we could spend our efforts on things that are far more valuable like outreach.” Another suggested not tying federal awards to state spending; however, this is a Victims of Crime Act requirement that affects all states nationally. The program would also benefit from funding specifically for administrative costs. One strategy to maximize the effective use of resources would be to pair the findings from this evaluation with the results of the state needs assessment to prioritize responses.

Additional staff are needed to efficiently process claims, respond to claimant outreach, and help claimants understand the appeals process.¹³ Spanish-speaking staff in particular could help reduce the number of Latino claimants who want but do not get help. Participants recommended figuring out how to attract people to these positions, which involve dealing with difficult topics and traumatized people. Potential solutions to increase staff recruitment and retention include increasing salaries, providing more resources on vicarious trauma, and opening up more career paths for staff who start in the compensation program. The program could implement guidelines for communicating with claimants.

Many of these findings and recommendations align with those emerging nationally in conversations about how to improve victim compensation programs (Hussemann et al. 2024; Maki and Warnken 2023; Alliance for Safety and Justice 2022). We are grateful that programs such as New York’s remain open to evaluation and eager to understand how to continue increasing awareness and accessibility of the program across the state and within underserved communities, maximizing coverage, and improving their efficiency and effectiveness so they may best serve all victims in need.

Notes

- ¹ Visit www.urban.org and www.norc.org for additional products resulting from this national study.
- ² “About OVS,” New York State Office of Victim Services, accessed June 11, 2024, <https://ovs.ny.gov/about-ovs>. For more on crime victim compensation programs nationally, see Hussemann and coauthors (2024).
- ³ In October 2022, the cap for essential personal property reimbursement was raised from \$500 to \$2,500 per claim.
- ⁴ 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.
- ⁵ The 34 claimants who had remaining out-of-pocket expenses estimated the total amount, which had a median of \$2,200 and a range of \$117 to \$50,000.
- ⁶ “Governor Hochul Signs Legislation to Support Victims and Survivors of Crime,” New York State Governor’s Press Office, December 9, 2023, <https://www.governor.ny.gov/news/governor-hochul-signs-legislation-support-victims-and-survivors-crime>.
- ⁷ The SNUG Street Outreach program through the Division of Criminal Justice Services uses a public health approach to prevent and address gun violence through a credible messenger approach in neighborhoods experiencing high rates of gun violence. See “Gun Involved Violence Elimination (GIVE) Initiative,” New York State Division of Criminal Justice Services, accessed June 12, 2024, <https://www.criminaljustice.ny.gov/ops/gunviolencereduction/index.htm>.

- ⁸ Racial differences were likely driven by high numbers of homicide and low numbers of financial crime for Black victims, and high numbers of assault and child sexual abuse and low numbers of burglary, criminal mischief, and financial crime for Hispanic/Latino victims, compared to high numbers of burglary, criminal mischief, and financial crimes and low numbers of assault and homicide for white victims. Gender disparities were likely driven in part by similar differences, with male victims reporting higher numbers of assault, motor vehicle crimes, and homicide and low numbers of financial crime, human trafficking, and stalking.
- ⁹ OVS has since reported that they are in the process of launching a new claims processing system.
- ¹⁰ Funding for most state compensation programs currently depends on fines and fees, but conversations to find alternative sources of funding--such as general state revenues--are being discussed nationally, in part for sustainability and in light of their disproportionate impact on people of color and living in poverty.
- ¹¹ Since data collection ended, OVS raised the cap for property claims to \$2,500.
- ¹² As of 2024, all victim compensation staff now participate in a formal training program to be more trauma-informed in their work with claimants and each other facilitated by an expert contractor.
- ¹³ Since data collection concluded for this evaluation, OVS received state funding to hire additional staff to implement the legislation removing the police reporting requirement in December 2025.

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