

THE FAIR ACCESS TO VICTIM COMPENSATION CAMPAIGN

BECAUSE ALL SURVIVORS DESERVE ACCESS TO HEALING FUNDS



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VICTIM COMPENSATION IN NEW YORK STATE

Victim compensation funds are used to reimburse survivors for costs associated with harm, like hospital bills, burial expenses, temporary housing, or lock replacement. These funds are distributed by New York State's Office of Victim Services (OVS) and are crucial to helping survivors regain stability in the aftermath of violence. Unfortunately, many survivors face barriers to accessing victim compensation, such as having to report their harm to police, unrealistic filing time limits, bureaucracy, lack of public awareness, and more. The FAVC Campaign addresses these barriers so that more survivors can access the funds they need to heal.

THE FIRST BILL OF THE FAVC CAMPAIGN REMOVES THE POLICE REPORTING REQUIREMENT AND MAKES THE FILING PROCESS MORE TRAUMA INFORMED.

S.214A (MYRIE)/A.2105A (MEEKS)

1. Removes the police reporting requirement by expanding the type of evidence survivors may use to show OVS that a crime has occurred;
2. Changes the amount of time that a victim is required to file a claim with OVS from one year to three years;
3. Changes the amount of time that a victim is required to report a crime to proper authorities from one week to a reasonable amount of time.

MAKE VICTIM
COMPENSATION
ACCESSIBLE TO ALL

GET INVOLVED

CONTACT US: POLICY@COMMONJUSTICE.ORG

WHY REMOVE THE POLICE REPORTING REQUIREMENT?

- Nationwide, only 40% of survivors of violence report their harm to law enforcement.¹
- Survey data indicates that 42% of Black Americans fear being killed by police in the next 5 years, compared to only 11% of white Americans.²

EVERY SURVIVOR SHOULD HAVE ACCESS TO
FINANCIAL RELIEF THEY NEED TO HEAL.

S.214A (MYRIE)/A.2105A (MEEKS) IS A SOCIAL EQUITY BILL

Per data on applications submitted to OVS from the start of 2018 through the end of 2020, **Black, Latinx, and American Indian/Alaska Native victims were less likely to be awarded compensation than white people**, when controlling for age, gender, region, type of crime, and year of crime.³

LGBTQIA+ victims/survivors often fear reporting to the police which disqualifies them from accessing victim compensation. According to a 2017 report, 20% of LGTBQIA+ survivors of hate violence and 11% of LGBTQIA+ survivors of intimate partner violence said that law enforcement was hostile towards them when they reported crime.⁴

Immigrant victims/survivors may fear that calling the police may result in the person who harmed them being deported or that they themselves might be deported or lose their pathway to citizenship.⁵

For applications and decisions submitted to OVS from the start of 2015 through the end of 2019, **Black victims** represented 31.6% of all claims for compensation but 49.7% of all award denials for failure to cooperate with law enforcement.⁶

1. Rachel E. Morgan and Alexandra Thompson, Criminal Victimization, 2020 (Washington D.C., U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2021), 7, <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/cv20.pdf>.

2. Justin T. Pickett, Amanda Graham, and Francis T. Cullen, "The American Racial Divide in Fear of the Police," *Criminology* 60, no. 2 (January 2022): 12, <https://doi.org/10.1111/1745-9125.12298>.

3. OVS data obtained by Common Justice via FOIL request. Analysis conducted by Dr. Louisa Holaday, Internal Medicine Practitioner and Assistant Professor at the Icahn School of Medicine at Mount Sinai.

4. Beverly Tillery et al., Lesbian, Gay, Bisexual, Transgender, Queer and HIV-Affected Hate and Intimate Partner Violence in 2017 (New York: National Coalition of Anti-Violence Programs, 2018): 8, <http://avp.org/wp-content/uploads/2019/01/NCAVP-HV-IPV-2017-report.pdf>

5. American Civil Liberties Union, Freezing Out Justice: How Immigration Arrests at Courthouses Are Undermining the Justice System (New York: ACLU, 2018), 2, www.aclu.org/report/freezing-out-justice.

6. OVS data obtained and analyzed by Dr. Jeremy Levine, Assistant Professor of Organizational Studies and Sociology at the University of Michigan.

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