



Justice Center

THE COUNCIL OF STATE GOVERNMENTS

Washington Community Compensation Program

Practices and Considerations in Victim Compensation
Eligibility and Expenses

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Presentation Outline

I. Organization Overview

II. What We Do

III. Eligibility

IV. Expenses

The Council of State Governments Justice Center

We are a national nonprofit, nonpartisan organization that combines the power of a membership association, serving state officials in all three branches of government, with policy and research expertise to develop strategies that increase public safety and strengthen communities.

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How We Work

- We bring people together
- We drive the criminal justice field forward with original research
- We build momentum for policy change
- We provide expert assistance

Our Goals

- Break the cycle of incarceration
- Advance health, opportunity, and equity
- Use data to improve safety and justice

Equity and Inclusion Statement



The Council of State Governments Justice Center is committed to advancing racial equity internally and through our work with states, local communities, and Tribal Nations.



We support efforts to dismantle racial inequities within the criminal and juvenile justice systems by providing rigorous and high-quality research and analysis to decision-makers and helping stakeholders navigate the critical, and at times uncomfortable, issues the data reveal. Beyond empirical data, we rely on stakeholder engagement and other measures to advance equity, provide guidance and technical assistance, and improve outcomes across all touchpoints in the justice, behavioral health, crisis response, and reentry systems.

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Maintain separation from current Washington State Victim Compensation Program.

- Establish that the program will only involve cases in the juvenile justice system.
- This creates clear lanes between compensation programs and promotes clarity for applicants, program staff, and people who help victims navigate compensation programs in Washington.

Simplify the application process.

- Make the application as short as possible and only require information needed to begin the process.
 - Contact information, basic details of the incident, expenses already incurred or expected
- Provide different methods for people to apply.
 - Online application portal, fillable PDFs, paper applications, application via phone

Simplify the application process.

- Minimize burden on applicant to gather and submit information.
 - Example: The applicant identifies medical or mental health providers and the program requests information.
- Avoid notarized signatures as much as possible.

Eligibility decisions should involve a two-step process.

- Step One: Determine whether the application meets statutory and administrative requirements.
- Step Two: Consider expenses.

Step One: Application Eligibility

- Determine whether the application meets statutory and administrative requirements.
- Examples:
 - Was the application filed by or on behalf of a victim of an eligible crime?
 - Is the applicant related to the victim?

Ways to Verify the Incident Occurred

Documentation of a crime should come from a third-party source.

- Examples include a police report, criminal complaint, court records, and child protective services reports.
- Other sources used by programs include medical records, mental health treatment records where the victim discussed the crime, and statements made to a victim advocate.

The program should minimize barriers to approval.

- If an application filing period exists, it should allow for exceptions.
- When making decisions, avoid assessment of cooperation with law enforcement, victim's "contributory conduct," and prior involvement with the criminal justice system.

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Step Two—Payment and Consideration of Expenses

- Does the person have eligible expenses?
 - Expenses documented in full at time of eligibility decision can be paid at point when decision is made.
- Expenses can also be requested from applicant when a decision is made.

Compensation is designed to make victims whole financially.

- Removing the financial cost of victimization allows people to focus on physical and emotional needs.
- Programs should make payment directly to service providers when costs are unpaid and reimburse individual people when expenses have been paid.

Eligible expenses—what should a program pay for?

- For violent crimes, matching eligible expenses and caps to the Washington CVC program would promote equitable compensation for victims of violent crime.
- For property crimes, compensation could cover replacement costs of damaged or stolen property and costs to repair damaged items.

Collateral Sources

- Most compensation programs require certain collateral sources to consider expenses before they will pay.
 - Example: Health insurance
- Some collateral sources may be used optionally.
 - Example: Homeowners' or renters' insurance coverage
- Donations should not be considered a collateral source.

Questions and Discussion

Thank You!

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For more information, please contact Robert Hamill at
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