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Gap Analysis Report: California's Underserved Crime Victims and their Access to Victim Services and Compensation



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The opinions, findings, and conclusions or recommendations expressed in this report are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

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A: Introduction

Providing services to victims of crime in California is a complex challenge. California has a population of 38 million, the largest immigrant population in the nation, 125,000 square miles of land, and 58 counties. In such a diverse state, it can be difficult to provide assistance that is appropriate to the culture and preferred language of all victims. Underserved crime victims require new, innovative, and effective approaches to meet their needs.

In 2013, the California Victim Compensation Program (CalVCP) was awarded a federal grant by the Office for Victims of Crime in the Department of Justice, Office of Justice Programs to identify underserved victims of crime in California, determine their unmet needs and barriers to services and implement program improvements to address those gaps. The Gap Analysis Report is the third report of this project. The first two reports, the Baseline Data and Needs Assessment Reports, provided information on who is receiving compensation and identified the underserved, their unmet needs, and barriers to accessing services and compensation. The Gap Analysis Report synthesizes the information in the first two reports and provides an analysis of these factors. The fourth report in this project is the Implementation Plan, to be delivered following this analysis. The Implementation Plan will set forth specific strategies to reduce identified gaps and barriers to access.

B: Background

In 1965, California Governor Edmund G. "Pat" Brown signed cutting edge legislation establishing the California Victim Compensation Program. This was the first program in the nation solely dedicated to providing compensation to victims of violent crime. Since 1965, CalVCP has paid \$2.3 billion in benefits to 1.3 million victims and their families.

Entering its sixth decade, CalVCP helps victims of domestic violence, child abuse, sexual assault, molestation, homicide, human trafficking, robbery, drunk driving, vehicular manslaughter, and other crimes that resulted in injury or death. CalVCP helps pay for medical, dental, mental health services, funeral and burial expenses, home security, residential crime scene clean up,

relocation, wage loss, dependent support loss, home and vehicular modification, and job retraining. The Program has twenty-one offices located in victim assistance centers throughout California and a headquarters office in Sacramento to serve victims.

In addition to CalVCP, hundreds of victim service programs, both community and criminal justice system-based, assist crime victims in California with a variety of needs. The California Office of Emergency Services (CalOES) uses the state Restitution Fund as well as federal Victims of Crime Act (VOCA) and Violence Against Women Act (VAWA) funds to support over 200 programs across the state. In 2013, CalOES-funded programs served 222,906 people providing crisis counseling, advocacy, criminal justice support, shelter and numerous other services.

Despite tremendous population growth over the years, many victim service programs in California remain underfunded, causing resources to be stretched thin or not available at all. New strategies are needed to reach more crime victims and provide for their changing needs. The needs of the millennial generation will drive new service models including accessing services through mobile devices and the internet. Crime impacts all segments of our society, but one size does not fit all.

C: Baseline Data Report

The first step towards understanding where the gaps in services and compensation may exist was to establish a baseline. CalVCP wrote a Baseline Data Report (BDR) that correlated victim compensation utilization for crimes that occurred in California in 2010 with 2010 crime and census data. Crime information from the California Department of Justice and the National Crime Victim Survey, census information from the United States Census Bureau, and compensation applications from CalVCP based on 2010 crimes were used in the preparation of the BDR. The data collection and analysis served to establish a baseline for the core measurements of program operations - who needed and received compensation, where they lived, how much help they received, and how they learned about CalVCP.

The BDR showed that CalVCP received 52,886 applications from claimants who were either direct or derivative¹ victims of crime in 2010. Of the 52,886 applications submitted for crimes that occurred in 2010, 43,555 claimants (40,689 direct victims and 12,197 derivative victims) were determined to be eligible to receive compensation. 20,075 (46%) of those eligible direct and derivative claimants received some type of compensation for losses covered by the program, totaling \$69.2 million. Forty-nine percent of eligible claimants submitted applications but never submitted bills or their expenses were covered by another source.

Crime statistics show that younger people are more likely to be victims of crime, and CalVCP data is consistent with that crime data, showing that younger victims apply for compensation more often than older victims. Forty percent of the direct victim claimants were male and 60% were female.

The BDR also described in detail what types of losses victims experienced and what types of crimes occurred. The rate of compensation applications received for various crimes was compared with the crime rate in each county.

The insurance status of claimants was also examined. Insurance status is a variable that has changed significantly from 2010 to 2014 due to the Affordable Care Act (ACA). ACA has increased individuals' access to health insurance with the expansion of California MediCal to include adults who meet the income requirements and do not have dependent children.

D: Needs Assessment Report

CalVCP conducted a needs assessment to identify underserved crime victims and evaluate their access to victim services and to compensation. This process included surveys and interviews with victims and service providers, as well as a literature review. Four main themes emerged in

¹ Direct victims are individuals who suffered injury or threat of injury as a result of crime. Derivative victims are individuals who sustained pecuniary loss as a result of injury or death to a direct victim, generally a close family member, household member or former household member (California Government Code §13951 (c)).

the needs assessment: unmet needs, barriers to accessing CalVCP services, underserved crime victim communities in California, and emerging trends in service delivery and outreach.

1. Unmet Needs

Victims face an uphill battle in the aftermath of a violent crime and often an unexpected financial burden. All community-based organizations (CBOs), government agencies and mental health providers surveyed stated that clients had a number of unmet needs. Respondents ranked financial assistance as the highest need.

The following unmet financial needs were among the more commonly identified:

- Victims who received funeral and burial compensation stated that the actual cost of the services exceeded the CalVCP reimbursement limit.
- Victims stated that the amounts for relocation expenses were inadequate to cover the actual costs of relocation.
- Mental health providers stated that victims' lack of access to transportation creates difficulty accessing mental health treatment.
- Victims and advocates noted that lack of access to transportation was a barrier to obtaining other needed services.
- Childcare expenses are not currently reimbursed by CalVCP, further limiting some victims' access to medical or mental health services.
- Victims need to be reimbursed for lost wages for time taken from work to access services or attend crime-related appointments.

Furthermore, the lack of linguistically and culturally appropriate resources ranks high as an unmet need. In California nearly one in five individuals has limited proficiency with English. Respondents to the CalVCP survey indicated that language was a significant barrier to reporting crime and to seeking and receiving services. Persons with limited English proficiency (LEP) were identified as an underserved group.

2. Barriers to Accessing Compensation

One of the objectives of the Needs Assessment Report was to evaluate the current accessibility to victim compensation and identify barriers faced by victims. Barriers identified in the surveys and interviews included the following:

- Victims consistently reported they needed help understanding the process to apply for compensation, often due to the effects of the trauma they suffered. Many victims stated they would not have applied without assistance from a VWAC or CBO advocate, a police officer, or hospital staff member.
- The lack of access to transportation was identified as a barrier to receiving services for both rural and urban groups.
- Some rural areas had limited access to services within a reasonable distance.
- Some areas lacked culturally or linguistically appropriate services.
- Fear of reporting crime to law enforcement was another persistent theme. The reluctance to report may be rooted in a sense of shame, concerns about deportation, fear of retaliation, or other factors. The lack of a crime report is an impediment to accessing victim compensation.
- Lack of training and information for service providers, advocates, and other helping professionals was identified as critical need. They serve as the gateway to compensation services for victims.

3. Underserved Crime Victim Communities in California

CalVCP reviewed a number of sources to help identify underserved crime victim communities. *Vision 21: Transforming Victim Services (Vision 21)*,² the CalOES Unserved/Underserved Victim Advocacy and Outreach Program, and the CalVCP BDR analysis of victim compensation usage in

² http://ovc.ncjrs.gov/vision21/pdfs/Vision21_Report.pdf

California provided valuable input in identifying the following groups as potentially underserved:

- People with disabilities
- The deaf and hard of hearing
- Lesbian, gay, bisexual, transgendered, queer or questioning (LGBTQ)
- Victims of human trafficking
- American Indians and tribal communities
- Communities affected by gang violence
- Elderly (65 and older)
- People with limited English proficiency
- Immigrants
- Immigrants from indigenous communities in Mexico
- People of Asian-Pacific Islander descent
- People who are homeless or have unstable housing
- Residents of frontier counties or rural communities.

4. Emerging Trends in Service Delivery and Outreach

The Needs Assessment Report highlighted a number of California victim service programs that are working to meet the needs of underserved victim communities. Best practices culled from these programs will inform the development of future strategies to improve access to victim compensation and services.

The early part of the twenty-first century has seen significant innovation in victim services in California. These innovations reflect some of the conclusions reached in the *Vision 21* report. Perhaps the most significant among them has been the quiet revolution that has taken place in delivery of services to victims of domestic violence and sexual assault through the development of Family Justice Centers (FJC) across California and the nation. An FJC houses all the services a victim needs under one roof—advocacy, law enforcement, medical care, mental health

treatment, employment and income services, child care, and sometimes even shelter or transitional housing.

Another California innovation is the Trauma Recovery Center (TRC). TRCs bring services to victims, rather than depending on outreach or notification by law enforcement to bring victims to services. The TRCs prove a promising strategy to connect underserved victims with mental health treatment and other services.

E: Gap Analysis

The baseline data provided information about who applied for and utilized compensation. The needs assessment identified underserved victim communities, unmet needs, and barriers to accessing services and compensation. Analysis of this information shows a number of unmet needs and gaps in access to services and compensation.

1. Gaps identified from the Baseline Data Report

The BDR indicated access to victim compensation was lacking in several areas. The data showed that 51% of claimants with eligible applications never submit bills, or their expenses are reimbursed by another source. It is possible that victims do not understand how to utilize CalVCP beyond submitting an application.

The Baseline Data Report showed the rate of claimants per 100,000 population for each county, including the rate of reported crime per 100,000 population. The claimant rate was calculated by dividing reported crimes per 100,000 population by claimants per 100,000 population. The average statewide CalVCP claimant rate was approximately 17.5% for homicide, forcible rape, aggravated assault and robbery. See Figure A for a detailed chart showing the claimant rate by county. The analysis of reported crime and CalVCP data reveals that while applications were filed for 85% of homicides, other crimes have a lower claimant rate. During 2010, 35% of forcible rape victims, 23% of aggravated assault victims, and 4% of robbery victims filed applications for compensation.

Seventy-six percent of victim compensation applications were filed with the assistance of an advocate working within the criminal justice system. As noted in the Needs Assessment Report, resources for system-based victim advocates are limited. Fewer advocates are available to work on misdemeanor cases or cases where a suspect is not identified. Victims in felony cases, such as murders, are more likely to receive services. Additional victim compensation training for community-based advocates and other helping professionals, such as medical social workers, could help increase the percentage of assaults and robberies for which applications are filed.

Figure A. Analysis of Application Rates by County with Population Noted

County	Claimant Rate per Reported Crime*	Claimants per 100K Population	Reported Crimes per 100K Population	Total Population
Alameda	19%	132.49	693.12	1,510,271
Alpine	30%	255.32	851.06	1,175
Amador	26%	76.13	288.78	38,091
Butte	42%	146.36	346.36	220,000
Calaveras	33%	68.02	204.05	45,578
Colusa	44%	98.04	224.10	21,419
Contra Costa	14%	58.53	412.38	1,049,025
Del Norte	30%	115.34	387.98	28,610
El Dorado	31%	82.85	267.87	181,058
Fresno	13%	66.96	534.79	930,450
Glenn	107%	277.36	259.58	28,122
Humboldt	34%	134.45	392.95	134,623
Imperial	10%	35.52	354.10	174,528
Inyo	35%	129.41	372.05	18,546
Kern	11%	65.27	581.09	839,631
Kings	27%	95.44	348.41	152,982
Lake	45%	201.04	451.56	64,665
Lassen	15%	51.58	338.16	34,895
Los Angeles	15%	74.31	511.51	9,818,605
Madera	37%	160.41	433.50	150,865
Marin	38%	77.65	206.01	252,409
Mariposa	22%	43.83	202.73	18,251
Mendocino	15%	84.24	555.55	87,841
Merced	22%	124.32	566.08	255,793
Modoc	53%	92.92	175.51	9,686
Mono	10%	42.25	415.43	14,202
Monterey	18%	89.39	490.78	415,057
Napa	24%	115.03	476.98	136,484
Nevada	8%	26.33	314.89	98,764
Orange	18%	40.43	229.45	3,010,232
Placer	37%	84.09	225.30	348,432
Plumas	4%	19.99	544.81	20,007
Riverside	17%	51.93	301.65	2,189,641
Sacramento	13%	79.93	602.70	1,418,788
San Benito	35%	133.89	385.39	55,269

County	Claimant Rate per Reported Crime*	Claimants per 100K Population	Reported Crimes per 100K Population	Total Population
San Bernardino	15%	67.81	443.05	2,035,210
San Diego	15%	54.79	376.02	3,095,313
San Francisco	22%	161.57	721.28	805,235
San Joaquin	22%	181.23	806.06	685,306
San Luis Obispo	46%	121.65	265.91	269,637
San Mateo	26%	63.75	249.84	718,451
Santa Barbara	26%	114.18	434.31	423,895
Santa Clara	33%	86.16	262.51	1,781,642
Santa Cruz	25%	123.48	500.42	262,382
Shasta	32%	262.95	822.13	177,223
Sierra	26%	154.32	586.42	3,240
Siskiyou	20%	60.13	307.35	44,900
Solano	14%	65.80	455.07	413,344
Sonoma	23%	90.31	387.70	483,878
Stanislaus	12%	60.45	519.39	514,453
Sutter	31%	119.28	378.94	94,737
Tehama	9%	53.57	581.44	63,463
Trinity	35%	87.04	246.63	13,786
Tulare	20%	94.53	469.27	442,179
Tuolumne	31%	66.83	218.55	55,365
Ventura	21%	44.58	212.31	823,318
Yolo	42%	107.05	254.92	200,849
Yuba	79%	274.41	346.48	72,155

**A single crime can have more than one victim and thus more than one direct claimant, so a claimant rate of >100% is possible.*

In 2010, six of California’s 58 counties had claimant rates lower than the statewide average of 17.5%: Riverside (17%), Los Angeles (15%), San Diego (15%), San Bernardino (15%), Sacramento (13%), and Contra Costa (14%). Those counties were home to 19.6 million people which was more than 50% of California’s 37 million residents. Identifying underserved communities within those six counties and developing strategies to identify barriers to accessing compensation could help CalVCP reach a number of victims who would not otherwise receive assistance.

The eight counties with the lowest claimant rate (Plumas [4%], Nevada [8%], Tehama [9%], Imperial [9%], Mono [10%], Kern [11%], Stanislaus [12%], and Fresno [12%]) shared a number of challenges. The counties have significant rural areas or they are frontier counties. The counties are home to communities of migrant farmworkers or rural residents with language and transportation issues. A number of the counties have communities affected by gang violence, another underserved community.

Seventeen counties had a claimant rate of 33% or more. These seventeen counties likely employ a number of best practices, from collaboration to outreach, that could be shared with counties that have lower claimant rates.

2. Gaps Identified from the Needs Assessment Report

The needs assessment surveys of victims, advocates, and service providers showed the need for changes in victim compensation benefits. Victims' needs for financial assistance are not limited to the losses CalVCP covers, but extend beyond today's benefits.

- Funeral and burial limits are inadequate to cover the actual costs incurred by survivors of homicide victims. In 2011, CalVCP changed the funeral and burial limit from \$7,500 to \$5,000 due to reduced resources. In 2012, according to the National Funeral Directors Association, the national median cost of a funeral with a casket was \$7,045³. The cost of an unexpected funeral is a significant financial burden for a family.
- Relocation limits have not changed since the inception of the benefit 15 years ago. Reimbursements have not kept pace with increases in costs for moving and rent.
- Transportation costs are not currently covered by CalVCP, except for transportation to medical appointments more than 100 miles from the victim's home. The lack of reimbursement for transportation costs limits victims' access to services, including mental health treatment, medical appointments, meetings with advocates, and court appearances (especially for protective orders). Offering reimbursement for transportation costs will assist victims in rural areas and frontier counties who may live hours from trauma-informed mental health providers, hospitals, a victim advocate's office or the courthouse. It will also assist victims with limited financial resources who live in urban areas and may need assistance with bus fare or train fare to get to appointments.

³ <http://nfda.org/about-funeral-service-/trends-and-statistics.html>

- Reimbursement for childcare and wage loss while attending appointments (court, mental health treatment, or medical appointments) for themselves or their children is another loss not currently covered by CalVCP.

Additionally, the surveys identified a number of issues that pose barriers to accessing compensation:

- Fear is one of the key reasons victims do not report crime, seek services, or apply for compensation. The fear may be of retaliation, law enforcement, deportation, or being blamed. Not reporting the crime⁴ makes it difficult for victims to access services. Understanding the underlying fear and developing strategies to help victims work through their concerns is paramount to effective victim services. The Needs Assessment Report discussed how fear affects underserved communities in different ways. Community-specific strategies should be explored to alleviate crime victims' fears of reporting crime or applying for compensation.
- Lack of written compensation information in multiple languages is another significant barrier. CalVCP must provide linguistically and culturally appropriate documents to victims, advocate, and service providers. Applicants must be able to access and complete the application in their own language and receive correspondence in their own language.
- Victims need linguistically or culturally appropriate services. Forty-three percent of the California population speaks a language other than English at home, so having help available in the victim's own language is vital.
- Technological improvements are needed to enhance the efficiency and accessibility of victim compensation service delivery. An online process for victims to apply would shorten processing timeframes. Additionally, an online process for victims and service providers to check the status of bills would improve customer service. Exchanging

⁴ In order for compensation programs to qualify for federal Victims of Crime Act funding, they are required by federal regulation to encourage crimes be reported to law enforcement.

information with law enforcement online could result in savings of time and money for local law enforcement and CalVCP.

- Victim compensation training should be available for advocates, mental health providers, social workers, and law enforcement. Turnover in the field of victim services can be high; convenient training opportunities must be continually available to new staff. Internet-based education and training will help CalVCP stay connected with first-line responders to victims of crime.
- Enhanced coordination and collaboration between victim service agencies, community-based organizations and CalVCP must be a component of any strategy to improve services to underserved communities.
- The human connection is essential to advocates making referrals and to victims accessing services. When victims are connected with an advocate, they are more likely to follow through with seeking services. Yet, there are not enough victim advocates or enough trauma-informed, culturally competent service providers in California to assist everyone in underserved communities. Additional funding for services in underserved communities, coupled with communication, collaboration and training from CalVCP would bring more access to compensation for underserved victims.
- The insurance status of claimants has changed significantly from 2010 to 2014 due to the Affordable Care Act (ACA). The expansion of Medi-Cal to include adults who meet the income requirements and do not have dependent children has increased individuals' access to health insurance. Preliminary analysis indicates a reduction in the amount of compensation payments for medical expenses has occurred. This change may enable CalVCP to maintain the fiscal integrity of the restitution fund while developing new benefits and increasing outreach to underserved communities.

F: Summary

The Baseline Data and Needs Assessment Reports identified unmet needs, barriers to services and compensation, and the underserved.

The findings were analyzed and revealed a number of gaps. These gaps are summarized below:

- Crimes sometimes are unreported in underserved communities due to fear of law enforcement, retaliation or deportation, safety concerns, shame, blame, and other factors. The lack of a crime report is often a barrier to eligibility and compensation.
- Only some of the underserved communities across California are reached by victim services. Victim advocates and trauma-informed victim and community services must be in or available to communities to be effective. Advocates provide the human connection, which is the key to victims accessing services.
- CalVCP's limitations on benefits prevent the Program from meeting the financial needs of victims. For example, the current funeral and relocation limits do not fully cover the majority of victims' losses. Additionally, transportation expenses or wage loss due to appointments or court appearances are not covered benefits.
- CalVCP needs to communicate with victims in their own language.
- Enhanced collaboration is needed between CalVCP, CalOES, and other state and local funders to increase access to appropriate services for underserved communities throughout California.
- Advocates, service providers, community-based organizations, and others who assist victims need continual training and up-to-date information about CalVCP. When training and education about victim compensation is institutionalized, more victims will receive help.
- There has been a decline in the number of system-based advocates over the past decade, resulting in low claimant rates in some areas.
- CalVCP needs to make technological improvements to enhance the efficiency and accessibility of victim compensation service delivery. CalVCP was awarded the OVC

Technology Capacity Grant which is funding California's required information technology project planning phase. This is the first step in addressing the need for online access.

The Crime Victim Compensation Program Initiative grant gave CalVCP the opportunity to examine long-held assumptions about who the Program serves and who needs our services. Through program enhancement, translation, collaboration, and training, CalVCP will increase the number of applications received from and better serve crime victims in underserved communities. Strategies to remedy those gaps will be further elaborated in the forthcoming Implementation Plan.