

Victim Relocation

119 violent victimizations have been reported within the last 20 years (NCVS). The Criminal Justice System prosecutes the alleged criminals, but who helps the victims after they have been victimized? The San Mateo County's District Attorney's Office: Victim Compensation Program assists victims of violent crimes. The Victims Compensation Program is one of many offices throughout California designed to assist victims of violent crimes. The following paper will discuss the issues pertaining to victim relocation as well as give background information, identify possible strategies for handling the issues, and make final recommendations.

Issue:

One year ago, a 10 year old child was raped by her mother's boyfriend a 200 pound man. After raping the child, the perpetrator stole the five dollars the child had in her pocket. The mother remained with the child's rapist even after the incident occurred. However, a couple months after the incident the child did not want to return to the home. At that point, the mother knew she had to leave her boyfriend and the apartment she was living in. Relocation was necessary because the mental well-being of the child was in danger. The child could not live in the apartment because that is where the rape occurred and it brought back to many negative memories. The advocates from the Victims Compensation Program helped the mother and child file for relocation, and relocation was granted to them. However, the advocates were concerned with the mother's and child's new place of residence. The child had already been through enough, and the family needed a good place to live where they would feel safe and be safe (Rodriguez, 2007). Once an incident such as rape occurs, a victim can have an extremely hard time feeling safe. Thus, finding a safe place is pertinent to the individual's well-being.

The Victims of Crime Program provides relocating victims a list of motels, hotels, and apartments that accept Victims of Crime payments. However, most motels/hotels and apartments that accept Victims of Crime payments are extremely unpleasant. Many motels, hotels, and apartments do not accept the payments because they are concerned with the red tape associated with the payments. A concern that arises in these motels/hotels and apartments is that the victims might be re-victimized. Exposure to drugs and alcohol is also an issue, especially to victims who are relocated and have children. If the victim is re-victimized, the state will not help the victim because relocation benefits are granted after three years, and that is only if there is a new perpetrator. Victim relocation is a pertinent issue concerning victims and the agencies who grant relocation; thus, steps need to be taken in order to make the transition a secure move.

Victims Movement

Victim Services have grown much more quickly than victim rights. The first federally funded victim programs did not concentrate on changing the role of victims in the Criminal Justice System, but instead on decreasing the discomforts and the perplexity of court proceedings by offering services. Service programs generally help victims deal with the psychological and practical aftermath of a crime, but compensation programs reimburse victims for lost earnings and medical expenses resulting from the crime. Victim assistance programs vary broadly in their focus. The diversity of victim assistance programs settings is paralleled by a diversity of funding sources. Victim assistance programs receive financial support from many different government agencies including police, prosecutors, the judiciary department of probation, corrections, social service, health, and the U.S. Department of Agriculture. The victim movement has not weakened by the different sources from which it derived; instead, it has become stronger because of the diversity of its beginning. A rising dialogue between the victim movement and community crime prevention advocates is also promising direction for both efforts (Friedman, 1985).

Victims Compensation Program Background

The Victim Compensation Program (VCP) is designed to assist individuals and/or families pay for unreimbursed expenses that result when a violent crime occurs. Victims of crime who have been injured or have been threatened with injury may be eligible for help from the VCP. The VCP may assist with the cost of medical and dental treatment, mental health services, funeral and burial expenses, home security, residential crime scene cleanup and emergency relocation. The VCP can assist with moving expenses – such as first and last month's rent, deposits and temporary lodging – if a victim needs to relocate for their own safety or emotional well-being (VCGCB).

In order to qualify for compensation a person must be a victim of a violent crime which involved physical injury, threat of physical injury or death. For certain crimes, emotional injury alone is all that needs to be shown. Certain family members or other loved ones who suffer an economic loss resulting from an injury to, or death of, a victim of a crime may also be eligible for compensation. The Victim Compensation Program (VCP) can help victims and family members of victims for crimes such as: Domestic violence, Child abuse, Assault, Sexual assault, Molestation, Homicide, Robbery, Drunk driving, and/or Vehicular manslaughter. In addition, they must report the crime to the police, sheriff, child protective services, or some other law enforcement agency. In most cases, they must apply to the VCP within a year of the time the crime happened. If applying after one year, they can inform the VCP in writing why the application is late, and an extension of the time limit may be granted for certain reasons. If the victim was under 18 when the crime happened, they have until the victim's 19th birthday to apply. Applicants/victims must cooperate with law enforcement during the investigation and

prosecution of the crime. Also, a victim cannot have participated in or been involved in committing the crime. Applicants/victims must cooperate with the VCP by providing the information needed to review the application (VCGCB).

Relocation Background

A victim qualifies for relocation when their safety or their emotional well-being is in jeopardy. In order for a relocation to be granted, law enforcement documentation or mental health documentation is needed indicating that relocation is necessary for the victim's personal safety or mental well-being. A signed rental agreement is needed from the landlord, as well as a W-9 tax form. In addition, the victim must apply for relocation within 90 days from the date of the crime. Emergency relocation and regular relocation are the two types of relocations available to victims. In previous years, emergency relocation was granted to sexual assault and domestic violence victims, but it is now available to most violent crimes which occurred in the home. The victim will not pay any out-of-pocket expenses in an emergency relocation. Instead, the \$2,000 granted to relocation victims will be given to the victim up front. On the other hand, a regular relocation requires that the victim pay for the out-of-pocket expenses, submit the bills, and then they are reimbursed. Victims must relocate at least one mile away from their previous place of residence. Relocation benefits are generally granted only once to a victim. However, if a new crime occurs three years after the date of the first crime that was granted benefits for and the new crime does not involve the same offender, relocation benefits may be granted again. The maximum amount allowed for reimbursement is \$2,000 per household (California Victims of Crime Manual). Once a victim has relocated, they are encouraged not to inform the offender of their new address and not allow the offender on the premises. If the suspect tries to contact the victim or threatens the victim, the victim is to call the police and make a report. Documentation of all incidences is critical because it creates a history and makes the victim's story more credible (Rodriguez, 2007).

Recommendations

Create Partnerships

In order to make relocation a safer process, the California Victim Compensation Program should create a new list of motel/hotels and apartments where there is minimal or no criminal activity taking place. Advocates of the VCP should embark in a search for modest yet decent motels/ hotels and apartments where a relocation victim is not likely to be re-victimized. Part of the search should include for advocates to pass by the motels/hotels, and apartments at various times of the day in order to better grasp the different activities that go on in the area. Once the advocates find motels/hotels and apartments that meet the criteria, the advocates should talk to the managers or owners of the locations regarding the advantages of accepting Victims of Crime Payment. For example, an advantage to accepting the payment is that it is a guaranteed payment and the

business will not have to worry about the months rent or deposit being paid or the check bouncing because the individual renting the space can not come up with the money. The VCP should also offer the locations incentives such as advertising their business in a newsletter or bulletin. Free advertisement is a great incentive because the VCP works with various agencies all over California who assist individuals in every type of situation. The VCP should try to develop a business relationship with the owners or managers of these locations. The VCP should keep in contact with these locations on a regular basis because if an issue is to occur with the victim then the owner/manager of the location will communicate the incident to the advocates. It would create a system in which the advocates would vouch for the victims. It is also a great incentive for the location to accept Victims of Crimes payments because other clients renting the space are not as likely to have any one to vouch for them. In the case of apartments, advocates should start off by looking at the list of apartment owners/managers who accept Section 8 housing vouchers. However, some apartment complexes are notorious for having criminal activity; thus, the advocate's should talk to the police officer who is handling the victims case in order to identify which apartment complexes to stay away from. In addition, many new apartment complexes are being built, and they have set aside a certain number of apartments for individuals on Section 8. Victims should also try new apartment buildings even though they seem out of their price range because many do accept Section 8 payments so they might take the Victims of Crime payments.

Create a Relocation Safety Manual

Another recommendation that allows for a safer relocation is for the VCP to put together a "Safety Relocation Manual." The purpose of the manual would be to provide relocation victims with helpful tips to keep them safe. The advocate's main task is to get relocation money granted to victims; thus, what happens after they have relocated a victim is not their main concern. Handing them a manual can assist with the issue of re-victimization after relocation. Suggestions to put in the manual can include:

- Do not give out your new address unless it is to someone who you can really trust. Perpetrators will start calling your friends and family in order to locate you.
- Do not give the perpetrator your new address.
- Change your phone number. If possible, change your phone number to an unlisted number.
- Execute a restraining order on the perpetrator.
- Have local police office numbers accessible because reaching 911 by cell phone will not be as effective since the call will be sent to a general 911 command station. The command station will then connect you to the appropriate police station. However, that takes time and when you are in the face of danger time is of the essence, and wait times are too long. It is preferable to memorize the police office numbers.

- Remember to call the police if the perpetrator is calling you or threatening you. Write down all information that is pertinent. For example, how many times a day the perpetrator calls, time and dates of the call as well as what the suspect said.
- Get caller identification and screen calls.
- Save all voice messages that are left on answering machines/cell phones.
- If there is an option for a hotel/motel room or apartment be on the second floor or higher accept those rooms. The first floor tends to be unsafe.
- Change your regular driving habits.
- Make a safety exit plan.
- If you do not feel safe in your new residence, have an alternate location available such as a friend's home, relative's home, or a shelter.

The above tips are crucial for a victim to really understand. A safety relocation manual would help the victims be prepared if they were in a dangerous situation, especially since an individual who has been victimized is very likely to be re-victimized (Rodriquez, 2007). Therefore, the safety manual would provide them with basic tips to help them keep themselves and their families safe. However, the safety manual alone can not give the victim all the knowledge s/he needs to stay safe. Every case is different; thus, every individual would need a different manual, but the manual is a start to safe relocation because it would provide victims with basic tips to remain safe. Miers discusses that potential victims can reduce their vulnerability by changing their lifestyle, and it can reduce the opportunity for crime by target-hardening their residence and possession (Miers, 1992). Therefore, the manual would provide victims with a manual to help them make changes to their lives that will lower their chances of re-victimization.

The previous report identifies the issue of victim relocation. Victim relocation is a pertinent issue concerning victims and the agencies who grant relocation; thus, steps need to be taken in order to make the transition a secure move. In order to make relocation a safer process, two recommendations were proposed. The first recommendation is for the Victim Compensation Program to go out into the various cities and identify new apartment, motels, and hotels that are in a safe environment. The second recommendation for safer relocation is to provide the victim a "Safety Relocation Manual." The safety manual would provide victims with basic tips to keep them safe.

References:

- Bureau of Justice Statistics Crime and Victims Statistics. (2004). National Crime Victimization Survey "Violent Crimes." <http://ojp.usdoj.gov/bjs/cvict.htm>.
- Friedman, L. (1985). *The Crime Victim Movement at Its First Decade*. Public Administration Review, Vol. 45, Special Issue: Law and Public Affairs. pp. 790-794.
- Miers, D. (1992). *The Responsibilities and the Rights of Victims of Crime*. The Modern Law Review. Vol. 55, No. 4, pp. 482-505.
- Rodriquez, Mary. (2007, November 26). Personal interview with Victim Advocate on the issue of victim relocation. (South San Francisco, CA).
- Unknown (2005). California of Crimes Victim of Crime Manual. Overview of Relocation Benefits. Chapter nine, Section A.
- Unknown. (2007). State of California: Victims Compensation and Government Claims Board. Retrieved November 15, 2007, from CA government. <http://www.boc.ca.gov/victims/default.aspx>.