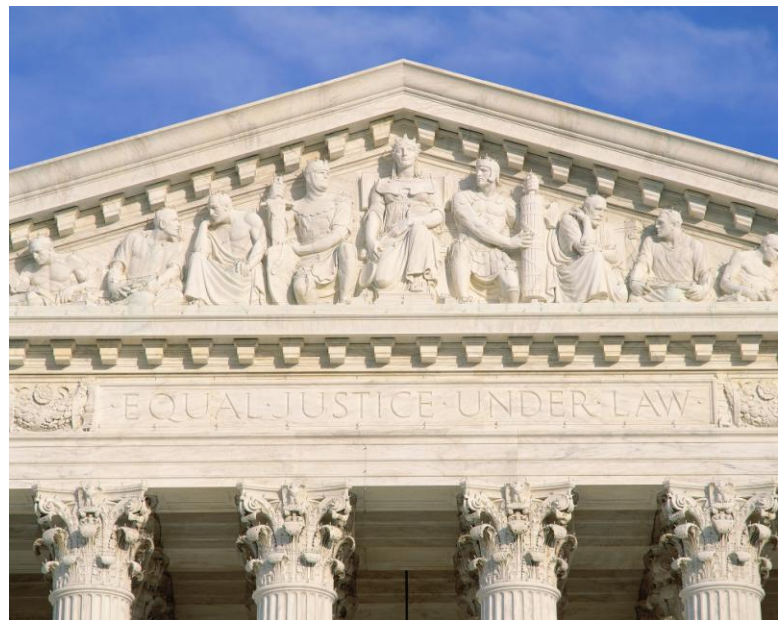


# STOP Grant Sector Series 2014



## The Victim Advocate's Guide to Safety and Economic Security for Victims of Violence Against Women



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## About the Economic Security for Survivors Project and WOW

Recognizing that survivors' safety and their economic security are inextricably linked, the Economic Security for Survivors (ESS) Project promotes strategies that foster economic security within the justice system and in partnership with the non-profits that serve survivors. The ESS project provides resources, education, training and technical assistance to transitional housing programs, direct service providers, state and local governments, and the Violence Against Women Act (VAWA) Services Training Officers Prosecutors (STOP) Grant Program. For more information, visit <http://www.wowonline.org/economic-security-for-survivors/>.

Wider Opportunities for Women (WOW) works nationally to build pathways to economic independence and equality of opportunity for America's women and girls. Since 1964, WOW has helped women learn to earn with programs emphasizing quality jobs, gender equity and economic security across the lifespan. Recognized nationally for its training models, technical assistance and advocacy, WOW redefines what women and families need to be economically secure throughout their lifetimes. WOW remains integrally involved in national policy debates, and works closely with state partners to advocate on the state level. For more information, visit [www.wowonline.org](http://www.wowonline.org).

## About the STOP Sector Series and the Victim Advocate's Guide

In 2012, the ESS Project released the [Economic Security and Safety Guide for the STOP Grant Program](#). This document outlines strategies for the four STOP sectors (law enforcement, prosecutors, courts and victim advocates) to improve victim economic security through the 14 STOP program purpose areas (PPAs). Building on this tool, the ESS project is producing the *STOP Grant Program Sector Series* of guides for Law Enforcement, Prosecutors, Courts and Advocates. The Guides provide information and support to these key groups so that they may better support a victim's economic security. Based on research, model policies from leading organizations and focus group meetings with key stakeholders, these user-friendly Guides provide specific suggestions and practical tools to use to increase economic security within the existing job responsibilities of sector professionals at all levels.

The final installment in the series, the ***Victim Advocate's Guide to Safety and Economic Security for Victims of Violence Against Women (Victim Advocate's Guide)***, explores the role of victim advocates within the community and the justice system in helping victims of domestic and dating violence, sexual assault, and stalking recover from violence and find future safety through economic security. The Victim Advocate's Guide highlights how advocates can help victims rebuild their economic security both individually and in collaboration with the justice system. Checklists offer specific actions that staff can take, information they can provide and questions they can ask victims about their economic security. This Guide also provides training guidelines, policy recommendations and a user-friendly brochure. Because each jurisdiction is different, recommendations may need to be tailored to accommodate the laws and unique needs of the community. The **primary audience** for this guide is system- and community-based victim advocates. The **secondary audience** is STOP administrators and other justice system professionals.

*This is a process. While economic security work has important impacts for individuals, it may take time to see larger systemic changes.*

## Executive Summary

The safety of victims of domestic violence, dating violence, sexual assault and stalking is inextricably linked to their economic security. Because economic insecurity pushes victims to stay in or return to an abusive situation and increases their vulnerability to future violence, proactively addressing economic needs can **keep victims safer, reduce violence and create more stable communities**. Due to their unique positions within diverse sectors, victim advocates can foster the collaboration and coordination that is necessary to support the economic security of victims. The **Victim Advocate’s Guide** outlines economic barriers and details the steps that all advocates can take in relation to and within the criminal justice system to address economic needs. Beyond their role connecting victims to safe housing, employment and other resources, advocates within both the community and the justice system can help victims understand their legal rights, overcome any economic barriers to access and request economic relief. Rather than proposing extra work, the recommendations in this Guide mainly add an economic lens to activities that victim advocates already undertake.

In addition to improving the safety of the victim and community, a focus on the economic impacts of these crimes can improve the effectiveness of advocates and the criminal justice system in carrying out their responsibilities and goals.

- Addressing economic security will **help victims stay independent** in the long-term, ultimately reducing the amount of services and justice system involvement they may need in the future.
- Ordering economic relief for every cost incurred and enforcing compliance will help **hold offenders accountable** for their actions and restore victims’ trust in the system.
- Understanding economic insecurity, dependence and economic abuse can **reduce victim blaming** within the justice system and greater public by explaining why a victim stayed with an abuser, delayed reporting an assault or recanted previous statements.

*Economic security means having the ability to meet basic needs and to save for emergencies and retirement.*

The Guide begins by explaining why **victim advocates should address victim economic security** and exploring the costs associated with violence against women. For example, victims may experience:

- Debt from healthcare, damaged property, moving and security costs
- Dependency on the abuser for basic needs
- Job loss or lost wages
- Unfinished education or training
- Eviction and damaged tenant history
- Loss of personal property

In addition, offenders of these crimes – sexual assault, domestic and dating violence, and stalking – often use **economic abuse** as a tool of power and control. Examples include the unauthorized use of finances, falsification of records, work interference and coercion into crime. These financial aspects of abuse can thwart victims’ ability to reestablish their life and move forward.

Chapter Two details the specific steps advocates can take from intake and safety planning to beyond sentencing. For example, advocates can:

- Inform victims of their legal rights to access the justice system and help them **overcome any economic barriers** that might keep them from participating in the justice system.
- Address both immediate and long-term economic needs that relate to their safety, such as housing, transportation, medical care, employment and education.
- Educate victims about their **options for economic relief**, what evidence might be needed and how to apply for or request it.

*Examples of Economic Relief:  
Restitution  
Crime Victims Compensation (CVC)  
Orders of Protection  
Civil and Consumer Law Protections*

Victim economic security is best supported through communication, coordination and **collaboration between other advocates and justice system professionals**. Chapter Three outlines several ways that the work of advocates overlaps with law enforcement, prosecutors, parole and probation officers, civil attorneys, nurse examiners and judges, and how they can support one another in addressing victim economic security. Key recommendations include:

- Considering economic security within **Coordinated Community Response teams**, task forces, fatality review teams or other multi-sector groups.
- Incorporating victim economic security into **existing advocate-led trainings** for their colleagues, justice system sectors or the greater public.
- Asking questions about economic impact that can lead to disclosure of financial crimes that the offender is committing, which can help law enforcement make an arrest and collect evidence and help prosecutors try a case.

Chapter Four offers suggestions for direct service and justice system advocates as well as policymakers to create strong and **comprehensive policies and protocols** around economic security. Key recommendations include:

- **Creating referral protocols** or MOUs among systems-based and community-based advocates for working on cases together, including addressing economic needs and confidentiality issues.
- Reviewing forms and information packets to ensure that all impacts of the abuse and the available types of relief are reflected.
- **Collecting and sharing data** on the cost of each crime independently and when coinciding.

The appendices of the Victim Advocate’s Guide contain several resources to help inform the response to victims’ economic security. The first two appendices present the **Victim Advocate Pocket Guide** and guidelines for training. WOW’s tool, *Economic Security Considerations for Safer Survivors: A Victim Advocate Pocket Guide*, is a brief, user-friendly instrument that consists of checklists for safety planning, economic evidence and interview questions as well as the economic costs and benefits of justice system participation. Appendix C explores WOW’s research indices more in-depth and how advocates might apply them to their work with these cases. Designed for **Services\*Training\*Officers\*Prosecutors Grant Administrators**, the final appendix recommends ways to support victims’ economic security within the courts by Program Purpose Area (PPA).

# Introduction to Victim Economic Security and Advocacy

## Why Victim Economic Security Matters for Advocates

Economic insecurity threatens the safety of victims of domestic and dating violence, sexual assault, and stalking by limiting their ability to escape or recover from abuse and violence. Lacking finances, assets or access to resources, many victims rightfully fear that leaving an abuser, reporting a crime or appearing in court will diminish their ability to care for themselves or their children. And in addition to the costs of physical and emotional abuse, offenders also often severely undercut the security of their victims by **perpetrating economic crimes**, such as theft or fraud. The criminal justice system, then, should view victims' economic insecurity as a direct threat to their safety.

Historically, victim services agencies and advocates have played a primary, and sometimes exclusive, role in addressing the economic needs of victims.<sup>1</sup> While this remains a core service for providers, it is clear that the justice system has unique abilities to identify these issues and protect victims from further physical and economic harm. Due to their roles across a multitude of diverse sectors, victim advocates **foster collaboration and coordination** between the systems to best support victims. For instance, advocates are key sources of information to victims about their rights and options in the justice system, either when deciding to report or during the process. Advocates also help victims overcome possible economic barriers to safety and accessing justice.

The following positive outcomes may result from victim advocates' consideration of economic security in the justice system and community:

- **Safer victims and families.** Connecting victims to financial support and restitution promotes independence and increases safety.
- **More stable communities.** Economic security contributes to [fewer homicides](#), less violence and greater employment, which produce safer communities and reduced advocate caseloads.
- **Reduced victim blaming.** Economic insecurity, dependence and economic abuse can explain to the justice system and the public why a victim stayed with an abuser, delayed reporting an assault or recanted previous statements.
- **Greater levels of justice.** Showing the full scope of abuse through evidence and impact statements, including financial impacts, enables the justice system to fully administer justice and restore victims.
- **Increased trust in the justice system.** Addressing economic needs within the justice process can improve victims' trust in the system and their likelihood to report future or other crimes.

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### Economic Security and Related Terminology

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**Economic Security:** Having the *financial ability to meet basic needs and to save for emergencies and retirement.*

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**Financial Literacy:** Having the *knowledge to understand financial matters and make informed decisions about personal finance issues.*

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**Economic Empowerment:** Having the *ability to succeed and advance economically, and the power to make and act on economic decisions.*

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**Economic Justice:** Promoting and *advancing programs or policies that allow a person to attain economic security and remove obstacles to doing so.*

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<sup>1</sup> Direct service organizations play a critical role in connecting clients to quality employment, safe housing and other economic resources. See WOW's [Getting Started: A Handbook to Address Economic Security for Survivors](#) for step-by-step suggestions for case managers, advocates and other direct service staff.

## Economic Security is Inextricably Linked to Victim Safety

There is a significant connection between [victim safety and economic security](#). Although domestic violence, sexual assault, dating violence and stalking occur across all income and education levels, races, ages and locations, [low-income women](#) are more vulnerable to violence than middle- or upper-class women due to a lack of resources and opportunities. [Nearly two-thirds](#) of Temporary Assistance for Needy Families (TANF) recipients report that they experienced abuse at some point in their lives. In addition, [homeless women](#) are at a higher risk of sexual violence, physical abuse and commercial sexual exploitation. Moreover, economic downturns make independence and safety even more difficult for victims. One survey of domestic violence shelters revealed that [74% of victims](#) reportedly stayed with an abuser longer because of financial reasons.

In addition to the increased vulnerability caused by economic insecurity, violence itself causes financial challenges. Many victims of intimate partner violence (IPV), sexual assault and stalking experience severe financial consequences as a direct or indirect result of abuse, which has a lasting impact on their ability to recover from violence, leave an abusive relationship, care for their children or be independent.

Victims may experience:

- Job loss and lost wages
- Unfinished education or training
- Eviction and damaged tenant history
- Foreclosure or inability to pay off debt
- Damaged credit
- Loss of personal property or assets
- Inability to safely collect child support
- Dependency on abusers for basic needs

### *How is Economic Abuse Used Against Victims?*

Offenders frequently perpetrate economic abuse – some of which is chargeable as separate crimes – in order to gain power and control over their victims and create dependency. Domestic and dating violence offenders carry out [economic abuse](#) to intentionally make victims more economically insecure to prevent them from leaving. Because an abuser may have easy access to a victim’s Social Security number, bank accounts and other personal financial information, victims are at great risk of **identity theft and fraud**. Moreover, abusers may **coerce victims into financial crimes** like theft, shoplifting or lying on tax forms out of a fear of violence and retribution by the abuser. Stalking and sexual assault offenders may also perpetrate economic abuse. For example, victims of sexual assault by a supervisor or coworker may face threats of being fired if they report the crime or miss work. Stalking victims may have to change their bank accounts after an offender breaks in to monitor their activity.

## The Impact of Violence Against Women

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*Domestic violence victims [lose 7.2 days of paid work each year](#), rape victims lose 8.1 days and stalking victims lose 10.1 days on average.*

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*Rape can cost victims over [\\$145,000](#) in health care, lost wages and justice system costs in a lifetime.*

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*[25% of victims](#) were **asked to resign** or **were fired** from their jobs due to stalking.*

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*[28% of housing denial cases](#) involved domestic violence victims who were denied housing because of violence committed against them.*

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*Victims of sexual violence or stalking at school are more likely to [drop out](#) of high school or college.*

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*Intimate partner physical assault, rape and stalking cost society more than [\\$5.8 billion per year](#).*

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Additional examples of economic abuse include:

- Compromising credit
- Destruction of property
- Misrepresentation of finances, thefts or documents
- Conversion by claiming the victim's possessions as one's own or misusing the victim's property
- Disrupting employment and/or school
- Commercial sexual exploitation
- Appropriation of personal possessions by the abuser, either stolen, pawned, hidden or misused
- Undisclosed or forced bankruptcy
- Non-payment of debt when the abuser fails to pay or hides bills
- Prohibiting the victim from working

Economic abuse produces financial consequences with lasting impacts on a victim's ability to heal and be safe. Abusers may damage or destroy items a victim needs to find or keep a job (identification, cars, phones, uniforms) or abusers may ruin a victim's credit to fund their personal spending habits. This makes it difficult or impossible for a victim to rent a home, apply for college, obtain loans or credit, and get a job. Still worse, coerced economic crimes like fraud or forced prostitution can lead to a victim's arrest or prosecution. The resulting criminal record creates damaging short and long-term impacts for the victim,<sup>2</sup> while the true offender escapes accountability. Ultimately, economic abuse may create a situation in which the victim is unemployed, homeless or unable to collect benefits or child support.

### *What is Violence Costing the Victim?*

The examples below illustrate potential economic impacts of these crimes. They are neither exhaustive nor exclusive to each type of abuse. There is **extensive overlap between the occurrences** of IPV, sexual assault and stalking, as well as similarities among the economic impacts that can take place in each. These intersections further complicate victims' economic security.

For victims of **domestic and dating violence**, also referred to here as IPV, economic security can be the single greatest factor in deciding or being able to exit an abusive relationship. Especially true for parents, victims may feel as though they must endure additional abuse in order to have stable shelter and food for themselves and their children. Without the financial resources to leave an abuser and survive independently, a victim is at [greater risk of injury](#) and even [death](#). Abusive partners frequently control resources such as vehicles, computers or phones that are necessary to escape and/or find work. They also often **control finances** like the victim's paycheck, credit cards and access to bank accounts. Lastly, domestic abusers may either prohibit or **interrupt the victim's work or school**, reducing current and future earnings.

*"Many women are making a decision between the lesser of two very significant evils. It's often not about love, but about survival, maintaining the family."  
Dr. Eve Buzawa*

For **sexual assault** victims, the economic impact of assault or rape is often devastating. Health care for an assault victim can be extremely costly and the full scope of **physical and mental health care** needs may not be fully known until long after the attack. Sexual assault victims may [wait months or years](#) to report the crime due to [trauma](#) or fear, reducing their chances of being awarded economic relief

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<sup>2</sup> Economic impacts of an arrest or conviction include: attorney/court fees, eviction, loss of custody/child support, loss of a job/scholarship, loss of eligibility for welfare, deportation or a lost visa, and loss of credibility for CVC.



• • •  
Less than other violent workplace crimes, [24% of sexual assaults at work](#) are reported to police.

Only [12% of college women](#) who were raped report to police.  
• • •

through the court. Beyond the costs of health care and property damage, sexual assault produces long-term effects on a victim’s employment and education. If the assault took place at work or school, the trauma may cause victims to **resign or drop out**. If the perpetrator was an authority figure or a colleague, the potential for **continued harassment** may increase emotional harm and decrease productivity. Even if the crime took place outside of work or school, the physical and mental health needs of victims may still affect their performance and result in the loss of a job or scholarship.

**Stalking** also has severe and lasting economic impacts on victims. Stalkers generally terrorize their victims in most aspects of their lives – at home, at work and in the community. Stalkers may gather information from victims’ workplace, call or **threaten them at work**, wait at parking lots or bus stops, damage or destroy property, break into their car or home, and flood them with disruptive and costly calls, texts and emails. As a result, victims may be **forced to move**, change or leave jobs, purchase expensive security systems like surveillance cameras, change locks, cancel credit cards, break a phone contract, and fix a stolen identity or bad credit scores. They may even have to completely **change identities**. All of these exact a high financial cost for victims both through out-of-pocket expenses and missed work or promotion opportunities.

• • •  
25% of [victims stalked](#) through email or instant messaging, 10% with GPS, 8% with cameras or listening devices.  
• • •

### *What does Economic Security Look Like for Victims?*

Victims who are economically secure have a greater chance of achieving immediate and long-term safety. As defined by WOW, economic security means having the income, assets and access to services to meet basic needs (housing, food, transportation, childcare, healthcare, household supplies and taxes), participate in the workforce and build savings over the lifespan.<sup>3</sup>



Comparing families’ true living costs to their household incomes, [WOW’s analysis finds](#):

- **45% of Americans** lack basic economic security.
- **60% of single women** lack economic security in the US, compared to 45% of single men.
- **81% of single mother families** live in economic insecurity, largely due to the cost of child care.
- **73% of Black women and 77% of Latino women**, who are [more vulnerable to violence](#) against women, are economically insecure.
- **31% of women** working full-time do not earn enough to meet the BEST standard of security.

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<sup>3</sup> See Appendix C for a more detailed discussion of WOW’s economic security findings and how to use it.

WOW’s [Basic Economic Security Tables \(BEST\)™ Index](#) finds that, on a national average, the greatest expenses for single adults are **housing** (\$642 per month) and **transportation** (\$516 per month). The greatest expenses for single parents are **childcare** (\$1,112 per month) and housing (\$803 per month). These expenses – housing, transportation and childcare – are also often cited as the [most significant barriers](#) that victims confront when attempting to escape violence or rebuild their lives.

Basic Economic Security Tables, 2013					
(Workers with Employment-based Benefits)					
US, Selected Family Types					
Monthly Expenses	1 Worker, 1 Preschooler, 1 Schoolchild			2 Workers, 1 Preschooler, 1 Schoolchild	
	1 Worker	1 Infant	1 Schoolchild	2 Workers	1 Schoolchild
Housing	\$642	\$803	\$803	\$642	\$803
Utilities	\$115	\$144	\$144	\$115	\$144
Food	\$264	\$379	\$572	\$484	\$765
Transportation	\$516	\$566	\$566	\$1,017	\$1,068
Child Care	\$0	\$621	\$1,112	\$0	\$1,112
Personal & Household	\$259	\$337	\$386	\$315	\$435
Health Care	\$161	\$329	\$480	\$374	\$540
Emergency Savings	\$76	\$122	\$154	\$112	\$183
Retirement Savings	\$87	\$87	\$87	\$102	\$102
Taxes	\$374	\$714	\$953	\$501	\$1,087
Tax Credits	\$0	-\$139	-\$267	\$0	-\$267
<b>Monthly Total (per Worker)</b>	<b>\$2,494</b>	<b>\$3,963</b>	<b>\$4,990</b>	<b>\$1,831</b>	<b>\$2,986</b>
<b>Annual Total</b>	<b>\$29,928</b>	<b>\$47,556</b>	<b>\$59,880</b>	<b>\$43,944</b>	<b>\$71,664</b>
<b>Hourly Wage (per Worker)</b>	<b>\$14.17</b>	<b>\$22.52</b>	<b>\$28.35</b>	<b>\$10.40</b>	<b>\$16.97</b>

Moreover, many victims are either [unemployed](#) or earning too little – women make up [two-thirds of minimum wage workers](#) and the average income is \$23,638 for female heads of household.<sup>4</sup> Social safety net programs are often unavailable or fail to make up the difference. This common struggle to meet even basic needs is a significant issue for victims and their ability to maintain safety. Victims of any of these crimes may have to forgo basic needs to cover health care or relocation costs. IPV victims may reconsider leaving an abusive partner if they cannot survive on only their wage. Economic insecurity may be an **overwhelming obstacle to full recovery** from violence, especially for victims facing medical needs, lost wages, work interruptions and/or criminal records.

While many advocates and case managers in community organizations provide critical services to help victims find better careers, training and housing, this guide will focus on the role of advocates in ensuring that a victim’s economic security is addressed in relation to and within the justice system. The following chapters will detail exactly how non-profit based victim advocates as well as those working in law enforcement agencies, prosecutors’ offices and the courts can identify a victim’s economic needs and promote economic security throughout the course of their work.

*Economic security is a long-term goal that many are striving to reach. You do not have to be economically secure yourself to help victims gain the stability they need to be safe.*

<sup>4</sup> Calculated by WOW based on the American Community Survey.

## Chapter 2: Addressing Economic Security as Core Services<sup>5</sup>

While the economy has caused an increase in victims seeking services, domestic violence and sexual assault programs are facing reduced funding, resources and staff. The [2013 National Census of Domestic Violence Services](#), for example, found that 9,641 requests for services went unmet because programs lacked the resources. However, as economic insecurity pushes victims to return to an abusive situation and increases their vulnerability to future violence, consistently addressing economic needs upfront can **keep victims safer while reducing need** for future services.

This Guide contains recommendations for advocates to address and support economic security at every step of their work with a victim regardless of whether the victim reports the crime or participates in the prosecution.

IPV, sexual assault and stalking cases are complex and the suggestions here are neither comprehensive nor suitable for every victim. Rather than proposing extra work, the Guide focuses on the actions that directly or indirectly relate to economic security and adds an economic lens to activities that advocates already undertake. The exact response of advocates will vary by unique organizational and legal capacities and many of the economic-based responsibilities described in the sidebar can be overlapping. The ultimate goal must be **collaboration and coordination of these services** regardless of system structure.

### Initial Response and Intake

#### *Preliminary Considerations*

For advocates working in community organizations or law enforcement offices, the victim's immediate safety is the first priority. Economic and financial questions should be addressed only after advocates and first responders have acted to keep all parties safe. However, addressing economic security is often **directly related to victims' immediate safety**, such as lacking finances for or access to medical services and emergency shelter. In addition, the offender may have destroyed property that is necessary for the victim's security, such as locks or windows.

- Advocates should notify victims that sexual assault forensic medical exams are free of all out-of-pocket

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<sup>5</sup> The titles and tasks of the advocate position will differ by jurisdiction. For simplicity and consistency, this Guide will use 'victim advocate' as the general term for both community- and systems-based positions.

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### Advocate Roles May Differ

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**DV Shelter and Rape Crisis Advocates** notify victims of their rights and help incorporate economics into safety plans. While upholding confidentiality, they advocate for and help victims access financial/legal resources.

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**Campus Advocates** may provide the above services, but must also be aware of available [resources/ remedies](#) both on campus and in the community and help victims navigate the economic impact of [campus vs. community justice](#) involvement.

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**Hospital Advocates** offer information about injuries, treatment and costs and can connect victims to resources. They may also facilitate communication with police or medical staff.

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**Law Enforcement Advocates** may be the victim's first contact after the crime. They can connect victims to other advocates, who can provide economic resources, and advise them to collect economic-related items. **Prosecution Advocates** protect victims' rights during the court process and provide news of hearings or depositions, including economic relief or sanctions. They may also help gather evidence.

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**Court Advocates**, in either the community or an agency, can help victims obtain protection orders or other relief and help economically navigate the justice system process.

**Corrections Advocates** may give notice of the offender's status and upcoming hearings, help add economics to impact statements and resolve issues of costly unwanted contact.

expenses under VAWA 2013 regardless of whether the victim reports to police or participates in a criminal case.<sup>6</sup> Victims no longer have to pay upfront and wait for reimbursement from state Crime Victims Compensation (CVC). However, victims may still be responsible for the cost of injuries, emergency contraception or pregnancies, or sexually transmitted infections (STIs).

- ⇒ Inform victims that receiving medical care does not oblige them to report a crime or participate in the criminal justice system in any way.
- ⇒ Help victims set a payment plan with the medical facility so that the cost of care does not threaten their economic security.
- ⇒ Advise victims to keep any bills and help them apply for CVC for uncovered medical costs.
- Whether the homeowner is abusive, a stalker destroyed a security system or the victim is facing eviction for calling the police during an incident, victims will likely need assistance with housing.
  - ⇒ Law enforcement-based advocates should partner with community-based advocates who may be more familiar with local housing resources for victims at their first interaction to immediately connect them to emergency shelter.
  - ⇒ Advocates can develop partnerships with nearby hotels, YWCAs, low-income housing, faith-based organizations and other sources of safe and temporary housing for when local shelters are full.
  - ⇒ With the victim's permission, advocates within law enforcement or prosecution offices can call or write a letter to the victim's landlord to prevent victims from being evicted, help them break a lease or change the locks (see p.16 for victim housing protection policies).
- Offenders may threaten to hurt pets and many shelters and temporary housing forbid animals. Advocates can work with local pet shelters or kennels to remove them from an unsafe situation.
- All advocates can advise victims to gather necessary documents for themselves and their children, such as social security cards, identification, passports or immigration visas. They may be needed to receive benefits, obtain medical care or conduct safety planning and leaving them with the offender may be unsafe.
- Law enforcement advocates should ask the victim and prompt responding officers to ask whether the offender has possession of any of the victim's property, including keys, cell phones, credit cards, identification, passports or visas, or other important documents, which may be necessary for immediate as well as future safety. They should make sure these items are collected before the offender is arrested and booked.
- Justice system and community advocates can help victims obtain an emergency protection order and ensure that, if appropriate, it includes their home, workplace, school, childcare provider and any other locations needed for both economic security and safety.

• • •  
1/3 of victims opposed  
prosecution because they  
depended on the abuser  
for housing.  
• • •

### *Intake and Interviews*

Whether to determine what resources to provide or what economic relief to request in court, all advocates should discuss the full economic impact of violence or abuse with the victim. These topics can

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<sup>6</sup> States have three years to comply, so advocates should be aware of their jurisdiction's current policy.

*Though the emotional support advocates give victims may not be directly related to their economic security, it is vital in helping them take the steps needed for economic security.*

be explored during either intake or follow-up interviews as some may not be appropriate or possible during the initial response. Some victims will be unable to process questions about the economic impact and suggestions for evidence due to the initial trauma. However, others will prefer to focus on that topic either as an alternative to thinking about the violence or because they are most concerned with their employment, education, housing or other financial matters. In these cases, bringing up economic issues upfront can reassure the victim that their needs are understood and **foster greater trust**. Direct service and law enforcement advocates will need to decide the best approach based on their knowledge of and relationship with the victim.

Regardless of the advocate's position and where they are in the criminal justice process, all advocates should be aware of and refer victims to existing national, state or local resources and organizations that may support their economic security during and beyond the criminal justice system. For example, local organizations or partnerships may provide car-sharing, transportation assistance, child care assistance and unique job training or women's entrepreneurship options. There are many job-sharing sites and organizations on both the local and national level that may benefit victims, especially partnerships with local workforce investment boards and [Career One-Stop Centers](#). Similarly, victims may be eligible for unique scholarships and financial aid. Lastly, victims may benefit from legal avenues such as child support enforcement tools and benefit programs.

*Specific state or federal support programs that may benefit victims include SNAP, TANF, WIC, Section 8 housing, etc.*

Some economic-based intake questions are more appropriate to be asked by some advocates but not others. For example, community advocates may want to ask victims about coerced crimes so they can connect them to legal assistance if necessary. Conversely, victims may be hesitant to share that information with a law enforcement or prosecution advocate out of fear of their own arrest.<sup>7</sup> Advocates will also need to consider potential [confidentiality issues](#) when asking and recording answers to the following questions. For example, information given to a victim witness specialist will likely be passed to the defense in discovery.

*Community-based advocates usually have privileged communication with victims, while systems advocates' primary responsibility is to the state.*

Most states [statutorily grant confidentiality](#) to community-based advocates,<sup>8</sup> prohibiting them from sharing information about the victim without the victim's waiver or consent. In some cases the victim will benefit if certain economic information is disclosed to the prosecutor when [requesting higher bail or protection orders](#), while in other cases the victim may be at risk of being found by the offender or of being discriminated against at work or school if specific information is shared. Advocates interviewing victims must [understand their roles](#) and work with victims to best serve their physical and economic needs.

<sup>7</sup> Victims may be [ineligible for services](#) through justice system advocacy programs if they engaged in crime.

<sup>8</sup> Confidentiality may not be complete as many mandatory reporting laws require advocates to disclose child abuse or other specific crimes.

### Recommended Economic-Related Questions for Victims

- Is there anything that will keep you from participating in the justice system if you choose?
- How has the abuse or violence impacted you economically?
  - ⇒ What out-of-pocket costs have you incurred due to the violence or abuse? (Bills, security equipment, emergency contraception, replacing property, health costs, moving, etc.)
  - ⇒ Has the offender taken any of your money or paychecks? TANF card? Other personal items?
  - ⇒ Does the offender know the passwords to your bank accounts, home or work computer, cell phone or other technology? Did the offender threaten or force you to reveal them?
  - ⇒ Do you have access to your bank account and other finances? Does the offender?
  - ⇒ Did the offender force or cause you to miss work/class, leave your job or drop out of school?
  - ⇒ Does the offender have keys to your home, work or car?
  - ⇒ Did the offender lie to you about your credit, bankruptcy or bank accounts?
- Has the offender ever used finances or access to finances to intimidate or threaten you?
- Did the offender use your name or identity to create new accounts or commit fraud?
- Did the offender destroy anything that will keep you from going to work/school or paying bills?
- Is the offender in a position of power over your job, school, scholarship or housing?
- Has the offender kept you from gaining citizenship or legal immigration status like a work visa?
- Were you evicted due to law enforcement's presence at your home related to the abuse?
- Have there been any costs associated with co-occurring sexual assault, IPV or stalking?
- Has the offender appeared repeatedly at the homes of friends, family, or neighbors? At your work, school or childcare provider? Across jurisdictions? What extra costs has this caused?
- Do you need help notifying your work/school that you may have to miss a few days or make any other arrangements?

## Safety Planning

Economic considerations should be a part of all existing safety planning services. This will not only protect victims' economic security but also ensure their ability to seek justice and obtain independence in the future.<sup>9</sup> Effective [safety plans](#) must be holistic, incorporating both victims' economic and financial concerns. For example, specific safety measures may need to be taken at work or school and incorporated into the plan. As a result, campus advocates and other actors as well as employers may play a unique role in ensuring safety and, as such, communication with them may be necessary. However, Involving employers, coworkers or landlords who do not know about the crime could possibly get the victim fired, evicted, or harassed and retaliated against at school or work. Each of these repercussions may severely damage the victim's economic security. Discussing these concerns with the victim and **planning strategically** could mitigate any negative impacts and keep the victim safer in the long-term.

*Minor, elderly, disabled, immigrant, LGBT and other underserved survivors all have unique economic needs that should be incorporated into their safety plans.*

<sup>9</sup> There may be a difference in what safety planning advocates can do in an emergency shelter/hotline or justice system agency compared to in a transitional housing program, particularly around long-term economic needs.

Comprehensive safety plans with measure to protect economic security may also improve the victim's interactions with and participation in the criminal justice system. As many know, [the most dangerous time](#) for a victim of **domestic or dating violence** is during separation, when they will need economic resources to be safe and financially independent. This is also when they are more likely to be involved in the justice system or request an order of protection, which may result in witness intimidation or other issues such as threats to their immigration. Victims who are trying to leave may fear that a trial could aggravate their abuser to inflict severe injuries or kill them. In addition, a **sexual assault** victim may fear retaliation or job loss for reporting the crime if the offender is in a position of power.

One of the clearest and most common ways for the justice system to protect victims' safety and economic security is through **civil protection orders (CPO)**<sup>10</sup>. Although the court may issue a similar [no-contact order](#) while a criminal case is pending, CPOs may give the victim more control over initiating the order and requesting economic relief, especially if the victim has not decided or has decided against participating in the system. In addition to specific economic relief provisions (see p.23-24), the part of the CPO or no contact order requiring the offender to "stay away" may be critical for victims' economic security. It can protect victims from further costly physical harm, allow them to continue going to work or school without relocating, and support their independence. Advocates can inform victims about the [specific statutes and provisions](#) for CPOs in their state. They can help victims decide how to request a CPO, connect them to [free legal services](#) and explain what documentation is needed, potentially including economic-based evidence (see p.19) collected from law enforcement or the prosecution.

Due to the complex issues of economic vulnerability and dependency in cases of IPV, sexual assault and stalking, it is necessary to beware of **economic intimidation of the victim/witness** if the victim chooses to participate in a criminal case. Economic threats that constitute victim witness intimidation can take place in waiting rooms, parking lots and even in the courtroom itself if the parties are allowed to interact. In addition to examples of overt economic-based threats (see p.20), offenders may also engage in intimidation that indirectly affects the victim's economic security. For example, offenders may vandalize victims' cars to keep them from court, which also impedes their ability to get to work, attend school or take care of children. Both system-based and community-based advocates should educate victims about what to expect and how the intimidation might be economic in nature. Advocates within law enforcement and prosecution should also have training and policies in place to watch for such [witness intimidation](#) at all times and have [steps in place to address it](#) if it occurs, including relocating the victim if necessary.

Another way that offenders may intimidate victims or prevent them from participating in the justice system is by exploiting fears about immigration, especially if there are children. Immigrant victims often stay in abusive relationships, avoid

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### Success Story\*

*One Baltimore prosecution team partnered with a Section 8 Housing office and a moving company. When a woman and her son came to testify about domestic violence, the defense threatened that "if you put her on the stand, she will have nowhere to live by the end of the day." Little did they know a moving van was already at the house and she was set up with new housing by the trial's end.*

*\*Gretta Gardner, ESS Project Focus Group*

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<sup>10</sup> They may be called restraining orders or injunctions depending on the jurisdiction (see [www.womenslaw.org](http://www.womenslaw.org)).

reporting crimes and go without care after an assault because they fear deportation. Immigrant victims may also not be able to work legally and thus may be economically dependent on an abusive partner or offending employer. **U and T visas** and the VAWA self-petitioning process are valuable tools that can help keep immigrant victims safer and more economically secure. Law enforcement, prosecutors and judges are specifically listed in VAWA as officials authorized to sign [U visa certification forms](#). Advocates within those offices can screen for and facilitate the process. Certifying U visas may encourage victims to participate in criminal justice processes that could lead to protection from further harm, restitution and the ability to support their own economic security through employment. Utilizing U and T visas may also encourage other victims to come forward, improving their access to justice and community safety. [VAWA self-petitioning](#) can directly remove immigrant victims of IPV from harm and result in them obtaining lawful permanent residence, including the ability to work.

### **Economic-Based Safety Planning Recommendations**

- Change accounts or passwords to finances, email and social media. Freeze credit reports and/or post fraud alerts to the three main credit reporting agencies.
- Change direct deposit, emergency contact, retirement and insurance plans, and other data on file at the workplace that might allow offenders to access victims in person or financially.
- Change the victim's mailing address to a P.O. box or another alternative address to receive bills and other financial statements. Certain states have address [confidentiality laws](#) in place.
- Store important documents, items and emergency funds in a safe location.
- Assess alternative transportation options that will keep the victim safe without incurring extra costs. If added costs are unavoidable, determine how to recoup them or partner with local public transit, car donation or ride-sharing organizations.
- Work with victims to mitigate risks to them and their children due to childcare by:
  - ⇒ Researching alternative childcare providers at the same or lower cost.
  - ⇒ If low-cost options are not available or safe, apply for childcare subsidies or other aid.
  - ⇒ Notify the provider if certain they will not discriminate against the victim or their children, especially if the abuser is not allowed to pick up the children due to custody issues or a CPO.
- Work with victims and their housing provider to:
  - ⇒ Change the locks and repair windows or doors that were damaged in an assault.
  - ⇒ Break the lease and move out.
  - ⇒ Install security equipment or to other measures.
- Work with victims and their employers to:
  - ⇒ Change victims' shift, location or workspace (ex. move the desk away from doors/windows).
  - ⇒ Change work phone number or email address.
  - ⇒ Establish a code word to signify the need to call for help.
  - ⇒ Allow victims to screen or record their messages if they choose.
- Work with victims and their schools to:
  - ⇒ Change the offender's housing instead of the victim's to reduce the burden of relocating.
  - ⇒ Help the victim to change classes or campus job schedule while protecting a scholarship.
  - ⇒ Ensure the victim has access to either private or school-based health care and insurance.
- Notify security at the victim's school, office and/or housing unit about potential risks.



## Educating Victims about the Justice System and Remedies

### *Accessing the Justice System*

As victims of crimes, IPV, sexual assault and stalking victims are guaranteed certain rights within the justice system that directly or indirectly relate to their economic security. Whether under the [US Crime Victim Rights Act](#), state Constitutions or state statutes and regulations, victims may be entitled to the following:

- The right to protection from intimidation and harm, including economic threats or physical harm that can result in high costs.
- The right to restitution or reparations to financially restore the victim from the offender's acts.
- The right to be informed of the criminal justice system process, including possible protections, economic remedies and the costs of participating.
- The right to due process in criminal court proceedings, including providing advanced notice of what is required or expected of the victim, allowing the victim to submit an impact statement with economic impacts and having the case tried and completed in a fair and timely manner.
- The right to the preservation of employment and property, including having the police return any personal property taken for the investigation or prosecution.

Despite the extent of protections and rights for victims of these crimes within the justice system, there are many economic-related factors that contribute to a victim's decision to report a crime or participate in a prosecution. Though prosecuting an offender can help preserve a victim's economic security by providing access to economic relief and halting economic abuse, there are times when the opposite is true. For example, a sexual assault offender may be in a position of power, which could cause the victim to **fear retaliation or job loss**. In domestic or dating violence cases, the victim may be financially dependent on the offender, may fear retaliation, deportation or legal involvement, and may fear losing child support if the offender goes to jail and cannot work. Advocates will need to work with victims to address these concerns and incorporate them into their safety planning (see p.13) when educating them about the justice system and helping them make justice system-related decisions.

The criminal justice system is often the only avenue by which victims can seek protection, obtain restitution and ensure that their abusers are brought to justice. Unfortunately, despite the various

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### Legal Rights of Victims

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**Unemployment Insurance:** [35 states](#) provide UI to domestic violence victims in some circumstances. Six other jurisdictions provide it by statute or regulation.

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**Employment Discrimination:** [seven states](#) bar employment discrimination based on being a victim of domestic or sexual violence.

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**Employment Leave:** [37 states](#) require employees to grant leave to an employee crime victim to attend court, serve as a witness or respond to a prosecutor. Nineteen specify [domestic and/or sexual violence](#) victims.

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**Housing Protections:** [22 states](#) protect tenants from discrimination based on IPV, 15 require a landlord to change a survivor tenant's locks, seven allow landlords to evict an abusive tenant, eight prohibit landlords from evicting or penalizing tenants for calling law enforcement, and 24 states allow survivors to terminate their leases without punishment.

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*“If one set out intentionally to design a system for provoking symptoms of posttraumatic stress disorder, it might look very much like a court of law.”*

*Dr. Judith Herman*

potential benefits, economic and otherwise, of engaging in the criminal justice system, it can be an extremely complicated and taxing process, especially for victims who have experienced trauma. If they do decide to engage the criminal justice system, the process itself may retraumatize victims. For example, victims will likely have to repeatedly tell and be questioned over their story, either in front of skeptical law enforcement officers or while being cross-examined on the stand in a full courtroom. Additionally, constantly rescheduling court dates or having to **navigate multiple conflicting court appearances** and orders, including criminal, civil, divorce and custody issues, often impedes the victim’s recovery. Advocates can help victims prepare and mitigate any negative impacts.

Beyond the emotional toll of involvement in the criminal justice system, advocates should be aware of how the structure and organization of the system itself can be overwhelming barriers to participating. For example, how and when prosecutors and courts **schedule meetings and hearings** in IPV, sexual assault and stalking cases can have huge impacts on the economic security of the parties. Delaying these cases gives offenders additional opportunities to hide assets, tamper with evidence and intimidate or harm the victim, all with economic implications. Requiring mandatory and frequent appearances can force victims to choose between either pursuing justice that might keep them safer and restore them financially, or staying employed, maintaining scholarships or caring for their children. Furthermore, multiple court appearances can be costly in terms of transportation, childcare, lost wages and even lost jobs. Alternatively, holding trials with minimum delays can help **prevent additional and escalating offenses**. It allows victims to access restitution more quickly, limit the long-term impacts of debt and move on with their work or education. Court and prosecution advocates should work with the victim to assess these financial impacts and help them to minimize or remedy the related expenses.

Victims’ economic security and job stability in general may also influence the extent to which they will be willing to testify or be able to take part in pre-trial meetings. One of the main concerns of victims is being able to **take off work or cover transportation costs**. While victims may legally have the right to take either paid or unpaid leave from their jobs to meet with prosecutors or attend court, victims and employers alike are often unaware of the statutes. Victims may also simply be unable to afford to take a day off. In addition, victims without a vehicle may have to rely on an advocate to pick them up or public transportation, which may not only be costly but may also require them to take multiple buses or trains at inconvenient and unsafe times. Victims who are able to drive often face high and unanticipated parking fees, especially if

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### **Success Story\***

*A Pennsylvania prosecutor recalled two IPV cases. In one, the victim depended on the abuser financially and feared her family would become destitute if he went to jail. As a result, she lied about the abuse and induced her children to lie. They lost the case.*

*In the other, the victim was even more economically dependent on the abuser, but prior to the trial the prosecution team helped her find a place to live, start classes and obtain financial support. She felt safe and independent enough to testify honestly and they won the case.*

*\*Robin Thompson, ESS Project Focus Group*

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they are required to wait in court all day, or a lack of parking or disability-accessible parking. For example, parking at [one court in Florida](#) costs \$8 an hour, which adds up to an expense that many parties cannot afford. Moreover, victims' court responsibilities may conflict with their ability to provide their children with safe and affordable childcare.

Prosecution or court based advocates should also be aware that defendants may engage in **vexatious or retaliatory litigation** to harass, intimidate and disrupt the economic security of their victims. They may use the court system as another tool of abuse by opening frivolous lawsuits, filing repeated motions, or claiming that the victim is violating an order or in contempt. Beyond the economic impacts of an arrest or conviction, repeatedly summoning the victims to court can cause them to miss work or even lose their job, create undue expenses for transportation or childcare, and require them to cover court fees, attorney costs or other payments associated with their participation. Advocates should recognize when a defendant is taking advantage of the court to perpetrate additional fear and notify the judge, though the court responses will [vary by state](#).

*Victims with criminal records may face high court costs, reduced credibility for CPOs, CVC or restitution, and lifelong [barriers to work and housing](#). Know the [expungement statutes for your state](#) and connect victims to legal help.*

#### Recommendations to Improve Economic Access to the Justice System

- Coordinate between the criminal, civil, family and child protective systems so that victims do not have to [prioritize their needs and justice system responsibilities](#) and so that there is one centralized place or person, such as an advocate, where they can get all related information.
- Encourage prosecutors and courts to hold hearings as quickly and conveniently as possible.
- Work with courts and prosecutors to [limit unnecessary continuances](#) to reduce the economic impact on victims and avoid litigation abuse by offenders.
- Publish court calendars or provide other advance notice of when IPV or sexual assault hearings are scheduled so that community advocates may be available to the court to provide seamless and immediate access to support resources.
- Provide [public transit vouchers](#), gas cards or parking passes to limit transportation cost barriers.
- Provide childcare either [on-site](#) at the courthouse or through a community partner.
- Evaluate forms, outreach and procedures to ensure they do not discourage [minors](#) or [elders](#) from seeking safety and economic security through the court.
- Update websites, outreach materials and forms with gender-neutral language to prevent discouraging [LGBTQ victims](#) from participating in the court process.
- Offer forms, signs and [qualified and professional interpreters](#) in the most common languages by location so limited English proficient victims can request economic relief and seek protection.
- Offer auxiliary aids or services when needed for effective communication. Do not charge persons with disabilities for any [cost of accommodations](#), such as holding hearings at different, more accessible locations. If possible, order the offender to cover these costs.
- Take [safety measures](#) to prevent harm or economic-based witness intimidation on court premises. For example, escort or have the bailiff escort the victim to and from the parking lot, which is the most dangerous location.
- Connect victims with record expungement resources if they have a record, including if they were wrongly arrested, coerced into a crime or the offender filed retaliatory litigation against them.

## *Understanding the Justice System*

As victims' primary source of information, it is essential for advocates to understand the criminal justice system process and where economic security fits in. From the very start of the case through sentencing and enforcement, law enforcement, prosecutors and the courts, as well as advocates, can and should be addressing economic security<sup>11</sup>. This information will also help advocates inform and collaborate with justice system partners to address victim safety and economic security within their specific roles.

Much like advocates, law enforcement can incorporate economic-based questions into their initial response, intake and interviews (see p.11-12). Advocates are allowed to be [present during the police interview](#) if requested by the victim. Law enforcement and prosecutors should also be trained to collect evidence of economic impacts and crimes. **Economic evidence** allows prosecutors to request restitution for the costs incurred by the victim and enables judges to grant appropriate terms for a CPO and charge the offender with every crime committed. Advocates can inform victims about what this evidence may entail, how to collect it and keep it safe, bearing in mind that economic evidence might also influence the need for victims to testify. Prosecutors may consider pursuing an evidence-based prosecution instead of relying on victim testimony to protect the victim from the offender's retaliation and reduce costs of participating. Highlighting economic crimes or relying on economic evidence with or without an assault charge may be easier and more straightforward for the court to understand. In such a case, economic evidence may prove valuable in securing both a conviction and economic relief for the victim.

### **Possible Economic-Related Evidence**

- Photographs of injuries and damaged property.
- Security camera footage from neighboring businesses or residences that may have captured the offender's commission of injuries or property damage if they occurred outside.
- Property in the offender's possession at the time of arrest that belonged to the victim.
- Damaged or destroyed property's value or repair cost, with corroboration from the victim.
- Calls, emails, text messages and social media at home, work or school.
- Financial documents showing related costs of the violence (bills, bank statements, credit reports, invoices, receipts, canceled checks, stolen pay checks, etc.).
- Documentation of health care costs due to injuries from violence.
- Records of missed work or school (HR leave request forms, school attendance reports, security sign-in logs, etc.) as a result of the violence.
- Forensic accounting that uncovered cyberstalking/electronic surveillance, online economic crimes and identity theft; monitoring from the offender's work and home technology; phone/email spoofs, unauthorized GPS tracking and phone breaking on the victim's end.
- Measures taken by the victim to protect against violence or threats (security systems, moving to another residence, changing phone numbers, etc.) and the costs of such measures (receipts, bills, bank statements, credit card reports, etc.).

In addition to crimes of personal violence, such as battery, assault or stalking, there are many other crimes for which an offender can be charged and that result in specific economic harms to the victim.

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<sup>11</sup> For more detailed information, see the other three installations of the STOP Grant Sector Guide Series: [the Law Enforcement Guide](#), [the Prosecutor's Guide](#) and [the Court's Guide](#).

While the specific statute may vary by jurisdiction, crimes with economic impacts and/or links to economic abuse include, but are not limited to, the following:

<b>Crime</b>	<b>Impact on Economic Security</b>
Breaking and Entering	Offenders can damage property or disable safety measures, leaving the victim vulnerable to theft or harm. Offenders may also increase the victim's and other dependent's anxiety/mental health care needs and require relocation.
Cyber-Stalking or Stalking with Technology	Offenders' actions may force victims to replace technology, pay for security measures, change passwords or banks, or repair credit. Offenders may stalk at work or school. They can be separate crimes from stalking (see page 8).
Destruction of Evidence	Offenders can destroy evidence of economic crimes or documentation of the cost of the abuse (bills, photos, messages, etc.). They can also destroy evidence of economic threats that may constitute witness intimidation.
Destruction of Property/ Property Damage	Offenders may damage or destroy property at a cost to the victim. The offender's damage may also keep the victim from work or school if the property was a mode of transportation, a computer or identification.
Electronic Surveillance	Offenders can track victims' location, identification or financial accounts. This can involve cell phone hacking, GPS or other technology at home or work, which can be costly to find and remove. If offenders verify when victims call for help, they may destroy evidence or economically intimidate victims.
Forgery	Offenders can forge paychecks or tax forms and open bank accounts or credit cards in the victim's name.
Fraud	Offenders can commit benefit, tax, credit card, medical or employment fraud. Each can have lifelong impacts on a victim's credit that is costly and burdensome to repair and can hinder getting a job, loan or home.
Harassment	Offenders can cause victims to pay for mental health services, changes to their regular routine and expenses related to safety planning. It can take place at work or school and can result in their interruption.
Identity Theft	Offenders can cause long-term damage to victims' credit history. Also making victims change financial accounts and recover stolen resources can be costly.
Reckless or Negligent Injury	Injuries by offenders can cause victims costly physical and mental health care needs or keep them from working, resulting in lost wages or termination.
Strangulation	It often goes unrecognized and untreated by both the victim and first responders, resulting in costly health care needs or death. It is also a measure of increased risk and often leads to much more serious and costly harm.
Theft/ Robbery/ Larceny	Offenders may steal to get information or access to the victim when stalking them. Theft may occur alongside a sexual assault or be used as economic abuse. Offenders may also steal the victim's wages.
Trespassing	Offenders can trespass at the victim's home, work, extended property or the property of family or friends. Victims may need to buy security equipment (the cost of which can be high), relocate or miss work, resulting in lost wages.
Threats	Offenders can threaten to kill or severely harm themselves, the victim, family members or pets in order to get the victim to turn over financial documents, property or money. Minors may be especially vulnerable to threats.
Witness Intimidation or Threats	Offenders can threaten to get victims expelled/fired, to stalk them or to inflict harm to keep them from testifying or cooperating with police. Abusers can intimidate victim witnesses with threats to leave them destitute, destroy their property, not pay child support, disrupt school/work or obstruct immigration.

Advocates who are experts on victim behavior and the dynamics of abuse or advocates with economic abuse experience may also be called on to provide **expert witness testimony**. [Expert testimony](#) may help to explain to the judge or jury in unbiased terms the economic reasons why a victim was reluctant to appear or recanted initial reports. Such witnesses may also be able to present honest and realistic assessments of the short and long-term costs or economic impacts of the offender’s crimes. Advocates may also help connect the prosecution to other sources of key information, including:

- Experienced domestic violence or sexual assault law enforcement investigators
- Economic crimes specialists or investigators
- Forensic nurse examiners
- Economic experts (economists, researchers, financial planners, economic justice advocates, etc.)

**Sentencing** is one of the best opportunities to actively support victim economic security. In this venue, victims can give their [Victim Impact Statement](#), prosecutors can request restitution and judges can hold offenders accountable. Advocates can work with victims and the justice system to structure sentences in a way that reduces risk, promotes victim independence and minimizes economic deprivation. Victims will be safer and the orders will be more likely to be enforced if judges have specific information from victims and prosecutors so they can craft their orders clearly and concisely. For example, courts should specify the day, time and location of the exchange when directing the offender to turn over property or pay restitution to the victim. During sentencing and plea bargaining, prosecutors can request and judges can order economic relief, often through restitution or permanent protection orders (see p.23). Relief can be ordered for both past costs as well as prospective costs that may be needed to keep victims safe and economically secure going forward, such as security equipment, particularly for the period of probation. The amount of economic relief allotted will depend on the evidence collected (see p.18) and the need specified in the Victim Impact Statement, which advocates can assist victims in completing.

Decisions about offender incarceration, probation and parole will also impact the victim’s economic security. Advocates should be aware of some economic reasons why a victim may or may not want the offender to be sentenced to jail or prison. If the victim fears additional or retaliatory physical harm or interference with work, school or housing, incarceration might protect the victim’s economic security. However, IPV victims may be financially dependent on an offender or may fear losing child support and restitution if the offender goes to jail and can no longer work. In addition, advocates should be familiar with [local programs](#) that the court can require offenders to participate in as an alternative to incarceration or in parole or probation to learn about the impacts of their abuse, economic and otherwise. Considering that offender’s unemployment and economic disadvantage are [risk factors for reabuse](#), conditions may also include receiving job training or other services. Advocates can work with victims to outline these concerns in their Victim Impact Statement.

• • •  
Most convicted stalkers  
are [sentenced to  
probation](#). Only 10% are  
imprisoned.  
• • •

**Enforcement of court orders** is an essential part of keeping victims and their children safe and upholding their trust in the justice system. One of the best ways to ensure compliance in IPV, sexual assault and stalking cases is through regular review hearings. Review hearings are helpful in making sure victims are physically safe from additional violence, which impacts their long-term health and economic security. These hearings are especially critical when the court orders economic relief. Victims may be

less likely to report non-physical violations and law enforcement less likely to respond to such violations. Either directly, through an advocate or through the probation officer, victims can educate the court about their changing or new needs, many of which may be economic in nature.

Holding regular reviews with offenders also places the onus of ensuring compliance with protection and other orders on the court instead of on the victims. For example, review hearings better allow judges to impose graduated sanctions for violations, which can include fines, restitution, work-release programs, intensive probation and full or partial jail time. Economic-related rewards for offender compliance can include fewer or less frequent reviews, reduction or waiving of court fines and fees, changes to no-contact orders and less intrusive probation reporting. Many of these options can impact the economic security and safety of the victim and should be planned around accordingly with an advocate.

Victims should not be responsible for monitoring compliance nor required to attend these hearings, though court advocates or probation officers should notify them of their occurrence and results. In many jurisdictions, the monitoring and enforcement of court orders, including economic relief, falls to probation and parole officers. Officers who proactively reach out to victims upfront can make a big difference in case follow-up. In fact, a [Rhode Island study](#) found that victims were three times more likely to notify law enforcement about violated no contact orders if they had been contacted by probation. However, advocates should inform victims that any information they turn over, including anything related to their housing, employment or education, may be shared in court or in public records that the offender could access. Probation officers and advocates can also update victims on the progress of the case and when scheduled reviews are taking place. This will help victims and advocates plan accordingly to protect their economic security and physical safety during the justice system process.

#### **Economic-Security Related Sentencing and Enforcement Considerations**

- Request restitution forms for victims if not provided and talk through as they fill them out.
- Translate orders into the parties' primary language.
- Verify that protection orders do not conflict with or contradict the economic relief or safety provisions that can impact economic security in existing civil protection orders.
- Update victims' safety plans based on sentencing and review periodically as conditions change.
- Consider how [cultural differences](#) affect the economic-related remedies to support the victim as well as the imposition of economic-related interventions for offenders and their compliance.
- Issue an Order to Appear for the offender at final judgment to put the responsibility on the offender to file evidence of compliance rather than on the court to discover and enforce it.
- Encourage regular compliance review hearings that focus on economic relief.
  - ⇒ Work with probation, attorneys and court staff to ensure that the victims are aware of the scheduling, expectations and their role in the review hearings.
  - ⇒ Advocate modification of protection orders during hearings to meet the changing economic needs of the parties while maintaining safety.
- Do not remove or alter protections unless the victims have a chance to express their economic concerns about the changes, and unless the victims have been notified in advance so they may act to protect their physical safety and economic security.

## Economic Relief

Economic relief can be ordered either during pre-trial hearings, plea bargaining, sentencing or compliance review hearings. Unfortunately, many in the criminal justice system feel that economic considerations should primarily be addressed in civil or family court or they assume that victims will receive [Crime Victim Compensation](#) (CVC). While CVC is a valuable resource for victims, not all damages are covered and not all victims are eligible (see table below). Restitution is a much more expansive but underused legal option.

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*CVC: 27 states require victims to report a crime within 48-72 hours and 24 states require victims to file a claim within a year.*

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	Restitution	Crime Victim Compensation
Process and Eligibility	<ul style="list-style-type: none"> <li>• Court-ordered payment from the offender after a guilty finding.</li> <li>• Can be issued even if there is a civil suit in progress or if CVC has paid for other costs.</li> <li>• Can remain in effect even after the victim or offender dies.</li> <li>• Can be calculated and requested by the victim or victim’s advocate, the prosecutor or the probation department.</li> </ul>	<ul style="list-style-type: none"> <li>• Government assistance program that is applied for independently.</li> <li>• There may not be an arrest or prosecution of the offender.</li> <li>• Victim may be required to report the crime by a certain time and cooperate with the investigation.</li> <li>• Must file an application to the state within a certain timeframe.</li> </ul>
Coverage	<ul style="list-style-type: none"> <li>• Can be ordered for a <b>wider range of losses</b>.</li> <li>• Common uses: physical/mental health care, lost wages, lost/damaged property, justice system expenses and other direct expenses.</li> <li>• Additional uses: future health care, funeral costs, crime scene clean-up, correcting credit history, insurance deductibles, credit card fees or prescriptions.</li> <li>• Does not cover pain or emotional distress.</li> </ul>	<ul style="list-style-type: none"> <li>• All programs cover medical expenses and most cover counseling and lost earnings.</li> <li>• Few cover property loss (<a href="#">8 states</a>), funeral expenses or other costs.</li> <li>• States set a maximum benefit that can be paid for each claim, which varies by jurisdiction (<a href="#">27 states</a> limit amounts to \$21-40,000).</li> </ul>

[Restitution](#) and other economic relief should be proactively ordered for victims. This relief can be issued up through probation where possible. [Restitution](#) requests can be presented by prosecutors or victims themselves, often with the help of advocates, or judges can directly ask for and order it.<sup>12</sup> Advocates should be aware of their [state’s statutes on restitution](#), specifically if it is included in their crime victims’ rights constitutional amendments (18 states), if there is a specific directive for victims of domestic violence or sexual assault (25 states) and if they are required to order it barring extraordinary circumstances (over one-third).

In addition to including stay away provisions for the workplace, school, childcare provider and other economically-needed locations, other possible types of economic relief include:

- Rent/mortgage and utilities payments

*WOWs [research standards](#) can be used to help assign value to damages and relief (see Appendix C).*

<sup>12</sup> The same questions asked during intake and trial can help determine restitution. See page 11 for examples.



- Use or transfer of personal property
- Payment of insurance premiums
- Payment of outstanding debts
- Emergency, child or other support payments
- Transportation and gas
- Provision of security equipment
- Compensation/punitive damages for pain and suffering

Many of these forms of relief can be included in **court-ordered protection orders**. Like restitution, states can statutorily authorize judges to grant [certain economic relief](#) in protection orders. For example, 38 states allow child and spousal support, 28 allow possession/use of a car or other property, and 20 allow the continuation of rent and mortgage payments or providing alternative housing. If not specified in the statute, economic relief can be included under the general “catch-all”/“other” clauses that most states have or as a general safety provision in order to protect victims in the short and long-term by addressing their economic needs. For example, housing security and a stay away provision for an office or school may be essential for a victim’s physical safety, which is the ultimate intent of such orders.

*Victims can also receive economic relief and restoration through other civil remedies. These include replevin, transfer & protection, benefits, [consumer law protections](#) and more.*

Court, prosecution or any other advocates can give victims advance notice of their rights under their state’s [Crime Victim’s Rights Act](#) to submit evidence of the physical, emotional and economic impact of the crime. Advocates should help victims complete **Victim Impact Statements** and present them to the judge at plea bargaining or the sentencing hearing. Some states such as Pennsylvania also allow victims to submit statements attesting their future risk and what they need from the court to mitigate it, instead of only listing past economic costs and impacts.

While courts should not base the restitution amount on the offender’s ability to pay, they may still take it into account when setting the payment schedule. When courts are reluctant or refuse to order such relief, advocates can meet with the chief judge of a court, help file appeals and provide briefs or other legal tools to help advocate for entitled remedies. Many in the judicial system overlook restitution if the offender is low-income, unemployed or heading to jail. However, courts can and should ensure that a victim still receives economic justice regardless of the abuser or victim’s economic situation.

Some states have acquired restitution funds using the following unique strategies:

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| <ul style="list-style-type: none"> <li>• Prison work program wages</li> <li>• Federal tax returns</li> <li>• Bond payments for the offender</li> <li>• Inheritances</li> <li>• Inmate accounts or state payments to offenders</li> </ul> | <ul style="list-style-type: none"> <li>• Gambling earnings</li> <li>• Lottery winnings</li> <li>• Income deduction orders</li> <li>• Direct payments to the victim from a <a href="#">restitution fund</a>, then the state pursues the offender for repayment</li> </ul> |
|--|--|

## Chapter 3: Working with Other Justice System Sectors

There is extensive overlap between the roles of advocates and other justice system sectors in addressing victim economic security, and many ways that they can support each other in this work. Advocates by nature are the best suited to inform and foster collaboration between others in the justice system. They are key to sharing information about victims and their economic needs, either as members of community-based collaborative teams or through direct training of justice system professionals. Given their expertise on the impacts of abuse and the breadth of their roles, advocates may also educate the justice system about the steps each sector can take to keep victims safer and more economically secure.

Advocates have a critical role to play in both leading and participating in **Coordinated Community Response (CCR) teams** or similar groups (i.e. sexual assault or domestic violence response teams or fatality review teams) to create a consistent and effective systems-wide response to IPV, sexual assault and stalking. They can also help integrate other sectors of the community, such as businesses or the faith community, into response teams. Additionally, though most advocates can take leadership roles within community task forces to raise economic issues to a wider range of people and agencies, some can also join [multi-disciplinary teams](#) to help address economic security within specific cases pending in the criminal justice system.

*Invite those who work on economic issues to **attend CCR meetings:** local workforce boards, insurance, chambers of commerce, unions, child support collection, transportation, tax and accounting services, housing, etc.*

Advocates both within the community and within the justice system may have the opportunity to train their colleagues and other actors in the justice system about economic factors in IPV, sexual assault and stalking (see p.37) and to explore strategies to collectively integrate economic considerations into their work. For example, advocate trainers can amend or adjust existing conferences or training programs to include the economic costs of violence, how economic insecurity threatens safety, what each sector can do to increase economic security and safety, and what tools are available. Trainees may include law enforcement, prosecutors, judges and court staff, the civil bar, SANEs and the defense bar. Other members of the community that may benefit from **advocate-led training on economic security** – alongside general training on violence and abuse dynamics – include educators, employers, physical and mental health providers, and the faith-based community. Engaging the community is critical to reduce barriers to employment education, developed an unbiased and well-informed jury pool, and improve responses and services to victims.

To grasp the full scope of the crime and effectively administer justice, all actors involved with a case need to have [accurate information](#) about the offender’s criminal history and history of violence as well as the economic threats and financial impact of crime on the victim. Advocates should coordinate across sectors and communicate with other advocates to ensure that they are maximizing opportunities to address economic needs and avoiding duplicating efforts. Advocates should make sure such information is considered when setting release conditions and during plea negotiations, pre-sentence investigation, sentencing and review. **Data sharing** is also essential to enforce court orders that impact victims’ economic security. For example, [delays in filing protection orders](#) to the state registry can prevent police

enforcement, which leaves victims less likely to receive needed safety and financial assistance.<sup>13</sup> Victims are similarly burdened if partner agencies and service providers do not receive timely notice of trial or plea outcomes and court orders, who can then communicate the implications to victims and help them incorporate any needed economic changes to their safety plan. There should be a clear, efficient way to share information among agencies and advocates on restitution or other economic-based orders.

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35 states and DC report crimes to the NIBRS.  
11 states have [specialized incident-based reporting](#) for domestic violence.

## SANes/FNEs

- Advocates can inform and provide explanatory materials to members of the SANE program if it is part of a local SART on the impact of sexual assault on a victim, including the economic impacts to safety and recovery.
- SANE/FNEs can and should tell the victim the short- and long-term costs of the crime as part of the examination, which would help advocates assist victims with safety and financial planning.
- Advocates can train SANE/FNEs to be aware of the laws around the cost of exams and treatment and to direct victims to economic relief, insurance programs and support or legal services.

## Law Enforcement

- Law enforcement first responders can immediately and directly connect victims to an advocate, if the victim or medical staff had not already contacted one, and victim rights information.
- Advocates who ask questions about financial impact can lead to disclosure of financial crimes that an offender is committing, which can be valuable information for law enforcement to make an arrest and collect evidence.
- Advocates who facilitate law enforcement training can address economic security in existing training curricula.

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65% of departments formed a partnership with a community-based victim [advocate group](#).

Only 13% have advocates working within the department.

## Prosecutors

- Advocates can support the prosecution by walking victims through what economic evidence they might need to collect and what economic crimes to look out for.
- Advocates can help victims fill out forms for criminal justice matters, such as restitution.
- Advocates can create a dialogue with victims that will help prosecutors stay more informed about any economic issues facing the victims that might affect their participation and testimony.

## Civil Attorneys

- Advocates can help civil attorneys calculate what economic relief victims need for their safety.

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<sup>13</sup> [Registries/databases](#) that submit case data in real time to [National Crime Information Center](#) (NCIC) or are [available to all the actors involved in a case](#), including advocates, can ease communication with the victim and between actors, reduce conflicting orders and expedite enforcement of economic relief.

- Advocates can connect victims to civil attorneys, who can help them with critical economic-related legal needs and benefits that a criminal court cannot address, such as Social Security, food stamps, immigration and housing matters.
- Advocates should ensure that civil attorneys know that they are able to consult with them on a client’s case, provided that the client has waived confidentiality associated with the advocate-victim privilege.
- Involving the civil bar in CCRs and taskforces can educate advocates about legal options open to victims and reinforce the economic needs of victims to criminal justice system members.

*“The difference between criminal court and civil court is something [victims] struggle with and the less they understand, the less likely they are to participate”*  
Toni Jensen

## Judges and Court Staff

- Victims are less likely to recant their testimony if advocates accompany them to court to explain the process and watch for economic-based witness intimidation.
- Judges can enforce civil protection orders with economic relief and give equal importance to the economic relief that civil attorneys and advocates determine to be necessary for victims’ safety.
- If judges believe that the economic security needs of victims are being supported by advocates, judges may be more confident in making rulings or sentences that impact the victims.

## Probation and Parole Officers

- Probation and parole officers can better uphold justice and a victim’s safety if they are educated by advocates about how offenders might be threatening the economic security of victims anew and what economic indicators to look for.
- Probation and parole officers who give the victim notice of the offender’s status and any upcoming hearings will allow advocates to help victims plan to protect their economic security and safety as well as prepare a victim impact statement with new economic impacts.
- Probation and parole departments will be best able to address the nuances and economic impacts of these crimes through [specialized units](#) for domestic violence or sexual assault that allow for better training and coordination with advocates and between sectors.

## Chapter 4: Policies and Protocols

Policies and protocols are the foundation for ensuring equal and consistent consideration of economic security within domestic violence, dating violence, sexual assault and stalking cases. Considering the benefits to both victims and the criminal justice system, community-based organizations and justice system offices should incorporate practices that promote economic security into existing policies. Internally, advocates can propose and develop procedures to improve communication, documentation and awareness of key players within their organizations. In addition, some state or local policies may allow advocates to better address victim economic security as a means of maximizing safety.<sup>14</sup>

### Policy and Protocol Recommendations for Advocates and Policymakers

- Train all staff regularly on the basic elements of economic security and need in these cases.
- Engage in cross-training with local culturally-specific groups to better respond to unique needs.
- Educate staff on new cyber electronic or technology and how they are used to stalk.
- Educate all staff on the economic impact of non-intimate partner sexual assault.
- Assess internally the awareness of economic issues and the capacity to regularly address them.
- Create referral protocols or MOUs among systems-based and community-based advocates for working on cases together, including how to deal with victim/advocate confidentiality.
- Create and maintain a database or toolkit of economic-based community resources for victims.
- Ensure that, within the coordination of the two systems, there is someone who can go across lines and work across sectors as well as someone who has absolute confidentiality.
- Provide cross-training and shadowing opportunities across advocacy positions to see the economic impact of these crimes and the role of the advocates.
- Amend protocol to include regular check-ins with the victim to assess financial or economic impact at each stage of an advocate's work.
- Collect and share data on the cost of sexual assault for victims and their communities over time.
- Collect data on the cost and prevalence of sexual assault within intimate relationships, IPV coinciding with a sexual assault or stalking, and stalking alongside sexual assault or IPV.
- Collect and share data on frequency and cost of stalking as witness intimidation.
- Collect and share data on how many economic crimes are committed alongside violent crimes.
- Calculate economic relief and restitution for the impacts of abuse on victims' children as well.
- Review forms and make sure that all impacts and the available types of relief are reflected.
- Review the law and practice around filing fees for CPOs and review the VAWA certification requirements regarding victims not paying for protection orders.
- Train law enforcement and prosecutors on the economic reasons victims may violate CPOs and not to arrest or prosecute them for "violating" their own orders of protection.

To help regularly secure economic relief for victims in need, the forms that victims fill out when seeking CVC, restitution and CPOs should include questions on economic impacts. Each tool helps victims retain or regain economic security, but may come with barriers that advocates can help overcome. Barriers include differing eligibility rules, time limits and filing fees that may be waived for victims. Those who

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<sup>14</sup> Funding may limit the ability of advocates to implement these suggestions and address economic security. Advocates and victims alike may benefit from flexible resources to provide assistance and subsidies to victims as needed, sufficient staff to address economic needs and access issues, and funding to train staff on these topics.

cannot afford an attorney are often at a disadvantage in any legal process, so court Self-Help or Self-Service Centers should make sure that forms used to collect information have specific instructions on how to complete the required documentation. Questions can also be added to **intake forms, protection order information packets** and [court forms](#) (ex. Florida’s Affidavit Motion for Order to Show Cause) on the economic impacts of IPV, sexual assault and stalking both independently and [when coinciding](#).

Because the roles of community-based and justice system advocates are governed by such different policy, it is appropriate to offer economic security-related policy recommendations for each sector.

### Policy Recommendations for Advocates to Advance

Community-Based	Justice System-Based
<ul style="list-style-type: none"> <li><input type="checkbox"/> Include economic indicators in regular Fatality Review/ Safety Audits.</li> <li><input type="checkbox"/> Detail immediate economic costs in victim impact statements, but also leave it open for future costs.</li> <li><input type="checkbox"/> Develop a <a href="#">confidentiality policy</a> and provide a confidentiality agreement for staff and volunteers about risks and best practices for protecting victims’ economic information.</li> <li><input type="checkbox"/> Obtain specific, time-limited informed consent from victims before sharing information with other sectors.</li> <li><input type="checkbox"/> Attend court on assigned days to help with the economic needs of victims, which will in turn alleviate strain on court resources and staff.</li> <li><input type="checkbox"/> Train specialized judges and court staff on the economic issues within these cases in order to increase consistency with safety procedures, court orders and compliance review.</li> <li><input type="checkbox"/> <a href="#">"Loan" advocates</a> to the court to support victims within the justice system when they funding is lacking.</li> <li><input type="checkbox"/> Acquire access to technology system to gain immediate information on a victim’s case and better coordinate with other service providers.</li> <li><input type="checkbox"/> Assist with development of law enforcement or prosecutor protocol(s) for these types of cases and include economic considerations.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Participate in a <a href="#">specialized domestic violence/sexual assault docket</a>/court and educate staff the unique costs of assault and dependency issues.</li> <li><input type="checkbox"/> Work with clerks to keep a list of restitution orders issued and collected for each judge.</li> <li><input type="checkbox"/> Advocate for protection orders with relief for minors, dating partners and sexual assault victims.</li> <li><input type="checkbox"/> Ensure that all crimes of stalking are heard, including economic crimes and those impacting economic security.</li> <li><input type="checkbox"/> Flag the conviction as IPV or sexual assault in the computer system.</li> <li><input type="checkbox"/> Establish regular, close communication protocols with both the sentencing/ review judge and the probation officer to promote economic compliance.</li> <li><input type="checkbox"/> Advocate having child support enforcement staff at the courthouse so that orders can be enforced immediately after a hearing.</li> <li><input type="checkbox"/> Help the court consider the safety risk the offender poses and consequences of economic manipulation to the victim when scheduling review hearings.</li> <li><input type="checkbox"/> Hold regular mandatory reviews of cases with the police officer and prosecutor on why certain cases were declined and how economic security could be addressed.</li> <li><input type="checkbox"/> Encourage courts to excuse the victim’s side first and create separate waiting areas to limit contact where there might be violence or economic-based threats.</li> </ul>

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The author of the Court's Guide is Malore Dusenbery, WOW ESS Project Associate Director.

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# Appendix A. Victim Advocate Pocket Guide on Economic Considerations

The Victim Advocate Pocket Guide is the perfect tool for educating and working with survivors of domestic violence, sexual assault and stalking who are thinking about or already involved in the criminal justice system. In addition to highlighting the costs and benefits of participating in the justice system, this short, user friendly brochure contains checklists for economic-related safety planning, intake questions and evidence. To access the Victim Advocate Pocket Guide, see <http://www.wowonline.org/wp-content/uploads/2014/09/Victim-Advocate-Economic-Security-Pocket-Guide.pdf>.

Economic Security for Survivors Project
2014

**Know Before You Go**

**Economic-Related State and Local Policies:**

- Restitution statutes
- Protection Order statutes
- Workplace protections and sick/safe leave
- Housing protections
- Filing fees for protection orders
- Crime Victim Compensation
- Forensic medical exams

**Costs of Justice System Participation:**


- **Transportation and parking**  
 Cost of parking per hour: \$ \_\_\_\_\_  
 Bus passes provided?  Yes  No  
 Cost of public transportation: \$ \_\_\_\_\_
- Cost of childcare: \$ \_\_\_\_\_
- **Employment and education**  
 Leave from work?  Yes  No  
 Amount of lost wages: \$ \_\_\_\_\_  
 Number of missed classes: \_\_\_\_\_
- Filing fees for CPOs?  Yes  No
- **Navigating the system**  
 Do you need to bring food or money for lunch?  Yes  No  
 How many different courthouses and hearings do you need to go to? \_\_\_\_\_  
 Do any economic-related court orders contradict each other?  Yes  No
- **Engaging the offender**  
 Economic threats in court?  Yes  No  
 Property damage or harm?  Yes  No

**Know Before You Go**

**Economic Benefits of the Justice System:**

- Through law enforcement response, court protection orders or offender incarceration, the criminal justice system can help **protect victims from physical harm** that can lead to high costs or work/school interruptions.
- Prosecutors and judges can restore **victims financially** through restitution and other forms of economic relief.
- Collecting economic evidence, charging economic crimes and enforcing economic relief can help **hold offenders accountable** for the full scope of their abusive behavior.
- Justice system professionals can include the workplace or school in protection orders and can protect victims from retaliation on their **housing and work** due to the violence.
- Economic insecurity, dependence or abuse can **explain victim behavior** to the justice system and public, reducing victim blaming.

To access the full Victim Advocate’s Guide to Safety and Economic Security for Victims of Violence Against Women, see: <http://www.wowonline.org/wp-content/uploads/2014/09/WOW-ESS-Victim-Advocate-Sector-Guide.pdf>



**Economic Security Considerations for Safer Survivors:**  
**A Victim Advocate Pocket Guide**

Includes:

- Economic costs, benefits and policies
- Safety planning issues
- Intake & interview questions
- Economic evidence examples



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## Appendix B. Training Guidelines

### Timing and Structure

- Training should be for both new and experienced advocates within community organizations and the justice system.
- Training should be facilitated by advocates or by advocates in partnership with a law enforcement officer, prosecutor or judicial representative. However, trainings can also be conducted by coalitions, in-house training divisions in law enforcement departments or court systems, taskforces and CCRs.
- Training should be visual and interactive, such as a PowerPoint presentation with embedded video, audio, case scenarios and mini-quizzes (depending on the length of the training).
- Training should include scenarios, both roll-play and written case studies to discuss.
- Training should include the general elements of the Victim Advocate's Guide as well state-specific laws and information.
- Trainings should be designed to either be stand-alone units or smaller units that can be inserted into larger, existing national and state-wide conferences or trainings.

### Suggested Content

All advocates should be educated on the economic dynamics of abuse, particularly the economic implications of abuse, and on what they can do to support victims. Training should be adapted or expanded to include the following topics:

- Numbers and figures on economic security needs (i.e. WOW's [Basic Economic Security Tables Index](#)) to demonstrate the economic reality facing victims in each jurisdiction/state
- Fundamentals of economic abuse
- Victim accounts of the economic impact of violence and how advocates helped support their economic security
- Checklists for advocates to address the economic security of victims (intake questions, evidence sentencing impacts, economic relief possibilities, etc.)
- Discussion of different economic-related crimes that can be charged
- Options for Crime Victim Compensation, Protection Orders and Restitution
- Unique needs for victims and offenders from special populations:
  - ⇒ [Immigrants](#)
  - ⇒ [Lesbian, gay, bisexual, transgender and queer](#) (LGBTQ) individuals
  - ⇒ [Adolescents](#)
  - ⇒ [Elders](#)
  - ⇒ Those with mental health needs
  - ⇒ Those with substance abuse issues
  - ⇒ Those with existing criminal records
- Key special topics
  - ⇒ Convincing the justice system to take action on economic matters
  - ⇒ Overcoming the perception of bias
  - ⇒ Overcoming economic barriers and challenges to participating in the justice system

# Appendix C. WOW's Economic Security Research and Application

## WOW's Research

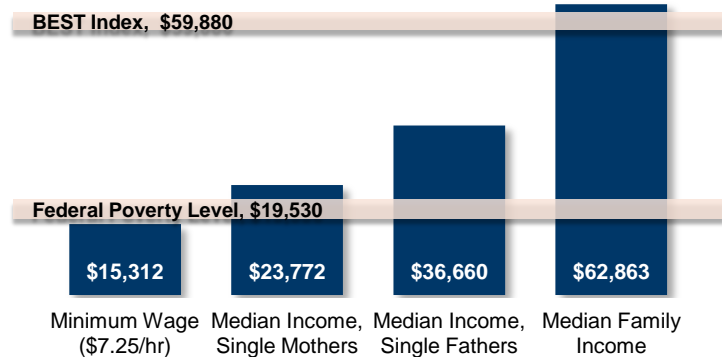
As defined by WOW, economic security means having the income, assets and access to services that allow individuals to meet basic needs, participate in the workforce and build savings over the lifespan.

Basic needs consist of:

- Housing
- Food
- Transportation
- Childcare
- Healthcare
- Household supplies
- Taxes
- Savings

This model differs from the federal poverty level in that it is based on a variety of expenses instead of just food costs and considers variation in family size and geography. Economic security also differs from self-sufficiency by recognizing that living paycheck to paycheck can still make families vulnerable to economic shocks. As a result, WOW's measures include savings for emergencies and for retirement, which are financial resources survivors often desperately need.

**Figure 1: US Basic Economic Security Tables for 1 Worker, 1 Preschooler and 1 Schoolchild vs. US Benchmark Incomes, 2013**



WOW's [Basic Economic Security Tables \(BEST\)<sup>TM</sup> Index](#) calculates the costs of basic needs and appropriate savings for more than 420 family types and suggests what it takes for families to be economically secure in their local communities. Similarly, the [Elder Economic Security Standard<sup>TM</sup> Index](#) (Elder Index) measures how much retired adults over the age of 65 require for their basic needs and to age in place with dignity. It takes into account household composition, home ownership status, location and health status. These indices provide families, advocates, policymakers, service providers, researchers and other professionals a benchmark of economic security throughout the lifetime and across the generations. Moreover, the BEST provides a framework to understand the financial barriers survivors face in becoming independent or recovering financially from violence. They can also help advocates **identify areas where financial support can have the greatest impact** on economic security.

For single adults, housing (26%) and transportation (21%) account for the largest portions of their needs (see US BEST table below for select family types). For single parents, the greatest expenses are **childcare** (22%), **housing** (16%) and **transportation** (11%), all three of which are often cited by victims as the most significant barriers they face when attempting to escape violence or rebuild their lives. Unfortunately, **45% of Americans** are unable to meet the BEST benchmark (see figures) largely due to a lack of jobs that pay enough to cover basic living expenses. Even when social supports such as housing, medical and child care assistance are available, they often fail to make up the difference.

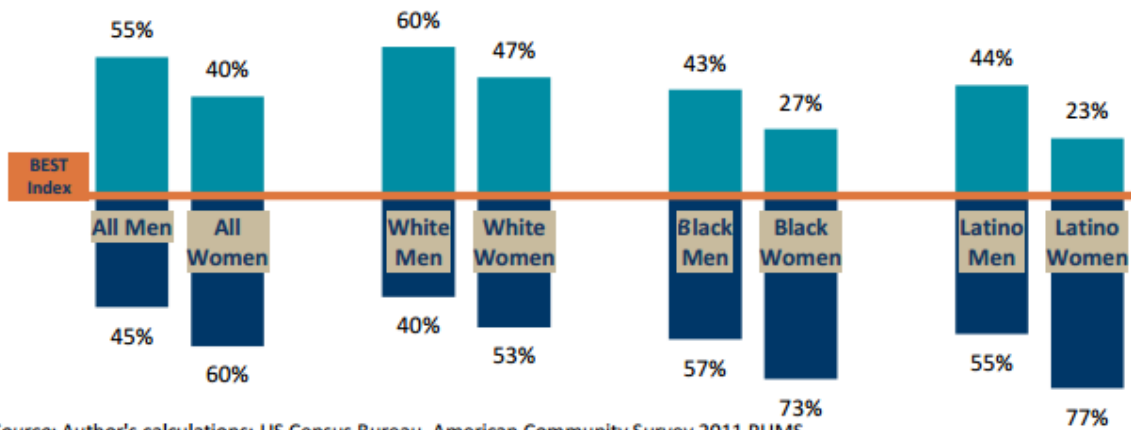
# Basic Economic Security Tables, 2013

(Workers with Employment-based Benefits)

## US, Selected Family Types

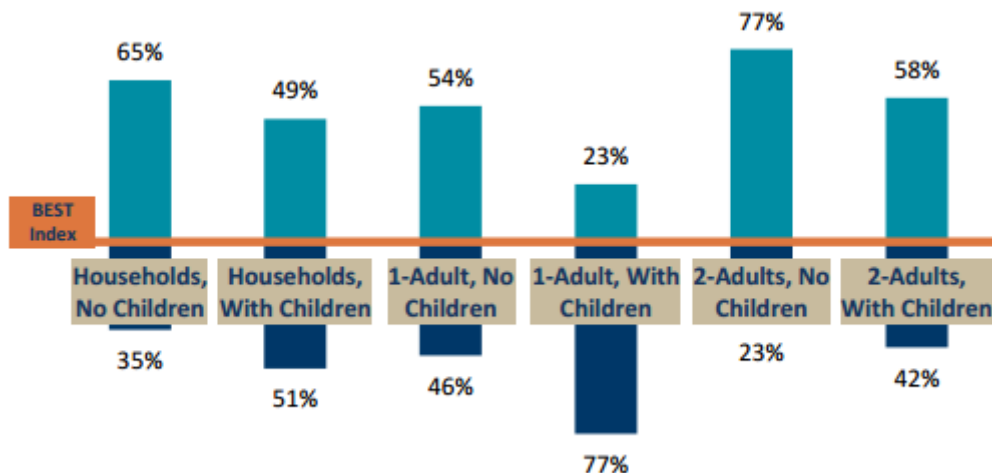
Monthly Expenses	1 Worker, 1 Worker, 1 Preschooler,			2 Workers, 2 Workers, 1 Preschooler,	
	1 Worker	1 Infant	1 Schoolchild	2 Workers	1 Schoolchild
Housing	\$642	\$803	\$803	\$642	\$803
Utilities	\$115	\$144	\$144	\$115	\$144
Food	\$264	\$379	\$572	\$484	\$765
Transportation	\$516	\$566	\$566	\$1,017	\$1,068
Child Care	\$0	\$621	\$1,112	\$0	\$1,112
Personal & Household	\$259	\$337	\$386	\$315	\$435
Health Care	\$161	\$329	\$480	\$374	\$540
Emergency Savings	\$76	\$122	\$154	\$112	\$183
Retirement Savings	\$87	\$87	\$87	\$102	\$102
Taxes	\$374	\$714	\$953	\$501	\$1,087
Tax Credits	\$0	-\$139	-\$267	\$0	-\$267
<b>Monthly Total (per Worker)</b>	<b>\$2,494</b>	<b>\$3,963</b>	<b>\$4,990</b>	<b>\$1,831</b>	<b>\$2,986</b>
<b>Annual Total</b>	<b>\$29,928</b>	<b>\$47,556</b>	<b>\$59,880</b>	<b>\$43,944</b>	<b>\$71,664</b>
<b>Hourly Wage (per Worker)</b>	<b>\$14.17</b>	<b>\$22.52</b>	<b>\$28.35</b>	<b>\$10.40</b>	<b>\$16.97</b>

Figure 2 Economic Security and Insecurity Rates, by Race/Ethnicity, 2011



Source: Author's calculations; US Census Bureau, American Community Survey 2011 PUMS.

Figure 3 Economic Security and Insecurity Rates, by Presence of Children, 2011





## Applying WOW's Research

WOW's free, online [Economic Security Database](#) currently contains the Elder Index for each state and county and the BEST for the US as a whole, 28 states and the DC Metro Area.<sup>15</sup> WOW is continually developing new analyses and uploading new figures to the database. Victim advocates within community-based organizations or schools can use these figures within their case management to help direct victims toward better paying jobs, plan for appropriate budgeting of their income and inform their decisions about whether or where to relocate. However, these measures may also inform advocates' work with victims within the criminal justice system. By **utilizing WOW's data**, advocates and other justice system professionals can begin calculating how much victims should be expected to pay for certain budget items, what economic relief can reasonably cover and how much offenders should be expected to reimburse in restitution. While these numbers should not be used to replace documentation provided by the victim that demonstrates actual costs incurred, they may help keep victims safer and hold offenders more accountable by framing requests for relief with county- and family-specific cost differences. Referring to this standard of minimum basic needs may also protect against claims that victims are just trying to get rich or to get everything they can out of an offender.

Consider the following examples using the BEST and Elder Index:

- A victim was being stalked by her abusive former partner at her home outside of Washington, DC in Fairfax County, Virginia, which resulted in compromised security systems, extensive property damage and fear. After hearing the case, the judge instituted a permanent protection order, which included an order for the offender to “**provide suitable alternative housing.**” An advocate working with the victim used the BEST to determine what qualifies in their county as ‘suitable’ housing, which comes to \$1,313 plus \$142 for utilities, which they then communicated to the probation officer or court during the review hearings.
- A retired 68-year-old woman living in rural Branch County, Michigan needs her car to get to the hospital for ongoing medical care. Unfortunately, her economically abusive partner fraudulently sold it without her knowledge and kept the money. While the court may order her abuser to cover the upfront cost of replacing the car, advocates also urged them to consider ordering him to cover the **cost of owning the vehicle**, including insurance, gas and other expenses, which averages \$276 in that county according to the BEST Index.
- A rape crisis program operating in a suburban community outside of Portland, Oregon provides **a childcare stipend to victims** for when they participate in the justice system. According to the BEST, a single mother with an infant will need on average \$608 per month for childcare. Using these numbers, the program is able to accurately calculate the needs per victim as well as to budget how much funding they will need to request in total.

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<sup>15</sup> Please visit [www.basiceconomicsecurity.org](http://www.basiceconomicsecurity.org) to access data by family-type for your jurisdiction.

## Appendix D. Recommendations for STOP Administrators by Program Purpose Area

### *Program Purpose Area 1: Training*

- Train victim services on how to facilitate victims' ability to obtain full restitution. This can include the development of forms and questionnaires that advocates can use to ask victims for details and receipts on how the defenders impacted their financial well-being. Examples include destroyed private property, missed work, and physical and mental health injuries.
- Train victims services and other subgrantees on how economic threats by an abuser often constitute witness intimidation and/or another domestic violence crime with which the abuser could be charged and which constitute grounds for a protection order; understand how these threats may endanger the victim and undermine justice.
- Create training and resource toolkits for advocates within law enforcement and prosecution offices, as well as non-profit organizations, that highlight community resources that provide economic help such as job training and other employment assistance, "time banks" and other innovative local programs, social program assistance, educational opportunities, etc.
- Inform all stakeholders of the existence of national, state and local resources that may support a victim's economic security, such as job-sharing, scholarships, child support enforcement tools, transportation assistance, women's entrepreneurship opportunities and other *non*-criminal justice system-based resources.
- Provide regular and ongoing updates on economic security and safety issues to subgrantees. In many states this is done in coordination with state coalitions.

### *Program Purpose Area 2: Specialized Units*

- Make sure all victim advocates within the judicial system and with community non-profits understand what they should do to [help survivors collect](#) all victim compensation, child support and restitution for which they are eligible.
- Require or make it a special condition in the subgrantee funding contract that all units funded by STOP show how they collaborate on economic safety and security matters. Too often, these issues are the focus of only the non-profit victim advocates and, even then, limited to financial literacy training for the victims. The STOP administrator should support and encourage *all* funded STOP sectors to deal with this issue and should consider incentives to those grant applicants who demonstrate effective strategies for focusing on the economic stability and security of survivors. Administrators should ensure that such strategies are shared with other programs across the jurisdiction.

**Administrator Tip:**  
*Require or make it a special condition in the subgrantee funding contract that all units funded by STOP show how they collaborate on economic safety and security matters.*

### *Program Purpose Area 3: Policies, Protocols, Orders and Services*

- Encourage the review and, if needed, the revision of existing domestic violence, sexual violence, dating violence and stalking policies and procedures for victim services. Make sure policies and procedures emphasize the economic security and safety of victims and their children, and the accountability of the perpetrator for these crimes as joint goals.

- ❑ Fund and support the development of a model policy for how victim services can best recognize and respond to economic crimes and intimidation.
- ❑ Incorporate evidence collection and documentation of economic abuse and financial harm into protocols.
- ❑ Incorporate questions at intake and during interviews regarding a survivor’s economic security issues. For example, ask about ways that an abuser has stolen from her, destroyed property (including joint property), harmed her ability to keep a job or build a career, threatened to impoverish her or failed to simply provide for the basic needs of herself and her children. While all of these acts may not be crimes *per se*, they do show a pattern of behavior for the purpose of control and helping her address them will be important to her long- and short-term safety and security.
- ❑ Incorporate and enhance education for survivors on economic abuse and how they can safely and effectively respond, including ways to recover assets.
- ❑ Ensure that interview protocols incorporate questions that might reveal the occurrence of economic abuse, such as:
  - Do you have access to your bank account? Have you been denied access to a shared bank account?
  - Has your partner taken out any credit cards in your name?
  - Has your partner forced you to sign financial documents like credit card applications, loan applications or tax returns that you did not understand or did not want to sign?
  - Does your partner deny you access to something that is yours, such as your car, ATM card, paycheck or benefits?

#### *Program Purpose Area 4: Data Collection and Communication Systems*

- ❑ Promote the expansion of data collection to include economic crimes committed by offenders of domestic and sexual violence, stalking and dating violence.
- ❑ Track and connect previous convictions or arrests involving economic crimes such as destruction of property. Linking prior arrests will demonstrate a pattern of control that the abuser had over the present victim and possibly previous victims.
- ❑ Tracking when restitution is ordered, how often and for which offenses it is ordered, outstanding uncollected totals and how much is collected and given to victims and others who may be statutorily designated recipients such as clerk’s offices.
- ❑ Fund a pilot project that would direct law enforcement agencies within a city, county or region to collect and share data on types of economic crimes that abusers commit against victims. These data would also be useful for the STOP Implementation Plan, would help evaluate programming in different jurisdictions, help states to compare work across jurisdictions to measure effectiveness and would aid in the development and dissemination of best practices.

**Administrator Tip:**  
*Fund one-time data system enhancements to implement needed upgrades, especially if there are leftover or returned grant funds.*

#### *Program Purpose Area 5: Victim Services*

- ❑ Incorporate training information about economic security and safety into all existing core curricula used by domestic and sexual violence victim services to train staff and others. In some states, coalitions partner with prosecutors, the courts and law enforcement to develop and implement training programs. In these cases, all sectors should include within training programs

what they do in their own sectors and in collaboration with others to assist survivors with economic security and safety. This should require minimal effort as those programs that are currently funded to develop and implement training can simply add this topic into the curricula.

- Provide in-depth training to advocates and attorneys on how to access economic relief under protection order statutes. Include information about how to persist in requests for economic relief when courts are reluctant or refuse to order such relief, such as meeting with the chief judge of a court, filing appeals and providing briefs or other legal tools to help advocate for entitled remedies. Also incorporate creative remedies under statutory “catch all” provisions that allow for other relief that furthers the aim of protection from violence. For instance, if abusers destroyed the victims’ cell phone, include a request for a replacement and service so they can readily call for help. If victims cannot access bank accounts, require that their abuser turn over all information necessary for access.
- Make sure that the economic impacts of sexual violence – which can be very different from those experienced by domestic violence survivors – are covered in training and when advocates conduct intake, counseling or case management with victims. These can include helping a survivor to determine whether or not to return to the campus, workplace or home where the attack occurred, obtaining a transfer to another college or workplace, or moving homes.
- Create outreach strategies to work with underserved populations on their unique needs in the arena of economic security and safety. Develop partnerships with community groups and hire and train existing staff to become experts on these issues.
- Develop handbooks and other training tools on how best to advocate for restitution for survivors in all cases and for the maximum allowable by law. Make sure the information on the damages suffered by the victim is at hand so that the state attorney can make the request at any time, but especially prior to the court accepting a plea agreement.
- Implement economic security and safety and financial literacy training agency-wide and coordinate office functions. For example, ensure that legal staff within the coalition or a local program is fully informed by economic justice and rural advocates, and other culturally specific groups so that they can better respond to the unique needs of each survivor.
- Conduct internal assessments to see whether there needs to be programming and training materials for all sectors that show how economic security is inextricably linked to victim safety. If so, work to develop courses within local task forces such as the [Georgia Coalition Against Domestic Violence](#) (GCADV) Training Institute on economic abuse.

**Administrator Tip:**  
*Hold ‘Economic Security and Safety’ workshops at annual summits or conferences.*

### *Program Purpose Area 6: Stalking*

- Educate victim services to understand the large, lasting and devastating impact that stalking can have on a victim’s life, including health, finances and safety.
- Tailor responses to stalking and violence to the survivor’s context, including specific intersections of culture, ethnicity, economic status and lives of those who are being assisted.

- ❑ Develop stalking training programs that reflect today’s realities of increasingly intrusive and efficient electronic and cyber technologies and how they are used to stalk and terrorize victims. Make sure that advocates understand and know how to identify and assist victims to be safer from these intrusions.
- ❑ Ensure that the immediate economic impacts are included in victim impact statements and computed into requests for restitution. For instance, note the costs to a victim who was cyber-stalked and had to buy a new computer, smartphone, spyware or hire an expert for repairs.
- ❑ Train advocates and others working with stalking victims to take detailed notes, record all relevant activities and retain all evidence that might constitute stalking, such as text messages and emails whether or not these acts are illegal. Keeping diaries or a handbook may assist the victim in documenting these crimes (see the [Stalking Resource Center](#) for sample items) and thus assist in the investigation and prosecution of the perpetrator. Advocates should ensure that these diaries include incidents at the workplace, intrusions into online banking or other financial institutions and services, computer hacking, theft of welfare benefits and other acts of stalking that have economic impacts.
- ❑ Prepare advocates to assist victims in making a safety plan for the workplace when they are being stalked. A safety plan could include informing a victim’s supervisor so that the employer is aware of the situation and has the opportunity to help address this violence by offering a transfer or making accommodations to help keep her safer at work. Involving the employer can protect her from demotion or termination if the employer works with the victim and understands these issues. Informing the employer may also help ensure that the survivor’s [employment rights](#) are protected. For instance, some state laws provide unemployment compensation for victims who leave a job on account of domestic violence. Other laws prohibit discrimination against an employee on the basis that the employee is a crime victim.

**Administrator Tip:**  
Consider hosting meetings of key stakeholders to review state and local policies and procedures.

*Program Purpose Area 7: Native Victims*

- ❑ Create training programs and information regarding economic security and safety for survivors in Indian country and tailor it to victim advocates both on and off reservations.
- ❑ Encourage the consideration of both the unique and common economic crimes that are suffered by Native and non-Native populations and the solutions needed to create or enhance safety and economic security for them.
- ❑ Convene a forum, meeting or other kind of gathering in partnership with tribal representatives or host a webinar to explore the issues facing Native women in your jurisdiction and what the STOP Grant Program can do to support this work.
- ❑ Incorporate the issues facing Native women who are victims of violence against women crimes in all training modules and protocols developed and funded under STOP. Include relevant information regarding prevalence of these crimes within your jurisdiction.

**Administrator Tip:**  
*Include American Indian and Alaska Native representatives in Implementation Plan development and execution.*

*Program Purpose Area 8: Multidisciplinary Efforts*

- ❑ Encourage advocates to attend CCRs and take leadership roles in other multidisciplinary teams.

- ❑ Add economic security and safety to the agenda of each CCR meeting to create a forum to discuss how to better support survivors and how to investigate and prosecute perpetrators for economic abuse and crimes. Highlight the connections between economic security and physical safety.
- ❑ Invite people or agencies who work on economic security issues, such as local workforce boards, chambers of commerce, unions, child support collections, insurance, transportation, tax and other accounting services and housing, to attend CCR meetings.
- ❑ Focus on [workplace safety](#) from violence in all areas of domestic, sexual, dating violence and stalking. Develop policies for employers to address these issues.
- ❑ Cross-train CCR team members on economic security and safety or develop modules for sector training on economic security and safety that helps each team member understand the roles that others play. For example, develop a protocol and training around restitution for survivors or focus on how perpetrators carry out economic crimes against victims such as stealing or forging credit cards/applications, destroying property, stalking and stealing public benefits.
- ❑ Develop guides and other materials for advocates and others to access local economic support services for survivors.

### *Program Purpose Area 9: Sexual Assault Nurse Examiners*

- ❑ Train all members of the SANE program if it is part of a local Sexual Assault Response Team (SART) on the issues surrounding the impact of sexual assault on a survivor, including the economic impacts to her safety and security, and make sure that all persons can articulate to the victim the long and short term costs of the crime.
- ❑ Include a module for SANE training that includes the cost issues associated with the examination as well as related health care costs.
- ❑ Develop a training module for SANE team members about economic relief available to victims, including access to victim compensation programs, local counseling and support services and legal assistance.

### *Program Purpose Area 10: Older and Disabled Victims*

- ❑ Provide community based advocates and system advocates with resources that help them understand the additional supports older and disabled survivors need to navigate Social Security and the banking system and learn how to set up long term financial planning. WOW's economic security tools, particularly the [Elder Index](#), can help advocates better understand the income needs facing older women and make informed financial plans.
- ❑ Share resources like WOW's [Getting Started Handbook](#) to help determine what types of jobs an elder or disabled woman may be interested in as well as capable of performing. These tools maybe particularly helpful to community based advocates and those who work in a court.

**Administrator Tip:**  
*Invite experts on disability and elder issues to participate in STOP planning efforts as well as to become members of local and state CCR teams.*

### *Program Purpose Area 11: Immigrant Victims*

- ❑ Identify, train and support immigration advocates and specialists within the community and in local domestic and sexual violence programs.

- Develop training for all persons who work or come in contact with immigrants. Elements of this training should include:
  - The rights and remedies that immigrant victims of violence have under the law and ways to connect them to an immigration specialist;
  - The impact that economic security has on the immigrants and their needs in that area;
  - How to articulate economic abuse within the VAWA self-petitioning process; and
  - Information on specific vulnerabilities and issues that immigrants face, including unique or different cultural contexts and needs, so that they can effectively and safely assist them.
- Include issues surrounding the services that are available to undocumented persons in trainings. For instance, victims are entitled to services at a domestic violence or rape crisis programs even if they are not documented. Law enforcement should also understand its obligations regarding reporting of undocumented persons to federal immigration authorities.

**Administrator Tip:**  
*Invite representatives from immigrant advocacy organizations to participate in the STOP Implementation Planning effort, local and state CCR teams and throughout STOP programming.*

### *Program Purpose Area 12: Core Services and New Initiatives*

- Ensure that training modules for advocates contain not only “financial literacy” or “empowerment” elements, but also how to collaborate with others in the community and the justice system so they may also act to support the survivor’s economic well-being and independence.
- Encourage local domestic and sexual violence programs to include members of the community who specialize in economic issues (housing, finance, health care, transportation, education, business and labor) on their boards. Regular communication and collaboration with these groups will help build relationships that may assist survivors to obtain work, education, housing and other financial assistance.
- Cross-train with other sectors (courts, law enforcement, prosecution) on how to supplement work done by non-profit community groups to assist victims.
- Provide education for all advocates on issues such as restitution, replevin (the return of goods unlawfully held), crime victim compensation, and civil rights of action/recovery that the justice system may provide for survivors. Help survivors connect to attorneys, victim witness specialists, probation officers and others.

### *Program Purpose Area 13: Special Victim Assistants*

- Provide training to victim advocates on all aspects of economic safety and security issues so they may be effectively enforced through contempt actions if violated.
- Review both the law and practice surrounding the filing fees for protection orders and include a section on the VAWA certification requirements regarding victims not paying for protection orders.
- Ensure that both the requested relief and the related enforcement is carried out consistent with regards to that survivor’s needs and culture by working closely with the survivor and others who are familiar with her context and needs.