

THE CIVIL LEGAL NEEDS OF VICTIMS OF CRIME IN NEW YORK STATE:

# An Assessment of the Issues, Services, and Challenges in Meeting the Civil Legal Needs of Victims



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# EXECUTIVE SUMMARY

In 2015 a team comprised of the New York State Office of Victim Services (OVS), Empire Justice Center (EJC), Pro Bono Net (PBN), and the Center for Human Services Research (CHSR) at the University at Albany, was awarded a federal grant<sup>1</sup> to develop a comprehensive, collaborative approach to meeting the civil legal needs of crime victims in New York State (NYS). This approach focused on the use of technology to expand access to civil legal services. To assist with this work, the grant partners formed an Advisory Committee of crime victim advocates, civil attorneys, prosecutors, relevant state and local agencies, and crime victims across NYS.

As a first step in the development of an online resource, CHSR was engaged to undertake a comprehensive needs and systems assessment to identify existing gaps in civil legal services for crime victims. This report presents the findings from the two key components of this needs assessment study—surveys of crime victims and service providers, and focus groups with these same parties as well as interviews with civil legal attorneys and law clinic faculty. The main objective of the needs assessment was to answer the following questions:

What kind of problems do victims of crime face in New York State, and what are their civil legal needs?

What are the existing gaps between services needed and services available?

What are the potential barriers to seeking/receiving help?

What role can an online resource play in order to fill the existing gaps?

#### Who did we study?

The needs assessment was conducted in multiple stages, beginning with the surveys and followed by focus groups and interviews. We received 310 responses to the victim of crime survey, and 412 responses to the service provider survey. Seventy-two percent of the victims came from non-rural counties; 83% were female; 68% were white. Forty-seven percent of the victims answered the survey based on a non-personal crime victimization experience (e.g. theft), 18% answered based on a domestic violence experience, and the remaining 35% answered based on another personal crime victimization experience (e.g. elder abuse). Seventy-five percent of the service providers responding to the survey came from non-rural counties; more than 40% of the ser-

vice provider respondents worked for a non-profit agency. We conducted focus groups with victims of crime and service providers, and interviews with civil legal attorneys in nine regions across NYS; interviews were conducted with law clinic faculty from seven law schools.

#### What did we find?

We found that most crime victims faced problems related to money or finances, family, and housing. High percentages of victims reported needing help with knowing what services were available and understanding the legal system. Many of those who did not seek help to deal with their problems indicated that they did not know what services were available or that they did not think anything could be done. Service providers similarly reported that victims' lack of knowledge about the availability of services was the strongest barrier to meeting the needs of crime victims. In focus groups and interviews, participants echoed these responses and highlighted transportation barriers as well as language and cultural barriers.

#### Is there a role for technology to help meet these service needs?

We found that an integrated online tool has promise to help minimize the impact of these barriers and meet the civil legal needs of crime victims. Most victims indicated that they would or may consider using an online tool, and most service providers reported that they would be willing to refer their clients to an online network. While most victims indicated a preference for a computer application, many victims also indicated the utility of a mobile application; this preference varied by demographics.

We conclude the report with some policy recommendations based on the findings of the needs assessment. These recommendations include disseminating information about the online resource to first responders to criminal victimizations and obtaining buy-in from local service providers to ensure legitimacy. In order to ensure wide accessibility, we recommend making the resource a safe place for all populations irrespective of victimization experience, sexual orientation, or immigration status, and keeping the language simple to allow for accessibility of information among different literacy levels and levels of English proficiency.

<sup>1</sup> This report was produced by Center for Human Services Research under Grant No. 2014-XV-BX-K009, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

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# INTRODUCTION

## Background of Civil Legal Assistance

The founding of the Legal Aid Society in New York City in 1876 is often seen as the beginning of sustained civil legal assistance for the low-income population in the United States (Houseman 2001; Houseman 2013). Beginning in the early 1970s, several states started victim/witness programs (Blomberg et al. 2002). In the 1980s the focus emerged on the need for providing specific programs and assistance to individual victims of crime.

The current services available to victims of crime are a result of ongoing efforts started in the 1980s, particularly with the formation of the President's Task Force on Victims of Crime and the passing of the Victims of Crime Act (VOCA) in 1984 to support victim compensation and local assistance programs. In 2010, the U.S. Department of Justice, Office of Victims of Crime revisited these goals, as a number of victim advocates laid out the critical challenges faced by victims of crime—a move that also recognized the urgency to study the needs of crime victims and how and to what extent they are currently being met (Holder, Leary and Frost 2013). As a result, many studies have sought to assess the current needs of victims and the availability of services, including civil legal services.

Civil legal services encompass “low-cost comprehensive services provided through legal agencies” (Bouffard et al. 2016: 3), including services for housing, employment, financial matters, healthcare benefits etc. In a 2014 survey of the statewide Advisory Council to the New York State Office of Victim Services, crime victim advocates consistently reported an inability to provide clients with needed civil legal resources. Public hearings called by the Chief Judge on the impact of limited availability of civil legal assistance yielded testimony from health professionals about the link between public health and civil legal services; from business leaders about the harm to the economy as a whole; and from the New York State schools Chancellor about how these unmet needs are devastating for students. In order to address this gap, it is essential to understand what services exist, determine what services are needed and understand the current and potential uses of technology to inform the creation of an integrated legal services delivery system.

Accordingly, the Center for Human Services Research (CHSR) at the University at Albany conducted an extensive needs assess-

ment of civil legal services for victims of crime in New York State (NYS). The aim of the project was to understand the landscape of civil legal assistance and the scope and utility of an on-line resource in addressing the civil legal needs of crime victims.

## Overview of the Report

In this report, we first summarize the findings from needs assessments in other states and what we know about victim needs from prior research. This provides a backdrop to introducing the specific context of New York State that we are examining. The subsequent sections describe the methodologies used in our study along with a description of our samples, followed by a presentation of the key findings. The report concludes with a summary and recommendations for how an online resource may help to address the civil legal needs of crime victims.

## Literature Review of Needs Assessments of Civil Legal Needs

Although a vast majority of assessments of civil legal needs target the general population, in recent years, there has been some emphasis on documenting the growth in needs for civil legal services specifically among victims of crime. As a result, a small but growing body of literature studies the needs for victim services, the programs that can potentially meet these needs and the barriers that may prevent crime victims from accessing these programs. This research informed the methodological approach chosen for the current needs assessment in New York. It also provides additional context in which to understand our samples and findings.

In the following sections, we review the methods used in needs assessments and the academic literature; we then discuss the main findings of this work.

## Methodologies

Studies on the civil legal needs of populations have been conducted with varying methodologies and goals. Some studies have targeted the general population (Kane et al. 2013) or low-income residents of a state or city (Kennesaw State University 2009; Lake Research Partners 2010; Tennessee Alliance for Legal Ser-

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vices 2014; Washington State University 2015). Data were collected via telephone (random digit dialed or purchased samples) and/or surveys (paper and online). Participants were asked about their civil legal problems, the actions they took to resolve these problems and the reasons why they chose those actions. Most studies that targeted the general or low-income population, rather than crime victims specifically, collected data from over a thousand people. These assessments found that between 60% and 71% of low-income participants experienced civil legal problems (Kennesaw State University 2009; Lake Research Partners 2010; Tennessee Alliance for Legal Services 2014; Washington State University 2015).

Other studies focused on people seeking or receiving crime victim services (Alaska Institute for Justice 2014; Arizona Bar Association 2013; Bouffard et al. 2016; Davis et al. 1999; ICF Incorporated 2015; Johnson 1997; Legal Services of Eastern Missouri, Inc. 2010; Stark 2000; Portland State University 2012; DePrince et al. 2014). These assessments collected survey (paper and online), focus group and/or interview data from the clients of organizations working with crime victims. Participants were asked about their legal problems and needs, their concerns following their victimization, how they learned about available services, barriers to services and their satisfaction with the services they received. Most of these assessments had 200 to 300 participants.

Some academic studies conducted general reviews of victims' needs from nationally based data like the FBI Uniform Crime Reports or the National Crime Victimization Survey (Kilpatrick and Acierno 2003). Others focused on victims of specific crime types; for example, Boccellari et al. (2007) studied victims of violent crimes from public sector hospital data to identify their posttraumatic stress patterns and psychosocial needs. Similarly, Johnson (1997) looked at the role of professional help in the recovery of crime victims with psychological distress.

Many of these studies also collected information from service providers, including attorneys, court personnel and/or victim service providers. Surveys, interviews and/or focus groups asked providers about victims' greatest legal needs, barriers to receiving services and the impact of unmet legal needs (Arizona Bar Association 2013; District of Columbia Access to Justice Commission 2008; ICF Incorporated 2015; Kennesaw State University 2009; Legal Services of Eastern Missouri, Inc. 2010; Portland State University 2012; Kane et al. 2013; Yun et al. 2009). Sur-

veys were conducted via web and telephone; the number of survey participants in each study ranged from 47 to 601, while the number of interviews ranged from eight to 121 (Portland State University 2012; Kane et al. 2013).

In addition, some studies evaluated the effectiveness of specific programs targeted at a particular population. For example, Greeno et al. (2014) evaluated the Judicare pilot program in Maryland that aimed to serve low-income litigants by providing private attorneys who were paid on a reduced fee-for-service basis. Other studies focused on the general services available to a specific population based on demography or urbanization. For example, Yun et al. (2009) surveyed 379 directors of victim service organizations in Texas to study services available to people in the rural areas of the state.

## **Findings**

**Service Needs.** Findings from the needs assessments reveal that the most common problems reported by crime victims were maintaining physical safety, navigating the justice system, medical bill or creditor issues, receipt of public benefits, shelter/housing assistance and obtaining a divorce/separation (Alaska Institute for Justice 2014; ICF Inc 2015; Legal Services of Eastern Missouri 2010; Portland State University 2012). Other studies have shown that ultimately, the number of needs and the type of help needed is significantly related to the type of criminal victimization. For example, victims of trafficking crimes needed housing, medical services, advocacy, transportation and food services. Housing needs are often also reported as foremost among victims of domestic violence (Hirst 2003), in addition to being a consequence of credit problems for victims of financial crimes and those who suffer losses to personal property (Deem 2000). Domestic violence often serves as a barrier to employment and causes increased risk to health, psychiatric disorders and material deprivation (Loring and Smith 1994; Tolman and Rosen 2001). In addition, victims may also need legal help to obtain civil protection orders against perpetrators and to maintain child custody (Bouffard et al. 2016).

**Challenges.** Current services available to victims of crime may include advocacy and support services, counseling, court-related services, claims assistance, emergency services, shelter for victims, rape crisis counseling, and information services (Finn & Lee 1987; Sims et al. 2005; Yun et al. 2009). Types of services provided often vary by state and the socioeconomic environment (including resources, education, urbanization, demography etc.)

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as well as overall risk environment; states with higher crime rates tend to have more extensive programs (Nice 1988; Yun et al. 2009).

Yet there remains a wide gap between service needs and service provision. In New York, for example, the Permanent Commission on Access to Justice estimated that 1.2 million New Yorkers had three or more civil legal problems in 2016 and only 37% of their needs were currently being met (Permanent Commission on Access to Justice, 2016). This gap primarily exists on two grounds—individuals either do not use the available services, or the specific services that they need are not available to them. Most victims receive assistance from informal social support systems like family and friends, while only a minority of victims report being in contact with victim service programs (Davis et al. 1999; Friedman et al. 1982). When formal services are utilized, some studies find that victims most often receive help with legal issues, housing or shelter, especially domestic violence shelter (Alaska Institute for Justice 2014; Portland State University 2012; Washington State University 2015). Other studies report that the majority of services received by victims were for counseling related needs, while very few victims reported receiving help for household and property related needs (e.g. DePrince et al. 2014).

Various needs assessments have found that the overwhelming majority of people with civil legal problems do not take action to address them, primarily because they do not think anything can be done to help, they do not view the problems as serious, or because they do not want any “hassle” (Alaska Institute for Justice 2014; Arizona Bar Association 2013; ICF Incorporated 2015; Lake Research Partners 2010; Portland State University 2012; Tennessee Alliance for Legal Services 2014, Kane et al. 2013; Washington State University 2015). Accordingly, a recent study in Texas found that being unaware of available services and not being able to understand the process of obtaining services were the primary barriers to people seeking help (Bouffard et al. 2016). Other barriers to receiving help include an inability to afford legal services and a lack of private lawyers who work at no cost to help crime victims (DePrince et al. 2014).

**Addressing these Challenges.** In order to better address the challenges in meeting service needs, the Office of Victims of Crime

launched the “Vision 21” strategic initiative in 2010. The aim was to examine the status of the victim assistance field, explore the challenges faced and make recommendations to advance the state of victim assistance in the United States (Holder et al. 2013). The Vision 21 report that arose out of these discussions points towards numerous barriers to providing and receiving services. For victims, there are a large number of emotional barriers, including embarrassment or fear of retaliation, which lead to low crime reporting rates. Lack of reporting negates the opportunity for victims to be referred to services by criminal justice agencies. Even when victims do seek help, there are language and cultural barriers, logistical barriers for people residing in rural areas, physical barriers for the disabled, etc. Although many victim service programs provide informational help on available services, their terminology may be too technical for many victims to understand (Nice, 1988).

The Vision 21 report also mentions resource limitations of providers, including lack of technology infrastructure and insufficient funding at both state and local levels, as barriers to providing services. The report concludes that there have been widespread shifts in the nature of crimes over the past decades, owing to a changing demography and new technology. This adds to already existing challenges faced by victims of crime in seeking assistance (Holder et al., 2013). The report further outlines the need to innovate services in the digitalized age, generating operational efficiency and widespread access to services irrespective of socioeconomic status or other barriers,<sup>2</sup> while balancing these benefits against the potential challenges with digitalizing victim services (e.g. privacy or confidentiality, identifying demographic groups which may not be comfortable with technology). This emphasis on technology is also laid out by the New York Permanent Commission on Access to Justice, which has consistently recommended the expansion of technology in delivering effective civil legal services, especially when serving low-income individuals who experience the widest gaps in meeting their service needs (Permanent Commission on Access to Justice, 2010-2016).

### The Landscape in New York

In New York, the emphasis on access to civil legal services began in 2010, when it was found that over 90% of New York State res-

2 The report showed that nearly half of American adults own smartphones and that 85% of men and women now use the internet.

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idents went to court without legal counsel. This finding led to the creation of the Permanent Commission on Access to Justice<sup>3</sup> by former Chief Judge Jonathan Lippman. Beginning in 2010, the Commission compiled annual reports in response to the Legislature’s request that the Chief Judge submit an annual report to the Governor and the Legislature with recommendations to address gaps in available resources to meet the need for civil legal services in New York State. In 2016, the Commission estimated that 1.2 million New Yorkers had three or more civil legal problems and only 37% of their needs were currently being met.

This is not a new finding. Rather, since its inception, the Commission has recognized that civil legal needs far outweigh the currently available resources to address them. In 2016, the former Chief Judge Lippman testified that more than 50% of people who approach legal service providers are turned away because of lack of resources. This lack of resources is particularly evident with legal representation. For example, the 2015 report stated that 87% of petitioners are unrepresented in child support matters in family courts and 97% of defendants are unrepresented in consumer credit cases. This often leads to loss of valid claims since the client does not understand the law or how to present evidence.

The Commission reports also point out the need for services for specific demographics or geographical areas. For example, the 2013 report emphasized the challenges of providing civil legal help over a large geographical expanse, with specific concern over the need to reach rural areas. The 2014 report presented other factors to be considered in determining the effective level of assistance, including vulnerable age groups, ability to speak English, level of education, physical or mental disability, level of technology skills and clients’ abilities to represent themselves.

In addition to acknowledging the gaps, the Commission has made several recommendations to meet these gaps. While some of their recommendations are solely focused on providing legal information,<sup>4</sup> one recommendation that has been consistently emphasized over the last four years is the promotion of technology. This is especially relevant given the large fragmentation in the system on the range of issues, people and providers involved, where online portals can be better equipped to deal with screening and intake of low income New Yorkers seeking legal assistance. In 2016, the Commission recommended a new strategic planning initiative with a goal of developing an “integrated and coordinated infrastructure for a statewide civil legal services delivery

system that affords effective assistance to all individuals in need” (Permanent Commission on Access to Justice 2016, p. 23). The tool could also help to deconstruct the complex systems involved in legal matters by clearly generating different services such as help with legal advice, legal representation, or drafting of legal documents, which would significantly support pro se litigants. In addition to the use of technology, another area emphasized by the Commission is the outreach and education to public libraries, since the public (especially those without internet access) often seek libraries to obtain answers to their legal questions.

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<sup>3</sup> The Commission was previously known as the Task Force to Expand Civil Legal Services in New York.

<sup>4</sup> The “court navigator program” and the “legal hand” are two such programs recommended by the Commission to help unrepresented individuals with their civil legal proceedings, and provide free legal information, assistance, and referrals.

**T**o support this planning process, the Commission deemed it essential to have a complete account of existing services, barriers to accessing these services and ways to overcome these barriers—something which directly motivates the present needs assessment. Combining the Commission’s recommendations with the findings on the vast gaps between victims’ needs and their use of services suggests the importance of studying victim services on at least four fronts:

- 1. Identifying the numbers and patterns of needs of crime victims**
- 2. Understanding the current services on the ground**
- 3. Analyzing the gaps in services needed and services provided**
- 4. Understanding the barriers to accessing the current services which can provide a roadmap to future interventions.**

This report seeks to analyze each of these four areas in the context of New York State.

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# METHODS

## Data Collection Instruments and Respondent Recruitment

This multi-stage needs assessment included surveys, focus groups and interviews in 57 counties across New York State (New York City and its five boroughs were excluded<sup>5</sup>). There were separate surveys for victims of crime and for service providers; both surveys were available in hard copy and online. The victim of crime survey was available in eleven languages; the service provider survey was available in English and Spanish. Separate focus groups for crime victims and service providers and interviews of civil legal attorneys and law school clinic faculty were held regionally.

### Surveys

We applied a broad definition of being a victim of a crime or “crime victim” to include victims of property, personal and violent crimes (see Appendix 1 for all data collection instruments) for incidents that may have happened at any point in their lives.<sup>6</sup> Survey respondents were asked about their reporting of the crime, the subsequent civil legal problems they experienced, the kinds of civil legal assistance they needed, whether or not they sought assistance and if and how an online resource of services would be helpful. We defined “civil legal” needs to include financial assistance, housing and counseling, among other needs, that may result from a criminal victimization. We applied the same broad definition for service providers, who were asked similar questions about their clients and communities. This application allowed us to reach a variety of crime victim populations and service providers—both those who provide direct and indirect civil legal services. We also collected demographic information on survey participants to enable analysis of the needs and challenges of different demographic sub-groups.

Identification of potential participants for each survey was guided by these broad definitions. We reached out to organizations that were either known to provide services to victims of crime or who because of the work they do, may come in contact with someone for a related need who may be a victim of a crime. These organizations included agencies funded by the New York State Office of Victim Services (NYS OVS), local departments of health, libraries, the New York State Troopers, local district attorney’s offices and many others. A personalized email went to over one thousand service providers to explain the study and to ask for participation in the distribution of the surveys to their colleagues, collaborative partners and/or clients. A phone call was made to any agency who did not reply to the email. Additionally, all agencies were sent a follow-up email reminding them of the

survey and encouraging their participation; links to the online surveys were included. Our grant partners and advisory committee members<sup>7</sup> also reached out to agencies in their networks and included links to the surveys on their websites and on listservs.

Based on our outreach efforts, we subsequently mailed over 2,000 copies of the victim and service provider surveys to agencies across New York State (mailings included postage-paid, self-addressed return envelopes). Additionally, flyers and business cards with links to the victim survey and contact information for the Principal Investigator were widely distributed at agencies, libraries and governmental offices, among others. As an incentive to complete the survey, victims of crime were offered entry into a lottery to win a \$150 gift card. Due to the wide catchment area and the varied means of distribution, response rates for the surveys could not be calculated.

### Focus Groups and Interviews

The focus groups were designed to provide depth to the survey findings. Questions mirrored the topics addressed in the surveys but sought to elicit more detailed information about the needs of victims of crime, why those needs may go unmet and how an online resource can help fulfill gaps in civil legal services. Participants for the focus groups were identified via self-identification from the surveys (respondents were asked to provide their contact information if they would like to participate in a focus group) and word of mouth through grant partners and advisory committee members.

We sought to conduct focus groups with crime victims and service providers in nine different regions across the state.<sup>8</sup> Due to difficulties in recruitment, additional input from crime victims was sought through pre-existing support groups conducted by NYS OVS funded service providers. Crime victims in these groups were only asked questions pertaining to the utility of an online resource of services. Focus groups with service providers and victims each lasted about one hour on average (the OVS led groups were shorter given that fewer questions were asked). The discussions were recorded with the participants’ consent. A facilitator and a note-taker attended each group.

Interviews with civil legal attorneys and law clinic faculty were similarly designed to provide depth to the survey findings and to further understand the perspective of the legal community. Attorneys were identified primarily through grant partners and advisory committee members. Faculty in clinics at all law schools in New York State outside of New York City were contacted via

5 The decision to focus on areas outside of New York City was made out of the recognition that more than half of the crimes in New York State occur outside of New York City, yet most service providers are located within the City; thus, the acute need to understand and address the civil legal needs of crime victims in the rest of the state.

6 We focused on adult victims of crime and “direct” victims of crime (e.g. although we recognize that family members of murder victims are victims too, we did not include secondary victimization in our survey).

7 Described in the Executive Summary, the grant partners (the New York State Office of Victim Services, Empire Justice Center, and Pro Bono Net) formed an Advisory Committee comprised of crime victim advocates, civil attorneys, prosecutors, relevant state and local agencies, and crime victims across NYS to provide expertise and feedback in the needs assessment and subsequent development of the online resource.

8 Nassau and Suffolk Counties on Long Island are considered one region.

email and/or phone. Interviews were completed either in person or over the phone, and lasted about 45 minutes on average; they were recorded with the participants’ consent.

## Analysis

### Sample Size

The surveys for crime victims and service providers were distributed beginning in May of 2016 and kept open until mid-August 2016. The data were collected primarily through Qualtrics, an online survey programming tool. We received 310 responses to the victim of crime survey (240 online and 70 in hard copy) and 412 responses to the service provider survey (372 online and 40 in hard copy) from across New York State. However, not all respondents answered every question on the survey, which makes the sample size vary with each question. Therefore, the item-specific sample sizes are provided in all presentations of the data.

A total of 49 crime victims participated in 14 focus groups,<sup>9</sup> and 68 service providers participated in nine focus groups. Additionally, we interviewed a total of 26 civil legal attorneys in nine regions across the state and thirteen faculty members from law clinics in each of the seven law schools outside of New York City.

In order to understand how closely our sample responses mirrored the actual challenges faced by crime victims, we also conducted secondary analyses using data from the NYS OVS. Victims of crime in New York State (or their dependents) can apply to the OVS for compensation of out-of-pocket expenses not covered by insurance or other resources. We analyzed data from the application forms<sup>10</sup> that victims submitted while filing for their compensation claims in 2015.<sup>11</sup> We received data on victims and the types of claims they applied for, as well as the types of claims that the OVS actually awarded to the victims. Although not a part of our main analyses, some information from the OVS data provides supplemental corroboration for our findings and is included where relevant.

Table 1 shows a summary of each source of data and the sample size. Analyses of the survey and the OVS data were conducted using the Stata 14 statistical program; geographic data was mapped using ArcMaps, a feature of the ArcGIS program. Recordings and field notes from the focus groups and interviews were typed and subsequently coded. The data were coded for themes that aligned with the variables established in the survey instruments, any new themes that emerged from the qualitative data and any other relevant themes derived from the literature on the civil legal needs of crime victims and barriers to service

utilization. Researchers and project partners collaborated in the interpretation, discussion and implications of the quantitative and qualitative data to present a comprehensive analysis of the findings.

**Table 1. Data Collection Methods and Counts**

Method	N
Survey: Victims of crime	310
Survey: Service providers	412
Focus groups: Victims of crime	14 groups/49 participants
Focus groups: Service providers	9 groups/68 participants
Interviews: Attorneys	26
Interviews: Law clinic faculty	13
OVS data: Claims requested	15,257
OVS data: Claims awarded	8,446

### Characteristics of Respondents: *Victims of Crime*

We received survey responses from victims of crime in 49 counties across New York State (see Figure 1). The number of responses from each county ranged from zero to sixteen. Most of the counties with the highest number of responses represented the largest cities in the state, which also experienced some of the highest reported crime rates.<sup>12</sup> This suggests that our sample represents the areas experiencing the largest victimization.

As shown in Table 2, of the 224 victims that reported their county of residence, only 62 (28%) were from rural counties.<sup>13</sup> Perhaps not surprisingly, a majority of responses came from non-rural counties. Rural areas, by definition, have lower populations and fewer services available (U.S. Census Bureau 2010). As a result, households in rural areas may have more difficulty accessing service providers and administrative bodies, which were a focal point of access for our outreach to crime victims.<sup>14</sup> Similarly, a majority of the focus groups conducted with victims (8 out of 14) occurred in non-rural counties. Additional demographic information on focus group participants cannot be consistently reported as the data were not collected for those who attended the groups facilitated by OVS funded service providers.

More than three-quarters of our survey sample were female (see Table 2). As we will see in Figure 6, our sample disproportionately included victims of domestic violence, which may account for the skewed gender distribution. Although our recruitment efforts actively sought to reach an array of victimization experiences, this proved to be a challenge.<sup>15</sup>

9 Seven focus groups with fourteen victims were conducted by research staff; seven focus groups with 35 victims were conducted by OVS funded service providers.

10 Application forms for the year 2015 can be found at <https://ovs.ny.gov/sites/default/files/general-form/ovs-claim-application-9-2015.pdf>.

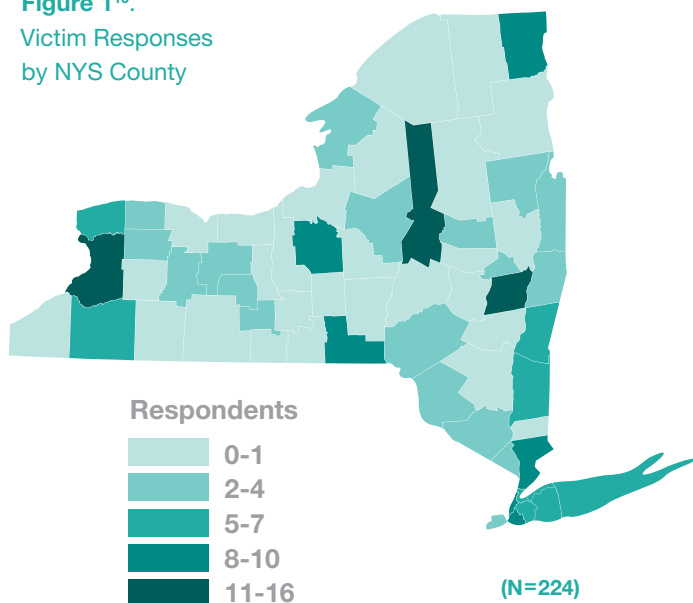
11 We excluded applications for loss involving death of the victim.

12 Source: Criminal Justice Statistics from NY State Division of Criminal Justice Services

13 Using census tract definition of rural/non-rural counties, geographical information was categorized by urbanization levels, which considered all non-metropolitan divisions and statistical areas as rural. This was defined on the basis of the degree of “urbanization” – population and distance to services, and under this definition, twenty-four counties in New York State are characterized as rural.

14 Accordingly, over 90% of requests and awards for reimbursement through the NYS OVS involved victims in non-rural counties (based on the census tract information).

**Figure 1<sup>16</sup>.**  
Victim Responses  
by NYS County



A disproportionately large number of responses came from white individuals (see Table 2), a pattern consistent with the racial breakdown of New York State population (U.S. Census Bureau 2015). One may question if the disproportionately white sample reflects the racial patterns of victimization in New York State, but we did not find much evidence for this when we looked at the OVS data. In 2015, 40% of claim applications were from white applicants, 29% were from black applicants, and 21% were from Hispanic applicants. Some studies on victims’ needs assessments have shown that white victims are more likely to seek help from service providers, which could suggest why it was easier to reach a larger percentage of white victims. In spite of having the survey translated into a number of languages, survey responses were only received in English and Spanish. Service providers suggested that trust and literacy levels of those who use English as a second language may have prevented them from completing the survey in English or their native language. Notably, to enable victims with low literacy levels and/or disabilities an opportunity to complete the survey, we allowed service providers to assist them if necessary<sup>17</sup> and also offered the opportunity for the survey to be administered over the phone (by CHSR research staff).

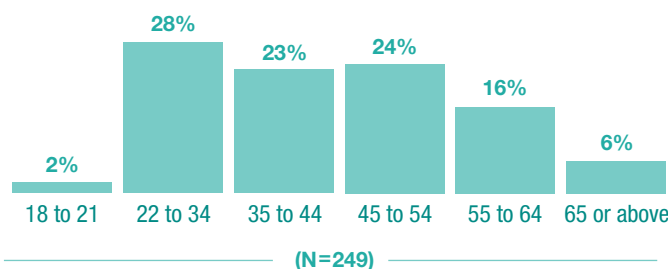
There was wide variation across all age groups among our survey respondents. As shown in Figure 2, about 50% of respondents were under 45 and about 50% were over 45 years of age. This variation allowed for separate analyses of the data by age. Since only a few respondents were under 22 and older than 55 years of age, for analytical purposes, the categories were subsequently collapsed into under 35, 35 to 44, 45 to 54 and over 54 years of age.

**Table 2. Demographics**

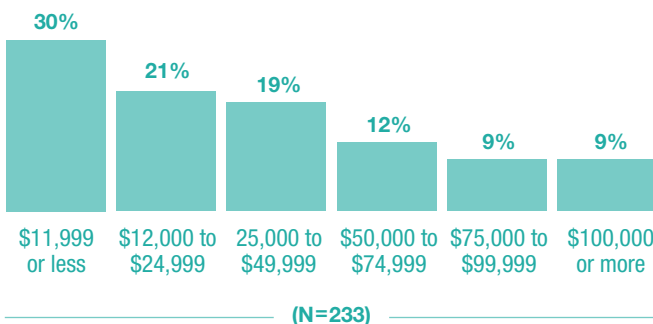
Victim Information	N	%
<b>Geography</b>		
Rural	62	28%
Non-Rural	162	72%
Total responses	224	100%
<b>Gender</b>		
Female	209	83%
Male	40	16%
Other	2	1%
Total responses	251	100%
<b>Race</b>		
White	188	68%
Black/ African American	31	11%
Hispanic/ Latino	27	10%
Other races	32	11%
Total responses	278	100%

Figure 3 shows the income distribution of survey respondents. About 50% of respondents reported incomes below \$25,000 and about 50% reported incomes of \$25,000 or more. For analytical purposes, we subsequently collapsed these responses into income levels lower than \$25,000, between \$25,000 and \$50,000 and higher than \$50,000.

**Figure 2. Percent Respondents by Age**



**Figure 3. Percent Respondents by Income Levels**



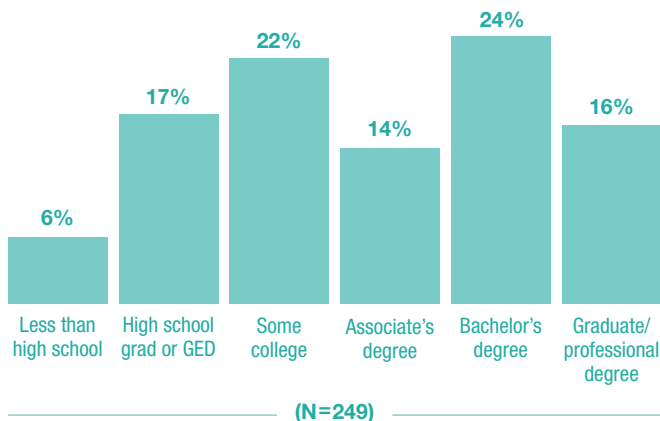
15 A disproportionately female sample is a common feature of many victims’ surveys. See, for example, Alaska Institute of Justice, 2014; Legal Services of Eastern Missouri, Inc. 2010; Oregon Crime Victims Needs Assessment, 2012.

16 Approximately 4% of responses were from New York City. We retained these responses because victims could be reaching out to service providers outside of New York City, such as in Westchester County or Long Island, which are geographically accessible.

17 This was a suggestion made by members of the Advisory Committee. A question was included in the survey to indicate if the respondent received any assistance in completing it.

The income distribution is also somewhat reflected in the distribution of victims by education levels (see Figure 4), where a majority (59%) have not completed college. Since only a few respondents had less than a high school education or an associate’s degree, in subsequent analyses, we collapse the education categories into high school graduate or lower, some college or associate’s degree, bachelor’s degree and graduate or professional degree.

**Figure 4. Percent Respondents by Education Levels**

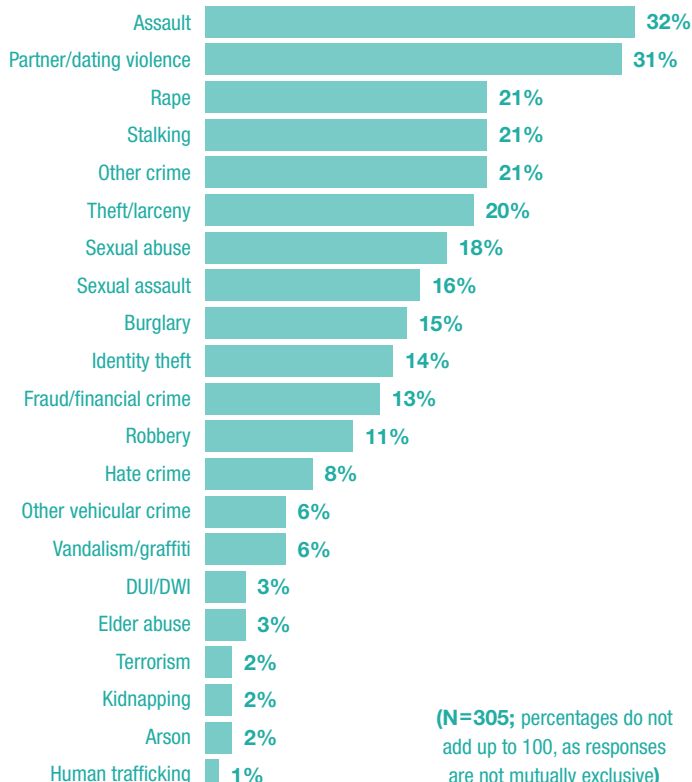


Survey responses were varied across the timeframe of victimization. Over half the sample had been a victim in the past five years, and most of them reported a victimization experience in the last two years. This suggests that victim responses regarding the challenges they faced while attempting to access civil legal services should be relevant in the current time. Figure 5 shows the nature of the crime/s<sup>18</sup> reported by survey respondents. Victims most frequently identified assault and crimes related to domestic violence, followed by other types of personal crimes. About 13% of respondents identified as victims of robbery, identity theft and fraud/financial crimes, indicating victimization of property crimes. Victims were asked to specify any other type of crime that may not have been listed; these responses varied, including neglect, emotional and verbal abuse, unlawful imprisonment, harassment and abandonment (not shown). Victims were subsequently asked to identify the one crime that impacted them the most and answer the survey based on that victimization experience. This enabled us to draw connections between the kinds of problems faced and linkages to services with respect to specific criminal victimization.

A large percentage of victims indicated that domestic violence affected them the most significantly out of all their victimization experiences (not shown). From focus group discussions, we learned that not only is domestic violence overrepresented among victims, but also there are a large number of providers that have specific services for such victims. The problems experienced by victims of other crimes and the availability of services

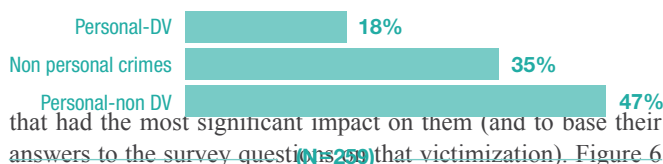
specific to their victimizations may be different from those of domestic violence. Therefore, to allow for a greater understanding of any disparities between victims of domestic violence and of other crimes, in subsequent analyses we combined the crime types into the following categories: personal crimes involving domestic violence, personal crimes not involving domestic violence and non-personal crimes.

**Figure 5. Nature of Crime that Respondents Experienced**



The characterization of “personal” crimes was borrowed from different sources including the Bureau of Justice Statistics (BJS).<sup>19</sup> Victims were subsequently asked to identify the crime

**Figure 6. Crime Types Identified as Basis for Further Analysis**



that had the most significant impact on them (and to base their answers to the survey questions on that victimization). Figure 6 shows the reported crimes broken out by the broader definitions mentioned above.

<sup>18</sup> Victims could select more than one crime.

<sup>19</sup> See <https://www.nycrcriminalattorneys.com/personal-crimes-vs-property-crimes> and <http://www.legalmatch.com/law-library/article/what-are-the-different-types-of-crimes.html>. The simplest way



### Characteristics of Respondents: Service Providers and Attorneys

We received survey responses from service providers in 57 counties across New York State (see Figure 7). The number of responses from each county ranged from zero to 41, with substantial variation, as shown on the map. Three of the areas with the highest number of responses also have the highest concentration of service providers funded by the NYS OVS.<sup>20</sup> There is a sharp distinction between rural and non-rural counties, with 75% of responses coming from non-rural counties, and 25% from rural counties. This is not surprising, given that the census tract defines urbanization by the degree of connectivity to general services, which may include legal services, counseling, or other human services. Similarly, most of the focus groups (eight out of nine) and interviews (37 out of 39<sup>21</sup>) took place with attorneys located in non-rural counties. However, it should be noted that many of the participants indicated that their service area encompasses rural towns within and outside of the county in which they are located. About 60% of service providers indicated they served their entire county; about 30% indicated they served multiple counties; the remaining 10% served an entire city, state, or multiple states.

More than 40% of survey respondents reported that they worked for a non-profit agency; 14% were providers of legal services. Remaining service providers had a varied range of affiliations, including probation or corrections, city or county District Attorney, government office and others. The representation of service provider affiliations in our survey sample is similar among focus group participants. Victims of domestic violence were the most common type of crime victims served by providers, followed by victims of sexual abuse, sexual assault and rape. As shown in Figure 8, service providers were more likely to serve victims of personal crimes than victims of non-personal crimes (e.g. property crimes involving theft, burglary etc.). This distribution was true among focus group participants as well.

In the next section, we present the findings from our analysis of the survey, focus group and interview data, supplementing the discussion with findings from the secondary analysis of OVS data where appropriate.

by NYS County

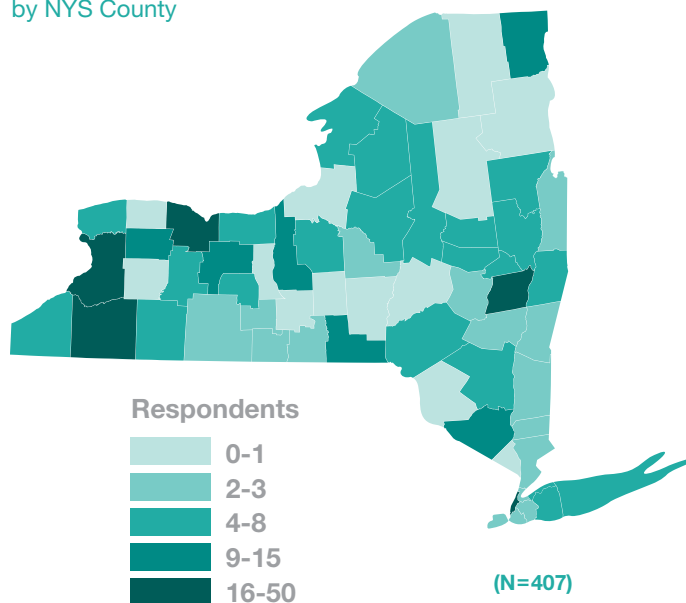


Figure 8. Crime Victims Served by Service Providers

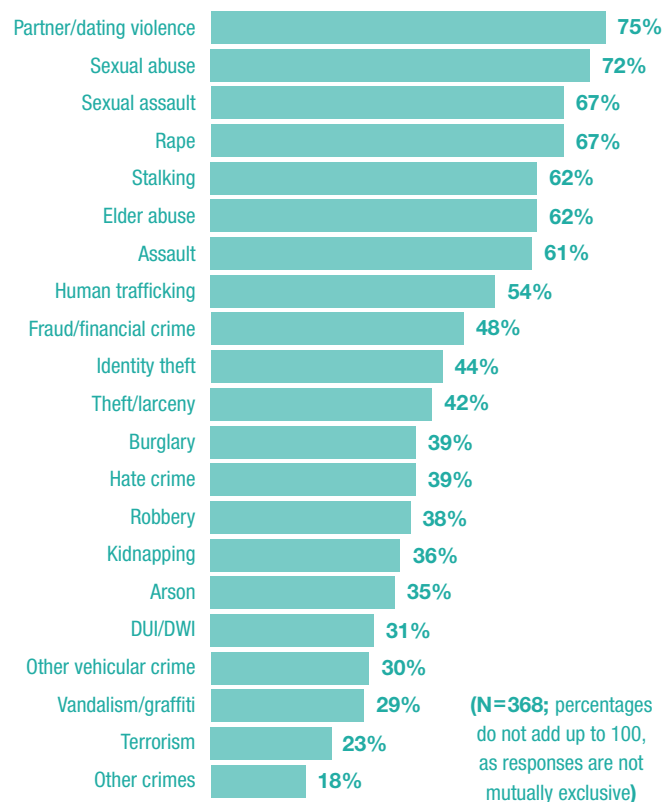


Figure 7<sup>22</sup>. Service Provider Respondents

to identify personal crimes is to identify the kind of crimes that are perpetrated against individuals, which in our survey include, domestic violence, human trafficking, kidnapping, elder abuse, hate crime, sexual assault (not rape), sexual abuse, stalking, rape, and assault. We then reclassified domestic violence as a separate category. Remaining crime types are included in non-personal crimes.

20 Source: New York State Office of Victim Services, programs extracted from <https://ovs.ny.gov/locate-program>

21 This figure includes the twenty-six interviews of civil legal attorneys and the thirteen interviews of law clinic faculty.

22 About 5% of responses were from service providers based in New York City. We retained these response because many service providers reported that their catchment area was spread across counties, indicating that service provision may include counties outside of New York City.

04

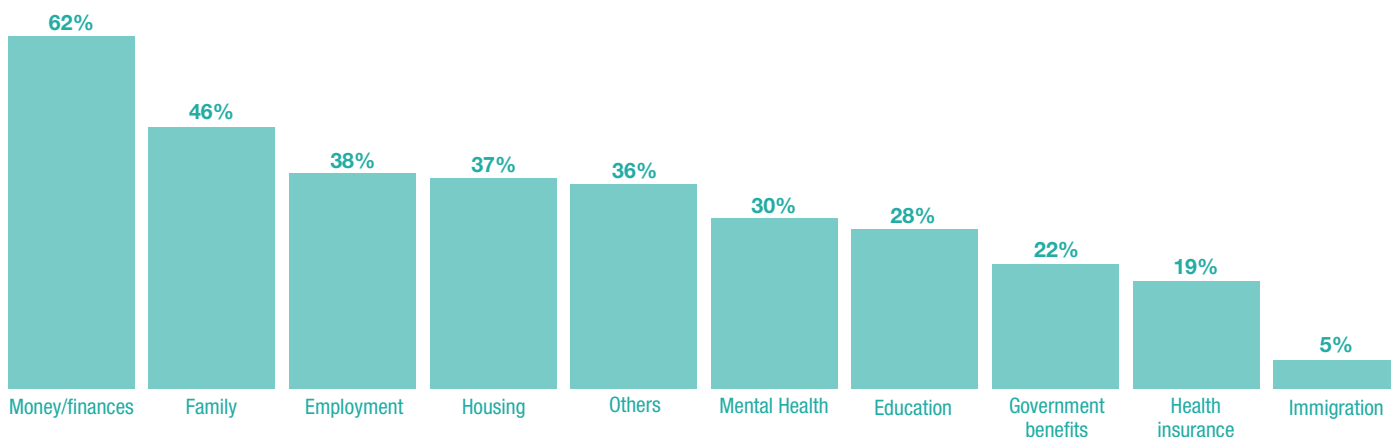
# FINDINGS

### Needs of Crime Victims

The survey for victims of crime asked respondents to indicate the areas in which their victimization caused them problems. Similarly, the survey for service providers asked respondents to indicate the most unaddressed or under-addressed civil legal needs confronting victims in their catchment area. As shown in Figures 9 (victim responses) and 10 (service provider responses), money/finances, family, housing and employment were the most common problems indicated by all respondents. Mental health, education, government benefits, and health insurance were each cited as problems by between 19% and 30% of victims. The relatively low percentage (5%) of victims indicating problems with immigration may reflect the demographics of our respon-

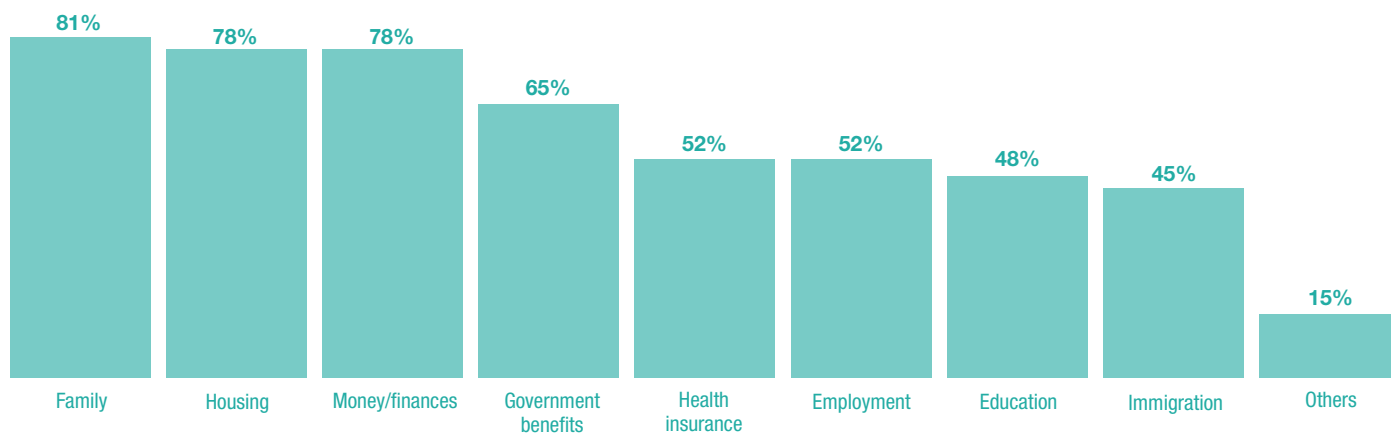
dents; as noted earlier, in spite of being translated into multiple languages, survey distribution to immigrant communities was a challenge. Although issues of money/finances and employment were indicated by majorities of survey respondents, these issues were not highlighted in the focus groups or interviews. The OVS data suggests that victims of non-personal crimes may disproportionately experience issues pertaining to money. This population of victims was underrepresented in the focus groups, which may explain the limited discussion in that forum. In the following paragraphs, we elaborate on the issues that were considered as foremost problems by survey respondents and that arose in discussions in the focus groups and/or interviews. These issues are family, housing, and mental health needs.

**Figure 9.** Did being a victim cause you problems with the following issues?



(N=269; percentages do not add up to 100, as responses are not mutually exclusive)

**Figure 10.** What are the most unaddressed/under-addressed civil legal needs of victims in your service area?



(N=312; percentages do not add up to 100, as responses are not mutually exclusive)

## Family

Family issues and housing were indicated as problems by relatively high percentages of crime victims as well as service providers. These issues were also raised in the focus groups and interviews. About half the victims we spoke with said they experienced problems with family issues as a result of their victimization. These issues included divorce, custody and legal rights for their children. Similarly, seven of the nine focus groups of service providers highlighted family court issues as an unmet need in their communities. Victims’ inability to afford an attorney in issues stemming from domestic violence in particular (e.g. divorce, housing) was mentioned in a number of groups as well as in interviews with attorneys and law clinic faculty. In focus groups, victims of domestic violence discussed the short and long-term emotional impact of the abuse on their children, including multiple changes in schools due to safety concerns (stalking) and the stress of repeated moves; one victim said she stayed with her in-laws until her husband threatened their safety as well, at which point she and her children were forced to move yet again.

## Housing

About half the victims we spoke with discussed problems related to housing, an issue that was highlighted by six of the focus groups as well as about half the attorneys and a number of law clinic faculty. Participants pointed to the difficulty of finding short-term, transitional and long-term housing. This is a challenge for domestic violence victims in particular, but the lack of affordable housing was discussed more generally (e.g. landlord-tenant issues, foreclosures). For example, a victim of a home robbery discussed his landlord’s insistence that he pay for a broken window. This victim said he did not know where to go for financial assistance and needed to find another place to live because he no longer felt safe in his apartment. Housing is an issue in all parts of the state, including both urban and rural areas.

## Mental Health

Problems having to do with mental health were not part of the response set given in the survey (see Appendix 1.1—survey instrument). However, 30% of victims wrote this in under “other” problems. While mental health issues were not widely raised in the focus groups, victims’ need for related services was a key finding of the survey; 57% of respondents indicated they sought and/or received help from a counselor or therapist.<sup>23</sup> Notably, as we’ll see later, about a quarter of respondents who did

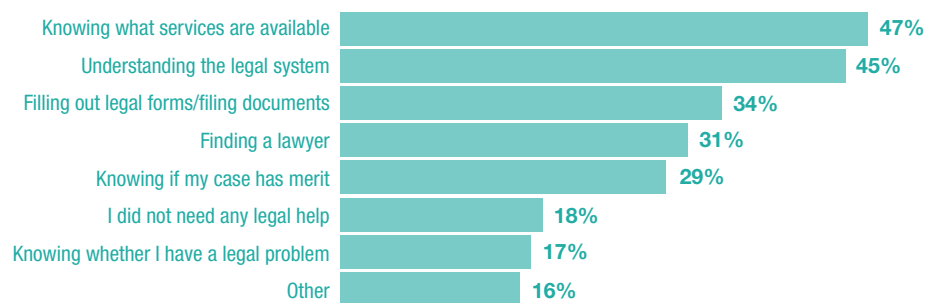
not seek help indicated this was because they felt too ashamed, embarrassed, depressed and/or traumatized to ask for help. The ability to seek help online in the privacy of one’s own home (or library cubicle etc.) may be of great benefit to this population.

The surveys indicated that problems relating to mental health may be a consequence of the trauma of being victimized. Additionally, information from the attorney interviews indicated the challenges of pre-existing mental health issues in crime victims. Attorneys noted that those with severe mental health issues may be particularly disadvantaged; in the words of one attorney, this population is “*horribly taken advantage of, preyed on by anyone, not capable of representing themselves, not taken seriously.*” This attorney estimated that 5% of his clients have extreme mental health needs, and about 30% of his clients have some form of less severe mental health need. Other attorneys noted the challenges of representing someone whose mental health needs are unmet; the clients’ ability to assist in their case is inhibited, and the attorney may spend precious time acting more as a therapist than as legal counsel. Accordingly, one attorney who works closely with a social worker highlighted the benefit of this relationship in meeting the clients’ needs. As we’ll see later, findings suggest that an online list of services (including legal and social services) may be particularly beneficial to service providers and attorneys as they seek to help this population.

## Resources and Rights

Figure 11 shows the types of civil legal help that victims needed to address the issues they experienced related to their victimization. As shown in the figure, nearly half the victims indicated they needed help with knowing what services are available. A similarly high percentage indicated they needed help understanding the legal system, and about one-third reported needing help with filling out forms/filing documents and/or finding a lawyer. Notably, over half the service providers cited legal representation, legal

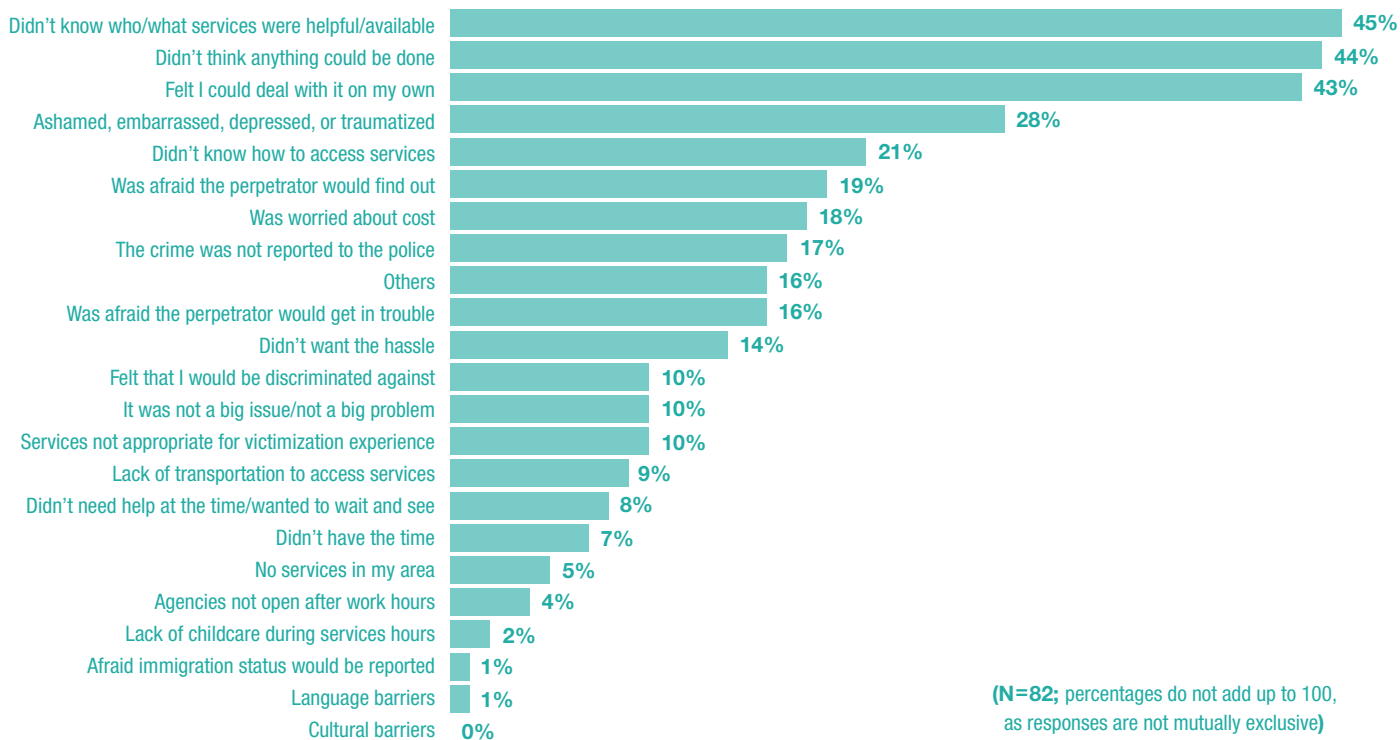
**Figure 11. Civil legal help needed**



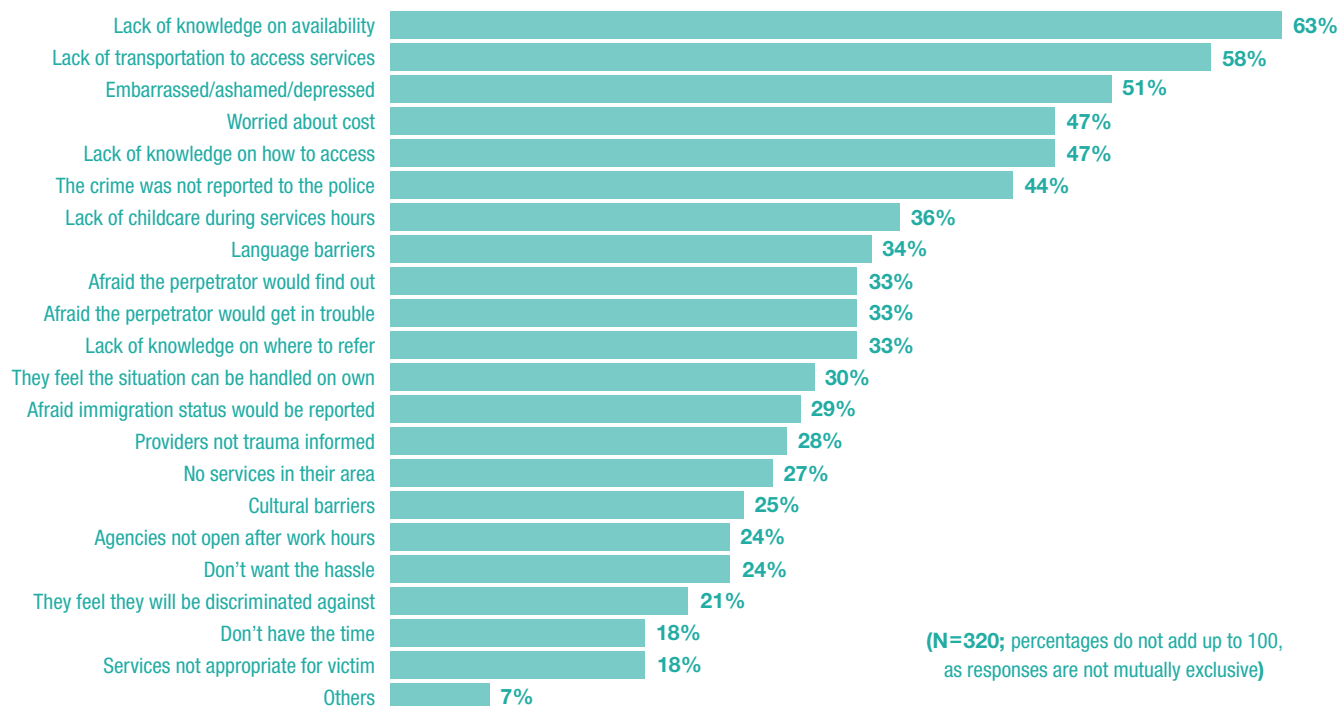
(N=167; percentages do not add up to 100, as responses are not mutually exclusive)

<sup>23</sup> An analysis of OVS data demonstrates that OVS benefits for counseling expenses are not as high as one might expect from a clientele who has often experienced significant trauma. OVS cites numerous reasons for what is arguably an underutilized service, including lack of required documentation of mental health expenses, mental health expenses were covered by health insurance, and/or no reimbursable cost was incurred (e.g. mental health services were provided via a free clinic). Although the OVS maintains confidentiality, victims may be reluctant to provide paperwork documenting sensitive information about their mental health needs. Focus group participants indicated the catch-22 of needing to provide documentation of services but not wanting to compromise their privacy.

**Figure 12.** Victims' reasons for not seeking help



**Figure 13.** Service provider indicated barriers to victims receiving help



advice and help with preparing forms/filing documents as unmet needs among their clients (results not shown).

Although not specifically listed as a response option, victims' need for rights information is something to consider. When asked who informed them about their rights as victims of crime, over one-third of survey respondents indicated that no one informed them of their rights as a victim. In contrast, about 80% of the service providers believed they had informed victims of their rights. In focus groups, service providers suggested that victims may not remember having their rights read to them in a time of crisis, when they may be more concerned about their safety (for example) than about their civil legal rights. During a preliminary discussion of our findings, advisory committee members suggested that attorneys and service providers may inform victims of their rights, but not in a way that is clear, explicit and easy for victims to understand. This topic is especially important to consider since victims may not even be aware of their civil legal needs if they do not know their rights. This will be explored further in the next section.

## Challenges to Meeting the Needs of Crime Victims

Not surprisingly, our findings indicate that victims need legal information and/or legal assistance. However, only 30% of survey respondents reported that they received legal advice, and only about one-quarter reported having received legal representation and/or assistance with preparing forms or legal documents (results not shown). Why is this?

### Awareness and Access

As noted above, some of the discrepancies between what is needed and what is received may be due to a lack of awareness of services. Indeed, among those who did not seek help for their problems (n=105), nearly half indicated this was because they did not know who could help or what services were available (see Figure 12). Nearly two-thirds of the service providers felt this lack of knowledge to be a barrier to victims receiving assistance (see Figure 13). Nearly half the victims reported that they did not think anything could be done. Not knowing who can help and believing that nothing can be done may reflect victims' lack of understanding of the legal system and/or lack of knowledge about their rights, as discussed in the previous section.

Although only raised by a few participants, meeting the needs of the LGBTQ population was deemed particularly difficult for this latter reason; one attorney gave the example of someone being harassed by a neighbor because of their LGBTQ status and the police refusing to take a report (and the victim believing he/she had no recourse). This population may similarly not be aware of

services, given that the services for domestic violence (for example) have historically largely only been available to heterosexual women. Along these lines, participants in two focus groups discussed the lack of services for the "general" crime victim. They said that services are available to special populations, such as victims of domestic violence and the disabled, but there are few resources for a victim who has civil legal issues stemming from an assault or destruction/theft of property (for example). Breaking out the data by victimization type sheds further light on this; most of the victims of non-personal crimes indicated that they did not receive any help, in spite of seeking it (see Appendix 2).

Even if services are available and victims know they are available, victims may not know how to access needed services; nearly half the service providers and about one-quarter of the victims cited this as a barrier. In focus groups, service providers said they waste a lot of time trying to find the right person to contact in an agency for the assistance their clients need; they spoke of the importance of having an "in" with an agency. Service providers said it can be overwhelming for victims to figure out where to go and who to talk to, and some victims just give up. Accordingly, one victim spoke of the frustration of calling a phone number and hearing, "press this key for \_\_\_ service."

Should one press the correct key, they may still not be able to access services because they cannot physically get to them; survey findings indicated that transportation is a major barrier. Although cited by a greater percentage of service providers than victims, this may be because, by definition, victims without transportation did not see flyers about the survey that were advertised in offices, libraries etc.<sup>24</sup> In focus groups and interviews, service providers and attorneys discussed the challenges of reaching victims in rural areas where people are spread out and buses are lacking. Participants said that a bus may stop in some rural towns only once per day (if at all), thus making an agency/office visit an all day or overnight affair.

However, transportation is also an issue in urban areas where buses exist, but money for a ticket is lacking. The cost of taxis was revealed to be prohibitive for most (in rural and urban areas). While some agencies and attorneys try to address this gap by providing bus tickets or conducting meetings over the phone, funds only go so far, and meetings in person are sometimes necessary (e.g. court appearances, provision of documents, forms etc.). One attorney expressed his frustration when he said, "I know you're there, but I can't get to you."

### Financial Cost

While only cited by a small percentage of victims, nearly half the service providers indicated that cost is a primary barrier to victims receiving civil legal services. This issue was highlighted

<sup>24</sup> Although links to the survey were posted on agency websites, victims lacking transportation would not have been exposed to flyers with the survey link or to hard copies of the survey in waiting areas etc.

by about half the attorneys and law clinic faculty as well. Participants mentioned the limited finances of victims generally and the prohibitive cost of an attorney. Our findings confirm what we know from the New York Commission reports: while free and low-cost civil legal services exist, there are not enough services to meet the need. Attorneys bemoaned the lack of legal services for those who fall above the income eligibility requirements for legal aid but cannot afford their own lawyer: *“some people just end up going on their own, and that’s hard.”* This attorney’s comment speaks to the importance of an online resource to help people who need legal assistance but cannot afford its price tag.

Indeed, when asked about populations of victims that are particularly underserved, about half the attorneys and law clinic faculty highlighted the working poor. While the question was meant to elicit a more targeted response, legal providers were very focused on the lack of affordable civil legal services for this population. Some felt an online resource could help address this gap, noting, *“the more people know, the better decisions they make.”* However, others questioned whether or not an online resource could help, given individuals’ need for information specific to their case (noting that each case is different).

### Language and Culture

Discussions about underserved populations further echoed the survey findings and pointed to important considerations in the development of an online resource. About half or more of the people in our focus groups and interviews spoke of the challenges to meeting the needs of the immigrant population. Participants cited language and cultural barriers (indicated by a third and a quarter of survey respondents, respectively).<sup>25</sup> Growing refugee populations in a number of areas mean an increasingly diverse array of languages is spoken in communities. This was noted of military communities as well, where spouses who met overseas find themselves in an unfamiliar country with few supports. Immigrants may have a culturally ingrained fear of the legal system and the undocumented fear of deportation if they report a crime to the police. Participants suggested that to increase the utility of an online resource, to the extent possible, the website contain information in multiple languages and be advertised in immigrant enclaves, through trusted local leaders.

It is notable that not only were cultural barriers raised regarding the immigrant population but also regarding the elderly population. One participant summed up the challenges of serving victims of elder abuse and older victims of domestic violence as follows: *“In our [older] age bracket, it is very cultural. You’re dealing with older adults who grew up in an era where you didn’t say anything to anyone.”* Older victims may also have health problems that

compromise their ability to leave their homes alone. While an online resource where information can be brought directly to the victim in their own home would speak to this challenge, service providers said that the elderly may be less familiar with the internet and less comfortable using it (assuming internet access). In this vein, participants said the online tool<sup>26</sup> should be easy to navigate (also important for those who may not be English proficient) and should provide the option of phone contact with a live person for assistance with obtaining information.

### The Role of an Online Resource in Meeting the Needs of Crime Victims

Our findings indicate that awareness of and access to civil legal services is lacking among crime victims. Since the aim of our project is to understand the role of an online resource, we next consider whether such a resource may help to address the barriers to providing and receiving services. However, the utility of an online resource is dependent on the users; will people access civil legal information online, will they understand their next steps and do they expect it will be helpful?

### Accessibility of an Online Tool

The answer is yes. About two-thirds of survey respondents indicated they would consider using an online tool; an additional 23% indicated they may consider using an online tool.<sup>27,28</sup> Given concerns raised in the focus groups and interviews about the utility of an online resource for specific populations, we analyzed the data separately by a number of demographic factors. About two-thirds of victims in all age groups said they would consider using an online tool, about half those living in rural areas said they would, and slightly more than half those who reported having a disability said they would; the higher one’s education, the more likely he/she is to use an online tool (see Appendix 3). These findings not only suggest that an online resource has promise, but they also speak to the importance of keeping the language of the website simple, and the navigation intuitive, concerns raised by many in our focus groups and interviews. Accordingly, participants mentioned balancing graphics and text as well as having audio and visual components.

Further speaking to the promise of an online resource, about 80% of service providers said they would refer victims to online resources. Figure 14 shows the types of services victims would be willing to use if they had a legal problem. Similarly, Figure 15 shows the different tools that service providers believe will be a helpful resource to crime victims. About 60% or more of survey respondents (victims and service providers) indicated the utility of online self-help information and an online directory of

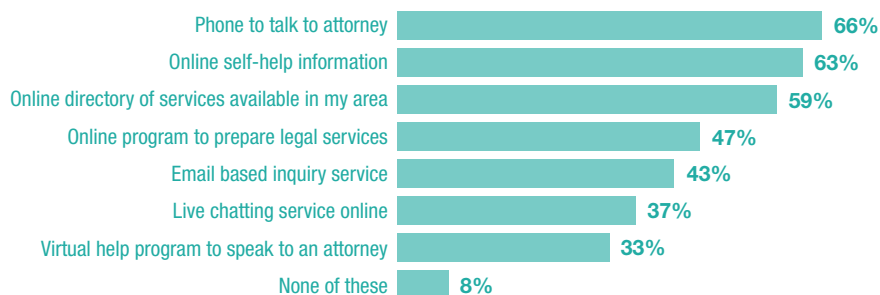
<sup>25</sup> Few respondents to the victim survey indicated that language and/or culture were barriers to receiving services. However, as noted earlier, survey distribution to immigrant populations was a challenge, and these populations are underrepresented in our sample.

<sup>26</sup> Online “tool” and online “resource” are used interchangeably throughout this report.

<sup>27</sup> The question asked respondents if they would consider using an online tool to help identify their civil legal needs and where to go for help (yes, no, maybe).

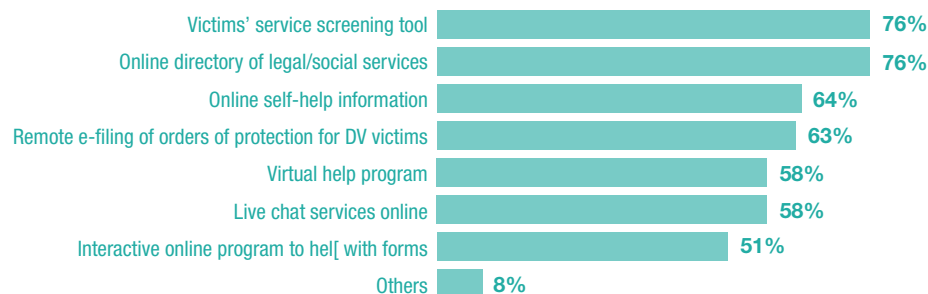
<sup>28</sup> Of those who indicated they may not or would not use an online tool, 42% cited security or privacy concerns. This was raised in our focus groups and interviews as well.

**Figure 14.** If you had a legal problem, would you be willing to use the following:



(N=248; percentages do not add up to 100, as responses are not mutually exclusive)

**Figure 15.** Online tools that service providers believe would be a helpful resource to crime victims:



(N=280; percentages do not add up to 100, as responses are not mutually exclusive)

services. In focus groups and interviews, participants spoke of the value of an online resource directory with up to date contact information; this would be useful for social service providers, attorneys and victims, especially if it could be organized and/or searchable by types of services provided (divorce, foreclosures etc.) and by geography. One victim noted, *“information is provided to victims, but it is not in a central location.”*

### Self-help Information

The importance of a “central location” arose in discussions about self-help information and access to forms. As shown in the figures, about half the survey respondents (victims and service providers) reported that an online program to assist with form preparation would be useful. In interviews, some participants said that forms are already available online, but not everyone knows where to find the forms, and even if they do, they do not necessarily know how to fill out the forms. Attorneys suggested including links to forms and having such features as online templates, guides and PDFs with comment boxes including information about the documents people need when they submit the forms.

“Online self-help information” is a fairly generic response that may mean different things to different people. Discussions in the focus groups and interviews about victims’ need for rights infor-

mation shed some light on this. Most of the focus groups and about half the attorneys said the website should contain information about the rights of victims, ideally broken out and/or searchable by different civil legal needs or problems. For example, participants discussed commonly believed myths about eviction proceedings and suggested having this information on the website.

Discussions about the legal process and what to expect in court may also clarify the meaning of “self-help information.” The importance of having knowledge on how the legal system works was raised in nearly all of the focus groups with service providers and by many of the attorneys. One of the service providers who was also a crime victim said, *“I am not an attorney...I had never been to court before in my life. I knew absolutely nothing about the process. I had absolutely no clue what to expect, and that would have been one of the most useful things.”* One attorney suggested having “a guide to family court” while others suggested videos of what a courtroom looks like and the utility of a glossary of legal terms (in plain language). This may help to alleviate the stress of a process that one victim said is *“scary, overwhelming at times;”* recall that nearly half the victims surveyed reported needing help understanding the legal system.

### Access to a Person

This “overwhelming” help-seeking process may be further mitigated with access to a person to talk to for legal information. The utility of a live chat service and virtual help programs was indicated by about one-third of victims and over half the service providers (see Figures 14 and 15). While most victims would like to be able to talk to an attorney over the phone, discussions in the focus groups and interviews suggested that having the option to contact a person may be what is important—not so much the means of contact (live chat, email, phone): *“sooner or later, there has to be a live person.”* One victim said that *“people are thrilled to get an actual person who can guide them through their legal needs.”*

However, the feasibility of staffing a live legal service was not lost on our participants. They discussed the pros and cons (e.g. level of expertise, financial cost, long term sustainability) of staffing the site with attorneys versus paralegals versus law students versus network navigators. This was also raised in a preliminary discussion of our findings with advisory committee members

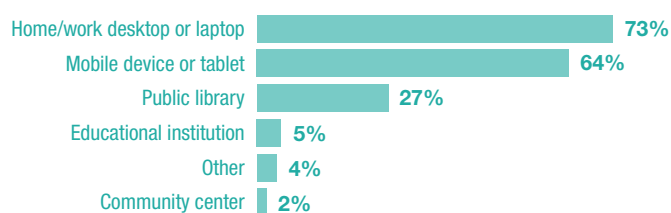


who expressed concerns over finding a realistic balance between what may be ideal and what is feasible. In the words of one attorney, the key is “*empowering individuals and at the same time, spreading the services that we have.*” A pilot study of the online resource will further explore the “best” means of doing this.

### Mobile Friendly and Safe

In addition to providing access to a person in one form or another, the online resource itself must be accessible in different forms. More than 50% of participants indicated that they would prefer to access information and resources online from computer and/or from a phone (not shown). Importantly, phone may mean a mobile phone or a landline. Additional analyses indicated that most people access the internet from a desktop/laptop or a mobile device or tablet (see Figure 16), suggesting that accessing information from a phone may mean through an app on a smartphone.

**Figure 16.** Where do you access the internet?



(N=226; percentages do not add up to 100, as responses are not mutually exclusive)

Accordingly, a number of focus group and interview participants asserted the necessity of having a mobile-responsive version of the website, noting that victims (particularly certain populations) may not have access to a computer but may own a smartphone. Additional analyses of the data broken out by age, income and education suggested that younger crime victims, those with lower education and those with lower incomes may be more likely to use a smartphone than a desktop/laptop to access the internet, compared with older victims, those with higher education and higher incomes, who are more likely to use a computer (see Appendix 4).<sup>29</sup> This highlights the need for the online tool to be both mobile friendly (through a mobile application or mobile-responsive version) and also to be accessible on a desktop (through a website).

Along with the utility of mobile support for the tool/website itself, victims emphasized the importance of a separate app to detect if your computer or device is checking your browser history. More than half the victims we spoke with expressed concerns with trust and safety. Recall that 42% of victims in our survey who said they may or would not use an online tool indicated concerns with security and privacy; a similar percentage of service pro-

viders indicated these same concerns of victims. In focus groups, participants pointed to the need for an escape button and safety tips about technology (e.g. how to clear your browser history).

The importance of making victims feel safe in accessing the website was raised primarily in the context of domestic violence victims but also in the context of undocumented immigrants, who may be wary of pursuing services listed on a .gov website. Thus, even if information is available in different languages (suggested by some participants), certain populations of victims may be leery of accessing it; this raises a key consideration in housing and marketing the online resource (see discussion on p. 24-25).

### Educational and Holistic

As noted earlier, for the online resource to be useful to victims in different demographic groups, it needs to be in plain language and easy to navigate. Accordingly, the website needs to convey not only that it contains helpful information but also how and why that information is relevant to crime victims. In this vein, attorneys in particular, but also service providers and victims, discussed the utility of a screening tool that would help people identify the civil legal needs stemming from their criminal victimization.

While participants conceived of the screening tool in slightly different ways (e.g. a decision tree, a series of drop down menus), the idea was the same. Participants said that victims do not always recognize that a crime has been committed (e.g. an older person’s medication is stolen), do not necessarily understand how the victimization is linked to different outcomes (e.g. a child’s disruptive behavior in school as a direct result of being abused) and what, if anything, can be done about it. One victim suggested that the website could help people make these connections between the victimization and subsequent civil legal issues. This type of screening tool would be useful to service providers as well, who may not recognize the elements of a crime and who, one attorney noted, may not “*think in terms of civil legal needs*” but more in terms of the criminal justice realm. During a preliminary discussion of our findings, advisory committee members highlighted the value of a screening tool that would facilitate identification and understanding of legal needs and resources. Accordingly, service providers in about half the focus groups pointed to their own need for legal information and education to identify civil issues in order to better assist clients.

In contrast to service providers, who generally felt the website could further educate and assist them in providing services to victims, many of the law clinic faculty questioned the utility of the website for attorneys. They indicated that attorneys already have access to the types of information they need, particularly legal information. That being said, some attorneys expressed interest in having a centralized list of social service and other re-

<sup>29</sup> Show graphs of preferred format and of internet use by age, education, and income.

sources they could direct their clients to (discussed earlier). This speaks to the more general feeling among some participants that the website should be holistic in nature, providing links to civil legal and social service resources to help address the broader context and consequences of being victimized.

Accordingly, the importance of having information about being trauma informed was raised among each of the populations we spoke with (including law clinic faculty). For example, one attorney suggested “having a list of dos and don’ts when communicating with clients...don’t say, ‘I understand what you’re going through’.” Participants gave examples of attorneys’ and judges’ comments making clients feel revictimized. However, there was concern that the very people most in need of this information would be the least inclined to read it. This suggests potential benefits of including pictures to make the website feel more personal, having testimonials on the website (helps to “normalize” the situation, said one victim) and acknowledging that re-victimization can happen years later. Overall, there may be a benefit to having this information on the website; if the site appears holistic in nature with the way information is presented and the type of information that is presented (e.g. a link to information about trauma), that may make victims feel comfortable and safe when they visit the website.

### Marketing the Online Resource

Now that we understand the needs of victims, the barriers to meeting those needs and the utility of an online resource in increasing access to information and services, we ought to know how to inform people of this resource once it is available. How do we reach victims of crime?

#### Legal Agencies

One of the keys to answering this question is to find out how victims become aware of civil legal services. About two-thirds of survey respondents indicated that the police were contacted in their case, suggesting that this may be a logical “entry point” to the criminal justice system where victims could also be informed of the online resource as a civil legal resource. However, only 9% of victims reported being referred to civil legal services by the police.<sup>30</sup> Similarly, although more than half the victims indicated that the criminal case was prosecuted, only 6% reported that the prosecutor referred them to civil legal services;<sup>31</sup> only 13% reported

that a victim advocate from a criminal justice agency referred them to services. Given the relatively high percentage of victims whose cases were brought to the attention of the criminal justice system, it may be useful to educate criminal justice agents about the online tool and encourage them to provide the information to victims of crime.

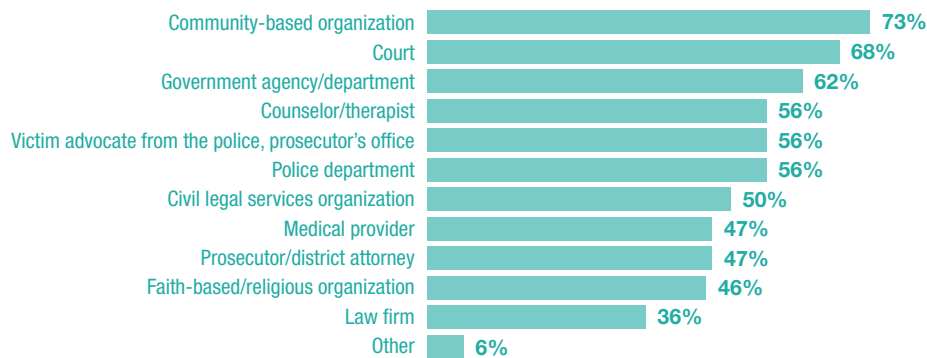
Notably, while few victims received referrals to civil legal services, about half the service providers indicated that they received referrals from criminal justice agencies (for example, victim advocate from the police or prosecutor’s office, police department; see Figure 17). This discrepancy mirrors that found between victim and service provider reports of receiving/ providing rights information (see p. 17 and 18). Akin to that discussion, victims may not recall receiving referrals to services in a time of crisis. Thus, it may be especially important for information about the online tool to be provided clearly, concisely and, if appropriate, tangibly (e.g. perhaps the website address could be offered to the victim on a business card).<sup>32</sup>

More than two-thirds of service providers reported receiving referrals from the courts (including criminal courts and/or civil courts). In focus groups and interviews, service providers and attorneys said they currently do outreach in the justice system, including providing pamphlets/flyers in police stations and/or courtrooms, stationing advocates in courtrooms, etc.; they suggested advertising the online tool in these same forums. The criminal justice system and the court system in particular, is a significant arena for the promotion and generation of awareness for the online tool.

#### Social Service Agencies

Participants also suggested advertising the online tool through non-legal organizations where people otherwise access social

**Figure 17. Sources of Referrals Received by Service Providers**



(N=125; percentages do not add up to 100, as responses are not mutually exclusive)

<sup>30</sup> This finding may be affected by the way the initial police contact question was asked. The question asked if “you or anyone else” contacted the police; thus, the victim may not have been the person who reported the crime and came into contact with law enforcement.

<sup>31</sup> Preliminary discussions of the survey findings with our advisory committee revealed the tensions that may occur between the prosecution of a criminal case and the victim’s pursuit of a civil case (noting that the prosecutor is not the victim’s attorney).

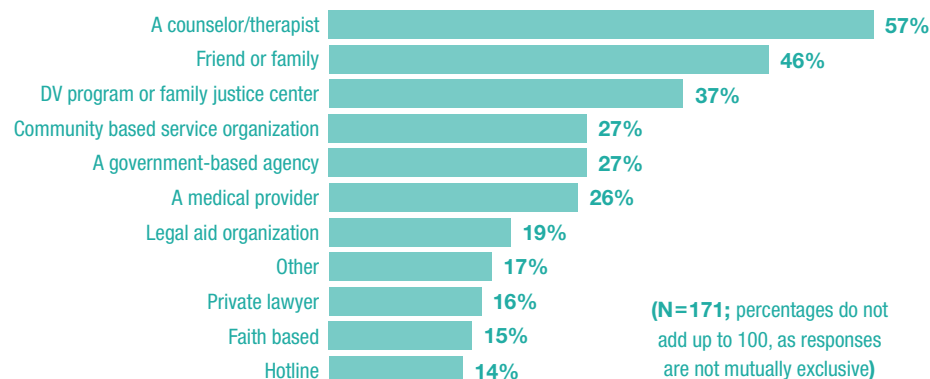
<sup>32</sup> For example, it may not be safe to provide a card to a victim of domestic violence who fears her abuser will find it.

services and resources. As shown in Figure 17, nearly three-quarters of survey respondents received referrals from a community-based organization; about half or more received referrals from a government agency, counselor, medical provider and/or faith-based organization. In focus groups and interviews, service providers and attorneys emphasized the importance of outreach and being present in the communities they serve, noting *“the siloing of services is one of the biggest impediments to people getting help in a coordinated way.”*

More specifically, participants suggested disseminating information about the online tool in hospitals, libraries, DSS offices, food pantries and doctors’ offices (among others). Echoing this, victims of domestic violence suggested the tool be marketed in places victims may go alone, such as the pediatricians’ office and the grocery store. Figure 18 shows where victims sought help for problems stemming from their victimization.<sup>33</sup> The findings speak to the importance of community outreach, informing not only agencies but also individuals of the online resource; about half or more victims reported seeking help from a counselor and/or a friend or family member. Accordingly, word of mouth and self-referrals were mentioned in a number of focus groups and interviews. For example, one victim highlighted the value of her co-workers, who told her where to find the help she needed.

The significance of victims knowing about and reaching out to civil legal services via word of mouth should not be understated. When participants spoke of the importance of community outreach in their work, they indicated the need to not only increase awareness of services but also to build victims’ trust of those services. This may be especially important among low-income, rural and immigrant communities, who some participants said, have an inherent distrust of institutional systems and may be unlikely to reach out for services. For the online tool to reach these groups, participants suggested we get the buy-in of local service providers and affiliate it with providers who already have credibility in the community. Marketing and “presence” of the online resource is key in the myriad of communities across New York State. While the design of the resource is important, attention should be paid to how information about the resource is disseminated in communities across the state.

**Figure 18.** Victim sought help from:



<sup>33</sup> Thirty-five percent of victims reported that they did not seek help to deal with problems stemming from their victimization.



## This needs assessment sought to study victim services on four fronts:

1. **Identifying the numbers and patterns of needs of victims**
2. **Understanding the current services on the ground**
3. **Analyzing the gaps in services needed and services provided**
4. **Understanding the barriers to accessing the current services which can provide a roadmap to future interventions.**

Based on a comprehensive literature review and primary and secondary data collection, we sought to understand how the development of an online resource of civil legal services could help to address the needs of crime victims and the barriers to providing services in New York State. Our focus on an online resource follows the emphasis of the NYS Permanent Commission on Access to Justice recommendations of the promotion of technology to address gaps in the provision of services.

Through surveys and focus groups with victims and service providers, interviews with civil legal attorneys and law clinic faculty and a review of claims and reimbursements to victims of crime by the NYS OVS, we acquired a keen understanding of the civil legal problems, service needs and barriers to receiving services encountered by victims of crime across the state. The following key themes emerged from analysis of the data:

- Crime victims most frequently report needs in areas of money/finances, family, housing and mental health
- Crime victims may not be informed of or understand their rights
- Crime victims may not know what services are available to assist them with their civil legal needs
- Providing and accessing services is difficult primarily due to resource limitations, transportation issues and language and cultural barriers

With a focus on understanding how an online resource could potentially address these gaps, insight was gained into the specific components of the resource, its potential strengths and limitations. The following key themes emerged:

- The importance of self-help information, including a centralized location for forms and rights information and a list of civil legal and social service resources
- The provision of basic information about the legal system and what to expect in court
- Presentation of information in plain language and in multiple formats (e.g. audio and visual components) to accommodate different levels of literacy and online navigation skills
- Presentation of information in a holistic manner such that victims feel safe and understood

- The utility of a screening tool to assist victims and service providers in identifying victimization, civil legal needs and appropriate services
- Access to a person, either via email, live chat and/or phone
- Access to the website via a computer or mobile device

These themes should be considered in moving forward with the development of an online

resource. In focus groups and interviews, participants highlighted the importance of crime victims being aware of the resource, noting that it will not help to address gaps between needs and services if people do not know it exists. Based on analysis of the findings and feedback from the advisory committee, the following recommendations should be considered in marketing the resource:

- Disseminate information to first responders to criminal victimizations, including the police, victim advocates within district attorney's offices, hospitals and doctors' offices
- Post information about the resource in places where domestic violence victims may go without their partners, such as pediatrician's offices and grocery stores
- Clearly indicate that the resource is a safe place for all populations, including domestic violence victims, undocumented immigrants and the LGBTQ community
- Obtain buy-in from local service providers. This is essential for the resource to be viewed as a legitimate and trusted source of information, particularly in rural, poor and immigrant communities where there may be an inherent distrust of institutional services

Given the varied needs of crime victims by victimization type, demographics and other factors, addressing these needs is a challenge for service providers. The solution lies in not only providing greater availability of services and resources to those who seek help, but also in enabling more crime victims to seek these services. We found that a one-stop solution in the form of an integrated online tool is perceived to have promising advantages. If designed in a way that meets victims' needs and expectations as outlined in this report, an online resource can potentially help in closing the gap between victims' needs and services in New York State.

06

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07

# APPENDIX

# APPENDIX 1

## DATA COLLECTION INSTRUMENTS

### 1.1 Survey of Crime Victims

Thank you for taking the time to complete this survey. These questions have been put together to gain a better understanding of the needs of victims of crime throughout New York State. Your survey responses will help inform the development of a network of civil legal services to better meet the needs of victims of crime. We are interested in your victimization experience, whether or not the crime was reported to the police. The survey is voluntary, and there are no right or wrong answers to the questions. Your answers are confidential and anonymous.

*By completing this survey, you could be entered into a lottery for a chance to win a \$150 gift card!*

*If you have already filled out this survey, please do not fill it out again. Thank you!*

**We would like to begin by asking some questions about your experience as a crime victim.  
This includes crimes that were not reported to the police.**

**1. Have you been the victim of a crime in the past... Check all that apply.**

- |  |  |
|--|--|
| <input type="checkbox"/> 2 years or less | <input type="checkbox"/> > 5 years; please specify: _____ years                  |
| <input type="checkbox"/> 3-5 years       | <input type="checkbox"/> I have never been the victim of a crime (end of survey) |

**2. Which of the following types of crime/s were you a victim of in the past? Check all that apply.**

- |  |  |
|--|--|
| <input type="checkbox"/> Assault (not sexual assault)          | <input type="checkbox"/> Partner/dating violence   |
| <input type="checkbox"/> Arson                                 | <input type="checkbox"/> Rape                      |
| <input type="checkbox"/> Burglary                              | <input type="checkbox"/> Robbery                   |
| <input type="checkbox"/> Driving under the influence (DUI)/DWI | <input type="checkbox"/> Sexual abuse              |
| <input type="checkbox"/> Elder abuse                           | <input type="checkbox"/> Sexual assault (not rape) |
| <input type="checkbox"/> Fraud/financial crime                 | <input type="checkbox"/> Stalking                  |
| <input type="checkbox"/> Hate crime                            | <input type="checkbox"/> Terrorism                 |
| <input type="checkbox"/> Human trafficking                     | <input type="checkbox"/> Theft/larceny             |
| <input type="checkbox"/> Identity theft                        | <input type="checkbox"/> Vandalism/graffiti        |
| <input type="checkbox"/> Kidnapping                            | <input type="checkbox"/> Other vehicular crime     |
| <input type="checkbox"/> Other, specify: _____                 |  |

**3. Which crime impacted you the most? Check only one.**

- |  |  |
|--|--|
| <input type="checkbox"/> Assault (not sexual assault)          | <input type="checkbox"/> Partner/dating violence   |
| <input type="checkbox"/> Arson                                 | <input type="checkbox"/> Rape                      |
| <input type="checkbox"/> Burglary                              | <input type="checkbox"/> Robbery                   |
| <input type="checkbox"/> Driving under the influence (DUI)/DWI | <input type="checkbox"/> Sexual abuse              |
| <input type="checkbox"/> Elder abuse                           | <input type="checkbox"/> Sexual assault (not rape) |
| <input type="checkbox"/> Fraud/financial crime                 | <input type="checkbox"/> Stalking                  |
| <input type="checkbox"/> Hate crime                            | <input type="checkbox"/> Terrorism                 |
| <input type="checkbox"/> Human trafficking                     | <input type="checkbox"/> Theft/larceny             |
| <input type="checkbox"/> Identity theft                        | <input type="checkbox"/> Vandalism/graffiti        |
| <input type="checkbox"/> Kidnapping                            | <input type="checkbox"/> Other vehicular crime     |
| <input type="checkbox"/> Other, specify: _____                 |  |

**4. Did you or anyone else contact the police?**

- Yes
- No (skip to Q.17)
- Other, specify: \_\_\_\_\_

**5. Was the case prosecuted?**

- Yes
- No (skip to Q.17)
- Other, specify: \_\_\_\_\_

**6. Did you seek medical attention related to your victimization from a... Check all that apply.**

- Hospital
- Health clinic/urgent care center
- Doctor's office
- Other, specify: \_\_\_\_\_
- No, I did not seek medical attention, but I needed it
- Does not apply

**7. Did you seek counseling/supportive services (i.e. therapy) related to your victimization?**

- Yes
- No

**8. Who, if anyone, informed you of your rights as a crime victim? Check all that apply.**

- The police
- The prosecutor/district attorney
- The court
- A victim advocate from the police, prosecutor's office, or other criminal justice agency
- A community-based organization
- A faith-based/religious organization
- Other referred me, specify: \_\_\_\_\_
- A government-based agency/department (e.g. local department of social services)
- A medical provider (hospital, clinic, doctor's office etc.)
- A counselor/therapist
- A friend or family member
- No one informed me of my rights as a crime victim
- I didn't tell anyone I was a crime victim, so I was not informed of my rights as a crime victim

**9. Who, if anyone, referred you to civil legal (non-criminal) services (such as help filling out legal forms, legal advice, housing assistance)? Check all that apply.**

- The police
- The prosecutor/district attorney
- The court
- A victim advocate from the police, prosecutor's office, or other criminal justice agency
- A community-based organization
- A faith-based/religious organization
- Other referred me, specify: \_\_\_\_\_
- A government-based agency/department (e.g. local department of social services)
- A medical provider (hospital, clinic, doctor's office etc.)
- A counselor/therapist
- A friend or family member
- No one informed me of my rights as a crime victim
- I didn't tell anyone I was a crime victim, so I was not informed of my rights as a crime victim

The next questions are about any problems you may have had because of the crime and how you dealt with these problems.

**10. Did being a victim of this crime cause you to have problems with any of the following issues? Check all that apply.**

- a) Money/Finances:  bankruptcy  debt/collections  utilities  tax issues  
 other, specify: \_\_\_\_\_
- b) Education:  disability rights  discipline/expulsion  discrimination  enrollment  
 other, specify: \_\_\_\_\_
- c) Employment:  disability rights  discrimination  wages  workers' compensation  
 wrongful termination  other, specify: \_\_\_\_\_
- d) Family:  child support  custody/visitation/paternity  divorce  
 partner/dating violence  other, specify: \_\_\_\_\_
- e) Government Benefits:  disability  food stamps  unemployment  cash assistance  
 other, specify: \_\_\_\_\_
- f) Health Insurance:  Medicaid  Medicare  private insurance  
 other, specify: \_\_\_\_\_
- g) Housing:  disability rights  discrimination  foreclosure/loan  landlord/tenant  
 public housing  loss of home  other, specify: \_\_\_\_\_
- h) Immigration:  citizenship  deportation  work permit  visa  
 other, specify: \_\_\_\_\_
- i) Other, Specify: \_\_\_\_\_

**11. Did you seek help from any person or organization to deal with these problems?**

- Yes  
 No (skip to Q.17)

**12. Did you seek help in the past... Check all that apply.**

- 2 years or less  
 3-5 years  
 > 5 years; please specify: \_\_\_\_\_ years

**13. Who did you seek help from? Check all that apply.**

- A friend or family member  A medical provider (hospital, clinic, doctor's office etc.)  
 A faith-based/religious organization or official  A counselor/therapist  
 A community-based service organization  Legal Aid organization  
 Domestic violence program or family justice center  Private lawyer  
 Hotline  Other, specify: \_\_\_\_\_  
 A government-based agency/department  
(e.g. local department of social services)

**14. What kind of civil legal (non-criminal) help did you need? Check all that apply.**

- Knowing whether I have a legal problem  Understanding/navigating the legal system/process  
 Knowing what services are available  Knowing if my case has merit/the likelihood of winning  
 Filling out legal forms/filing documents  I did not need any legal help  
 Finding a lawyer  Other, specify: \_\_\_\_\_

**15. What kind of help was received? Check all that apply.**

- Accompaniment to legal proceedings  Medical help  
 Accompaniment to medical appointments  Counseling/therapy  
 Legal representation  Monetary/financial help  
 Help with preparing forms/legal documents  Help with housing  
 Legal advice  Help with transportation  
 Self-help and "know your rights" information  Other, specify: \_\_\_\_\_

**16. Was the help you received useful?**

Yes, please explain: \_\_\_\_\_

No, please explain: \_\_\_\_\_

Some, but not all of the help was useful, please explain: \_\_\_\_\_

**Skip to Q. 18**

**17. If you did not seek help, why not? Check all that apply.**

- I didn't think anything could be done
- I didn't need help at the time/wanted to wait and see
- I didn't know who could help/what services were available
- I didn't know how to access services
- There are no services in my area
- Agencies/offices were not open after work hours
- I didn't have childcare during services hours
- I didn't have transportation to access services
- There was/is a language barrier with service providers
- There was/is a cultural barrier with service providers
- The services were not appropriate for my victimization experience
- I was afraid the perpetrator would find out if I sought help
- I was afraid the perpetrator would get in trouble if I sought help
- I was afraid my immigration status would be reported if I sought help
- I felt too ashamed, embarrassed, depressed, and/or traumatized to ask for help
- I felt I could deal with it on my own
- The crime was not reported to the police
- I didn't want the hassle
- I was worried about cost
- I didn't have the time
- It was not a big issue/not a big problem
- I felt that I would be discriminated against because of my:
  - Race
  - Gender
  - Ethnicity
  - Disability
  - Sexual orientation
  - Mental illness
- Other, specify: \_\_\_\_\_

**18. Do you know how to find free civil legal (non-criminal) help (not including a public defender)?**

- Yes
- No

The next few questions ask about your use of technology as a way to access civil legal services.

**19. Do you have access to the Internet?**

Yes  
No (skip to Q. 21)

**20. If yes, where do you access the Internet? Check all that apply.**

- Home/work desktop or laptop computer
- Mobile device or tablet
- Public library
- Community center
- Educational institution
- Other, specify: \_\_\_\_\_

**21. Would you consider using an online tool to help you identify what your civil legal (non-criminal) needs (if any) are and where to go for help?**

- Yes (skip to Q. 23)
- No
- Maybe

**22. If no or maybe, please select why. Check all that apply.**

- Not comfortable using the Internet/don't know how
- Security/privacy concerns
- No access to the Internet without additional costs (e.g. transportation)
- Physically unable
- Lack of English/language access issues
- No interest
- No time
- Other, specify: \_\_\_\_\_

**23. If you had a legal problem, would you be willing to... Check all that apply.**

- Access online self-help information (such as brochures, pamphlets and frequently asked questions by people in a similar situation as me on a website)
- Use an online directory of services available in my area to search for relevant legal services nearby
- Talk to an attorney over the phone (instead of in person)
- Use a virtual help program to speak to an attorney via video conferencing
- Use a live chatting service online
- Use an email based inquiry service
- Use an online program that would help me prepare legal or court forms I need
- None of the above

**24. Please select which format you would prefer to access information and resources... Check all that apply.**

- Hardcopy
- Phone (cell or landline)
- Online from a tablet/iPad
- Online from a computer

**25. Did you use any online resources to find out your available [legal] options as a victim of crime?**

- Yes
- No (skip to Q. 27)

**26. If yes, select which you utilized. Check all that apply.**

- NYS Office of Victims Services website
- LawHelp NY
- National Center for Victims of Crime website
- Connect Directory
- Office for Victims of Crime website (federal website)
- I searched for available legal help in my area
- I visited a specific legal service provider website, specify: \_\_\_\_\_
- Other online resources, specify: \_\_\_\_\_
- I do not recall

Finally, we would like to ask you some questions about your background.

**27. What is your age?**

- 18 to 21
- 22 to 34
- 35 to 44
- 45 to 54
- 55 to 64
- 65 to 74
- 75 and Over

**28. What is your gender?**

- Male
- Female
- Other, specify: \_\_\_\_\_
- Transgender male
- Transgender female

**29. How would you describe your sexual orientation?**

- Heterosexual/Straight
- Gay/Lesbian
- Bisexual
- Other, specify: \_\_\_\_\_

**30. Are you an individual with a disability?**

- Yes
- No

**31. Which of the following best describes your race? Check all that apply.**

- White
- Black/African American
- American Indian/Alaska Native
- Asian
- Native Hawaiian/Other Pacific Islander
- Multiracial
- Other, specify: \_\_\_\_\_

**32. Are you of Hispanic or Latino origin?**

- Yes
- No

**33. What is your current citizenship status?**

- U.S. citizen by birth or naturalization
- Non-resident
- Permanent resident
- Other, specify: \_\_\_\_\_

**34. What is the highest level of education you have completed?**

- Less than high school graduate
- Associate's degree
- High school graduate or GED
- Bachelor's degree
- Some college but no degree
- Graduate/professional degree

**35. How many people are currently living in your household, including yourself?** \_\_\_\_\_

**36. What is your total annual household income before taxes?**

- Less than \$12,000
- \$50,000-\$74,999
- \$12,000-24,999
- \$75,000-\$99,999
- \$25,000-\$49,999
- More than \$100,000

**37. What is your home zip code?** \_\_\_\_\_

**38. Did anyone assist you in filling out this survey?**

- Yes
- No

Thank you for taking part in this survey. We greatly appreciate your time.

Please provide your contact information below if you would like to be entered into a lottery for a chance to win a \$150 gift card:

Name: \_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: \_\_\_\_\_

**If you are interested...**

University at Albany researchers are planning to conduct brief follow-up telephone interviews and/or focus groups with victims of crime to gather more in-depth information of their civil legal (non-criminal) legal needs. If you would be willing to participate in a brief follow-up interview and/or focus group, please provide your contact information below. Your participation is voluntary.

Name: \_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: \_\_\_\_\_

**Or contact us:**

Susan Ehrhard-Dietzel  
Email: [sdietzel@albany.edu](mailto:sdietzel@albany.edu)  
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## 1.2 Survey of Service Providers

Thank you for taking the time to complete this survey. These questions have been put together to gain a better understanding of the needs of victims of crime throughout New York State and the services available to them. Your survey responses will help inform the development of a network of civil legal services to better meet the needs of victims of crimes. Given that funding sources are limited, we want to determine how best to address the unmet needs of victims of crime, particularly civil legal needs. There are no right or wrong answers. Your answers are entirely confidential.

*If you have already filled out this survey, please do not fill it out again. Thank you!*

We would like to begin by asking some questions about your organization.

**1. In what county is your organization located?** \_\_\_\_\_

**2. Please specify the catchment area served by your organization: *Select only one.***

- Statewide: New York
- Countywide, please specify: \_\_\_\_\_
- Multi-county, please specify: \_\_\_\_\_
- Citywide, please specify: \_\_\_\_\_
- Multi-city, please specify: \_\_\_\_\_
- Tribal, please specify: \_\_\_\_\_
- Other, please specify: \_\_\_\_\_

**3. Which of the following best describes the agency for which you work?**

- |   |  |
|---|--|
| <input type="checkbox"/> Police Department                  | <input type="checkbox"/> Health/medical services   |
| <input type="checkbox"/> Probation/Corrections              | <input type="checkbox"/> Government service        |
| <input type="checkbox"/> City, County or District Attorney  | <input type="checkbox"/> Legal services            |
| <input type="checkbox"/> Court personnel (judge, law clerk) | <input type="checkbox"/> Private lawyer            |
| <input type="checkbox"/> Educational institution            | <input type="checkbox"/> Private for-profit agency |
| <input type="checkbox"/> Faith-based                        | <input type="checkbox"/> Private non-profit agency |
| <input type="checkbox"/> Other, specify: _____              |  |

**4. How long have you been in your current position?**

- Less than a year
- 1-5 years
- More than 5 years

**5. Please select the types of eligibility criteria your organization uses to deliver services: *Check all that apply.***

- |  |  |
|--|--|
| <input type="checkbox"/> Age   | <input type="checkbox"/> Income                |
| <input type="checkbox"/> Legal issue (e.g., protective orders, immigration, landlord/tenant) | <input type="checkbox"/> Type of victimization |
| <input type="checkbox"/> Service area  | <input type="checkbox"/> None                  |
| <input type="checkbox"/> Other, specify: _____   |  |

**6. Please indicate the population your organization serves. Check all that apply.**

- |   |  |
|---|--|
| <input type="checkbox"/> Men  | <input type="checkbox"/> LGBTQ                               |
| <input type="checkbox"/> Women  | <input type="checkbox"/> Immigrants                          |
| <input type="checkbox"/> Seniors  | <input type="checkbox"/> Children                            |
| <input type="checkbox"/> Disabled   | <input type="checkbox"/> All-inclusive/no primary population |
| <input type="checkbox"/> Ethnic/racial/cultural groups, please specify: _____ |  |

**7. Does your organization screen clients for being the victim of a crime?**

- Yes  
 No (Skip to Q. 9)

**8. Of all the clients your organization has served in the past two years, approximately what percent identified as a crime victim?**

- |                                 |                                 |
|---------------------------------|---------------------------------|
| <input type="checkbox"/> <25%   | <input type="checkbox"/> 51-75% |
| <input type="checkbox"/> 25-50% | <input type="checkbox"/> >75%   |

**9. Does your organization inform victims of crime about their rights as a crime victim?**

- Yes  No  
 Other, specify: \_\_\_\_\_

**10. What types of crime victims does your agency serve? Check all that apply.**

- |  |  |
|--|--|
| <input type="checkbox"/> Assault (not sexual assault)          | <input type="checkbox"/> Rape                      |
| <input type="checkbox"/> Arson                                 | <input type="checkbox"/> Robbery                   |
| <input type="checkbox"/> Burglary                              | <input type="checkbox"/> Sexual abuse              |
| <input type="checkbox"/> Driving under the influence (DUI)/DWI | <input type="checkbox"/> Sexual assault (not rape) |
| <input type="checkbox"/> Elder abuse                           | <input type="checkbox"/> Stalking                  |
| <input type="checkbox"/> Fraud/financial crime                 | <input type="checkbox"/> Terrorism                 |
| <input type="checkbox"/> Hate crime                            | <input type="checkbox"/> Theft/larceny             |
| <input type="checkbox"/> Human trafficking                     | <input type="checkbox"/> Vandalism/graffiti        |
| <input type="checkbox"/> Identity theft                        | <input type="checkbox"/> Other vehicular crime     |
| <input type="checkbox"/> Kidnapping                            | <input type="checkbox"/> Unsure                    |
| <input type="checkbox"/> Partner/dating violence               |  |
| <input type="checkbox"/> Other, specify: _____                 |  |

The next questions are about the civil legal needs of crime victims in your area and the capacity to meet those needs.

**11. Did being a victim of this crime cause you to have problems with any of the following issues? Check all that apply.**

- a) Money/Finances:  bankruptcy  debt/collections  utilities  tax issues  
 other, specify: \_\_\_\_\_
- b) Education:  disability rights  discipline/expulsion  discrimination  enrollment  
 other, specify: \_\_\_\_\_
- c) Employment:  disability rights  discrimination  wages  workers' compensation  
 wrongful termination  other, specify: \_\_\_\_\_
- d) Family:  child support  custody/visitation/paternity  divorce  
 partner/dating violence  other, specify: \_\_\_\_\_
- e) Government Benefits:  disability  food stamps  unemployment  cash assistance  
 other, specify: \_\_\_\_\_
- f) Health Insurance:  Medicaid  Medicare  private insurance  
 other, specify: \_\_\_\_\_

- g) Housing:  disability rights  discrimination  foreclosure/loan  landlord/tenant  
 public housing  loss of home  other, specify: \_\_\_\_\_
- h) Immigration:  citizenship  deportation  work permit  visa  
 other, specify: \_\_\_\_\_
- i) Other, Specify: \_\_\_\_\_

**12. In your opinion, what are the most critical needs for civil legal services for your clients that are currently not being met? Check all that apply.**

- |  |   |
|--|---|
| <input type="checkbox"/> Accompaniment to legal proceedings        | <input type="checkbox"/> Self-help and “know your rights” information |
| <input type="checkbox"/> Accompaniment to medical appointments     | <input type="checkbox"/> Medical help                                 |
| <input type="checkbox"/> Legal representation                      | <input type="checkbox"/> Monetary/financial help                      |
| <input type="checkbox"/> Legal advice                              | <input type="checkbox"/> Help with housing                            |
| <input type="checkbox"/> Help with preparing forms/legal documents | <input type="checkbox"/> Help with transportation                     |
| <input type="checkbox"/> Other, specify: _____                     |   |

**13. What do you perceive as the primary barriers as to why individuals are unable to receive civil legal assistance? Check all that apply.**

- |  |   |
|--|---|
| <input type="checkbox"/> They don’t know what services are available   | <input type="checkbox"/> They are afraid the perpetrator will get in trouble if they access services      |
| <input type="checkbox"/> Individuals/organizations do not know where to refer them/what services are available | <input type="checkbox"/> They are afraid their immigration status will be reported                        |
| <input type="checkbox"/> They don’t know how to access service   | <input type="checkbox"/> They are too embarrassed, ashamed, depressed, and/or traumatized to ask for help |
| <input type="checkbox"/> There are no services in their area   | <input type="checkbox"/> They feel they can handle the situation on their own                             |
| <input type="checkbox"/> They lack transportation to access services   | <input type="checkbox"/> The crime/s are not reported to the police                                       |
| <input type="checkbox"/> Agencies/offices are not open after work hours  | <input type="checkbox"/> They don’t want the hassle   |
| <input type="checkbox"/> They lack childcare during services hours   | <input type="checkbox"/> They are worried about cost  |
| <input type="checkbox"/> Language barriers   | <input type="checkbox"/> They don’t have the time   |
| <input type="checkbox"/> Cultural barriers   | <input type="checkbox"/> It was not a big issue/not a big problem   |
| <input type="checkbox"/> The services are not appropriate for their victimization experience                   | <input type="checkbox"/> They feel they will be discriminated against because of their:                   |
| <input type="checkbox"/> Service providers are not trauma informed   | <input type="checkbox"/> Race <input type="checkbox"/> Gender   |
| <input type="checkbox"/> They are afraid the perpetrator will find out if they access services                 | <input type="checkbox"/> Ethnicity <input type="checkbox"/> Disability                                    |
|  | <input type="checkbox"/> Sexual orientation <input type="checkbox"/> Mental illness                       |
|  | <input type="checkbox"/> Other, specify: _____  |

**14. Did your organization receive referrals for civil legal services in the past two years?**

- Yes  
 No (skip to Q. 16)  
 Not applicable (skip to Q. 16)

**15. If yes, please identify the referral source. Check all that apply.**

- |   |   |
|---|---|
| <input type="checkbox"/> Civil legal services organization  | <input type="checkbox"/> Community-based organization   |
| <input type="checkbox"/> Law firm   | <input type="checkbox"/> Faith-based/religious organization or official                           |
| <input type="checkbox"/> Police department  | <input type="checkbox"/> Counselor/therapist  |
| <input type="checkbox"/> Prosecutor/district attorney   | <input type="checkbox"/> Government agency/department (e.g., local department of social services) |
| <input type="checkbox"/> Court  | <input type="checkbox"/> Medical provider (e.g. hospital, clinic, doctor’s office etc.)           |
| <input type="checkbox"/> Victim advocate from the police, prosecutor’s office, or other criminal justice agency |   |
| <input type="checkbox"/> Other referred me, specify: _____  |   |

**16. In the past two years, what types of referrals or requests for assistance have you received? Check all that apply.**

- |   |   |
|---|---|
| <input type="checkbox"/> Accompaniment (to legal proceedings, medical appointments etc.)  | <input type="checkbox"/> Housing/shelter assistance                   |
| <input type="checkbox"/> Assistance in the preparation of forms/legal documents   | <input type="checkbox"/> Immigration assistance                       |
| <input type="checkbox"/> Civil legal advice   | <input type="checkbox"/> Mental health services                       |
| <input type="checkbox"/> Criminal justice system legal assistance/rights enforcement<br>(e.g., filing a victim impact statement, restitution assistance,<br>victim compensation assistance) | <input type="checkbox"/> Medical assistance                           |
| <input type="checkbox"/> Financial/monetary assistance  | <input type="checkbox"/> Protection/safety services                   |
| <input type="checkbox"/> Group/peer support   | <input type="checkbox"/> Self-help and “know your rights” information |
| <input type="checkbox"/> Other, specify: _____  | <input type="checkbox"/> Transportation assistance                    |
|   | <input type="checkbox"/> Victim compensation claim assistance         |

**17. In the past two years, was your organization unable to meet requests for civil legal services?**

- Yes  
 No (skip to Q. 21)  
 Not applicable (skip to Q. 21)

**18. If yes, what percentage did your organization have to turn away? \_\_\_\_\_**

**19. If yes, in what areas? Check all that apply.**

- |                         |  |   |  |  |
|-------------------------|--|---|--|--|
| a) Money/Finances:      | <input type="checkbox"/> bankruptcy              | <input type="checkbox"/> debt/collections             | <input type="checkbox"/> utilities             | <input type="checkbox"/> tax issues            |
|                         | <input type="checkbox"/> other, specify: _____   |   |  |  |
| b) Education:           | <input type="checkbox"/> disability rights       | <input type="checkbox"/> discipline/expulsion         | <input type="checkbox"/> discrimination        | <input type="checkbox"/> enrollment            |
|                         | <input type="checkbox"/> other, specify: _____   |   |  |  |
| c) Employment:          | <input type="checkbox"/> disability rights       | <input type="checkbox"/> discrimination               | <input type="checkbox"/> wages                 | <input type="checkbox"/> workers' compensation |
|                         | <input type="checkbox"/> wrongful termination    | <input type="checkbox"/> other, specify: _____        |  |  |
| d) Family:              | <input type="checkbox"/> child support           | <input type="checkbox"/> custody/visitation/paternity | <input type="checkbox"/> divorce               |  |
|                         | <input type="checkbox"/> partner/dating violence | <input type="checkbox"/> other, specify: _____        |  |  |
| e) Government Benefits: | <input type="checkbox"/> disability              | <input type="checkbox"/> food stamps                  | <input type="checkbox"/> unemployment          | <input type="checkbox"/> cash assistance       |
|                         | <input type="checkbox"/> other, specify: _____   |   |  |  |
| f) Health Insurance:    | <input type="checkbox"/> Medicaid                | <input type="checkbox"/> Medicare                     | <input type="checkbox"/> private insurance     |  |
|                         | <input type="checkbox"/> other, specify: _____   |   |  |  |
| g) Housing:             | <input type="checkbox"/> disability rights       | <input type="checkbox"/> discrimination               | <input type="checkbox"/> foreclosure/loan      | <input type="checkbox"/> landlord/tenant       |
|                         | <input type="checkbox"/> public housing          | <input type="checkbox"/> loss of home                 | <input type="checkbox"/> other, specify: _____ |  |
| h) Immigration:         | <input type="checkbox"/> citizenship             | <input type="checkbox"/> deportation                  | <input type="checkbox"/> work permit           | <input type="checkbox"/> visa                  |
|                         | <input type="checkbox"/> other, specify: _____   |   |  |  |
| i) Other, Specify:      | _____  |   |  |  |

**20. If yes, why was your organization unable to meet the request? Check all that apply.**

- |   |   |
|---|---|
| <input type="checkbox"/> The party making the request fell outside eligibility guidelines/population served by the agency | <input type="checkbox"/> My agency did not have adequate resources to handle the matter |
| <input type="checkbox"/> The subject area fell outside organization's mission/expertise                                   | <input type="checkbox"/> There was no legal remedy to the matter                        |
| <input type="checkbox"/> The matter did not involve a civil legal issue   | <input type="checkbox"/> We did not want to duplicate services                          |
| <input type="checkbox"/> Other, specify: _____  | <input type="checkbox"/> We could not meet all of the victims' needs                    |
|   | <input type="checkbox"/> Language barriers prevented us from providing services         |

**21. Do you know where to refer people who need civil legal assistance?**

- Yes, please explain: \_\_\_\_\_  
 No, please explain: \_\_\_\_\_  
 Some, but not all of the help was useful, please explain: \_\_\_\_\_

**22. Do you refer clients to civil legal services?**

- Yes  
 No (skip to Q. 24)

**23. If yes, where do you refer them?** \_\_\_\_\_ (skip to Q. 25)

**24. If no, why not?** \_\_\_\_\_

**25. Has your agency taken a pro bono case in the last 2 years?**

- Yes  
 No  
 Does not apply

The next few questions are about the use of a technology as a means to provide civil legal services to victims.

**26. Do you believe the following online tools would be a helpful resource for crime victims? Check all that apply.**

- |  |  |
|--|--|
| <input type="checkbox"/> A “Victims’ Services Screening Tool” that would help crime victims identify their civil legal needs and refer them to appropriate resources available in their area | <input type="checkbox"/> A live chat service online for victims to get help finding useful resources   |
| <input type="checkbox"/> Online self-help information (such as brochures, frequently asked questions, and self-advocacy information) available on a website such as LawHelpNY.org            | <input type="checkbox"/> A virtual help program for victims to speak to an attorney via video conferencing from offices of victims’ advocates and service providers                      |
| <input type="checkbox"/> An online directory of legal and related social services available, searchable by location, to aid victims in their search for assistance                           | <input type="checkbox"/> An interactive online program designed to help victims prepare legal or court forms themselves  |
| <input type="checkbox"/> Other, specify: _____   | <input type="checkbox"/> An online program, available in English and Spanish, that would enable approved advocates to remotely e-file orders of protection for domestic violence victims |

**27. Would you be likely to refer victims to the types of resources identified above?**

- Yes (skip to Q. 29)  
 No  
 Maybe

**28. If no or maybe, please indicate why. Check all that apply.**

- |  |  |
|--|--|
| <input type="checkbox"/> Victims are unlikely to feel comfortable using the internet | <input type="checkbox"/> Security/Privacy concerns that victims face                                     |
| <input type="checkbox"/> Access to the internet is an obstacle for clients           | <input type="checkbox"/> Language access barriers  |
| <input type="checkbox"/> Access to computers is an obstacle for clients              | <input type="checkbox"/> Disability access issues  |
| <input type="checkbox"/> Other, specify: _____                                       | <input type="checkbox"/> It is more likely that we would use these services as advocates to help victims |

**29. Finally, if your agency could obtain additional resources to enhance its ability to provide civil legal services to crime victims, what are the top three services for which these resources should be used?**

1. \_\_\_\_\_  
 2. \_\_\_\_\_  
 3. \_\_\_\_\_

Thank you for taking part in this survey. We greatly appreciate your time.

As part of this needs assessment, University of New York at Albany researchers are planning to conduct brief follow-up telephone interviews and/or focus groups with victim service providers in order to gather more in-depth information of victim services and the needs of victims of crime in New York. If you would be willing to participate in a brief follow-up interview and/or focus group, please provide your contact information below:

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

**Or contact us:**

Susan Ehrhard-Dietzel  
Email: [sdietzel@albany.edu](mailto:sdietzel@albany.edu)  
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Richardson Hall 315  
Albany, NY 12222

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### 1.3 Focus Group Questions for Crime Victims

**Facilitators:**

**# of Participants:**

**Location:**

**Date:**

**Start time:**

**End time:**

Good morning/afternoon/evening. Thank you for taking the time to speak with us. My name is Susan Dietzel, and this is \_\_\_\_\_. We work for the Center for Human Services Research at the University at Albany. We are conducting focus groups throughout the state for the NYS Office of Victim Services. The purpose of the groups is to understand the service needs of people who have been harmed by a crime. We want to talk about any problems you had as a result of being victimized and the challenges you faced in getting any help that you needed.

We realize this may be a sensitive topic, and we want to assure you that everything you say will be kept confidential. We will not use names or other identifying information in any reports. If it's ok with all of you, we'll take some notes while you talk, and we would like to record the discussion. This will help us focus our attention to the discussion and fill in any gaps in our notes. Only the research team will listen to the tape. Is it ok if we record the discussion? *(If anyone hesitates or objects, reassure them that the tape will be destroyed; do not record if hesitation or objection remains.)* The results of the focus groups will be used to help improve the provision of services to individuals who have been harmed by a crime.

Please remember that there are no right or wrong answers. We realize that your experiences may differ, and that is okay. The purpose of this discussion is to understand your experiences, not judge them. We want to take this time to learn more about why people who have been harmed by a crime do or do not seek services for help with any problems they may face after the crime. These problems may include help with:

- Money/Finances-debt issues, tax issues etc.
- Education-discipline/expulsion, discrimination etc.
- Employment-workers compensation, wrongful termination, disability rights etc.
- Family-custody, child support, partner/dating violence etc.
- Government Benefits-unemployment, cash assistance, food stamps etc.
- Health Insurance-Medicaid, Medicare, private insurance etc.
- Housing-loans/foreclosure, discrimination, public housing, landlord/tenant issues etc.
- Immigration-work permit, visa, deportation, citizenship etc.

As you can see, the list *(provide a handout)* shows examples of problems you may have had after your crime happened. We are only interested in problems you had as a direct result of being a victim of a crime or problems that were made worse because you were a victim of a crime. The handout includes some examples to clarify what we mean by this. *(Review the examples to be sure the group understands the purpose of the discussion and to warm them up.)*

Are there any questions before we get started?

**I'd like to begin by talking about specific problems you have may have faced as a result of your victimization.**

- 1) How many of you experienced problems with money or finances, such as bankruptcy, going into debt, paying utilities, tax issues etc.?
  - a) How well did you know where to go, who to talk to for help or information about legal services?
    - i) What made it easy or hard to figure out where to go and who to talk to?
  - b) Did you seek help from anyone to deal with these problems?
  - c) Who did you seek help from?
 

*Probe: informal resources such as family, friends, clergy etc., and formal resources such as victim service organizations, government agencies, medical staff, paralegal, attorney etc.*
  - d) What kind of help did you receive?
 

*Probe: help with preparing forms/documents, monetary/financial help, legal advice, accompaniment to legal proceedings, help with housing or transportation etc.*

- e) Was this help useful/was it what you needed?
    - i) Why/why not?
  - f) What kind of help did you need but not get?
    - i) What do you think prevented you from getting the help that you needed?  
*Probe for reasons: services too expensive or too far away, services not trauma informed or culturally sensitive, time consuming process etc. (If need be, probe further for trauma informed services, e.g. did you feel that the service provider/s were understanding of any trauma you experienced as a victim? If no, would it have been helpful to you if they were?)*
  - g) How easy/difficult was it for you to know if you needed legal help for your problem/s?
- 2) How many of you experienced problems with education, such as discipline or expulsion, enrollment, disability rights, discrimination etc.?
- a) Repeat questions a-f from above
- 3) How many of you experienced problems with employment, such as workers compensation, wrongful termination, issues with wages, disability rights, discrimination etc.?
- a) Repeat questions a-f from above
- 4) How many of you experienced problems with family issues, such as child support, custody/visitation/paternity, divorce, partner/dating violence etc.?
- a) Repeat questions a-f from above

**Again, I want us to remember that we are talking about issues that you may have faced as a result of your victimization, such as those on the handout.**

- 5) How many of you experienced problems with government benefits, such as food stamps/SNAP, cash assistance, unemployment, disability rights etc.?
- a) Repeat questions a-f from above
- 6) How many of you experienced problems with health insurance, such as Medicaid, Medicare, private insurance etc.?
- a) Repeat questions a-f from above
- 7) How many of you experienced problems with housing, such as loan payments/foreclosure, landlord/tenant issues, public housing issues, loss of home, disability rights, discrimination etc.?
- a) Repeat questions a-f from above
- 8) How many of you experienced problems with immigration, such as work permits, visa issues, citizenship, deportation etc.?
- a) Repeat questions a-f from above

**Now I would like to hear your thoughts about different ways that people can get legal assistance. Many of us may have an image of sitting across a desk from someone and talking face to face. Let's think differently about what would make a difference in getting legal help. I have a couple of ideas, and I would appreciate any feedback.**

- 9) What if there was a toll free number that you could call to get advice?
- a) What, if any, concerns would you have about getting legal advice or information over the phone?  
*Probe: confidentiality concerns, help with filling out forms, if the hotline was only available during business hours, if you had to wait on hold for a while to speak with someone, or wait for a call-back*
- 10) What about the Internet?
- a) Are you comfortable using the Internet to get information?
  - b) Would you use the Internet to search for legal advice or information?
  - c) What, if any, concerns would you have about searching for legal advice or information on-line?
  - d) Would you trust the legal advice or information you receive over the Internet as much as if you were having a conversation with an attorney or paralegal in person?
  - e) Would you be concerned about your privacy?



*Probe: confidentiality concerns, being able to erase your browser history, using a computer you share with other people*

- f) Let's spend a few minutes talking about the layout of a website and the features on it. Show mock-ups of a website with legal rights resources, interactive online forms, information about how to find in-person legal assistance, and a live-chat option.
- i. What is your overall impression of this website?
  - ii. Would you trust the information on it?
  - iii. What features of it would you be likely to use?
  - iv. Is there anything you find confusing about it?
- 11) As a result of your experience, what advice would you give to service providers seeking to meet the civil legal (non-criminal) needs of victims of crime, such as the needs listed on the handout?
- a) Are there services that could be created to make things better for victims of crime with civil legal needs (on-line guidance for filling out forms, better coordination/ communication among service providers etc.)?
  - b) What do you think are the best ways to help victims access and utilize legal resources?

Thank you so much for taking the time to speak with us today and share your thoughts and experiences.

These questions were produced by Center for Human Services Research under Grant No. 2014-XV-BX-K009, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

## 1.4 Focus Group Questions for Service Providers

**Facilitators:**

**# of Participants:**

**Location:**

**Date:**

**Start time:**

**End time:**

Good morning/afternoon/evening. Thank you for taking the time to speak with us. My name is Susan Dietzel, and this is \_\_\_\_\_ . We work for the Center for Human Services Research at the University at Albany. In partnership with Empire Justice Center and Pro Bono Net, we are conducting focus groups throughout the state for the NYS Office of Victim Services. The purpose of the groups is to understand the service needs of people who have been harmed by a crime and how those needs are met. As part of this goal, we are also conducting focus groups with victims of crime. Today we want to talk with you about how services are provided to victims of crime and any challenges to providing services and receiving referrals for services.

The purpose of this discussion is to learn more about how services are provided; any challenges or barriers to doing so; and how an on-line network could assist with providing services, particularly civil legal services, to victims of crime. When we think about victims of crime, many of us think about victims of domestic violence, assault, sexual assault, and others. While this is certainly part of being a victim of a crime, we also want you to consider other types of victimization such as burglary, identity theft, DUI accidents, and elder abuse, among others. We want you to think about the variety of civil legal services that may be needed because someone has been a victim of a crime. Services may include:

- Money/Finances-debt issues, tax issues etc.
- Education-discipline/expulsion, discrimination etc.
- Employment-workers compensation, wrongful termination, disability rights etc.
- Family-custody, child support, partner/dating violence etc.
- Government Benefits-unemployment, cash assistance, food stamps etc.
- Health Insurance-Medicaid, Medicare, private insurance etc.
- Housing-loans/foreclosure, discrimination, public housing, landlord/tenant issues etc.
- Immigration-work permit, visa, deportation, citizenship etc.

As you can see, the list (*provide a handout*) shows examples of problems that individuals may have had after their crime happened. (*Review the examples to be sure the group understands the purpose of the discussion and to warm them up.*)

We want to assure you that everything you say will be kept confidential. We will not use names or other identifying information in any reports. If it's ok with all of you, we'll take some notes while you talk, and we would like to record the discussion. This will help us focus our attention to the discussion and fill in any gaps in our notes. Only the research team will listen to the tape. Is it ok if we record the discussion? (*If anyone hesitates or objects, reassure them that the tape will be destroyed; do not record if hesitation or objection remains.*) The results of the focus groups will be used to help improve the provision of services to victims of crime.

Are there any questions before we get started?

**As service providers, let's talk about how victims get to you.**

1. I'd like to start by asking each of you what types of services your organization provides. (*This includes services more generally, but be sure to probe for services specific to/that would assist victims of crime.*)
2. For those of you who specifically provide services to crime victims, how do victims of crime become aware of your services?
  - a. How do you provide outreach about your services?  
*Probe: pamphlets, fliers, web/Internet, visits with other agencies etc.*
3. For all of you (regardless of whether or not you provide services directly to crime victims in particular), what, if any, are the specific challenges or barriers you have experienced with providing referrals to victims of crime/s?  
*Probe: agencies' awareness of available services, knowing who to contact in an agency, following up with an agency etc.*
4. What, if any, are the specific challenges or barriers you have experienced with receiving crime victim referrals from other agencies?

5. How do crime victims access your services?
  - a. What strategies have you found to be most effective in facilitating clients' access to services, specifically civil legal services?  
*Probe: providing help over the phone or email, providing transportation assistance to services, providing resources-lists of pro bono attorneys/legal assistance organizations etc.*
  - b. What strategies have you found to be least effective and why?
6. Do you inform clients of their rights as a crime victim (regardless of whether or not you provide services directly to crime victims in particular)?  
*Probe: right to file for victim compensation, right to a free copy of a police report, right to file a civil suit against perpetrator to cover expenses such as economic losses or pain & suffering etc.*

**Let's talk about the types of civil legal assistance victims of crime most often express a need for and the barriers to meeting those needs.**

7. What types of civil legal assistance do victims of crime most frequently express a need for as a result of their victimization?  
*Probe: employment, landlord/tenant issues, immigration assistance, help with child custody proceedings*
  - a. In the course of talking with victims, how often do you discover civil legal needs that that victims were unaware of (in addition to the needs they express)?
  - b. What types of civil legal needs most often go unmet?
    - i. Why do you believe these needs go unmet?  
*Probe: lack of funding for services, victims' lack of awareness of services, victims' lack of access to services etc.*
8. From your perspective, who are the most underserved crime victims? (This may mean victims of specific crimes or victims in specific demographic groups, e.g. immigrants, LBTQ etc.)
  - a. Are there specific populations or groups with specialized [civil legal] needs that are not being addressed through crime victims' services?
  - b. Why are these crime victims underserved?  
*Probe: cultural barriers, lack of funding for specific services etc.*

**Let's talk about strategies for helping victims overcome barriers to obtaining civil legal assistance. I'd like to discuss your thoughts about this more generally and then focus on how an on-line network could assist victims. We want to think about how an on-line network could help you provide a holistic response to victims of crime-help to address current challenges to the provision of civil legal services to victims of crime.**

9. What are some strategies and available resources for helping victims overcome barriers to obtaining civil legal assistance?
  - a. What strategies have you found do not work and why?
  - b. What are your suggestions for how to help victims of crime know what civil legal services are available to them?
  - c. What are your suggestions for how to help victims of crime access those services?
  - d. In what ways can an on-line network assist crime victims who need civil legal services?  
*Probe: an email based inquiry service, live chatting with trained staff or volunteers, FAQs, guidance on preparing legal forms, remote review of those forms by an attorney, etc.?*
10. We talked earlier about challenges to providing and receiving referrals, and we just talked about an on-line network. In what ways can an on-line network help to address challenges or barriers to providing or receiving referrals for services?  
*Probe: a universal intake form, FAQs, a listing of service providers with detailed referral criteria etc.*
  - a. In what ways can an on-line network help you provide comprehensive services to your clients?  
*Probe: by offering resources on trainings, providing information on case law, access to more comprehensive legal rights resources to provide to victims*
  - b. What, if any, concerns do you have about sharing information as part of an on-line network?  
*Probe: confidentiality concerns (ask for specifics), would you be open to using a shared intake form, how do you feel about using release of information waivers etc.*
11. What do you think are the best ways to help victims access civil legal help?
  - a. What recommendations (other than additional funding) do you have for improving civil legal assistance for crime victims in New York? Please try to think of suggestions that explore the use of technology to help expand access to services or could be addressed as part of an on-line network.
12. We just talked about accessing resources, what do you think are the best ways to help victims utilize legal resources? *(Do not ask the question if the answer was covered in the discussion of the previous question.)*

## 1.5 Interview Questions for Attorneys

**Facilitators:**

**# of Participants:**

**Location:**

**Date:**

**Start time:**

**End time:**

Good morning/afternoon/evening. Thank you for taking the time to speak with me. My name is Susan Dietzel, and I work for the Center for Human Services Research at the University at Albany. In partnership with the NYS Office of Victim Services, Empire Justice Center and Pro Bono Net, we are conducting interviews with legal service providers throughout the state. We want to understand how the civil legal needs of people who have been harmed by a crime are or are not met. We are also conducting surveys and focus groups with service providers and with victims of crime.

The purpose of these discussions is to learn more about how civil legal services are provided, any challenges or barriers to doing so, and how an on-line network could assist with providing civil legal services to victims of crime. This work is being done to inform the development of an on-line network that will assist service providers and victims of crime to access and utilize civil legal resources.

When we think about victims of crime, many of us think about victims of domestic violence, assault, sexual assault, and others. While this is certainly part of being a victim of a crime, we also want you to consider other types of victimization such as burglary, identity theft, DUI accidents, and elder abuse, among others. We want you to think about the variety of civil legal services that may be needed because someone has been a victim of a crime. Services may include (*may not need to read this entire list*):

- Money/Finances-debt issues, tax issues etc.
- Education-discipline/expulsion, discrimination etc.
- Employment-workers compensation, wrongful termination, disability rights etc.
- Family-custody, child support, partner/dating violence etc.
- Government Benefits-unemployment, cash assistance, food stamps etc.
- Health Insurance-Medicaid, Medicare, private insurance etc.
- Housing-loans/foreclosure, discrimination, public housing, landlord/tenant issues etc.
- Immigration-work permit, visa, deportation, citizenship etc.

We want to assure you that everything you say will be kept confidential. We will not use names or other identifying information in any reports. If it's ok with you, we would like to record the interview. (*If the interviewee hesitates or objects, reassure him/her that the tape will be destroyed; do not record if hesitation or objection remains.*)

Are there any questions before we get started?

1. What types of civil legal assistance do victims of crime most frequently express a need for as a result of their victimization?

*Probe: Employment, landlord/tenant issues, immigration assistance, help with child custody proceedings*

a. How do clients become aware of your services?

i. What agencies/organizations do you receive referrals from?

ii. Do victims already know of their rights for services such as financial compensation when they come to you?

1. If not, do you inform clients of their rights as a crime victim?

*Probe: right to file for victim compensation, right to a free copy of a police report, right to file a civil suit against perpetrator to cover expenses such as economic losses or pain & suffering etc.*

2. What types of civil legal needs most often go unmet?

a. Why do you believe these needs go unmet?

*Probe: lack of funding for services, victims' lack of awareness of services, victims' lack of access to services etc.*

b. Where do you refer individuals who have civil legal needs that you are unable to meet?

*Probe: Law school clinics, social service agencies, on-line resources, pro bono help etc.*

3. From your perspective, who are the most underserved crime victims? (This may mean victims of specific crimes or victims in specific demographic groups, e.g. immigrants, LBTQ etc.)

*Probe: Are there specific populations or groups with specialized [civil legal] needs that are not being addressed through crime victims' services?*

- a. Why are these crime victims underserved?

*Probe: Inability to afford legal representation, lack of available attorneys (esp. in rural areas), lack of awareness about what an attorney could do etc.*

**Let's talk about strategies for helping victims overcome barriers to obtaining civil legal assistance. I'd like to discuss your thoughts about this more generally and then focus on how an on-line network could assist victims.**

4. What are some strategies and available resources for helping victims overcome barriers to obtaining civil legal assistance?

- a. What are your suggestions for how to help victims of crime know what civil legal services are available to them?  
b. What are your suggestions for how to help victims of crime access those services?

5. What do you think are the best ways to help victims access legal help?

- a. What recommendations (other than additional funding) do you have for improving civil legal assistance for crime victims in New York? Please try to think of suggestions that explore the use of technology to help expand access to services or could be addressed as part of an on-line network.  
b. Do you think a centralized online triage for crime victims would help improve access? (an online "gateway" where crime victims can go to help understand their legal needs, and access tailored information and referrals?)  
c. What do you think of the current on-line legal information that is available to New Yorkers (e.g. CourtHelp, LawHelpNY, NYS OVS referral directory)?  
i. Do you refer individuals to these resources? Why/Why not?  
ii. In what ways are/aren't the sites user-friendly?

6. How would you improve on-line resources for civil legal services for crime victims?

*Probe: Provide an email based inquiry service, live chatting with trained staff or volunteers, FAQs, online legal forms and guidance on preparing them, remote review of those forms by an attorney, etc.?*

- a. What specific populations or civil legal issues should an on-line network be sure to address?  
i. What specific content/information should be available on-line?  
b. Do you feel that parties would have a better outcome with education of "how to" get help (e.g. plain language self-help information such as how to fill out legal forms or how to get assistance—financial, housing, etc. as a result of being a victim of a crime, how to find an attorney)?

7. In what ways can an on-line network help you provide comprehensive services to your clients?

*Probe: By improving access to referral information, offering resources on trainings, providing, access to more comprehensive legal rights resources to provide to victims*

- a. What, if any, concerns do you have about sharing information as part of an on-line network?  
*Probe: confidentiality concerns (ask for specifics), would you be open to using a shared intake form, how do you feel about using release of information waivers etc.*  
b. Would you be interested in sharing and accessing advocate resources through this online network (e.g. training materials and resources, a calendar of upcoming events, etc.)?  
i. If yes, what types of resources?  
c. In what ways can an on-line network facilitate the role of non-lawyers in helping crime victims meet their civil legal needs?

8. We just talked about accessing resources, what do you think are the best ways to help victims utilize legal resources? (Do not ask the question if the answer was covered in the discussion of the previous questions.)

**Finally, I would just like to ask you a few demographic questions**

9. What geographic area does your work encompass/what cities or counties do you work in?

10. How long have you been in your current position?

- Less than a year  
 1-5 years  
 6-10 years  
 More than 10 years

11. What population does your organization serve? **Check all that apply.**

- Men
- Women
- Seniors
- Disabled
- LGBTQ
- Immigrants
- Children
- Ethnic/racial/cultural groups, please specify: \_\_\_\_\_
- All-inclusive/no primary population
- Other, specify: \_\_\_\_\_

*Thank you for your time!*

## 1.6 Interview Questions for Law Clinic Faculty

**Facilitators:**

**Date:**

**# of Participants:**

**Start time:**

**Location:**

**End time:**

Good morning/afternoon/evening. Thank you for taking the time to speak with me. My name is Susan Dietzel, and I work for the Center for Human Services Research at the University at Albany. In partnership with the NYS Office of Victim Services, Empire Justice Center and Pro Bono Net, we are conducting interviews with legal service providers throughout the state. We want to understand how the civil legal needs of people who have been harmed by a crime are or are not met. We are also conducting surveys and focus groups with service providers and with victims of crime.

The purpose of these discussions is to learn more about how civil legal services are provided, any challenges or barriers to doing so, and how an on-line network could assist with providing civil legal services to victims of crime. This work is being done to inform the development of an on-line network that will assist service providers and victims of crime to access and utilize civil legal resources.

When we think about victims of crime, many of us think about victims of domestic violence, assault, sexual assault, and others. While this is certainly part of being a victim of a crime, we also want you to consider other types of victimization such as burglary, identity theft, DUI accidents, and elder abuse, among others. We want you to think about the variety of civil legal services that may be needed because someone has been a victim of a crime. Services may include (*may not need to read this entire list*):

- Money/Finances-debt issues, tax issues etc.
- Education-discipline/expulsion, discrimination etc.
- Employment-workers compensation, wrongful termination, disability rights etc.
- Family-custody, child support, partner/dating violence etc.
- Government Benefits-unemployment, cash assistance, food stamps etc.
- Health Insurance-Medicaid, Medicare, private insurance etc.
- Housing-loans/foreclosure, discrimination, public housing, landlord/tenant issues etc.
- Immigration-work permit, visa, deportation, citizenship etc.

We want to assure you that everything you say will be kept confidential. We will not use names or other identifying information in any reports. If it's ok with you, we would like to record the interview. (*If the interviewee hesitates or objects, reassure him/her that the tape will be destroyed; do not record if hesitation or objection remains.*)

Are there any questions before we get started?

1. What is the role of your clinics & law students in helping crime victims access civil legal services?

a. How many clinics do you have?

i. Do the clinics operate year round, or only when school is in session?

b. What geographic area (cities, counties) do your clinics serve?

c. What populations do your clinics serve?

*Probe: ask respondent what types of civil legal issues the clinics primarily assist with (e.g. employment, immigration etc.)*

d. Does your clinic/do your clinics screen clients for being victims of crime?

2. What types of civil legal assistance do victims of crime most frequently express a need for as a result of their victimization?

*Probe: Employment, landlord/tenant issues, immigration assistance, help with child custody proceedings*

a. How do clients become aware of your services?

i. What agencies/organizations do you receive referrals from?

1. Do you communicate with courts and the DA's office in identifying clients?

ii. Do victims already know of their rights for services such as financial compensation when they come to you?

1. Do any of your clinics specifically help clients have their rights as a crime victim enforced?

*Probe: right to file for victim compensation, right to a free copy of a police report, right to file a civil suit against perpetrator to cover expenses such as economic losses or pain & suffering etc.*

## The Civil Legal Needs of Victims of Crime in New York State:

An Assessment of the Issues, Services, and Challenges in Meeting the Civil Legal Needs of Victims

3. What types of civil legal needs most often go unmet?
  - a. Why do you believe these needs go unmet?  
*Probe: lack of funding for services, victims' lack of awareness of services, victims' lack of access to services etc.*
4. From your perspective, who are the most underserved crime victims? (This may mean victims of specific crimes or victims in specific demographic groups, e.g. immigrants, LBTQ etc.)  
*Probe: are there specific populations or groups with specialized [civil legal] needs that are not being addressed through crime victims' services?*
  - a. Why are these crime victims underserved?  
*Probe: inability to afford legal representation, lack of available attorneys (esp. in rural areas), lack of awareness about what an attorney could do etc.*

### **Let's talk about strategies for helping victims overcome barriers to obtaining civil legal assistance. I'd like to discuss your thoughts about this more generally and then focus on how an on-line network could assist victims.**

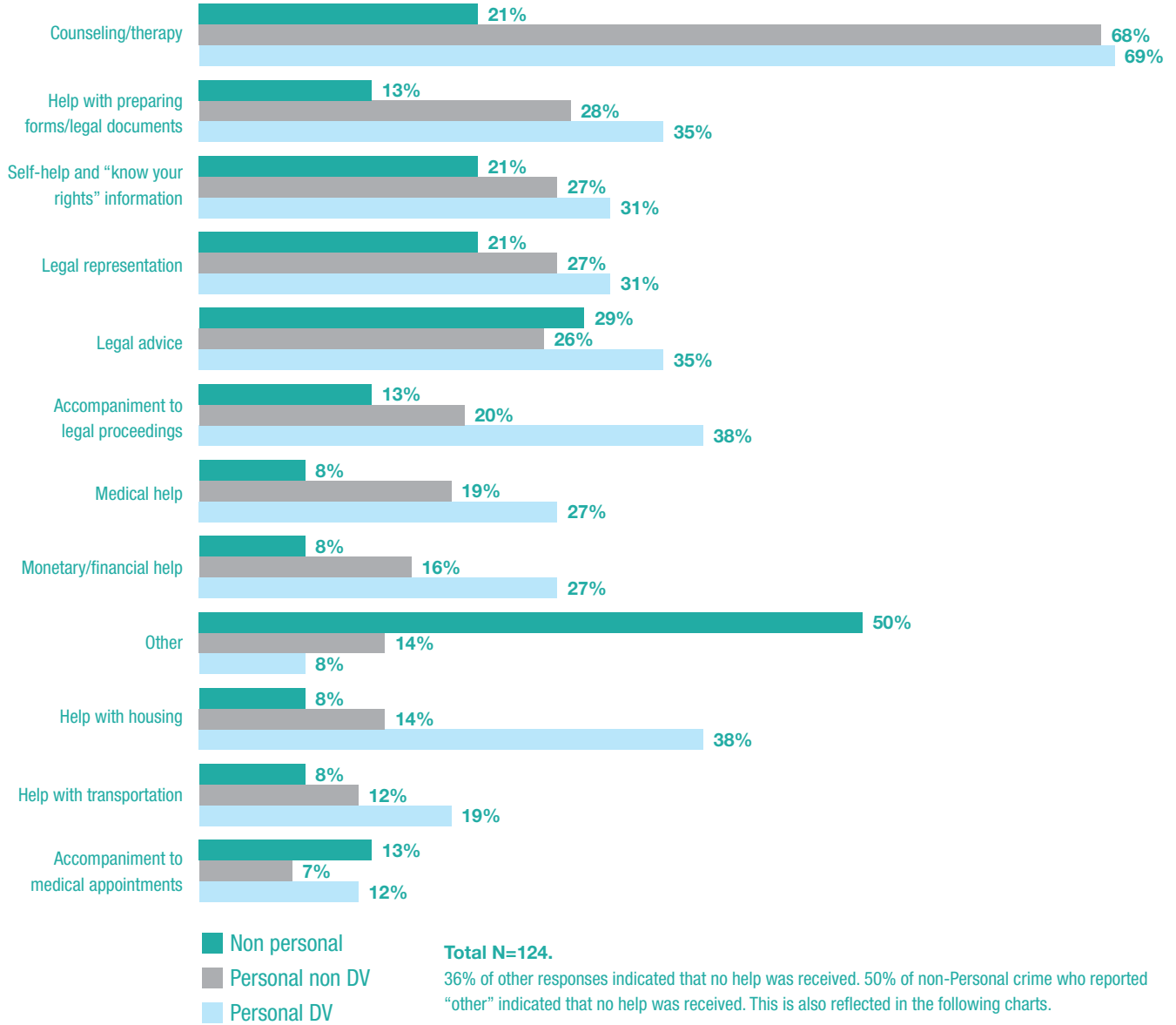
5. What are some strategies and available resources for helping victims overcome barriers to obtaining civil legal assistance?
  - a. What are your suggestions for how to help victims of crime know what civil legal services are available to them?
  - b. What are your suggestions for how to help victims of crime access those services?
6. What do you think are the best ways to help victims access legal help?
  - a. What recommendations (other than additional funding) do you have for improving civil legal assistance for crime victims in New York? Please try to think of suggestions that explore the use of technology to help expand access to services or could be addressed as part of an on-line network.
  - b. Do you think a centralized online triage for crime victims would help improve access? (an online "gateway" where crime victims can go to help understand their legal needs, and access tailored information and referrals?)
  - c. Do you think your clients would utilize on-line tools to access civil legal services?
  - d. What do you think of the current on-line legal information that is available to New Yorkers (e.g. CourtHelp, LawHelpNY, NYS OVS referral directory)?
    - i. Do you refer individuals to these resources? Why/Why not?
    - ii. In what ways are/aren't the sites user-friendly?
7. How would you improve on-line resources for civil legal services for crime victims?  
*Probe: provide an email based inquiry service, live chatting with trained staff or volunteers, FAQs, online legal forms and guidance on preparing them, remote review of those forms by an attorney, etc.?*
  - a. What specific populations or civil legal issues should an on-line network be sure to address?
    - i. What specific content/information should be available on-line?
  - b. Do you feel that parties would have a better outcome with education of "how to" get help (e.g. plain language self-help information such as how to fill out legal forms or how to get assistance—financial, housing, etc. as a result of being a victim of a crime, how to find an attorney)?
8. In what ways can an on-line network help you provide comprehensive services to your clients?  
*Probe: by improving access to referral information, offering resources on trainings, providing access to more comprehensive legal rights resources to provide to victims*
  - a. What, if any, concerns do you have about sharing information as part of an on-line network?  
*Probe: confidentiality concerns (ask for specifics), would you be open to using a shared intake form, how do you feel about using release of information waivers etc.*
  - b. Would you be interested in sharing and accessing advocate resources through this online network (e.g. training materials and resources, a calendar of upcoming events, etc.)?
    - i. If yes, what types of resources?
  - c. In what ways can an on-line network assist in training needs for your students?
    - i. Particularly training needs regarding cultural competency and being trauma informed?
  - d. In what ways can an on-line network facilitate the role of non-lawyers in helping crime victims meet their civil legal needs?
9. We just talked about accessing resources, what do you think are the best ways to help victims utilize legal resources? (*Do not ask the question if the answer was covered in the discussion of the previous questions.*)



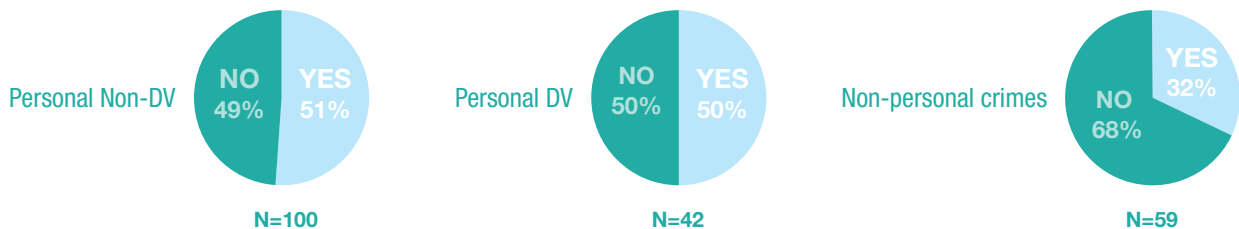


# APPENDIX 2

## KIND OF HELP RECEIVED BY VICTIM TYPE

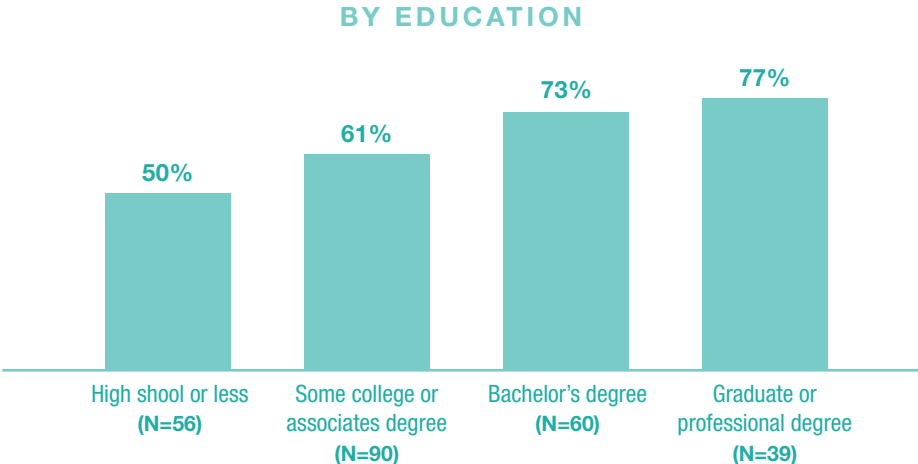
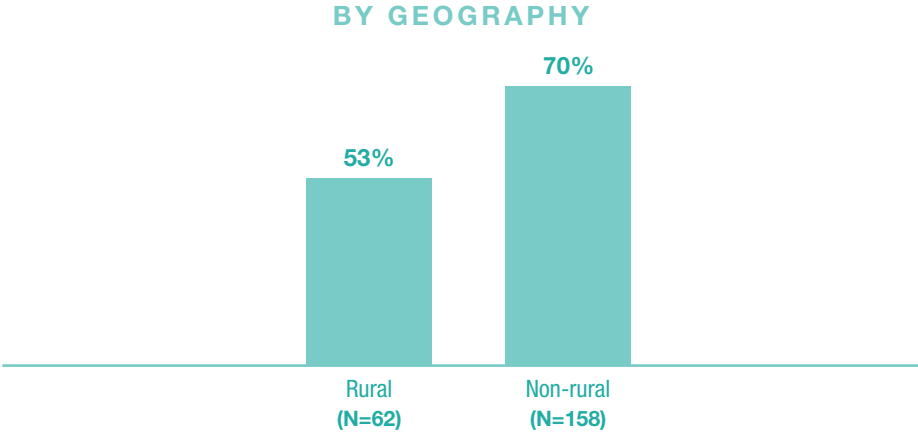
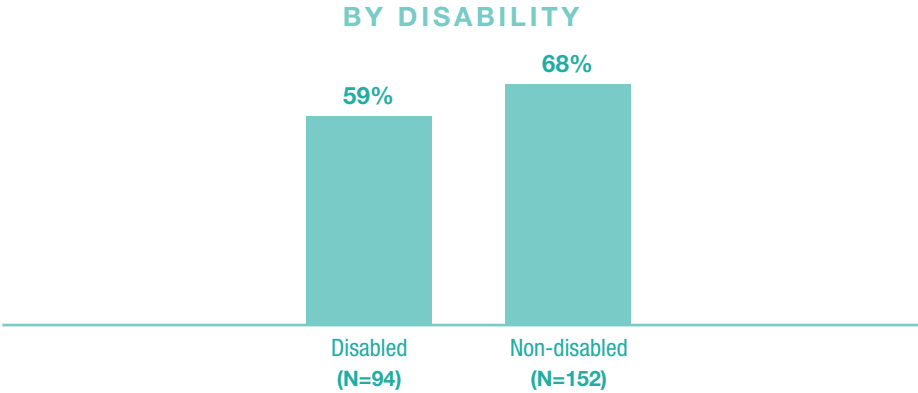


## DO YOU KNOW WHERE TO FIND CIVIL LEGAL HELP (BY CRIME TYPE)?



# APPENDIX 3

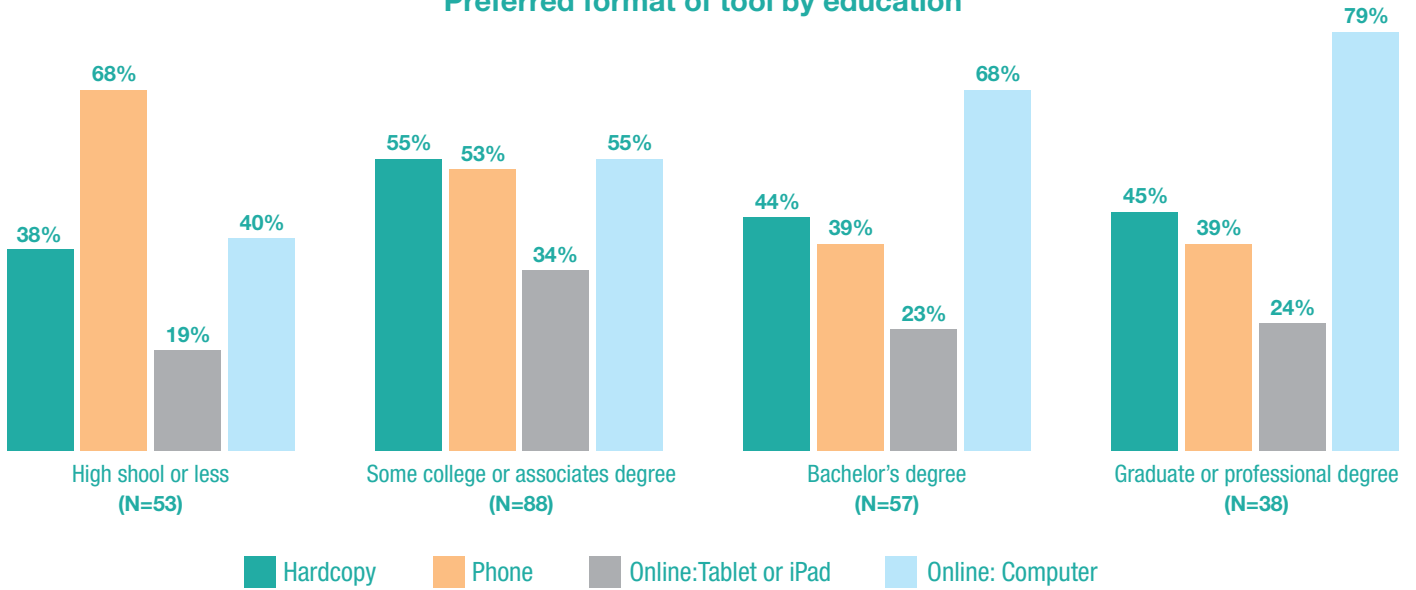
WOULD YOU CONSIDER USING AN ONLINE TOOL TO IDENTIFY YOUR CIVIL LEGAL NEEDS? (PERCENTAGE THAT SAID "YES" BY DEMOGRAPHICS)



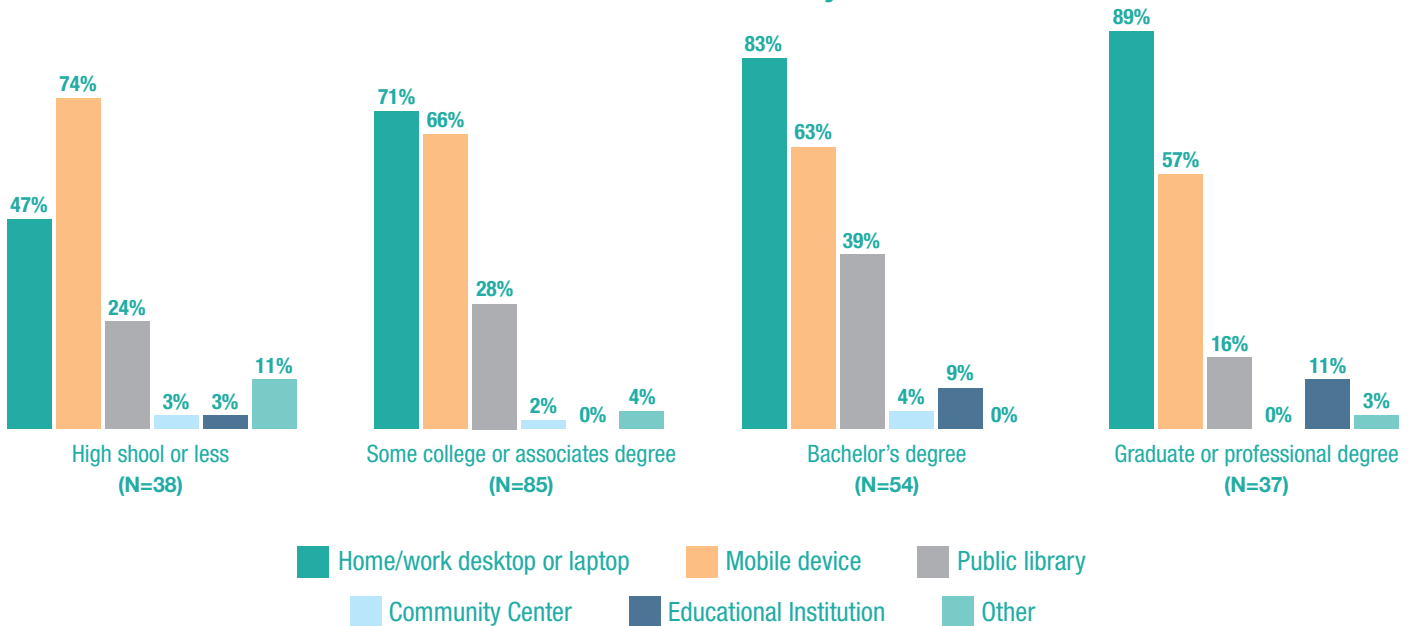
# APPENDIX 4

## PREFERRED FORMAT OF TOOL AND WHERE INTERNET IS ACCESSED, BY DEMOGRAPHICS

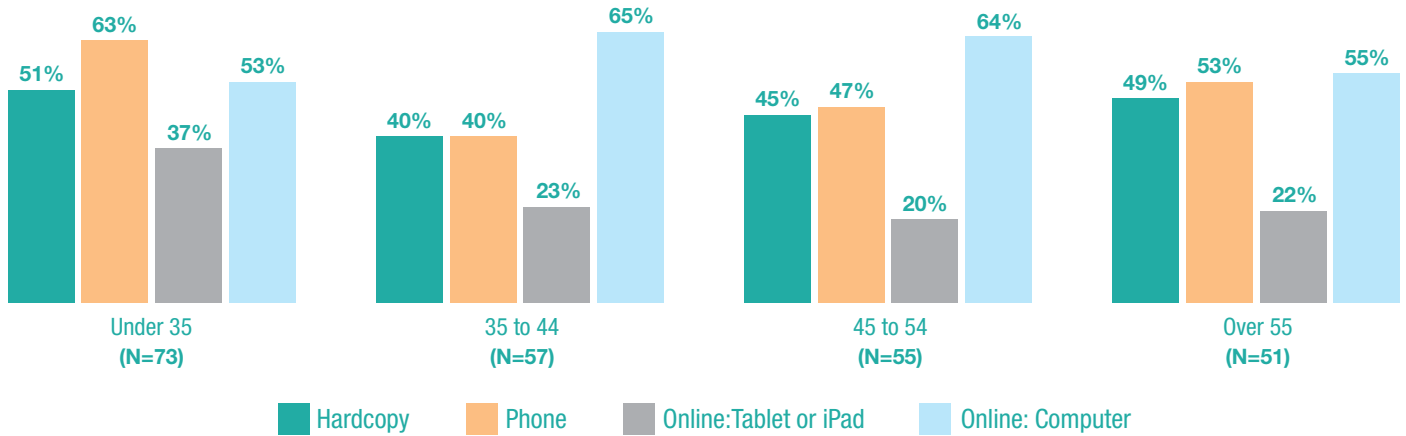
Preferred format of tool by education



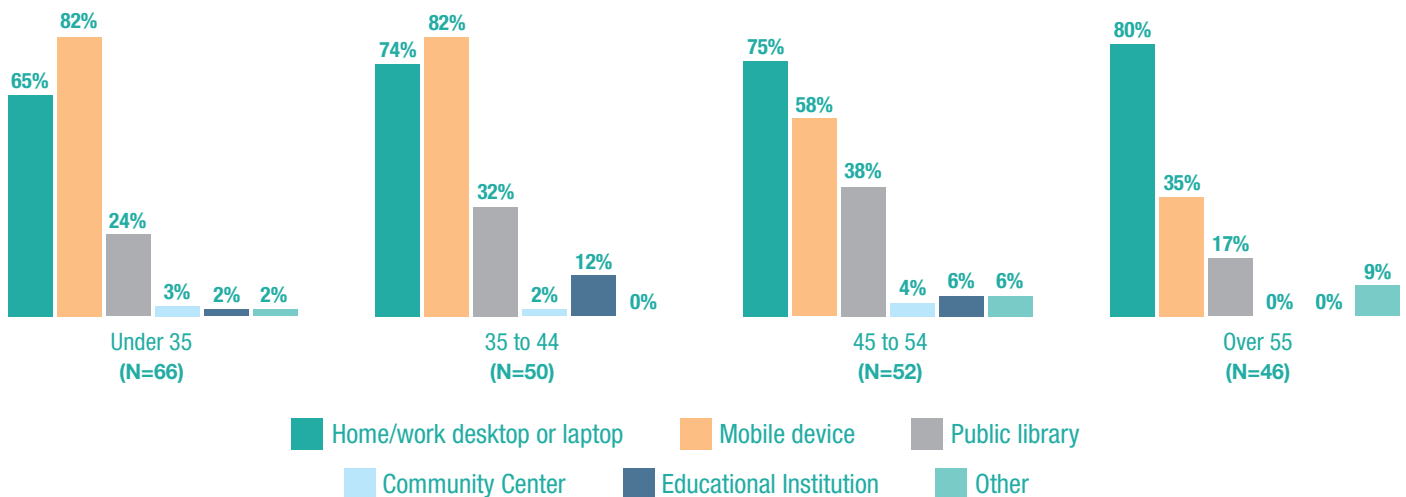
Where internet is accessed by education



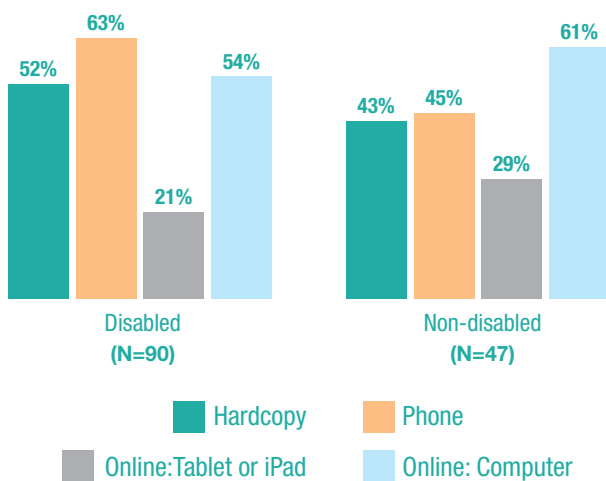
Preferred format of tool by age



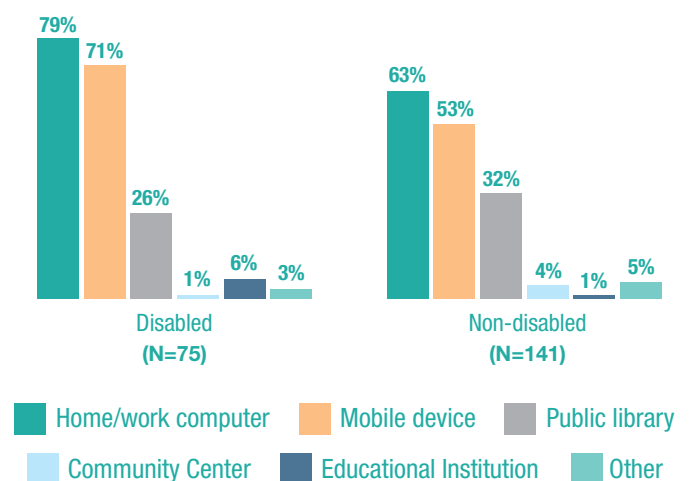
Where internet is accessed by age



Preferred format of tool by disability



Where internet is accessed by disability



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## About the Center for Human Services Research

The Center for Human Services Research (CHSR) is a research department within the School of Social Welfare at the University at Albany. CHSR has over 20 years of experience conducting evaluation research, designing information systems and informing program and policy development for a broad range of agencies serving vulnerable populations. Rigorous research and evaluation methods, strong relationships with project partners, and timely, accurate and objective information are hallmarks of CHSR's work. For more information about CHSR please visit [www.albany.edu/chsr](http://www.albany.edu/chsr).



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THE CIVIL LEGAL NEEDS OF VICTIMS OF CRIME IN NEW YORK STATE:

# An Assessment of the Issues, Services, and Challenges in Meeting the Civil Legal Needs of Victims

This report was prepared by Susan Ehrhard-Dietzel, Ph.D.,  
with assistance from Kelly Gross and Garima Siwach.



University at Albany, State University of New York

**2017**