

LIVING WITH PARALYSIS

**Crime Victim Assistance for
People with Paralysis**



**CHRISTOPHER & DANA
REEVE FOUNDATION**

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This guide has been prepared based on scientific and professional literature. It is presented for educational purposes; it should not be construed as medical diagnosis or treatment advice. Please consult a physician or appropriate healthcare provider for questions specific to your situation.

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CRIME VICTIMS AND SPINAL CORD INJURIES

Each year, roughly 17,900 people sustain spinal cord injuries in the United States. The majority of injuries stem from car crashes and accidental falls, but some are also the result of criminal acts.

According to the **National Spinal Cord Injury Statistical Center**, 14% of all spinal cord injuries are caused by violence, including attempted murder and aggravated assault. Though knife injuries can damage the spinal cord and cause paralysis, gunshot wounds are the primary cause of violent spinal cord injuries.

In some instances, women are paralyzed after being shot by current or past partners in acts of domestic violence. Other crimes, such as mugging or robbery, may also lead to spinal cord injury on rare occasions. But, overall, violently acquired spinal cord injuries disproportionately affect Black men; whereas car accidents are the leading cause of spinal cord injury for all other racial groups, violence caused by gunshot wounds is the primary cause for Black men.

Spinal cord injuries are traumatic, life-changing events no matter the cause, but when paralysis is the result of a criminal act there are an array of additional challenges. Understanding how to navigate and access legal, financial, and emotional resources available to crime victims will better support a successful physical and mental recovery.

Legal Rights and Resources for Crime Victims

The legal consequences of any crime necessarily impact the victim. Beginning in the 1980s, states began enacting victims' rights legislation to focus on the needs of crime victims and ensure their fair and compassionate treatment. Now, every state has laws guaranteeing the rights of victims to participate in the criminal justice process. In addition, the **Crime Victims' Rights Act** (<https://www.justice.gov/usao/resources/crime-victims-rights-ombudsman/victims-rights-act>), enacted in 2004, established similar rights for victims of federal crimes.

The common thread across these laws is that crime victims are to be kept informed of all relevant aspects of criminal justice

proceedings related to the crime, from the arrest to parole hearings. The victim is allowed to attend public court hearings and has the right to provide a statement in any public proceeding related to plea deals, sentencing and parole. Prosecutors must inform crime victims of any plea bargain or deferred prosecution agreement. Crime victims have the right to privacy and protection from harassment or intimidation throughout the process.

Notification systems for crime victims vary depending on whether the case is heard in state or federal court. The Department of Justice's toll-free **Victim Notification System (VNS)** (<https://www.notify.usdoj.gov/index.jsp>) alerts victims of federal crimes to scheduled court events and outcomes related to an offender's custody status and release. Victims receive electronic and written updates and, using a PIN number, can also access automated status information by calling the VNS Call Center at 1-866-365-4968 or visiting its website.

Crime victims can receive updates regarding ongoing state criminal cases and custody status through the **Victim Information & Notification Everyday System (VINE)**, a toll-free, automated notification service used by 48 states. Individuals and family members register for alerts by email, text, or phone call, and can also check custody status online. A state-by-state search is available on its website at <https://www.vinelink.com/#state-selection> or by calling 1-866-277-7477.

Maine and South Dakota oversee their own notification systems. In Maine, crime victims must apply to the prosecutor's office to be notified prior to any changes related to an offender's release. The confidential application is available through the state **Department of Corrections** at <https://www.maine.gov/corrections/victim-services/notification>. In South Dakota, crime victims may register for **Statewide Automated Victim Information & Notification**, a free, automated service that provides updates regarding custody status. To register, visit the website for the **South Dakota Office of the Attorney General** at <https://savin.sd.gov/portal>.

Some non-profit organizations and state agencies may also be able to help victims and families with civil matters that stem from the crime. In Massachusetts, the **Civil Legal Aid for Victims of Crime Initiative** (<https://massclavc.org/>) funds regional programs offering

legal services related to benefits, family law, and employment rights, along with disability-specific issues including housing and healthcare. The **Texas Crime Victim Legal Assistance Network** (<https://www.texasvictimnetwork.org/about>), funded by a grant from the Department of Justice, connects victims to free civil legal help through a network of providers throughout the state. Individuals and families seeking information about local legal resources should contact their state’s Office of Crime Victim Services or the **American Bar Association**.

HOW TO FIND LEGAL ADVOCATES FOR PEOPLE WITH DISABILITIES



National Disability Rights Network (NDRN) is the nonprofit membership organization for the federally mandated Protection and Advocacy (P&A) Systems and Client Assistance Programs (CAP). There is a P&A/CAP agency in every state and U.S. territory as well as one serving the Native American population in the four corners region. The P&A/CAP network is the largest provider of legally based advocacy services to people with disabilities in the United States. There is a state locator here: <https://www.ndrn.org/about/ndrn-member-agencies>.

FINANCIAL SUPPORT FOR CRIME VICTIMS

For those who are paralyzed as a result of a criminal act, the costs associated with the injury may be catastrophic. All crime victims are entitled to apply for crime victim compensation to help ease what may be a sudden and severe financial burden.

The **Victims of Crimes Act**, enacted in 1984, authorizes compensation to victims of federal and state crimes. Funding is distributed to each state by the **Department of Justice Office for Victims of Crime (OVC)** (<https://ovc.ojp.gov/>). The Crime Victims' Fund is financed by bond forfeitures, fines, and special assessments paid by convicted federal offenders, and not from tax dollars. Set-aside funds are also used to support victim assistance programs in Native American and Native Alaskan communities.

Crime victim compensation provides benefits to eligible individuals and surviving family members who have been the victims of crimes including domestic abuse, assault, sexual abuse, robbery, homicide, stalking, child abuse and impaired driving. Individuals apply for compensation in the state where the crime occurred (even if different from state of residence.)

Crime-related expenses that are covered by compensation benefits vary by state, but typically are defined as medical costs, counseling, funeral and burial fees, and lost wages or loss of support. In addition, other covered expenses may include the replacement of essential personal property (eyeglasses, cash, clothing), crime scene clean-up, day care or after school costs, transportation to necessary court appearances, moving expenses and temporary housing.

A range of rehabilitation services are offered in some state compensation programs, including New York, Oklahoma, and Illinois. Physical and occupational therapy may be available, along with home health aide or nursing care, access to adaptive equipment (from wheelchairs to assistive technology), and reimbursement for vehicular and home modification.

Compensation benefits are awarded after other resources, including health and insurance policies, and workers' compensation, have been exhausted. The maximum amount available to each crime victim varies by state, but additional compensation beyond the

capped amount is given if the crime resulted in the permanent loss of function such as paralysis.

Not all crime victims will be approved for compensation. Rules vary by state, but all compensation applications are contingent on reporting the crime within a certain time frame (ranging from 72 hours to a year after it occurs) and applying for compensation by the specific program deadlines (ranging from 6 months to three years.) If applying for compensation, it is critical to check individual state filing deadlines; compensation can be denied because of missed deadlines and late applications.

Victims are also required to cooperate with criminal investigations and cannot have been engaged in illegal activity themselves at the time of the crime. In addition, compensation may be reduced or denied if a crime victim's behavior is deemed to have contributed to the crime or injuries suffered.

Individuals who worry that they may not meet all the criteria should still apply for compensation. Depending on the specific circumstances of an application, a state's Office of Crime Victim Services may make exceptions or be more flexible. For example, if a family was not informed of crime victim compensation benefits, this can be a cause for exemption. Denied claims can be appealed.

Individual state compensation boards and applications may be located through **The National Association of Crime Victim Compensation Boards'** searchable directory at <https://nacvcb.org/state-information/> or through the **OVC Help-in-Your-State** map at <https://ovc.ojp.gov/help-for-victims/help-in-your-state>.

WHERE TO GO TO FOR HELP?

National Domestic Violence Hotline

<https://www.thehotline.org/resources/abuse-in-disability-communities>

or Call 800-799-7233

DOJ Office for Victims Help for Crime Victims Hotline List

<https://ovc.ojp.gov/help-for-victims/toll-free-helplines.pdf>

MENTAL HEALTH AND SUPPORT SERVICES FOR CRIME VICTIMS

Non-emergency programs are available to further assist victims of crime by offering resources beyond compensation benefits, including access to counseling, local support groups, legal and translation services, and emergency housing. Advocates may also help individuals file compensation claims with state offices and accompany them to necessary court appearances. Crime victim services are provided by public agencies and private organizations that often receive funding through **OVC** grants.

There are many ways to locate victim assistance programs. The OVC offers free crime-specific **help brochures** (<https://ovc.ojp.gov/sites/g/files/xyckuh226/files/pubs/helpseries/index.html>) that spotlight national resources. Crime victims can also find support services in their communities by searching the **OVC Directory of Crime Victim Services**, available on its website (<https://ovc.ojp.gov/directory-crime-victim-services/search>). The **National Center for Victims of Crime (NCVC)** (<https://victimsofcrime.org/>), a nonprofit organization that advocates for victims' rights, operates the **VictimConnect Resource Center** (<https://victimconnect.org/>) and the **DC Victim Hotline** (a service for the District of Columbia). Both programs link crime victims with local information and resources through phone, chat, and text-based services. The NCVC, the National Congress of American Indians, Tribal Law and Policy Institute, and StrongHearts Native Helpline partnered to create the **Tribal Resource Tool**, a searchable directory of services available for all survivors of crime and abuse in Native American and Native Alaskan communities.

A state's Office of Victim Services and county district attorney offices will also be able to provide information and resources and connect victims with local non-profit and faith-based organizations and advocacy groups.

Unlike the eligibility process for securing compensation benefits, filing a police report is not typically required to access or receive support services from victim assistance organizations.

RESOURCES FOR CRIME VICTIMS WITH PARALYSIS

Recovering from traumatic events that cause spinal cord injuries involves more than managing the financial and emotional aftermath of the crime itself. Adjusting to a new life with paralysis will take time – and require an array of physical and emotional support.

Information Specialists at the Reeve Foundation’s **National Paralysis Resource Center (NPRC)** (<https://www.christopherreeve.org/living-with-paralysis/about-the-paralysis-resource-center>) can help newly injured individuals and their families find answers to urgent questions beginning in the earliest days after injury. In addition, the NPRC’s extensive online library contains hundreds of fact sheets and educational booklets, including **The Paralysis Resource Guide** (www.ChristopherReeve.org/Guide), a comprehensive guide that tackles all stages of life for people living with paralysis and their caregivers. **Information Specialists** are available weekdays from 9 a.m. - 8 p.m. by calling 1-800-539-7309 or anytime online via www.ChristopherReeve.org/Ask. All NPRC services and materials are free of charge.

If possible, injured individuals should seek care in rehabilitation facilities that specialize in spinal cord injuries (<https://mskctc.org/sci/model-system-centers>). Some programs may include resources designed to support individuals with violently acquired injuries. In Washington, D.C., **Medstar National Rehabilitation Center Urban Re-Entry Group** offers weekly meetings for victims of violence. Participants receive help navigating employment, housing, and financial assistance as they adapt to living with paralysis in an urban environment.

Veterans who acquire spinal cord injuries should contact the **Department of Veterans Affairs’ Spinal Cord Injury and Disorders System of Care** at https://www.sci.va.gov/VAs_SCID_System_of_Care.asp. (Injuries do not need to have occurred during military service.) The **Reeve Foundation’s Military & Veterans Program** can help veterans navigate medical options, military benefits and community resources. For more information, email military@ChristopherReeve.org or call 1-866-962-8387.

JANET ANDERSEN

Photo Credit: Cindy Harter Photography



For families whose loved ones have sustained spinal cord injuries through criminal acts, the chaos and confusion caused by both the crime and the injury can be overwhelming.

When Erin Cobb was shot twice by her ex-husband on September 24, 2011, the bullets shattered her jaw and pierced her carotid artery, leaving a

lung partially collapsed and causing paralysis from the chest down.

In the weeks and months that followed, recovering from the injuries was all consuming for Erin. It was up to her mother, Janet Andersen, to manage her daughter's daunting medical challenges — including jaw surgeries, stage four pressure wounds, and complicated rehabilitative care— while working to secure accessible housing and process her own grief and trauma in the crime's aftermath.

“I was torn in so many darn directions,” Andersen says. “There were a lot of things I didn't know.”

As she urgently tried to understand and prepare for the injury's impact on Erin's life, Andersen connected with the National Paralysis Resource Center (NPRC.) The Director of Information and Resource Services, Bernadette Mauro, not only helped the family navigate

(Continued on next page)

the rehabilitative process but explained that there were crime victim services available for Erin, including possible crime victim compensation benefits.

“I didn’t even think about that,” Andersen says. “I didn’t even know something like that existed.”

Notification mandates and outreach efforts alerting crime victims to these resources vary widely across the country: local police departments and prosecutors’ offices are often tasked with promoting victim compensation benefits and support services, but the information does not always reach families.

Andersen was able to meet application deadlines in time to secure financial assistance for Erin, but worried for the families who never learned that these services are available.

“I was lucky to have contact with someone like Bernadette, but lots of people do not have that level of advice,” she says. “In my opinion, the case manager for patients that have been victims of a crime, this should be part of the conversation that they have with caregivers from the first day. They should be helping everybody get what they are lawfully entitled to.”

After Erin recovered and successfully rebuilt her life, Andersen resolved to use their experience to help others. Now, as a volunteer for the Reeve Foundation’s Peer & Family Support Program and for the Trauma Survivors Network, a non-profit organization that supports patients and families after a traumatic injury, Andersen directs families to spinal cord injury and crime victim resources designed to help them.

“Ultimately, I just want to make sure I’m getting as much information into people’s hands as early in the process as possible,” she says. “It’s become a mission of mine.”

Crime victims who sustain spinal cord injuries must suddenly adapt to a newly shaped life while managing the often catastrophic financial and emotional impact of the crime itself. The challenges are many, and an abundance of outside support is critical for recovery. But many crime victims have no idea that services exist specifically to help them.

Increasing awareness surrounding crime victim compensation is the first step toward better supporting victims and their families. Efforts by advocates and policymakers are underway around the country to implement public education campaigns alerting victims that they are entitled to apply for compensation benefits. Improving notification outreach from the key contacts who encounter victims soon after the crime has taken place, including police officers, first responders, and hospital social workers, is also urgently needed.

The application and approval process for crime victim compensation can also discourage those who need it most. To be eligible for compensation benefits, victims must report the crime to the police and cooperate with the investigation. But crime victims from marginalized communities often do not trust the police; because of this, many are reluctant to report the crime, missing out on compensation benefits they may be entitled to.

In some places, government agencies and non-profit organizations are partnering to bridge these gaps and strengthen outreach efforts; in Atlanta (<https://atlantava.org/>) and New York City (<https://www.safehorizon.org/>), advocates from crime victims' rights organizations are embedded in police precincts to directly provide crime victims with information regarding compensation, emergency services, referrals, and case management. Additionally, some policymakers are working to change reporting requirements – extending the time victims have to report crimes and apply for compensation and expanding the type of evidence beyond a police report that can be used to show a crime has occurred.

To become an advocate on behalf of victims, connect with crime victims' rights organizations and local legislators to see what is happening in your community.

SOURCES AND FURTHER READING

Learn more about the laws, government agencies, and organizations listed in this booklet. Or, for additional help finding resources in your community, Reeve Foundation Information Specialists are available Monday through Friday, toll-free at 800-539-7309 from 9 a.m. to 8 p.m. EST or at www.ChristopherReeve.org/Ask.

American Bar Association

https://www.americanbar.org/groups/legal_services/flh-home/flh-free-legal-help

American Indian and Alaska Native Victim Services Resources

<https://ovc.ojp.gov/program/tribal/overview>

Civil Legal Aid for Victims of Crime Initiatives

<https://massclavc.org/find-legal-help>

DC Victim Hotline

<https://dcvictim.org> Phone: 1-844-443-5732 / 202-877-1120

Med-Star National Rehabilitation Hospital Urban Re-Entry Program

<https://www.medstarhealth.org/locations/medstar-national-rehabilitation-hospital/additional-services>

National Association of Crime Victim Compensation Boards State Directory

<https://nacvcb.org/state-information> Phone: 703-780-3200

National Center for Victims of Crime (NCVC)

<https://victimsofcrime.org> Phone: 202-467-8700

National Center for Victims of Crime: Victim Connect Resource Center

<https://victimconnect.org> Phone: 1-855-484-2846

National Spinal Cord Injury Statistical Center

<https://www.nscisc.uab.edu> Phone: 205-934-3342

Office for Victims of Crime (OVC)—Department of Justice

<http://www.ovc.gov> Phone: 202-307-5983

Resource Center: 800-851-3420

OVC: Directory of Crime Victim Services (by state)

<https://ovc.ojp.gov/directory-crime-victim-services/search>

OVC: Crime Victims Fund

<https://www.ovc.gov/about/victimsfund.html>

OVC: Help Series for Crime Victims

<https://ovc.ojp.gov/sites/g/files/xyckuh226/files/pubs/helpseries/index.html>

Reeve Foundation Military & Veterans Program

<https://www.ChristopherReeve.org/MVP> Phone: 1-866-962-8387

Reeve Foundation Peer & Family Support Program

<https://www.ChristopherReeve.org/Peer> Phone: 800-539-7309

Texas Crime Victim Legal Assistance Network

<https://www.texasvictimnetwork.org/about>

Trauma Survivors Network

<http://traumasurvivorsnetwork.org/pages/home>

Phone: 800-556-7890

Tribal Resource Tool

<https://tribalresourcetool.org>

Veterans Affairs Spinal Cord Injuries and Disorders System of Care

<https://www.sci.va.gov> Phone: 800-698-2411



We're here to help.

Learn more today!

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