



Justice Center

THE COUNCIL OF STATE GOVERNMENTS



Restitution Recovery

Tools and Tactics for Starting or Enhancing
a Program

August xx, 2023

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Presentation Outline

I. Organization Overviews

II. Purpose and Goals for This Session – Key Themes

III. Restitution Recovery Tools and Tactics

The Council of State Governments Justice Center

We are a national nonprofit, nonpartisan organization that combines the power of a membership association, serving state officials in all three branches of government, with policy and research expertise to develop strategies that increase public safety and strengthen communities.

Idaho Crime Victims Compensation Program

The Idaho CVCP was established in 1986 to provide assistance to victims of crime for costs related to treatment for injuries sustained as a result of a crime and for sexual assault forensic examinations. We are a team of 12 and serve the entire state of Idaho and its 44 counties from our office in Boise.

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Idaho Crime Victims Compensation Program

- Our Mission - Ensure eligible victims are provided appropriate financial assistance to aid in recovery from the traumatic effects of crime.
- Our Vision - Meet the needs of victims by progressively, compassionately, and effectively easing the impact of crime.

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Purpose and Goals for This Session

- Share key themes, tools and tactics from Restitution Resource Center learning community of victim compensation program staff.
- Discuss challenges and effective strategies in restitution recovery for victim compensation programs.

Restitution in Victim Compensation Programs

Learning Community

- The Restitution Resource Center convened and facilitated a national learning community of compensation administrators.
- A peer-led discussion included sharing promising practices, challenges, and approaches related to restitution recovery.

Key Themes

Managing restitution recovery involves staff time and resources.

- Communication with variety of system professionals
- Preparing documents for hearings and testifying in court
- Monitoring collections; setting up and following accounting procedures

Key Themes

- Number of people, how restitution duties are spread across staff, and competing priorities impact efforts.
- Programs use a variety of data management systems to manage claims. Some include modules for tracking restitution.
- Collections often lag well behind orders creating a situation where a positive return on investment may not be shown for some time.

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Dedicating Resources to Effective Restitution Recovery

- Leverage existing systems for collections efforts.
 - Offset and collections programs run by state tax departments
- Active restitution collection requires significant staff time and data systems.
 - Locating people and communicating with them
 - Sending notices
 - Processing payments

Idaho Crime Victims Compensation Program

- The Crime Victim Compensation Program (CVCP) is considered a victim under the law.
 - Idaho Code 19-5304 (e)(3)
- Two dedicated Recovery Officers working on CVCP restitution.
- Building and cultivating relationships within criminal justice system.

Idaho Crime Victims Compensation Program

- Recovery Officer's record Restitution Orders
 - IC 19-5305
- CVCP's Recovery Rate is 30%
 - FY 2022 \$581,394 recovered - \$1,995,509 paid
- Idaho's 2 largest Counties - 60% order to request rate

Criminal Justice System Personnel

- Restitution involves many system personnel who need to be reached—and it is not identical in every state.
- Education and outreach are key building blocks.
 - Prosecutors
 - Judges
 - Clerks of court
 - Corrections
 - Supervision officers

Educating Personnel

Provide general information on compensation program—who it serves, how it works, why compensation program restitution is important.

- Annual conferences for system professionals
- Direct outreach in counties or districts with high number of claims
- Providing compensation program data for specific jurisdictions

Educating Personnel

- Create example packets of claim documents the program submits for restitution orders to familiarize people with program's information.
- Provide program manuals or summary documents.
- Identify partners in judiciary and other professions to "champion" restitution efforts and advance reforms.

Court Case Data

Access to case data is key.

- Is court data centralized or decentralized?
- What access do you have, or can you get?
- Integrations are ideal, but case look-up works when needed.

Identifying Barriers

- Lack of prioritization of restitution across the system directly impacts compensation programs.
- Lack of authority to monitor cases and directly collect payments hampers restitution recovery.
- Hierarchy of disbursement for other court-ordered financial obligations may complicate direct collections.

Overcoming Challenges

- Proposing or supporting legislation that enhances collection processes, prioritizes payments, and provides consistent enforcement
- Advocating for consistent compliance with statutes and rules
- Institutionalizing compensation program procedures
 - For example, sending payment notification to prosecutor each time payment is made

Overcoming Challenges—Developing Partnerships

- Formal and informal partnerships can be effective.
 - Formalized partnerships endure staffing changes.
- Partnerships that integrate data systems can help improve restitution monitoring.
 - Data-sharing agreements

Discussion and Questions

- How would you describe your restitution recovery program?
- Has the VOCA Fix Act of 2021 impacted your program's efforts or priority placed on restitution recovery?
- Have there been recent legislative changes in your state impacting restitution for the compensation program?

Discussion and Questions

What barriers does your program face in recovering restitution?

- Statutory authorization
- Staffing
- Access to court case information

Thank You!

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