



## OUR MISSION

To promote access to safety, healing, justice and financial recovery for Ohio crime victims through meaningful rights and quality services.

### Ohio Victim Witness Association

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**Executive Director, Ohio Victim Witness Association**  
**Senate Bill 36**  
**Proponent Testimony**  
**February 9<sup>th</sup>, 2021**

Chairman Manning, Vice-Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for the opportunity to provide proponent testimony in support of Senate Bill 36 which seeks to modify and expand crime victim compensation.

As stated in our previous testimony on November 18<sup>th</sup>, 2020, we believe that this legislation includes trauma-informed and trauma-responsive modifications that will positively shape recovery for many victims/survivors and their families. These trauma-informed/responsive modifications include efforts to protect a victim's privacy; transparency in the finding of fact and decision; and the expansion of who can receive compensation for psychiatric care. While this legislation is greatly needed, we do have several recommendations for how this bill could be even more helpful to Ohioans.

In our work with advocates serving victims/survivors, we see the myriad of ways "family" can be defined. Therefore, we think it may be helpful to include more inclusive language such as "immediate family member or household member" when referring to eligible persons starting on Line 303. Without the expanded definition, immediate family members may not be eligible for benefits or psychiatric services unless they lived with the victim at the time of the crime or were a dependent of the victim. In other scenarios, a spouse of the victim may not be eligible for compensation.

While reviewing the bill, we see that there are no proposed changes to the amount available for crime scene cleanup that is currently set at \$750.00. If at all possible, we would recommend that this cost be increased. Professional cleanup of a homicide scene inside someone's home, for example, can cost thousands of dollars. Many co-victims are left managing the cleanup themselves because they cannot afford a professional crime scene cleanup service without additional victim compensation funding. It is unimaginable to think it appropriate that a family must clean up the crime scene of their loved one all because the cost of those services are inaccessible.

As stated in our November 2020 proponent testimony, OVWA believes that decreasing the lookback on criminal offenses will help many Ohioans seeking victim compensation. While this is a step in the right direction, we also support the consideration of removing this restriction all together. By removing the restriction, it recognizes that all innocent victims regardless of their histories, deserve access to systems that can help them. It also would recognize that the majority of individuals who experience high rates of victimization are also those who have more exposure to the criminal justice system.



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There are countless studies that show that persons of color serve harsher sentences than non-persons of color for the same crimes.<sup>1</sup> As of 2018, Ohio was one of seven other states restricting compensation for victims with a criminal history.<sup>2</sup> In 2018, The Marshall Project found that 42% of applicants to Ohio's Crime Victim Compensation Program in 2016 identified as Black. Over half of those 42% were denied for having a criminal record. Continuing to support these parameters continues to ignore the long-known fact that persons of color continue to experience the criminal justice system at higher rates than their non-POC counterparts leaving them less likely to be able to participate in benefits when they become innocent victims to crimes. OVWA supports the lookback from ten to five years however strongly supports eliminating this restriction all together.

Another change we would support is removing the restriction that states that victims cannot receive victim compensation assistance if they are on probation or currently incarcerated. While we understand how this part of the bill could be misconstrued in the media, advocates have long argued that an innocent person should be eligible for assistance regardless of their histories or current situations.

OVWA believes that SB 36 seeks to reduce many barriers that victims/survivors have long experienced when applying for victim compensation. As our communities and the needs of its citizens change, so must the benefits that are designed to assist them. It is our hope that Ohio continues to make meaningful changes to its systems to ensure accessible and equitable services and benefits for victims/survivors, witnesses, and their families. While we believe that SB 36 is working to eliminate some long-standing barriers, we hope that this is the first of many steps to improve these systems for ALL Ohioans. Thank you for this opportunity and for your consideration.

Most Respectfully,

Liz Poprocki, MA, RA, CA  
Executive Director

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<sup>1</sup> Nellis, Ph.D., A. (2016, June 14). "The Color of Justice: Racial and Ethnic Disparity in State Prisons." Retrieved from <https://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/> on February 8<sup>th</sup>, 2021.

<sup>2</sup> Santo, A. (2018, September 13). "States have money to help victims of crime, but seven ban aid for people with criminal records. A close look at two states shows how this hurts Black families the most." Retrieved from <https://www.themarshallproject.org/2018/09/13/the-victims-who-don-t-count> on February 8<sup>th</sup>, 2021.