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**Testimony by Tahirih Anthony, Senior Policy Manager at Common Justice**

*New York State Legislature Joint Legislative Public Hearing on 2025 Executive Budget Proposal: Public Protection*

My name is Tahirih Anthony, I am a Senior Policy Manager at [Common Justice](#). Common Justice is a non-profit organization based in New York City. We are the first alternative to incarceration and victim service program in the United States that addresses violent felonies in adult courts and have provided services to victims of violence and people who have caused harm for over fifteen years. I submit this written testimony today to ensure that all survivors have access to victim compensation funds when needed.

In 2021, Common Justice, along with partner organizations, launched the [Fair Access to Victim Compensation](#) (FAVC) Campaign. Victim compensation funds help survivors cover costs like medical bills, burial expenses, and relocation. The FAVC campaign aims to break down the barriers that survivors face when applying for this financial relief, which can be essential for healing. One such hurdle that we seek to address is “contributory conduct.” Currently, victims and survivors can be denied or receive reduced victim compensation awards due to their or their loved one’s alleged involvement (“contributory conduct”) in their own harm.

Governor Hochul’s Public Protection Article VII budget proposal includes several critical reforms to improve access to victim compensation. The proposal raises the burial expense cap from \$6,000 to \$12,000. According to the [National Funeral Directors Association, in 2023, the average funeral cost—including a burial, viewing, and required vault—in the Mid-Atlantic region \(New York, New Jersey, Pennsylvania\) rose to \\$10,268](#). For nearly two decades, funeral costs have remained at \$6,000, an amount that has long fallen short of covering actual expenses. This long-overdue increase to \$12,000 is critical to ensuring families can afford a dignified burial for their loved ones. The Governor’s proposal also eliminates contributory conduct denials and reductions in cases of homicide, a necessary step to better support families that have lost their loved ones to violence. Additionally, the proposal expands compensation eligibility for crime scene cleanup to include anyone who assumes the cost, rather than limiting it to those already eligible for victim compensation.

We applaud Governor Hochul for listening to survivors and recognizing the need to modernize New York’s victim compensation program. These reforms mark an important step forward. However, more must be done to ensure that all survivors receive the support they need to heal.

It is time to put survivors first and eliminate contributory conduct considerations for *all* victims and survivors. Victim compensation programs exist to provide financial relief to those who have suffered harm. Yet, for too long, the system has retraumatized victims by placing undue scrutiny on their actions rather than focusing on the harm they endured.

In 2024, the Department of Justice’s Office for Victims of Crime (OVC), which funds and manages state victim compensation programs, released proposed rule changes, one of which was that states stop the practice of contributory conduct considerations. Unfortunately, in early January 2025, the Office of Justice Programs (OJP) [withdrew these proposed rule changes](#), citing the volume of

feedback they received and the time constraints of the then-current administration. However, in a “Dear Colleague” letter released on January 17, 2025, OVC again **urged states to eliminate contributory conduct considerations altogether, citing concerns about bias, evidentiary gaps, and the arbitrary nature of these denials** and noting that they are vague, inconsistently applied, and disproportionately harm Black survivors. Despite OJP’s decision to withdraw the proposed rule changes, OVC’s recognition of these flaws remains a critical validation of what advocates and survivors have long argued—contributory conduct policies are unjust, harmful, and must be abolished to ensure true access to victim compensation.

This is also a racial justice issue. Research and analysis of victim compensation claims from 23 states between 2018 and 2021 conducted by the [Associated Press](#) revealed that **“Black applicants were nearly three times more likely than those of other races to be denied due to behavior-based reasons, such as contributory misconduct.”** These disparities demonstrate how critical it is for New York State to take bold action. No survivor should be denied the help they need because of outdated, inequitable, and subjective assessments of their behavior. By maintaining contributory conduct denials in non-homicide cases, New York State will continue to deny countless survivors—especially Black and brown survivors—the financial support they need to recover.

The Governor’s proposal also fails to address another critical issue with victim compensation—crowdfunding. Under current OVS policy, funds raised through crowdfunding platforms can be used to deny or reduce a survivor’s compensation award. This practice is particularly harmful to Black, brown, and low-income survivors, who often turn to crowdfunding out of necessity when traditional financial resources are unavailable. Restricting access to these community-driven funds only deepens systemic inequities. To ensure true financial relief for survivors, New York must protect crowdfunding efforts from being weaponized against those seeking support.

Common Justice believes that to truly support survivors and to ensure they receive the assistance they deserve, the State must pass the [Survivors First Act](#), sponsored by Senator Julia Salazar and Assemblymember Monique Chandler-Waterman. This critical legislation goes beyond the Governor’s proposed changes and addresses systemic issues that currently prevent survivors from receiving victim compensation. The Survivors First Act would:

- Fully eliminate contributory conduct denials and reductions in all cases, not just homicides.
- Eliminate the consideration of private donations and crowdfunding as a collateral source.
- Expand compensation eligibility for crime scene cleanup to include anyone who assumes the cost.
- Increase burial assistance from \$6,000 to \$12,000, ensuring families can lay their loved ones to rest with dignity.
- Require the Office of Victim Services (OVS) to actively promote the program and inform survivors of their rights and available resources.
- Require OVS to publicly disclose more detailed data on crime victim service programs, victim compensation performance metrics, and efforts.

Far too often, victims are unaware that compensation even exists due to poor outreach and systemic failures in communication. This bill mandates proactive engagement, ensuring that survivors—especially those from marginalized communities—are informed of their eligibility and can actually access the support intended for them. This legislation goes beyond the Governor’s proposal by fully eliminating contributory conduct denials in all cases, not just homicides, and by ensuring that private donations and crowdfunding are not used to reduce or deny compensation. It prioritizes what survivors have long demanded—unbiased access to support, financial relief without unnecessary barriers, and a system that puts their healing first. True survivor-centered reform means listening to those directly impacted and addressing the challenges they face, not just making partial fixes.

I will close by reiterating what we at Common Justice know to be true: survivors want healing—real, tangible support that allows them to rebuild their lives, not bureaucratic hurdles that deepen their harm. If we want to break the cycle of harm, we must invest in survivor-centered solutions. When we provide survivors with timely financial relief, we disrupt cycles of harm by reducing economic instability, preventing further trauma, and fostering pathways to recovery and justice. Survivors should not have to prove their worthiness to receive the resources they need to heal. By removing these unjust barriers, the Survivors First Act will ensure that survivors receive the support they need without delay or discrimination and allow them to focus on healing rather than navigating bureaucratic hurdles. Every survivor—regardless of race, background, or circumstance—should be able to access the compensation and resources they need. True justice is not about withholding support; it is about restoring dignity, agency, and healing.

**On behalf of Common Justice, I urge the Senate and the Assembly to go further than the Governor’s proposed changes by passing and including in their one-house budgets the Survivors First Act, sponsored by Senator Julia Salazar and Assemblymember Monique Chandler-Waterman.**

It is time to put Survivors First. I thank you for your time, for your attention, and for your commitment to ensuring that all survivors get the justice and support they deserve. For questions or additional information regarding my testimony, please contact me via email at [tanthony@commonjustice.org](mailto:tanthony@commonjustice.org).

