CALIFORNIA CRIME SURVIVORS SPEAK

A STATEWIDE SURVEY OF CALIFORNIA VICTIMS' VIEWS ON SAFETY AND JUSTICE

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CALIFORNIANS FOR SAFETY AND JUSTICE
www.safeandjust.org

CRIME SURVIVORS FOR SAFETY AND JUSTICE

OVERVIEW AND BACKGROUND

Protecting victims of crime and promoting public safety is the most important function of the California criminal justice system. It is therefore essential to consider the experiences and perspectives of crime survivors when determining safety and justice policy.

To fill the gap in knowledge of victims' experiences and needs, Californians for Safety and Justice conducted the first-ever research survey of California crime victims in 2013. The statewide survey revealed that the majority of crime victims in California do not gain access to support to recover from harm, and it also found that most strongly prefer investments into education, mental health treatment, and rehabilitation -- over incarceration.[i]

Since 2013, California voters and state leaders have ushered in a wide range of criminal justice reforms that have led to a decline in incarceration and increased investments into rehabilitation. To renew our efforts to ensure California's safety and justice systems are driven by the experiences and needs of crime survivors, Californians for Safety and Justice updated the statewide research and recently conducted a new survey, the second study of it's kind in California.

The 2019 *California Crime Survivors Speak* survey found remarkably similar findings to the 2013 research, as well as new information about survivor policy preferences that point the way for additional reforms. Most crime victims in California continue to lack access to victim services in the aftermath of crime. While victims remain underserved, strong majorities of California crime victims also continue to see the need for public safety solutions that emphasize prevention, treatment and rehabilitation over incarceration. The 2019 survey specifically found that victims support alternatives to incarceration for people with mental illness in the criminal justice system and support replacing l lengthy mandatory sentences with increased judicial discretion, including for people convicted of serious or violent crime that are a low risk to public safety.

Conducted in March 2019 by David Binder Research, *California Crime Survivors Speak* survey highlights the myriad ways in which crime survivors are impacted by crime, what victims need from the criminal justice system to recover and heal, and how state policy can better align with survivors' safety priorities. The results provide critical and perhaps surprising insight regarding victims' views on safety and justice policy.

SUMMARY FINDINGS

Despite the immediate and long-lasting impact of trauma on crime victims' lives, the survey found that most victims in California do not receiveå the help or the support they need to recover. Key findings on victims' experiences and the impact of crime on California communities include:

- About one in three Californians have been a victim of a crime in the last ten years. Of those victims, less than one in five report receiving financial assistance, counseling, medical assistance and other types of healing services that can help someone recover from the trauma of a crime and stabilize;
- Only 14 percent of crime victims felt "very supported" by the criminal justice system after they experienced a crime.

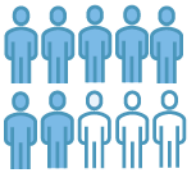
California Crime Survivors Speak also found that, contrary to what many would expect to be the position of victims of crime, strong majorities of California crime survivors support changes to the justice system that would increase rehabilitation and reduce mandated sentences. Survivors also support reduced spending on corrections in favor of increased spending on treatment. Key findings on victims views on safety and justice policy include:

- By a nearly a five to one margin, victims say that prison either makes it more likely someone will commit crimes or has no public safety impact at all. Only a small percentage believe that prisons help rehabilitate people;
- More than eight out of ten victims want people with mental illness placed in mental health courts, mental health treatment, and other alternatives to traditional criminal courts and jails;
- For people convicted of serious or violent crime, victims prefer, by a two to one margin, authorizing judges to determine the length of the sentence that is most appropriate based on individual circumstances and best practices, instead of mandatory requirements for certain sentence lengths;
- More than eight out of ten victims support using ten percent of the state's $12 billion prisons budget to fund mental health treatment, substance abuse treatment, and trauma recovery services;
- Seventy-five percent of victims favor reducing sentence lengths by 20 percent for people in prison who are assessed as low risk to public safety and do not have life sentences, and utilizing the savings to fund crime prevention and rehabilitation.

These findings can help policymakers develop public safety solutions that better align with victims' views and invest in what they know works to prevent crime and support their recovery.

More than

7 IN 10



victims support reducing prison terms by 20% for people in prison that are a low risk to public safety and do not have life sentences.

VICTIMS' EXPERIENCES AND THE IMPACT OF CRIME

Crime impacts people from all walks of life in California. *California Crime Survivors Speak* found that one in three (34 percent) state residents have been victimized in the past ten years, including one in five (20 percent) who have been victims of violent crime.

Young, low-income people of color are more likely to experience victimization.

While victimization affects every demographic group, national research has repeatedly demonstrated that that violence and crime are also concentrated with an unequal impact on different demographic groups. Communities most harmed by concentrated cycles of crime are also often also the least supported by the criminal justice system.[2]

The national annual survey, the National Crime Victimization Survey, conducted by the US Department of Justice Bureau of Justice Statistics, has found disparities in victimization for people of color.[3] The Alliance for Safety and Justice also found, in a 2017 national survey of crime survivors, disparities based on race, age and economic background. The 2017 crime survivor survey found:

- People of color are 15 percent more likely to be victims of crime.[4]
- People who describe themselves as poor are more likely to be victims of crime.[5]
- The largest disparities in victimization relate to a person's age. People under the age of 40 and people living in urban areas are more likely to be victims of crime.[6]

People that have experienced violent crime are at greater risk of being repeat crime victims.

California Crime Survivors Speak found that, repeat victimization is more common among victims of violent crime. About half of violent crime victims have been victimized four or more times.

Only 14 percent of victims felt "very supported" by the criminal justice system.

Victimization takes a heavy toll on crime survivors and is a traumatic experience for most victims. The effects of trauma can be devastating, and research shows that unaddressed trauma increases the risk for mental health issues, substance abuse, and other challenges that can ultimately lead to unemployment, housing, and income insecurity.[7]

Twice as many victims felt not at all supported than felt very supported.

Given the impact, there is no more important role of our justice system than protecting victims of crime and

facilitating victim's medical, emotional, and financial recovery. Yet most victims in California indicate that the criminal justice system provided little support in their time of need.

According to survey results, 32 percent of crime survivors felt "not at all supported" by the criminal justice system and only 14 percent felt "very supported."[8] Twenty seven percent of victims felt "somewhat" supported, and 20 percent, slightly supported by the criminal justice system after they experienced a crime.

Less than one in five victims received counseling, medical assistance, and financial support.

Less than one in five California crime victims report receiving financial assistance, counseling, medical assistance and other types of healing services that can help someone recover and stabilize.

There was a large gap between victims' needs and access to support. Among those supports survivors would have wanted, but never received, were:

- Fifty-nine percent of victims wanted financial assistance to help with damaged property and monetary losses;
- Fifty-two percent of victims wanted help understanding the legal system;
- Forty-nine percent of victims wanted financial assistance with medical costs;
- Forty-nine percent wanted information on available support services;
- Forty-two percent wanted medical assistance, or physical therapy;
- Forty-one percent wanted counseling or other mental health support.

	Percent of victims that received	Percent of victims that said they never received, but would have wanted
Financial assistance to help with damaged property or monetary losses	11%	59%
Financial assistance to help with medical costs	12%	49%
Medical assistance, or physical therapy	18%	42%
Counseling or other mental health support	12%	41%
Help understanding the courts and legal system	15%	52%
Emergency or temporary housing	6%	42%
Information about available support services	20%	49%

Six in ten of victims did not report the crime to law enforcement.

If a crime is not reported to law enforcement, it can have significant implications on whether a victim receives the help and support they need to recover and heal. National data indicates that victims frequently do not report crime to the authorities: about half of violent crimes go unreported (54 percent).[9]

Six in ten victims say they haven't always reported the crimes to police when they have been a victim.

Among those who haven't always reported the crime, *nearly half say they have not reported the crime because they didn't think the police or courts would help (48 percent).*

Crime victims who are young, low income and from communities of color are less likely to report crimes.

Two in three victims under age 45 (67 percent) and victims who describe themselves poor or lower middle class (66 percent) say they don't always report crimes. People of color with incomes below $50,000 are also among the most likely to say they don't always report crimes.

The reasons for low reporting rates are varied and complex. Experts attribute low crime reporting rates to factors such as: potential complicated or familiar relationships that exist between the victim and person that caused the harm; a lack of faith that the justice system will intervene or have capacity to resolve the issue; and/or.trust gaps between communities experiencing concentrated crime and the criminal justice system, especially for communities of color that have experienced a long history of disparate treatment in the justice system.[10]

Low crime reporting contributes to barriers victims face accessing help. Because many victim services are accessed at the point of reporting or prosecution, many victims of unreported crime lack support in recovering from trauma and harm.

In summary, despite one in three Californians having been a victim of crime in the last ten years, for most victims, basic needs such as medical or financial assistance, temporary housing, help understanding the courts and legal system, are unmet.

VICTIMS' VIEWS ON SAFETY AND JUSTICE POLICY

In the public safety debate, victims of crime are often assumed to be a constituency that wants tough sentencing mandates and lengthy prison sentences for people convicted of crimes.

California Crime Survivors Speak provides detail on a comprehensive and representative group of crime victims. The results demonstrate that most crime survivors want a more balanced approach to public safety and prefer investing more in rehabilitation.

A majority of victims prioritize rehabilitation over punishment.

The majority of crime survivors believe we rely too heavily on incarceration and want policymakers to invest in new safety priorities that better protect victims and help them recover from the crimes committed against them.

A majority of California victims (56 percent) say the state should be more focused on rehabilitating people who commit crimes, versus punishing people who commit crimes (37 percent).

Do you think California should be more focused on...	
Rehabilitating people who commit crimes	56%
Punishing people who commit crimes	37%
Don't Know	7%

By about a five to one margin, victims say sending people to prison will lead to more crimes, or have no impact either way.

By about a five to one margin, victims say that sending people to prison makes it more likely someone will commit crimes (51 percent), or does not have an impact either way (27 percent). A little more than one in ten victims said sending people to prison will help rehabilitate them to be better citizens (16 percent).

Thinking about people who go to prison – do you think that prison...	
Makes them more likely to commit crimes	56%
Helps to rehabilitate them into better citizens	16%
Doesn't have an impact either way	27%
Don't Know	6%

The "tough on crime era" was bolstered by a perception that lengthy mandatory sentencing laws work best to protect public safety. Decades of research has demonstrated that this approach to public safety grows incarceration rates and corrections budgets but does not impact crime trends.[11] These mandatory laws, largely enacted by state legislatures across the country, have stripped judges and corrections experts from the ability to individually analyze each case and consider the circumstances of the crime, the individual and the input of the victim in fashioning the most appropriate sentence to ensure accountability, reduce recidivism and repair the harm caused.

For example, under California's current Three Strikes Law, the sentence length is automatically doubled for everyone convicted of a felony with a prior conviction for a serious or violent crime. About a quarter of California's prison population are serving a sentence that was automatically doubled under this law, representing 33,918 people -- a population that taxpayers spend $3 billion each year to incarcerate.[12] With roughly half of the California prison population currently assessed by the corrections system to be low risk of committing a new crime, this means that there are likely tens of thousands of people serving years longer behind bars despite data that shows they could be safely released.

Throughout the survey, victims demonstrated support for mechanisms to replace mandatory sentence requirements with increased judicial discretion to allow for the consideration of individual circumstances and to save money for prevention and treatment.

Victims support options beyond long sentences, including for people convicted of violent crimes.

That fact that crime survivors prioritize rehabilitation over punishment and prison is consistent with research Californians for Safety and Justice conducted in 2013. At that time, six in ten victims supported the 2011 Public Safety Realignment law that shifted responsibility and funding for people convicted of nonviolent, non-serious offenses from the state to counties.[13]

Since that time, California voters enacted major sentencing and criminal justice reforms through Proposition 47 in 2014, and Proposition 57 in 2016, and dozens of additional justice reform measures have passed in the legislature and been signed into law.

California Crime Survivors Speak finds that crime victims continue to support rehabilitation over punishment, including a range of options beyond very long sentences for people convicted of serious or violent crime, to allow for more balanced investments into prevention and rehabilitation and to keep communities safe. These findings, detailed below, should be instructive for state leaders as the state continues to

grapple with prison crowding and continually growing corrections budget.

By a two to one margin, victims want to authorize judges to consider individual circumstances in sentencing.

Victims support judges considering individual circumstances in sentencing (67 percent), instead of automatically requiring the sentence length to be doubled for everyone convicted of any felony who also has a prior conviction for a serious or violent crime on their record (28 percent).

Which of the following do you prefer...	
Authorizing judges to consider past convictions, including how old the past conviction is, as well as other individual circumstances in determining the best sentence length	67%
Automatically requiring the sentence length to be doubled for everyone convicted of any felony, who also has on their record a prior conviction for a serious or violent crime	28%
Don't Know	5%

When it comes to people convicted of serious or violent crimes that are not eligible for life sentences, victims prefer authorizing judges to determine the length of the sentence that is most appropriate based on individual circumstances and best practices (64 percent). Again, victims prefer judges considering individual circumstances and best practices by a two to one margin over mandatory sentence requirements (31 percent).

By a margin of

2 TO 1

crime survivors prefer giving judges the ability to consider individual circumstances in determining the best sentence length to automatic requirements the sentence length be doubled.

Thinking about people convicted of serious or violent crimes that are not eligible for life sentences, who will eventually be released, which would you prefer?	
Authorize judges to determine the length of the sentence that is most appropriate based on individual circumstances and best practices	64%
Mandatory requirements to certain sentence lengths that are the same regardless of the judge's assessment	31%
Don't Know	5%

A majority of crime victims want shorter sentences for someone deemed to be low risk of committing a new crime.

When it comes to people serving long sentences for serious or violent crimes but are not serving life sentences, a majority of crime victims (52 percent) would prefer to authorize the prison system to review and issue shorter sentences to someone deemed to be low risk to public safety, versus requiring them to be in prison for their full sentence (40 percent).

Thinking about people who are serving long sentences for serious or violent crimes but are not serving life sentences, who will eventually be released: If they are deemed to be a low risk to public safety, which would you prefer?	
Authorize the Department of Corrections to review and issue shorter sentences	52%
Require them to be kept in prison for their full sentence	40%
Don't Know	8%

Strong majorities of crime victims prefer mental health treatment over incarceration for people with mental illness.

Beyond lengthy sentence mandates, California's justice system faces an additional challenge in addressing the treatment needs of people that commit crimes because of an unmet mental health need.

About 1 in 3 individuals (approximately 38,000 people) in California have a documented mental health issue —a 150 percent increase since 2000.[14] National studies show only a third of people assessed to have a treatment need get treatment while in prison.[15] Data collected at the local level also show the scale of the mental health challenge facing our counties and cities: In Sacramento, 1 in 4 people were receiving psychotropic medication and in San Diego, more than 1 in 4 people had a mental illness.[16]

When focusing specifically on people that commit crimes as a result of mental illness, *seven times as many victims believe prisons and jails will make someone more of a public safety risk and worsen their mental illness (64 percent),* versus rehabilitate them and remedy their illness.

Thinking specifically about people that commit crimes as a result of mental illness – do you think that prisons and jails...	
Worsen their mental illness and makes them more of a public safety risk	64%
Help to remedy their mental illness and rehabilitate them	9%
Doesn't have an impact either way	20%
Don't Know	7%

More than eight out of ten victims prefer that people with mental illness are placed in mental health courts, mental health treatment, and other alternatives to traditional criminal courts and jails.

Place people with mental illness into mental health courts, mental health treatment, and other alternatives to traditional criminal courts and jails.	**87% Support**	9% Oppose

More than eight out of ten victims want to move money from prisons to treatment, rehabilitation and prevention.

Survivors of crime believe we send too many people to prison, for too long, and that our current incarceration policies make people more — not less — likely to commit another crime. Instead of more spending on

prisons and jails, victims prefer a wide range of investments and new safety investments.

Substantial majorities of victims back policies that would reallocate resources from the California prison system to treatment by reforming the criminal justice system.

California's prison population has dropped by more than 40,000 people in the past decade. However, the prison budget in this state is still projected to be at a near record high of more than $12 billion in spending this year.

Victims believe, some of California's multi-billion dollar prison budget needs to be shifted to other safety priorities. *Eight three percent of victims' support using 10 percent of the state's $12 billion dollar prison budget to fund mental health treatment, substance abuse treatment, and trauma recovery services.*

Use 10% of the state's $12 billion dollar prisons budget to fund mental health treatment, substance abuse treatment, and trauma recovery services.	**83% Support**	13% Oppose

Victims prefer if someone is assessed to be low risk of committing a new crime, they support reducing sentence lengths, and shifting dollars spent on prisons to other ways of making the community safer.

Seventy five percent of victims favor reducing sentence lengths by 20 percent for people in prison that are assessed as low risk to public safety, and do not have life sentences, and to use the savings to fund crime prevention and rehabilitation.

Reduce sentence lengths by 20% for people in prison that are assessed as low risk to public safety, and do not have life sentences, and use the savings to fund crime prevention and rehabilitation.	**75% Support**	21% Oppose

More than seven out of ten victims support reducing sentence lengths.

While California's prison population declined on in the past decade, the amount of time people serve in prison on a sentence for crimes is still much higher today than decades ago.[17]

The vast majority of people in prison will eventually return to the community. When steps are taken to ensure someone leaving prison is connected to housing, treatment and employment upon their release and prepared to return to their community, the likelihood that someone will commit a new crime is reduced.[18]

Seventy six percent of victims' support placing people with less than two years remaining on their prison sentence into halfway houses with reentry support to help them prepare for release.

Place people with less than two years remaining on their prison sentence into halfway houses with reentry support to help them prepare for release.	**76% Support**	20% Oppose

In summary, survivors of crime prefer a wide range of investments and new safety priorities including more spending on mental health treatment, prevention and healing services for victims. Importantly, victims support reducing sentence lengths to free up resources to for these investments.

Nearly nine in ten victims support placing people with mental illness into mental health courts, mental health treatment, and other alternatives to traditional criminal courts and jails.

RECOMMENDATIONS

The survey data point to a few policy recommendations.

More data and research on California crime victims is needed.

To formulate effective justice policy that is responsive to victims' experiences, we need more data to better understand the scale of the challenge facing California victims. The topics of repeat victimization, reporting, and outreach and accessibility of victims services (among other topics) are areas where more data can inform smart justice strategies. It is clear that community and demographic differences impact all three of these topics . Effective policy solutions will require a deeper and more nuanced qualitative understanding of the diversity of victimization experiences.

There is a strong need for additional community outreach about victims' services.

Many victims in California experience a long road to recovery, suffering from anxiety and depression, among other difficulties, yet they are unaware of services that could help them. This can be addressed, in part, by devoting additional resources to both broad-based and targeted outreach to better inform victims and the public.

Streamlined victims' services and removing obstacles to healing.

There are legislative and administrative efforts underway in California that could address findings in the survey that show the difficulty many victims experienced when accessing services. California should review the obstacles to accessing services and design supports that are easier for victims and survivors to use. Reducing barriers to victims' access include considerations such as location – or co-location – of services, language barriers, proximity of different types of services, cultural competency of the services providers and more.

Advance public policy that more closely aligns with victims' priorities.

The notion that California crime victims oppose reforms that reduce reliance on incarceration in favor of treatment, crime prevention, and rehabilitation is false. In fact, victims strongly support a shift in priorities. Lawmakers should consider how their stances on public safety policy priorities can better reflect victims' preferences for investments in rehabilitation programs, crime prevention and substance abuse treatment. For example, victims support law changes that would divert people with mental illness from the justice system to appropriate treatment. Lawmakers need to pay particular heed to victims support for replacing mandatory sentence requirements with increased judicial discretion, and victims support for alternatives to long sentences that only increase taxpayer costs, without having a commensurate impact on recidivism or public safety.

CONCLUSION

California Crime Survivors Speak is an important step forward in understanding who victims are and what they need to recover from the crime. These results paint a different picture than some common assumptions about victims, their views and what they want from the criminal justice system.

Crime is a traumatic experience for most crime victims, yet few are supported by the criminal justice system. Only 14 percent of crime victims felt very supported by the criminal justice system after they experienced crime, and only one out of five victims received counseling, medical assistance, and financial support following the incident.

California victims also believe our state sends too many people to prison, for too long, and that our current incarceration policies make people more — not less — likely to commit another crime.

Instead of more spending on prisons and jails, victims prefer a wide range of investments and new safety priorities including more spending on mental health treatment, prevention and healing services for victims. Importantly, victims support reducing sentence lengths to pay for these investments.

Perhaps to the surprise of some, victims of violent crime also share these views and demonstrate strong support for shifting the focus of the criminal justice system from punishment to rehabilitation. These views are not always accurately reflected in the media or in Sacramento and should be considered in policy debates around criminal justice.

METHODOLOGY

Californians for Safety and Justice commissioned this survey to help policymakers better understand who crime victims are, what their experiences are with the criminal justice system, and their views on public policy.

David Binder Research conducted the survey in English and Spanish in March 2019. The poll was administered both by telephone—landlines and mobile phones— and online. Respondents self-identified as victims and provided the types of crimes they have experienced in the past 10 years.

Californians of all ages 18+, all racial and ethnic groups, and all geographic locations are represented in these findings. The overall margin of error for the California Crime Victims Survey is 2.2 percent, while the margin of error for crime victims is 3.8 percent.

ENDNOTES

[1] Californians for Safety and Justice. (2013). *California Crime Victims' Voices: Findings from the First-Ever Survey of California Crime Victims and Survivors*. Californians for Safety and Justice.

[2] Truman, Ph.D., J., & Morgan, Ph.D, R. (Revised 2018). *Criminal Victimization*, 2015. U.S. Department of Justice, Bureau of Justice Statistics.

[3] Ibid.

[4] Ibid.

[5] Alliance for Safety and Justice. (2017). *Crime Survivors Speak: The First-Ever National Survey of Victims' Views on Safety and Justice*. Alliance for Safety and Justice.

[6] Ibid.

[7] Kilpatrick, D., & Acierno, R. (2003). Mental health needs of crime victims: Epidemiology and outcomes. *Journal Of Traumatic Stress*, 16(2), 119-132. doi: 10.1023/a:1022891005388

[8] The polled question was, "after you experienced a crime, how supported did you feel by the criminal justice system?"

[9] Truman, Ph.D., J., & Langton, Ph.D., L. (Revised 2015). *Criminal Victimization, 2014*. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

[10] See Aeffect, Inc. (2017). *2016 Victim Needs Assessment*. Chicago: Illinois Criminal Justice Information Authority.; Morgan, Ph.D., R., & Truman, Ph.D., J. (2018). *Criminal Victimization, 2017*. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

[11] National Research Council, Division of Behavioral and Social Sciences and Education, & Committee on Law and Justice. (2014). *Growth of Incarceration in the United States*. Washington: National Academies Press.

[12] California Department of Corrections and Rehabilitation: Office of Research, Division of Internal Oversight and Research. (2018). *Offender Data Points: Offender Demographics For the 24-month period, ending December 2017*. California Department of Corrections and Rehabilitation.

[13] Californians for Safety and Justice. (2013). *California Crime Victims' Voices: Findings from the First-Ever Survey of California Crime Victims and Survivors*. Californians for Safety and Justice.

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[15] Bronson, J., & Berzofsky, M. (2017). *Indicators of Mental Health Problems Reported by Prisoners and Jail Inmates, 2011-12*. U.S. Department of Justice, Office of Justice Programs Bureau of Justice Statistics. Retrieved from https://www.bjs.gov/content/pub/pdf/imhprpji1112.pdf

[16] Fischer, A., Cervenak, R., & Swain, K. (2018). *Suicides in San Diego County Jail: A System Failing People with Mental Illness. Disability Rights California*. Retrieved from https://www.disabilityrightsca.org/system/files/file-attachments/SDsuicideReport.pdf

[17] Courtney, L., Eppler-Epstein, S., Pelletier, E., King, R., & Lei, S. (2017). *A Matter of Time: The Causes and Consequences of Rising Time Served in America's Prisons*. Washington, D.C.: Urban Institute: Justice Policy Center.

[18] National Research Council, Division of Behavioral and Social Sciences and Education, & Committee on Law and Justice. (2014). *Growth of Incarceration in the United States*. Washington: National Academies Press.