
Compensation

for

Crime Victims

Compensation

for

Crime Victims

Every state in the country operates a program to help pay for some of the expenses resulting from crimes involving violence or abuse. Victims of assault, rape, domestic violence, child abuse, drunk driving, and other crimes involving personal injury may qualify for this assistance. Families of murder victims also may be eligible for financial help.

These programs are called crime victim compensation programs. While each state's program is slightly different, this brochure will provide some general information about all of the programs. *It's important to check with the program in the state where the crime occurred to determine exactly what the eligibility requirements are and what benefits are available.*

Victims of crime under state, federal, military, and tribal jurisdiction are eligible to apply for compensation. A conviction of the offender is not required.

The programs will pay for certain expenses not covered by insurance or another public benefit program. With very limited exceptions in a few states, crimes solely involving theft of or damage to property are not covered.

What Are the Eligibility Requirements?

While each state's eligibility requirements vary slightly, victims are generally required to:

- Report the crime promptly to law enforcement.
Many states have a 72-hour reporting requirement.
- Cooperate in the investigation and prosecution of the crime.
- Be innocent of any criminal activity or misconduct leading to the victim's injury or death.
- File a timely application with the compensation program in the state where the crime occurred, and provide any information requested. Many states require that the application be filed within 1 year from the date of the crime, but a few states have shorter or longer periods.

What Losses May Be Paid?

The following expenses may be covered if they are not paid for by insurance or by another public benefit program, and if they result directly from the crime:

- Medical and hospital care, and dental work to repair injury to teeth.
- Mental health counseling.
- Lost earnings due to crime-related injuries.
- Loss of support for dependents of a deceased victim.
- Funeral and burial expenses.

Check with the specific state where the crime occurred to determine exactly what costs are covered by the program.

Who May Get Financial Help?

Those eligible for crime victim compensation include:

- A crime victim who has been physically injured.
- In most states, a victim who suffers emotional injury as a result of violence or attempted violence, even though no physical injury resulted.
- Family members of a deceased victim and, in some states, any other individual who pays for expenses resulting from a victim's injury or death.

What Costs Are Not Covered?

- Property loss, theft and damage are usually not covered (unless damage is to eyeglasses, hearing aids, or other medically necessary devices). However, a few states may pay limited amounts for the loss of essential personal property during a violent crime, or for cleaning up the crime scene.
- Expenses paid by other sources, such as any type of public or private health insurance, automobile insurance, disability insurance, or workers compensation are not covered. (Some states also will deduct life insurance payments in homicides.)

Are There Limits on the Assistance Available?

Costs related directly to the crime can be reimbursed up to the maximum level in each state. These maximums average about \$25,000, though some states have higher or lower maximums. In addition, there may be limits on some types of benefits, such as mental health counseling or funeral costs.

How Can A Victim Apply?

Applications can be obtained from the compensation program, or from police, prosecutors, or victim service agencies. Most programs also have brochures describing their benefits, requirements and procedures. Victims can seek help from victim service programs in completing the application.

The application should be submitted to the compensation program as soon as possible. The compensation program will review the application to determine eligibility and to decide what costs can be paid, and will notify the applicant of the program's decision.

nacvcb

National Association

of Crime Victim

Compensation Boards

P.O. Box 16003
Alexandria, VA 22302
phone: (703) 780-3200
www.nacvcb.org



Office for Victims of Crime

810 7th Ave., N.W.
Washington, DC 20531
phone: (202) 307-5983
www.ojp.usdoj.gov/ovc

This publication was prepared by the National Association of Crime Victim Compensation Boards under grant number 98-VF-GX-K006, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this document are those of the authors and do not necessarily represent the official position of the U.S. Department of Justice.