



Crime Victim Compensation: Frequently Asked Questions

Violent crime is a senseless, often random act, and we see far too much of it in today's society. It is no longer enough to ensure that offenders receive the harshest punishment under the law. Victims and their families need support as they attempt to rebuild lives torn apart by tragedy.

Lisa Madigan
Illinois Attorney General

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These Frequently Asked Questions do not cover every situation. For all requirements and complete information, consult the Crime Victims Compensation Act, 740 ILCS 45/1 et seq. at www.ilga.gov.

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Crime Victims
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What is the Crime Victims Compensation Act?

The Illinois Crime Victims Compensation Act provides eligible victims of violent crime with up to \$27,000 in financial assistance for certain out-of-pocket expenses resulting from the crime.

Who is a Crime Victim?

- A person killed or injured in Illinois as a result of a violent crime.
- The parent of a person killed or injured in Illinois as a result of a violent crime.
- A person killed or injured in Illinois while attempting to assist a crime victim.
- An individual who personally witnessed a violent crime in Illinois.
- An Illinois resident who became a victim of a violent crime in a country that does not have a compensation fund for crime victims.
- A person under the age of 18 who is the brother, sister, half brother, half sister, child or stepchild of a person killed or injured in Illinois (for mental health treatment only).

What is a Violent Crime for Purposes of the Compensation Program?

- First Degree Murder
- Second Degree Murder
- Involuntary Manslaughter
- Reckless Conduct
- Child Pornography
- Domestic Battery
- Battery
- Assault
- Hate Crime
- Stalking
- Kidnapping
- Arson
- Criminal Sexual Assault
- Criminal Sexual Abuse
- Exploitation of a Child
- Violation of Order of Protection
- Driving Under the Influence
- Hit and Run of Pedestrians

What Must the Claimant Do to Be Eligible for Compensation?

- ✓ Notify law enforcement. Typically, notification must occur within 72 hours of the crime or within 7 days for sexual assaults. A victim can also get an Order of Protection, a Civil No Contact Order or complete a sexual assault evidence collection kit.
- ✓ File an application within 2 years of the date of the crime or within 1 year of the criminal indictment, whichever is later.
- ✓ Cooperate with law enforcement officials in the apprehension and criminal prosecution of the offender. However, it is not necessary for an offender to be apprehended for a victim to be eligible for the Compensation Program.
- ✓ Cooperate with the Office of the Illinois Attorney General and submit and verify information about the crime victim's compensation claim.
- ✓ The victim must not have contributed to his/her injury by: engaging in a wrongful act, being the offender or accomplice of the offender, or substantially provoking the incident.
- ✓ An individual is not eligible to be paid compensation until the victim is released from probation, parole, mandatory supervised release for a felony or from a correctional institution. However, the claim must still be filed within 2 years of the date of the crime or 1 year of the criminal indictment, whichever is later.

What Expenses are Eligible for Reimbursement?

The Compensation Program may reimburse the following expenses if they are necessary, due to the crime, and if no other sources of reimbursement are available. Caps or limits may apply.

- ✓ Medical/Hospital and Dental Expenses
- ✓ Mental Health Counseling
- ✓ Loss of Earnings (up to \$1,000/month)
- ✓ Relocation (includes temporary lodging, first month's rent, security deposit and storage)
- ✓ Replacement Costs (hearing aids, eyeglasses, replacement of clothing/bedding taken as evidence and locks/windows damaged as a result of the incident)
- ✓ Crime Scene Clean-up and Accessibility & Usability of Property (wheelchairs, ramps, etc.)
- ✓ Loss of Tuition
- ✓ Replacement Services Loss (up to \$1,000/month)
- ✓ Funeral/Burial Expenses (up to \$5,000)
- ✓ Loss of Support (up to \$1,000/month)

What If There is Insurance or Reimbursement from Other Sources?

The Compensation Program is the “payer of last resort.” If any other sources of reimbursement are available, the sources must be used before any Compensation Program payment can be made. Applicants are responsible for informing the Program of all available reimbursement sources, including:

- ✓ Medical/health, dental, vision insurance, and life insurance
- ✓ Auto insurance
- ✓ Public Program benefits (Public Aid, Medicare, Worker's Compensation Benefits, etc.)
- ✓ Court-ordered restitution and civil lawsuit recoveries

Does the Money Go Directly to the Victim?

Reimbursement is made to the victim for out-of-pocket expenses. Reimbursement may also be paid directly to service providers, such as hospitals, doctors, funeral homes and others, for expenses incurred by the victim as a result of the crime.

How Does the Process Work? How Do You Obtain Referrals or Check Status of a Claim?

To file an application, contact the Crime Victims Compensation Bureau at **1-800-228-3368 (Voice/TTY)** or download the application at www.illinoisattorneygeneral.gov/victims/cvc.html. Once the application is submitted, it will be given a claim number. The Office of the Illinois Attorney General will review the information on the application and will request additional information and documentation to determine if you are eligible for the Compensation Program. The Office of the Illinois Attorney General makes a recommendation to the Court of Claims and the Court of Claims will render a decision based on the application and the Office of the Illinois Attorney General's recommendation. A copy of the decision will be mailed to the applicant (also referred to as the claimant). All payments are then issued by the Illinois Comptroller's Office.

If you have any questions about the Compensation Program or if you would like referrals for counseling or other services, please contact our office at **1-800-228-3368 (Voice/TTY)** or visit our Web site at www.illinoisattorneygeneral.gov. Completed applications and other forms should be returned to:

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