



# Crime Victim Compensation: Frequently Asked Questions by Sexual Assault Victims

*Violent crime is a senseless, often random act, and we see far too much of it in today's society. It is not enough to ensure that offenders receive punishment under the law. Victims and their families need support as they attempt to rebuild lives torn apart by tragedy.*

*Lisa Madigan*

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](http://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 Can Apply for Compensation as the Result of a Sexual Assault?

- **The victim.** The actual victim of sexual assault can apply for any compensable expense, such as medical/hospital expenses, counseling or loss of earnings.
- **The spouse and parents of a sexual assault victim.** The spouse and parents of a sexual assault victim can apply for any compensable expense, such as their own counseling or loss of earnings incurred while caring for a sexual assault victim.
- **The victim's minor siblings or children.** If the victim has minor siblings or minor children (under the age of 18), these individuals can apply for their own counseling expenses.

## What Must a Sexual Assault Victim Do To Be Eligible for Compensation?

- ✓ Notify law enforcement within 7 days of the incident. If you go to a hospital and have a sexual assault evidence collection kit performed or if you obtain an Order of Protection or a Civil No Contact Order, this is considered notification.
- ✓ File the application within 2 years of the date of the crime or within 1 year of the filing of a criminal charge, whichever is later.
- ✓ The victim and claimant must cooperate with law enforcement officials in the apprehension and criminal prosecution of the offender. Having a sexual assault evidence collection kit performed at a hospital and submitted to the police as evidence is considered cooperation.
- ✓ 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 charge.

## What Is Different, If Anything, for Minor Victims of Sexual Assault?

Often, child victims of sexual assault do not tell anyone about an assault until years after the incident occurs. Therefore, for purposes of the Compensation Program, the "crime date" for minor victims of sexual assault (under the age of 18) is the date the crime is reported to a parent, teacher or other responsible party.

## **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 \$1,250/month)
- ✓ Relocation (may include temporary lodging, first month's rent, security deposit, moving van 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 \$1,250/month)
- ✓ Funeral/Burial Expenses (up to \$7,500)
- ✓ Loss of Support (up to \$1,250/month)
- ✓ Transportation to and from Medical and Counseling Treatment Facilities

## **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, and life insurance
- ✓ Sexual Assault Survivors Emergency Treatment Act benefits
- ✓ Hospital Uninsured Patient Discount Act benefits
- ✓ Public Program benefits (Public Aid, Medicare, Worker's Compensation Benefits, etc.)
- ✓ Auto insurance
- ✓ 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, or to any person who paid the victim's 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 (TTY: 1-877-398-1130)** or download the application at [www.illinoisattorneygeneral.gov/victims/cvc.html](http://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 (TTY: 1-877-398-1130)** or visit our website at [www.illinoisattorneygeneral.gov](http://www.illinoisattorneygeneral.gov). Completed applications and other forms should be returned to:

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**Crime Victims Compensation**  
**100 West Randolph St., 13th Floor**  
**Chicago, IL 60601**  
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