

CRIME VICTIMS REPARATIONS

A RESOURCE FOR VICTIMS



The Arkansas Legislature created the “Arkansas Crime Victims Reparations Act” in 1987. The legislation provides a method of compensating and assisting victims and their dependents that have suffered personal injury or death as the result of a violent crime. Funding for this program comes from The Crime Victims Revolving Fund, individuals who commit crimes, the assessment of court costs and fees, the Victims of Crime Act, and court-ordered restitution collected from criminals.

COSTS THAT MAY BE COMPENSATED

The Arkansas Crime Victims Reparations Program can provide financial assistance for a variety of expenses related to a crime. For example, Crime Victims’ Compensation can help pay:

- 💰 The medical bills associated with the injuries caused by the sexual assault (including rehabilitation and dental);
- 💰 Repair and/or replacements, such as eyeglasses, dentures, or hearing aids needed as a result of the sexual assault;
- 💰 The counseling expenses of an abused child or a sexual assault survivor, and assist with counseling for members of the victim’s immediate family;
- 💰 Compensation for lost wages and loss of support payments in certain situations;
- 💰 Funeral expenses;
- 💰 Loss of support for dependents of a homicide victims;
- 💰 Crime scene clean up.
- 💰 Travel (or mileage) related directly to the victim’s participation with criminal justice activities or for necessary medical treatment as a direct result of sexual assault.
- 💰 Security assistance; and

- § Lodging expenses related directly to the victim's participation with criminal justice activities or for necessary medical treatment as a direct result of sexual assault.

EXPENSES NOT COVERED

Pain and suffering, property damage or loss, and attorney fees are not covered by this program.

AMOUNT OF COMPENSATION

- § Overall maximum is \$10,000 per victim, but this can be raised to \$25,000 if the victim suffered catastrophic injury that resulted in a total and permanent disability;
- § Medical expenses are paid and 75% of balance submitted, but if the provider accepts payment they are agreeing to accept as payment in full;
- § Mental health expenses are paid up to \$3,500 for out-patient treatment and \$3,500 for in-patient;
- § Funeral expenses are paid up to \$5,000.
- § Crime scene clean-up expenses are paid up to \$3,000.

WHO QUALIFIES AS A VICTIM?

- § A person suffering personal injury or death as the result of a criminal act;
- § A person suffering personal injury or death as an act of terrorism committed outside the United States;
- § A child of an eligible victim;
- § An immediate family member of a deceased victim, a sexual assault victim, or a child victim;
- § A person who resided in the same permanent household as a deceased victim; or
- § A person who discovers the body of a homicide victim.

To be eligible, the victim and/or claimant cannot share responsibility for the crime. The crime must be reported to a law enforcement agency and the victim must cooperate with criminal justice authorities.

ELIGIBILITY CRITERIA

- § Victimization must have occurred in Arkansas on or after July 1, 1988;
- § The claim must be filed within one (1) year of the incident (minors excluded and may be waived for good cause);
- § Victimization must have been reported to the proper authorities within 72 hours (may be waived for good cause);

- § Victim must have suffered personal injury or death due to the criminal act of another person;
- § Victim must be cooperating with the investigation and/or prosecution;
- § Victim must not have been covered by a collateral source;
- § Victim must not have been convicted of a criminally injurious felony;
- § Victim's conduct must not have contributed to the victimization;
- § Victim must not have been involved in illegal activity at the time of the incident;
- § Victim must not have been incarcerated at the time of the incident; and
- § If a motor vehicle was involved, the victimization must have included alcohol or drugs, intent, or hit and run.

HOW TO APPLY

A claim form may be obtained from prosecuting attorney's offices, law enforcement agencies, or the Arkansas Crime Victims Reparations Program. Applications and forms are also available to download and print at the Arkansas Attorney General's website, www.ag.state.ar.us. It is necessary for the claim form to be completed in its entirety and accompanied by police report documentation and at least one itemized statement. Assistance in filing a claim is available from the Arkansas Crime Victims Reparations Program. For more information, contact the Arkansas Crime Victims Reparations Program at the Office of Attorney General, 323 Center Street, Suite 1100, Little Rock, AR 72201 or by phone at 501-682-1020 or 1-800-448-3014.

SEXUAL ASSAULT VICTIM REIMBURSEMENT

The Sexual Assault Reimbursement Program is a relationship between the Arkansas Crime Victims Reparations Board and the medical facilities conducting forensic examinations. Act 396 of 1991, allows for medical facilities to be reimbursed by the Crime Victim Reparations Board for costs incurred in performing a medical-legal examination on sexual assault victims. Costs incurred in performing a medical-legal examination and tests for venereal disease on sexual assault victims are also eligible for reimbursement. Eligibility requirements are:

- * Treatment must be sought and rendered within 72 hours (this will be waived if the victim is a minor or if good cause is shown);
- * Treatment was not for a pre-existing injury, a physical injury directly relating to the assault, or any other condition; and
- * The victim is not covered by a federally financed benefits program, such as Medicaid, Medicare, Champus, or VA. This stipulation has been made pursuant to a new VOCA amendment adopted as a part of the Crime Bill.

It is against federal and state law for a medical facility to bill a victim for expenses incurred during the medical-legal examination. A Sexual Assault Reimbursement Form is available for download at the website of the Arkansas Attorney General, www.ag.state.ar.us.