



# Crime Victims Compensation: Frequently Asked Questions

*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).*

## **Who is eligible?**

- A person killed or injured in Illinois as a result of a violent crime.
- The spouse, parent or child of a person killed or injured in Illinois as a result of a violent crime.
- Dependents of homicide victims.
- A person who personally witnessed a violent crime in Illinois or a person whose testimony establishes a necessary nexus between the offender and the violent crime.
- An Illinois resident who becomes a victim in another country that does not have a crime victims compensation program.
- A minor (under the age of 18) who is the brother, sister, half-brother, half-sister of a person killed or injured in Illinois (for mental health treatment only).
- A deceased person whose remains are desecrated.

## **What crimes are covered?**

- Arson
- Assault
- Battery
- Child Pornography
- Criminal Sexual Abuse
- Criminal Sexual Assault
- Desecration or Removal of Human Remains
- Dismembering of a Human Body
- Domestic Battery
- Driving While Under the Influence
- Exploitation of a Child
- Hate Crimes
- Hit and Run of a Pedestrian/Person
- Operating Vehicle Moved Solely by Human Power or Using a Mobility Device
- Homicide
- Human Trafficking
- Involuntary Manslaughter
- Kidnapping
- Fleeing or Attempting to Elude a Peace Officer
- Non-consensual Dissemination of Private Sexual Images
- Reckless Conduct
- Stalking
- Posting of Identifying or Graphic Information on Pornographic Internet Sites
- Violations of Protective Orders (Domestic Violence Orders of Protection, Civil No Contact Orders, and Stalking No Contact Orders)

## **What are the basic qualification requirements?**

- Notify law enforcement within 72 hours of the crime's occurrence. In cases of sexual assault, sexual abuse, or human trafficking, notify law enforcement within 7 days.
- File an application within 5 years of the crime date (some limited exceptions may apply).
- Cooperate with law enforcement to arrest and prosecute the offender.
  - The following also satisfies the notification and cooperation requirements:
    - » Obtaining a Plenary Order of Protection, Civil No Contact Order or Stalking No Contact Order
    - » Having a sexual assault evidence collection kit performed
    - » Engaging in a proceeding involving the status of a human trafficking victim
    - » Medical treatment at a hospital
- The victim must not be the offender in the criminal act and must not have provoked or incited the crime.
- A victim who is in jail or in prison must wait until she or he is discharged from custody before compensation may be granted.

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## **What types of expenses may the Crime Victim Compensation Program pay?**

- Medical, hospital, and dental expenses.
- Mental health treatment expenses.
  - Services must be provided by a psychiatrist, licensed clinical psychologist, licensed clinical social worker, licensed clinical professional counselor, or a Christian Science practitioner/nurse. Services performed by an unlicensed person working with a licensed person cannot be paid.
- Lost wages (up to a maximum of \$2,400 per month) due to time missed from work that was not reimbursed by employer with sick, vacation, or personal paid time. The victim must be employed at the time of the crime.
- Accessibility costs (e.g., wheelchair, walker, crutches, shower stool).
- Relocation costs/temporary lodging.
- Loss of tuition for classes dropped as a result of the crime.
- Crime scene cleanup (does not include replacement of damaged property).
- Tattoo removal costs for victims of human trafficking.
- Replacement services loss (i.e., domestic tasks that a victim used to perform, but is no longer able to perform due to the crime).
- Replacement costs for the following: locks and windows, prosthetic devices, eyeglasses and hearing aids damaged or necessary as a result of the crime, and clothing or bedding taken as evidence by the police.
- Funeral/burial expenses (up to a maximum of \$10,000).
- Loss of support if the decedent was employed and supporting dependents (up to a maximum of \$2,400 per month).
- Dependent replacement services loss (i.e., necessary domestic services that the victim would have continued to perform for the survivor's benefit without being compensated).
- The maximum total payments are limited to \$27,000 and several expenses have caps (e.g., funeral/burial expenses as stated above).

## **Do I have to use insurance or other sources of payment?**

Yes. The Illinois Crime Victims Compensation Program is the payor of last resort. All other sources of payment must be exhausted before an award may be issued by the Crime Victims Compensation Program.

Payment will not be recommended for expenses or losses that can be covered by any other available sources, including the following: medical, health, dental, or vision insurance, Public Aid, Medicare, discounts available under the Hospital Uninsured Patient Discount Act, Worker's Compensation Benefits, life insurance, auto insurance, restitution, and any other reasonable source.

## **What types of expenses cannot be paid by the Crime Victim Compensation Program?**

- Any expenses not related to the crime
- Stolen, damaged or lost property (except locks and windows)
- Pain and suffering
- Attorney's fees

## **Do I get the money for compensation?**

Payment will be reimbursed to you for your out-of-pocket expenses or directly reimbursed to the service providers if the bills are outstanding.

## **What happens when the Crime Victim Compensation Program receives my application?**

- Your application will be reviewed.
- Our office will obtain the police report and other documents necessary to determine your eligibility.
- You will receive a phone call from our office to conduct an interview.
- If you are eligible, you will receive a letter requesting that you submit proof of your losses within 45 days of receiving the letter.
- Our office will verify your losses and will make a recommendation that will be reviewed by Court of Claims.
- A letter will be mailed to you by our office with the award recommendation and all recommended payments will be issued by the Comptroller's Office.

If you have any questions please contact the Illinois Attorney General's Office Crime Victims Compensation

If you have any questions please contact the Illinois Attorney General's Office Crime Victims Compensation Program at 1-800-228-3368 (TTY: 1-877-398-1130), by email at [crimevictimservices@atg.state.il.us](mailto:crimevictimservices@atg.state.il.us) or visit our website at [www.illinoisattorneygeneral.gov](http://www.illinoisattorneygeneral.gov).