

The background of the slide features a large, light blue watermark of the Arizona Criminal Justice Commission seal. The seal is circular and contains a central figure of a woman holding a scale of justice. The text 'ARIZONA CRIMINAL JUSTICE COMMISSION' is visible around the perimeter of the seal.

# Arizona Criminal Justice Commission Crime Victim Compensation Training

Larry Grubbs, Program Manager  
Crime Victim Services  
[lgrubbs@azcjc.gov](mailto:lgrubbs@azcjc.gov)

# What is the Victim Compensation Program?

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- Provides financial assistance to crime victims
- Covers expenses of physical harm, mental distress, and/or economic loss from victimization
- Does not require apprehension or conviction of offender
- The payer of last resort

# Background

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- First compensation program in U.S. began in 1965 (California)
- Federal grants to states began in 1986 under the Victims of Crime Act
- All states and US territories have a victim compensation program
- Each state program covers crimes within its jurisdiction
- Each state operates its program under its own state law, determining who and what to pay

# Funding Sources

- Federal Sources

- Crime Victims Fund
  - Federal Government grant monies
  - Victims of Crime Act of 1984
  - Criminal fines and fees
  - 1/3 of total program funding



- State Sources

- State funds from a surcharge on criminal and civil penalties/fines

- Other Sources

- Restitution/Subrogation
- Donations

# Who is Eligible?

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- Victim, or surviving family of a victim, of a crime falling under local, state, federal, tribal, and military jurisdiction
- Report the crime promptly
- Cooperate with law enforcement
- File a timely application
- Suffer economic loss not covered by a “collateral source”
- Be innocent of wrongdoing tied to the victimization “contributory conduct”

# Reporting / Filing Requirements

State	Reporting	Filing
Arizona	72 hours	2 years
Colorado	72 hours	1 year
New Mexico	30 days; 180 days DV/Rape	2 years
Utah	No set time	No set time

# Examples of Collateral Sources

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- Perpetrator or 3<sup>rd</sup> Party responsible for perpetrator's actions
- Government programs
  - Social Security, Medicare, Medicaid, Worker's compensation
- Employer wage continuation programs
- Insurance proceeds

# What Does Victim Compensation Pay For?

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All state programs pay for:

- Medical costs
- Funeral costs
- Counseling
- Wage loss / Loss of support

## Additional Benefits: Arizona

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Arizona also pays for:

- Crime Scene Cleanup
- Transportation Costs
  - Medical / Mental Health Appt
  - Attend a court hearing
  - Obtaining a medical forensic exam
  - Substantiated health / safety risk

## Additional Benefits: Colorado

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Colorado also pays for:

- Repair or replacement of property damaged as a result of a compensable crime
- Payment of the deductible amount on a residential insurance policy
- Modification to a residence if necessary to ensure a victims safety

## Additional Benefits: Utah

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Utah also pays for:

- Relocation and Related Costs
- Child Care
- Replacement of door locks, windows or other essential personal property required for the health and safety of the victim

# Native American Traditional Services

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- Arizona, Colorado, New Mexico, and Utah will pay for Native American traditional services
  - Healing / Blessing Ceremonies (medical / mental health)
  - Funeral Ceremonies
- Each state has its own process to substantiate appropriateness of Native American traditional services
- When in doubt most programs will decide to the benefit of the victim

# Compensation Claim Maximums

<b>State</b>	<b>Compensation Claim Maximum</b>
Arizona	\$25,000 or benefit category maximums
Colorado	\$20,000 or each judicial district may set lower max
New Mexico	\$20,000 or \$50,000 for catastrophic injuries
Utah	\$25,000 with additional \$25,000 in medical if needed

# Claim Process

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- Completed application submitted to program
- Program investigates/substantiates claim
- Approved awards are paid to claimant or provider
- Denials/reductions may appeal or request a rehearing

# State Program Structure

<b>State</b>	<b>Centralized</b>	<b>Board</b>	<b>Board Role</b>
Arizona	No	Yes	County boards decide all claims
Colorado	No	Yes	Judicial district boards decide all claims
New Mexico	Yes	Yes	Board decides payment amount only
Utah	Yes	Yes	Board helps set program policy only

# Share What You Know

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- Victim-witness and law enforcement personnel need to tell victims about this vital resource
- Victims need this information to access the financial help available to them
- Compensation programs operate with small staffs and depend on others who work with victims daily

# Contact Information

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- Arizona Criminal Justice Commission  
(602)364-1146  
[www.azcjc.gov](http://www.azcjc.gov)
- Colorado Division of Public Safety  
(303)239-5719  
1-888-282-1080  
[dcj.state.co.us/ovp/](http://dcj.state.co.us/ovp/)
- New Mexico Crime Victims Reparation Commission  
(505)841-9432  
(800)306-6262  
[www.cvrc.state.nm.us](http://www.cvrc.state.nm.us)
- Utah Office for Victims of Crime (UOVC)  
(801)238-2360  
(800)621-7444  
[www.crimevictim.state.ut.us](http://www.crimevictim.state.ut.us)