



INFORMATION FOR CLIENTS OF TEXAS ATTORNEYS

The information included on this page is for educational and informational purposes only. Please consult an attorney regarding specific legal questions.

Crime Victims' Compensation Fund

What is the Crime Victims' Compensation?

The Crime Victims' Compensation Program, administered by the Texas Office of the Attorney General, is dedicated to helping eligible victims of crime with certain expenses related to the crime. Money for this program comes from court costs paid by criminals and deposited by each Texas county into the Crime Victims' Compensation Fund.

The Crime Victims' Compensation Program is "the payer of last resort" after primary sources of payment — such as health insurance, Medicaid, Medicare, auto insurance, or Texas Workers' Compensation — have been exhausted.

If the court orders the offender to pay restitution to the victim for an expense that the Crime Victims' Compensation has already paid, the victim may be required to reimburse the Fund. If the victim or claimant recovers money through the settlement of a civil suit against the offender or a third party, he or she may also have to reimburse the Fund.

To be eligible, a person must be a U.S. resident with the crime occurring in Texas or a Texas resident who becomes a victim in a state or country without a compensation program (U.S. citizenship is not required); must report the crime to a law enforcement agency within a reasonable period of time, but not so late as to interfere with or hamper the investigation and prosecution of the crime; and must file the application within three years of the date of the crime.

Who may qualify?

- An innocent victim of crime who suffers substantial threat of physical and/or emotional harm or death;
- A dependent of a victim;
- An authorized individual acting on

behalf of a victim;

- An intervenor who goes to the aid of a victim or peace officer;
- A person who legally assumes the obligations or voluntarily pays certain expenses related to the crime on behalf of the victim;

- Immediate family or household members related by blood or marriage who require counseling as a result of the crime; or
- A peace officer, firefighter, or individual who has a duty to protect the public and who is injured in a crime.





Who is not eligible?

Benefits may be reduced or denied if the victim:

- participated in the crime;
- engaged in illegal activity; or
- contributed to the crime.

What crimes are covered?

Crimes covered by Crime Victims' Compensation may include sexual assault, kidnapping, robbery, assault, homicide, and other violent crimes. Vehicular crimes that are covered include failure to stop and render aid, DWI, manslaughter, criminally negligent homicide, aggravated assault, intoxication manslaughter, and intoxication assault.

What type of financial assistance is available?

Claims may be approved for benefits up to a total of \$50,000. In the case of catastrophic injuries resulting in a total and permanent disability, victims may be eligible for an additional \$75,000 in benefits.

Upon approval, benefits may be awarded for the following:

- Medical, hospital, physical therapy, or nursing care;
- Psychiatric care or counseling;
- One-time relocation assistance for victims of family violence or a victim of sexual assault who is assaulted in the victim's place of residence;
- Loss of earnings or support;
- Loss of wages and travel reimbursement due to participation in, or attendance at, the investigation, prosecutorial, and judicial processes;
- Care of a child or dependent;
- Funeral and burial expenses;
- Crime scene clean up;
- Replacement costs for clothing, bedding, or other property seized as evidence or rendered unusable as the result of the investigation;
- Attorney fees for assistance in filing the Crime Victims' Compensation application and in obtaining benefits, if the claim is approved; or

- Loss of wages and travel to seek medical treatment or counseling.

Additional benefits for victims who have suffered a catastrophic injury include:

- Making a home or car accessible;
- Job training and vocational rehabilitation;
- Training in the use of special appliances;
- Home health care; or
- Reimbursement of lost wages.

Reimbursement for property damage or theft is not an eligible expense.

How do I apply?

Every law enforcement agency and prosecutor's office in Texas is mandated to provide victims of crime with information about the Crime Victims' Compensation Program applications for benefits.

Applications for benefits can be obtained directly from the Crime Victims' Compensation Program in the Texas Office of the Attorney General by calling (800)983-9933. ★

The information contained in this article was obtained from the *Crime Victims' Compensation* brochure, provided by the Texas Office of the Attorney General. For more information, contact the Crime Victims' Compensation Fund by writing to P.O. Box 12198, Austin 78711-2198; by calling toll-free (800)983-9933; by faxing (512)936-1800; or by visiting www.oag.state.tx.us.

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