

OTHER SOURCES OF COMPENSATION

The Crime Victims' Compensation Program is a payor of last resort that pays for financial losses not covered by other sources. These sources include, but are not limited to:

- Insurance (health, auto, disability, etc.)
- Workers' Compensation
- Public funds such as Medicaid or Medicare
- Sick or annual leave paid by an employer
- Restitution paid by an offender

PROCEDURES

After receiving the application, Program staff conducts an investigation. Law enforcement, physicians, therapists, hospitals, insurance companies and employers are contacted to verify the claims made on the application. The Program then makes a decision on the claim and the victim/claimant is notified.

PRE-HEARINGS & APPEALS

If a claim is denied, a dissatisfied victim/claimant has 30 days from the denial date to submit a written request for a hearing before an Administrative Law Judge.

ATTORNEY ASSISTANCE

The victim/claimant may have an attorney assist with filing a claim. Attorney fees are \$100 an hour or 15% of the total award, whichever is less. Note that the attorney is paid first, and if lost wages, loss of support or out-of-pocket expenses are sought, the attorney fees are deducted from the victim's/claimant's amount.

HOW TO FILE A CLAIM?

If you want to file a claim, applications may be obtained by calling or writing to the following address:

Crime Victims' Compensation

P.O. Box 3001

Jefferson City, MO 65102-3001

Phone (573) 526-6006

or

Toll Free 1- (800) 347-6881

Internet: www.dps.mo.gov/cvc

NOTICE

This brochure is only a summary of Missouri law relating to the Crime Victims' Compensation Program administered by the Missouri Department of Public Safety. It is not in itself binding upon the Crime Victims' Compensation Program.

For the actual provisions, please refer to the Missouri Crime Victims' Compensation Law, Section 595 RSMo, as amended.

DEPARTMENT OF PUBLIC SAFETY

Missouri

Crime Victims' Compensation Program



MISSOURI'S PROGRAM

The Missouri Crime Victims' Compensation Program is designed to financially assist victims who have sustained bodily or psychological injury in paying for medical expenses, counseling expenses, funeral expenses and lost wages/or support. This Program is administered by the Department of Public Safety.

AVAILABLE BENEFITS

A claim may be filed for out-of-pocket expenses only. The following expenses are covered by our Program:

- Medical expenses
- Funeral expenses
- Counseling expenses
- Lost wages/or support.

LOSSES NOT ELIGIBLE FOR BENEFITS

- Stolen or damaged property
- Pain and suffering

THOSE ELIGIBLE FOR BENEFITS

You may be eligible for benefits if:

1. You sustained personal bodily injury as a victim of violent crime or as a result of helping another person or police officer, or while attempting to prevent a crime; or
2. You are the relative of a sexual assault victim who needs counseling in order to better assist the victim in recovery; or
3. In the event of a victim's death, you are the surviving spouse, child or other dependent of a deceased violent crime victim; or
4. You are a Missouri resident who suffers personal injury or death as a result of terrorism committed outside of the United States.

SOME ELIGIBILITY CONDITIONS

The crime must be reported to law enforcement within 48 hours of the crime, or in the case of minors, within 48 hours of discovery.

The application must be filed within two (2) years of the crime date.

The victim cannot have two (2) felony convictions within a 10-year period, one of which involves illegal drugs or violent crime.

The victim must cooperate with law enforcement and prosecution.

LIMITS ON AWARDS

- Total compensation awards may not exceed \$25,000.
- Wage loss may not exceed \$200.00 per week.
- Funeral expenses may not exceed \$5,000.
- Counseling expenses may not exceed \$2,500.

SUBROGATION RIGHTS

Under certain circumstances, victims may be required to reimburse the Fund:

1. If, as part of the criminal sentence, the court orders the offender to make restitution, that portion of the restitution covering expenses paid by the Program must be reimbursed to the Compensation Fund;
2. In the event of a successful civil suit against the offender, or a third party suit, the victim must reimburse the Compensation Fund for expenses already paid, or a claim may be denied in the event the recovery was more than the victim's economic loss.