

Fact Sheet: Victim Compensation in NC

According to NC's Department of Public Safety's Crime Victim Compensation webpage, Crime Victim Compensation Services may reimburse innocent victims of crime who suffer medical expenses and lost wages. Victims of rape, assault, child sexual abuse, domestic violence, and drunk driving, as well as the families of homicide victims, are eligible to apply for financial help.

Payments may be used to cover the cost of medical care, counseling, lost wages, and funerals. As a payer of last resort, North Carolina's compensation program can help offset the financial losses not covered by other sources including, but not limited to:

- Health insurance;
- Auto or disability insurance;
- Public funds such as Medicaid;
- Workers compensation; or
- Restitution paid by an offender.

Victims must file for compensation within two years of the date when the injury occurred. Medical expenses related to injuries received from the crime are only eligible for review for the one-year period following the date of the crime.

The program does NOT compensate victims for damaged or stolen property, or for pain and suffering.

A maximum of \$45,000 may be paid for medical expenses related to treatment of injuries as a result of the crime. A maximum of \$10,000 may be paid for funeral expenses when the victim dies as a result of the crime. Benefits for approved claims are paid directly to a service provider.

Background

In 1984 Congress pass the Victims of Crime Act (VOCA) which established the Crime Victim's Fund, providing financial assistance to victims of crime through state-based compensation programs, as well indirectly through state grants that help finance state victim service organization. There is no federal or national crime victim compensation program for crimes occurring within the US.

The primary sources of revenue for the fund are:

- Criminal fines, with exceptions for funds related to certain environmental, railroad, unemployment insurance, and postal service violations.
- Forfeited appearance bonds.
- Special forfeitures of collateral profits from crime.

- Special assessments that range from \$25 on individuals convicted of misdemeanors and from \$400 on corporations convicted of felonies.
- Gifts, donations, and bequests by private parties, as provided by the USA PATRIOT Act 2001, which went into effect in 2002.

The earliest compensation program was created in 1965 in California. Today, compensation programs are paying out close to \$500 million annually to more than 200,00 victims. States fund their programs almost entirely through fees and fines charged against those convicted of crime. Federal grants to compensation programs, providing about 35% of the money for payment to victims, also come solely from offender fines and assessments.

Assault victims make up half of the claimants, child sexual abuse 29%, 10% to families of homicide victims, and 8% to sexual assault victims.

Sources:

Department of Public Safety, Crime Victim Compensation at <https://www.ncdps.gov/dps-services/victim-compensation-services/crime-victim-compensation>

Crime Victims Fund at <https://ovc.ojp.gov/sites/g/files/xyckuh226/files/pubs/crimevictimsfundfs/intro.html>

Victim Compensation: An Overview at <https://nacvcb.org/victim-compensation/>