

**Crime Victim Compensation Program for the
7th Judicial District Office of the District Attorney
1140 North Grand Ave Suite #200 Montrose, CO 81401
(970) 252-4260**

Crimes covered by the Victim Rights Act

- Murder;
- Manslaughter;
- Criminally negligent homicide and vehicular homicide;
- Assault;
- Menacing;
- Kidnapping;
- Sexual Assault;
- Incest and aggravated incest;
- Crimes related to child prostitution;
- Child abuse;
- Sexual exploitation of children;
- Trafficking in adults or children
- Crimes against at-risk adults/juveniles;
- Indecent Exposure;
- Invasion of privacy for sexual gratification
- Violation of a criminal protection order issued against a person charged with sexual assault;
- Robbery; aggravated, aggravated of a controlled substance;
- First degree burglary;
- Crimes for which the underlying foundation has been determined to be domestic violence;
- Careless driving that results in the death of another person;
- Failure to stop at the scene of an accident that results in the death of another person;
- Stalking;
- Ethnic intimidation or bias motivated crime;
- Retaliation against a victim, witness, judge, prosecutor or juror;
- Tampering with a victim or witness;
- Intimidation and aggravated intimidation of a victim or witness; and
- Any criminal attempt, conspiracy, criminal solicitation, or accessory involving the crimes specified above.

If a victim is deceased or incapacitated, these rights may be exercised by the victim's spouse, parent, child, sibling, grandparent, grandchild, significant other, or other lawful representative.

Crime Victim Compensation

If you are a victim of a reported crime, you may be eligible for compensation. Funds for this program come from assessments collected from adults and juveniles who have been convicted of a crime.

A victim of a compensable crime can complete an application to be reviewed by the Crime Victim Compensation Board. The three-member board consists of private citizens, appointed by the District Attorney.

Below you will find basic information about the Crime Victim Compensation Program. For more specific details, application forms, assistance and Board policies, please contact the District Attorney's Office.

Definitions:

VICTIM: A person injured or killed as a direct result of a compensable crime.

SECONDARY VICTIM: An individual usually related to the victim who was indirectly involved in the criminal act/crime. Although listed in the law enforcement report/affidavit as an actual victim, (non-offending parent in a sexual assault case, child in a domestic violence case, family murder victim, witness to a crime, spouse of a rape victim).

PROPERTY DAMAGE:

1. All of the above, except the amount is not to exceed \$250.00 for replacement/repair or windows/locks/doors.
2. The claim is filed with the Board within six months of the date the crime occurred.

RECONSIDERATION PROCESS:

An applicant has the right to reconsider the decision of the Board. To reconsider, the applicant must submit a request in writing within (20) days of victim's receipt of the written denial by the Board. The application can appear in front of the Board if necessary; to present evidence and/or witnesses to show that their claim is reasonable as well as compensable.

Eligibility Requirements

- Criminal act occurred in the 7th Judicial District.
- Reported within 72 hours of the criminal act/crime. The board may find good cause exists for the failure of notification.
- The victim must be fully cooperative with law enforcement.
- Injury or death was not a result of the victim's own wrong doing.
- An arrest or conviction does not have to be made in order to be eligible for funding; however, a compensable crime must have been reported to law enforcement and there must be a law enforcement report/affidavit verifying a criminal act/crime occurred.
- Claim is to be filed with one year of the date of the criminal act/crime. The board may find good cause exists for an extension.

Losses that may be reimbursed

- Reasonable medical & dental expenses
- Mental health care
- Loss of net wages pursuant to Board policy
- Burial expenses
- Replacement of dentures, hearing aids, eye glasses and other medically necessary equipment
- Homemaker and home health care services
- Loss of support to dependents replacement or repair of exterior doors, windows, locks or other security devices on residential buildings

Compensation does NOT cover:

- Injury resulted from victim's own participatory conduct
- Losses which have been fully compensated from any other source

- Loss of money or any personal property such as televisions, stereos, clothes, food or jewelry
- Damaged or stolen vehicles
- Pain and suffering only
- Staffing or consultations between therapists/caseworkers.
- Missed appointments
- Telephone costs
- Time spent writing reports
- Court appearances (viewed on a case by case basis)
- Travel time/costs (wear/tear on tires, mileage, gas- viewed on a case by case basis)
- Sessions including the offender.
- Interest charges to client's bills.

Emergency Awards:

This award is intended to cover expenses incurred by crime victims in meeting their immediate short-term needs. The Board will determine if undue hardship will result to the applicant if immediate payment is not met. If you feel you are in need of emergency assistance, contact the advocate you have been working with or the Crime Victim Compensation Administrator at the District Attorney's Office at (970) 252-4260.

Please note:

- Processing and presenting your claim to the Crime Victim Compensation Board may take up to 60 days.
- Some requirements may be waived for "good cause" or in the "interest of justice" by the Crime Victim Compensation Board.
- Any services provided prior to CVC Board approval will not be covered under Crime Victim Compensation Fund. The board will receive copies of an application, law enforcement report/affidavit, medical bills as well as any treatment plans submitted for review on all client claims.