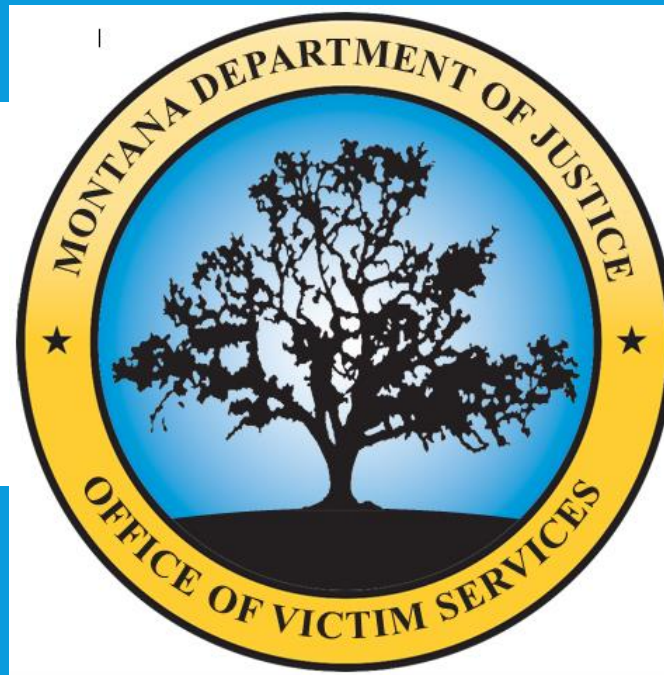


**DEPARTMENT OF JUSTICE
DIVISION OF CRIMINAL INVESTIGATION
SPECIAL SERVICES BUREAU**



Crime Victim Compensation Program

DEPARTMENT OF JUSTICE OFFICE OF VICTIM SERVICES

- ❖ Crime Victim Compensation
 - ❖ Restitution
- ❖ Orders of Protection
- ❖ Montana Hope Card Service
- ❖ Address Confidentiality Program
- ❖ Forensic Rape Exam Payment Program
- ❖ Domestic Violence Fatality Review Commission
- ❖ Sexual Assault Kit Initiative
 - ❖ [Victim Services - Montana Department of Justice \(dojmt.gov\)](http://dojmt.gov)

CRIME VICTIM COMPENSATION PROGRAM

Created in 1978 to help survivors injured or killed in a violent crime.

- Personal injury crime that occurs in Montana.
- Montana resident injured in a state that doesn't cover out of state residents.
- Montana resident injured in a foreign country.

Funding Sources.

- State General Fund.
- Federal Grant - Office for Victims of Crime.
- Funds recovered from restitution, subrogation and donations.

DEFINING SURVIVORS

Primary Victim

- Child physical abuse
- Sexual assault
- Domestic abuse
- Human Trafficking
- Stalking
- Vehicle used as a weapon
- Homicide
- Assault
- Child sexual abuse
- DUI

Secondary Victim

- Immediately family members of child sexual abuse.
***Parents of child sexual abuse victims are now eligible for a wage loss benefit.
- Immediate family members of homicide victims.
- Minor children who witness domestic violence.
- Secondary victims are eligible for mental health counseling only.
***Secondary victims cannot be awarded if the primary victim is denied.

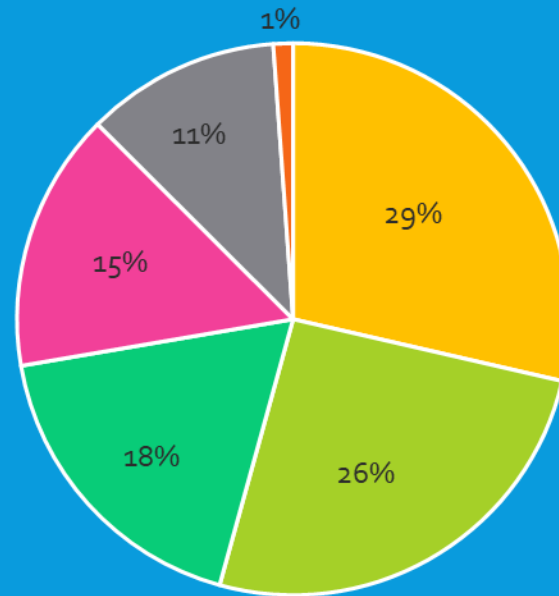
BENEFITS OFFERED

- Hospital
- Physicians
- Prescription medications
- Dental
- Glasses/contacts
- Mental health treatment
- Prosthetic devices
- Funeral
- Medical travel expenses
- Wage loss
- Death benefits
- Ambulance

FY23 BENEFITS PAID BY CATEGORY

\$986,258.00

Benefit Payments



■ Doctor ■ Hospital ■ Wages ■ Mental Health Therapy ■ Funerals ■ Medical Travel

APPLICATION REQUIREMENTS

- Must be 18 years of age or emancipated.
- Parent or guardian of a survivor under 18.
- Spouse or next of kin in a homicide case.
- Claim form must be fully completed and signed by the claimant.
- Application should be filed as soon as possible after the crime. DO NOT wait for outcome of the investigation or prosecution.

ELIGIBILITY REQUIREMENTS

- Crime required to be reported within 72 hours of the crime.
- Application benefits must be filed within one year of the crime.
- Full cooperation with law enforcement and prosecutor's office.
- Unjust enrichment or other collateral sources.
- Must comply with Crime Victim Compensation Program requests for information.
- No coverage for incarcerated individuals.
- Contribution – the Program looks at the actions of both the offender and victim.
- Applicant cannot be deemed the offender or accomplice of the offender.
 - 53-9-101, MCA and 23.15.201 through 23.15.310, ARM.

CLAIMS PROCESSING STAGES

1. Claim intake and initial processing

2. Eligibility determination

- Award
- Denial (Possible Appeal Process)

3. Benefit payment cycle

- Collateral Sources
- Benefits Paid

4. Restitution Recovery

5. Closure

•Written Notices for each stage

- Survivor (claimant)
- Law Enforcement Agency
- City/County/Federal Prosecutor
- Medical Providers

COLLATERAL SOURCES

- Private medical insurance
- Medicaid
- Medicare
- Life insurance
- Motor vehicle insurance
- Disability insurance
- Wage loss insurance
- Veteran's benefits
- Restitution
- Social Security benefits
- Workers' compensation
- Wage coverage insurance
- 3rd party civil suits
- Sick leave

* In some cases, the Program can make exceptions to the collateral source requirement.

BENEFIT LIMITATIONS

- **Maximum medical/wage loss payout per claim is \$25,000.**
- **Funeral benefit - \$10,000.00 maximum.**
 - * may be used for a monument or transport of remains.
 - * HB183 passed in the 2023 MT Legislature raising the funeral benefit from \$3,500.00 to \$10,000.00.
- **Mental health benefits.**
 - \$150.00 maximum allowed per day.
 - Therapist must be licensed in the state in which the services are provided.
 - No in-patient or chemical dependency mental health can be considered.
 - Primary victims \$2,000 or one year, whichever is reached first.
 - *extensions are available.
- **Secondary victims are limited to \$5,000 or one year, whichever is reached first.**
 - *no extensions available.

CRIME VICTIM COMPENSATION PROGRAM CONTACT INFORMATION

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Director

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