



Crime Victims Compensation: Frequently Asked Questions by Sexual Assault Victims

These Frequently Asked Questions do not cover every situation. For all requirements and complete information, consult the Crime Victims Compensation Act, 740 ILCS 45/1 et seq. at www.ilga.gov.

Who is eligible?

- A person who was sexually assaulted in Illinois.
- The spouse, parents or child of a person who was sexually assaulted in Illinois (for expenses such as their own counseling or loss of earnings while caring for the sexual assault victim).
- Person living in the same dwelling that has a relationship with the sexual assault victim substantially similar to that of a parent, spouse, or child
- Person who is the grandparent, grandchild, brother, sister, half-brother or half-sister of a person of a sexual assault victim. (Counseling, loss of earnings and relocation only)
- A person who, at the time the crime occurred, resided in the same dwelling as the sexual assault victim (Counseling, loss of earnings and relocation only)
- Person called as a witness by the prosecution to establish a nexus in a sexual assault prosecution
- Personal witness to a crime of sexual assault
- The legal guardian if the minor or person under legal disability is a sexual assault victim. (Must be the legal guardian of the minor or disabled person prior to the date of the crime)
- An Illinois resident sexually assaulted in a country without a Compensation Program
- An adult who is physically or mentally incapacitated if their guardian or caretaker is a sexual assault victim

What are the general qualification requirements?

- Notify law enforcement within 7 days of the crime's occurrence.
- File an application within 5 years of the crime date (specific limited exceptions may apply).
- Cooperate with law enforcement to arrest and prosecute the offender
 - The following also satisfies the notification and cooperation requirements:
 - Obtaining a Plenary Order of Protection, Civil No Contact Order or Stalking No Contact Order
 - Having a sexual assault evidence collection kit done
 - Receiving medical treatment at the medical facility
 - Report of psychological injuries to a Mental Health Provider
 - Notification of physical injuries to a Mental Health Provider
- A victim who is in jail or prison must wait until she or he is discharged from custody before compensation may be granted.
- Applications submitted outside the prescribed eligibility window may be accepted if the Attorney General determines that the applicant had good cause for a delay.
 - Good cause for the delay will be found if:
 - The crime victim is otherwise eligible for compensation; and
 - The delay in filing the application was a result of a delay in the testing of, or a delay in the DNA profile matching from, a sexual assault forensic examination kit or biological material collected as evidence related to a sexual offense

What types of expenses may the Crime Victims Compensation Program pay?

- Medical, hospital, and dental expenses.
- Mental health treatment expenses.
 - Services must be provided by a psychiatrist, licensed clinical psychologist, licensed clinical social worker, licensed clinical professional counselor, or a Christian Science practitioner/nurse. Services by an unlicensed person working with a licensed person cannot be paid.

- Lost wages (up to a maximum of \$2,400 per month) due to time missed from work that was not reimbursed by employer with sick, vacation, or personal paid time. The victim must be employed at the time of the crime.
- Accessibility costs (e.g., wheelchair, walker, crutches, shower stool, etc.).
- Costs associated with temporary lodging or relocation necessary as a result of the crime, including, but not limited to, the first month's rent and security deposit of the dwelling that the claimant relocated to and other reasonable relocation expenses incurred as a result of the crime.
- Loss of tuition for classes dropped as a result of the crime.
- Crime scene cleanup (does not include replacement of damaged property).
- Replacement services loss (i.e., domestic tasks that a victim used to perform, but is no longer able to perform due to the crime).
- Replacement costs for the following: locks, doors, and windows; prosthetic devices; eyeglasses and hearing aids damaged or necessary as a result of the crime; and, clothing and bedding taken as evidence by the police, trafficking tattoo removal and transportation.
- The maximum total payments are limited to \$45,000 (\$27,000 for crime occurring before 8/7/22) and several expenses have caps (e.g., loss of earnings as stated above).

Do I have to use insurance or other sources of payment?

Yes. The Illinois Crime Victim Compensation Program is the payor of last resort. All other sources of payment must be exhausted before an award may be issued by the Crime Victims Compensation Program.

Payment will not be recommended for expenses or losses that can be covered by any other available sources, such as medical/health, dental, or vision insurance, Public Aid, Medicare, discounts available under the Hospital Uninsured Patient Discount Act, Worker's Compensation Benefits, life insurance, auto insurance, restitution, and any other reasonable source.

What types of expenses cannot be paid by the Crime Victims Compensation Program?

- Any expenses not related to the crime
- Pain and suffering
- Stolen, damaged or lost property (except locks, doors and windows)

Do I get the money for compensation?

Payment will be reimbursed to you for your out-of-pocket expenses or directly reimbursed to the service providers if the bills are outstanding.

What happens when the Crime Victims Compensation Program receives my application?

- Our office will obtain the police report and other documents necessary to determine your eligibility.
- You will receive a phone call from our office to conduct an interview.
- If you are eligible, you will receive a letter requesting that you submit proof of your losses within 45 days of receiving the letter.
- Our office will verify your losses and will make a recommendation that will be reviewed by Court of Claims.
- A letter will be mailed to you by our office with the award recommendation and all recommended payments will be issued by the Illinois Comptroller's Office.

If you have any questions please contact the Illinois Attorney General's Office Crime Victims Compensation Program at 1-800-228-3368 or visit our website at www.illinoisattorneygeneral.gov. Individuals with hearing or speech disabilities can reach us by using the 7-1-1 relay service. Applications can be submitted online at https://forms.illinoisattorneygeneral.gov/Forms/CrimeVictims_CompensationRequest or by completing and returning the fillable form: <https://www.illinoisattorneygeneral.gov/Page-Attachments/CVApplicationEnglish.pdf>.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., prohibits discrimination on the basis of race, color, or national origin in programs receiving federal financial assistance. Persons who speak English as a second language who are applicants or recipients to programs receiving federal financial assistance, will be afforded language translation and interpretation services at no charge to the applicant or recipient. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.