



## Victim Services

### Who is Eligible?

- ◆ Persons who have been physically or emotionally injured by a crime.
- ◆ California residents injured by a crime or terrorism wherever it takes place.
- ◆ Survivors of a victim who dies as a direct result of a crime and anyone who paid for medical, funeral and/or burial expenses for that victim.
- ◆ A victim's spouse, child, parent, fiancé or sibling who witnessed the crime.
- ◆ A person living in the victim's household at the time of the crime.
- ◆ A person who had lived with the victim for at least two years in a relationship similar to a spouse, child, parent or sibling of the victim.
- ◆ The primary caretaker of a minor victim.

### How to Qualify

- ◆ The crime must have been reported to law enforcement.
- ◆ File an application with the program within one year from the date of the crime or explain why it was not filed on time.
- ◆ If the victim was under 18 years of age on the date of the crime, file an application before the victim's 19th birthday.
- ◆ Cooperate with law enforcement and with the program's representatives.

**If you have been a victim of a crime and need assistance, you can call 619-531-4041. A Victim Advocate will speak with you and determine how we can assist you. Program services are provided free of charge, and there is no legal citizenship requirement to receive assistance.**

### Services Available

Victim Services offers comprehensive services to victims and witnesses of all types of crimes. Assistance is provided from the moment the crime occurs for as long as assistance is needed; there is no cutoff for assistance by the program. The Program was created by the passage of Section 13835 et seq. of the California State Penal Code, which mandates local comprehensive centers for victim and witness assistance throughout California. In the County of San Diego, this assistance is administered through the District Attorney's Office.

## **Mandatory Services**

- ◆ Crisis intervention
- ◆ Emergency assistance
- ◆ Resource and referral assistance
- ◆ Direct follow-up counseling
- ◆ Property return assistance
- ◆ Orientation to the Criminal Justice System
- ◆ Court escort & court support
- ◆ Case status & case disposition information
- ◆ Notification of family and friends
- ◆ Employer notification
- ◆ Victim of crime claims assistance

## **Optional Services**

- ◆ Creditor Intervention
- ◆ Child care
- ◆ Restitution information
- ◆ Witness notification
- ◆ Funeral and burial arrangements
- ◆ Crime prevention information
- ◆ Temporary restraining order information
- ◆ Transportation assistance
- ◆ Court waiting area
- ◆ Employer intervention

## **Victim Assistance Locations**

The San Diego District Attorney's office has many Victim Assistance Centers located throughout San Diego County. The eight centers are listed below:

<b><u>Downtown</u></b>	<b><u>East County</u></b>	<b><u>North County</u></b>	<b><u>Juvenile</u></b>	<b><u>South Bay</u></b>
619-531-4041	619-441-4538	760-806-4079	858-694-4595	619-691-4539

## **Restitution Enforcement**

In California, victims of crime have a constitutional right to restitution. Restitution involves restoring economic losses incurred by crime victims or returning what was taken away from them as a result of a crime. It is the policy of the District Attorney that prosecutors and supporting staff members will assist victims to obtain restitution from convicted defendants in every appropriate case. Prosecutors accomplish this by seeking a restitution order from the judge handling the criminal case. See brochure on Enforcing Criminal or Juvenile Court Restitution Orders as Civil Judgments.

## **Restitution Enforcement Continued...**

Victims of violent crimes can also receive some reimbursement for eligible losses from the state. The California Victim Compensation Board (State Board) administers the program that is primarily funded by restitution fines that courts order convicted offenders to pay in every case. Since 1987, the State Board has provided funds to a District Attorney's Office Restitution Claims Unit to process restitution claims by victims in San Diego County. In 1998, the program was expanded to provide emergency payments for funeral and burial costs for eligible claims and augmented in 2000 to provide emergency relocation funds for victims of domestic violence. Victims begin the process with the assistance of a victim advocate by submitting an application for Crime Victim Compensation.

### **What losses are eligible for State Board claims payments?**

- ◆ Medical and medical-related expenses for a victim, including dental expenses
- ◆ Funeral and burial expenses for deaths by criminal acts up to \$5000
- ◆ Relocation expenses up to \$2,000 per household
- ◆ Outpatient mental health treatment or counseling and in-patient psychotherapy costs
- ◆ For actual victims, wage losses for up to five years following the date of a crime
- ◆ Up to 30-days of wage losses for a parent or legal guardian of a minor victim who has been hospitalized or has died as a result of the crime
- ◆ Support losses for legal dependants of a deceased or injured crime victim
- ◆ Home security systems or improvements up to \$1,000 if the crime occurred in victim's home
- ◆ Crime scene cleanup for up to \$1,000 if a victim died as a result of a crime inside a residence

### **What expenses are not eligible for State Board claims payments?**

- ◆ Lost, damaged, or stolen personal property, except medically necessary replacement of items such as eyeglass and medical equipment
- ◆ Legal fees
- ◆ Claims for pain and suffering
- ◆ Expenses submitted more than three years after such expenses were incurred
- ◆ Expenses for applicants or victims who have themselves been convicted of a felony and are either placed in jail or on probation or parole

## **State Board claims payments continued...**

The State Board will only pay crime-related bills not covered by insurance or other sources. Reimbursements cannot exceed a total of \$70,000 for a particular crime. Each of the above losses may have their own limits. Please consult a victim advocate or a Restitution Claims Unit specialist for limitations that may apply in your case. You do not need a lawyer or other representatives to receive payments through the State Board Victim Compensation Board.

## **Restitution Claims Unit - Restitution Enforcement & Victim Services Division**

### **Hall of Justice**

330 West Broadway, Suite 880  
San Diego, California 92101  
Telephone: 619-531-3915

## **These public Web sites offer additional information on Restitution and Victim Services**

### **CA Victim Compensation Board**

<http://www.boc.ca.gov>

### **San Diego County Probation Department**

[http://www.sdcounty.ca.gov/probation/probation\\_home.html](http://www.sdcounty.ca.gov/probation/probation_home.html)

### **CA Office of Emergency Services**

<http://www.oes.ca.gov/Operational/OESHome.nsf/CJPDHome>

### **U.S. Office for Victims of Crime**

<http://www.ojp.usdoj.gov/ovc>