

## Crime Victim Compensation

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### Issue

Provide a summary of the crime victim compensation limits in Connecticut (including any recent changes to the limits under [CGS § 54-211](#)), Massachusetts, New York, and Rhode Island.

### Summary

Connecticut, Massachusetts, New York, and Rhode Island all have crime victim compensation programs under which crime victims may receive compensation for eligible crime-related expenses (e.g., medical, lost wages, and counseling) up to certain limits (see sidebar).

Under Connecticut law, the Judicial Branch's Office of Victim Services (OVS) administers the state's [Victim Compensation Program](#). For good cause shown and upon a finding of compelling equitable circumstances, OVS or a victim compensation commissioner may award amounts above the statutory maximum. (Under the law, OVS may receive money from federal and state funds, businesses or other sources ([CGS § 54-203](#)).

#### *Maximum Payments*

*Connecticut – Generally \$15,000 (\$25,000 for death)*

*Massachusetts – \$25,000 (\$50,000 for catastrophic injury)*

*New York – No medical maximum (limits on other expenses ranging from \$500 for certain personal property to \$30,000 for lost wages)*

*Rhode Island – \$25,000*

[CGS § 54-211](#) has been amended three times in the past 10 years. None of these changes affected the statutory maximum. Over the past five sessions, there have been two legislative proposals to change the award limits; [pSB 592](#) (2017) and [pSB 726](#) (2017) propose to increase the statutory maximum from \$15,000 to \$25,000 for sexual assault victims.

For information on crime victim compensation limits in other states, see the National Association of Crime Victim Compensation Boards' [website](#).

## **Connecticut's Victim Compensation Awards**

### ***Award Limits and Covered Expenses (CGS §§ 54-201, et seq.)***

The maximum payments under Connecticut's [Victim Compensation Program](#) are \$15,000 for personal injury, \$25,000 for survivor benefits, and \$2,000 for counseling for a non-relative child witness of domestic violence.

Personal injury includes:

1. medical, dental, counseling, and prescription expenses;
2. counseling for relatives of sexual assault, domestic violence, and child abuse victims;
3. cosmetic and plastic surgery;
4. medical-related special needs, such as medical equipment (e.g., wheelchair) and modifications to a home or vehicle (e.g., ramp);
5. lost wages (does not include going to court); and
6. crime scene clean-up (up to \$1,000).

Survivor benefits include:

1. funeral (up to \$5,000) to any person who paid some or all of the expenses;
2. loss of support for dependents and legal designated decision makers;
3. lost wages and mileage for relatives and legal designated decision makers to attend criminal court proceedings;
4. counseling for relatives and legal designated decision makers; and
5. crime scene clean-up (up to \$1,000).

### ***Legislative Amendments***

Connecticut's statutory maximums for victim compensation awards is governed by [CGS § 54-211](#). Over the past five sessions, there have been two legislative proposals to change the award limits; [pSB 592](#) (2017) and [pSB 726](#) (2017) propose to increase the statutory maximum from \$15,000 to \$25,000 for sexual assault victims.

[CGS § 54-211](#) has been amended three times in the past 10 years. None of these changes affected the statutory maximums.

1. [PA 15-195](#) (§ 6) specifically allows OVS to waive the two-year limitation on crime victim compensation applications for minors, including minors who are victims of human trafficking or related federal crimes, if the office finds that the minor is not at fault for missing the application deadline (Effective October 1, 2015).
2. [PA 12-133](#) (§ 28) authorizes compensation when OVS or a victim compensation commissioner reasonably concludes that (a) an alleged sexual assault crime or risk of injury to a minor occurred and (b) the personal injury was disclosed to certain individuals. The act also eliminated the \$100 deductible on the total amount of victim compensation determined for an injury (Effective October 1, 2012).
3. [PA 06-100](#) (§§ 2 & 3) permits OVS, for good cause and upon a finding of compelling equitable circumstances, to (a) waive the time limitation on crime victim compensation applications and (b) award compensation in an amount in excess of the statutory maximum. The act also makes eligible for compensation sexual assault victims who fail to report the crime to the police within the time period but who go to a health care facility within 72 hours after the assault for a sexual assault examination and evidence collection (Effective October 1, 2006).

## **Victim Compensation Limits in Neighboring States**

### ***Massachusetts ([Mass. Gen. Laws Ann. Ch. 258C § 1, et seq.](#))***

The Massachusetts Attorney General's [Victim Compensation & Assistance Division](#) assists crime victims with expenses up to a maximum of \$25,000 per crime (up to \$50,000 for catastrophic injuries, such as paralysis, amputations, or second or third degree burns).

The following expenses are covered:

1. medical and dental expenses (including equipment, supplies, and medications);
2. counseling expenses (for victims, for family members of homicide victims, and for children who witness violence against a family member);
3. funeral or burial costs (up to \$8,000 and up to \$800 ancillary expenses);
4. lost wages (for victims only);
5. loss of financial support (for dependents of homicide victims);

6. homemaker expenses;
7. ancillary funeral or burial;
8. replacement bedding or clothing;
9. crime scene cleanup;
10. forensic sexual assault exam;
11. security measures; and
12. counseling for non-offending parents of a child victim.

***New York (N.Y. Exec. Law §§ 620, et seq.)***

[New York's Office of Victim Services](#) compensates victims for expenses related to personal injury, death, and loss of essential personal property. There are no maximum limits for medical expenses.

Covered expenses include:

1. medical and counseling expenses;
2. loss or damage of essential personal property (up to \$500);
3. burial/funeral expenses (up to \$6,000);
4. lost wages or lost support including lost wages of parents if a child victim is hospitalized (up to \$30,000);
5. transportation (necessary court appearances for prosecution);
6. occupational/vocational rehabilitation;
7. use of shelters by domestic violence victims and their children;
8. crime scene clean-up (up to \$2,500);
9. good Samaritan property losses (up to \$5,000); and
10. moving expenses (up to \$2,500).

***Rhode Island (R.I. Gen. Laws. §§ 12-28-1, et. seq.)***

Under the Rhode Island [Crime Victim Compensation Program](#), a victim may be eligible for compensation up to a maximum of \$25,000 but there are limits for some expenses, including:

1. funeral and burial up to \$8,000;
2. relocation expenses up to \$2,500; and
3. crime scene clean-up up to \$2,000.

The following crime-related expenses are covered if they are not covered by insurance or other resources:

1. medical, dental, and hospital care;
2. eyeglasses;
3. mental health counseling;
4. sexual assault examinations;
5. funeral and burial costs;
6. crime scene clean-up costs;
7. loss of earnings;
8. loss of support (dependents of deceased only); and
9. relocation expenses.

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