

FROM: \_\_\_\_\_

# Information for Victims of Crime



## Kansas Crime Victims Compensation Board

120 SW 10th Ave, 2nd Floor  
Topeka, KS 66612-1597  
(785) 296-2359

Crime Victim Information & Referral  
1-800-828-9745  
8 a.m. - 5 p.m.  
Monday - Friday

Provided by Kansas Attorney General  
**Stephen N. Six**

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STAMP  
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## Message from Attorney General Stephen Six:



Dear Kansans,

As a former judge, I have personally witnessed the tragic result of violent crime, and I understand the burden faced by victims and their families during the difficult time after the crime occurs.

No victim or their family should have to undergo the financial drain of a violent crime alone. The Crime Victims Compensation Board in my office seeks to assist victims of crime and put them on the road to recovery.

My office continues to work to achieve justice for all crime victims in Kansas, whether by helping to recover out-of-pocket costs, investigating crimes or prosecuting the criminals.

It is my honor to serve as your Attorney General.

Sincerely,

Stephen N. Six



## Constitutional Amendment for Victims' Rights

Article 15, Section 15 reads as follows:

(a) Victims of crime, as defined by law, shall be entitled to certain basic rights, including the right to be informed of and to be present at public hearings, as defined by law, of the criminal justice process, and to be heard at sentencing or at any other time deemed appropriate by the court, to the extent that these rights do not interfere with the constitutional or statutory rights of the accused.

(b) Nothing in this section shall be construed as creating a cause of action for money damages against the state, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof. The legislature may provide for other remedies to ensure adequate enforcement of this section.

(c) Nothing in this section shall be construed to authorize a court to set aside or to void a finding of guilty or not guilty or an acceptance of a plea of guilty or to set aside any sentence imposed or any other final disposition in any criminal case.

## Kansas Victims' Bill of Rights, K.S.A. 74-7333

1. Victims should be treated with courtesy, compassion, and with respect for their dignity and privacy and should suffer the minimum of necessary inconvenience from their involvement with the criminal justice system.
2. Victims should receive, through formal and informal procedures, prompt and fair redress for the harm which they suffered.
3. Information regarding the availability of criminal restitution, recovery of damages in a civil cause of action, the crime victims' compensation fund and other remedies and the mechanisms to obtain such remedies should be made available to victims.
4. Information should be made available to victims about their participation in criminal proceedings and the scheduling, progress and ultimate disposition of the proceedings.
5. The views and concerns of victims should be ascertained and the appropriate assistance provided throughout the criminal process.
6. When the personal interests of victims are affected, the view or concerns of the victim should, when appropriate and consistent with criminal law and procedure, be brought to the attention of the court.
7. Measures may be taken when necessary to provide for the safety of victims and their families and to protect them from intimidation and retaliation.
8. Enhanced training should be made available to sensitize criminal justice personnel to the needs and concerns of victims and guidelines should be developed for this purpose.
9. Victims should be informed of the availability of health and social services and other relevant assistance that they might continue to receive the necessary medical, psychological, and social assistance through existing programs and services.
10. Victims should report the crime and cooperate with law enforcement authorities.

(Detach and Tape Closed)

Office of the Attorney General  
CRIME VICTIMS COMPENSATION BOARD  
120 SW 10th Avenue, 2nd Floor  
Topeka, Kansas 66612-1597

## Kansas Crime Victims Compensation Law

This statute was passed to provide victims of violent crimes with compensation for loss of earnings and out-of-pocket medical expenses as a direct result of the incident. In the event of the death of the victim, funeral, burial or cremation expenses are reimbursable. You may also be eligible for crime scene clean-up.

*Personal property loss is not covered, with the exception of clothing and bedding seized as evidence .*

## How Do I Know if I am Eligible?

Victims of violent crime (including DUI, hit and runs, and intentionally inflicted injuries through the use of a motor vehicle) are eligible for compensation under this statute. A dependent or legal representative of a victim who has died as a result of a violent crime may apply on behalf of the victim. A separate application for grief therapy is available for eligible family members of homicide victims.

**An Eligibility Form is attached to this brochure to assist in determining your eligibility**

- 1 Detach this form along the dotted line.
- 2 Answer all questions, sign and mail.
- 3 After your eligibility form has been received, an application will be sent to you.

**If you do not receive an application within two weeks, please call the Crime Victims Compensation Board at (785) 296-2359.**

## What Are the Eligibility Requirements?

- The crime must be reported to the law enforcement agency where the crime was committed within 72 hours of the event unless the Board finds there was a good cause for the failure to report.
- The victim or claimant must be cooperative with the law enforcement agency.
- The victim or claimant must file a claim within two years. (Cases of child sexual assault are based on the date the crime was reported to law enforcement.)
- Economic loss must exceed \$100 except in cases of sexual assault.

## How Can I Recover Compensation?

Crime victims or their legal representative can recover compensation by filing an application with the Board. Further information can be obtained from local law enforcement agencies or by contacting:

**Office of the Attorney General  
Crime Victims Compensation Board  
120 SW 10<sup>th</sup> Ave., 2<sup>nd</sup> Floor  
Topeka, KS, 66612 1597  
(785) 296-2359**

## What Happens After I File An Application?

Your claim will be assigned to an investigator for processing. Upon completion, it will be presented to the Board for a decision. The average processing time is approximately three (3) months.

## How Will I be Notified of the Decision?

You will be sent a copy of the decision in writing setting forth the reasons why your claim was approved or denied. You should receive a letter within ten (10) days of the Board's decision.

## How Much Can I Recover?

A crime victim may receive up to \$25,000 in compensation. Funeral expenses are limited to \$5,000. These amounts are established by state law. The amount awarded must be reduced by amounts received or to be received from other sources such as:

- Restitution from the offender
- Employee benefits, health insurance, workers' compensation, other insurance, etc.
- Public (city, county, state or federal) funds, i.e., Social Security, SRS



## ELIGIBILITY FORM - Kansas Crime Victims Compensation Board

(REQUEST FOR CRIME VICTIMS APPLICATION)

Date of Crime: \_\_\_\_\_ Victim's Date of Birth: \_\_\_\_\_  
Victim's Name: \_\_\_\_\_  
Victim's Address: \_\_\_\_\_  
*Street or P.O. Box*  
City/State/Zip

Telephone Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_  
Name of Alleged Offender (If known) \_\_\_\_\_  
Description of Crime: \_\_\_\_\_  
Claimant's Name: \_\_\_\_\_ Claimant's Relationship to Victim: \_\_\_\_\_  
*(Person applying for compensation)*

Claimant's Address: \_\_\_\_\_  
*Street or P.O. Box*  
City/State/Zip

Telephone Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_

\_\_\_\_ This claim is being filed within two (2) years of the incident. (Cases of child sexual assault are based on the date the crime was reported to law enforcement.)  
\_\_\_\_ The victim suffered bodily injury or death as a result of the criminal actions of another or the crime may have resulted in mental health treatment due to trauma.  
\_\_\_\_ The incident occurred in Kansas.  
\_\_\_\_ The incident was reported to law enforcement within 72 hours or would have been reported within that time except for a valid reason.  
\_\_\_\_ The victim (and/or claimant) cooperated with law enforcement officials during the investigation and prosecution of the case.  
\_\_\_\_ Economic loss (medical expenses, wage loss, etc.) totals (or will total) \$100 or more and has not been (or will not be) totally paid by other sources.  
\_\_\_\_ The victim (and/or claimant) was not an accomplice to and did not commit a crime in connection with this incident.

**Please identify the law enforcement agency investigating this incident:**  
\_\_\_\_ Sheriff \_\_\_\_ Police Dept. \_\_\_\_ Highway Patrol \_\_\_\_ Kansas Bureau of Investigation \_\_\_\_ Federal Agency

City: \_\_\_\_\_ County: \_\_\_\_\_ Date Reported: \_\_\_\_\_  
Today's Date: \_\_\_\_\_ Claimant's Signature: \_\_\_\_\_