

ELIGIBILITY REQUIREMENTS FOR COMPENSATION CLAIMS

Effective for crimes occurring on or after August 27, 2002

1. The crime must have occurred in Pennsylvania.
2. The crime must be reported to the proper authorities within 72 hours, unless good cause is shown, or the victim is a minor and meets specific criteria. Proper authorities include State Police and municipal police departments. Protection From Abuse Orders filed after December 3, 2002 are also considered as reporting to proper authorities.
3. The victim must cooperate with law enforcement and the courts.
4. The claim must be filed within 2 years of the crime incident.

If the victim is a child, filing may be extended until the victim is 23 years of age provided:

the victim was under 18 years of age at time of occurrence, **and**

the offender is a parent **or** the paramour of a parent,

or an individual residing in the household, **or** a person responsible for the victim's welfare.

If the victim is a child, and is filing only for counseling expenses, the filing time may be extended, regardless of the offender's identity.

The filing time for child victims can be extended beyond 23 years of age, depending on the statute of limitations period. (42 Pa.C.S. Ch. 55 Subch.C)

5. The victim/claimant may be ineligible if the victim was engaged in illegal activity that caused the crime. *(There is an exception for claimants seeking counseling related to a homicide incident. Sexual assault victims are also exempt from assessment of contribution due to conduct. Victims of domestic violence may also be exempt; provided it is determined they are not the primary aggressor.)*
6. The minimum loss requirement of \$100 of any combination of eligible benefits must be met. If age 60 or over, no minimum loss is required.
7. Any available insurance must be utilized first, before compensation can be considered.

LIST OF ELIGIBLE CRIMES FOR CRIME VICTIMS COMPENSATION PROGRAM

An act committed by a person, including a juvenile, which would constitute a crime under the following:

18 Pa.C.S.(relating to crimes and offenses – see partial list below)

P.L. 233, No. 64 (known as The Controlled Substance, Drug, Device and Cosmetic Act)

23 Pa.C.S.Ch 61 (relating to protection from abuse)

75 Pa.§ 3731 (relating to driving under the influence)

75 Pa.§ 3732 (relating to homicide by vehicle)

75 Pa.§ 3735 (relating to homicide by vehicle while driving under the influence)

75 Pa.§ 3735.1 (relating to aggravated assault by vehicle while under the influence)

75 Pa.§ 3742 (relating to hit and run)

30 Pa. C.S. § 5502 (relating to operation of watercraft while under the influence)

30 Pa. C.S. § 5502 (relating to homicide by watercraft while under the influence)

Title 18 crimes include (but are not limited to) the following:

Chapter 25 – Homicide, manslaughter

Chapter 27 – Assault, reckless endangerment, terroristic threats, harassment or stalking, ethnic intimidation, and neglect of care-dependant person

Chapter 29 – Kidnapping, unlawful restraint, criminal coercion, false imprisonment

Chapter 31 – Rape, sexual assault, institutional sexual assault, indecent exposure

Chapter 33 – Arson and related offenses

Chapter 35 – Burglary, criminal trespass

Chapter 37 – Robbery, robbery of motor vehicle

Chapter 39 – Theft, theft by deception

Chapter 43 – Bigamy, incest, endangering welfare of children

Chapter 49 – Victim and witness intimidation

Chapter 55 – Harassment by communication, loitering and prowling at nighttime, desecration of venerated objects

Chapter 63 – Corruption of minors, sexual abuse of children

Chapter 75 – Invasion of privacy

THIS SHEET IS TO BE USED AS A TRAINING HANDOUT ONLY