



Innocent
Victims
Of Violent
Crimes
Can
Get Help

CRIME VICTIMS RECEIVE ASSISTANCE AND RIGHTS

1983

The Alabama Courtroom Attendance Act provides crime victims with the right to attend trials and hearings as well as to sit with prosecutor throughout the criminal proceedings. *Code Of Alabama (1975) § § 15-14-50, et seq.*

The Notification of Parole Hearings Act requires the Department of Pardons and Paroles to provide advance notice of hearings and the right to comment from the victim or victim's family at the parole hearing. *Code Of Alabama (1975) § 15-22-36.*

“A restitution order in a criminal case shall be a final judgment and have all the force and effect of a final judgment in a civil action under the laws of the State of Alabama. “
Code of Alabama (1975) § 15-18-78.

Offender's restitution obligations can now be enforced through the use of Court Orders for wage garnishment. *Code Of Alabama (1975) § § 15-18-140, et seq.*

1984

Death Benefits are increased to a maximum of \$20,000 for the dependents of firemen and police officers killed in the line of duty. *Code of Alabama (1975) § 36-30-2.*

The Alabama Crime Victims Compensation Commission is created. *Code Of Alabama (1975) § § 15-23-1, et seq.*
The fund provides assistance to innocent victims of violent crime by compensating for eligible expenses.

1995

Alabama Constitutional Amendment for Victim's Rights is ratified. Amendment 557, Alabama Constitution of 1901.



Governor Appoints Commission



Phillip Brown



Ray Norris



Miriam Shehane

The Alabama Crime Victims' Compensation Commission



Executive Director and Staff



Dr. Cassie Jones

Administrative
Claims “A”
Claims “B”
Accounting
Information Technology
Restitution Recovery

The Alabama Crime Victims’ Compensation Commission



Assistance May Be Available

Up to \$20,000

Medical Expenses

Funeral Expenses (\$7000 limit)

Psychiatric Expenses

Income Replacement

Rehabilitation Expenses

Emergency Awards (\$1000 limit)

Supplemental Awards

Payments for Sexual
Assault Examinations

Advocacy Role

The Alabama Crime Victims' Compensation Commission



Assistance May Be Available

Assault

Rape

Homicide

Domestic Violence

Child Molestation

Human Trafficking

The Alabama Crime Victims' Compensation Commission



The Compensation Process

How to Apply

Applications are available at the ACVCC office.

Anyone can request information or applications by calling **(334) 290-4420** or toll free at

1-800-541-9388 (For victims only)

Download information or applications from

www.acvcc.alabama.gov

FAX request to **(334) 290-4455**

District Attorneys' offices have a designated employee or a Victim Service Officer available to provide information and assist crime victims.



The Compensation Process

Eligibility Requirements

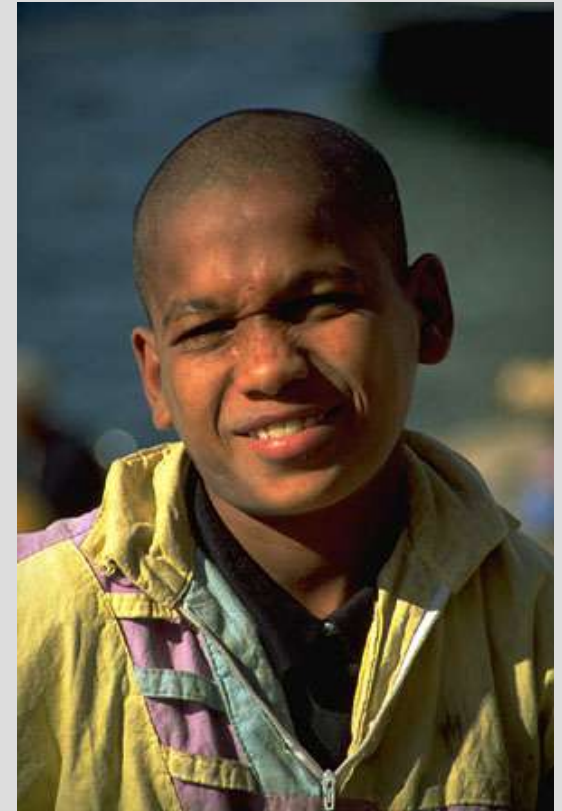
- = Be a victim of violent crime
- = The claim must be filed within 1-year of the incident, or good cause shown.
- = The crime must be reported to law enforcement within 72-hours of the incident, or good cause shown.
- = The victim and claimant must cooperate fully with law enforcement.
- = The victim or claimant must not be the offender or accomplice of the offender.



The Compensation Process

Eligibility Requirements

- = No portion of the compensation shall unjustly benefit the offender.
- = The victim must not have contributed to the offense, or have been involved in illegal activity at the time of the offense.
- = The victim shall not be compensated if he/she is convicted of a felony after applying for compensation.
- = The victim's presence in United States **MUST** be legal.



The Compensation Process

When a Claim is Filed

- Entered by Administrative Support Assistant and receives a tracking number
- Assigned to a Specialist for verification
 - 3Verify expense payments
 - 3Collect forensic reports
 - 3Collect law enforcement reports
 - 3Collect other information needed
- Create Summary of information discovered during verification
- Monthly Commission Meeting on 2nd Thursday of each month



The Compensation Process

Law Enforcement Reports

The information is kept confidential

ACVCC will NOT release information
contained in a law enforcement report to
other parties



How ACVCC is Funded

Funding from Court Costs -- Not Tax Dollars

Moving Traffic Infraction	=	\$ 2
Misdemeanor Violation	=	\$10
Felony Violation	=	\$15

Victim Assessment Fees

Misdemeanor Violation	=	\$25*
Felony Violation	=	\$50*

Judges have the discretion to order higher fees.



* ½ to ACVCC
½ to OPS

How ACVCC is Funded

Federal Grant

Victims of Crime Act (VOCA) passed in 1984. Collects fines and fees from offenders convicted of federal violations. These funds are made available to states in the form of federal grants. ACVCC applies for reimbursement based on the amounts paid on claims from state funds.

Restitution and Civil Suit Reimbursements

The ACVCC is subrogated to all rights of the claimant to receive or recover funds from a collateral source.

Donations

The ACVCC may accept gifts and donations from other sources.



DO NOT SAY

I know how you feel.

I understand.

It was God's will.

He or she is better off; in a better place; happier now.

Out of tragedies, good things happen.

You'll get over it.

Everything is going to be alright.

You shouldn't feel that way.

Time heals all wounds.

You should get on with

You're lucky

that:
You're alive.

You were able to save something.

You have other children (siblings, etc.)

You are young and can go on with your life or find someone else.

Your loved one didn't suffer when he or she died.

She or he led a good and full life before she or he died.



Excerpted from: Model Victim Assistance Program Brief
Prepared by: Marlene A. Young, Ph.D., J.D.
Executive Director NOVA
John Stein, J.D.
Training Deputy Director, NOVA
Source: National Organization for Victim Assistance

DO SAY

I am sorry this happened to you.

You're safe now (if the person is, indeed safe.)

I'm glad you're here with me now.

I'm glad you're talking to me now.

It wasn't your fault.

Your reaction is a normal response to an abnormal event.

It's understandable that you feel that way.

It must have been upsetting/distressing to see, hear, feel, smell that.

You're not going crazy.

Things may never be the same, but they will get better, and you can get better.

Your imagination can make a horrible reality worse than it is.



It's okay to cry, to want, to hate...



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National Organization for Victims Assistance (NOVA)

Guidelines for Rights of Victims & Witnesses

- Victims and witnesses have a right to protection from intimidation and harm.
- Victims and witnesses have a right to be informed concerning the criminal justice process.
- Victims and witnesses have a right to counsel
- Victims and witnesses have a right to reparations.
- Victims and witnesses have a right to preservation of property and employment.
- Victims and witnesses have a right to due process in criminal court proceedings.
- Victims and witnesses have a right to be treated with dignity and compassion.

Victims' Bill of Rights

Section 15-23-62 of the Code of Alabama (1995) provides:

Within 72 hours, unless the victim is unavailable or incapacitated as a result of the crime, after the initial contact between a victim of a reported crime and the law enforcement agency either responding to the report of the crime of the victim or another person, or having responsibility for investigating the crime, the law enforcement agency shall provide to the victim in a manner and form designed and produced for the appropriate governmental agency or office, the following information:

- A list of local emergency and crisis services;
- The name and phone number of the officer and the agency handling your report;
- The name and phone number of the prosecuting attorney;
- The procedural steps in a criminal prosecution;
- The availability of victims compensation benefits;
- A listing of your rights as a victim, including a form to ensure you are given your rights;
- The existence and eligibility requirements of restitution and compensation; and
- A recommended procedure if you are subject to threats or intimidation as a victim.

Alabama Crime Victims Compensation Commission

P. O. Box 231267

Montgomery, Alabama 36123-1267

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