

COMPENSATION BENEFIT REFERENCE GUIDE



Qualifications for Compensation

A direct victim is someone who is physically injured, who is threatened with injury or who dies as a direct result of a qualifying crime (Gov. Code, § 13951(g)). Other persons impacted by the crime may be eligible for compensation (Gov. Code, § 13951(c)).

The crime must have occurred in California or to a California resident who becomes a victim while in another state or country (Gov. Code, § 13955(b)). For crimes occurring out of the state or country, the victim must apply to that state or country’s victim compensation program first.

Application Maximum

The maximum reimbursement per application is \$70,000. Benefit limits may apply (Gov. Code, § 13957(b)).

The Direct Victim and/or Applicant Must:

- File the application within seven years of the crime, within seven years after the direct victim turns 21 years of age, or within seven years after the time the victim knew or could have discovered that an injury or death had occurred as a direct result of the crime. (Gov. Code, § 13953).
- Cooperate reasonably with law enforcement in the arrest and prosecution of the offender (Gov. Code, § 13956(b)).
- Cooperate with CalVCB staff and its representatives to verify the application (Gov. Code, § 13954(b)).
- Not be involved in the events leading to the crime (Gov. Code, § 13956(a)).
- Seek reimbursement from other sources (i.e., health insurance or Medi-Cal) prior to a CalVCB payment (Gov. Code, § 13951(e)).
- Not be on parole, probation or post-release community supervision for a violent felony, incarcerated or required by law to register as a sex offender during the time the expenses were incurred (Gov. Code, § 13956(c)).

AVAILABLE BENEFIT	REQUIREMENTS	WHO MAY RECEIVE THE BENEFIT	BENEFIT LIMITS	LEGAL AUTHORITY
INCOME LOSS	Evidence of income loss and a statement of disability from a medical or mental health service provider or evidence of income loss when a victim has to take unpaid time off work for medical and/or mental health appointments.	Direct victim(s)	Application maximum	Gov. Code, § 13957.5(a) Cal. Code Reg., title 2, § 649.32
	Verification from the minor victim’s physician that certifies the need for the parent or legal guardian’s presence at the hospital for treatment in addition to evidence of income loss.	Parent or legal guardian of a minor victim who is in the hospital or dies	Parents or legal guardians of a minor victim may be eligible for up to 30 days of income loss	

AVAILABLE BENEFIT	REQUIREMENTS	WHO MAY RECEIVE THE BENEFIT	BENEFIT LIMITS	LEGAL AUTHORITY
MEDICAL/MEDICALLY RELATED EXPENSES	Verification from the crime report or medical records that medical services were required and/or medical/medically related devices were taken, lost, damaged or destroyed during the commission of a crime, or the use of such devices became necessary as a direct result of the crime.	Direct victim(s) or anyone who pays or assumes legal liability for a deceased victim's expenses	Application maximum	Gov. Code, § 13957(a)(1) & (a)(8)(A)
HUMAN TRAFFICKING WAGE COMPENSATION	Evidence of an income loss, including but not limited to, a statement under penalty of perjury from the applicant, a human trafficking caseworker, a licensed attorney or a witness to the circumstances of the crime. The acceptable evidence must demonstrate the dates on which the acts of trafficking commenced and ended, the approximate number of hours per week that acts of trafficking were performed and whether reimbursement was or will be received from any other sources such as the trafficker, restitution, or other payments.	Direct victim(s) of human trafficking	Up to \$10,000 per year that acts of trafficking were performed, for a maximum of two years.	Gov. Code, § 13957.5(a)(5) Cal. Code Reg., title 2, § 649.32.1
SUPPORT LOSS	Must have been legally dependent on the victim(s) at the time of the qualifying crime and be able to provide evidence of support loss.	Eligible family member or other person legally dependent on the victim	Application maximum	Gov. Code, § 13957.5(a)(4) & (b) Cal. Code Reg., title 2, §§ 649.32 & 649.33
JOB RETRAINING OR SIMILAR EMPLOYMENT SERVICES	The victim must first apply for assistance from the California Department of Rehabilitation and obtain an evaluation or assessment.	Direct victim(s)	Application maximum	Gov. Code, § 13957(a)(4) Cal. Code Reg., title 2, § 649.25
HOME SECURITY	Verification from the crime report or other supporting documentation that the victim's home safety is at risk, the offender is aware of where the victim resides or due to the crime there is a need for increased security.	Direct victim(s) Derivative victim(s)*	\$1,000	Gov. Code, § 13957(a)(5) Cal. Code Reg., title 2, § 649.19

AVAILABLE BENEFIT	REQUIREMENTS	WHO MAY RECEIVE THE BENEFIT	BENEFIT LIMITS	LEGAL AUTHORITY
RELOCATION	Verification by law enforcement that relocation is necessary for a victim's personal safety, or verification by a psychiatrist or other mental health provider that relocation is necessary for a victim's emotional well-being.	Direct victim(s)	\$3,418 ¹ (may receive reimbursement greater than \$3,418 ¹ due to unusual, dire or exceptional circumstances)	Gov. Code, § 13957(a)(7)(A) Gov. Code, § 13957(a)(7)(E) Cal. Code Reg., title 2, § 649.17
FUNERAL AND/OR BURIAL	When a victim dies as a direct result of the qualifying crime, the funeral and burial expenses may be reimbursed.	Anyone who pays or assumes legal liability for a deceased victim's expenses	\$12,818 ²	Gov. Code, § 13957(a)(8)(B) Cal. Code Reg., title 2, § 649.18(a)
CRIME SCENE CLEANUP	The crime occurred in a residence or vehicle and cleanup of the crime scene was performed by a trauma scene waste management practitioner registered with the California Department of Public Health per Health and Safety Code § 118321, et seq.	Anyone who pays or assumes legal liability for the crime scene cleanup expenses	\$1,709 ³	Gov. Code, § 13957(a)(9)
HOME MODIFICATION	Verification from a physician that the modification expense is medically necessary as a result of the crime.	Partially or totally permanently disabled victims	Application maximum	Gov. Code, § 13957(a)(6)
VEHICLE MODIFICATION OR PURCHASE	Verification from a physician that the modification or purchase expense is medically necessary as a result of the crime.	Partially or totally permanently disabled victims	\$30,000	Gov. Code, § 13957(a)(6) Cal. Code Reg., title 2, § 649.20
SERVICE DOG	A disabled victim or applicant can be reimbursed for veterinary services or the cost of replacing a guide, signal or service dog that was injured or killed due to a violation of Penal Code section 600.2 or 600.5 on or after January 1, 2015.	Owner of the service dog	\$10,000	Gov. Code, § 13955(f)(4)

1 The benefit limit for applications received before July 1, 2022 is \$2,000.

2 The benefit limit for applications received before July 1, 2022 is \$7,500.

3 The benefit limit for applications received before July 1, 2022 is \$1,000.

Mental Health Treatment

INITIAL SESSION LIMITS ^{4,7,8}	WHO MAY RECEIVE THE BENEFIT	BENEFIT LIMITS	LEGAL AUTHORITY
60 SESSION HOURS	Direct victim (minor and adult).	\$10,000	Gov. Code, § 13957(a)(2)
	A surviving parent, grandparent, grandchild, sibling, child, spouse, registered domestic partner or fiancé (fiancée) ⁵ of a victim who becomes deceased due to the crime.	\$10,000 ⁶	
50 SESSION HOURS	Minor witness to a violent crime (eff. 1/1/09).	\$5,000 ⁵	
	Derivative victim* who was a minor at the time of the crime.	\$10,000	
	Derivative victim* who was the primary caretaker of a direct minor victim at the time of the crime.	\$10,000 ⁶	
30 SESSION HOURS	Derivative victim* who does not meet any of the benefit limits listed above.	\$5,000	
	Caretakers who became the primary caregiver of a minor direct victim after the qualifying crime and did not have a previous filing status relationship to the direct victim.	\$5,000	
5 SESSION HOURS CASE MANAGEMENT	Direct victim (minor and adult).	\$375	

* Derivative victims who, at the time of the crime, are:

- A parent, sibling, spouse, registered domestic partner, grandparent, grandchild or child of the victim
- A fiancé or fiancée of the victim who witnessed the crime
- A person who is currently living with, or has previously lived with, the victim
- A family member who witnessed the crime

For out-of-state mental health reimbursement information, visit

<https://victims.ca.gov/for-service-providers/mental-health-service-providers/reimbursement/>

- 4 If additional treatment is needed beyond the initial session limits of 60, 50 or 30, an Additional Treatment Plan (ATP) can be filed by the therapist.
- 5 Effective for applications received on or after 12/1/14.
- 6 Must have witnessed the crime to be eligible for benefits.
- 7 The new initial session limits apply to all applications, regardless of filing date.
- 8 Initial session limits are not guaranteed due to factors, such as provider reimbursement rate and overall benefit limit.

victims.ca.gov | 800 777 9229 | info@victims.ca.gov | P.O. Box 3036, Sacramento, CA 95812
Deaf and hard of hearing: Please call the California Relay Service at 711

This publication was supported by funding awarded by 2018 V2 GX 0029 (IS 19 01 1362) through the California Governor's Office of Emergency Services (Cal OES).