

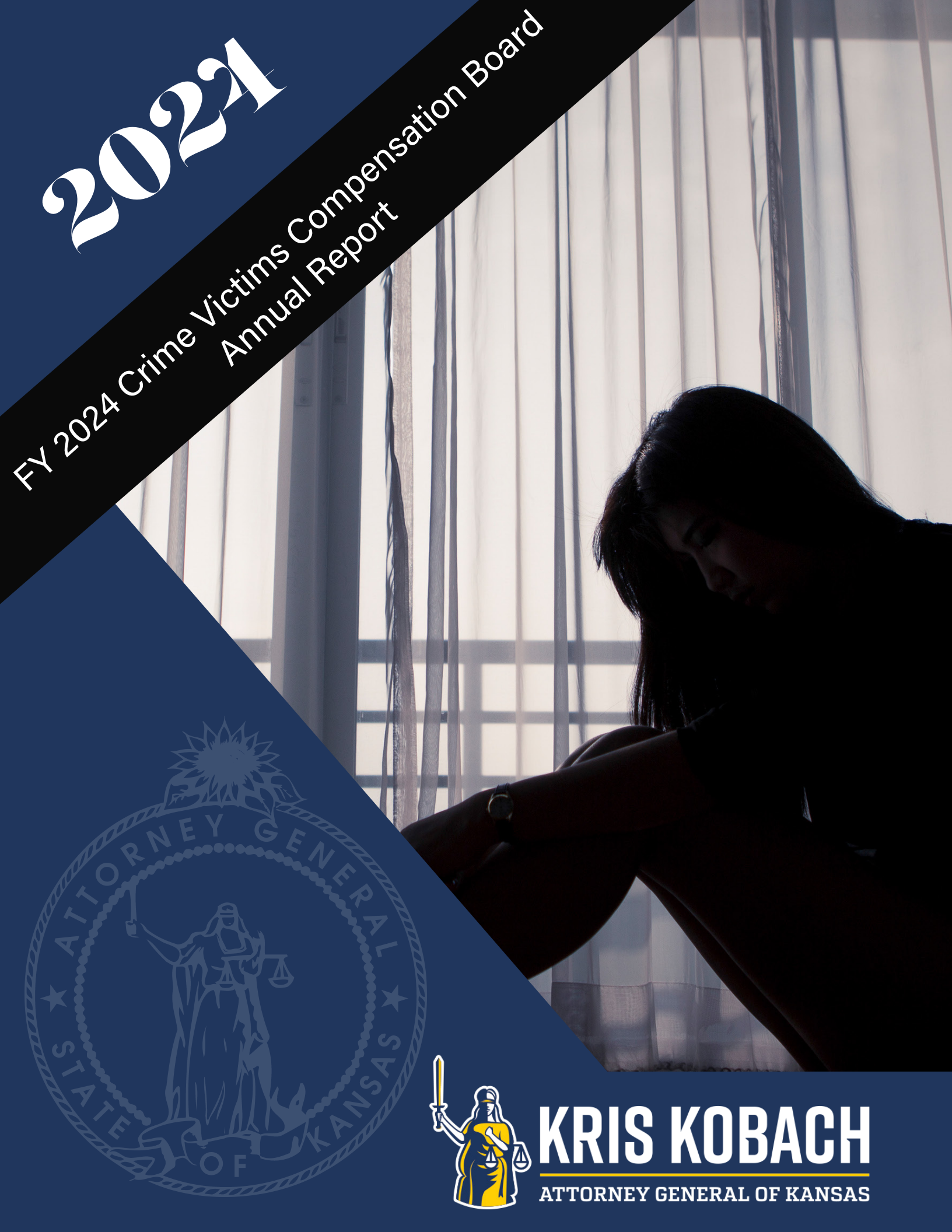
2024

FY 2024 Crime Victims Compensation Board
Annual Report



KRIS KOBACH

ATTORNEY GENERAL OF KANSAS



OFFICE OF THE ATTORNEY GENERAL



CRIME VICTIMS COMPENSATION BOARD

Board Members

Richard Samaniego, Wichita	Chair
Stuart Hite, Pittsburg	Member
Becky Dickinson, Wakarusa	Member

Staff

Kristen Czugala	Division Chief
Diana Espinoza	Claims Analyst
Jordan Cottingham	Claims Analyst
Holly Mace	Claims Analyst
Sharol Couch	Accounting Specialist
Tammy Cessna	Secretary
Kelly Vanderpool	Secretary
Nancy Deaver	Part-time Program Consultant



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December 2024

TO: Honorable Laura Kelly, Governor
Members of the Kansas Legislature

Since its establishment by the Legislature in 1978, the Kansas Crime Victims Compensation Board continues to provide financial assistance to victims of violent crime. Many victims suffer financial hardship as the result of their victimization, incurring medical bills, funeral expenses, mental health costs, lost wages and other crime-related expenses. Although these crimes occur to no fault of their own, victims are still responsible for these costs. The Crime Victims Compensation Board's mission is, **"To award just compensation to victims for economic loss arising from violent crime."** While no amount of money awarded to a victim can erase the trauma they experienced, the assistance can help to alleviate the financial burden they may face after experiencing violence.

The Board and staff maintain strong partnerships with law enforcement, prosecutors, victim advocates and service providers throughout the state to continue to support their mission. Continued outreach is a priority for the Board and Staff to ensure victims are made aware of their possible eligibility for the program and how they can be assisted.

During Fiscal Year 2024, the Crime Victims Compensation Board paid for 68 funerals of victims who were killed as the result of a crime in Kansas. Additionally, the Board assisted 63 victims with obtaining housing after they were no longer safe, having experienced a violent crime in their home, or at the hands of someone known to them. These are just two examples of the meaningful ways the Crime Victims Compensation Board assists victims in Kansas.

Supporting victims of crime is one of my top priorities as Attorney General, and the financial support provided by the Crime Victims Compensation Board is vital to Kansans who experience violence. I am grateful to the Board Members and my staff who administer this program and continue to support the mission to help victims of violent crime with unexpected costs. On behalf of my staff and innocent victims of crime in Kansas, I thank you for your continued support of the Kansas Crime Victims Compensation Board.

Sincerely,

Kris W. Kobach
Kansas Attorney General

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*All reported values are subject to audit and correction following the close of the fiscal year.

Introduction

The Crime Victims Compensation Board (CVCB) was established by the Kansas Legislature in 1978 pursuant to *K.S.A. 74-7301, et seq.*, to provide monetary compensation for out-of-pocket medical expenses, loss of earnings or support, burial expenses, and other costs associated with the treatment of injuries sustained as a result of being a victim of a violent crime. Compensation provided in fiscal year 2024 totaled **\$2,279,936**. In the 46 years of its existence, from 1978 through 2024, the Board has granted payments to crime victims totaling **\$105,663,102**. While financial assistance alone does not provide complete restoration, the Legislature is to be commended for recognizing that monetary aid can relieve some of the immediate pressures and stresses that compound the consequences of crime.

Composition of the Crime Victims Compensation Board

The Crime Victims Compensation Board is a three-member Board appointed by the Attorney General. Members are subject to confirmation by the Kansas Senate. No more than two members of the Board are to be of the same political party. The chair is required by statute to be a person regularly admitted to practice law in Kansas. Each board member is appointed for a term of four years. The Crime Victims Compensation Board consists of six staff members: a director, two investigators, one accounting specialist, and two secretaries. The Board meets monthly to review claim summaries, make claim determinations, and hear appeals.

Thank you for your help and kindness! I don't know if anyone has ever told you how much what you, and Crime [Victims] Compensation in general, make a difference in the people you help. It has allowed me to heal and deal with the trauma that I experienced...it takes a weight off my mind and heart that otherwise would have absolutely overwhelmed me. I'm incredibly grateful for everyone that has helped me during this process and would like to let you know how appreciated you all are! What a blessing to have this organization for those of us that need the kind of support you provide.

–Survivor 2024

Eligibility

- An application for compensation may be filed by:
 - (1) the victim;
 - (2) a dependent of a deceased victim;
 - (3) a third person other than a collateral source; or
 - (4) an authorized person acting on behalf of any of the above.
- The claim must be filed within two years of the incident with certain exceptions for sexual assault cases (Child sexual assault claims are based on the date the crime was reported to law enforcement officials).
- For juveniles who witness a violent crime, applications may be submitted until their 19th birthday. Compensation for mental health counseling may be provided for sexually violent offenses if a claim is filed within ten years (or within 10 years of turning 18 for juveniles).
- The victim suffered bodily injury or death as a result of the criminal actions of another or the victim needs mental health counseling because of emotional trauma resulting from a violent crime.
- The incident occurred in Kansas or was committed outside the United States against a person whose domicile is in Kansas.
- The incident was reported to law enforcement officials within 72 hours or would have been reported within that time except for good cause with an exception for child human trafficking victims.
- The victim and/or claimant fully cooperated with law enforcement officials during the investigation and prosecution of his or her case with an exception for child human trafficking victims.
- The claimant was not the offender or an accomplice of the offender. An award may not be made to another person if the award would unjustly benefit the offender or accomplice.

➤ ***Compensation may be awarded only if the Board finds that unless the claimant is awarded compensation, the claimant will suffer financial stress as the result of economic loss that is otherwise reparable. A claimant suffers financial stress only if the claimant cannot maintain his or her customary level of health, safety and education without undue financial hardship.***

Diminishment of Compensation

The board may diminish a claim if:

- The board finds the claimant or victim has not fully cooperated with the appropriate law enforcement agencies.
- The economic loss is recouped from other sources, including collateral sources.
- The board deems reasonable...
 - ...Because of the *contributory misconduct* of the claimant or of a victim whom the claimant claims (does not apply to child human trafficking victims).
 - ...Because the victim was likely engaging in or attempting to engage in unlawful activity at the time of the crime (does not apply to claims for sexual assault, domestic violence, or human trafficking).

CONTRIBUTORY MISCONDUCT

K.A.R. 20-2-8

Acts or behaviors that may signify contributory misconduct:

- Consent, provocation or incitement, including the use of fighting words or obscene gestures.
- Willing presence in a vehicle operated by a person who is known to be under the influence of alcohol or an illegal substance.
- Abuse of alcohol or an illegal substance.
- Failure to retreat or withdraw from a threatening situation if an option to do so is readily available.
- *Failure to act as a prudent person.*

These acts and behaviors may be excused in cases involving domestic abuse or sexual assault.

BENEFITS

Compensation payable to a victim, and to all other claimants sustaining economic loss because of injury to or death of that victim, may not exceed \$25,000 in the aggregate.

Compensable Costs/Limits

- Medical Expenses – Including transportation to obtain medical assistance – \$25,000 maximum.
- Rehabilitation Services.
- Mental Health (maximums):
 - Inpatient psychiatric care – \$10,000
 - Outpatient counseling – \$5,000
- Grief therapy for family members of homicide victims – \$1,500
All therapy is subject to a \$90.00 per hour maximum allowance.
- Dependent Economic Loss, Wage Loss and Replacement Services – Maximum of \$400 per week.
- Funeral and related expenses –\$7,500.
- Moving Expenses – reasonable allowance compensable at recommendation of law enforcement or prosecution.
- Reasonable replacement costs for items of clothing and bedding seized as evidence.
- Crime Scene Cleanup – \$2,500 – including replacement of items removed due to being biohazardous or were damaged as part of evidence collection.
- Attorney Fees – \$45 per hour, for claim preparation only.
- Compensation cannot be provided for pain and suffering.

Revenue Sources

The Crime Victims Compensation Board receives funding from both the state and federal government. The monies come from the following sources:

- **10.94 percent of all fines, penalties and forfeitures** remitted from Kansas district courts.
- **Fines, penalties and forfeitures from federal convictions.** These funds are administered through Victims of Crime Act (VOCA) grants by the Office for Victims of Crime within the U.S. Department of Justice. States may apply for a grant each year equal to 60 percent of the total awarded to victims from state funds in the previous federal fiscal year.
- **Court-ordered restitution** from offenders, subrogation, and refunds. Judges are encouraged to order offenders to pay restitution to reimburse the fund for awards granted. Refunds and funds from subrogation are received when a claimant's financial obligation has been met through a collateral source.
- **Kansas Department of Corrections.** Five percent of the gross wages of inmates employed in a private industry program other than work release, a portion of supervision fees from parolees and probationers, and administrative fees assessed to inmates for maintenance of their trust accounts are paid to the Crime Victims Compensation Fund.

Crime Victims Compensation – State Revenue FY 2024				
REVENUE SOURCES	FY 2024	FY 2023	FY 2022	FY 2021
Fines / Penalties	\$1,600,125	\$1,763,313	\$1,824,389	\$1,682,306
Restitution	\$287,918	\$183,308	\$217,589	\$251,648
Subrogation	\$9,620	\$22,859	\$30,197	\$1,363
Parole Supervision and Administrative Fees	\$328,495	\$332,095	\$447,286	\$334,160
Inmate Contributions Prison Industries Employment (PIE)	\$1,261,725	\$1,277,986	\$1,210,956	\$584,587
TOTAL REVENUE RECEIVED	\$3,487,883	\$3,579,561	\$3,730,417	\$2,854,064

Application Summary

Fiscal Years 2021 - 2024				
	FY 2024	FY 2023	FY 2022	FY 2021
*New Applications Received	1,569	1,725	1,425	1,598
Total Number of Applications Approved	717	749	703	813
Total Number of Applications Denied as Ineligible	148	169	79	91
Total Number of Applications Closed	758	483	443	643
Total Amount Awarded	\$2,279,936	\$2,692,958	\$2,380,821	\$2,571,371.17

*Applications neither approved nor denied are still in the processing phase

*Applications are considered closed if a victim withdraws their application or if the Division of Crime Victims Compensation is unable to process the claim for administrative reasons.

Demographics

*Primary Victims By Age – FY 2024

ADULT CATEGORY	TOTAL CLAIMS
Minor (0-17)	443
Adult (18-59)	972
60 and Older	76
Not Reported	12

*Primary Victims By Gender – FY 2024

GENDER	TOTAL CLAIMS
Female	970
Male	439
Not Reported	94

*Primary Victims By Race/Ethnicity – FY 2024

RACE/ETHNICITY	TOTAL CLAIMS
American Indian/Alaskan Native	20
Asian	10
Black/African American	215
Hispanic or Latino	382
Native Hawaiian or Other Pacific Islander	1
White Non-Latino/Caucasian	667
Some Other Race	10
Multiple Races	82
Not Reported	116

*Direct victims are considered primary claims while an indirect victim is considered a secondary claim

Awarded Claims

Total Claims Awarded by Crime and Expense FY 2024		
Crime	Payments Made	Amount Paid
ARSON	2	\$2,796
ASSAULT	387	\$748,634
BURGLARY	6	\$1,085
CHILD ABUSE MURDER	6	\$4,560
CHILD PHYSICAL ABUSE	13	\$13,637
CHILD PORNOGRAPHY	2	\$1,080
CHILD SEXUAL ASSAULT	200	\$88,379
DOMESTIC ABUSE	345	\$526,640
DOMESTIC ABUSE (HOMICIDE)	22	\$76,561
DUI	18	\$45,730
DUI/HOMICIDE	4	\$32,200
HOMICIDE/MURDER	140	\$388,664
HUMAN TRAFFICKING	9	\$5,732
KIDNAPPING	14	\$3,729
OTHER	14	\$7,630
OTHER VEHICULAR	49	\$102,366
ROBBERY	36	\$29,140
SEXUAL ASSAULT	217	\$152,533
STALKING	24	\$24,270
VEHICULAR HOMICIDE	6	\$24,570
TOTAL PAYMENTS MADE	1,514	
TOTAL AMOUNT AWARDED ON CLAIMS		\$2,279,936

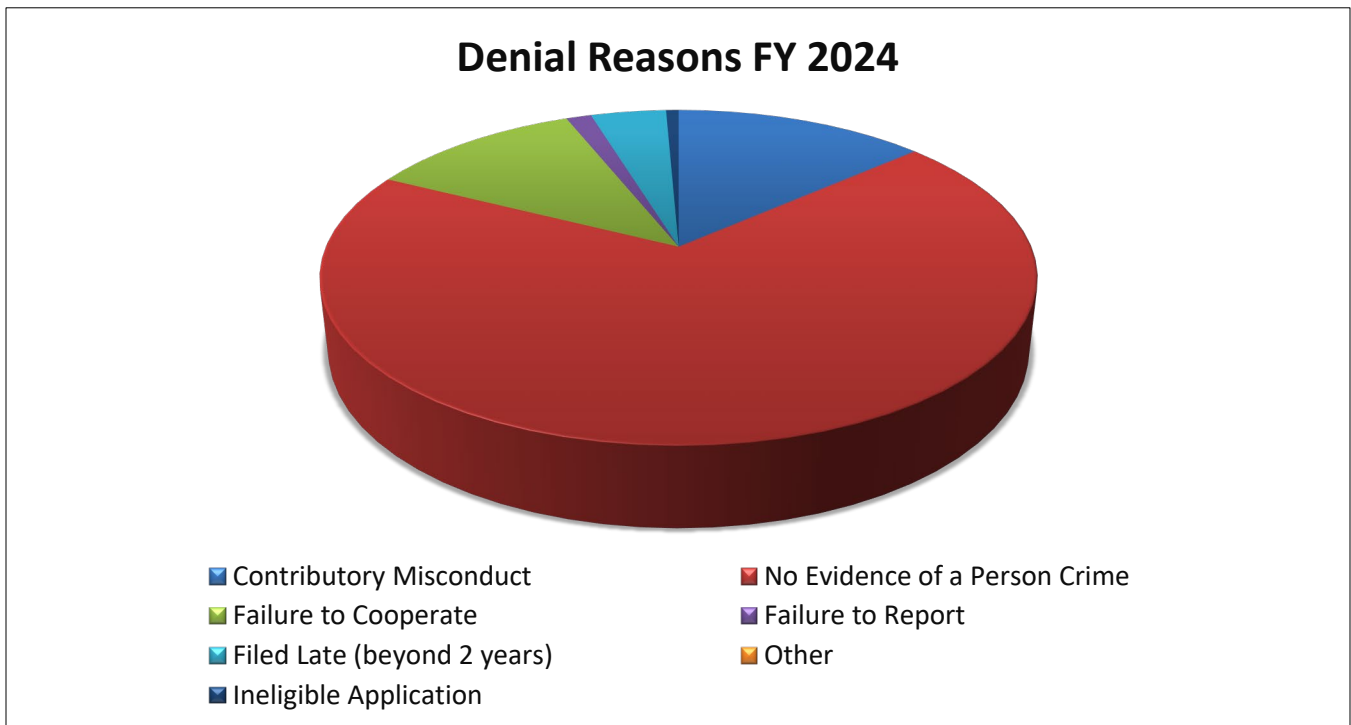
Expenses Paid

Total Amounts of Expenses Paid by Type FY 2024

Crime	Payments Made	Amount Paid
MEDICAL	791	\$1,420,143
FUNERAL	98	\$375,931
WAGE LOSS/DEPENDENT SUPPORT	62	\$182,521
MENTAL HEALTH	381	\$146,543
RELOCATION	88	\$115,366
OTHER EXPENSES	13	\$25,423
MILEAGE	29	\$6,913
REPLACEMENT SERVICES	49	\$4,951
CRIME SCENE CLEAN-UP	3	\$2,145
TOTAL PAYMENTS MADE	1,514	
TOTAL AMOUNT AWARDED ON CLAIMS		\$2,279,936

Denied/Closed Claims

REASON FOR DENIAL - FY 2024	TOTAL
Contributory Misconduct	20
Failure to Cooperate	17
Failure to Report	2
Filed Late (beyond 2 years)	6
Ineligible Application	1
No Evidence of a Person Crime	102
Other	0
TOTAL CLAIMS DENIED 2024	



REASON FOR CLOSURE - FY 2024	TOTAL
Unable to Process or Duplicate Claim	658
Withdrawn by Claimant/Victim	100
TOTAL CLAIMS CLOSED 2024	758

Comments from Victims and Their Families

- *THANK YOU! Because I know your job can be painstaking, ... I want to say thank you for everything you do and the effort you put into caring for those of us who were taken advantage of. I TRULY appreciate the time and effort, diligence, and especially your caring demeanor...thank you.*
- *I just wanted to thank all of you for your kindness and willingness to help victims. After my daughter's life-threatening event, your agency has shown her that there is still good in the world. Everyone has gone above and beyond to show genuine care. It is so refreshing to see people do their job with such excellence. Thank you all!*
- *I am thankful for the help.*
- *Thank you for your time and support.*
- *I want to thank Kansas Crime Victims Compensation Board for helping and getting me through the application and the support from enduring a crime against me.*
- *We are grateful for the help & support we have and will receive.*
- *Thank you. There are not enough words to fully express our heartfelt gratitude for the sympathy, love and support you have extended to our family during this time of loss. Thank you.*
- *Thank you for all you have done and your attentiveness.*



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