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## FISCAL TOPICS

Fiscal Services Division

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## Crime Victim Compensation Program

The Crime Victim Compensation Program is established in Iowa Code chapter [915](#) and pays certain out-of-pocket expenses of crime victims and their families. The Victim Assistance Section of the Office of the Attorney General administers the Program.

### Crime Victim Eligibility Criteria

Pursuant to Iowa Code section [915.80](#), a person who suffers personal injury or death as a result of a crime, attempting to stop a crime from being committed, or apprehending a suspect is considered a victim and is eligible for compensation from the Victim Compensation Fund. Compensation may be paid to or for the benefit of the person who filed the claim, to a person responsible for the maintenance of the victim who suffered pecuniary loss or incurred expenses as a result of the personal injury to the victim, or to or for the benefit of dependents of the victim in the case of the death of the victim. Other eligibility criteria include:

- Victims must report the crime to law enforcement within 72 hours and make an application to the Victim Assistance Section of the Department of Justice within two years of the crime being committed. The Victim Assistance Section makes exceptions to this provision upon a showing of good cause.
- Victims must not have consented to, provoked, or incited the crime.
- Victims must not have been assisting, attempting, or committing a criminal act that caused the bodily injury or death.
- Compensation can only be paid after other funding sources (such as health insurance) have been exhausted.

### Eligible Expenses

Eligible expenses are listed in Iowa Code section [915.86](#) and include the costs of:

- Medical care and mental health care of the victim.
- Counseling for the survivors of a deceased victim and mental health care of secondary victims.
- Lost wages due to: a victim's crime-related injury; a victim's parent or caretaker assisting the victim after the crime and accompanying the victim to medical and counseling services; the effect of the death of a victim on the victim's survivors; cooperation with the investigation and prosecution and attendance at criminal justice proceedings; and planning of or attendance at funeral, memorial, or burial services.
- Replacement value of clothing kept as evidence, replacement of home security items, and cleaning a residential crime scene.
- A victim's funeral and burial.
- Loss of support for dependents, and dependent care expenses while attending criminal justice proceedings, medical or counseling services, or funeral, burial, or memorial services.
- Health care for the survivor of a deceased victim.

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### More Information

Office of the Attorney General: [iowaattorneygeneral.gov](http://iowaattorneygeneral.gov)  
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- Emergency relocation and housing assistance.
- Expenses incurred for transportation to medical or counseling services, criminal justice proceedings, or funeral, memorial, or burial services.

Iowa Code section [915.82](#) establishes the Crime Victim Assistance Board, which adopts administrative rules relating to policies and procedures of the Crime Victim Compensation Program. The Board also hears a victim's appeal of the denial or disposition of the victim's claim. A victim may appeal to the district court within 30 days of the Board's decision.

### **Funding**

Claims are paid from the Victim Compensation Fund established in Iowa Code section [915.94](#). Receipts to the Fund include criminal fines and penalties, victim restitution, a percentage of wages earned by inmates employed in the private sector, and federal funds (primarily federal Victims of Crime Act (VOCA) funds). The year-end balance in the Fund carries forward to the next fiscal year. In FY 2023, receipts to the Fund totaled approximately \$11.9 million and expenditures totaled approximately \$11.7 million. Approximately \$5.8 million carried forward from FY 2023 to FY 2024. The receipts to the Fund in FY 2023 included \$3.7 million in federal support, \$4.9 million from the crime services surcharge, \$1.4 million from fines and penalties, and \$587,000 from restitution.

A federal [VOCA Fund](#) was established in 1984 and includes deposits from federal criminal fines, forfeited bail bonds, penalties, and special assessments collected by U.S. Attorneys' Offices, federal courts, and the [Federal Bureau of Prisons](#). Federal revenues deposited into the Fund also come from gifts, donations, and bequests by private parties. In 2021, the federal [VOCA Fix to Sustain the Crime Victims Fund Act of 2021](#) was passed into law to stabilize the Fund. The VOCA Fix established that monetary penalties from federal deferred prosecution and nonprosecution agreements are deposited into the Fund as well. Awards to states are impacted by receipts to the federal VOCA Fund.

### **Related Statutes and Administrative Rules**

Iowa Code chapters [13](#) and [915](#), subchapter VII  
Iowa Administrative Code [61](#)

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