

Criminal Injuries Compensation Fund

Helping crime victims recover from crime-related costs

Criminal Injuries Compensation Fund? (CICF)

- For FY 06-07 received 2049 claims for reimbursement for crime related expenses for innocent victims annually
- Paid \$3.2 million in last fiscal year
- Collects approximately \$600,000 annually in restitution

Code Language §19.2-368.15

- “Acceptance of an award made pursuant to this chapter shall subrogate the Commonwealth, to the extent of such award, to any right or right of action accruing to the claimant or the victim to recover pays on account of losses resulting from the crime which respect to which the award is made...”

Section §19.2-368.5

-”the attorney for the Commonwealth shall request the court to order restitution. However, neither the lack of a restitution order, nor the failure of the attorney for the Commonwealth to request such an order, shall preclude the Fund from exercising its subrogation rights pursuant to §19.2-368.15..”

Why is restitution important to CICF?

- Have collected over \$1.5 million over the past three years
- Conducted statewide forums on restitution
- Conducted statewide study on collections
- Assist communities in strengthening restitution efforts to minimize the financial cost of crime

Why is restitution collections important to offenders?

If offenders can begin payments while incarcerated, they can:

- begin to take responsibility for actions
- enter society knowing the debt they are responsible for so they can plan accordingly
- enter society owing less

Who collects restitution in Virginia?

IT DEPENDS ON THE LOCALITY

- Victim Witness
- Probation and Parole
- Community Corrections
- The Victims
- CA's and Defense Attorneys
- Clerk's Offices

Who is tracking restitution payments?

- IT DEPENDS ON THE LOCALITY

In Virginia, there is no one way or one place restitution is tracked.

It could be tracked by the victim, the Victim Witness office, Probation, Clerks office, Office on Youth.

Aside from the clerks office, are no checks and balances for collecting restitution.

Why is this a problem?

- With no checks and balances, it can lead to dishonesty or even leave the door open for questions.
- Money orders can go stale as soon as 90 days if they are not dispersed.
- Many offenders currently are paying restitution even after debt has been satisfied