Arkansas Crime Victims Reparations Program

The Arkansas Crime Victims Reparations Act provides a method of compensating and assisting victims and the dependents of victims who have suffered personal injury or death as the result of a violent crime, including DWI and hit-and-run incidents.

Who qualifies as a claimant?
- A victim.
- A dependent of a homicide victim.
- Someone authorized to act on behalf of one of the above.

Who cannot act as a claimant?
A service provider cannot act as a claimant for the purpose of filing for compensation.

Who qualifies as a victim?
- A person suffering personal injury or death as the result of a criminal act.
- Any Arkansas resident suffering personal injury or death as an act of terrorism committed outside the United States.
- A minor child of an eligible victim.
- An immediate family member of a deceased victim, a sexual assault victim or a child victim. “Immediate family member” is a parent, grandparent, spouse, sibling or child.
- A person who at the time of the crime lived in the same permanent household as a deceased victim.
- A person who discovers the body of a homicide victim.

What are the eligibility criteria?
- Victimization must have occurred in Arkansas on or after July 1, 1988.
- Claim must be filed within 1 year of incident. This may be waived for good cause.
- Victimization must have been reported to the proper authorities within 72 hours. This may be waived for good cause, and it does not apply to victims who are children.
- Victim must have suffered personal injury or death due to another person’s criminal act.
- Victim/claimant must be cooperating with the investigation and/or prosecution.

- Victim must not have been covered by a collateral source.
- Victim/claimant must not have been convicted of a criminally injurious felony.
- Victim’s conduct must not have contributed to the victimization.
- Victim must not have been involved in illegal activity at the time of the incident.
- Victim must not have been incarcerated at the time of the incident.
- The injury cannot be the result of a motor vehicle accident unless the criminal act was a DWI or intentional or involved a hit-and-run.
- Compensation must not unjustly benefit the offender or accomplice.

What type of costs can be recovered?
- Medical, including rehabilitation and dental.
- Repair and/or replacement of items such as eyeglasses, dentures or hearing aids.
- Mental health.
- Work loss.
- Funeral.
- Loss of support for dependents of a homicide victim.
- Crime scene clean-up. This expense is available only to survivors or dependents of homicide victims. Recovery is limited to $3,000 of reasonable expenses involved with removing, or trying to remove from the crime scene any blood, dirt, stains or other debris resulting from the crime or the processing of the crime scene. Reasonable expenses include cleaning supplies, equipment rental, labor and hazardous waste removal. A crime scene may include a structure or automobile. But there is a difference between cleaning and property replacement. The program does not pay for property replacement.

What expenses are not covered?
- Pain and suffering.
- Property damage or loss.
- Attorney fees.
What are the limits?

- The overall maximum is $10,000 per victim. This can be raised to $25,000 if the victim suffered catastrophic injury that resulted in total and permanent disability.
- Medical expenses are paid at 65% of the balance submitted. But if the health-care provider accepts payment, it is agreeing to accept as payment in full.
- Mental health expenses are paid up to $3,500 for out-patient treatment and $3,500 for in-patient care.
- Funeral expenses are paid up to $7,500.
- Payment for crime-scene cleanup is capped at $3,000.
- The program can cover up to one week of work loss directly related to participation in criminal-justice activities.
- Payment for mileage directly related to participation in criminal justice activities can be paid up to $300.
- Reimbursement for lodging directly related to participation in criminal justice activities can be paid up to $300.
- Reimbursement for lodging that is medically necessary for the victim who suffered personal injury can be paid up to $300.
- Up to $500 can be paid for the installation of locks and windows for victims of sexual assault and domestic violence who were victimized in their primary residence.

How do I file a claim?

You do not need to prove financial need to qualify for compensation. You also do not need an attorney to file a claim. And there does not have to be an arrest or conviction in the related crime for you to qualify.

Fill out the claim form at the end of this fact sheet. You can also find the forms at your county prosecutor’s office and at local law enforcement agencies. You must fill it out completely and include the following:

- Documentation verifying that the incident was reported to the proper authorities within 72 hours (minors are excluded from this requirement).
- At least one itemized statement.

Who makes the decisions?

The Arkansas Crime Victims Reparations Board makes the final decision on each claim. The board relies on its administrative staff for investigating claims to see whether they meet program criteria and for recommending a decision.

What if a claim is denied or diminished?

Board decisions can be appealed. First, an appeal must be filed within 45 days of a claimant receiving certified notice of the decision. The board will reconsider the case. The victim or claimant can appeal that second ruling in Circuit Court. That appeal must be filed within 30 days, either in Pulaski County or the county in which the victim or claimant lives.

Can a victim whose claim is awarded file additional expenses?

Yes. These additional expenses are considered supplemental expenses, regardless of whether they are for treatment rendered at the time of the incident or for ongoing treatment related to the victimization. Expenses for any treatment rendered after the decision date of the claim must be submitted. The program requires that all supplemental expenses be submitted within one year of treatment or payment by a collateral source in order for them to be considered for compensation.

Where can I find more information?

Arkansas Crime Victims Reparations Program
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Phone: 501-682-1020 or 1-800-448-3014

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This fact sheet is given to you as a guide to help you generally understand the way legal matters are handled. Local courts interpret things differently. The information and statements of law contained in this fact sheet are not intended to be used as legal advice. Before you take any action, talk to an attorney and follow his or her advice. Always do what the court tells you to do.

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