

HOUSE BILL ANALYSIS

SSB 6664

Brief Description: Changing victims' compensation provisions.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Costa and Kohl-Welles).

Hearing: February 16, 2000.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

BACKGROUND:

The Crime Victims' Act of 1973 established Washington's Crime Victims' Compensation Program (CVCP) to provide benefits to innocent victims of criminal acts. The Department of Labor and Industries was assigned authority for administering the program because benefits available to crime victims under this program were originally based on benefits paid to injured workers under the Industrial Insurance Act.

Persons injured by a criminal act in Washington, or their surviving spouses and dependents, are generally eligible to receive benefits under the program providing that:

- the criminal act for which compensation is being sought is punishable as a gross misdemeanor or felony;
- the crime was reported to law enforcement within one year of its occurrence or within one year from the time a report could reasonably have been made;
- the application for crime victims' benefits is made within two years after the crime was reported to law enforcement or the rights of the beneficiaries.

SUMMARY OF BILL:

A person injured by a criminal act in Washington, or their surviving spouse and

dependents, are eligible to receive benefits under the Crime Victims' Compensation Program. An application must be filed within two years of the date the criminal act was reported to law enforcement or an agency that provides child or adult protective services in cases of abuse or neglect of a child or an adult dependent person.

Benefits under the Crime Victims' Compensation Act are expanded to those victims of persons who are subject to a sexually violent predator civil commitment proceeding. The right to benefits accrues when the person is notified of the commitment proceeding or is interviewed, deposed, or named as a witness in the proceeding. An application for benefits must be received within two years of the date the right to benefits accrued unless good cause is shown. Good cause is determined on a case-by-case basis. Benefits are limited to costs or losses incurred on or after the date the victim's right accrues for a claim due a civil commitment proceeding. Benefits provided to victims of original crimes take precedence over those benefits available to victims who participate in the sexually violent predator commitment process.

FISCAL NOTE: Requested on February 10, 2000.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.