

## OFFICE OF CRIME VICTIMS ADVOCACY

The Office of Crime Victims Advocacy (OCVA) serves as a voice within government for the needs of crime victims in Washington State.

Established in 1990, OCVA serves the state on many levels by:

- Advocating on behalf of crime victims in obtaining needed services and resources;
- Administering grant funds for community programs working with crime victims;
- Assisting communities in planning and implementing services for crime victims; and
- Advising local and state government agencies of practices, policies, and priorities which impact crime victims.

*"It is the mission of the Office of Crime Victims Advocacy to identify the opportunities and resources victims need in order to recover and to facilitate the availability of those resources and opportunities in communities statewide."*

*Call to Get Help*  
**1.866.751.7119**



*Program of*

### **Lutheran Community Services**

210 W. Sprague Ave.  
Spokane, WA 99201  
Tel: 866.751.7119 (24 Hours)  
Fax: 509.747.0690

### **Your Resource for Information and Assistance**

Spokane Crime Victim Service Center  
**1.866.751.7119**

Victim/Witness Office  
**1.509.456.3646**

Lutheran Community Services  
**1.509.747.8224**



Protecting the rights of crime victims



## SPOKANE CRIME VICTIM SERVICE CENTER

Your Resource for Information and Assistance

## CRIMINAL RESTITUTION



# WHAT IS RESTITUTION?

**C**riminal restitution is money ordered by the court to repay a victim (or the victim's insurance) for financial losses. It is the right of a victim to be reimbursed for losses caused directly by the crime. Restitution is not a punishment for the offender; it is a monetary debt the offender owes the victim.

You may receive restitution for the costs of destroyed, lost, stolen, or damaged property, or for medical or counseling bills. It may also be used to reimburse you for travel costs to medical or therapy appointments.

Some types of losses, such as pain, suffering, are usually not awarded as restitution. You should contact a

private attorney if you want help obtaining reimbursement for those damages.

In addition, the Crime Victims Compensation Program may provide assistance with medical and counseling costs that are a direct result of a crime but are not otherwise covered by insurance or medical coupons.

## Important Tips

1. If you believe you are owed restitution in a case, be sure to educate yourself regarding the proceedings. Contact the victim/witness office at the prosecuting Attorney's office or the Spokane Crime Victim Service Center to get information about the status of the case.
2. Check to see if a hearing has been set to determine restitution and make sure that you attend.
3. When compiling lists of financial and property damages you've sustained, don't forget to include incidental costs such as the deductions for medical costs or car insurance.
4. Be sure to provide any estimates, doctor's bills, or other information requested regarding your restitution, and always keep a copy of any paperwork you submit for your own records.
5. If you know that the defendant in your case has been ordered to pay restitution and is not making the ordered payments, contact the Prosecutor's Office. Failure to pay restitution can lead to the defendant returning to jail or prison, being ordered to participate in work release, or may constitute a violation of community supervision.

## Why Am I Not Getting My Restitution Check?

If the defendant in your case has been ordered to pay restitution to you, but you are not getting money, it could be because the defendant may still be in jail or prison, the defendant may not be making any money to pay the court, or the defendant may not be paying for some other reason.

You may have to wait a long time for your restitution payments. Various departments are responsible for collecting restitution money owed to victims. The Clerk of the Court where the case was filed will send the money to you as it is received. If you are not receiving your restitution contact the Clerk's office to make sure they have

your correct address. If the defendant has community supervision or probation, you can also call the defendant's community custody officer or probation officer about the lack of payment.

Be sure to stay in touch with the victim/witness office of your Prosecuting Attorney to find out more about the status of your restitution payments.

## RCW 9.94A.753:

*When restitution is ordered, the court shall determine the amount of restitution due at the sentencing hearing or within 180 days... The court shall then set a minimum payment that the offender is required to make towards the restitution that is ordered. The court should take into consideration the total amount of the restitution owed, the offender's present, past and future ability to pay, as well as any assets that the offender may have.*

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