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CRIME VICTIMS COMPENSATION BOARD

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Testimony in Support of House Bill 2574

Presented to the Senate Committee on the Judiciary
By Richard A. Samaniego,
Chair of the Kansas Crime Victims Compensation Board

March 8, 2022

Chair Warren and Members of the Committee:

On behalf of the Kansas Crime Victims Compensation Board (CVCB), I thank you for opportunity to provide testimony in support of HB 2574. The CVCB is dedicated to assisting victims of crimes in Kansas with compensation for loss of earnings and out-of-pocket medical expenses as a direct result of a violent crime. The Board also approves claims to assist victim's families with reimbursement of funeral, burial or cremation expenses as well as grief therapy.

The CVCB is composed of a three-member board with each member appointed by the Attorney General subject to Senate Confirmation. The other current board members include, Stuart Hite and Becky Dickinson. I would be remiss if I didn't mention our Executive Director, Kristen Czugala, and the dedicated staff of the Crime Victims Compensation Board at the Attorney General's office who are on the front line of assisting victims with their claims on a daily basis.

The CVCB meets once a month to review and approve claims to be paid from the Crime Victim's Compensation Fund and to hear requests for reconsideration for denied claims pursuant to the Kansas Administrative Procedure Act. Last Fiscal Year, the Board paid more than \$2.5 million to or on behalf of victims of violent crime. Payments for victims are through the state Crime Victims Compensation Fund as well as a Federal VOCA Compensation grant, which matches 75% of every state dollar spent for victims. Both sources are primarily funded through fines, fees, and penalties throughout the criminal justice system.

The Board recently met on August 12, 2021, and unanimously supported the revisions proposed in HB 2574.

HB 2574 simply increases the statutory limits for certain claims that have not been updated for quite some time. For funeral expenses the allowable expenses would be increased to \$7,500.00. The current limitation of \$5,000.00 was last increased in 1998. The majority of funeral bills submitted to the CVCB exceed \$5,000 with families having to pay any costs above the CVCB cap.

The crime scene clean up limitation of \$1,000.00 was added in 2007 and has never increased. Recently, crime scene clean-up costs have averaged around \$2,500.00. Crime scene clean-up is an extensive process, but necessary for victims and their loved ones who are not experienced in properly cleaning up biohazardous materials. This process can also be traumatic for a family whose loved one was murdered. In addition, the bill clarifies and broadens the provisions regarding crime scene clean-up expenses to help victims restore their homes after a violent crime. Currently, the CVCB may pay the cost to remove biohazardous materials, but may not pay to replace them. This has caused confusion and hardship for many victims. The proposed provisions in

HB 2574, would allow the CVCB to replace carpet that must be removed due to it being biohazardous, or if it was damaged during evidence collection. This is presently allowable under the federal crime victim compensation requirements if allowed by state statute.

Additionally, HB 2574 removes the \$100 minimum for crime related expenses before CVCB can pay. For some victims, any expense presents a financial hardship, even if under \$100.

Finally, HB 2574 provides a correction to restore provisions related to the Sexual Assault Kit Initiative that we believe were inadvertently removed with the passage of HB 2077 in 2021. These provisions are vital to ensure access to compensation for mental health counseling for victims who are notified that DNA testing of a sexual assault kit has revealed a suspected offender or a victim will be required to testify in a sexually violent predator commitment hearing. The provisions allow for compensation if the claim is made within two years of notification of the DNA testing or within two years of testimony.

The bill passed the House 121-0 on February 23. Therefore, I respectfully request the committee's favorable recommendation of the legislation. Thank you for your time, attention, and consideration in this matter. I would be happy to stand for questions.

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