

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws §42-35-2.6, following is a concise explanatory statement:

AGENCY: Office of the General Treasurer

DIVISION: Crime Victim Compensation Program

RULE IDENTIFIER: 120-RICR-00-00-2

RULE TITLE: Rules and Regulations Pertaining to the Crime Victim Compensation Program

REASON FOR RULEMAKING: This amendment seeks to clarify the rules and processes of the Crime Victim Compensation Program in accordance with statutory changes that have occurred, specifically the Justice Reinvestment Initiative and R.I. Gen. Laws §12-25-17(6)(i)(E) and (ii)(C). The regulation changes do not impact any industry and there is no negative societal cost of compliance. The amendments define and clarify the amounts of compensation for pecuniary loss that may be received by an applicant. Specifically, the amendment expands eligible compensation to victims for reasonable and necessary travel expenses and overnight accommodations related to medical treatment, counseling services and necessary participation in criminal justice proceedings and caps the compensation award at \$1,000.00. For the victim's dependents, the amendment allows compensation for funeral, memorial, or burial expenses, loss of support, and reasonable and necessary travel expenses and overnight accommodations directly related to participation in funeral, memorial, and/or burial services, counseling services or necessary participation in criminal justice proceedings and caps the compensation award at \$3,000.00. The amendment also extends the definition of pecuniary loss to include any other expenses actually and necessarily incurred as a direct and proximate result of the personal injury or death, and caps the amount of compensation available for the victim and dependents. The amendment adds an award of compensation to a minor witness of domestic violence capped at \$1,500.00, and increases temporary housing expenses to \$150.00 per night. For an award for a victim's loss of earnings, the amendment sets net earnings in cases where the program cannot determine a victim's net weekly wages to be calculated based on 62% of the victim's gross earnings, which is the weekly compensation rate as provided by the R.I. Department of Labor and Training. The amendment also includes technical revisions which have been made to accurately reflect the most current version of the R.I. Gen. Laws.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE: N/A

TESTIMONY AND COMMENTS: N/A

CHANGE TO TEXT OF THE RULE: N/A

REGULATORY ANALYSIS: This regulation defines and sets out the amount of compensation for pecuniary loss that may be received by the applicant, adds an award of compensation to a minor witness of domestic violence, increases the amount of compensation for temporary housing expenses, and clarifies net earnings for loss of earnings compensation. This amendment seeks to clarify the rules and processes of the Crime Victim Compensation Program in accordance with statutory changes that have occurred, specifically the Justice Reinvestment Initiative and R.I. Gen. Laws §12-25-17(6)(i)(E) and (ii)(C). The regulation change does not impact any industry and there is no negative societal cost of compliance.