

ALABAMA CRIME VICTIMS COMPENSATION COMMISSION  
ADMINISTRATIVE CODECHAPTER 262-X-6  
COMPENSATION BENEFITING OFFENDER

## TABLE OF CONTENTS

262-X-6-.01	Compensation Benefiting Offender
262-X-6-.02	Domestic Abuse

**262-X-6-.01      Compensation Benefiting Offender.**

Compensation shall not be awarded if the award would unjustly benefit the offender or accomplice of the offender.

**Author:** Martin A. Ramsay

**Statutory Authority:** Code of Ala. 1975, §15-23-5(14).

**History:** Filed October 27, 1987. **Amended:** Filed December 17, 1990. **Repealed and New Rule:** Filed March 9, 2004; effective April 13, 2004.

**262-X-6-.02      Domestic Abuse.**

No claim resulting from an incident of domestic abuse shall be denied based solely upon a finding that a claimant resides or has resided with the alleged offender of the crime for which the claim has been filed. The Commission shall not deny payments to third party vendors based solely upon a finding that the victim and offender are maintaining a relationship.

(a) Procedures. When victims of domestic abuse have submitted claims for lost wages, and where the Commission finds that the victim is living with the offender, or if the Commission is unable to determine whether a claimant is living with the offender of the crime for which the claim is filed, the Commission shall, by mail, request that the claimant clarify whether the offender is residing with the claimant. The Commission shall, as part of this request, collect information, which determines whether there has been, and continues to be criminal justice, mental health, or human service program involvement.

(b) Claim Determination. When an individual who has committed domestic violence is residing with a claimant who has requested lost wages, the Commission shall not deem the claim ineligible based solely on the cohabitation if there is reasonable evidence that the offender has been held

accountable through the criminal justice system, human services involvement or intervention; or when there is evidence that the payment of lost wages will sustain the victim's living expenses. No claim shall be denied solely because it succeeds one previous claim for victimization by the same offender.

(c) The continuance of a relationship between the victim and offender shall not in itself preclude payment.

**Author:** Martin A. Ramsay

**Statutory Authority:** Code of Ala. 1975, §15-23-5(14).

**History: Amended:** November 25, 1992. **Repealed:** Filed March 9, 2004; effective April 13, 2004. **New:** Filed October 6, 2004; effective November 10, 2004.