



State of Rhode Island
Office of the General Treasurer

James A. Diossa
General Treasurer

22 May 2025

The Honorable Marvin Abney
Chair, House Committee on Finance

The Honorable Members of the House Committee on Finance

RE: 2025-H 5974 – *An Act Relating to Criminal Procedure – Criminal Injuries Compensation*

Chair Abney:

I write in strong support of 2025-H 5974, introduced by Representative Voas at my request. This legislation would allow hit and run victims that suffer *serious bodily injuries* to recover under the Crime Victim Compensation Program (“CVCP”).

Administered by the Office of the General Treasurer, the CVCP provides direct cash assistance to innocent victims of crime across Rhode Island. Generally, an individual is eligible to receive Program funds if they have been the victim of a violent crime that results in injury or death. State law prescribes a list of 19 different criminal offenses which would qualify an individual for compensation. *See* R.I. Gen. Laws §12-25-20. This list includes “[f]ailure to stop by a driver” – *i.e.* hit and run – “in circumstances which result in the *death* of any person.” *Id.* (emphasis added). As such, the surviving relatives of deceased hit and run victims *are* eligible for compensation.

However, hit and run victims who *survive* their injuries – no matter how severe – do not qualify for compensation. As such, state law expressly excludes victims who would otherwise be entitled to compensation had their offenders been caught by law enforcement or simply remained at the scene of the crime. *See* R.I. Gen. Laws §12-25-20 (14) – (17) (providing compensation where underlying offense is driving under the influence or driving so as to endanger resulting in personal injury). **This means that those with severe injuries are qualified or disqualified based *only* on the actions of the person who caused them harm.**

This bill would help address that inequity by allowing victims of hit and runs that suffer “serious bodily injury” to recover under the program. As defined in Rhode Island law and incorporated by reference in this bill, a “serious bodily injury” is a physical injury “that creates a substantial risk of death or causes serious physical disfigurement or protracted loss or impairment of the function of any bodily member or organ.” R.I. Gen. Laws § 31-26-1 (c)(2). **In the court system, there is a**

robust body of law that further defines what is – and is not – a serious bodily injury which will provide for ease in administration. *See, e.g., State v. Scanlon*, 982 A.2d 1268, 1276-77 (R.I. 2009).

This bill will not have a material impact on Program funding and can be implemented without additional appropriation. As acknowledged by a fiscal note prepared by the State Budget Office, “CVCP claims involving vehicular crimes *are uncommon*.” (emphasis added). “There were no claims filed for compensation related to crimes for driving under the influence (DUI), or any other vehicular crime in federal fiscal year 2024.” *Id.* And “[o]ver the past 3 federal fiscal years, an average of 3 claims relating to vehicular crimes received compensation annually, accounting for less than 1% of all claims.” *Id.*

The Budget Office estimated that total compensation would increase between \$5,544 and \$55,440 in Fiscal Year 2026, depending on the number of qualifying claims approved by the CVCP. **Based on historic program data and existing application requirements, Treasury expects total awards per year to increase by no more than \$5,544.**

The Budget Office’s projected impact includes two estimates: one that assumes the CVCP approves three more applications per year (\$5,544) and one that assumes 30 more applications per year (\$55,440). Over the past three years, the CVCP has accepted an average of 312 claims per year. To receive 30 hit-and-run applications where the victim suffered serious bodily injury – accounting for nearly 10% of total claims in a given year – is wholly inconsistent with Program experience. Conversely, an increase of three applications is plausible based on the number and nature of past claims.

Moreover, the CVCP is – by law – a fund of last resort, which will further limit the number of qualifying claims. As a fund of last resort, claimants must demonstrate that they – *inter alia* – sought recovery from insurers, Temporary Disability Insurance benefits, and/or hospital payment assistance programs where applicable.

I strongly urge this Committee to right this inequity and remove this technical roadblock so the Treasurer’s Office can continue to assist innocent victims of violent crime.

If you have any further questions, please do not hesitate to reach out to me directly or to my Director of Policy and Intergovernmental Affairs, Robert Craven, Jr., at Robert.CravenJr@treasury.ri.gov.

Respectfully,



James A. Diossa
General Treasurer

cc: The Honorable Brandon Voas



OFFICE OF MANAGEMENT & BUDGET

State Budget Office

One Capitol Hill
Providence, RI 02908-5890

Office: (401) 222-6300

State Fiscal Note for Bill Number:

2025-H 5974

Date of State Budget Office Approval: Monday, May 12, 2025

Date Requested: Tuesday, May 6, 2025

Date Due: Friday, May 16, 2025

Impact on Expenditures	Impact on Revenues
FY 2025 N/A	FY 2025 N/A
FY 2026 Indeterminate	FY 2026 N/A
FY 2027 Indeterminate	FY 2027 N/A

Explanation by State Budget Office:

This bill would allow victims sustaining a serious bodily injury resulting from a hit-and-run to recover compensation through the Crime Victim Compensation Program.

Summary of Facts and Assumptions:

The Crime Victim Compensation Program (CVCP) was established through the Criminal Injuries Compensation Act of 1996, which enables the State of Rhode Island, through the Office of the General Treasurer, to compensate victims (or their beneficiaries) of violent crimes up to \$25,000 for certain expenses directly attributable to a crime. The Office of the General Treasurer may award compensation for personal injury or death that resulted from offenses that are listed in R.I. Gen. Laws § 12-25-20.

The list of crimes under which a victim may file an eligible claim includes but is not limited to assault, murder, manslaughter, and driving under the influence of alcohol and drugs. Eligible reimbursable expenses include but are not limited to, medical, dental, and counseling expenses, relocation expenses, funeral expenses, and loss of earnings. The CVCP is a fund of last resort per R.I. Gen Laws § 12-25-23(b). This limits the number of qualifying claims, as claimants must demonstrate they have sought compensation from other sources, in accordance with Rhode Island Code of Regulations 120-RICR-00-00-2.11(B)(5), which include but are not limited to, criminal or civil actions, insurers, Temporary Disability Insurance (TDI) benefits and/or hospital payment assistance programs.

H-5974 would amend R.I. Gen. Laws § 12-25-20 to include a hit-and-run crime resulting in serious bodily injury to the list of eligible offenses under which a victim suffering personal injury or death may be awarded compensation. Under current law, a victim (or beneficiaries) may be awarded compensation if they were a victim of a hit-and-run that resulted in the death of any person. The bill would take effect upon passage, therefore the effective date is assumed to be July 1, 2025.

However, CVCP claims involving vehicular crimes are uncommon. There were no claims filed for compensation related to crimes for driving under the influence (DUI), or any other vehicular crimes in federal fiscal year 2024. Over the past 3 federal fiscal years, an average of 3 claims relating to vehicular crimes received compensation annually, accounting for less than 1% of all claims. These claims accounted for an average of 2% of total claims paid out during this period.



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For fiscal year 2026, if 10% of victims file qualifying claims, with a 5-year average award of \$3,234, the total compensation awarded across all victims is estimated to total \$97,020, with \$55,440 coming from state sources. If 1% of victims file qualifying claims, the total compensation awarded across all victims is estimated to total \$9,702, with \$5,544 coming from state sources. The average award amounts for fiscal year 2026 were inflated by a projected Consumer Price Index (CPI) value of 2.4% to estimate the average award amounts for fiscal year 2027. For fiscal year 2027, if 10% of victims file qualifying claims, the total award across all victims is estimated to total \$99,348, with a state cost of \$56,771. If 5% of victims file qualifying claims, the total award across all victims is estimated to total \$9,935, with a state cost of \$5,677.

Comments on Sources of Funds:

The CVCP is funded by a mixture of general revenue, federal funding, and restricted receipts. Federal funding is provided by the Victims of Crime Act (VOCA), a program administered by the Department of Justice, which provides a 75% match to claims paid. Restricted receipts are comprised of court fees of offenders, some of which are used to support the CVCP. The Budget Office assumes that about 57% of the total awarded compensation is comprised of state sources, which in recent years has been evenly split between general revenue and restricted receipts.

Summary of Fiscal Impact:

FY 2025: N/A; Due to effective date of the bill.

FY 2026: Indeterminate

Without reliable data to indicate the propensity for victims with serious bodily injury resulting from a hit-and-run to file a qualifying claim, the fiscal impact of this bill is indeterminate. Please see discussion above for potential range of impacts.

FY 2027: Indeterminate

Without reliable data to indicate the propensity for victims with serious bodily injury resulting from a hit-and-run to file a qualifying claim, the fiscal impact of this bill is indeterminate. Please see discussion above for potential range of impacts.

Budget Office Signature:

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Fiscal Advisor Signature: