

## *What is Restitution?*

Criminal 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 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 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 deductibles 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...*

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 monthly payment that the offender is required to make towards the*