

require written follow-up in order to document the request and process the necessary paperwork.

#### 10. INDEMNIFICATION OF PRIVATE CITIZENS.

a. Claims Arising from Assistance to Law Enforcement or Rescuing Persons in Danger. Government Code Sections 13970 through 13974 provide for the indemnification of private citizens (other than peace officers or persons whose employment includes the duty to protect public safety), and their dependents for any injury, death, or damage sustained while assisting law enforcement or rescuing persons in immediate danger of injury or death as a result of fire, drowning, or other catastrophe. VCGCB has established regulations governing the circumstances under which an individual can file a claim for indemnification as follows:

- (1) When preventing the commission of a crime against the person or property of others.
- (2) When apprehending a criminal.
- (3) When materially assisting a peace officer in the prevention of a crime or in the apprehension of a criminal.
- (4) When rescuing a person in immediate danger of injury or death as a result of fire, drowning, or other catastrophe.

b. Presenting Claim. All claims are to be filed directly with VCGCB at (800) 955-0045 or on-line at [www.governmentclaims.ca.gov](http://www.governmentclaims.ca.gov). The maximum award for any claim is \$10,000 plus reasonable attorney fees. Approval of the claim and determination of the amount paid is the responsibility of the VCGCB.

#### 11. INDEMNIFICATION OF VICTIMS OF VIOLENT CRIMES.

a. Notification to Victims of Violent Crimes. The Victims of Violent Crimes Program, Government Code Sections 13959 through 13969, requires law enforcement agencies to inform individuals who are victims of violent crimes of the availability of the indemnification program. Accordingly, each field office shall provide CHP 170, Notice to Victims of Violent Crimes, to those victims

involved in incidents in which the Department was the investigating agency. (Refer to Annex B.)

b. Definitions.

(1) A crime of violence is a crime or public offense, as defined in Penal Code Section 15, resulting in physical injury to a person. Acts involving operation of motor vehicles are not crimes of violence except as follows:

(a) Where injury or death was intentionally inflicted through use of a motor vehicle.

(b) Where injury or death was caused by a driver in violation of Vehicle Code Section 20001, 23152, or 23153.

(2) A victim means:

(a) A person who sustains injury or death as a direct result of a crime.

(b) Anyone legally dependent for support upon a person who sustains injury or death as a direct result of a crime.

(c) Family members who were present during the actual commission of the crime, or any member or person whose treatment is medically required for the successful treatment of the victim.

(d) Family members who incur emotional injury as a result of the crime.

(e) Any individual who legally assumes the obligation, or who voluntarily pays medical or burial expenses incurred as a direct result of a death caused by a crime.

c. Procedures. Both California residents and nonresidents qualify for the Victims of Violent Crimes Program if the crime occurred in California. Accordingly, in each instance where it is believed by the CHP investigating officer that a person(s) may qualify under the Victims of Violent Crimes Program, a CHP 170, Notice to Victims of Violent Crimes, shall be issued to such person(s). Commanders shall take necessary steps to ensure issuance of CHP 170.

(1) The face page of the CHP 170 shall be completed with the victim's name, address, and other pertinent information.

(2) The CHP 170, Notice to Victims of Violent Crimes, shall be completed and delivered in person or by mail.

(3) There is no requirement that a copy of the CHP 170 be maintained at either the local office or headquarters.

d. Requests for Applications. Requests for application forms for filing a claim with the Victims of Violent Crimes Program should be referred to the Victim Compensation and Government Claims Board at P. O. Box 3035, Sacramento, CA 95812-3035, (800) 955-0045 or on-line at [www.governmentclaims.ca.gov](http://www.governmentclaims.ca.gov).

e. Release of Investigative Reports. Pursuant to Government Code Section 13968, the VCGCB, Victims of Violent Crimes Unit, or their local Victim of Crimes Branch Centers are authorized recipients of investigative/arrest reports relating to a crime being evaluated for indemnification by them.

(1) Once a victim submits a claim, requests assistance, or demonstrates a need for assistance from the VCGCB, a complete copy of the investigative/arrest report prepared as a result of the incident which gave rise to the claim shall, upon request, be provided to the Board.

(2) Prior to the victim's initial contact with VCGCB, the Board is entitled to only the public information contained in the investigative/arrest report. Public information contained in arrest reports is listed in Chapter 13, Annex 13-A of this manual. General Order 110.2, Release of Collision Information, lists the public information contained in traffic collision reports.