

If the defendant was sentenced to

state prison time: While in state prison, defendants have the opportunity to earn money through work programs. A percentage of the defendant's earnings are garnished and used to pay off any fines, penalties and restitution. The facility in which the defendant is incarcerated sends any restitution monies collected to the victim(s).

If the defendant is paroled or a participant in the Intensive Supervision Program:

Similar to the collection while on probation, the defendant's parole officer is responsible for monitoring payment plans and collections while he/she is on parole. This money is sent to the victim from the State's Revenue Unit.

For information about restitution while on parole, while serving a prison sentence, or after release from prison

contact the New Jersey Department of Corrections Revenue Unit at (609) 292-9213.

You can also call the Somerset County Prosecutor's Office of Victim-Witness Advocacy for further assistance at (908) 575-3359.

**USEFUL ADDRESSES
AND
PHONE NUMBERS**

**OFFICE OF VICTIM-WITNESS ADVOCACY
SOMERSET COUNTY
PROSECUTOR'S OFFICE
40 NORTH BRIDGE STREET
P.O. BOX 3000, SOMERVILLE, NJ 08876
(908) 575-3359**

**FAMILY CASE MANAGEMENT
SOMERSET COUNTY
COURTHOUSE
P.O. BOX 3000, SOMERVILLE, NJ 08876
(908) 231-7600**

**VICTIMS OF CRIME
COMPENSATION AGENCY
50 PARK PLACE, NEWARK, NJ 07102
(973) 648-2107
Toll Free: 877-658-2221**

**Somerset County Prosecutor's Office
40 North Bridge Street
P.O. Box 3000 • Somerville, NJ 08876-1262
908-231-7100**

www.scpo.net

TIPS HOTLINE 1-888-577-TIPS (8477)

**A Crime
Victim's Guide
to Restitution**



Somerset County
Prosecutor's Office

A Crime Victim's Guide to Restitution

Q: What is Restitution?

Restitution is the money a Judge orders the offender to pay to the victim(s) to compensate for monetary losses due to the crime. Usually, restitution is awarded for medical bills and/or property theft or damage.

Restitution is part of the offender's sentence and can be ordered in both adult and juvenile cases following a conviction, or delinquent adjudication.

The amount of restitution ordered by the Judge depends on the victim's proof of specific losses and the offender's ability to pay. The defendant usually has the entire term of his/her sentence to pay restitution. For example, if he/she were sentenced to 3 years probation, he/she would generally have the entire 3 years to completely pay the required restitution to the victim(s).

Q: How do I request restitution?

Restitution is usually requested by using the Victim Impact Information Form that is mailed to victims from the Office of Victim-Witness Advocacy. Victims can also send correspondence regarding restitution requests without using the standard form.

Requests for restitution should be supported by documentation detailing incurred expenses. This can mean sending copies (not originals) of hospital bills, receipts, credit card statements, auto repair estimates, etc. The Judge has the final decision as to what the awarded amount of restitution will be.

Q: What can I do if any part or all of the restitution I requested was not awarded?

If any or all restitution was not a part of the defendant's sentence, victims have other options such as the Victims of Crime Compensation Agency (VCCA), or the Civil Court system.

The VCCA provides compensation to eligible victims. Compensation is awarded regardless of charges being filed or even a conviction. However, funds are only available to innocent victims of reported personal crimes. VCCA does not compensate for any property loss or damage due to crimes.

If you are interested in obtaining a civil attorney to collect money from the defendant in Civil Court you may seek the assistance of private counsel or you may contact the Somerset County Bar Association for referrals at (908) 685-2323.

If your loss amount is less than \$3,000.00, you may also be entitled to a hearing in Small Claims Court. For more information on this, you can contact the Special Civil Division in the Somerset County Courthouse at (908) 231-7055.

Q: The defendant was sentenced to pay restitution. What happens next?

The State of New Jersey will send you a check once a month usually with any amount the defendant has paid during the previous month. The defendant will never send the payment directly to you. Collection of restitution is based upon the defendant's sentence.

If the defendant was sentenced to probation: He/she will be required to make restitution payments to the probation department. Because a payment plan must be set up between the defendant and the probation department, a delay before receiving any money should be expected.

For information about restitution while on probation contact the Somerset County Probation Department at (908) 231-7111.