

Highlights of recent NYS Office of Victim Services statutory changes that benefit vulnerable victims – effective October 17, 2017

Executive Law §621

- (5) “**Victim**” shall mean ... a vulnerable elderly person or an incompetent or physically disabled person as defined in section 260.31 of the penal law who incurs a loss of savings as defined in subdivision twenty-four of this section;
- (24) “**Loss of savings**” shall mean the result of any act or series of acts of larceny as defined in article one hundred fifty-five of the penal law, indicated by a criminal justice agency as defined in subdivision one of section six hundred thirty-one of this article, in which cash is stolen from a vulnerable elderly person or an incompetent or physically disabled person as defined in section 260.31 of the penal law.

Executive Law §631

- (2) Any award made pursuant to this article shall be ... **loss of savings not to exceed thirty thousand dollars**;
- (3-a) Any **award made for loss of savings** shall, unless reduced pursuant to other provisions of this article, be in an amount equal to the actual loss sustained.
- (5) (f) Notwithstanding the provisions of paragraph (a) of this subdivision, the office shall **disregard for this purpose the responsibility of the victim for his or her own loss of savings**.
- (8-a) Notwithstanding the provisions of subdivision one of this section, a vulnerable elderly person or an incompetent or physically disabled person, as defined in section 260.31 of the penal law, **who has not been physically injured as a direct result of a crime, shall be eligible for an award that includes loss of savings**.

