

Law Enforcement and Criminal Justice Subcommittee Meeting

Tuesday, April 26, 2022

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South Carolina
House of Representatives



Legislative Oversight Committee

LAW ENFORCEMENT AND CRIMINAL JUSTICE SUBCOMMITTEE

The Honorable Chris Wooten, Chairman

The Honorable Kimberly O. Johnson

The Honorable Josiah Magnuson

The Honorable John R. McCravy, III

Tuesday, April 26, 2022

10:00 a.m.

Room 110, Blatt Building

Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.

AGENDA

- I. Approval of Subcommittee Meeting Minutes**
- II. Discussion of the study of the Attorney General's Office**
- III. Adjournment**

Chair Wm. Weston J. Newton

*First Vice-Chair:
Joseph H. Jefferson, Jr.*

Legislative Oversight Committee

*Kambrell H. Garvin
Rosalyn D. Henderson-
Myers
Jeffrey E. "Jeff" Johnson
John R. McCravy, III
Adam M. Morgan
Melissa Lackey Oremus
Marvin R. Pendarvis
Tommy M. Stringer
Chris Wooten*



South Carolina House of Representatives

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Law Enforcement and Criminal Subcommittee

**Tuesday, March 8, 2022
10:00 a.m.
Blatt Room 110**

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.7, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. The Law Enforcement and Criminal Justice Subcommittee meeting was called to order by Chair Chris Wooten on Tuesday, March 8, 2022, in Room 110 of the Blatt Building. Rep. Josiah Magnuson and Rep. John R. McCravy, III are present for all or a portion of the meeting.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings.

Administration of Oath

- I. Chair Wooten reminds all others placed under oath at prior meetings that they remain under oath.
- II. Chair Wooten places the following agency personnel under oath:
 - a. Allen Wilson, Attorney General
 - b. Jeff Young, Chief Deputy
 - c. Barry Bernstein, Deputy Attorney General
 - d. Katie Elliott, Human Resources Director
 - e. Matthew Gates, Deputy Attorney General
 - f. Kim Buckley, Finance Director

Discussion of Attorney General's Office

- I. Attorney General Wilson makes remarks. Topics discussed include:
 - a. COVID-19;
 - b. Agency mission;
 - c. Attorney General duties across states and territories vary;
 - d. Past State Attorney Generals;
 - e. Size of office;
 - f. Agency head qualifications and duties;
 - g. Agency counterparts;
 - h. Agency organizational units;
 - i. Legal Services Division;
 - ii. Solicitor General;
 - iii. Criminal;
 - iv. Crime Victim Services;
 - v. Administration Division;
 - i. Personnel/employee overview;
 - j. Appropriated budgets;
 - k. Revenue generated
 - l. Operating budget;
 - m. Expense by fund source;
 - n. Assessment:

- i. Successes;
- ii. Challenges; and
- iii. Emerging issues
- o. Response to public input; and
- p. Internal results

II. Subcommittee members ask questions relating to the following:

- a. Appeals;
- b. Review of officer involved shootings; and
- c. Appointment of Crime Victim Ombudsman

Agency personnel respond to the questions.

Approval of Minutes

I. Representative Magnuson makes a motion to approve the meeting minutes from the October 27, 2021, meeting. A roll call vote was held, and the motion passed.

Rep. Magnuson's motion to approve the meeting minutes.	Yea	Nay	Not Voting
Rep. K. Johnson			✓(NP)
Rep. McCravy	✓		
Rep. Magnuson	✓		
Rep. Wooten	✓		

Adjournment

I. There being no further business, the meeting is adjourned.

STUDY TIMELINE

The House Legislative Oversight Committee's (Committee) process for studying the Attorney General's Office (agency) includes actions by the full Committee; Law Enforcement and Criminal Justice Subcommittee (Subcommittee); the agency; and the public. Key dates and actions are listed below in Figure 1.

Legislative Oversight Committee Actions

- December 9, 2019 – Holds **Meeting #1** and prioritizes the agency for study
- January 15, 2020 – Provides the agency notice about the oversight process
- February 28 – April 1, 2020 - Solicits input about the agency in the form of an online public survey
- April 8, 2021 – Holds **Meeting #2** to receive public testimony about the agency

Law Enforcement and Criminal Justice Subcommittee Actions

- March 8, 2022 - Holds **Meeting #3** to discuss the agency's vision; mission; director responsibilities; organizational structure; history; and general information about finances and employees
- March 31, 2022 - Holds **Meeting #4** with the Healthcare and Regulations Subcommittee to discuss the hiring of in-house counsel and outside counsel as it relates to the State Accident Fund and all state agencies.
- April 26, 2022 - Holds **Meeting #5 (TODAY)** to discuss the agency's Crime Victim Services division.

Attorney General's Office

- March 31, 2015 - Submits its **Annual Restructuring and Seven-Year Plan Report**
- January 12, 2016 - Submits its **2016 Annual Restructuring Report**
- September 2016 - Submits its **2015-16 Accountability Report**
- September 2017 - Submits its **2016-17 Accountability Report**
- September 2018 - Submits its **2017-18 Accountability Report**
- September 2019 - Submits its **2018-19 Accountability Report**
- March 23, 2020 - Submits its **Program Evaluation Report**
- September 2020 - Submits its **2019-20 Accountability Report**
- April 2021 – Submits updated Program Evaluation Report
- December, 2019 - Present - Responds to Subcommittee's inquiries

Public's Actions

- February 28 – April 1, 2020 - Provides input about the agency via an **online public survey**
- Ongoing - Submits written comments on the Committee's webpage on the General Assembly's website (www.scstatehouse.gov)

Figure 1. Key dates in the study process.

AGENCY SNAPSHOT

Office of the Attorney General

Agency Mission

To serve the citizens of the State of South Carolina by providing legal representation of the highest quality to state government entities, by supporting the law enforcement communities and the legal and judicial branches through the legislative process, and by honorably and vigorously carrying out the constitutional and statutory responsibilities of the Attorney General.

Successes

Identified by the agency

- Increasing efficiency and outreach of services to victims after separate state Crime Victim entities were merged into a single division of the AG.
- Creating regularly occurring self-evaluation practices.
- Upgrading technology hardware and desktop software

History

- 1776 – The first State Constitution identifies the Attorney General (AG) and provides that the position is elected by the General Assembly
- 1868 – Revised State Constitution provides for a general election of the AG
- 1929 – State and US Supreme Courts affirm the authority of the AG as “the chief law enforcement officer”
- 1974 – Criminal Appeals section is formed
- 1978 – Post Conviction Relief actions primarily handled by the Office
- 1983 – Opinions section is created
- 1992 – AG statutorily responsible for litigation involving any state entity
- 1995 – Capital and Collateral Litigation section is formed
- 2004 – Consumer Protection and Antitrust Division is formed
- 2017 – South Carolina Crime Victim Services Division is created

Organizational Units

- Legal Services Division
- Opinions Division
- Criminal Litigation Division
- Criminal Prosecution Division
- Victim Services Division
- Administration Division
- Executive

Resources (FY 18-19)

Employees

275.2
authorized FTEs

Funding

\$78,758,364
appropriated and authorized

Challenges

Identified by the agency

Current:


- Providing competitive attorney salaries
- Retaining attorneys in the Post-Conviction Relief section
- Funding to implement the S.C. Anti-Money Laundering Act of 2016
- Obtaining a seat on the Commission on Prosecution Coordination

Emerging:

- Raising the salary of the Attorney General which has been stagnant for over 28 years and is less than half that of a circuit solicitor
- Lacking office space to accommodate the current size of the agency
- Aging case management system that needs updating

Figure 2. Snapshot of the agency's major organizational units, fiscal year 2018-19 resources (employees and funding), successes, and challenges.¹

AGENCY PRESENTATION – CRIME VICTIM SERVICES DIVISION

The background features a large, faint, circular seal of the Office of the Attorney General of South Carolina. The seal contains the text "OFFICE OF THE ATTORNEY GENERAL" at the top and "STATE OF SOUTH CAROLINA" at the bottom, with a central emblem depicting a figure holding a scale and a sword.

CRIME VICTIM SERVICES

2022 Presentation for House Legislative Oversight Committee



Alan Wilson
Attorney General

B.J. Nelson
Director

In preparing the Deliverable Group presentations, some data provided in the original Program Evaluation Report has been corrected. The presentations will reference the corrected data, and the Program Evaluation Report will be updated once the Deliverable Group presentations are concluded.



Alan Wilson
Attorney General

B.J. Nelson
Director

History & Overview



2017 Act No. 96

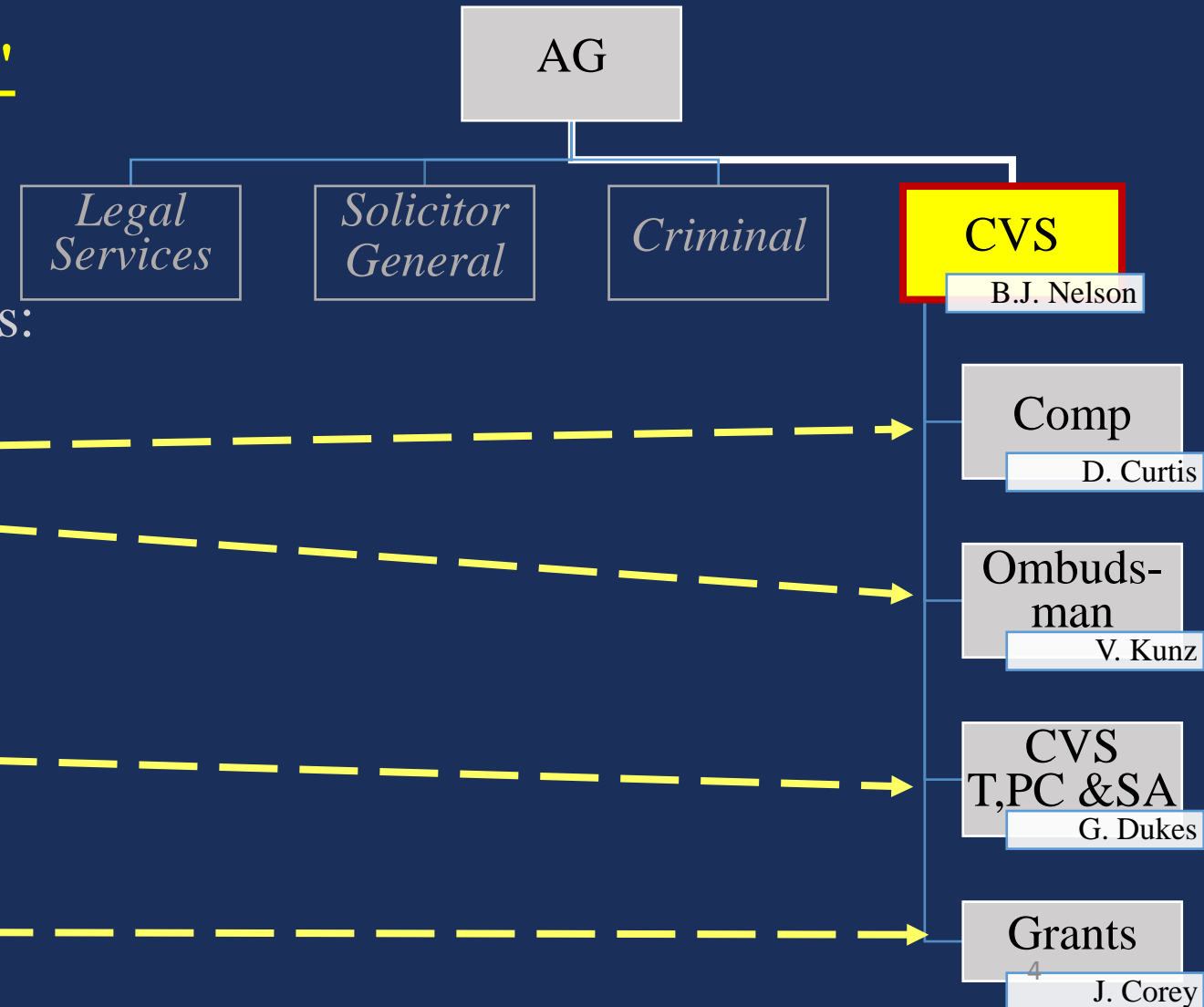
Alan Wilson
Attorney General

B.J. Nelson
Director

“South Carolina Crime Victim Services Act”

to restructure and consolidate Victim Services...to create the Office of the Attorney General, **South Carolina Crime Victim Services Division**...and to create four divisions:

- State Office of Victim Assistance and renamed **“Crime Victim Compensation”**
- South Carolina **Crime Victim Ombudsman**
- Office of Victim Services Education and Certification moved from the Crime Victim Ombudsman and re-established as the **“Crime Victim Services Training, Provider Certification, and Statistical Analysis”**
- and Justice Programs under DPS which administers certain grants to become **“Crime Victim Assistance Grants”**



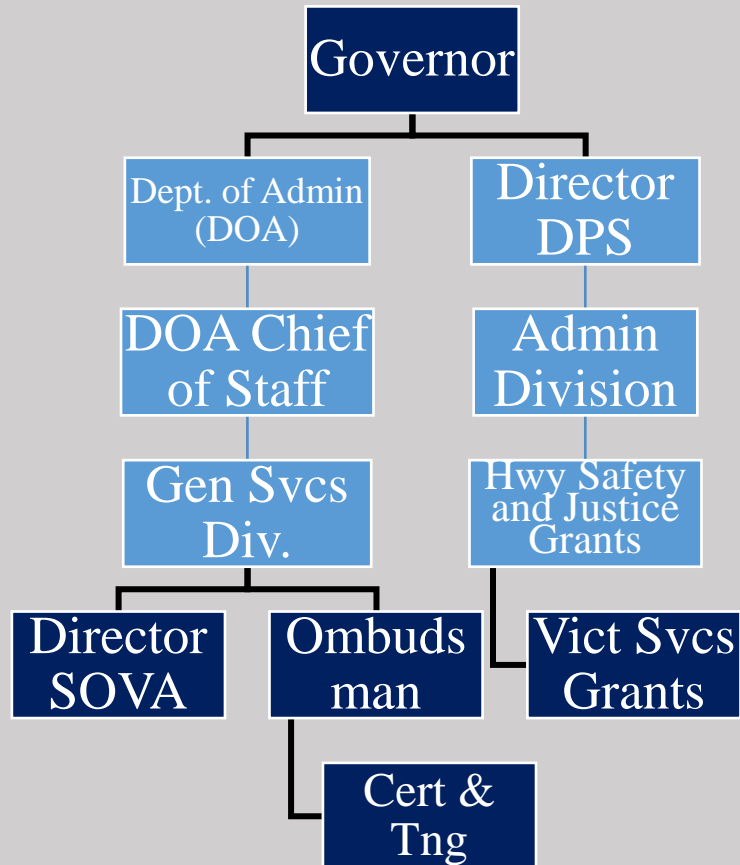


CRIME VICTIM SERVICES

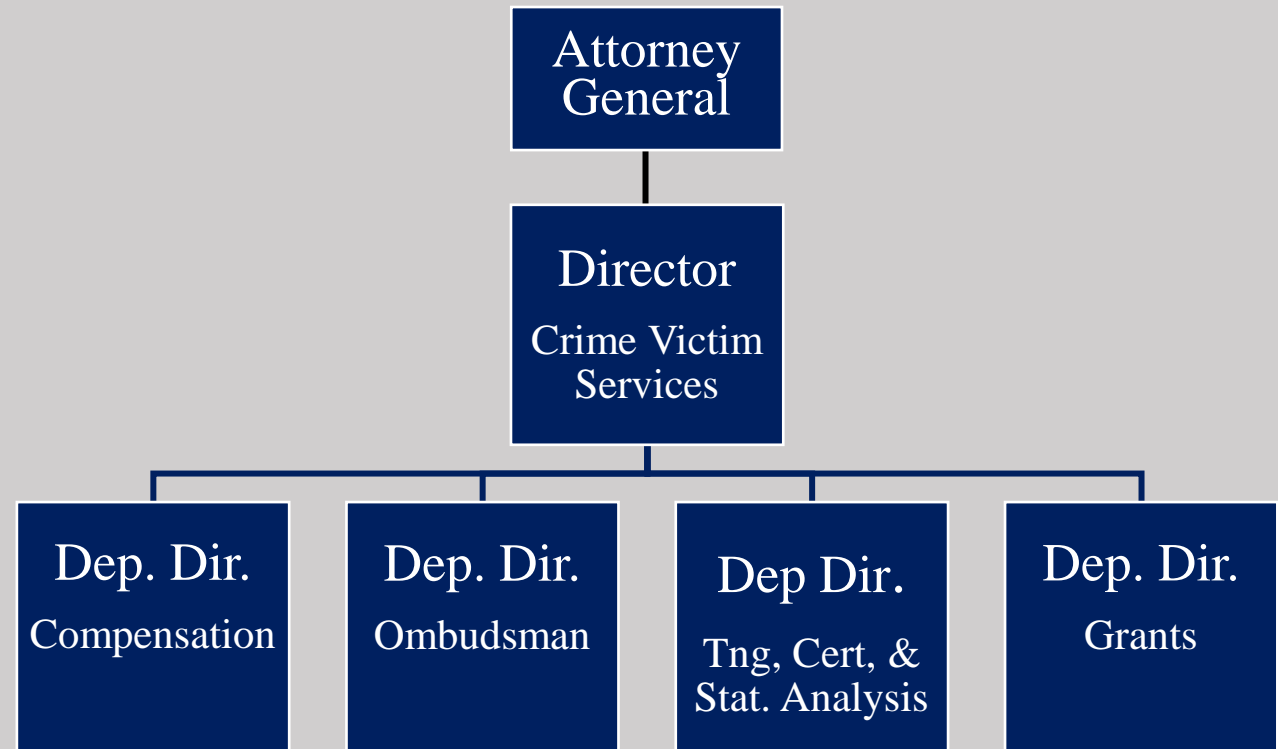
Alan Wilson
Attorney General

B.J. Nelson
Director

Pre-State Reorganization:



Post Consolidation under OAG:



Victim Services Coordinating Council

- Created in 2013, SC Code § 16-3-1410
- Required to meet at least 4 times per year
- Receive suggested policy and procedural improvements from the Attorney General's Department of Crime Victim Services Training, Provider Certification, and Statistical Analysis and Department of Crime Victim Compensation
- Staffed by Crime Victim Services Division (e.g., agendas and minutes for quarterly meetings and coordinating council activities)

Victim Services Coordinating Council

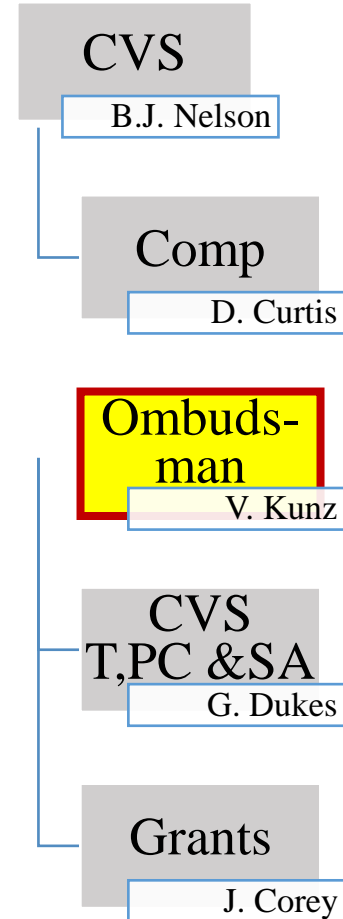
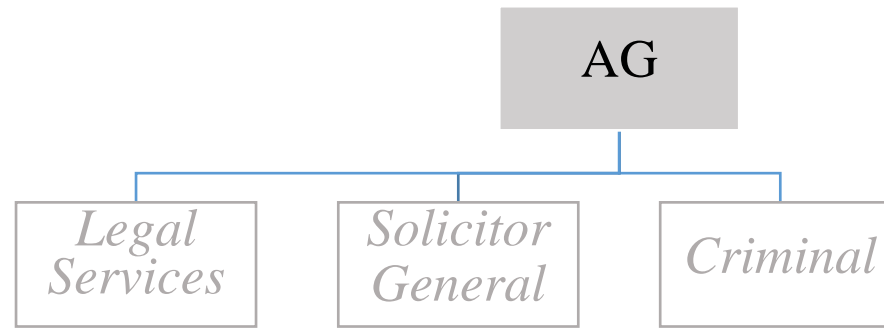
22 Members of the Council

- Attorney General's Crime Victim Services Division
 - Director or designee (chair)
 - Deputy Directors (added in 2017)

Following individuals or their designee

- Attorney General
- PPP Director
- SCDC Director
- DJJ Director
- Prosecution Coordination Commission Director
- Sheriffs' Association Director
- Police Chiefs Association President
- Jail Administrators' Association President
- Solicitors' Advocate Forum President
- Law Enforcement Victim Advocate Association President
- S.C. Coalition Against Domestic Violence and Sexual Assault Director

- 3 representatives appointed by the State Office of Victim Assistance for a term of two years for each of the following categories:
 - University or campus services
 - Statewide child advocacy organization; and
 - Crime victim; and
- 3 at-large seats elected upon two-thirds vote of the other eighteen members of the Victim Services Coordinating Council for a term of two years
 - 1 must be a crime victim
 - 2 must be representatives of community-based nongovernmental organizations.



Crime Victim Ombudsman Section

Veronica Kunz



Sections of Crime Victim Services

Alan Wilson
Attorney General

B.J. Nelson
Director

Crime Victim Ombudsman

Provide responses and investigations to citizens and criminal justice community members that submit requests to resolve individual questions/issues and promote systemic improvements in agencies related to rights of crime victims to assure crime victim rights are protected at all stages of the criminal justice process

Training, Provider Certification, and Statistical Analysis

Provide training and certification to those interacting with crime victims to assure crime victim rights are protected at all stages of the criminal justice process

Provide research/ analysis of criminal justice data to policymakers to keep them apprised of issues relevant to crime victims

Crime Victim Assistance Grants

Provide federal and state financial assistance grants to government and non-government agencies that submit applications to help with expenses for projects that provide direct services to crime victims in South Carolina (e.g., victim advocacy, residential shelters, forensic exams)

Crime Victim Compensation

Provide state financial compensation to eligible crime victims that submit applications to help with expenses directly resulting from a crime that are not covered by other payment sources

Crime Victim Ombudsman

Mission

To ensure that victims of crime are served equitably and treated fairly by the state criminal justice system and victim service organizations.

*One of 11 states in country with Ombudsman (see handout)

How they accomplish the mission

(SC Code Section 16-3-1620 (B))

- Refer crime victims to the appropriate element when services are requested or are necessary
- Act as a liaison between elements of the justice systems, victim assistance programs, and victims
- Review and attempt to resolve complaints against justice system or victim assistance programs within the state's jurisdiction

Personnel

	Turnover	Number of Employees	
		Leave unit during year	In unit at end of year
2016-17		0	0
2017-18	29%	1	3
2018-19	0%	0	3
2019-20	0%	0	3

Note: During FY 2018, one employee left due to personal reasons. Due to the section's small staff size, the loss of one employee resulted in a significant turnover rate.

Exit interviews or surveys conducted?

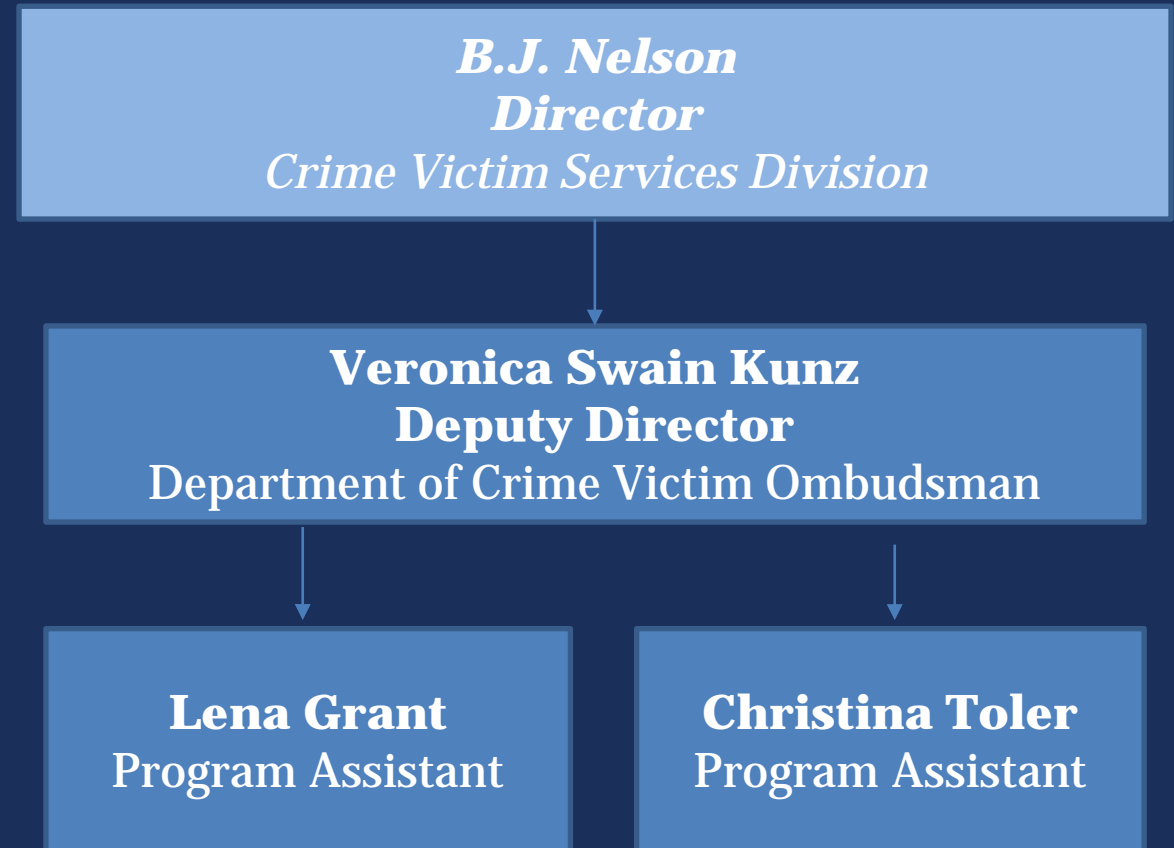
2016-17	No
2017-18	Yes
2018-19	No
2019-20	No

Employee satisfaction tracked?

2016-17	No
2017-18	Yes
2018-19	No
2019-20	No

Crime Victim Ombudsman

Departures	Continuing Employees	Additions
	Veronica Swain Kunz (FTE)	
	Lena Grant Program Assistant (FTE)	
	Christina Toler Program Assistant (FTE)	





Alan Wilson
Attorney General

B.J. Nelson
Director

Who is involved?

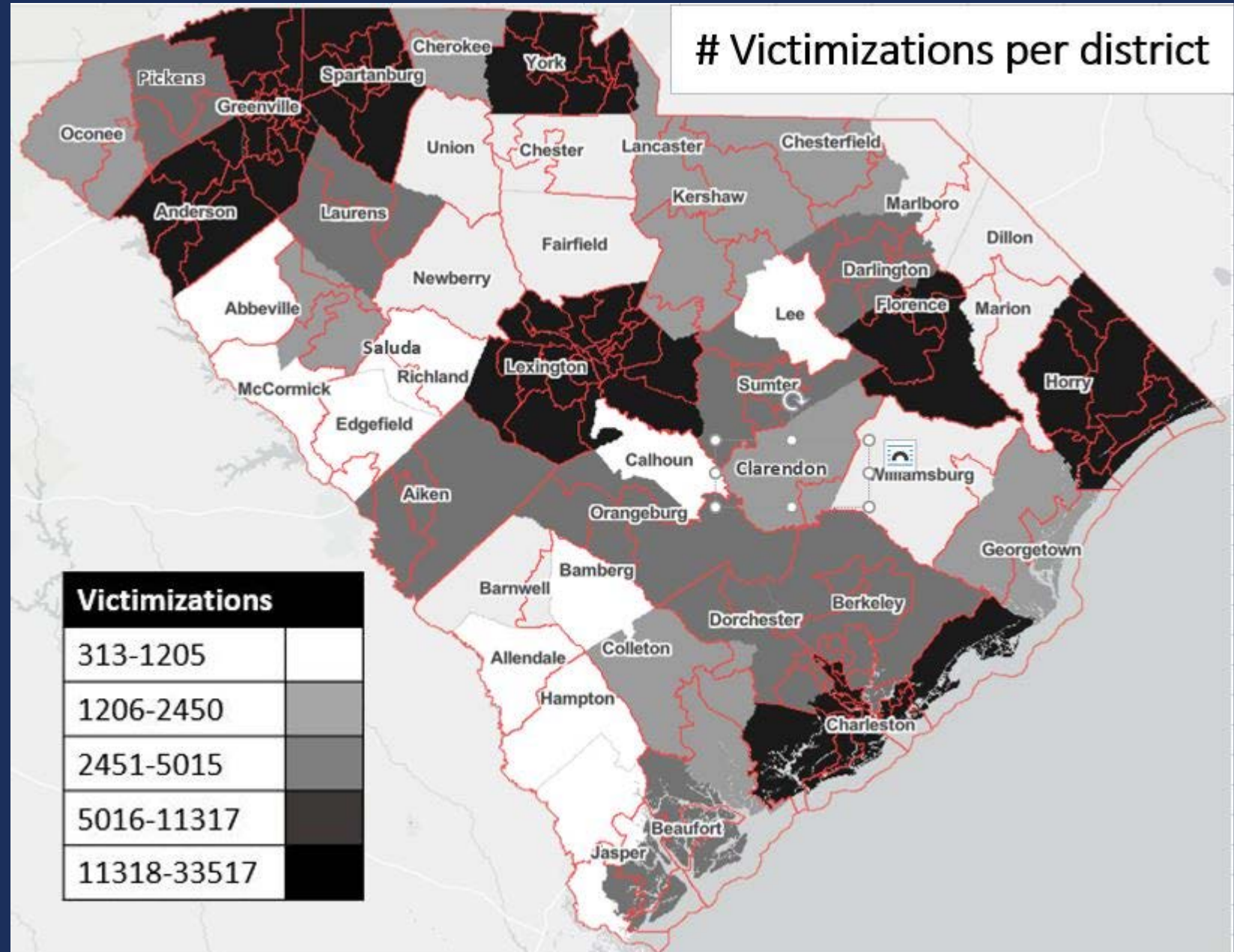
Who is a victim?

An individual who

- suffers **direct or threatened**
- ***physical, psychological or financial harm***
- as a result of the commission or attempted commission of a crime.

Victim also includes:

- victim's **spouse, parent or child** or
- **the lawful representative** of a victim who is
 - Deceased
 - a minor
 - Incompetent
 - physically or psychologically incapacitated



Individuals on whom victims rely

Law Enforcement:

All Sheriffs' Departments
 All City and Town Police Departments
 State Law Enforcement Division
 SC Highway Patrol
 Public college and university law enforcement agencies

Solicitor:

All Solicitors and their staff
 All City Prosecutors and their staff

Courts:

All Circuit, Magistrate and Municipal Judges, their clerks and staff

Detention Center / Jail:

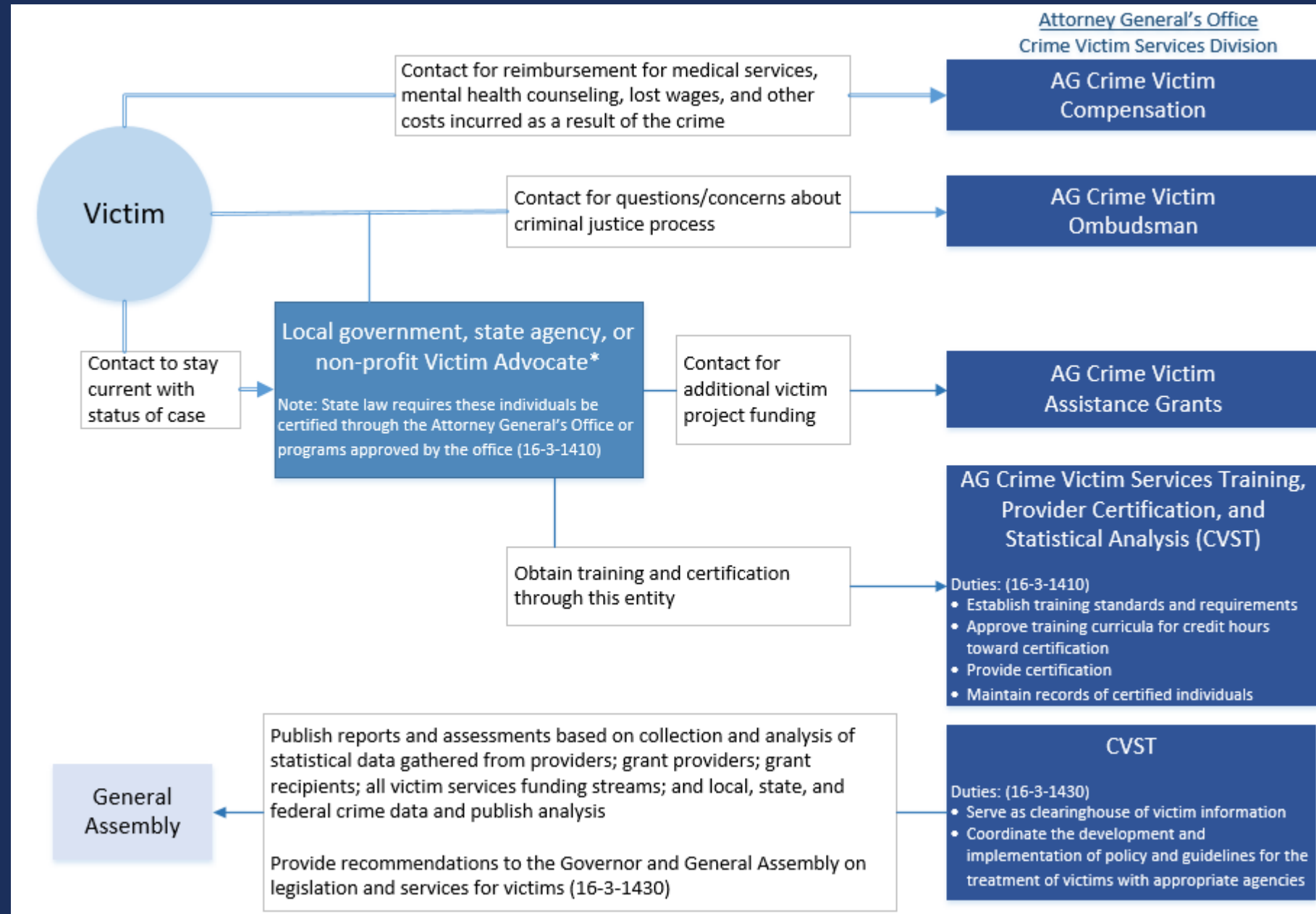
All Detention Center/Jail staff charged with notifying crime victims about offenders' releases/transfers/escapes

State Agency:

Any state agency mandated by law to provide victim services, i.e., Attorney General's Office, SCDC, SCDPPS, DJJ, and Juvenile Parole Board.

Other:

All non-profit agencies that provide victim services; therapists, attorneys, etc.





Alan Wilson
Attorney General

B.J. Nelson
Director

Associated Services

The next slides only contain information on services that are associated with this section of the agency.

Does law require it:

No

Assoc. Law(s):

Purpose (as understood by agency):

To increase the ability of individuals to understand victims' rights to provide adequate assistance to crime victims

Customers:

Crime victims, criminal and juvenile justice system, victim service programs, public

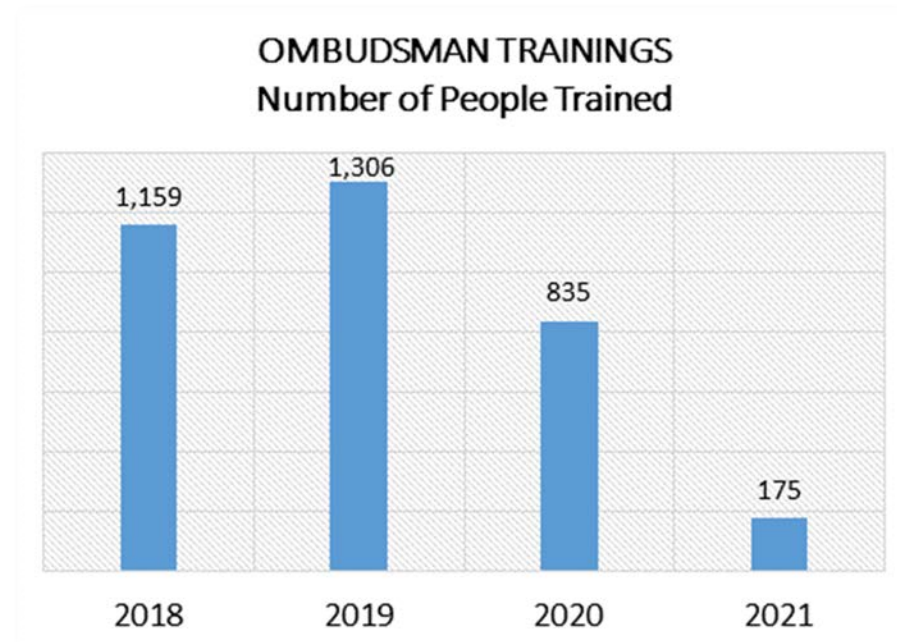
Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #249

Train criminal justice professionals, victim service providers and others about victims' rights and statutes

Training events include:

- Victims' Rights Week Conference
- Charleston School of Law
- Judicial Conferences
- Solicitor's Conference
- SC Law Enforcement Victim Advocate Conference
- Solicitor Advocate Core Training
- Orangeburg Annual Core Training
- Continuing Legal Education (CLEs)
- Child Advocacy Centers
- Court "Notifiers" (on site and online)
- Detention center "Notifiers" (on site and online)
- Dept. of Juvenile Justice caseworkers
- Juvenile Arbitration Boards
- Law enforcement on-site trainings



Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1630

Purpose (as understood by agency):

To inform the state about that status of implementation of victims' rights and services.

Customers:

Governor, General Assembly, elements of the criminal and juvenile justice systems, and victim assistance programs

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #248

Prepare an annual report for the Governor and General Assembly

Where is the report?

- Reports for fiscal years 2011-12 through 2018-19 are available on the agency website
- All other reports are in the State Library

What type of information is in the report?

- Referral Cases and Statistics
- Assist Cases and Examples
- Criminal Justice System Assists
- Data: Types of Crimes in Assist Cases
- Formal Complaint Cases
- Allegations in Formal Complaints
- Formal Complaint Dispositions and Examples
- Formal Crime Victim Ombudsman Training and Outreach

Agency Service #244

REFER crime victims to the appropriate element of the criminal and juvenile justice systems or victim assistance programs, or both, when services are requested by crime victims or are necessary as determined by the ombudsman

- Basic level of assistance
- Typically involves talking with an individual, explaining services available to them and providing them with contact number to local service providers to call for additional help

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1620 (B)(1)

Customers:

Crime victims, victim service providers, public

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Purpose (as understood by agency):

In recognition of the civic and moral duty of victims of and witnesses to a crime to cooperate fully and voluntarily with law enforcement and prosecution agencies, and in further recognition of the continuing importance of this citizen cooperation to state and local law enforcement efforts and to the general effectiveness and the well being of the criminal and juvenile justice systems of this State, and to implement the rights guaranteed to victims in the Constitution of this State, the General Assembly declares its intent, in this article, to ensure that all victims of and witnesses to a crime are treated with dignity, respect, courtesy, and sensitivity; that the rights and services extended in this article to victims of and witnesses to a crime are honored and protected by law enforcement agencies, prosecutors, and judges in a manner no less vigorous than the protections afforded criminal defendants; and that the State has a responsibility to provide support to a network of services for victims of a crime, including victims of domestic violence and criminal sexual assault.

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1620 (B)(2)

Customers:

Crime victims, criminal and juvenile justice system, victim service programs

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Purpose (as understood by agency):

Same as previous service

Agency Service #245

ASSIST by acting as a liaison between elements of the criminal and juvenile justice systems, victim assistance programs, and crime victims when the need for liaison services is recognized by the ombudsman

- Next level of assistance
- More in-depth than a referral
- May involve performing research, writing letters, and organizing meetings

Note: Includes assisting crime victims and those in the criminal justice system (e.g., law enforcement officers, solicitors, victim advocates)

Agency Service #246

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1620 (B)(3)

Customers:

Crime victims, criminal and juvenile justice system, victim service programs

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

REVIEW and attempt to resolve FORMAL COMPLAINTS against elements of the criminal and juvenile justice systems or victim assistance programs, or both, made to the ombudsman by victims of criminal activity within the state's jurisdiction

Purpose (as understood by agency):

Same as previous service

Formal Complaints: Initial Review Process

- Formal complaints are submitted online.
 - Complaints are regularly submitted by people who are not victims (i.e., people alleging “wrongful arrests”) or about non-criminal issues (i.e., civil lawsuits, issues from out of state.)
 - Those cases are listed as “**DISMISSED.**”
- Crime Victim Ombudsman reviews complaints to verify they contain allegations by S.C. crime victims regarding victims’ rights violations.

Agency Service #247

Make formal inquiries to manage victim complaints

1. Forward victim complaints to person, program, or agency against whom allegations are made and conduct an inquiry
2. Request and receive information pertinent to the inquiry
3. Issue a report, verbally or in writing, to the complainant and object of the complaint
4. Make recommendations to assist all parties
5. Review actions taken as the result of the recommendations

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1630

Customers:

Crime victims, criminal and juvenile justice system, victim service programs

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Purpose (as understood by agency):

Same as previous service

Victims Rights Violations Enforcement

Do entities follow CVO's recommendations?

Approximately 75% of the time → Yes (not tracked)

“Agencies that are the subject of the complaint shall respond regarding actions taken, **IF ANY**, as a result of the ombudsman’s recommendations.”

S.C. Code §16-3-1630

S.C. Constitution, Art. I Sec. 24 (B)

Nothing in this section creates a civil cause of action

... against any public employee, public agency, the State, or any agency responsible for the provision of services ...

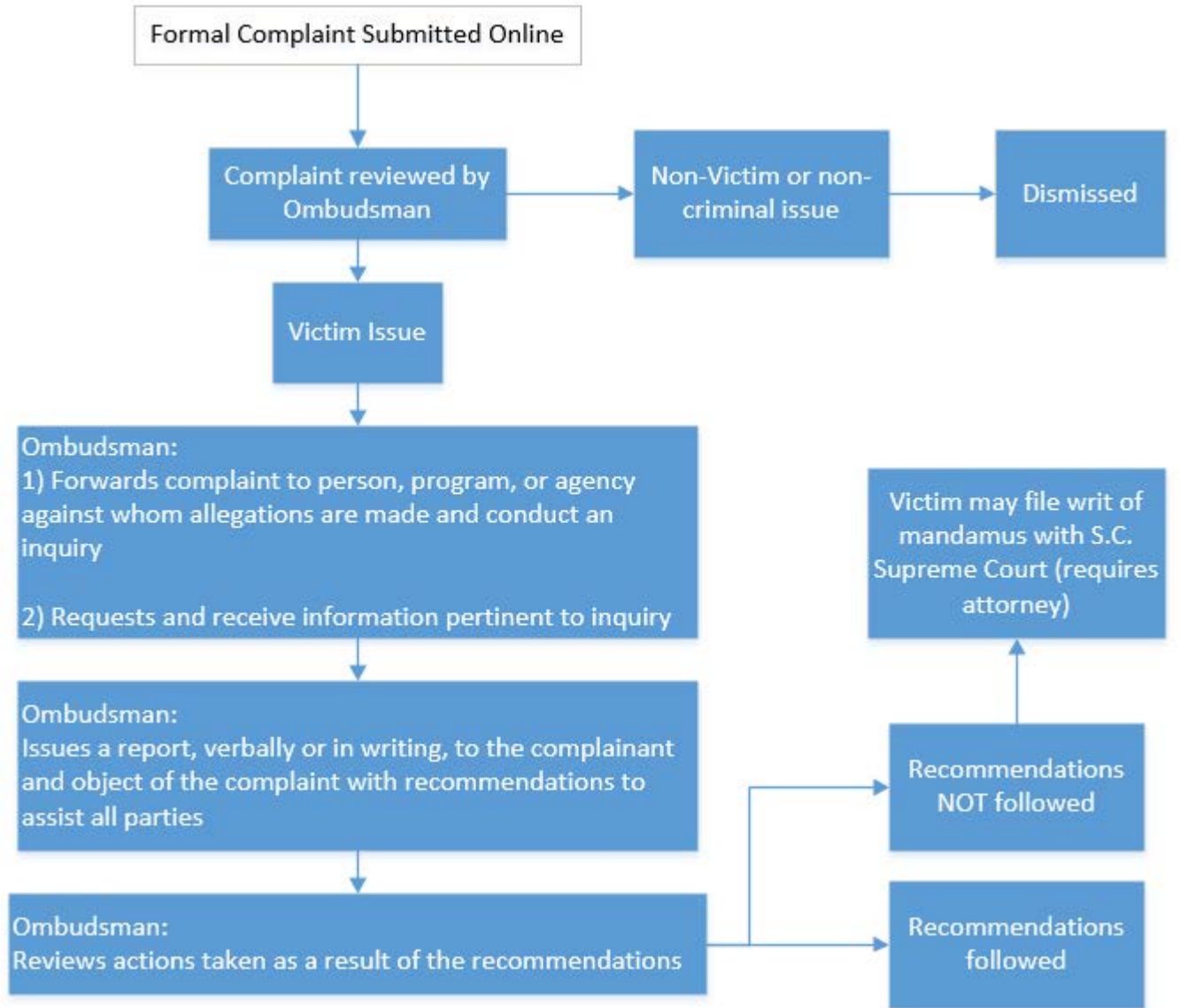
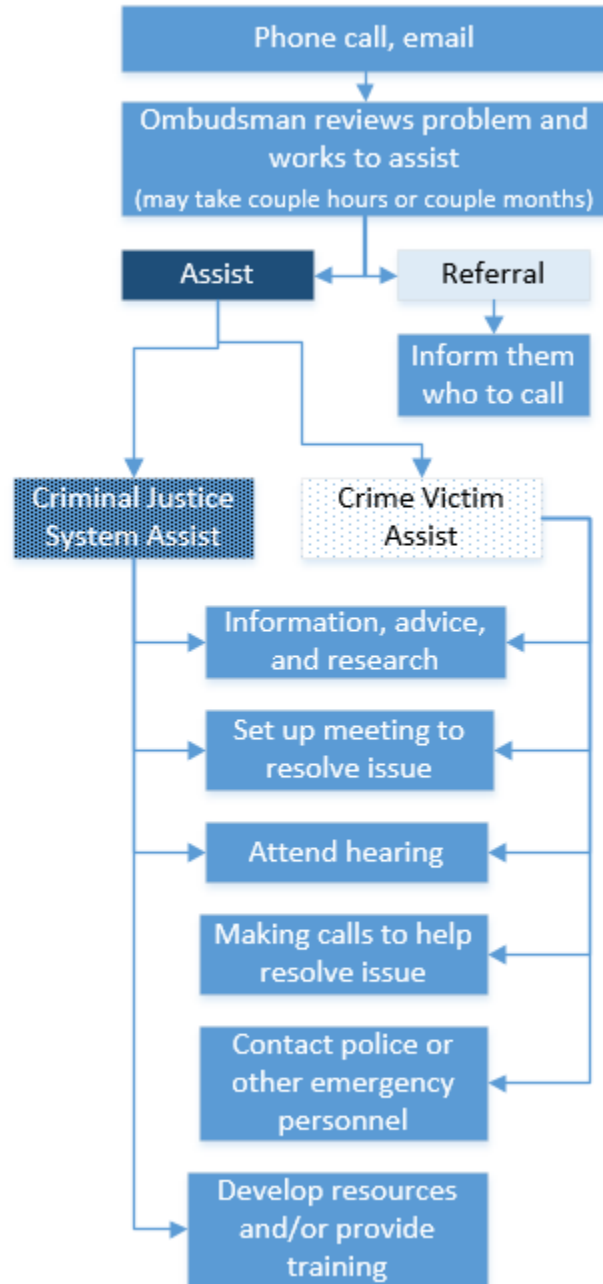
The rights created in this section may be subject to a writ of mandamus issued by the Supreme Court

A willful failure to comply with a writ of mandamus is punishable as contempt.

Problems with Writs:

- Victim needs attorney
- Mandamus is narrow, difficult to use
- “Ministerial duty” is not always clear in some Constitutional rights

Ombudsman Service Process Summary





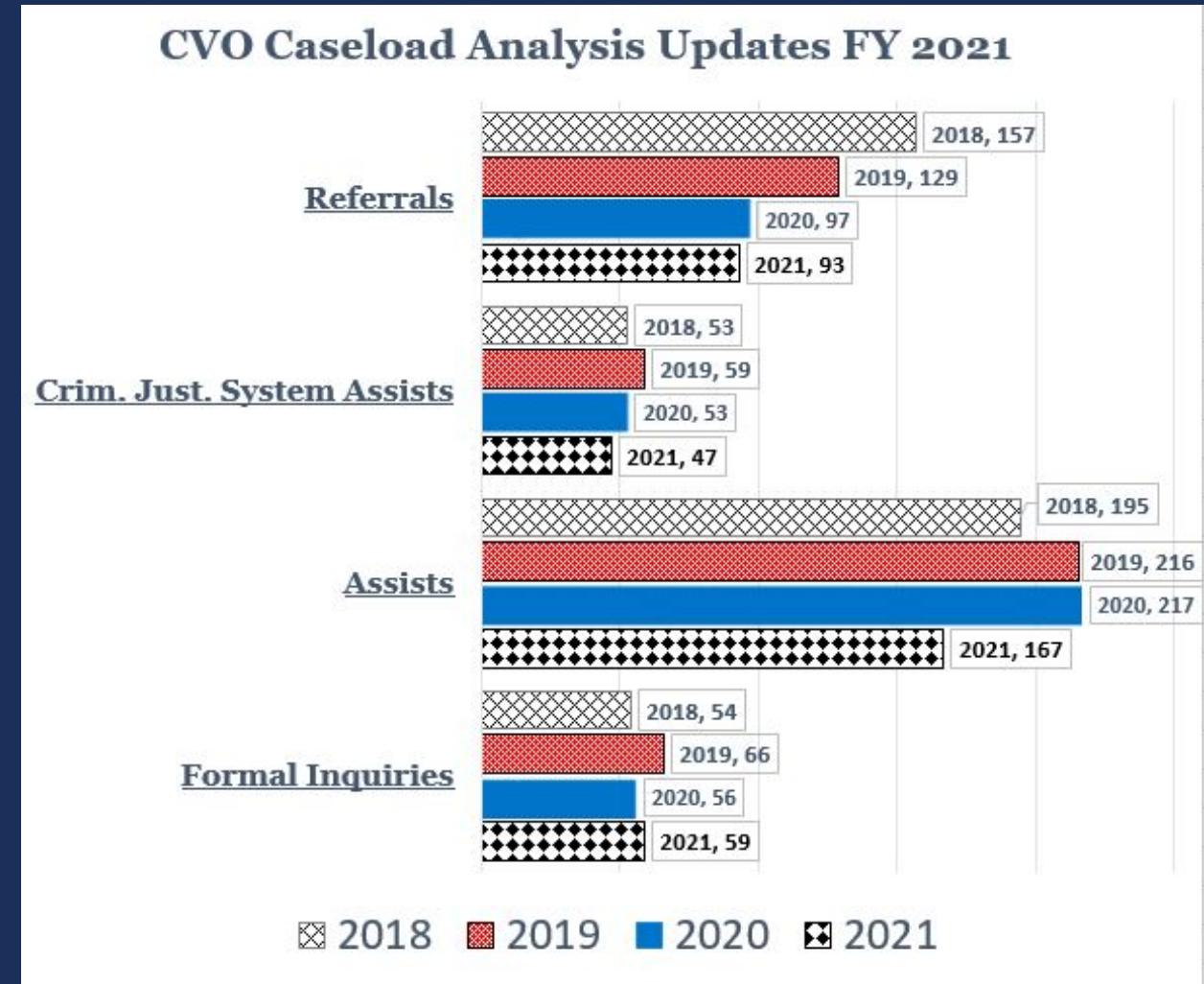
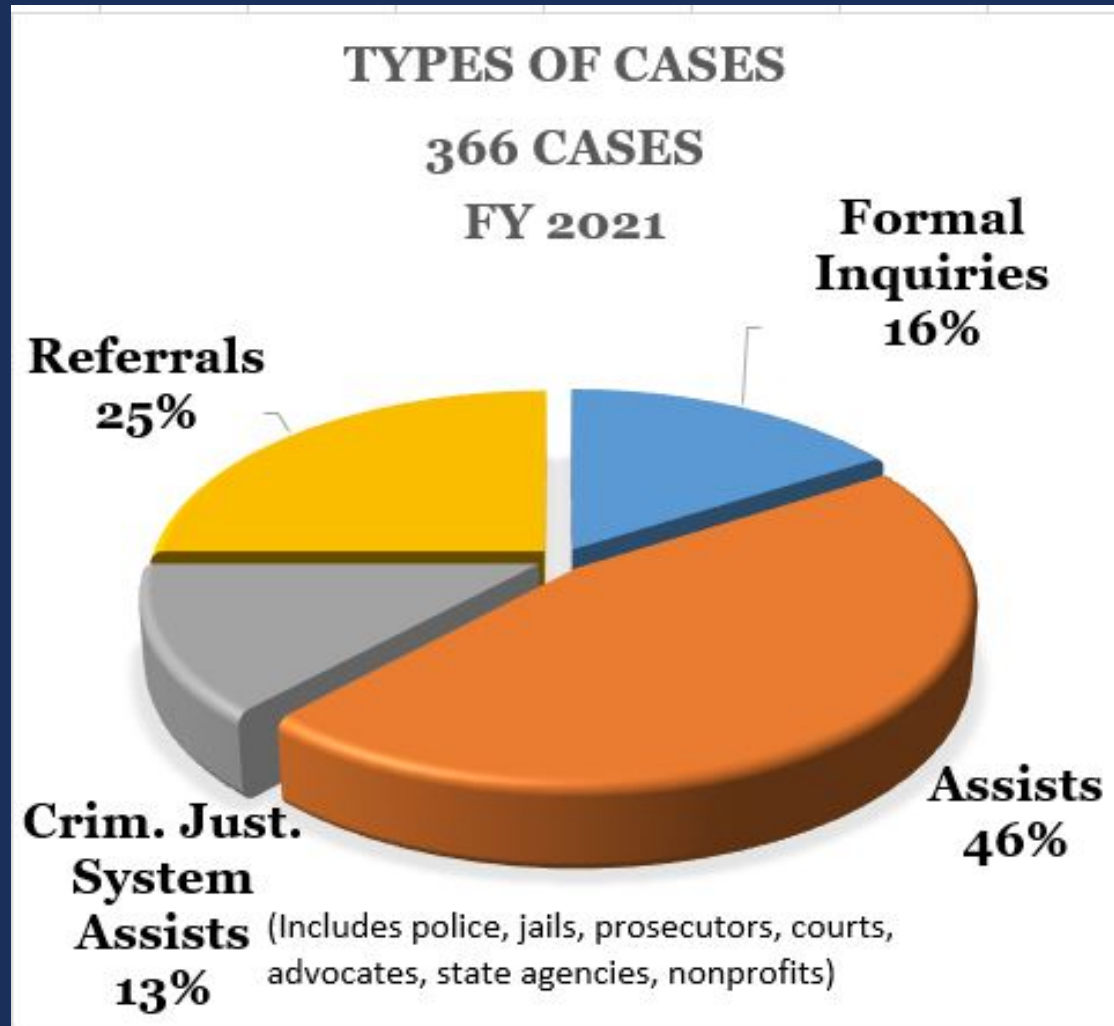
Alan Wilson
Attorney General

B.J. Nelson
Director

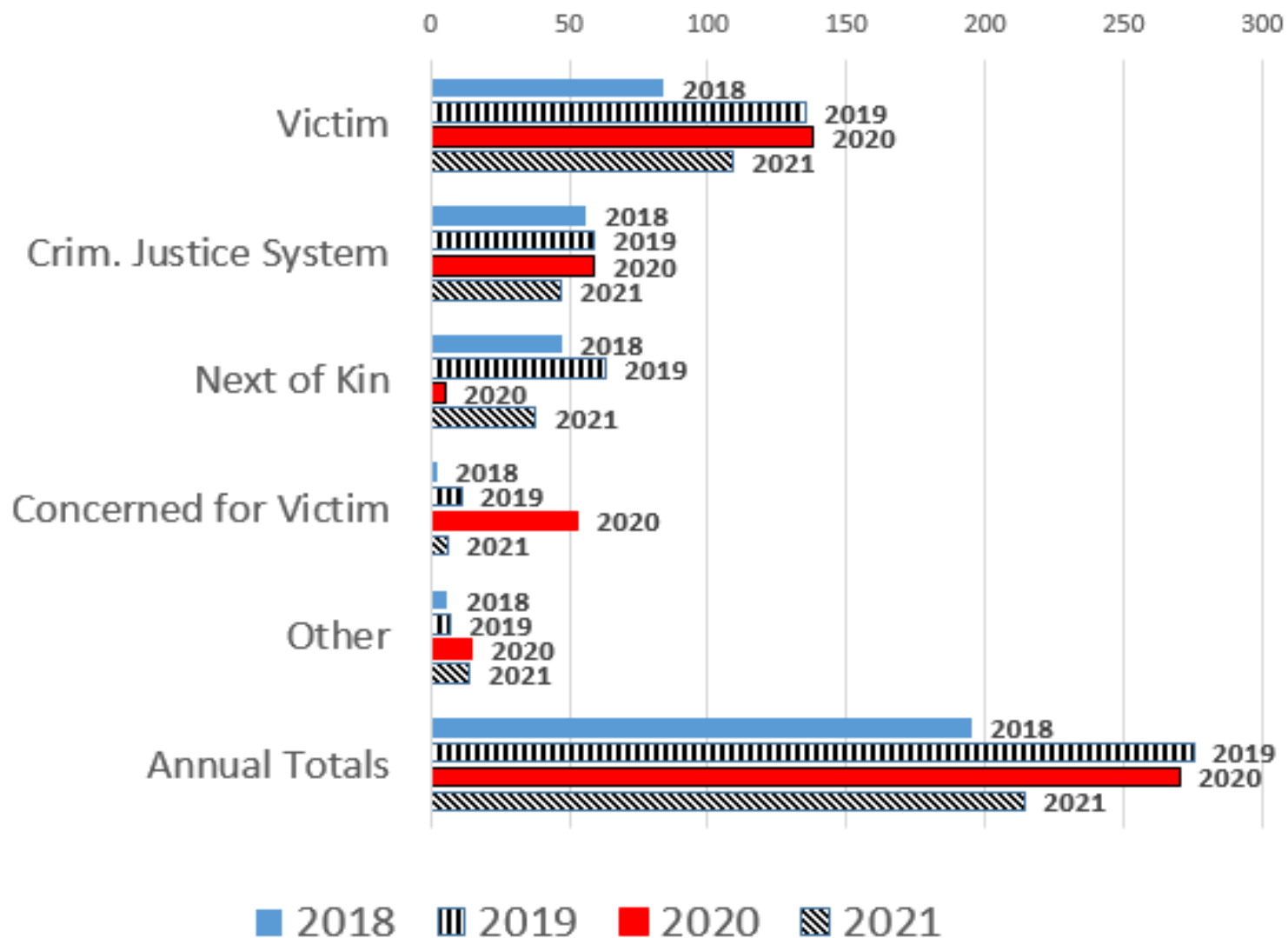
Associated Performance Measures

The next slides only contain information on performance measures that are associated with services covered earlier in this presentation.

Types of Cases and Caseload



Who Called for Assistance? (CVO Assist Cases)

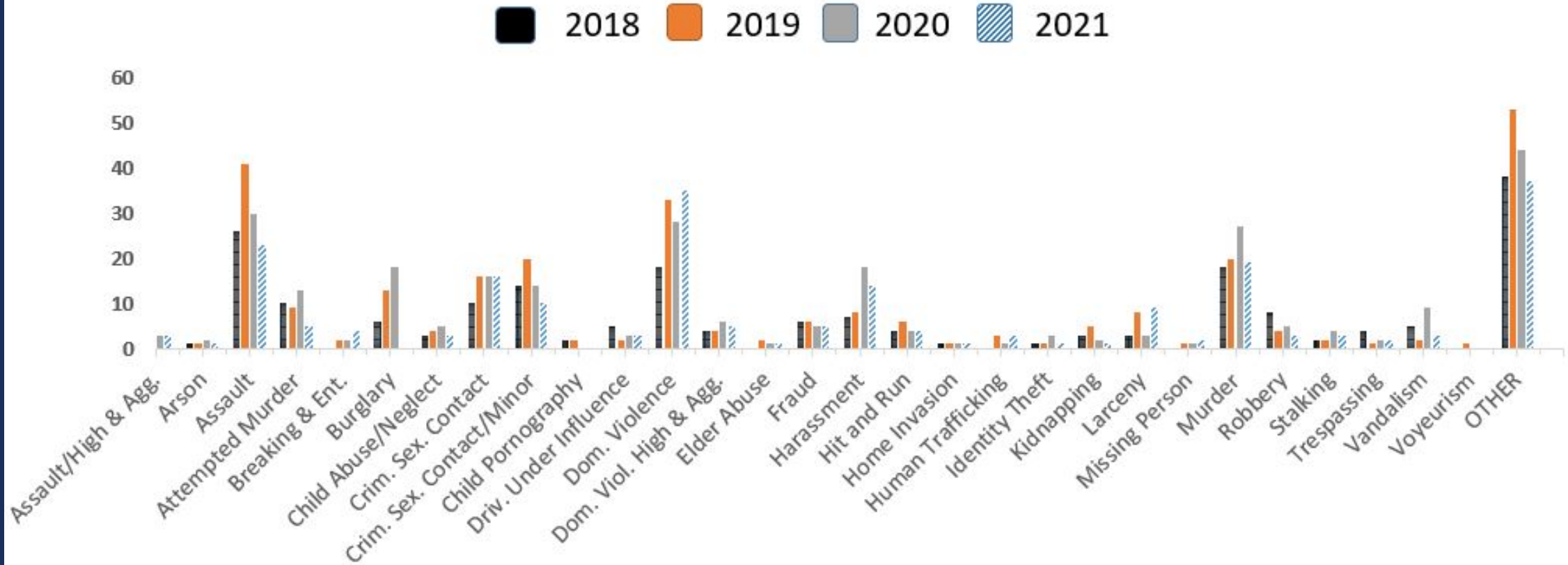


Assist Cases

“Other” includes anyone other than the above; i.e., lawyers, teachers, students, offenders, people with non-criminal legal issues, therapists, advocates from other states

Assist Cases

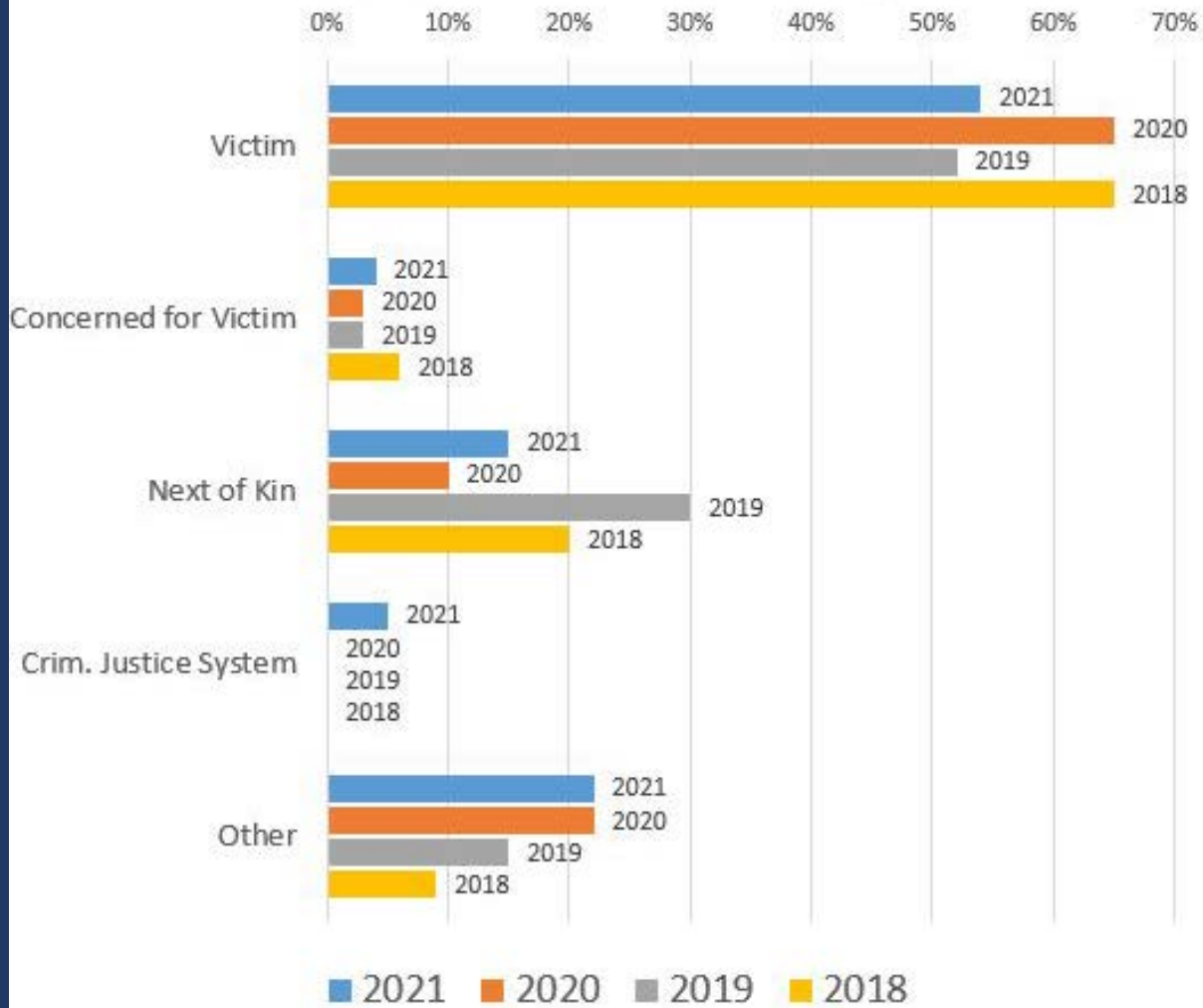
TYPES OF CRIMES - ASSIST CASES



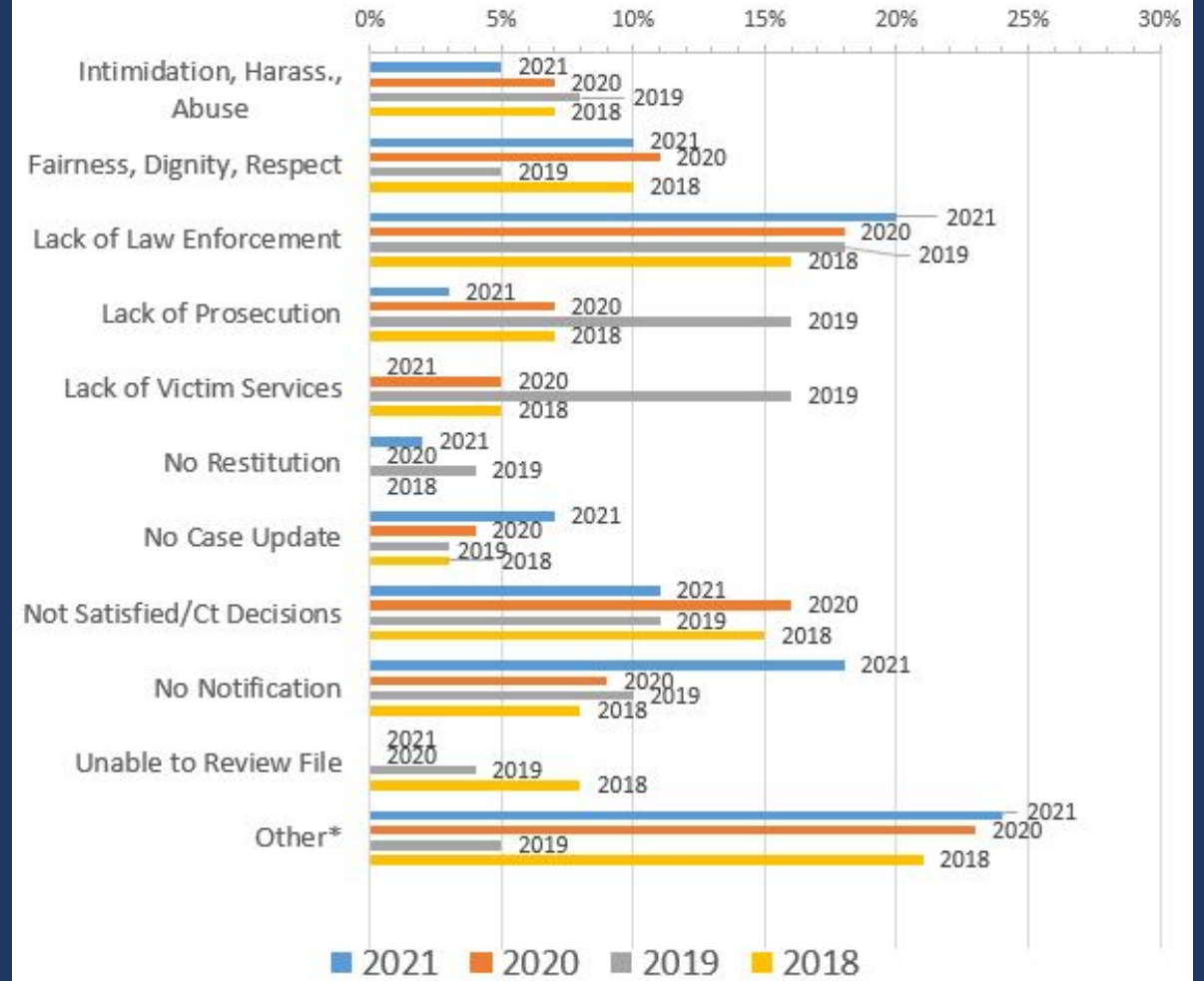
“Other” indicates either a general request from the victim services’ community about “all crimes,” or from someone who has a non-criminal legal issue or who is not referring to any specific type of crime.

Formal Complaints

Who Submitted a Formal Complaint?



Allegations in Formal Complaints



“Other” includes people with non-criminal issues, people with issues from other states, defendants, attorneys, members of the criminal justice / victim services systems, therapists, students

“Other” includes submissions that do not allege a crime, complainant is not a victim, or a general complaint not naming a particular entity



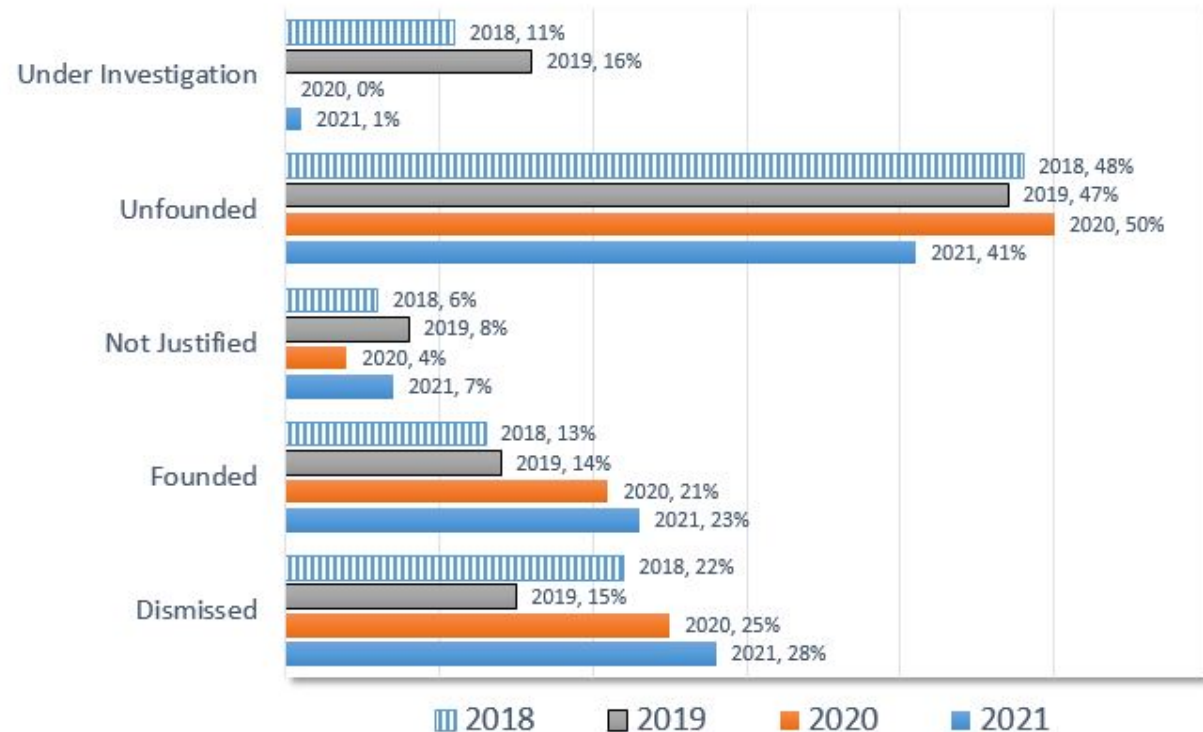
Crime Victim Ombudsman

Alan Wilson
Attorney General

B.J. Nelson
Director

Guidelines for Dispositions

Dispositions in Formal Cases



- **Founded** = Reported acts or part of the reported acts occurred
- **Unfounded** = Acts did not occur or the acts did occur but were within the scope of authority for that individual, agency or entity
- **Not Justified** = Insufficient evident to prove or disprove the reported acts occurred
- **Dismissed** = Case was withdrawn due to lack of victim participation

Formal Complaints by County

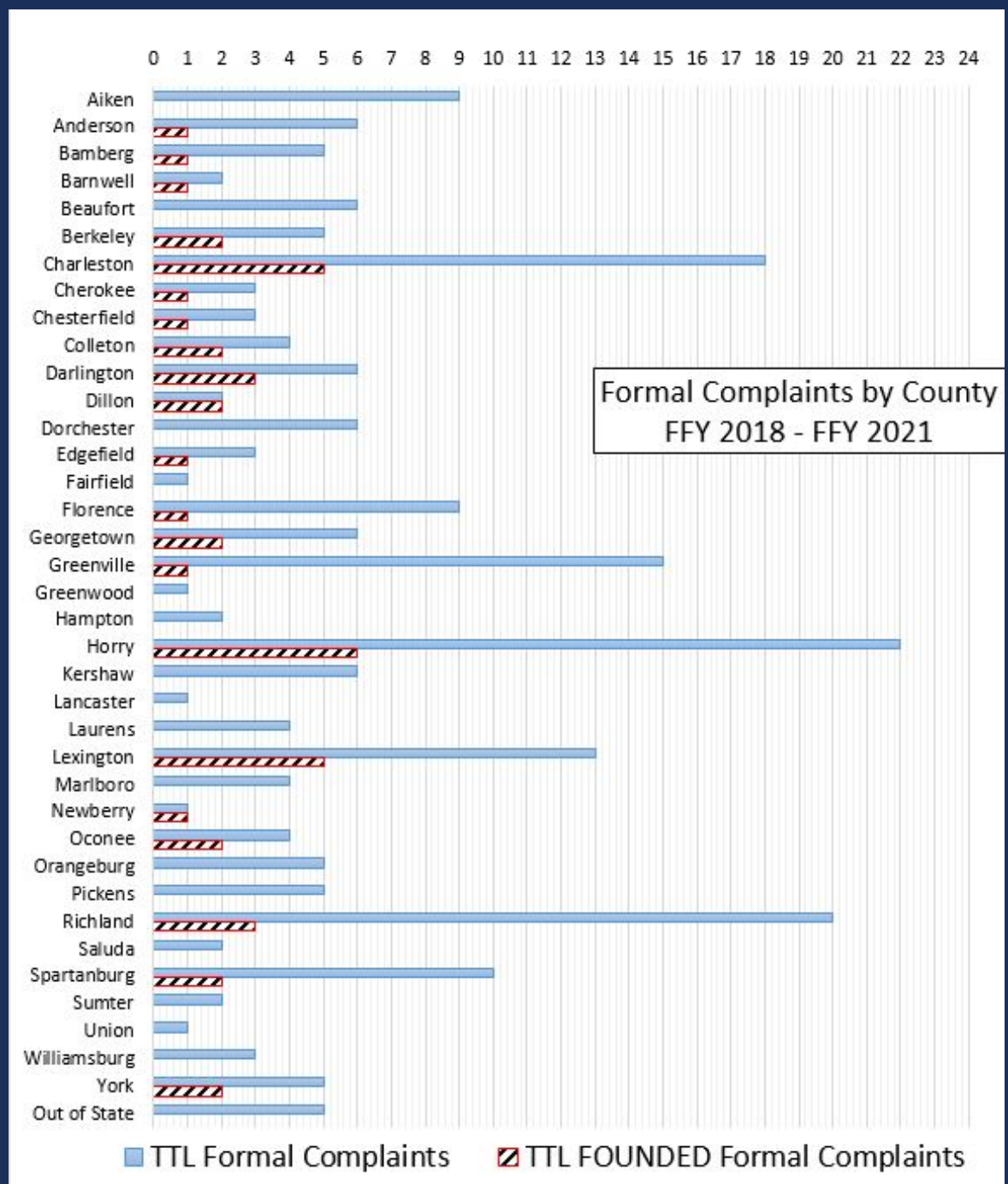
Number of Formal Complaints submitted per county

“FOUNDED” disposition in Formal Complaints per county

After inquiries are conducted, CVO makes a finding and makes recommendations for improvement.

Statute states: “Agencies that are the subject of the complaint shall respond, within a reasonable time, to the ombudsman regarding actions taken, if any, as a result of the ombudsman’s report and recommendations.”

If violation is severe and agency refuses to comply with recommendations, CVO refers victim to attorneys to seek other remedies (Writ of Mandamus, potential civil action)





Alan Wilson
Attorney General

B.J. Nelson
Director

Associated Successes and Concerns

The next slides only contain information on services that are associated with this section of the agency.

Successes

- Online Complaint Form to simplify the process to file a Formal Complaint alleging a victims' rights violation in order to serve the public in a more efficient manner.
- 2-hour online training entitled, "SC Victims' Bill of Rights and Victim and Witness Services Statutes" to address need for more accessible training for Victim Service Providers (VSPs) working in courts and detention centers across the state
- Victim Satisfaction Survey (posted on our website) in an ongoing effort to improve services to our constituents. Feedback from victims is shared during weekly staffing meetings where staff receives ongoing training by the Deputy Director to improve efficiency and maintain a positive relationship with all constituents.

Successes (cont.)

Resolution of source for section's budget

- CVO was established in 1994; \$125k listed in line item in state budget
- Received proviso for \$241k from DCVC Compensation Fund.
- Received \$59k from state general fund last year FY2022 (starting July 1, 2021) to fill budget shortfall.
- \$241k request in this year's budget (passed by House).
- If passed by Senate, state budget will fully fund CVO.
- Necessary because funding from the Compensation Fund reduces funds for victims' injuries, etc.

Concerns

Address Confidentiality Program (ACP)

S.C. ranks in top 5 states in strength of legal rights and services for crime victims

S.C. ranks consistently in top 10 states in deaths due to domestic violence

38 states have ACPs

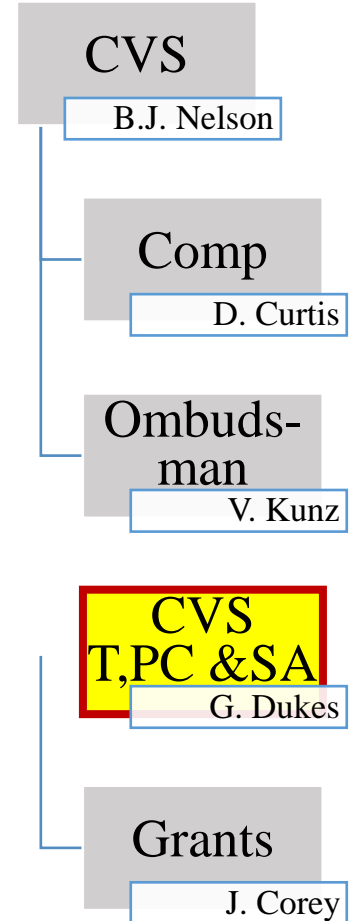
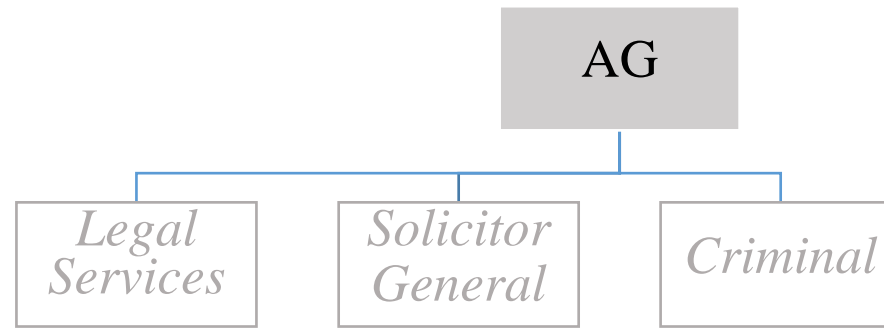
H. 3485 introduced 1/2021 (Robinson, J.L. Johnson)

What does it do? Protects the location of victims of domestic and sexual violence, stalking and human trafficking forced to flee abusive and dangerous situations.

How? Victims receive mail at a confidential address, while keeping their actual address undisclosed. Substitute the agency's address for the victim's physical address on public records.

Why? Reduce the number of deaths due to DV
Consistent with SC overall guiding principles re services for crime victims; protection from potential lawsuits

Where? AG's Division of Crime Victim Services
1 FTE, IT/phone, postage, admin. costs
Model = North Carolina (most programs are similar)



Training, Provider Certification & Statistical Analysis Section

Ginger Dukes



Sections of Crime Victim Services

Alan Wilson
Attorney General

B.J. Nelson
Director

Crime Victim Ombudsman

Provide responses and investigations to citizens and criminal justice community members that submit requests to resolve individual questions/issues and promote systemic improvements in agencies related to rights of crime victims to assure crime victim rights are protected at all stages of the criminal justice process

Training, Provider Certification, and Statistical Analysis

Provide training and certification to those interacting with crime victims to assure crime victim rights are protected at all stages of the criminal justice process

Provide research/ analysis of criminal justice data to policymakers to keep them apprised of issues relevant to crime victims

Crime Victim Assistance Grants

Provide federal and state financial assistance grants to government and non-government agencies that submit applications to help with expenses for projects that provide direct services to crime victims in South Carolina (e.g., victim advocacy, residential shelters, forensic exams)

Crime Victim Compensation

Provide state financial compensation to eligible crime victims that submit applications to help with expenses directly resulting from a crime that are not covered by other payment sources



Training, Provider Certification & Statistical Analysis

Alan Wilson
Attorney General

B.J. Nelson
Director

Mission:

To further professionalize the field of victim services through ensuring proper training, certification of victim services providers, and analysis of relevant statistical data.

First of its kind in the nation



Training, Provider Certification & Statistical Analysis

How they accomplish the mission

- Provide oversight of training, education, and certification of victim assistance programs;
- Work with the Victim Services Coordinating Council (VSCC), promulgate training standards and requirements;
- Approve training curricula for credit hours towards certification;
- Provide victim service provider (VSP) certification;
- Maintain records of certified victim service providers;
- Collect and analyze statistical data, publish analysis, needs assessments, and reports*

See §16-3-1410 for formal requirements

**This new provision allows analysis and increases potential grant opportunities.*

Background

- Register all Victim Service Providers (VSPs are individuals)
- Certify continuing education
- Review all submitted trainings and documentation to ensure standards are met
- Manual checks of VSP statuses in IQ database, hindering productivity of limited staff



Training, Provider Certification & Statistical Analysis

Departures

Tara Martin

Statistician (FTE)
August 2020

Kim Hamm

Deputy Director (FTE)

Current Employees

Fabienne Bolet

Administrative Coordinator
(FTE)

Additions

Zach Glendening

Statistician (FTE)
July 2021





Training, Provider Certification & Statistical Analysis

	Turnover	Number of Employees	
		Leave unit during year	In unit at end of year
2016-17		Unit did not exist	
2017-18	0%	0	2
2018-19	0%	0	3
2019-20	33%	1	2
2020-21	33%	1	3

Exit interviews or surveys conducted?

2016-17	No
2017-18	No
2018-19	No
2019-20	No

Employee satisfaction tracked?

2016-17	No
2017-18	Yes
2018-19	No
2019-20	No



Alan Wilson
Attorney General

B.J. Nelson
Director

Who is involved?

Training, Provider Certification & Statistical Analysis

Key Terms

Government Notifier/Support Staff (VSPN)

Where employed:

- Summary court
- Detention center

Job Duties include:

- Providing notification to crime victims

Training Requirements:

- Continuing → 2-hour approved training every other calendar year

Government Victim Service Provider (VSP)

SC Code Section 16-3-1420(1a)

Where employed:

- Local government (Police Departments, Sheriff's Offices)
- State agency (Solicitors, SC Department of Corrections, SC Probation, Parole and Pardon Services, SC Department of Juvenile Justice)

Job Duties include:

- Provide victim assistance

Training Required:

- Initial → 15 hrs. of core training in first year employed
- Continuing → 12 hrs. of approved education every calendar year (VSPs can carry forward up to 12 hours of continuing education each calendar year)

Training, Provider Certification & Statistical Analysis

Key Terms

Non-Profit Victim Service Provider (VSP) and Human Trafficking (VSP-HT)

SC Code Section 16-3-1420(1b)

Where employed:

- State recognized Non-Governmental Organization (NGO) whose mission is in victim services
 - Incorporated in, holds a certificate of authority in, or is registered as a charitable organization in S.C.
 - Mission is victim assistance or advocacy
 - Privately funded or receives funds from federal, state, or local governments to provide services to victims

Job Duties include:

- VSP Provide victim assistance
- VSP-HT must provide direct services to victims of human trafficking and recognized member of regional human trafficking taskforce or otherwise approved

Training Required: (Same as Government VSP)

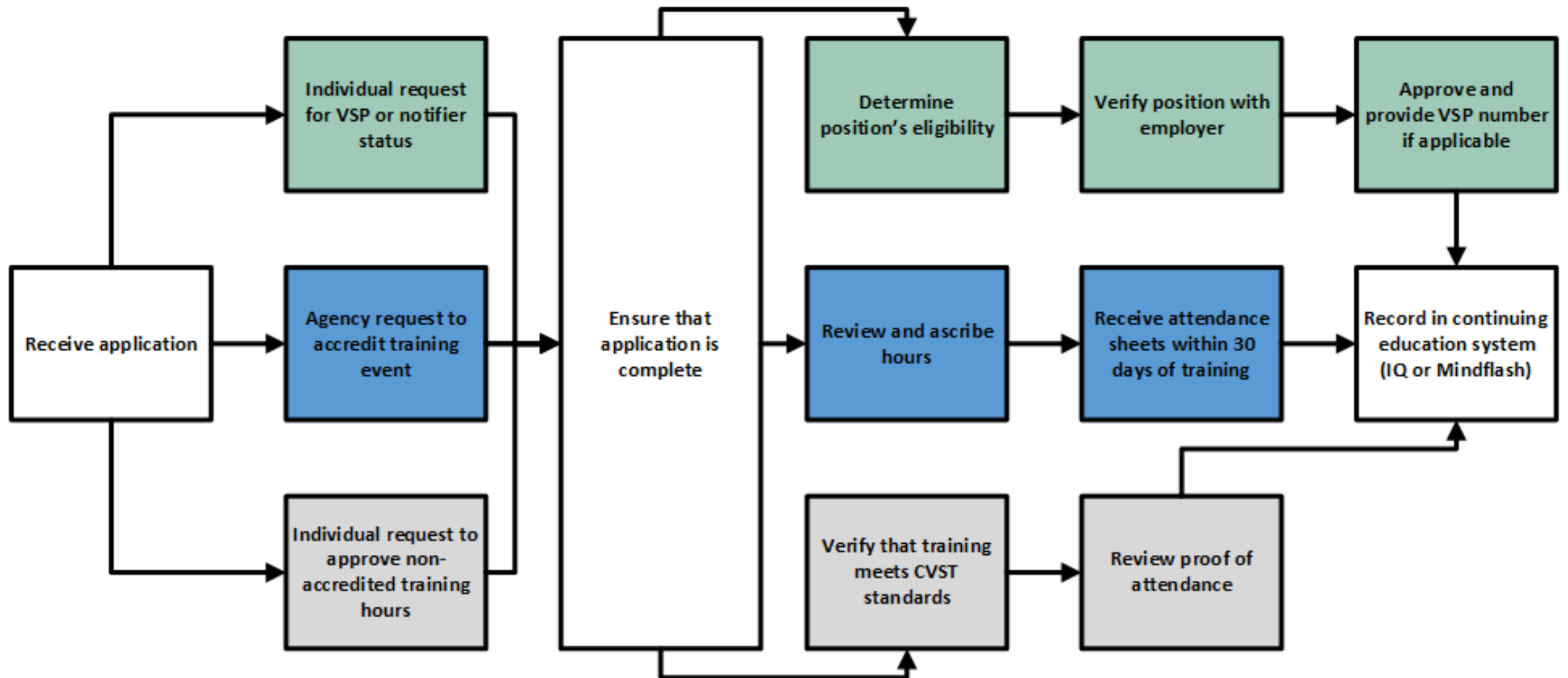
- VSP Initial → 15 hrs. of core training in first year employed
- VSP-HT Initial → 15 hrs. of specialized core training in human trafficking in first year employed
- Continuing → 12 hrs. of approved continuing education required each calendar year (VSPs can carry forward up to 12 hours of continuing education each calendar year)

Summary of who must participate in training and certification

Type	Category	Description	Positions Included
Summary Court or Detention Center	Notifier / Support Staff	<ul style="list-style-type: none"> Any S.C. Summary Court (i.e., Municipal Court or Magistrate’s Court) or Detention Center (i.e., City or County Jail) 	Positions that provide notifications to crime victims as mandated by law
Local Government or State Agency (other than summary court or detention center)	Victim Service Provider (VSP)	<ul style="list-style-type: none"> Any local government or state agency 	Any position that provides victim assistance as mandated by S.C. law
Non-Profit	Victim Service Provider (VSP)	<ul style="list-style-type: none"> Mission is victim assistance or advocacy Incorporated in, holds a certificate of authority in, or is registered as a charitable organization in, S.C. Privately funded or receives funds from federal, state, or local governments to provide services to victims 	Any position that provides victim assistance



CVST CERTIFICATION AND ACCREDITATION PROCESS





Alan Wilson
Attorney General

B.J. Nelson
Director

Associated Services

The next slides only contain information on services that are associated with this section of the agency.

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1410(B)

Purpose (as understood by agency):

To define training standards and requirements for victim service provider certification and continuing education

Customers:

Victim Services Coordinating Council,
Victim service providers

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #234

Promulgate training standards and requirements in cooperation with the Victim Services Coordinating Council (VSCC)

- Research was collected from continuing education programs
- A committee was formed of victim provider agencies
- The 15-hour core training was reviewed and updated to VSP 2.0
- VSCC approved and voted on changes in 2019

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1410(B)

Purpose (as understood by agency):

To ensure all training curricula meet department standards and requirements in order to issue credit hours for certification

Customers:

Agencies seeking training approval

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #233

Review and approve training curricula for credit hours toward certification

- Sponsoring agencies submit an accreditation application with attachments
- Information is reviewed to ensure standards are met
- The application is either approved or denied

Does law require it: Yes

Purpose (as understood by agency):

To provide a mechanism to register and track all victim service provider certifications each year for compliance with program standards and requirements.

Assoc. Law(s):

Section 16-3-1410(B)

Customers:

Registered victim service providers

Assoc. Law(s):

Section 16-3-2020(H)

Customers:

Registered Human trafficking specialized victim service providers

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #235

Oversee certification and training of victim service providers (VSPs)

- Provide victim service provider certification
- Provide notifier/support staff certification
- Certify continuing education
- Maintain records of certified victim service providers

Agency Service #236

Oversee specialized service provider certification

- Certify human trafficking specialized service providers according to criteria established by the Human Trafficking Task Force

Does law require it:

No

Assoc. Law(s):

Section 16-3-1430(A)

Purpose (as understood by agency):

To provide training, technical assistance, awareness, and other resource support regarding victim services to victim service providers and policymakers

Customers:

Victim servicer providers and policymakers

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #239

Provide information, training, and technical assistance to state and local agencies and groups involved in victim assistance

- Provide agencies with information on Certification and Accreditation
- Provide technical assistance to establish a core training based on VSP 2.0
- Train sponsoring agencies on creating required reports for tracking of CE hours

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1410(B); Section 16-3-1430(A)

Purpose (as understood by agency):

To serve as a hub for pertinent victim services data to educate and inform policymakers, service providers and the general public

To provide relevant victim services data analysis to educate and inform policymakers, service providers, and the general public.

Customers:

General public, victim services community, policymakers

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #237:

Collect and analyze statistical data from the following:

- Victim Services Community
- State and Federal grant partners
- Grant recipients
- Victim services funding streams
- Local, state, and federal crime data

Agency Service #238:

Publish analysis, needs assessments, and reports

Agency Service #241:

Serve as a clearinghouse for victim information

Does law require it:

No

Assoc. Law(s):

Section 16-3-1430(A)

Purpose (as understood by agency):

To increase public awareness of victim service programs in South Carolina

To make informed recommendations, supported by data collected, to the Governor and General Assembly on victim services needs

To support in development and implementation of relevant victim services projects

Customers:

General public, victims of crime;
Governor and General Assembly;
Victim service provider agencies

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #242:

Develop ongoing public awareness and programs to assist victims

- Website: <https://www.scag.gov/crime-victim-services/>
 - Missions and contact information
 - Common forms and organizational contacts
- Brochures
 - Distributed at trainings, meetings, and conferences

Agency Service #240:

Provide recommendations to the Governor and General Assembly on needed legislation and services for victims

Agency Service #243:

Coordinate the development and implementation of policy and guidelines to victim service provider agencies in their services to victims.



Alan Wilson
Attorney General

B.J. Nelson
Director

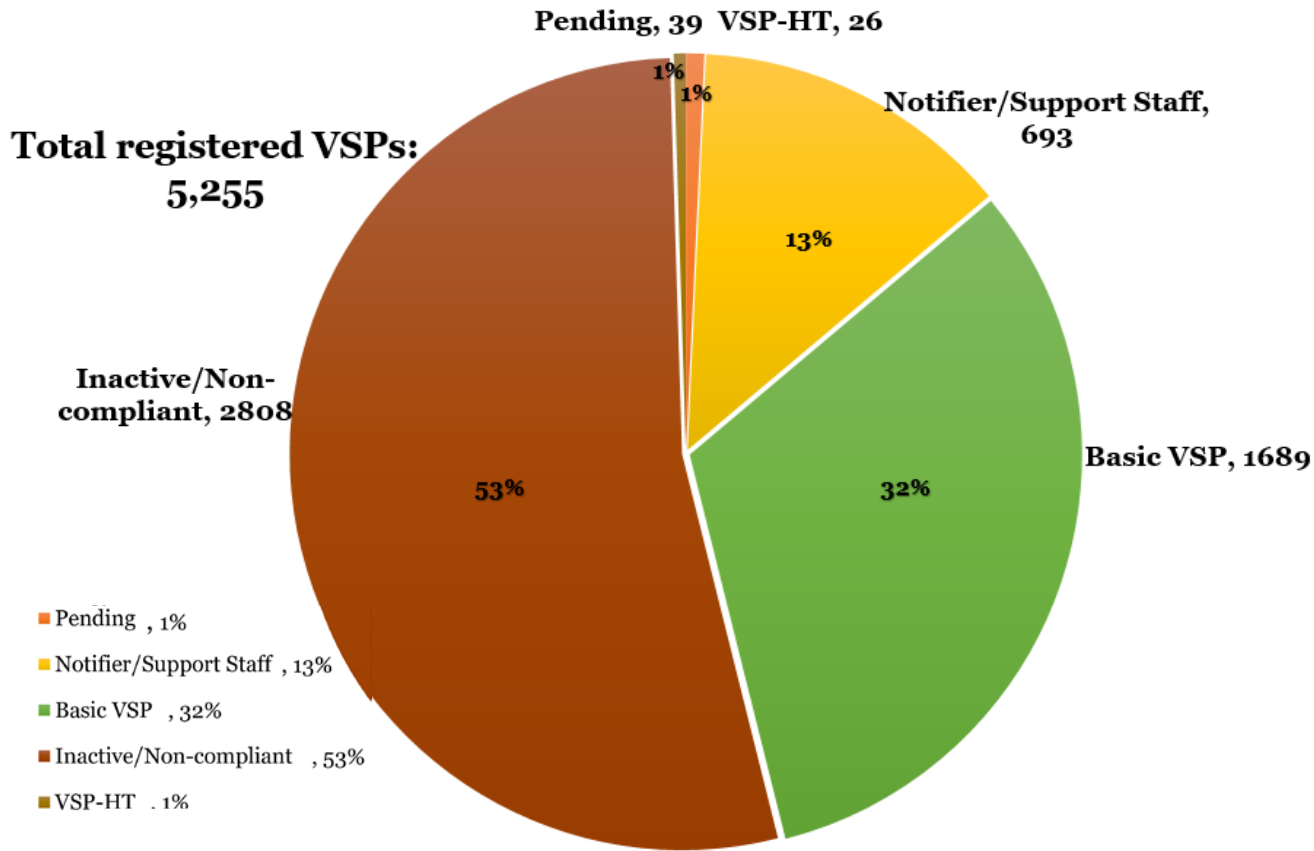
Associated Performance Measures

The next slides only contain information on performance measures that are associated with services covered earlier in this presentation.

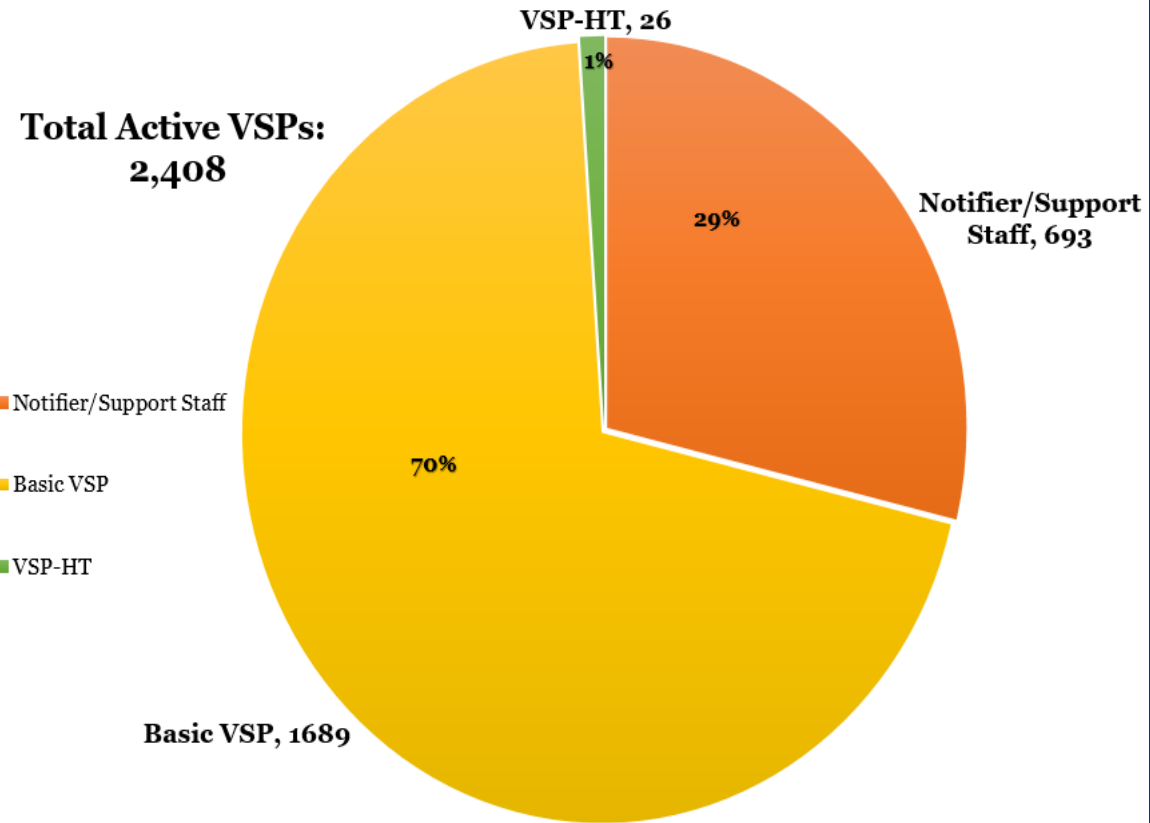
5,255 Victim Service Providers (VSPs) and Notifiers

(registered in IQ through 12/31/2020)

VSP Status through CY 2020



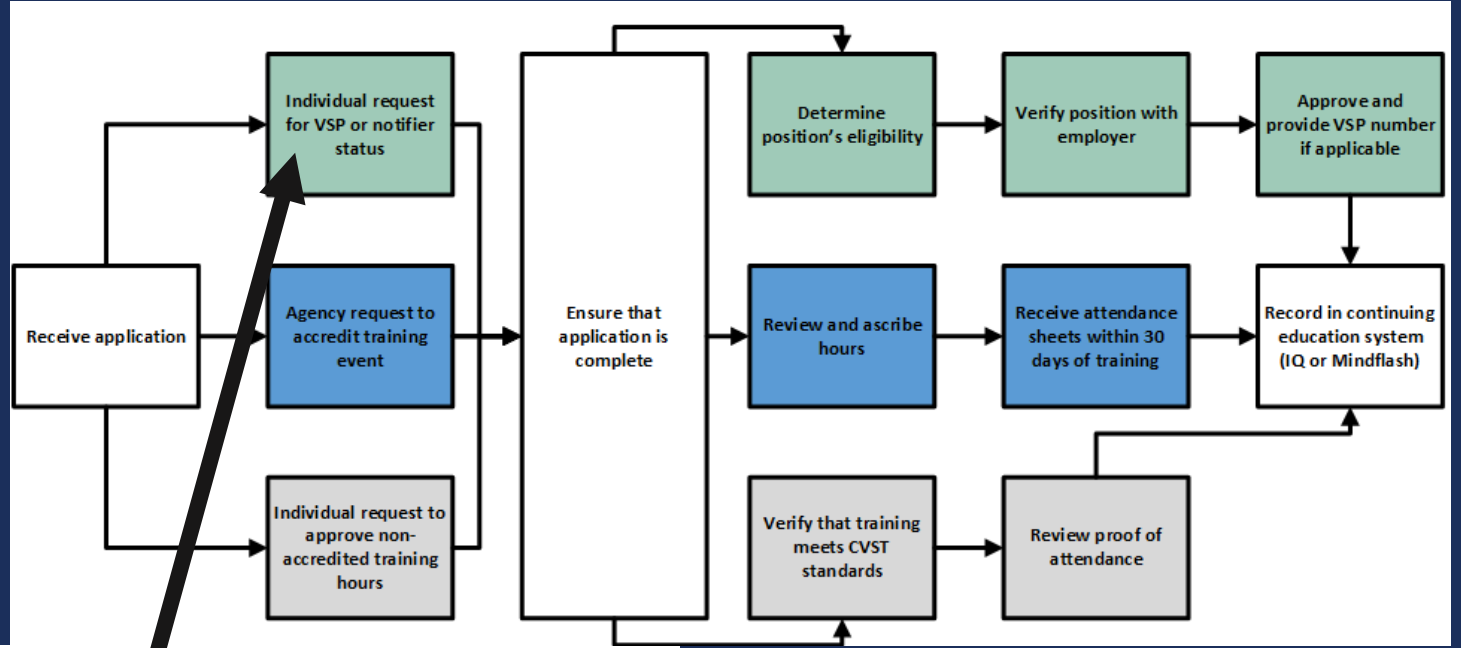
Active VSPs through CY 2020



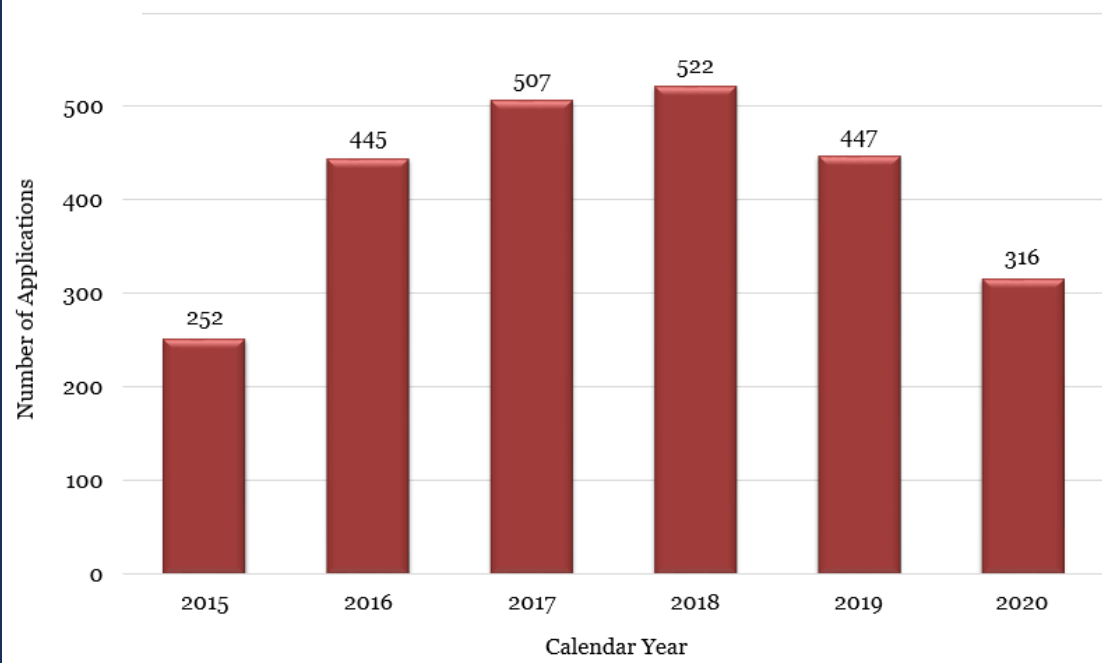
Number registered over 6 years

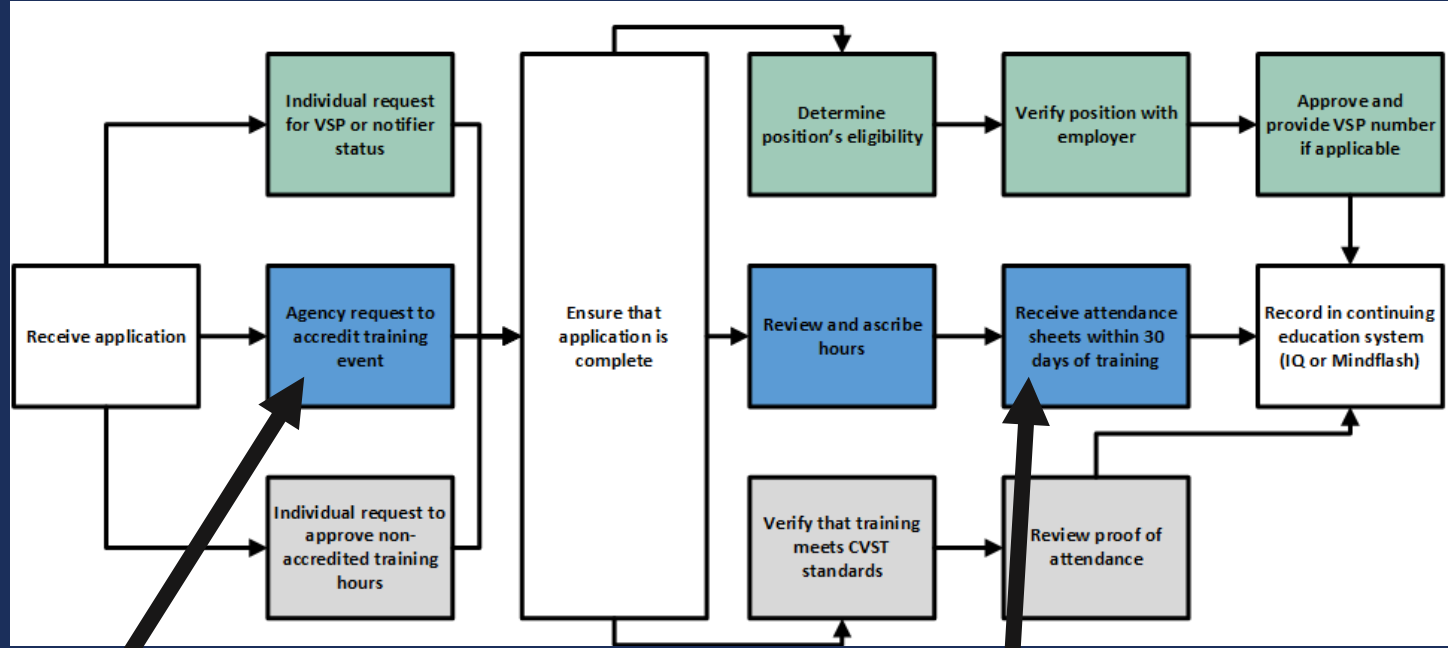
Current Victim Service Provider (VSPs) and Notifiers by Employment

Employment	Active VSPs (VSP & VSP-HT)	Notifiers (VSPN)
State Agencies	212	
Solicitors' Offices	213	
Nonprofit Employees & Volunteers	1,094	
County & Municipal Agencies		427
Federal Agencies	6	
Detention Centers & Jails		227
Summary Courts		543

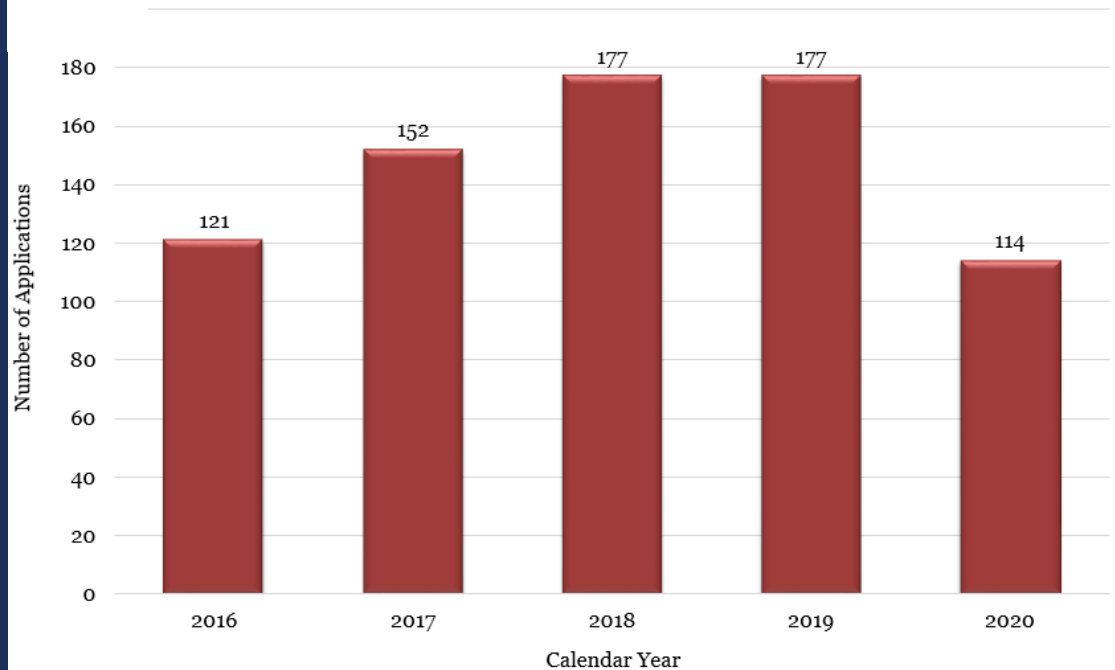


New VSP Applications by Year

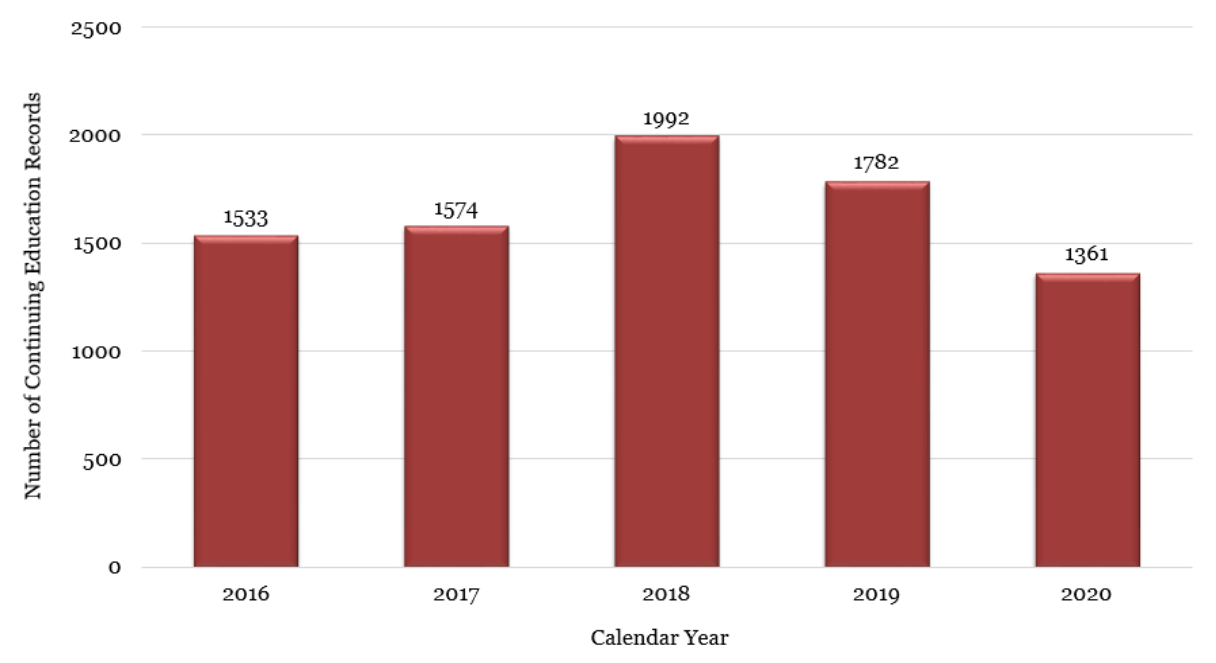


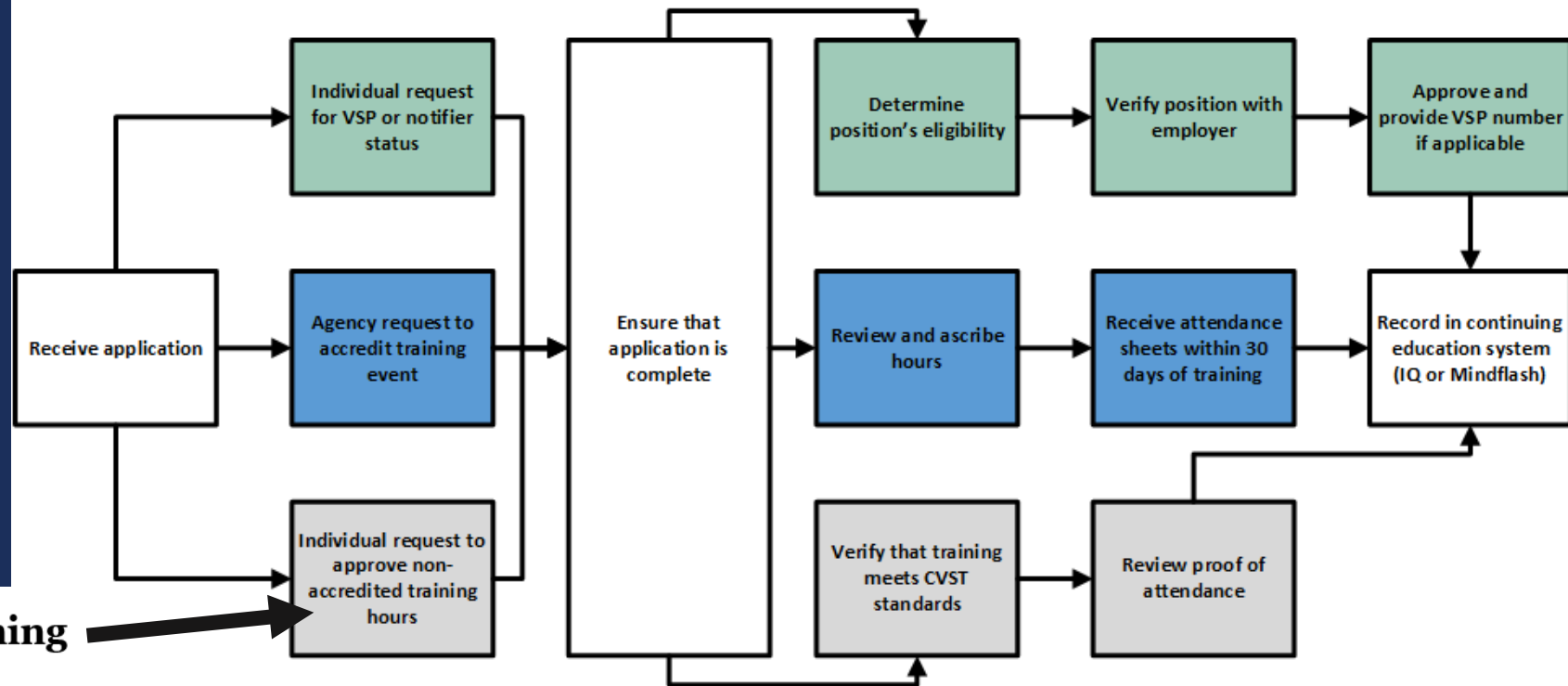


New Training Applications

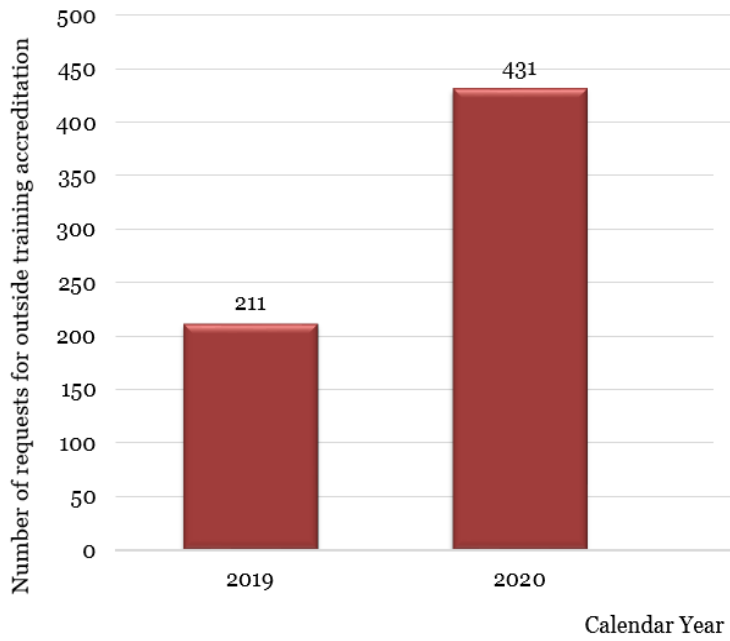


New Continuing Education Records Created





New requests for outside training accreditation





Alan Wilson
Attorney General

B.J. Nelson
Director

Associated Successes and Concerns

The next slides only contain information on services that are associated with this section of the agency.



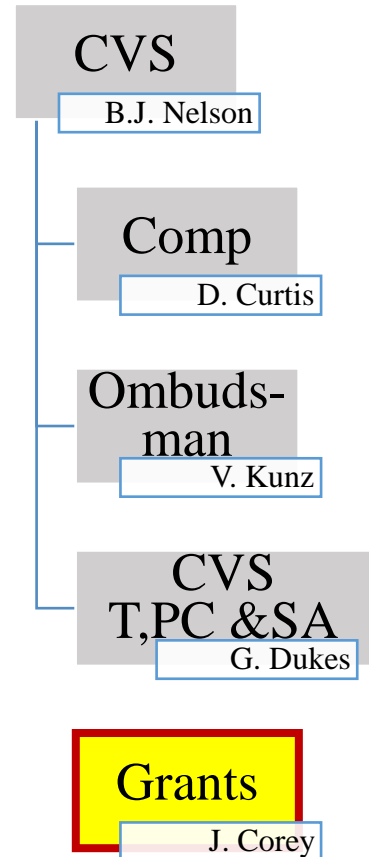
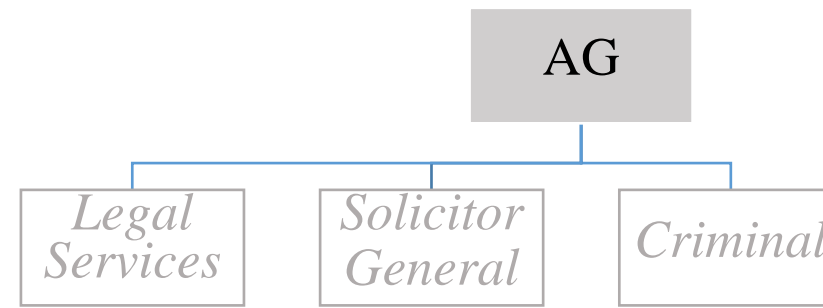
Training, Provider Certification & Statistical Analysis

Successes

- Quickly adapted to virtual training environment to meet the needs of the field
- Coordinated to provide 6 iterations of 100% virtual basic core training during the COVID-19 pandemic.

Concerns

- IQ data system continues to be inefficient and insufficient for training, provider certification, and statistical analysis



Crime Victim Assistance Grants Section

B.J. Nelson



Sections of Crime Victim Services

Alan Wilson
Attorney General

B.J. Nelson
Director

Crime Victim Ombudsman

Provide responses and investigations to citizens and criminal justice community members that submit requests to resolve individual questions/issues and promote systemic improvements in agencies related to rights of crime victims to assure crime victim rights are protected at all stages of the criminal justice process

Training, Provider Certification, and Statistical Analysis

Provide training and certification to those interacting with crime victims to assure crime victim rights are protected at all stages of the criminal justice process

Provide research/ analysis of criminal justice data to policymakers to keep them apprised of issues relevant to crime victims

Crime Victim Assistance Grants

Provide federal and state financial assistance grants to government and non-government agencies that submit applications to help with expenses for projects that provide direct services to crime victims in South Carolina (e.g., victim advocacy, residential shelters, forensic exams)

Crime Victim Compensation

Provide state financial compensation to eligible crime victims that submit applications to help with expenses directly resulting from a crime that are not covered by other payment sources



Crime Victim Assistance Grants

Alan Wilson
Attorney General

B.J. Nelson
Director

Mission

To provide for the administration of grant funds to governmental and non-profit agencies for the support and enhancement of **direct services to victims of crime.**

Applicable Laws

- Federal Victims of Crime Act (VOCA) 1984- Public Law 98-473
- Federal Violence Against Women Act (VAWA) 1994 – Title IV of the Violent Crime Control and Law Enforcement Act, Public Law No. 103-322. 108 Statute 1796
- S.C. Omnibus Criminal Justice Improvements Act 1986 – S.C. Code Section 23-3-40

How we accomplish our mission

- Grant funds help provide victims services such as:
 - Victim Advocacy
 - Residential Shelters
 - Forensic Nurse Examiners
 - Emergency Assistance
 - Human Trafficking
- Positions at governmental and non-profit organizations paid with grant funds:
 - FY 2020: 772 (645 full time / 127 part time)
 - FY 2021: 702 (530 full time / 172 part time)



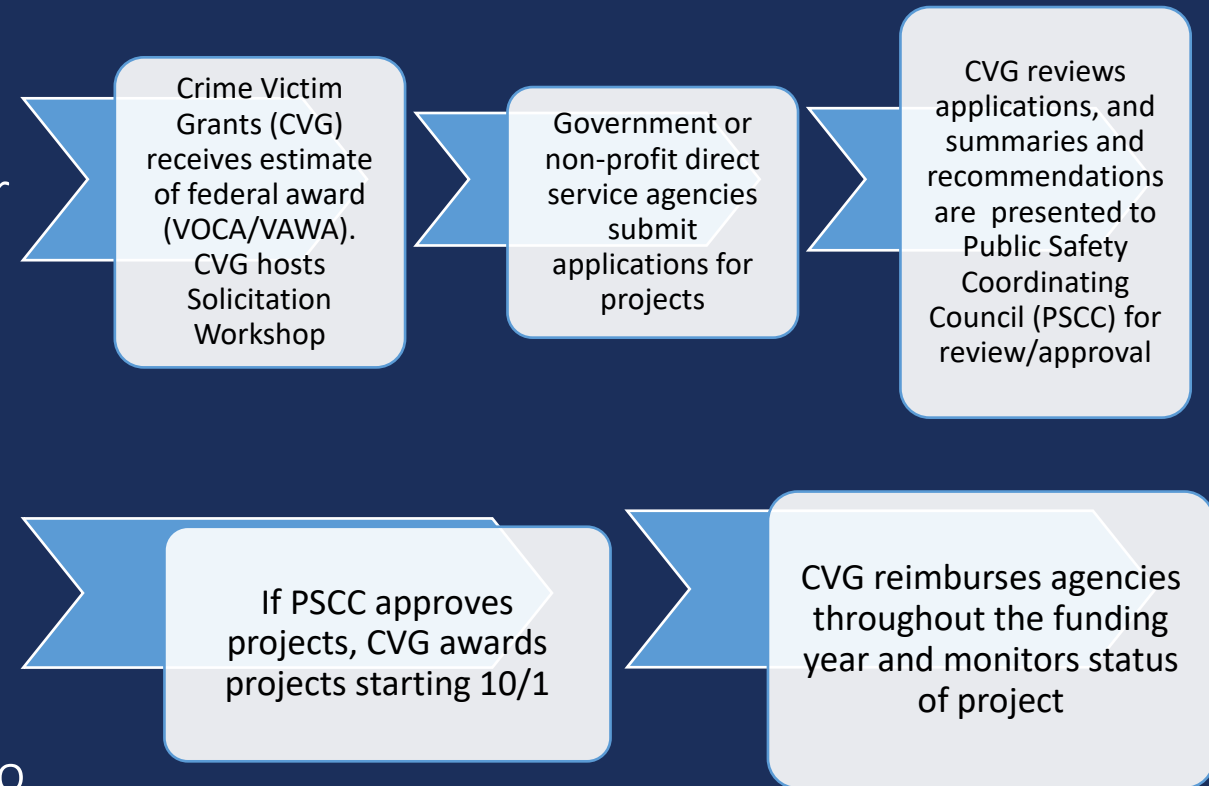
Crime Victim Assistance Grants

Alan Wilson
Attorney General

B.J. Nelson
Director

SC Code Section 16-3-1095:

- Apply for and administer federal grant funds under VOCA & VAWA (*Victims of Crime Act and Violence Against Women Act*)
- Administer SVAP (*State Victims Assistance Program*)
- Solicit grant funding proposals from governmental entities and non-profits
- Review proposals and present recommendations to the Public Safety Coordinating Council (PSCC)*
- Oversee the proper administration of sub-grants and provide technical assistance to projects.



*See next slide



Crime Victim Assistance Grants

Alan Wilson
Attorney General

B.J. Nelson
Director

Public Safety Coordinating Council

Purpose:

- Administers certain responsibilities of the Department of Public Safety and coordinate certain activities between the department, the Office of the Attorney General, the South Carolina Law Enforcement Division and municipal and county law enforcement agencies.

Duties related to AG's Office include:

- In collaboration with AG's Department of Crime Victim Assistance grants, establish process to solicit and administer fund disbursement for Victims of Crime Act grants, the Violence Against Women Act grants, the State Victim's Assistance Program grants and all other crime victim service funding as provided by law, including, but not limited to, the authority to solicit for federal formula or discretionary grant awards and foundation funding.

Members include:

- Governor or designee (chair)
- Senate Judiciary Committee Chair or designee
- House Judiciary Committee Chair or designee
- SLED Chief
- DPS Director
- Attorney General or designee;
- Sheriff appointed by the Governor
- Municipal police chief appointed by the Governor
- Victim representative appointed by the Governor
- Victim with a documented history of victimization appointed by the Attorney General

*See, S.C. Code Section 23-6-500



Crime Victim Assistance Grants Personnel

Alan Wilson
Attorney General

B.J. Nelson
Director

	Turnover	Leave unit during year	Exit interviews conducted	In unit at end of year	Satisfaction tracked
2016-17		0	No	0	No
2017-18	19%	2	No	11	Yes
2018-19	18%	2	Yes	12	No
2019-20	44%	4	Yes	7	No

Note:

FY 2020

- 1 left for employment with another state agency
- 3 left the division because the Office restructured the financial portion of Crime Victim Assistance Grants to fall under the Finance Section of the Administration Division

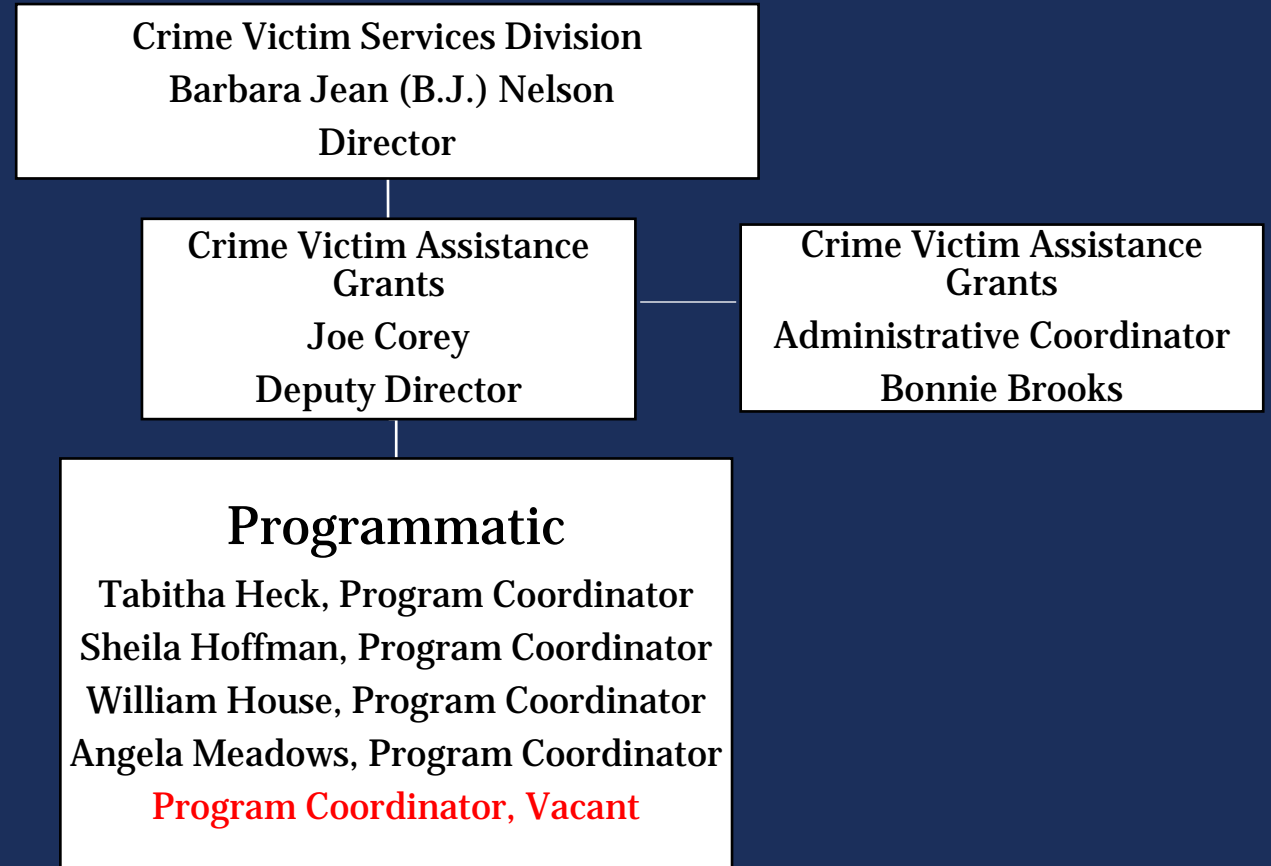


Crime Victim Assistance Grants Personnel

Alan Wilson
Attorney General

B.J. Nelson
Director

Departures	Current Employees	Additions
<p>Barbara Jean (BJ) Nelson (new CVS Director)</p> <p>Ginger Dukes (new CVST Deputy Director)</p>	<p>Joe Corey (FTE)</p> <p>Bonnie Brooks (FTE)</p> <p>Sheila Hoffman (FTE)</p> <p>William House (FTE)</p> <p>Angela Meadows (FTE)</p> <p>Tabitha Heck (FTE)</p>	<p>Angela Meadows (effective December 17, 2021)</p> <p>Tabitha Heck (effective Feb. 17, 2022)</p>





Alan Wilson
Attorney General

B.J. Nelson
Director

Associated Services

The next slides only contain information on services that are associated with this section of the agency.

Funding Distribution

Victims of Crime Act (VOCA)

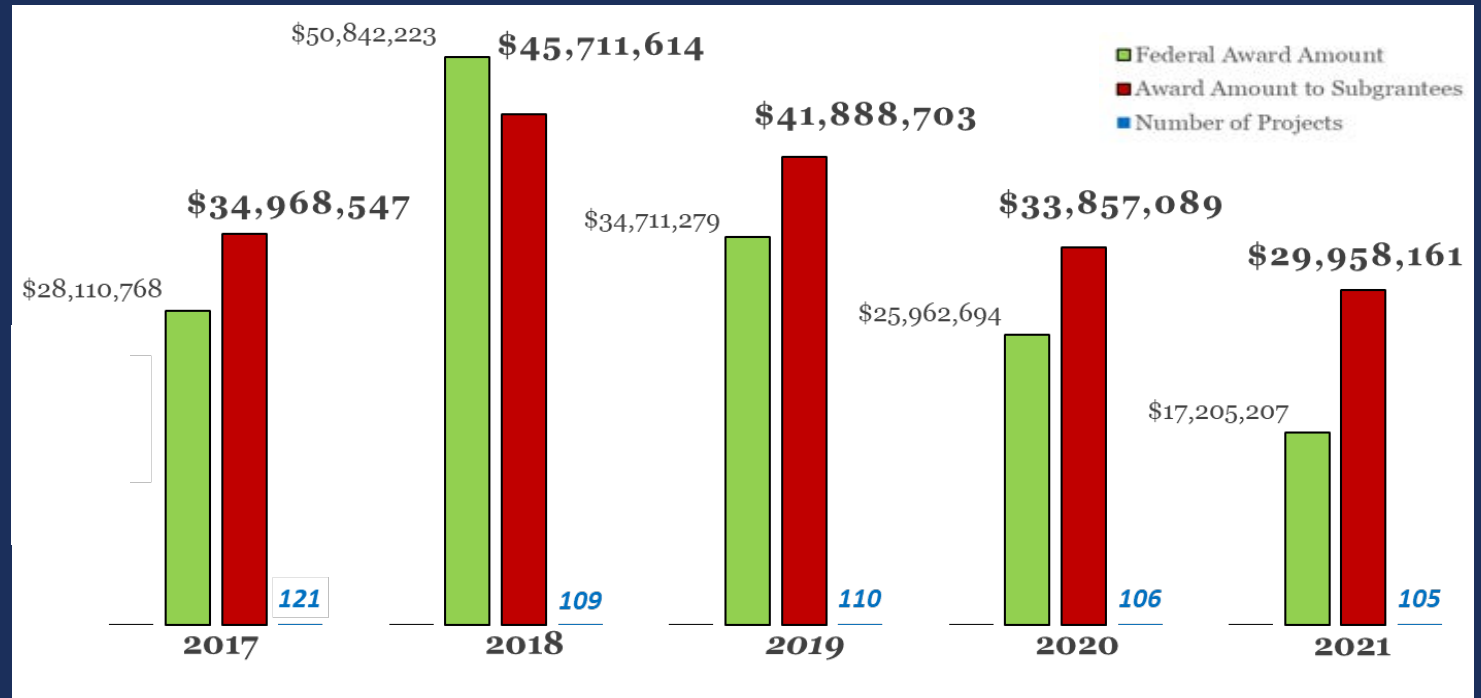
Total amount in applications approved at CVG level for S.C. projects

Federal FY 2020: \$33,857,089

Federal FY 2021: \$29,958,161

Program Priority Areas

- Sexual Assault
- Spousal Abuse
- Child Abuse and Neglect
- Underserved Victims of Violent Crime



Agency Service #213 - S.C. Code Section 16-3-1095

Customers: Criminal justice government agencies and non-profits

Funding Distribution

Violence Against Women Act (VAWA)

Total amount in applications approved at federal level for S.C. projects

FY 2020: \$2,430,659

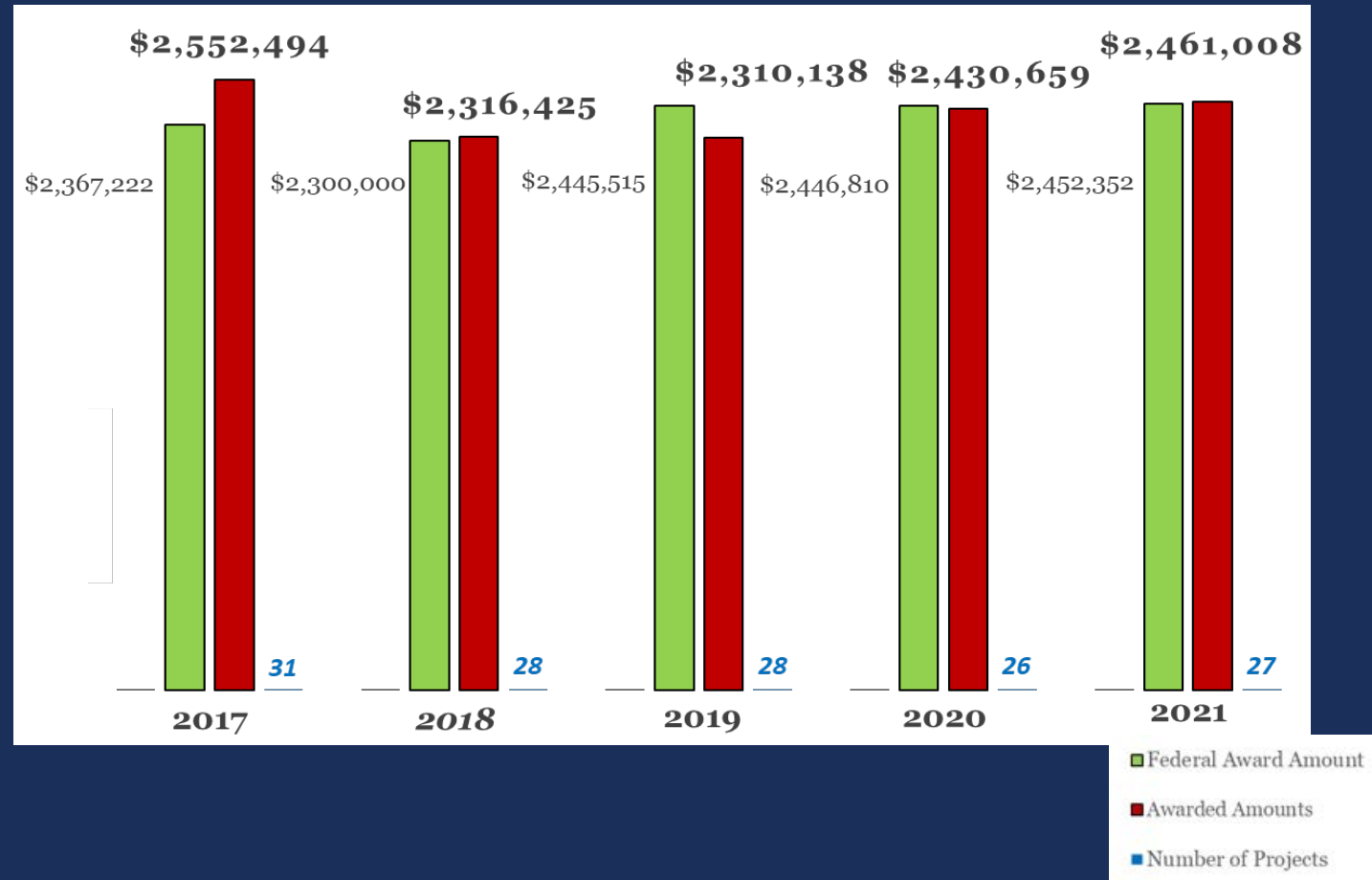
FY 2021: \$2,461,008

Program Priority Areas

Projects that primarily focus on female victims of

- Domestic Violence
- Sexual Assault
- Dating Violence
- Stalking over the age of 11

Note: There are 20 priority purpose areas Pursuant to 34 U.S.C. 10441(b) (See "VAWA Priority Purpose Areas" in meeting packet)



Agency Service #214 - S.C. Code Section 16-3-1095

Customers: Criminal justice government agencies and non-profits

Funding Distribution

State Victims Assistance Program (SVAP)

Source:

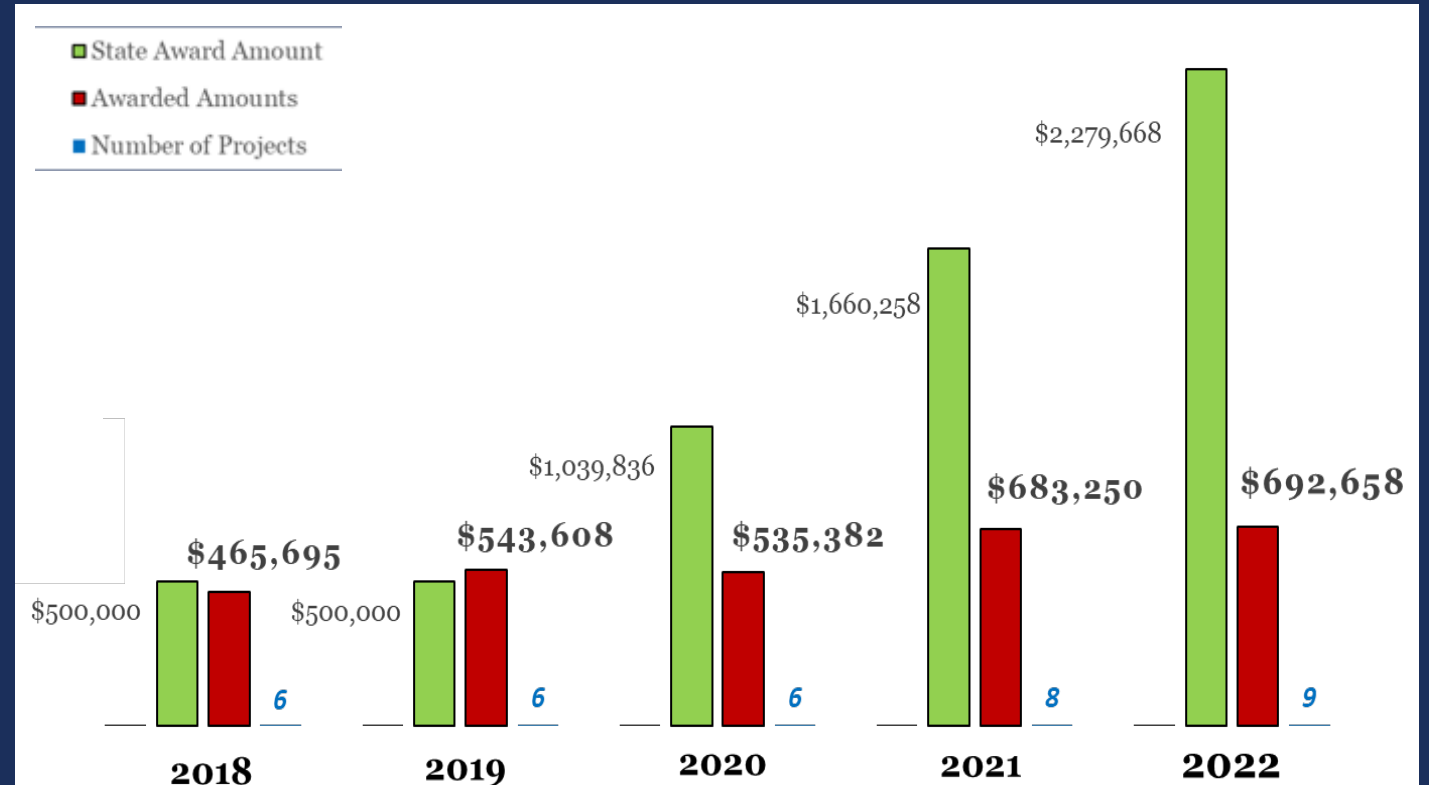
- Other funds garnished from SCDC inmate work-release pay
- Act 141 Recovery Funds

Total amount in applications approved for S.C. projects

- FY 2021: \$683,250
- FY 2022: \$692,658

Program Priority Areas

- Sexual Assault
- Spousal Abuse
- Child Abuse and Neglect
- Underserved Victims of Violent Crime
- Training



Agency Service #215 - S.C. Code Section 16-3-1095

Customers: Criminal justice government agencies and non-profits

Crime Victim Assistance Grants

Funding Sources

Victims of Crime Act (VOCA)

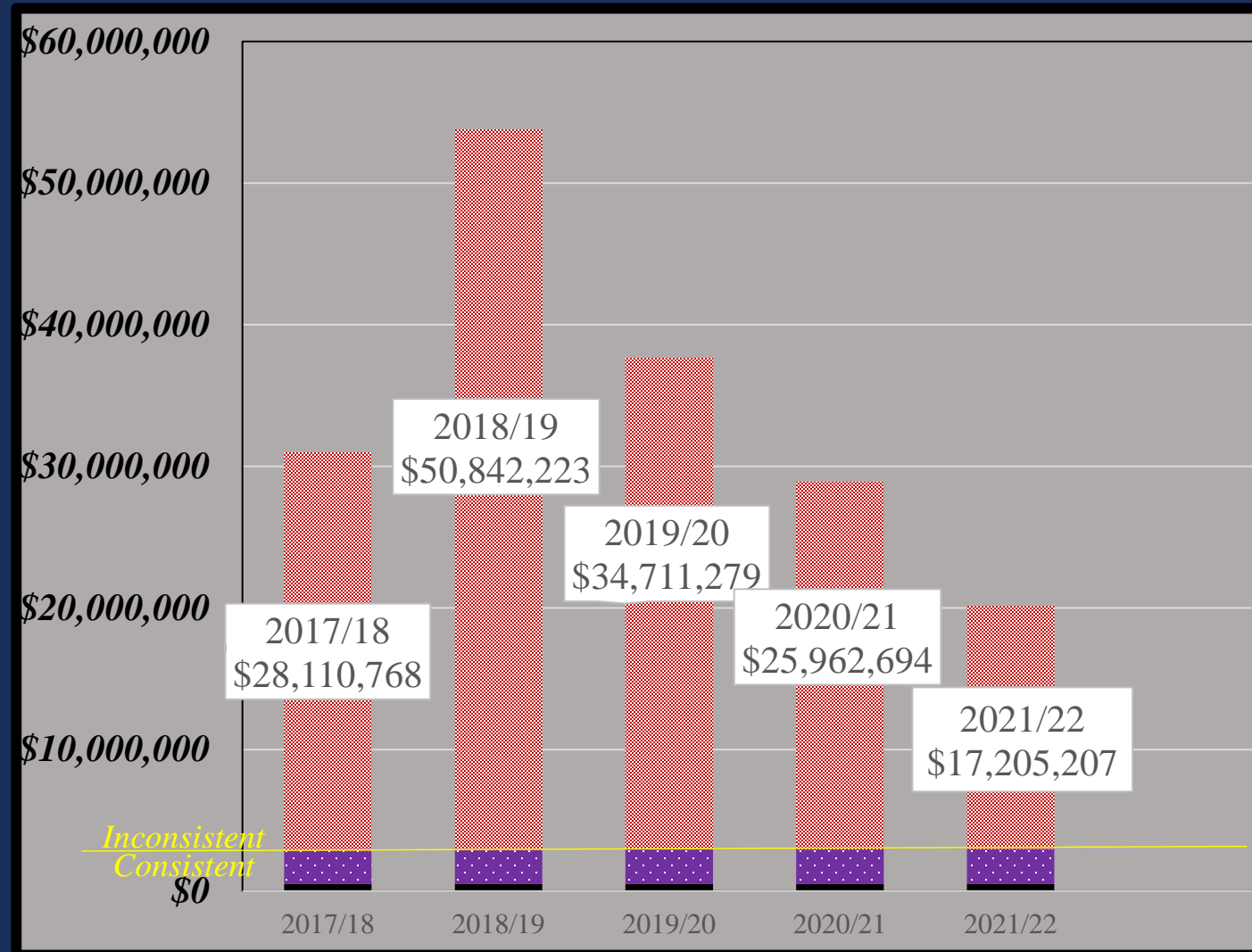
- *Source:* Federal Fines, Fees, and Assessments
- *Stability:* Fluctuates greatly
- *Law:* 1984, Public Law 98-473

Violence Against Women Act (VAWA)

- *Source:* Federal Appropriation
- *Stability:* Stable and consistent
- *Law:* 1994, Title IV of the Violent Crime Control and Law Enforcement Act, Public Law 103-322

State Victim Assistance Program (SVAP)

- *Source:* Other funds from SCDC inmate work release pay; and solicitation of grant funding from governmental entities and non-profits
- *Stability:* Stable and consistent
- *Law:* 1986, Omnibus Criminal Justice Improvements Act; 2017, S.C. Crime Victim Services Act



Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1095

Purpose (as understood by agency):

Establish a process to administer all other crime victim service funding as provided by law, including, but not limited to, the authority to solicit for federal formula or discretionary grant awards and foundation funding.

Customers:

Criminal justice agencies and non-profits

Agency Service #216

Administer other crime victim service funding –

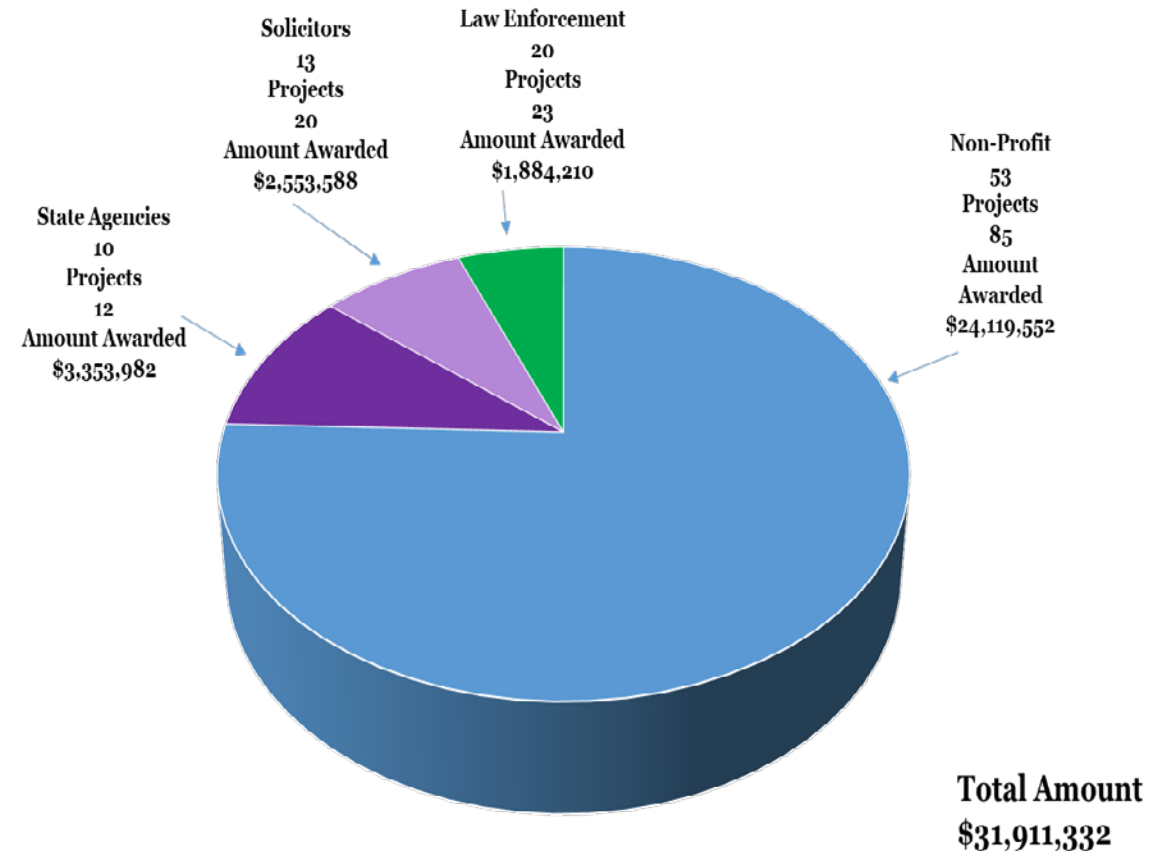
FFY2019 – Federal Technology Grant:

U.S. Department of Justice, Office of Victim Crimes, Victim Notification Project to the SC Department of Corrections -
\$600,000

Crime Victim Assistance Grants

2021 Grants and Customers	Non-profit	State Agencies	Solicitors	Law Enforcement
Amount applied for	\$25.2 M	\$3.3 M	\$2.8 M	\$1.9 M
Amount Approved	\$24.1 M	\$3.3 M	\$2.5 M	\$1.9 M
Number of Entities	53	10	13	20
Avg. amount per entity	\$455,085	\$335,398	\$196,429	\$94,210
Number of projects	85	12	20	23
Avg. amount per project	\$283,759	\$279,498	\$127,679	\$81,922

CRIME VICTIM ASSISTANCE COMBINED GRANTS APPROVED IN 2021





Alan Wilson
Attorney General

B.J. Nelson
Director

Associated Successes and Concerns

The next slides only contain information on services that are associated with this section of the agency.

Crime Victim Assistance Grants

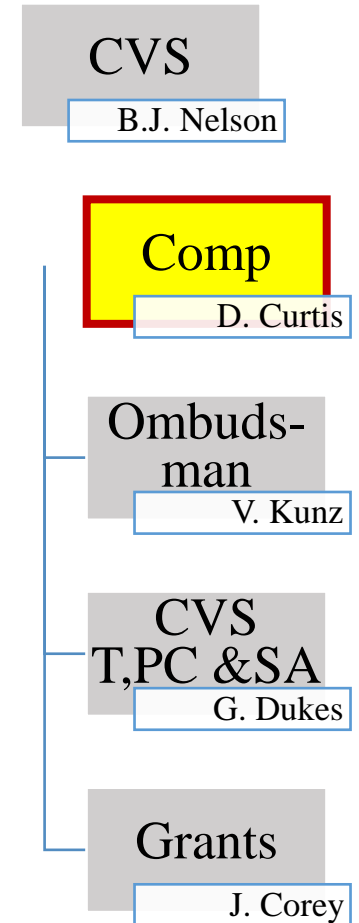
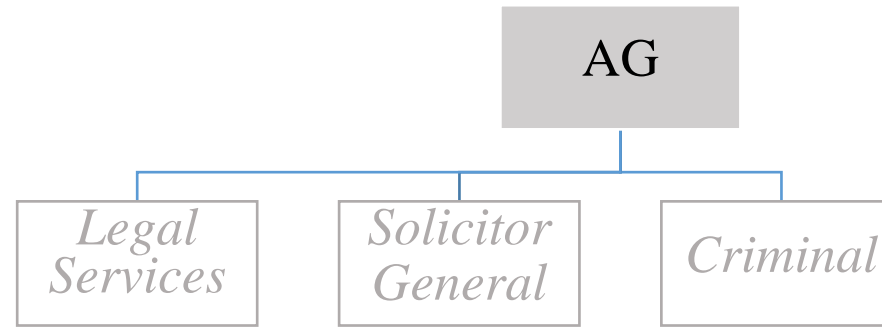
SUCSESSES

- 148 applications were reviewed and processed successfully
- Due to COVID-19, the 2021 and 2022 Solicitation and Implementation Workshops were held via Go To Webinar for participants

Crime Victim Assistance Grants

CONCERNS

- Although the agency's grants system is functional, there is continual development occurring for improvements and enhancements to support staff and subrecipients.
- Any further reduction in Federal FY2022 VOCA funds (and subsequent future funds) by Congress



Crime Victim Compensation Section

Debbie Curtis



Sections of Crime Victim Services

Alan Wilson
Attorney General

B.J. Nelson
Director

Crime Victim Ombudsman

Provide responses and investigations to citizens and criminal justice community members that submit requests to resolve individual questions/issues and promote systemic improvements in agencies related to rights of crime victims to assure crime victim rights are protected at all stages of the criminal justice process

Training, Provider Certification, and Statistical Analysis

Provide training and certification to those interacting with crime victims to assure crime victim rights are protected at all stages of the criminal justice process

Provide research/ analysis of criminal justice data to policymakers to keep them apprised of issues relevant to crime victims

Crime Victim Assistance Grants

Provide federal and state financial assistance grants to government and non-government agencies that submit applications to help with expenses for projects that provide direct services to crime victims in South Carolina (e.g., victim advocacy, residential shelters, forensic exams)

Crime Victim Compensation

Provide state financial compensation to eligible crime victims that submit applications to help with expenses directly resulting from a crime that are not covered by other payment sources



Crime Victim Compensation

f/k/a: State Office of Victim Assistance (SOVA)

Alan Wilson
Attorney General

B.J. Nelson
Director

Mission

To minimize the impact of crime in South Carolina by providing financial compensation to eligible crime victims and their families.

How they accomplish the mission

- Claims processing to reimburse individual victims & families for losses sustained as the result of crime.
- Outreach & training to promote the availability of compensation for eligible crime victims.
- Work with direct service agencies who make victims aware of compensation and help them with the application process.

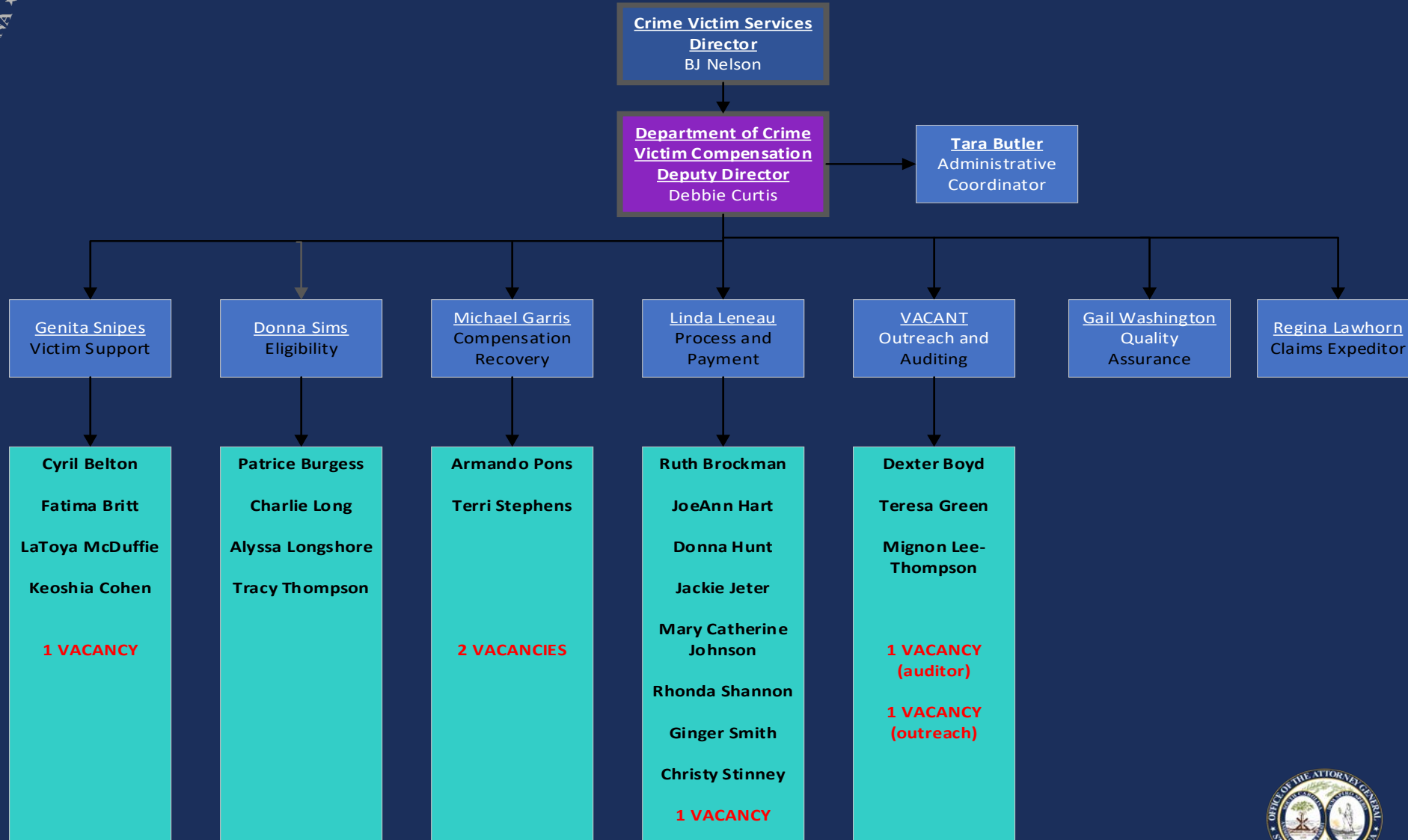


Crime Victim Compensation

f/k/a: State Office of Victim Assistance (SOVA)

Alan Wilson
Attorney General

B.J. Nelson
Director





Crime Victim Compensation

f/k/a: State Office of Victim Assistance (SOVA)

Alan Wilson
Attorney General

B.J. Nelson
Director

2022 UPDATES

Departures	Current Employees	Additions
<ul style="list-style-type: none">Ethel Ford, Assistant Deputy DirectorApril Staten, Outreach CoordinatorCandida Wright, Program Coordinator	8 Sections 30 Employees	<u>Debbie Curtis, Deputy Director</u> <u>Mary Catherine Johnson, Insurance Analyst</u>

- 3 Departures
- 7 Vacancies



Crime Victim Compensation

f/k/a: State Office of Victim Assistance (SOVA)

Alan Wilson
Attorney General

B.J. Nelson
Director

Turnover	Number of Employees	
	Leave unit during year	In unit at end of year
2016-17	0	0
2017-18	4	38
2018-19	4	38
2019-20	6	33

This section comprises most of the Crime Victim Services Division's FTEs. It includes initial processing, eligibility determination, processing claims, payment, recovery, and oversight. The system is dependent upon limited fiscal resources.

Exit interviews or surveys conducted?

2016-17	No
2017-18	Yes
2018-19	Yes
2019-20	Yes

Employee satisfaction tracked?

2016-17	No
2017-18	Yes
2018-19	No
2019-20	No

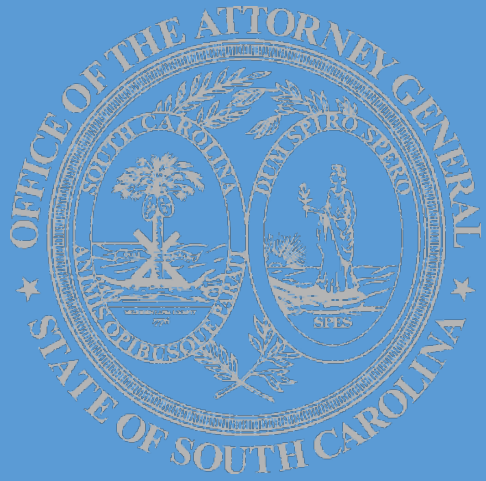


Alan Wilson
Attorney General

B.J. Nelson
Director

Associated Services

The next slides only contain information on services that are associated with this section of the agency.



DCVC



Claims Processing



Auditing



Training



Outreach



Crime Victim Services Compensation

Alan Wilson
Attorney General

B.J. Nelson
Director

What DCVC pays for:

Up to a total of \$15,000 for:

Medical and Dental Services
Counseling Services
Lost Wages/Loss of Support
Funeral/Burial Expenses

What DCVC does not pay for:

- Property damage
- Property replacement costs
- Non-criminal related traffic offenses
- Pain and suffering
- Relocation expenses

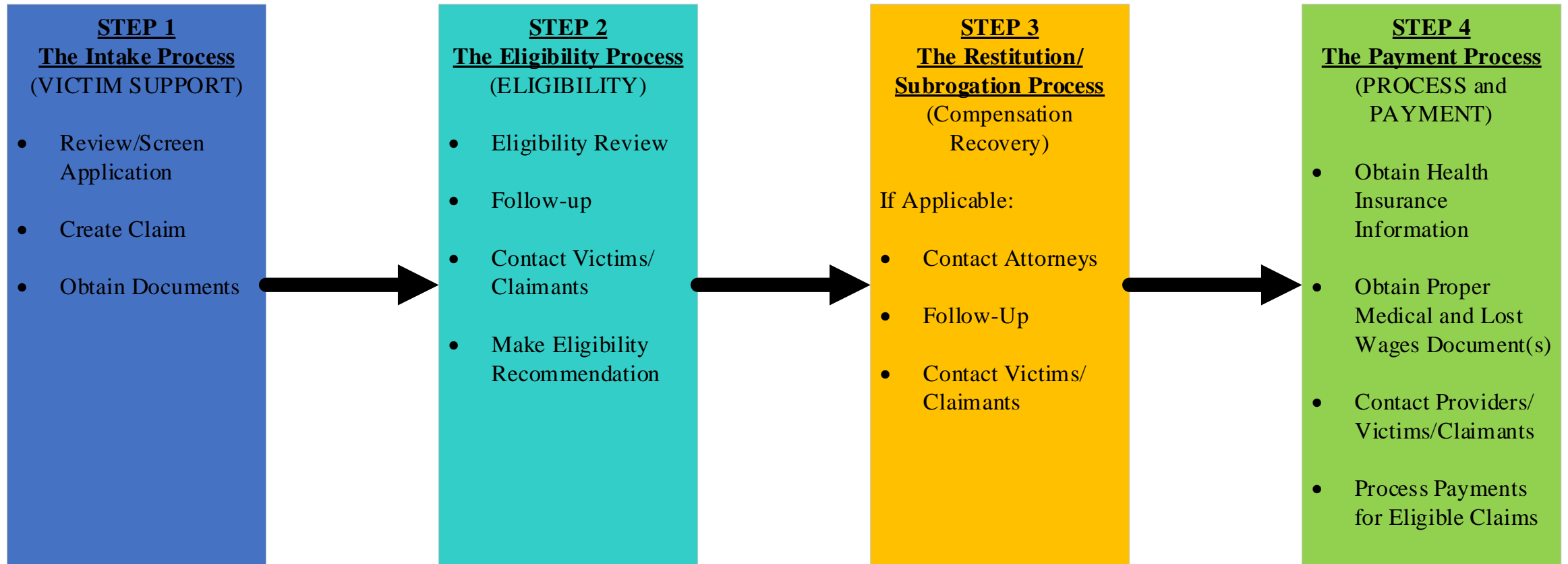
PAYER OF LAST RESORT:

Private insurance, Medicaid, law suits & other third party payers are first exhausted.

Support Victims Balanced with Fiscal Limitations & Accountability

4 Step Claims Process

(Receipt of application to first payment)



Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1110 Et Seq.

Purpose (as understood by agency):

To receive all of the statutorily required elements for a claim to be considered.

Customers:

Crime Victims/Claimants

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #217 Receive Applications

Receive applications for Victim Compensation Program. This is the first step in providing compensation to crime victims.

- Applications are available online (fillable PDF) and via mail and/or email upon request
- Applications are received via mail, fax, email and/or walk-in

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1110 Et Seq.

Purpose (as understood by agency):

Claims may be specifically rejected under law for lack of signature, crime happened out of state or lacking sufficient identifying information. They may also be rejected for non-compliance with other issues. It is this sectional responsibility to ensure all information is complete for further processing. Once the process is complete, forward claims with all of the statutorily required elements to Eligibility Services.

Customers:

Crime victims/Claimants, law enforcement personnel

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #218 Process Claims; Intake

Once applications* are received, they are reviewed to ensure they meet the following criteria:

- Sections 1, 2 and 4 are completely filled out
- An incident report is attached to the application
- Application is signed by the claimant

(Each application is manually entered into the DCVC database)

*See portions of application on next slides

DCVC: Crime Victims' Compensation Application

Rev. 08/21

Department of Crime Victim Compensation, Edgar A. Brown Bldg., 1205 Pendleton St., Rm. 401, Columbia, SC 29201 . 1.800.220.5370 or 803.734.1900

Use a separate application for each person. Incomplete or unsigned applications will not be accepted.

SECTION 1 Person Receiving Services

Victim or family member requesting assistance.

Check one: Mr. Mrs. Ms. Full Legal Name of Individual Receiving Services/Benefits

Social Security # (last 5 digits) - Date of Birth Sex: Male Female

The Person Receiving Services is the Victim *(as identified on the incident report upon which this claim is based)*

OR the Victim's Spouse Parent Sibling Child Other

Check services requested: Medical Counseling Lost Wages / Support Burial Other

Please call a local victim advocate or DCVC if you need help with completing this form.

SECTION 2 Victim Information

The Victim is the same person listed as a victim on the law enforcement incident report.

Check one: Mr. Mrs. Ms. Name as it appears on the incident report

Social Security # (last 5 digits) - Date of Birth Victim is: Deceased Incompetent
 Under 18 Disabled

Home Mailing Address (City, State, Zip)

E-Mail Address Contact #(s)
(i.e. work, cell, fax)

(For statistical purposes only and is optional) Sex: Female Male

Race: Caucasian African American Hispanic Native American Asian or Pacific Islander Other

SECTION 3 Claimant Information**Complete only if: The Claimant is the adult assuming responsibility for the crime-related bills and/or the adult that has physical custody of a minor.**Check one: Mr. Mrs. Ms.

Full Legal Name

Relationship to Victim

Social Security # (last 5 digits)

 -

Date of Birth

Home Mailing Address
(City, State, Zip)

E-Mail Address

Contact #(s)
*(i.e. work, cell, fax)***SECTION 4 Crime Information****Complete this section in its entirety and attach a copy of the law enforcement incident report.**If law enforcement was not contacted, an incident report was not written within 48 hours of the crime, or if you are not filing this claim with DCVC within 180 days of the crime, please explain why:

Date of Crime

Date Reported

Law Enforcement Agency

Address
of Crime

City

State

Incident
Report #

Name(s) of Offender(s)

Was suspect arrested?

 Yes NoType of Crime and
Injury Sustained:Relationship of
Offender(s) to Victim

Warrant #(s)

Has the case gone to court?

 Yes No

Please indicate the type of court:

 Magistrate Municipal General Sessions PTI Family Court

How much restitution was ordered:

 None

\$

Amount Ordered

\$

Amount Paid to Date

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1110 Et Seq.

Purpose (as understood by agency):

To determine eligibility of claims under the laws governing Crime Victim Compensation of state funds.

Customers:

Crime victims/Claimants, Law enforcement personnel

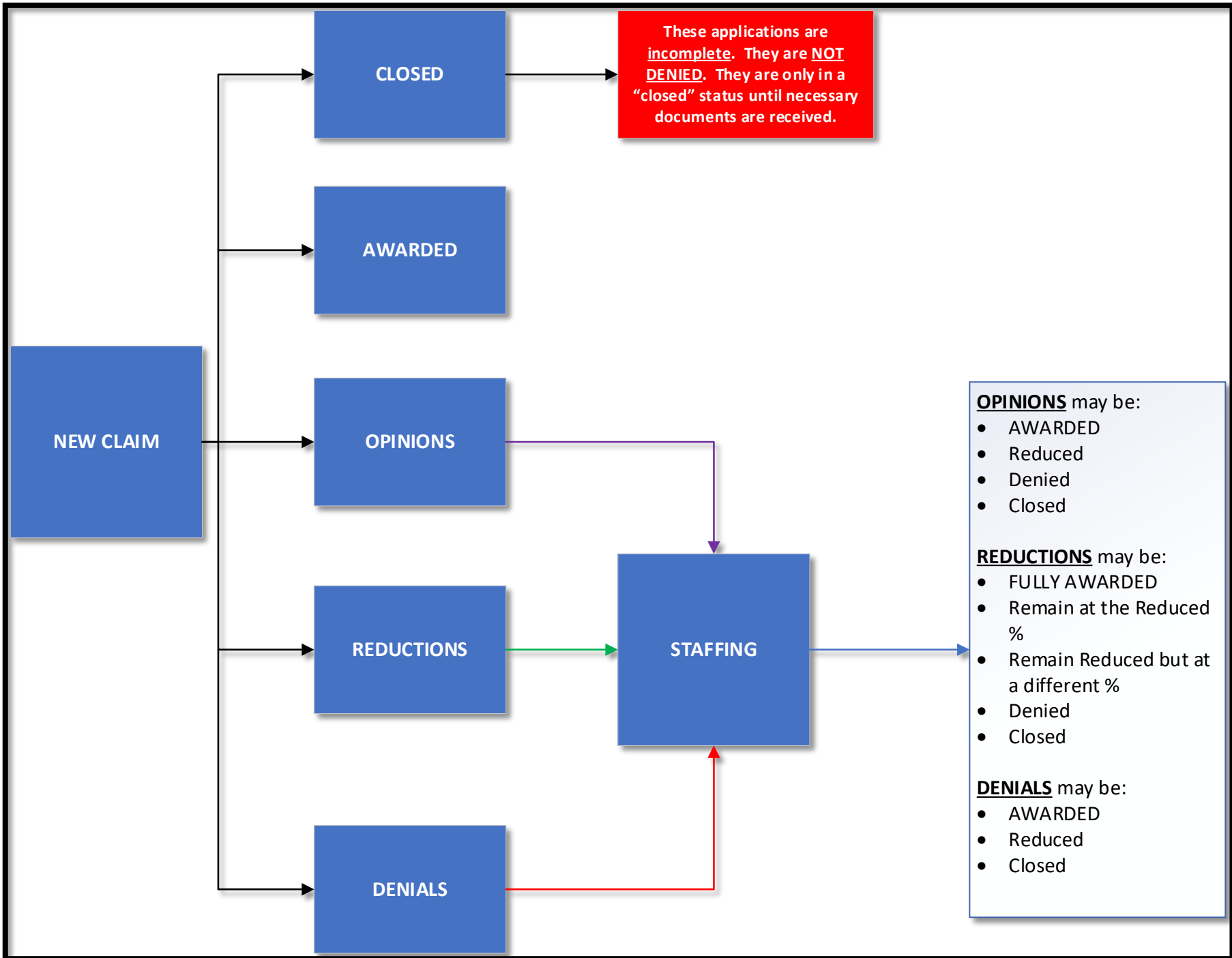
Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #219 Determine Claims' Eligibility

Eligibility Criteria:

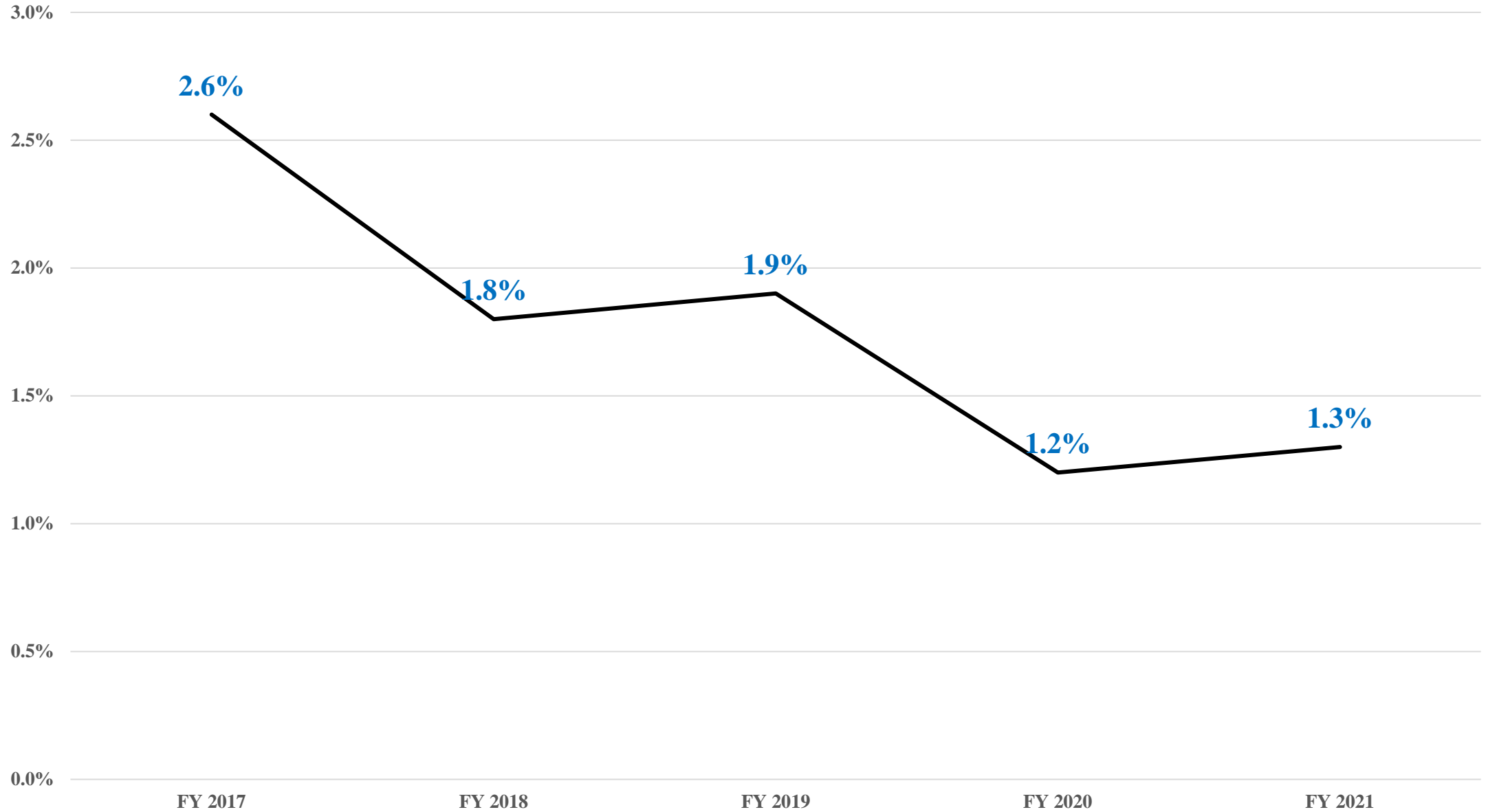
- Crime must occur in South Carolina
- Victim must sustain direct injury (physical and/or psychological)
- Victim must cooperate with law enforcement
- Crime must be reported within 48 hours (can be waived)
- Claim must be filed within 180 days of the incident (can be waived)
- If claim is not filed within 4 years of the incident, it is denied

Pursuant to statute, contributory conduct by the victim is also considered in eligibility determination.





% Ineligible Claims



Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1250; Section 16-3-1260;
Section 16-3-1270

Purpose (as understood by agency):

Due to DCVC's position of payer of last resort, the staff ensures other sources of funds are exhausted before expending DCVC's funds.

Customers:

Crime victims/Claimants, Law enforcement personnel

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #224

Oversee Restitution and Subrogation

- Compensation recovery department
- Recover compensation funds through restitution
- Recover compensation funds through subrogation

Save funds due to Agency payer of last resort status

SECTION 8 Civil Action InformationHave you hired a lawyer to settle with insurance or file a lawsuit? Yes No

If yes, please provide: Name of Lawyer

Mailing
Address

Phone #

SECTION 9 Referral Source Information Solicitor LEVA Hospital/Dr. Counselor Other

Name/Title of Professional Assisting with Application

Phone #

Fax #

Agency/Office

Mailing Address

County

Referral's Email Address

SECTION 10 Legal Authorization & Signature**This document is in compliance with the HIPAA guidelines.**

I understand that I am responsible for all bills and the compensation program is designated to pay certain costs not covered by another source. Submitting this application does not entitle me to benefits. I authorize the Department of Crime Victim Compensation (DCVC) to request, obtain, and release any information or records to determine the eligibility of my claim or to obtain restitution for a period not to exceed the full processing of this application. I further understand that there is a potential for me to no longer be protected by the Privacy Rule, and that I have the right to revoke this authorization in writing at any point I so desire. I agree to repay DCVC if I receive money from another source, up to the amount paid on my behalf. This includes any payment I may receive from the offender, any insurance policy or settlements, judgments, or civil law suits. I authorize DCVC to request and obtain any information including settlement disbursements, negotiated medical bills, and all other records related to subrogation from myself or representatives acting on my behalf.

I agree to notify DCVC of any changes, such as address or phone numbers, to maintain accuracy in the processing of this claim. Incomplete or unsigned applications will not be accepted.

This information I have provided is true and correct to the best of my knowledge under penalty of law (§16-3-1280).

Original Signature of Victim/Claimant**Date**

[Legal representative must sign if the Victim is under 18, legally declared incompetent or deceased]

Print Name of Above Victim/Claimant



Victim Restitution Task Force

- History of Task Force
- Current Status
- Related House Legislative Oversight Committee Finding/Recommendations from study of PPP

Members of the Task Force include representatives from the following agencies:

Attorney General's Office

- Division of Crime Victim Compensation
- Crime Victim Ombudsman
- Crime Victim Services

Department of Probation, Parole and Pardon Services

Department of Corrections

Department of Juvenile Justice

Court Administration

Prosecution Coordination Commission

Richland County Magistrate Court

Clerks of Court Association

University of South Carolina

SC Victim Assistance Network

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1110 Et Seq.

Purpose (as understood by agency):

Payments made to claimants and providers after determination of payer of last resort status.

Customers:

Crime victims/Claimants and victim service providers

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #220 Process payments

Processing Steps:

- Review for proper documentation related to request, i.e. itemized invoice
- Review claim to ensure requests are compensable
- Review and analyze claim to determine if other payors involved, i.e. health insurance for hospital bills
- Audit payment for final authorization and send to SCEIS

Types of Payments and Processing Times:

- To Victims/Claimants (Special Payments): 7-10 days
- To Providers: 7-14 days (DCVC Processing Services to SCEIS)

Agency Service #225

Administer the Sexual Assault Program (SAP): Sexual Assault Protocol, Child Maltreatment Protocol (Chronic) and the Forensic Interview Protocol (FIP)

Sexual Assault Program (SAP)

- Adult and child victims who report to the Emergency Department for an initial rape exam. (Evidence Collection)
- Law Enforcement referral mandatory for child victims.
- Adult victims (18 or older) may report anonymously and receive services.

Child Maltreatment Protocol (Chronic)

- Sexual and/or Physical Forensic Exam.
- Must be referred by Law Enforcement to a Child Advocacy Center (CAC).
- Incident Report must have child listed as a victim.

Forensic Interview Program (FIP)

- Must be referred by Law Enforcement to a Child Advocacy Center (CAC).
- Interview must be conducted by certified forensic interviewers.
- Incident Report must have child listed as a victim.
- Sexual and/or Physical Abuse

DCVC is the sole guarantor of payment for SAP.

Payment for services not covered by SAP must file a claim through the compensation program.

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1350

Purpose (as understood by agency):

DCVC is the primary payer of forensic cost for adult victims of sexual assault and child maltreatment forensic claims. Therefore, DCVC processes and pays claims from all entities performing these services at no cost to the victims.

Customers:

Crime victims, providers

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Claims Processing

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1140

Purpose (as understood by agency):

DCVC provides claimants who are denied benefits the right to appeal to the DCVC Advisory Board.

Customers:

Crime victims/claimants

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #223 Manage Appeals

Victims/Claimants whose claims were denied have the right to appeal this determination by requesting a review by the Crime Victim Advisory Board.

The victim/claimant may request one of the following from the Board:

- *Hearing: **Appears** before the SC Crime Victim Advisory Board and request to speak on behalf of their appeal.*
- *Review: **Does not appear** before the SC Crime Victim Advisory Board but requests the Board to review the claim and appeal application.*

After the hearing or review, the Board may:

- Uphold the denial.
- Overturn the denial and award the claim in full.
- Overturn the denial and reduce the award.

Does law require it:

Yes

Assoc. Law(s):

Section 14-1-211.6

Purpose (as understood by agency):

DCVC Audit staff conduct audits to ensure compliance by municipalities and other entities regarding Act 141 statutory provisions.

Customers:

Municipalities, counties, non-profits and other entities

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #227 Oversee Act 141 Funds

Audit SC Municipalities, Counties and Non-Profit(s) who receive Act 141 Funds.

Auditing Team reached a 11-year milestone by recouping \$2,085,169.53 back into local victim assistance accounts.

\$1,243,620.50 collected from audits

\$841,549.03 collected from budget reviews

Auditing

Does law require it:

Yes

Assoc. Law(s):

Section 14-1-211.6

Purpose (as understood by agency):

DCVC Audit staff track funds recouped through Act 141 Audits.

Customers:

Municipalities, counties, non-profits and other entities

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #228 Oversee Act 141 Funds

Track funds recouped through audits.

Audits are conducted as a result of:

- 1) Complaints.
- 2) Budget reviews reveal red flag issues.
- 3) Follow up on completed audits by the State Auditor's office that have victim services recommendations.

Auditing

Does law require it:

Yes

Assoc. Law(s):

Section 14-1-211.6

Purpose (as understood by agency):

DCVC Audit staff conduct budget reviews to ensure compliance by municipalities and other entities regarding Act 141 statutory provisions.

Customers:

Municipalities, counties, non-profits and other entities

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #229 Oversee Act 141 Funds

Budget Reviews

- 1) Conducted annually.
- 2) SC Municipalities, Counties and Non-profit(s) who receive Act 141 monies are subject to review.

Auditing

Does law require it:

Yes

Assoc. Law(s):

Section 14-1-211.6

Purpose (as understood by agency):

DCVC Audit staff track funds recouped through Act 141 budget reviews.

Customers:

Municipalities, counties, non-profits and other entities

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #230 Oversee Act 141 Funds

Track funds recouped through budget reviews.

- Monies recouped are deposited back into the victim assistance accounts.

Proviso 59.15

- Entities must spend 90% of victim assistance funds.
- If the municipality or county does not spend at least 90%, then they can only carry forward \$25,000 or 10% of what was collected in the prior fiscal year, whichever is greater.

Auditing

Does law require it:

Yes

Assoc. Law(s):

Section 14-1-211.5

Purpose (as understood by agency):

DCVC Audit staff shall offer training and technical assistance to each municipalities and counties on Act 141 funds.

Customers:


Municipalities, counties, non-profits and other entities

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #231

Oversee Act 141 funds

Offer training and technical assistance to each municipality and county annually on the acceptable use of Act 141 funds.



Training

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1120(A)

Purpose (as understood by agency):

DCVC staff educates advocates and allied professionals about the benefits and services provided by the Agency.

Customers:

Victim advocates, law enforcement personnel, victim service providers, and victims/claimants...

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #221

Outreach

Develop and administer a plan for informing the public of the availability of benefits and services and educate on the procedures for filing compensation claims.

Outreach Events

- City of Columbia Annual Mayor's Walk Against Domestic Violence
- Youth Symposium, City of Blackville Police Department
- York County Victim Services Fair

Outreach

Does law require it:

Yes

Assoc. Law(s):

Section 16-3-1120(A)

Purpose (as understood by agency):

DCVC staff trains advocates and allied professionals about the benefits and services provided by the Agency.

Customers:

Victim advocates, law enforcement personnel, victim service providers, and victims/claimants...

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #222

Outreach

Conduct trainings and disseminate publications to victim advocates, law enforcement personnel, victim service providers, victims and the community.

Trainings

- DCVC Basic Core Course
- HIV nPEP (non-Occupational Post Exposure Prophylaxis) Program
- Sexual Assault Program
- Lost Wages
- Compensation Recovery

Training

Does law require it:

Yes

Assoc. Law(s):

Proviso 59.10

Purpose (as understood by agency):

DCVC distributes excess compensation funding to all 16 Solicitor's Offices in the state to provide victim services.

Customers:

Solicitor's offices

Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #232

Distribute Victim/Witness Program Funds

\$650,000 distributed equally to the 16 Judicial Circuit Solicitor Offices, quarterly.

\$10,156.25 per quarter, per circuit

\$40,625.00 per year, per circuit

(Note: In FY2021, SCCPC provided the Combined Statewide Solicitor Victim Services Financial and Programmatic Report to the SC Attorney General)



Alan Wilson
Attorney General

B.J. Nelson
Director

Associated Performance Measures

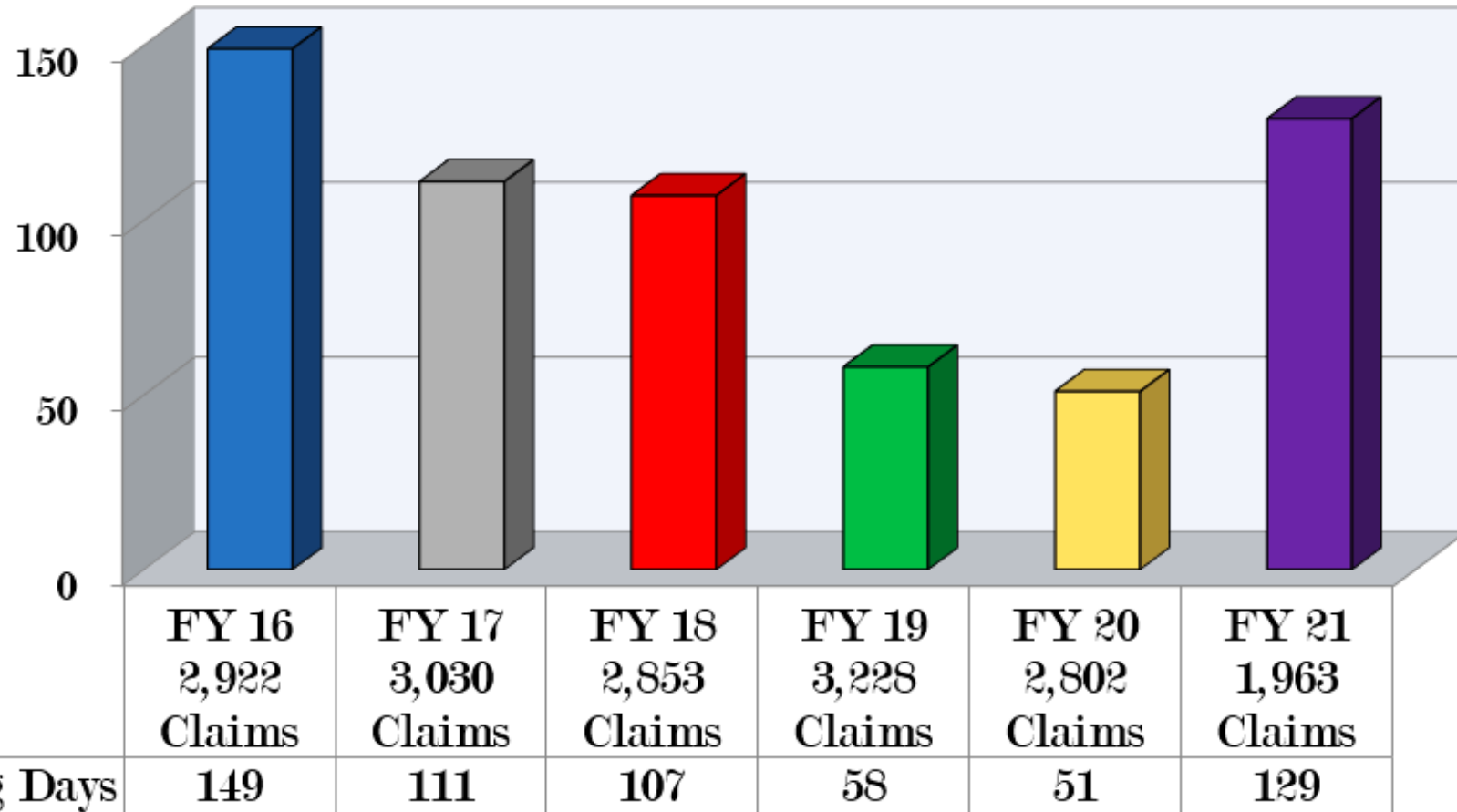
The next slides only contain information on performance measures that are associated with services covered earlier in this presentation.

Claims Received & Payments Made

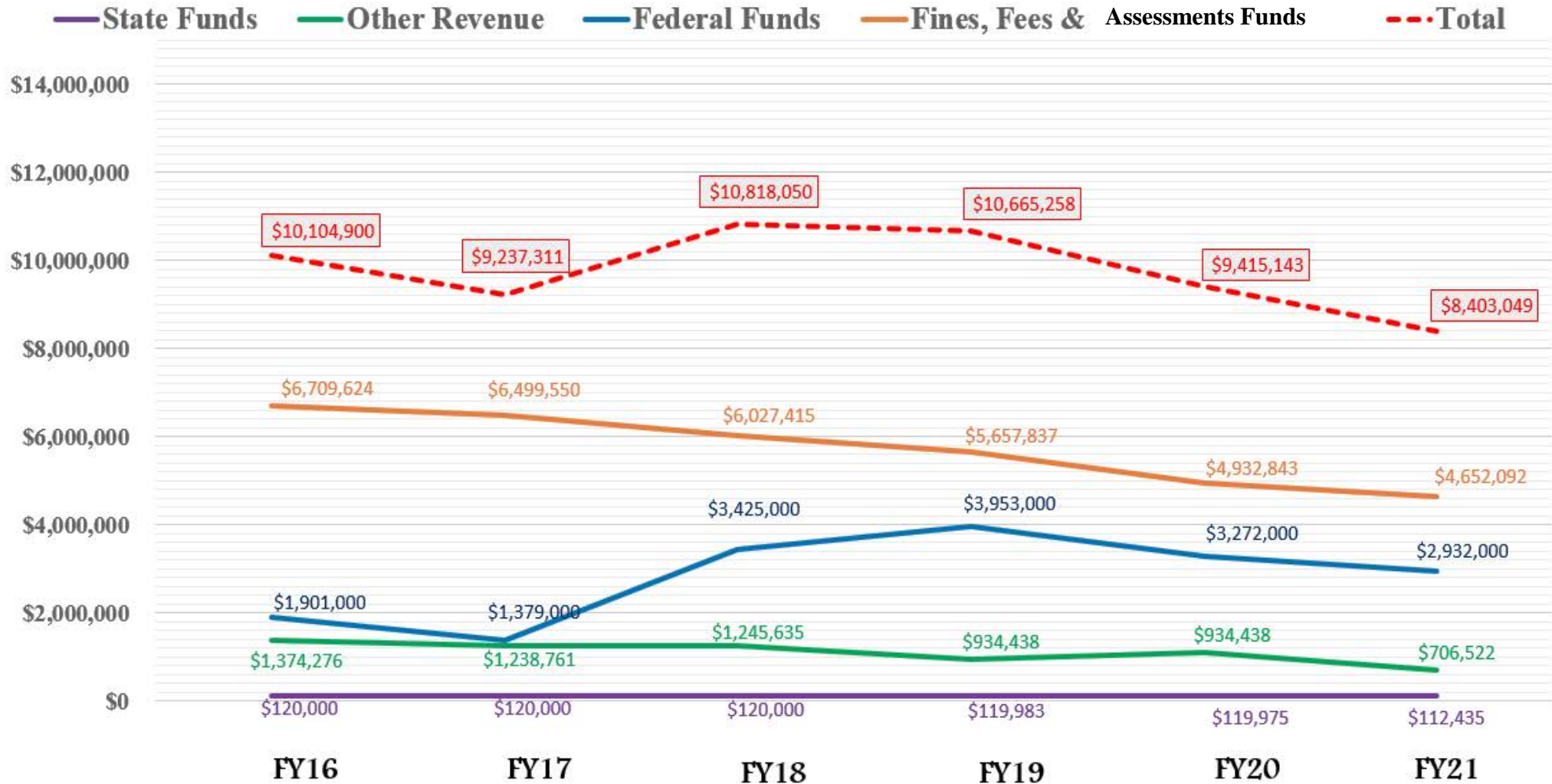
Type of Claims	FY 17	FY 18	FY 19	FY20	FY21
Claims Received	8,627	7,967	9,113	7,092	5,881
Number of Payments Made	8,933	8,123	9,363	8,211	4,595

- | | | | | |
|---|---|-----------------|-----------------|--------------|
| | | Eligible | Received | |
| • Compensation Claims (FY21) | | 2,127 | 2,608 | |
| • Sexual Assault Forensic Claims (FY21) | + | <u>2,631</u> | + | <u>3,273</u> |
| | | 4,758 | | 5,881 |
- Claims Approval Rate (FY21) **81%***

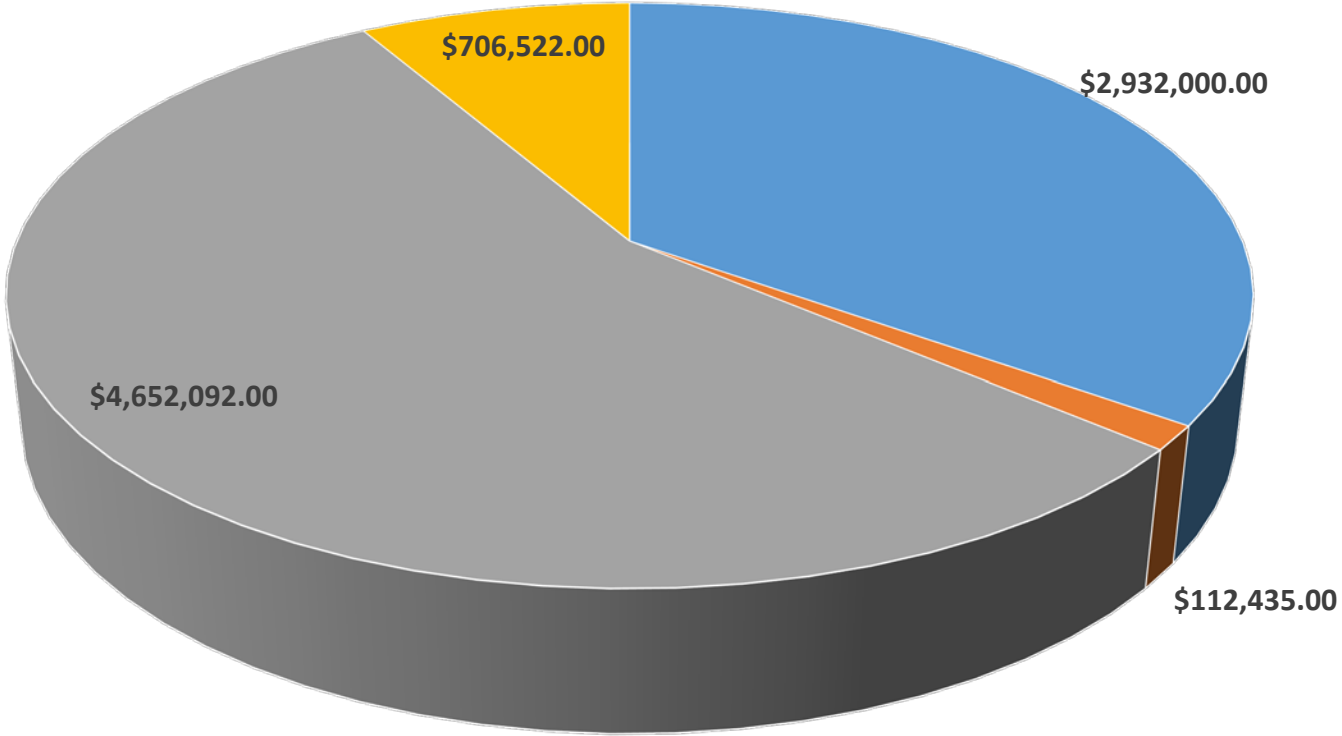
Average Eligibility Processing Time For Claims



Revenue

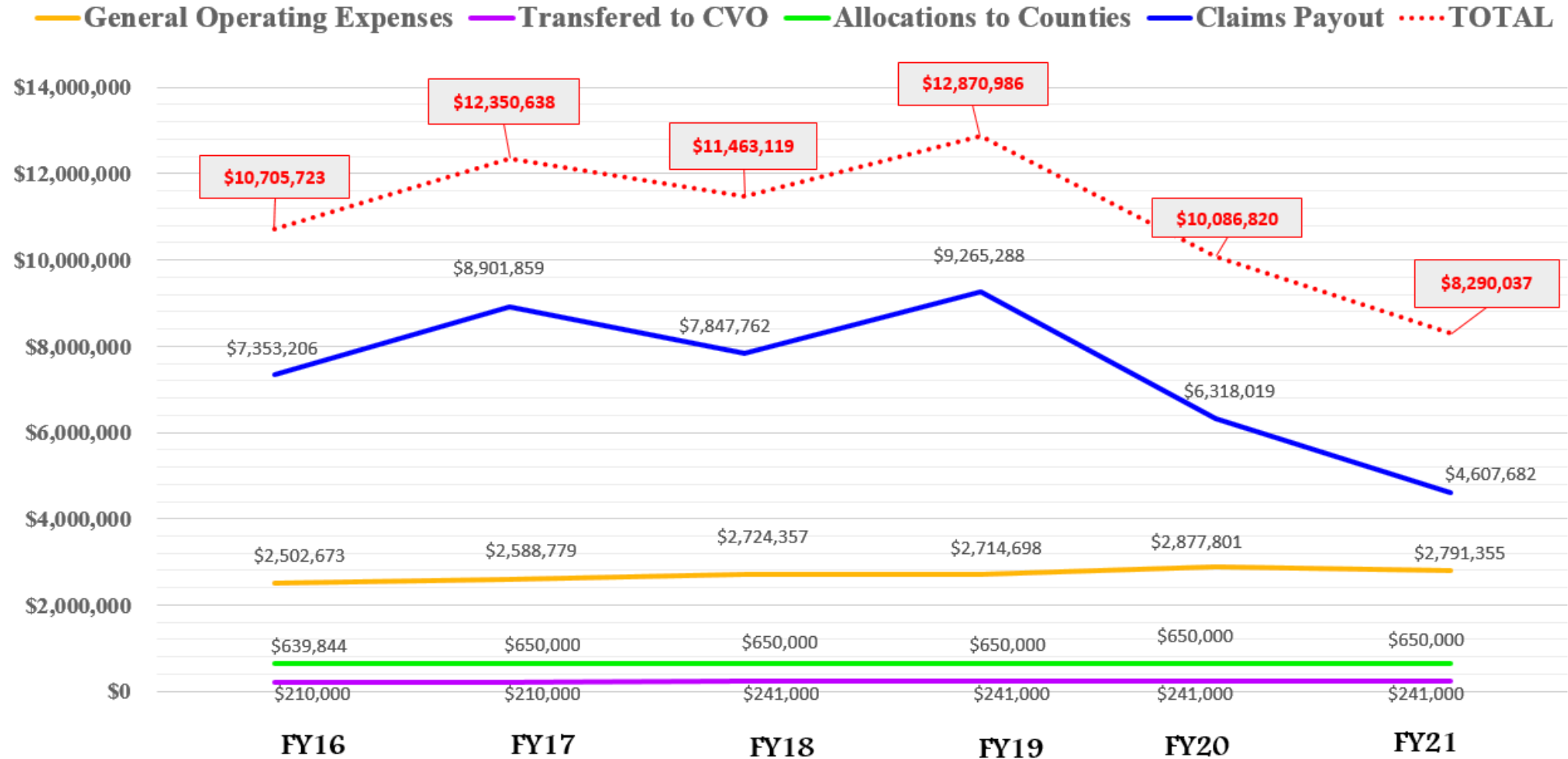


Funding Sources FY 2021

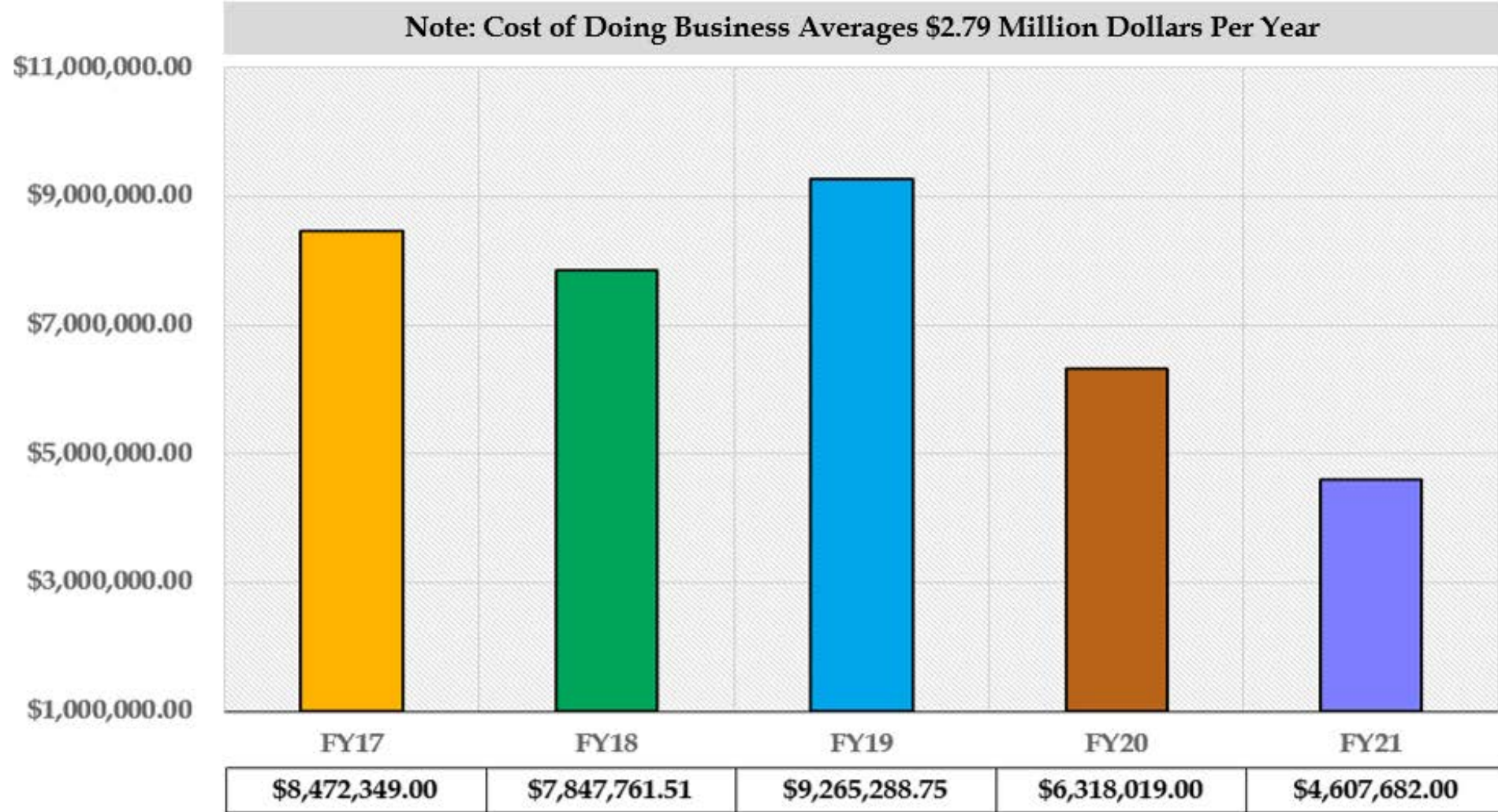


■ Federal ■ State ■ Fines, Fees & Assessments ■ Other

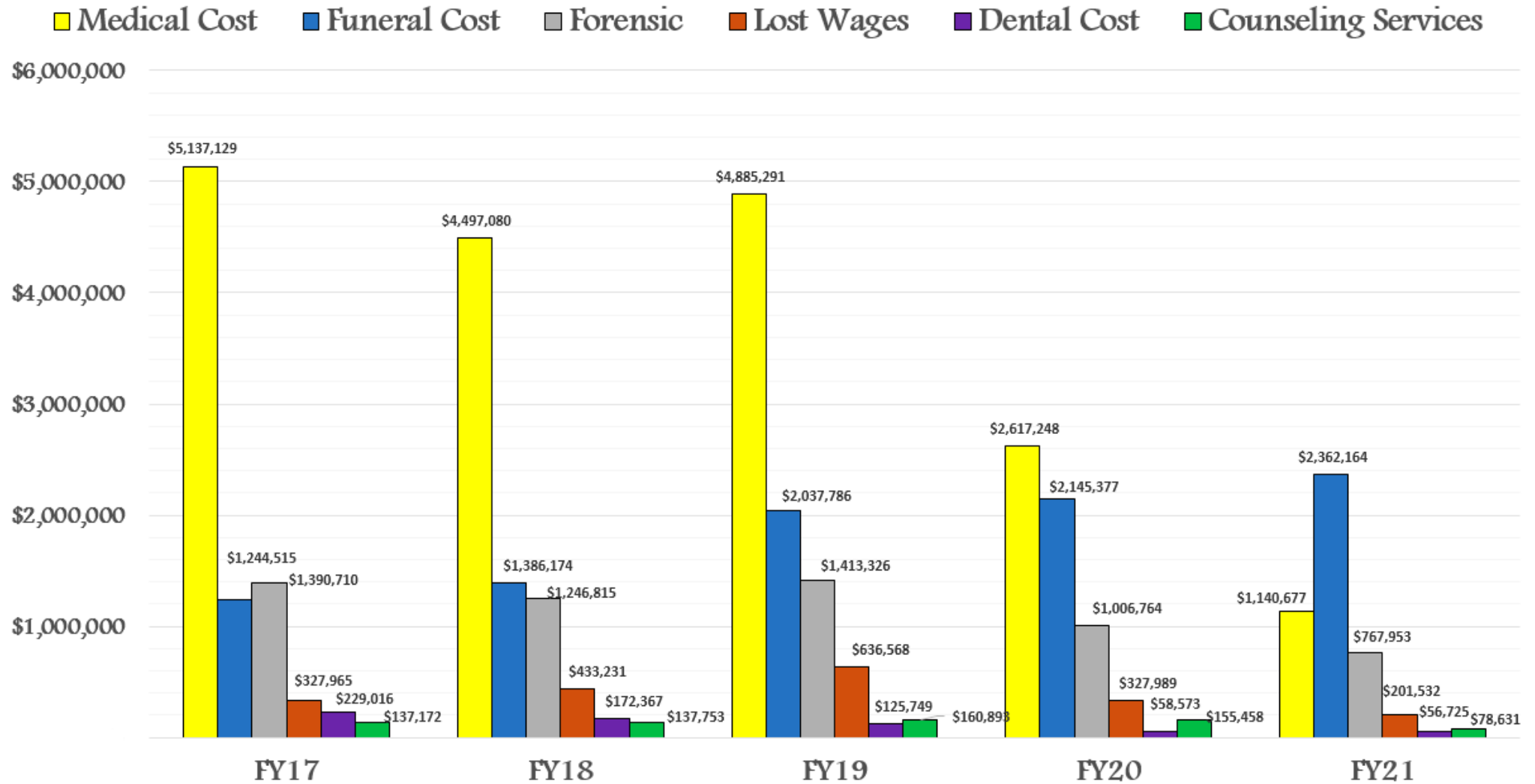
Expenditure Breakdown



Money Paid On Claims

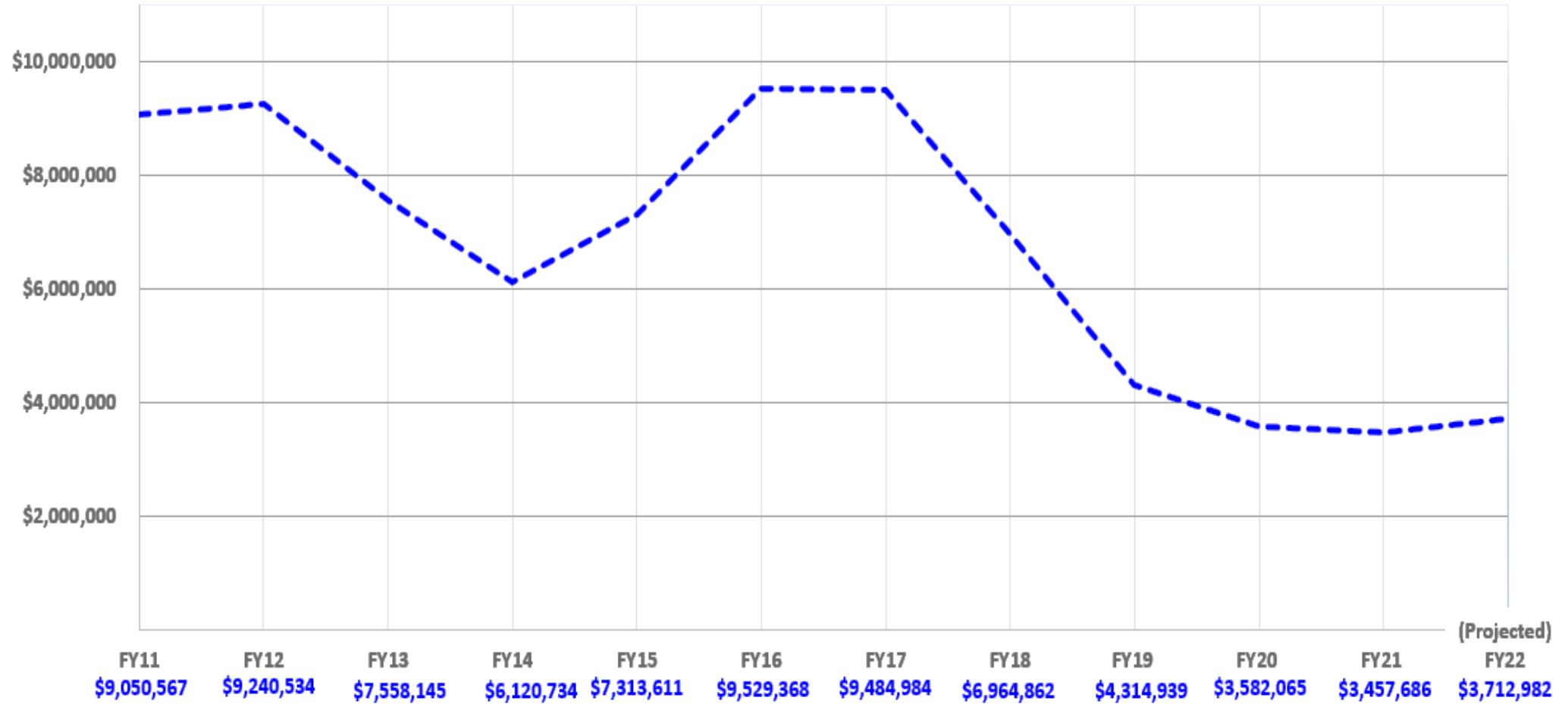


Compensation Claims Payout



Beginning Carry Forward

--- TOTAL





Alan Wilson
Attorney General

B.J. Nelson
Director

Associated Successes and Concerns

The next slides only contain information on services that are associated with this section of the agency.



Alan Wilson
Attorney General

Crime Victim Compensation

B.J. Nelson
Director

SUCCESSSES

- \$3.2 Million Recurring Appropriation from the General Assembly for DCVC.
- The federal VOCA Fix legislation passed the week of July 19, 2021.
- DCVC will begin receiving 75% federal reimbursements on our state expenditures up from 60%. Estimated \$1.9M next year.
- We will no longer be penalized for restitution recovery by OVC or have to deduct this from state expenditures. Estimated \$381K.



Crime Victim Compensation

Alan Wilson
Attorney General

B.J. Nelson
Director

CONCERNS

- DCVC completed writing the Request for Proposal (RFP) for a new victim compensation and sexual assault claims management system. The RFP is now under review by the State Procurement's Information Technology Management Office (ITMO).

CRIME VICTIM OMBUDSMAN HANDOUTS

"Victim's Bill of Rights"

ARTICLE I, SECTION 24

Passed January 22, 1998 at 1:50 PM

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The amendment adding Section 24 to Article I of the Constitution of South Carolina, 1895, prepared under the terms of a Joint Resolution of 1996, bearing ratification number 451, having been submitted to the qualified electors of the General Election of 1996 as prescribed in Section 1, Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received on the amendment, is ratified and declared to be a part of the Constitution so that Section 24 as added to Article I reads:

SECTION 24 (A). Victims' Bill of Rights.

- (A) To preserve and protect victims' rights to justice and due process regardless of race, sex, age, religion, or economic status, **victims of crime have the right to:**
- (1) be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal and juvenile justice process, and informed of the victim's constitutional rights, provided by statute;
 - (2) be reasonably informed when the accused or convicted person is arrested, released from custody, or has escaped;
 - (3) be informed of and present at any criminal proceedings which are dispositive of the charges where the defendant has the right to be present;
 - (4) be reasonably informed of and be allowed to submit either a written or oral statement at all hearings affecting bond or bail;
 - (5) be heard at any proceeding involving a post-arrest release decision, a plea, or sentencing;
 - (6) be reasonably protected from the accused or persons acting on his behalf throughout the criminal justice process;
 - (7) confer with the prosecution, after the crime against the victim has been charged, before the trial or before any disposition and informed of the disposition;
 - (8) have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime against the victim before trial;

- (9) receive prompt and full restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury, including both adult and juvenile offenders;
 - (10) be informed of any proceeding when any post-conviction action is being considered, and be present at any post-conviction hearing involving a post-conviction release decision;
 - (11) a reasonable disposition and prompt and final conclusion of the case;
 - (12) have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and have these rules subject to amendment or repeal by the legislature to ensure protection of these rights.
- (B) Nothing in this section creates a civil cause of action on behalf of any person against any public employee, public agency, the State, or any agency responsible for the enforcement of rights and provision of services contained in this section. The rights created in this section may be subject to a writ of mandamus, to be issued by any justice of the Supreme Court or circuit court judge to require compliance by any public employee, public agency, the State, or any agency responsible for the enforcement of the rights and provisions of these services contained in this section, and a willful failure to comply with a writ of mandamus is punishable as contempt.
- (C) For purposes of this section:
- (1) A victim's exercise of any right granted by this section is not grounds for dismissing any criminal proceeding or setting aside any conviction or sentence.
 - (2) "Victim" means a person who suffers direct or threatened physical, psychological, or financial harm as the result of the commission or attempted commission of a crime against him. The term "victim" also includes the person's spouse, parent, child, or lawful representative of a crime victim who is deceased, who is a minor or who is incompetent or who was a homicide victim or who is physically or psychologically incapacitated.
 - (3) The General Assembly has the authority to enact substantive and procedural laws to define, implement, preserve, and protect the rights guaranteed to victims by this section, including the authority to extend any of these rights to juvenile proceedings.
 - (4) The enumeration in the Constitution of certain rights for victims shall not be construed to deny or disparage others granted by the General Assembly or retained by victims.
-

STATES WITH VICTIMS' RIGHTS / COMPLIANCE AGENCIES or DIVISIONS

1. ALASKA – Office of Victims' Rights – (Agency of the Alaska Legislature) Similar to SC but also provides free legal representation for victims to litigate victims' rights issues
2. ARIZONA – State Victims' Rights Administrator for Compliance -- (AG's Office) Victims may sue for victims' rights violations; provides free legal representation for victims
3. COLORADO – Victim Rights Compliance Program – (Department of Public Safety) 7-member subcommittee reviews complaints. AG handles Victims' Rights Act complaint when agency has not complied with subcommittee's recommendations
4. CONNECTICUT – The Office of Victim Advocate – (Independent state agency) Similar to SC
5. MARYLAND – Victim Rights Compliance Initiative – (Governor's Office) Similar to SC
6. MINNESOTA -- Crime Victim Justice Unit – (Department of Public Safety) Similar to SC
7. MISSOURI -- Crime Victims' Rights Unit -- (Department of Public Safety) Similar to SC
8. OREGON – DOJ Crime Victims' Rights Section – (AG's Office) Collaborates with AG's Task Force on Victims' Rights Enforcement measures.
9. SOUTH CAROLINA – Crime Victim Ombudsman – AG's Office
10. UTAH -- Victims' Rights Committee – Meets quarterly to review victim complaints. Statutorily mandated to refer non-compliant
11. WISCONSIN -- Victim Resource Center – houses Crime Victims' Rights Board to review complaints, mandate services, initiates sanctions.

FEDERAL

District of Columbia, Crime Victim Rights Board -- (US Attorney's Office) Issues private/ public reprimands, litigates, assists with asset forfeitures on victim's behalf, imposes penalties of up to \$1K for intentional violations of victims' rights.

Crime Victim Ombudsman

Case Examples

CVO “Referral” Cases

- Grandmother called seeking trauma counseling for her grandchild who witnessed parents’ murder-suicide.
- Caller’s underage niece had baby by 20-year-old, no charges were made. She was living in unsafe conditions and caller needed help removing niece from the situation.
- Out-of-state caller’s mother was being abused; he needed to prove his guardianship.
- Caller was being harassed over the phone and needed to know what to do.
- Victim of identity theft needed help to clear up credit report.
- Man lost custody of his child to child’s stepfather and wanted the decision reversed.
- Victim was fired after reporting assault by coworker.
- Caller reported neighbors were cyberstalking them; law enforcement was not adequately responding.
- Police refused to take a report for cyberbullying by an adult.
- Survivor of childhood sexual abuse, now adult, wanted guidance about reporting sexual assault.
- Squatter refused to leave caller’s residence. Police had not yet served eviction notice.
- Caller was upset that a judge refused to issue Restraining Order.
- Son was murdered in 2007. Caller wanted the name of murderer’s accomplice.
- Student was secretly videotaped in the shower in a college dorm and the video was being disseminated on campus.
- Caller wanted Permanent Restraining Order against person trying to harm his pet.
- Mother of murdered son upset that 10-year sentence does not mean ten years in prison.
- Numerous callers upset that judges allow offenders out of jail with low or PR bonds.
- Nurse wanted information about Forensic Nurse Examiner training.
- Out-of-state attorney needed information about U-Visas.
- Caller complained that numerous neighbors are trying to have her arrested and remove children from her custody.

- Caller's daughter was molested years ago needed counseling and advice about prosecution.
- Offender deemed sexually violent predator is in a maximum security hospital. He is still active on social media and father of minor victim is concerned over the activity.

CVO Victim "ASSIST" Cases

- Caller's daughter and granddaughter were murdered. While in jail, the murderer went on to kill four other inmates. Victim requested to be notified for new murder trials, but an advocate refused because she was no longer a "direct victim." CVO intervened and victim will be notified about all hearings as a courtesy.
- Man charged with attempted murder against his wife and was released from custody by "agreement" between solicitor and defense attorney after judge denied bond twice. After CVO intervention, Solicitor advised staff to stop the practice of "agreements" to release offenders. The Solicitor thanked CVO for bringing the case to their attention. Offender received an appropriate sentence and the victim felt supported by the Solicitor's Office.
- Victim alleged she was drugged and sexually assaulted. She paid for a hair-strand drug test, and offender was charged based on that evidence. She requested our assistance to help her to get reimbursed for this unusual expense. CVO was successful in helping the victim to be reimbursed by the prosecution.
- Mother of mentally ill adult daughter was distraught because her daughter was getting worse and she could no longer support her. She feared she was becoming abusive toward daughter and would eventually hurt her. CVO worked with mother and Adult Protective Services to secure Medicare, housing and counseling for them both.
- Numerous victims of domestic violence requested our help to have offenders released from jail. In these cases, numerous hours were spent discussing why the state prosecutes these crimes, and methods for callers to obtain safety and help.
- Victim requested assistance to obtain a better plea agreement for repeated violations of an Order of Protection. CVO successfully advocated for an enhanced plea agreement.
- Solicitor did not request restitution for arson case. CVO intervened and a restitution hearing was held.
- Victim was assaulted by a career criminal, a neighbor he has known for years. Victim was not notified when offender was released from prison. The original investigating officer was fired and victim complained that the new officer did poor job at trial. Victim asked for our help in obtaining a Restraining Order, help with writing a victim impact statement and obtaining a new incident report on most recent assault.

- DV/stalking victim alleged solicitor promised s/he would obtain a Permanent Restraining Order (PRO) and that offender would be transported directly to a mental health facility from prison. Neither happened. CVO consulted with the solicitor and a PRO was obtained. Solicitor clarified the issue regarding the mental health facility to victim's satisfaction.

CVO Criminal Justice System "Assist" Cases

- Consulted with VSPs about decisions regarding bond/probation revocation, emergency OOPs, how to prove threshold of threat;
- Assisted numerous Solicitors in explaining plea agreements/ sentencing limits to victims;
- Consulted with numerous advocates about rationale and logic of criminal charges;
- Mediated case where LEVA and Chief of Police disagreed with Judge and court staff about their roles in notifying victims for court;
- Solicitor requested advice about an upcoming hearing for an offender who violated a gag order during trial. Do victims have the right to speak at this sentencing hearing?
- Congressional Aide calling for clarification about Temporary Restraining Orders for a constituent.
- Helped a nonprofit organization locate an interpreter for people who are deaf for a conference;
- State agency inquired about who should be notified of hearings if child abuse victim is in foster care.
- LEVA called concerned that her Chief and officers are accusing her of mishandling a case.
- Advocate sought advice about what to do when the legal guardian of a mentally ill adult victim wanted themselves to be notified rather than the victim.
- Due to a Supreme Court Order, an advocate reported that judges appeared to be confused about their ability to revoke bond. CVO requested a clarifying Memorandum from Court Administration to inform judges about correct procedures for bond revocation hearings.
- Advocate asked if they should give businesses victims' rights information when they are robbed.
- Stolen gun recovered; offender is charged with possession. Is victim notified?
- Virginia Compensation Fund Director wanted to establish a division similar to CVO. They requested a job description and information about methods we use to help South Carolina's victims and advocates.
- State agency was concerned that the rights of foster parents and guardians of child abuse victims are being violated by Family Court.

- Municipality asked if they may contract with county for victim services. Requested laws outlining law enforcement's duties to victims and Victim Service Provider certification requirements.
- VSP requested a sample letter to keep victim from being evicted from her home.
- Judge asked if s/he can bring incarcerated victim out of jail to attend bond hearing for a crime that occurred before imprisonment.
- The Judge asked for clarification about the rights of victims since s/he was reported by offender to Judicial Standards Commission for inviting victims to bond hearing.
- State agency posed question: juvenile offender was ordered to pay restitution, but victim died. Can punishment be changed to community service?
- Do LEVAs assist victims of burglary, trespassing?
- Advocate seeking an interpreter who speaks Hindi.
- Solicitor advocate posed this scenario: attempted murder victim requested transcript of parole hearing, but wanted to keep the request a secret from her husband. Husband told their office repeatedly not to give her information since he was concerned it would hurt her mental health to read it. What should advocate do?
- Judge ordered Child Advocacy Center to turn over therapy records for three child victims; requested our help to find emergency legal representation for victims.
- Sex offender continued to stalk juvenile victim, so family moved to a different county. New county's law enforcement advocate requested our intervention to request police in the prior county to serve warrant on offender more quickly.
- Do LEVAs provide court interpreters for victims? What about for offenders?

CVO "Formal Complaints" Cases

Formal Case Summary 1

Crime: Homicide

Complaint: Next of kin was not notified of a bond hearing

Subject of Complaint: Detention Center

Scenario: Victim's son was killed and multiple juvenile defendants were arrested. Mother alleged she was not notified of one offender's bond hearing.

CVO Inquiry: After an extensive investigation and numerous meetings, we determined that one juvenile was taken out of the county to a neighboring juvenile detention facility to await the bond hearing: all others were at the Department of Juvenile Justice. When transferring the one defendant

back to the original jurisdiction, law enforcement did not notify the victim about the bond hearing. The juvenile defendant was not “checked in” at the jail but was taken directly to the hearing. The detention center Notifiers were not aware of the hearing and therefore could not notify the victim.

Relevant Law

S.C. Constitution, Article I, Section 24(A) To preserve and protect victims’ rights to justice and due process regardless of race, sex, age, religion, or economic status, **victims of crime have the right to:**

(4) be reasonably informed of and be allowed to submit either a written or oral statement at all hearings affecting bond or bail;

Section 16-3-1525 (D) ... The law enforcement officer detaining the juvenile, regardless of where the juvenile is physically detained, retains the responsibility of notifying the victims of the pretrial, bond, and detention hearings, or pretrial releases that are not delegated pursuant to this article.

Section 16-3-1525 (H)(2) Before bond hearings, the [Summary Court, Family Court, Circuit Court] Judge must ask the facility having custody of the defendant to verify that a reasonable attempt was made to notify the victim sufficiently in advance to attend the proceeding. If notice was not given in a timely manner, the hearing must be delayed for a reasonable time to allow notice.

OUTCOME:

The Sheriff overseeing the Detention Center implemented the following based upon the Ombudsman’s recommendations:

- Thoroughly reviewed relevant statutes and internal procedures;
- Instituted an effective and clear policy;
- Provide training to all staff;
- Shared information and clarified policies with Summary Court judiciary and staff;
- Notified CVO regarding the above actions taken in accordance with S.C. Code §16-3-1630.

Formal Case Summary 2

Crime: Homicide

Complaint: Mother was concerned that no one has been charged in her daughter’s homicide.

Subject of Complaint: Law Enforcement, Solicitor

Scenario: A young woman, who was married and pregnant, was strangled to death in her home. A suspect was identified but denied knowing the victim. Nine months after the murder, when the victim’s mother identified an untested cigarette butt found at the crime scene, DNA proved the suspect ‘had sex’ with the victim. After three interviews with law enforcement, the suspect finally

confessed to strangling the victim, but alleged that he was unaware that she had died during the encounter. Three years later, the suspect was still not charged with a crime.

CVO Inquiry: After extensive investigation and meetings with law enforcement and the Solicitor, we determined that law enforcement was reluctant to arrest the suspect due to the Solicitor's hesitancy to move forward with charges. The Solicitor was reluctant because he believed he could not prove intent. One concern was that prosecution may not be able to overcome a "rough sex" defense. CVO provided research containing specific legal arguments against that particular defense.

Relevant Law

SC Constitution, Article I, Section 24 (A) To preserve and protect victims' rights to justice and due process regardless of race, sex, age, religion, or economic status, victims of crime have the right to:

- (4) a reasonable disposition and prompt and final conclusion of the case;

OUTCOME:

Law enforcement and the Solicitor agreed to refer the case to SLED. SLED identified probable cause and secured a warrant for murder. The suspect pled guilty and was convicted.

The complaint against Law Enforcement was **FOUNDED**.

The complaint against the Solicitor was **FOUNDED**.

Formal Case Summary 3

Crime: Criminal Sexual Conduct with a Minor

Complaint: Law Enforcement Officers violated victims' right to be free from intimidation, harassment or abuse.

Subject of Complaint: Law Enforcement

Scenario: A Child Advocacy Center contacted us about a credible report from a child that their grandfather had sexually abused them. They alleged that when they reported to law enforcement, the Chief of Police told them that he refused to take their report. He stated that he had spoken with the suspect and his attorney, and he believed the parents were making false allegations in an attempt to extort money. The Center referred the parents to us for assistance.

CVO Inquiry: CVO communicated with the Child Advocacy Center, the parents, their attorney, SLED and the Chief of Police. When the parents first confronted the grandfather/suspect, he hired a lawyer and reported them to law enforcement for 'attempted extortion.' The parents moved three hours away from their hometown and continued to work with child therapists and hired an attorney for guidance. The attorney alleged that SLED had previously told him that they

believed the Chief could handle the case appropriately. The Chief verified to CVO that he was friends with the suspect, and that he had heard about the allegations from him. He verified that he believed it was an extortion attempt and wanted to question the parents, but was going to keep an open mind about the sexual assault allegations. The victims were also fearful of coming to the police station because the suspect lived across the street and could see their car in the parking lot. CVO tried to negotiate a meeting between the Chief and victims in a place that was convenient to all parties, without success.

CVO communicated frequently with the Chief, informing him of victims' right to be free from intimidation, harassment and harm throughout the criminal justice process. CVO also discovered that the suspect was a town employee in charge of overseeing police funds. The Chief asserted that had no bearing on the investigation and refused to recuse his Department from the case. He offered for the victims to come in the back door and park behind the police station so the suspect would not see and potentially confront them. The Chief refused to meet the victims anywhere other than his office. CVO encouraged him to consult with SLED and his city attorney to discuss the Department's potential conflict of interest.

CVO communicated this information to SLED. SLED explained they would not remove the case from the police department's control unless requested, but agreed to speak to the parents and to the Chief. We continued to discuss a compromise to achieve the Chief's objective, which was to interview the parents.

OUTCOME: The Chief agreed to refer this case to SLED.

Relevant Law:

SC Constitution, Article I, Section 24 (A) To preserve and protect victims' rights to justice and due process regardless of race, sex, age, religion, or economic status, victims of crime have the right to:

- (1) be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal and juvenile justice process, and informed of the victim's constitutional rights, provided by statute;

The complaint against Law Enforcement was **FOUNDED.**

Address Confidentiality Laws by State

State	ACP Protections	Legislation	Program Information
Alabama		None	
Alaska		None	
Arizona	Confidential Motor Vehicle Registration	AZ ST § 41-166 (2014)	Address Confidentiality Program 1901 W. Madison St. Phoenix, AZ 85009-5287 (602) 542-1653 www.azsos.gov/services/acp
	Confidential Voter Registration	AZ ST § 16-153 (2014)	
	County Assessor & Treasurer Confidentiality	AZ ST § 11-484 (2014)	
	County Recorder Confidentiality	AZ ST § 11-483 (2014)	
	Address Confidentiality Program	HB-2302 signed into law 4/19/2011; amended 2014 Ariz. Legis. Serv. Ch. 130 (H.B. 2100) Eligibility: Victim of domestic violence, sexual offense (such as rape, sexual assault, molestation), or stalking; Is in fear of her or his safety; Has moved in the past 90 days to a place unknown by the perpetrator or is planning to move to a place unknown to the perpetrator in the near future within Arizona; Has documentation to support victimization; and Is an adult, or a parent or guardian acting on behalf of a minor or incapacitated person. ACP: §41-141 to §41-169	
Arkansas	Confidential License Registration	Ark. Code Ann. § 27-16-811 (2008)	Revenue Division – DL Services Dept. of Finance and Admin. PO Box 1272, Little Rock AR 72203 (501) 682-7052
California	“Safe at Home” Address Confidentiality Program	Cal. Gov’t Code §§ 6205 - 6211 (2009) Includes: Confidential Voter Registration, DMV Records Suppression, and Internet Disclosure Prohibition Services domiciled (reside) in California; Eligibility: Must be in fear for safety or the safety of a minor or incapacitated person for whom you are applying; and a victim of domestic violence, stalking, or sexual assault; or a reproductive healthcare employee, patient, or volunteer.	Safe At Home Program PO Box 846, Sacramento, CA 95812-0846 (877) 322-5227; safeathome@sos.ca.gov www.sos.ca.gov/registries/safe-home
Colorado	Address Confidentiality Program	CO ST §§ 24-30-2101-115, CO ST § 1-2-213 Eligibility: survivors of DV, sexual offenses, stalking, must have evidence of the victimization and must have moved within the past 90 days or be planning to relocate Includes: confidential DL and state identification documents, motor vehicle and registrations, school enrollment and school record, human services, police reports, court records, local recreation centers, bank accounts, libraries, voter registration records	Address Confidentiality Program 1001 E. 62nd Ave. Denver, CO 80216 (303) 866-2208; 1-888-341-0002 (Toll Free); acp@state.co.us www.colorado.gov/pacific/dcs/acp
Connecticut	Address Confidentiality Program	Conn. Gen. Stat. § 54-240 et seq. (2008) Eligibility: victim of family violence, injury or risk of injury to a child, sexual assault or stalking, who has permanently and confidentially moved away from abuser. Participants complete applications through a community based domestic violence or sexual assault crisis program located throughout the state. Application process involves meeting with an application assistant and receiving orientation information about the program. Includes: Confidential Address for Voter Registration and Confidential Marriage Records	Address Confidentiality Program PO Box 150469, Hartford, CT 06115-0469 (860) 509-6006 portal.ct.gov/SOTS/Commercial-Recording/ACP/Address-Confidentiality-Program
Delaware	Confidential Motor Vehicle Registration	21 Del.C. § 305 (2015)	Address Confidentiality Program 820 N. French St., Wilmington, DE 19801 (800) 870-1790
	Confidential Voter Registration	15 Del.C. § 1303 (2011)	
	Address Confidentiality Program	11 Del.C. § 9612 (2011) Eligibility: victim of domestic violence, sexual assault or stalking who has filed for a protection from abuse or who is or was named as a victim in any criminal or delinquency proceeding brought for the purpose of determining liability for the commission of any crime or offense, or a person who has an agreement with the DOJ or a person who is a member of the same household as a program participant or a person who has obtained or is seeking relief from a domestic violence program or service.	
Florida			Address Confidentiality Program PO Box 6298 Tallahassee, FL 32314-6298 Phone: (800) 226-6667 or (850) 414-3300
Georgia		None	
Guam		None	

Hawaii	None		
Idaho	Address Confidentiality Program	Idaho Code Ann. § 19-5701 to §19-5708 (2008) Includes: Confidential Voter Registration, confidential address for driver's license Applicant must have Protective Order or can have letter from prosecuting attorney that person is a victim of DV, SA, etc. and that abuser charged with the crime; applicants apply directly through program, not through assistants	Address Confidentiality Program PO Box 1737, Boise, ID 83701-1737 (208) 332-2836; acp@sos.idaho.gov www.sos.idaho.gov/ACP/
Illinois	Address Confidentiality Program 100 W Randolph St., 13th Floor, Chicago, IL 60601 (312) 814-1427; acp@atg.state.il.us		
Indiana	Address Confidentiality Program	IC 5-26.5-1-1 to IC 5-26.5-5-5 Program Requirements: (1) Valid Protective Order; (2) Be a victim of DV, I.C.A. § 9E.3 (2016)	Address Confidentiality Program 302 W. Washington St. 5th Floor Indianapolis, IN 46204
Iowa	"Safe at Home" Address Confidentiality Program	Includes: Confidential voter registration Eligibility: One of the following: 1) victim of domestic abuse, domestic abuse assault, sexual abuse, stalking or human trafficking, 2) person fears for person's safety, safety of another who lives in the same household, or safety of the persons on whose behalf the application is made.	Safe at Home PO Box 959, Des Moines, IA 50319 (505) 725-7233; safeathome@sos.iowa.gov safeathome.iowa.gov
Kansas	"Safe at Home" Address Confidentiality Program	Kan. Stat. Ann. §§ 75-451 to -458. (2008) Eligibility: victim of domestic violence, sexual assault, stalking and/or human trafficking or an adult family member residing with a program participant; a parent acting on behalf of a minor; or a guardian acting on behalf of an incapacitated person. Located at or planning relocation to an address unknown to the perpetrator; and willing to make the secretary of state's office their legal agent for service of process and recipient of first-class and certified mail.	Safe at Home PO Box 798 Topeka, KS 66601-0798 (785) 296-3806; safeathome@kssos.org www.kssos.org/safeathome/
Kentucky	Address Confidentiality Program Note: currently just for confidential voter registration	KRS § 14.260 (2015), note: 2016 KY H.B. 59 (NS) would require, despite funding, for the program to be implemented and create for a lower standard of proof for victims in proving they are, indeed, victims, would allow residency requirement to be fulfilled easier, and would expand program to include DL registration, P.O. box assignments Who is eligible: 1) those who have a current emergency protective order or domestic violence order under KRS Chapter 403, 2) victims of a specified offense (eg. domestic violence and buse, stalking, a sex crime, or a crime against a minor victim) in an ongoing criminal case or a criminal case that resulted in a conviction)	Address Confidentiality Program 700 Capital Ave., Ste 152, Frankfort, KY 40601 (844) 292-KACP (toll-free); KACP@ky.gov sos.ky.gov/elections/ACP
Louisiana	Address Confidentiality Program	La. Rev. Stat. Ann. §§ 44:51 – 44:57 (2008) Eligibility: victim of abuse, sexual assault or stalking; be concerned for the safety of yourself, your children or your household members; be a resident of Louisiana or plan to relocate to an address unknown to your abuser in which you have not made any public record (e.g., telephone number, utilities, driver's license, etc.) and live in a residence that the victim does not own (the ACP cannot protect a victim if a house has been purchased in their name); and be 18 years of age or older, a parent or guardian acting on behalf of a minor or a parent or guardian acting on behalf of an incapacitated individual.	Address Confidentiality Program PO Box 91301, Baton Rouge, LA 70821 (225) 925-4792 www.sos.la.gov/ouroffice/AddressConfidentialityProgram
Maine	Address Confidentiality Program	Me. Rev. Stat. Ann. tit. 5, § 90-B (2008) 5 M.R.S.A. § 90-B Eligibility: Victim of domestic violence, sexual assault or stalking relocates or has plans to relocate to an address unknown to the perpetrator and not contained in any public record. Victim completes ACP application with an Application Assistant certified by the Secretary of State. The applicant must declare that disclosure of the applicant's address threatens the safety of the applicant or applicant's children.	Address Confidentiality Program 148 Statehouse Station, Augusta, ME 04333-0418 (207) 626-8400; acp.sos@maine.gov www.maine.gov/sos/acp
Maryland	"Safe at Home" Address Confidentiality Program	Md. Code Ann., Fam. Law §§ 4-519 to -530 (West 2009) Eligibility: victim of domestic violence or human trafficking, a parent or guardian of a minor child who fears for the safety of the child, the guardian of a disabled person. Note: does NOT include voter registration, ACP urges participants who are eligible as voters to apply to vote as absentee voter, and to not use Motor Voter system.	Safe at Home PO Box 2995 Annapolis, MD 21404 (800) 633-9657 ext 3875; safeathome@maryland.gov sos.maryland.gov/ACP
Massachusetts	Address Confidentiality Program	Mass. Gen. Laws ch. 9A, §§ 1 - 7 (2008)	Address Confidentiality Program

		Note: Protective Order Required Eligibility: the applicant must show that disclosure of his or her address threatens the safety of the applicant or the applicant's children. ACP permits program participants to use a substitute mailing address when interacting with government agencies. Substitute address is used as the participant's legal residence, as well as work and/or school address. Consequently, government records may be disclosed to the public without identifying the victim's new location.	PO Box 9120 Chelsea, MA 02150-9120 (866) SAFE-ADD or (617)727-3261 www.sec.state.ma.us/acp/acpidx.htm
Michigan		None	
Minnesota	"Safe at Home" Address Confidentiality Program	Minn. Stat. §§ 5B.01- 5B.09 (2008) Eligibility: must reside in Minnesota; and be afraid for their personal safety, or be afraid for the safety of their child or ward, or be afraid for the safety of another person with whom they reside.	Safe at Home PO Box 17370 Saint Paul, MN 55117-0370 (866) 723-3035; safe.at.home@state.mn.us www.sos.state.mn.us/safe-at-home
Mississippi	Address Confidentiality Program	Miss. Code Ann. § 99-47-1 (2008)	Address Confidentiality Program
Missouri	"Safe at Home" Address Confidentiality Program	Mo. Ann. Stat. §§ 589.660 – 589.683 (2009), amended by 2016 Mo. Legis. Serv. H.B. 1562 (VERNON'S) (West's No. 34) (expanded for victims of human trafficking) Eligibility: victim of domestic abuse, rape, sexual assault or stalking and fears further violent acts from assailant; Has relocated or is about to relocate to an address unknown to the assailant and that is not already part of any public record; Is a resident of Missouri or is about to become a resident; Has a valid Missouri address where she or he can immediately begin receiving mail; Is an adult person (age 17 years or older) or a parent or guardian acting on behalf of a minor (age 16 years or younger) or incapacitated person; Is willing to designate the secretary of state as her or his legal agent to receive legal documents, service of process and first-class and certified mail; and understands there will be a 5 -to 7-day mail delay as mail first comes to Safe at Home and is then forwarded to her or his confidential mailing address.	Safe at Home PO Box 1409, Jefferson City, MO 65102-1409 (866) 509-1409, SafeAtHome@sos.mo.gov www.sos.mo.gov/business/safeathome/
Montana	"Substitute Address" Address Confidentiality Program	Mont. Code Ann. §§ 40-15-115 to 40-15-120 (2008) Eligibility: Application must be notarized and applicant must establish residence in order to apply to program	Address Confidentiality Program PO Box 201410, Helena, MT 59620 (406) 444-3653 doj.mt.gov/victims/address-confidentiality-program/
Nebraska	Address Confidentiality Program	Neb. Rev. St. §§ 42-1201 to 42-1210 (2008) Eligibility: (1) a victim of abuse, sexual assault or stalking who fears for his or her safety, or a parent or guardian applying on behalf of a minor or incapacitated person and (2) a Nebraska resident who has recently relocated to a place unknown to his or her abuser or is planning to move in the near future.	Address Confidentiality Program PO Box 92921, Lincoln, NE 68509 (866) 227-6327 www.sos.ne.gov/business/acp_menu.html
Nevada	Confidential Address Program	Nev. Rev. Stat. § 217.462 (2008) Eligibility: Must provide an application that can produce a copy of an applicable record of conviction, a temporary restraining order or other protective order, that the adult, child or incompetent person has been a victim of domestic violence, sexual assault or stalking before the filing of the application. Includes: Confidential Voter Registration Records; Participants exempt from Jury Duty	Confidential Address Program PO Box 2743, Carson City NV 89702-2743 775-684-5707; nvcap@dcfs.nv.gov dcfs.nv.gov/Programs/CAP/ConfidentialAddressProgram/
New Hampshire	Address Confidentiality Program	N.H. Rev. Stat. Ann. §§ 7:41 – 7:48 (2008) Eligibility: Should have recently moved or is planning on moving in near future. Should not have created any local or state records using new address they wish to keep confidential. Any adult person, a parent or guardian acting on behalf of a minor or guardian acting on behalf of an incapacitated person, may apply if they are a victim of domestic violence, sexual assault or stalking and meet the eligibility guidelines. Having a restraining order, criminal charges pending or even reporting the abuse to law enforcement are not required in order to participate in the ACP. The law mandates that anyone interested in applying for the program access one of the 14 crisis centers in NH for assistance. Note: Class B misdemeanor for false/fraudulent applications. Includes Confidential Voter Registration and allows eligible voters to vote absentee	Address Confidentiality Program 33 Capital St., Concord, NH 03301-6397 (603) 271-3658 or (800)-735-2964 www.doj.nh.gov/criminal/victim-assistance/address-confidentiality.htm
New Jersey	Address Confidentiality Program	N.J. Stat. Ann. §§ 47:4-1 et.seq. (2019) N.J.A.C. 3A:71 (2017)	Address Confidentiality Program Department of Children and Families

		<p>Three services: substitute address, mail forwarding and direct service advocacy</p> <p>§5:61-11.1 Confidentiality of voter records information</p> <p>All information related to voter records of program participants shall be confidential and shall not be released without the program participant's expressed written authorization, except as otherwise provided in N.J.S.A. 47:4-1 et seq.</p> <p>Eligibility: a) must be 18 years of age or over, an emancipated minor, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person. b) All applicants shall complete a standard application form and an authorization form, which may be obtained from a local domestic violence program.</p>	<p>PO Box 207, Trenton, NJ 08602-0207 (877) 218-9133 www.njcedv.org</p>
New Mexico	Confidential Address Program	<p>N.M. Stat. §40-13-11 (2008)</p> <p>\$25 Application fee may be waived depending on income</p> <p>Voter registration requests are deemed a permanent absentee ballot request. After becoming participant in CAP, need to register in person in County Clerk's office.</p>	<p>Confidential Address Program Post Office Box 1888 Santa Fe, NM 87504 (888) 432-5469 www.sos.state.nm.us/Voter_Information/confidential-address-program.aspx</p>
New York	Address Confidentiality Program	<p>McKinney's Executive Law § 108, NY EXEC § 108</p> <p>Note: 2015 New York Assembly Bill No. 5563 would extend to voter registration</p> <p>Eligibility: Victims of: domestic violence, a sexual offense, human trafficking or stalking and who have moved or are planning to move to a new location for safety reasons and anyone living in the same household as the victim, such as children, parents or siblings. Once a minor in the household becomes 18, he or she becomes an adult and must complete a new application to continue with the program.</p>	<p>Address Confidentiality Program P.O. Box 1110 Albany, NY 12201-1110 (518) 474-7306; (855) 350-4595 acp@dos.ny.gov www.dos.ny.gov/acp</p>
North Carolina	Address Confidentiality Program	<p>N.C. Gen. Stat. § 15C-1 et seq. (2008)</p> <p>Voting not covered by ACP, but in some cases is covered by N.C. Gen. Stat. §163-7A G.S.163-82.10</p> <p>Registered voter submit to county board of elections a copy of protective order or ACP card, that voter's name, precinct, and the other data contained in that voter's registration record shall remain a public record; that voter's signed statement submitted under this subsection is a public record but shall be kept confidential as long as the protective order remains in effect or the voter remains a certified program participant in the Address Confidentiality Program; The voter's actual address shall be used for any election-related purpose by any board of elections</p>	<p>Address Confidentiality Program 9088 Mail Service Center, Raleigh, NC 27699-9099 (919) 716-6785; acp@ncdoj.gov www.ncdoj.gov/Help-for-Victims/Domestic-Violence-Victims/Address-Confidentiality-Program.aspx</p>
North Dakota	Voter Confidentiality	<p>N.D. Election Law § 16.1-02-07</p> <p>Any individual who has obtained a protection order under section 14-07.1-03 or who is protected by a disorderly conduct restraining order under section 12.1-31.2-01 must be listed in the central voter file with a "secured active" designation. A "secured active" designation means a record maintained as an active voter for pollbook purposes, but otherwise is an exempt record (won't be released as part of pollbook). Designation is removed when order is no longer in effect. Courts translate the orders of protection to the Secretary of State.</p>	<p>Secretary of State State of North Dakota 600 E Boulevard Avenue Dept 108, Bismarck ND 58505-0500 701-328-2900; Toll Free: 800-352-0867</p>
Ohio	Address Confidentiality Program (effective September 8, 2016)	<p>2016 Ohio Laws File 82 (Sub. H.B. 359)</p> <p>Eligibility: victims of domestic violence, menacing by stalking, human trafficking, trafficking in persons, rape, or sexual battery and to allow wireless service account transfer in a domestic violence situation. Includes: confidential voter registration (note: person with a confidential address can only vote via absentee ballot)</p>	<p>Safe at Home PO Box 16395, Columbus, OH 43216 (614) 466-2655 or (877) 767-6446 safeathome@ohiosecretaryofstate.gov www.sos.state.oh.us/secretary-office/office-initiatives/safe-at-home/</p>
Oklahoma	Address Confidentiality Program	<p>Okla..Stat. tit. 22, § 60.14 (2008)</p> <p>Includes: Confidential Voter Registration; Public Schools required to accept ACP address as valid residential address</p> <p>Participation in the program allows eligible voters to apply to vote as an absentee voter. Neither the participant's name nor address will appear on any list of registered voters made available to the public.</p>	<p>Address Confidentiality Program PO Box 60189, Oklahoma City, OK 73146-0189 (405) 557-1700; (866) 227-7784 (Oklahoma Only) www.oag.ok.gov/address-confidentiality-program-acp</p>

Oregon	Address Confidentiality Program	Or. Rev. Stat. §§ 192.820 – 192.868 (2008) Can apply to register to vote with confidential address in certain cases, like if part of ACP (http://sos.oregon.gov/voting/Pages/homeless-confidential.aspx) Eligibility: lives in Oregon, and a) Is over 18 years old*, and b) Is a victim of domestic violence, sexual assault, stalking, or human trafficking, and c) Has recently relocated (or is about to relocate) to an address unknown to the perpetrator or any government agencies. *Parents or guardians may apply on behalf of incapacitated adults and minor children.	Address Confidentiality Program PO Box 1108, Salem, OR 97308 (503) 373-1323 or toll-free within Oregon only: (888) 559-9090 www.doj.state.or.us/crime-victims/victims-resources/victims-services/address-confidentiality-program-acp/
Pennsylvania	Address Confidentiality Program	23 Pa. Cons. Stat. Ann. §§ 6701 - 6713 (2008) Can be used for voter registration: Participants cannot register to vote at the Pennsylvania Department of Transportation (PennDOT) or with other state agencies; program works directly with the county voter registration office. Before an election, ACP participants will receive a ballot and use this ballot to vote. The participant returns the ballot to the director at the county voter registration office. Note: Penalties for providing false information/fraud.	Address Confidentiality Program 1101 S. Front St. Ste 5200 Harrisburg, PA 17104 (800) 563-6399 www.ova.pa.gov/Programs/AddressConfidentialityProgram
Puerto Rico	None		
Rhode Island	Confidential Voter Registration	R.I. Gen. Laws §§ 17-28-1 to 17-28-8 (2008) http://webserver.rilin.state.ri.us/Statutes/TITLE17/17-28/INDEX.HTM Note: Must have active RO against someone (either in state or out of state) or a domestic violence no contact order to be a part of program	Elections Division- Secretary of State 148 W. River St., Providence, RI 02904 (401) 222-2340 https://vote.sos.ri.gov/ovr/voters/know_your_voter_rights
South Carolina	None		
South Dakota	None		
Tennessee	Confidential Address for Obtaining Utilities	Tenn. Code Ann. §10-7-504 subdivision (a)(15)(B) [2013] Eligibility requires a valid Protection Order.	Safe at Home 6th Floor, W. R. Snodgrass Tower 312 Rosa L. Parks Avenue, Nashville, TN 37243 (615) 253-3043; TNSOS.SAFE@tn.gov
Texas	Address Confidentiality Program	Tex. Code Crim. Proc. Ann. art. 56.81 - 56.93 (2008) Note: May be required to have a protective order if Attorney General requires pursuant to §56.83. May use ACP address for voter registration but must register in person and present ID. Can then receive ballots in mail.	Address Confidentiality Program PO Box 12199 MC-069, Austin, TX 78711-2199 (512) 936-1750 or (888) 832-2322 www.texasattorneygeneral.gov/crime-victims/services-crime-victims/address-confidentiality-program
Utah	None		
Vermont	"Safe at Home" Address Confidentiality Program	Vt. Stat. Ann. tit. 15, § 1150-1160 (2008) See Vt. Stat. Ann. tit. 18, § 5083 (Birth records) & § 5132 (Marriage Certificates); Vt. Stat. Ann. tit. 17, § 2122 (Voting) & § 2126 (Village Checklist) for participants of the ACP Note: Subject to prosecution for knowingly providing false or incorrect information; Participants can vote as Blind Ballot Absentee Voter Eligibility: Victim of domestic violence, sexual assault, or stalking; who has: Relocated or is about to relocate to an address unknown to the perpetrator; Not created any government records with their new address; Is a resident of VT or is about to become a resident; Is at least 18 years old, an emancipated minor, or a parent or guardian acting on behalf of a minor or incapacitated person; Is willing to designate the secretary of state as their agent to receive legal documents and first-class mail; and can manage with a two- to five-day mail delay (since mail first comes to Safe at Home and is then forwarded).	Safe at Home PO Box 1568 Montpelier, VT 05601-1568 (802) 828-0586 800-439-8683 (Vermont only) www.sec.state.vt.us/safe-at-home.aspx
Virginia	Address Confidentiality Program	Va. Code Ann. § 2.2-515.2.(2011)* May apply to voting (http://www.oag.state.va.us/images/DomViolence/DV_2014/SummaryofACPforjuly01_2014.pdf) "Participant may request that the ACP substitute P.O. Box address in lieu of his/her actual street address on public voting records. The ACP participant should be cautioned that, although the residential address will not be made readily available on certain publicly available lists, the residential address may still appear on other voter documents, including the application itself, that may be subject to public inspection, as permitted by law." To apply for participation in the ACP, you must complete an application through your local domestic violence program. To access ACP application online, must have password.	Address Confidentiality Program 900 East Main Street, Richmond, VA 23219 (804) 692-0592; domesticviolence@oag.state.va.us www.oag.state.va.us/programs-initiatives/domestic-violence/address-confidentiality-program
Virgin Islands	None		
Washington	Address Confidentiality Program	Wash. Rev. Code §§ 40.24.010 – 40.24.090 (2008) Includes: Confidential Voter Registration and Confidential Marriage License Records	Address Confidentiality Program PO Box 257, Olympia, WA 98507-0257 (360) 753-2972 or (800) 822-1065 (Washington only) acp@sos.wa.gov www.sos.wa.gov/acp/

West Virginia	Address Confidentiality Program	<p>W.Va. Code §§ 48-28A-101 to 48-28A-110 (2008)</p> <p>Participants may use the ACP substitute address for: Voting, West Virginia driver's licenses or ID cards, applying for and receiving child support, & enrolling their children in public school; Application is made in person at a local domestic violence, sexual assault or victim service program located throughout the state by an approved application assistant. Misdemeanor crime to provide false information.</p>	<p>Address Confidentiality Program PO Box 5399, Charleston, WV 25361-0399 (304) 558-6000 (Sec of State office) or (866) 767-8683 (for ACP office) acp@wvsos.com sos.wv.gov/admin-law/Pages/ACP.aspx</p>
Wisconsin	Confidential Voter Registration Address Confidentiality Program (effective April 1, 2017 through Office of the Attorney General)	<p>Wis. Stat. § 6.47 (2010)*</p> <p>Must make written request in-person at office of municipal clerk; need at least one of 4 documents, each of which have their own time constraints: 1) copy of restraining order/injunction, 2) affidavit from sheriff/police, 3) statement from shelter agent, 4) statement from authorized domestic violence/sexual assault representative</p>	<p>Safe at Home PO Box 7035, Madison, WI 53707-7035 (800) 446-6564; safetathome@doj.state.wi.us www.doj.state.wi.us/ocvs/safe-home</p>
Wyoming	None		
Greater Boston Legal Services & National Network to End Domestic Violence			

CRIME VICTIM COMPENSATION APPLICATION

Application

for Crime Victim Compensation

South Carolina has a Crime Victim Compensation Fund to help citizens with costs related to injuries received as a result of the crime. To find out more, read the instructions below or call the Department of Crime Victim Compensation (DCVC) at 1.800.220.5370 (Victims Only) or 803.734.1900 in Columbia, South Carolina or contact your local Victim Advocate.

Assistance from the Department of Crime Victim Compensation

If you qualify for services, DCVC may consider the costs of medical care, counseling, lost wages/support, for you as the victim, or for a victim you are financially responsible for. You may also be reimbursed for money you spent on the funeral/burial of a deceased victim. The law limits the amount of these payments so call DCVC for information. The most that can be paid on behalf of a victim for all expenses combined is \$15,000. DCVC can pay for either up to 40 counseling sessions or 180 days of counseling sessions, whichever is greater.

DCVC Eligibility Criteria

If you are a victim or claimant (person filing for a victim), please note that:

- Crime must occur in South Carolina
- Victim must sustain direct injury – (Physical or Psychological)
- South Carolina law requires DCVC to consider contributory or illegal behavior when making eligibility determinations
- Victim must cooperate with DCVC and Law Enforcement
- Crime must be reported within 48 hours (May be Waived)
- Claims must be filed within 180 days (May be Waived)
- Claim must be filed within 4 years of the incident
- **DCVC is considered the payer of last resort.**

What losses are not covered?

- Property damage or loss
- Expenses related to going to court (lawyer, travel, etc.)
- Crime scene cleanup
- "Pain and suffering"

Who can qualify for financial assistance?

Injured crime victims, immediate family members of crime victims, or someone who is paying bills or taking care of a crime victim may apply. There are some exceptions so call DCVC for information.

How can I get help with this application?

Law enforcement agencies, solicitors' offices and victim assistance organizations in your area have victim advocates to help you with this application. If unable to reach an agency or don't know who to call, the Department of Crime Victim Compensation (DCVC) is available to assist you. Please call DCVC at 1.800.220.5370 (Victims Only) or 803.734.1900 between 8:30 am and 5:00 pm.

Do I have to fill out this entire packet?

No. Only part of this packet is the application for compensation benefits. Supplemental forms are included for you to give to your counselor, doctor, or employer to complete if applicable.

If I want to apply now, what should I do?

Read the instructions and fill out the attached application. Also include as much related information (i.e. itemized receipts, bills, insurance statements, and incident report) as possible. **You must submit the application within 180 days of the crime, so do not wait to collect all of your bills.** You can send additional itemized bills later as you receive them. You will be notified as your claim is processed through the system.

If you have not received a letter after four weeks, please call DCVC or your local victim advocate. **If you move, or if your phone number changes, please let DCVC know immediately.**

For assistance with claims for anonymous reporting, contact DCVC for details.

DCVC



South Carolina Attorney General's Office
Department of Crime Victim Compensation

HOW TO COMPLETE THE APPLICATION:

Save this information/instruction sheet for your files.

If you are. . .

- ◆ Filing for *yourself as an adult victim*, then you are the "Victim", and the "Claimant".
- ◆ Filing for a *minor, or an incapacitated or incompetent victim*, then you are the "Claimant", and the crime victim should be named as the "Victim" and the "Person Receiving Services".
- ◆ Filing for the medical and/or funeral/burial bills *for a deceased victim*, then you are the "Claimant". The "Person Receiving Services" and the deceased crime victim should be named as the "Victim".
- ◆ Filing for *counseling for yourself because an immediate family member has been injured or killed*, then you are the "Claimant" and the "Person Receiving Services". The injured or deceased family member is the "Victim".
- ◆ Filing for *counseling for a minor because his/her immediate family has been injured or killed*, then you are the "Claimant". The minor is the "Person Receiving Services", and the injured or deceased family member is the "Victim".

*Please call your local victim advocate or DCVC for assistance in completing this application.
(Supplemental forms can be found online or in the application packet)*

Print neatly and use a separate application for each applicant.

SECTION 1 "Person Receiving Services"

Print the name of the person who is getting medical attention, counseling or other services as a result of the crime. The "Person Receiving Services" is the "Victim" and/or the "Claimant," or the immediate family member of the person injured or killed. **In homicide cases, the deceased Victim's name should appear here.**

SECTION 2 "Victim"

The crime victim is the person who was injured, threatened with injury or is deceased as a result of the crime. This will be the same person listed as the "Victim" on the law enforcement incident report.

SECTION 3 "Claimant"

If the "Person Receiving Services" is an adult responsible for his/her own bills, please list his/her name as the "Claimant". If the "Person Receiving Services" is under 18, incapacitated or incompetent, the financially responsible person (e.g. parent, guardian, spouse) should be named in this section. If the "Victim" is deceased as a result of the crime, then the adult legally responsible for the medical and/or funeral/burial bills and expenses is the "Claimant".

SECTION 4 "Crime"

Be specific in describing injuries. Attach a copy of the incident report. If you don't have one, you can obtain a free copy from the law enforcement agency that you reported the crime to. **The law enforcement incident report is required to determine eligibility and process the claim.**

SECTION 5 "Expense"

List the names of doctors, hospitals, and others that have provided services. If you already have itemized bills, please send copies with your application(s). **You must send the application within 180 days of the crime, so do not wait to collect all of your bills.**

SECTION 6 "Insurance"

If you have insurance that may cover some of your crime-related bills, list your insurance information in this section.

SECTION 7 "Employment"

List your job information **if you have not been able to work for at least two weeks in a row because of crime-related injuries or to take care of someone with crime related injuries.** Your employer will be required to complete the **Employer's Report**; the doctor treating the "Victim" will be required to complete the **Physician's Report**.

SECTION 8 "Civil Action"

Complete if you have hired a lawyer to settle an insurance claim or file a lawsuit related to this crime.

SECTION 9 "Referral"

Provide the information of the victim advocate or other professional who assisted you with this application.

SECTION 10 "Authorization"

Important: This application is a legal document which must be read and signed by the adult "Claimant" (must be 18 or older). Person(s) representing an agency cannot sign the application on behalf of the victim.

DCVC: Crime Victims' Compensation Application

Rev. 08/21

Department of Crime Victim Compensation, Edgar A. Brown Bldg., 1205 Pendleton St., Rm. 401, Columbia, SC 29201 . 1.800.220.5370 or 803.734.1900

Use a separate application for each person. Incomplete or unsigned applications will not be accepted.

SECTION 1 Person Receiving Services

Victim or family member requesting assistance.

Check one: Mr. Mrs. Ms. Full Legal Name of Individual Receiving Services/Benefits

Social Security # (last 5 digits) - Date of Birth Sex: Male Female

The Person Receiving Services is the Victim (*as identified on the incident report upon which this claim is based*)

OR the Victim's Spouse Parent Sibling Child Other

Check services requested: Medical Counseling Lost Wages / Support Burial Other

Please call a local victim advocate or DCVC if you need help with completing this form.

SECTION 2 Victim Information

The Victim is the same person listed as a victim on the law enforcement incident report.

Check one: Mr. Mrs. Ms. Name as it appears on the incident report

Social Security # (last 5 digits) - Date of Birth Victim is: Deceased Incompetent
 Under 18 Disabled

Home Mailing Address (City, State, Zip)

E-Mail Address Contact #(s)
(i.e. work, cell, fax)

(For statistical purposes only and is optional) Sex: Female Male

Race: Caucasian African American Hispanic Native American Asian or Pacific Islander Other

SECTION 3 Claimant Information

Complete only if: The Claimant is the adult assuming responsibility for the crime-related bills and/or the adult that has physical custody of a minor.

Check one: Mr. Mrs. Ms. Full Legal Name

Relationship to Victim Social Security # (last 5 digits) - Date of Birth

Home Mailing Address (City, State, Zip)

E-Mail Address Contact #(s)
(i.e. work, cell, fax)

SECTION 4 Crime Information

Complete this section in its entirety and attach a copy of the law enforcement incident report.

If law enforcement was not contacted, an incident report was not written within 48 hours of the crime, or if you are not filing this claim with DCVC within 180 days of the crime, please explain why:

Date of Crime Date Reported Law Enforcement Agency

Address of Crime City State

Incident Report # Name(s) of Offender(s)

Was suspect arrested? Yes No Type of Crime and Injury Sustained:

Relationship of Offender(s) to Victim Warrant #(s) Has the case gone to court? Yes No

Please indicate the type of court: Magistrate Municipal General Sessions PTI Family Court

How much restitution was ordered: None \$ Amount Ordered \$ Amount Paid to Date

SECTION 5 Crime Related Expense Information***Attach copies of itemized bills (detailed bills, UB92 or HCFA 1500).**

Name of Doctor/Hospital	Services Provided from (date) to (date)	Phone #	Fax#
Counselor	Services Provided from (date) to (date)	Phone #	Fax#
Funeral Home	Services Provided from (date) to (date)	Phone #	Fax#

SECTION 6 Health Insurance / Benefits Information**Does the victim have public/private Health Insurance?** Yes No**Please provide Health Insurance / Medicaid / Medicare Information below. Health insurance must be submitted to provider.**

Private Insurance: Policy Name Policy Number

Medicaid: Policy Number

Medicare: Policy Number

SECTION 7 Lost Wages / Support Information***If you have missed at least two consecutive weeks, you may be able to**

qualify for compensation for your lost wages. If you were employed, you must submit your last two pay stubs, the Employer's Report and the Physician's Disability Report. If you were self-employed, you must submit your most recent Tax Return Transcripts from the IRS, the Self-Employment Verification Form, and the Physician's Disability Report. See Supplemental Forms at (<http://dcvc.scag.gov>) to request Lost Wages/Support.

Employer's Information Phone #

If injured on the job, does your employer have Workers' Compensation? Yes No

Have you, or will you, file for Social Security disability (SSI)? Yes No

Are you missing work to care for the victim? Yes No

SECTION 8 Civil Action Information**Have you hired a lawyer to settle with insurance or file a lawsuit?** Yes No

If yes, please provide: Name of Lawyer

Mailing Address Phone #

SECTION 9 Referral Source Information
 Solicitor LEVA Hospital/Dr. Counselor Other

Name/Title of Professional Assisting with Application

Phone # Fax # Agency/Office

Mailing Address

County Referral's Email Address

SECTION 10 Legal Authorization & Signature**This document is in compliance with the HIPAA guidelines.**

I understand that I am responsible for all bills and the compensation program is designated to pay certain costs not covered by another source. Submitting this application does not entitle me to benefits. I authorize the Department of Crime Victim Compensation (DCVC) to request, obtain, and release any information or records to determine the eligibility of my claim or to obtain restitution for a period not to exceed the full processing of this application. I further understand that there is a potential for me to no longer be protected by the Privacy Rule, and that I have the right to revoke this authorization in writing at any point I so desire. I agree to repay DCVC if I receive money from another source, up to the amount paid on my behalf. This includes any payment I may receive from the offender, any insurance policy or settlements, judgments, or civil law suits. I authorize DCVC to request and obtain any information including settlement disbursements, negotiated medical bills, and all other records related to subrogation from myself or representatives acting on my behalf.

I agree to notify DCVC of any changes, such as address or phone numbers, to maintain accuracy in the processing of this claim. Incomplete or unsigned applications will not be accepted.

This information I have provided is true and correct to the best of my knowledge under penalty of law (§16-3-1280).

Original Signature of Victim/Claimant **Date**

[Legal representative must sign if the Victim is under 18, legally declared incompetent or deceased]

Print Name of Above Victim/Claimant

VAWA PRIORITY PURPOSE AREAS

Attachment (C)

VAWA Purpose Areas

Pursuant to 34 U.S.C. § 10441(b), funds under this program must be used for one or more of the following purposes:

1. Training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, (including the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. § 1101(a)(15))).
2. Developing, training, or expanding units of law enforcement officers, judges, other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking.
3. Developing and implementing more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims.
4. Developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying, classifying, and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking.
5. Developing, enlarging, or strengthening victim services and legal assistance programs, including domestic violence, dating violence, sexual assault, and stalking programs, developing or improving delivery of victim services to underserved populations, providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted, and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of domestic violence, dating violence, sexual assault, and stalking.
6. Developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking.
7. Supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by state funds, to coordinate the response of state law enforcement agencies, prosecutors, courts, victim services agencies, and other state agencies and departments, to violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking.
8. Training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault.
9. Developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older and disabled women who are victims of domestic violence, dating violence, sexual assault, or stalking, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, and other victim services to such older and disabled individuals.
10. Providing assistance to victims of domestic violence and sexual assault in immigration matters.
11. Maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families.
12. Supporting the placement of special victim assistants (to be known as “Jessica Gonzales Victim Assistants”) in local law enforcement agencies to serve as liaisons between victims of domestic

violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities:

a. developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies, including the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases;

b. notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;

c. referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and

d. taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order.

13. Providing funding to law enforcement agencies, victim services providers, and state, tribal, territorial, and local governments (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote:

a. the development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as "Crystal Judson Victim Advocates," to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;

b. the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies such as the model policy promulgated by the International Association of Chiefs of Police ("Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project" July 2003)); and

c. the development of such protocols in collaboration with state, tribal, territorial and local victim services providers and domestic violence coalitions.

14. Developing and promoting state, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking.

15. Developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault.

16. Developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

17. Developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings.

18. Identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims.

19. Developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18 of the United States Code.

20. Developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a state to be used for this purpose.]

Legislative Oversight Committee



South Carolina House of Representatives

Committee Mission

Determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether they should be continued, curtailed or eliminated. Inform the public about state agencies.

Website: <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>

Phone Number: 803-212-6810

Email Address: HCommLegOv@schouse.gov

Location: Blatt Building, Room 228

UPCOMING MEETINGS

Law Enforcement and Criminal Justice Subcommittee

TBD

END NOTES

¹ Visual Summary Figure 2 is compiled from information in the Attorney General's Office study materials available online under "Citizens' Interest," under "House Legislative Oversight Committee Postings and Reports," and then under "Attorney General's Office"

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/AttorneyGeneral.php>
(accessed March 3, 2022).