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

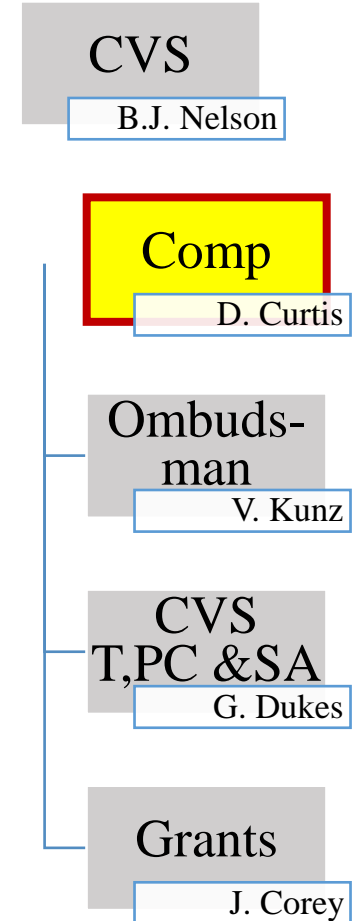
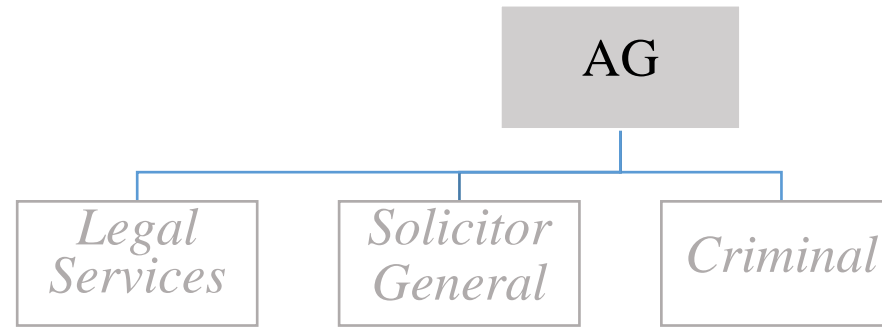
2022 Presentation for House Legislative Oversight Committee



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.



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.

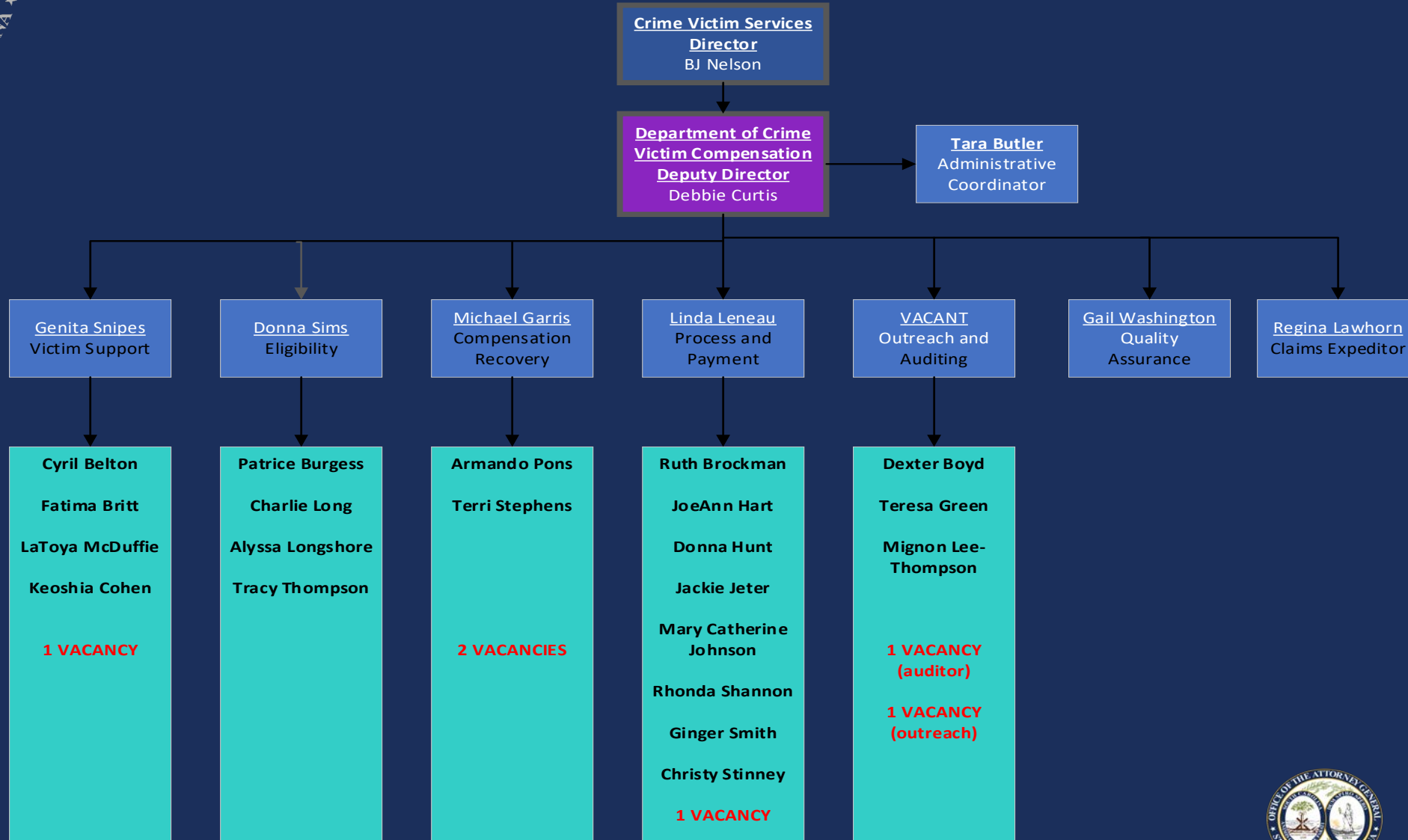


Crime Victim Compensation

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

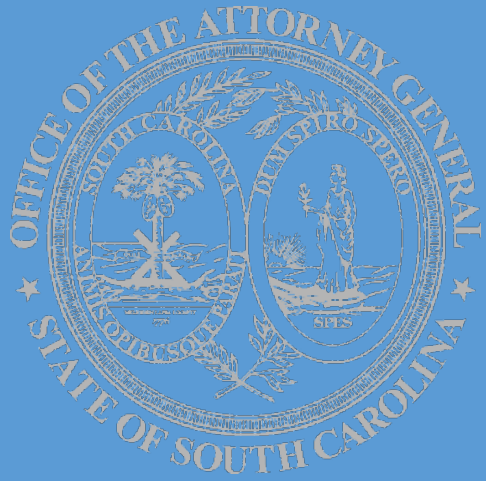


Alan Wilson
Attorney General

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

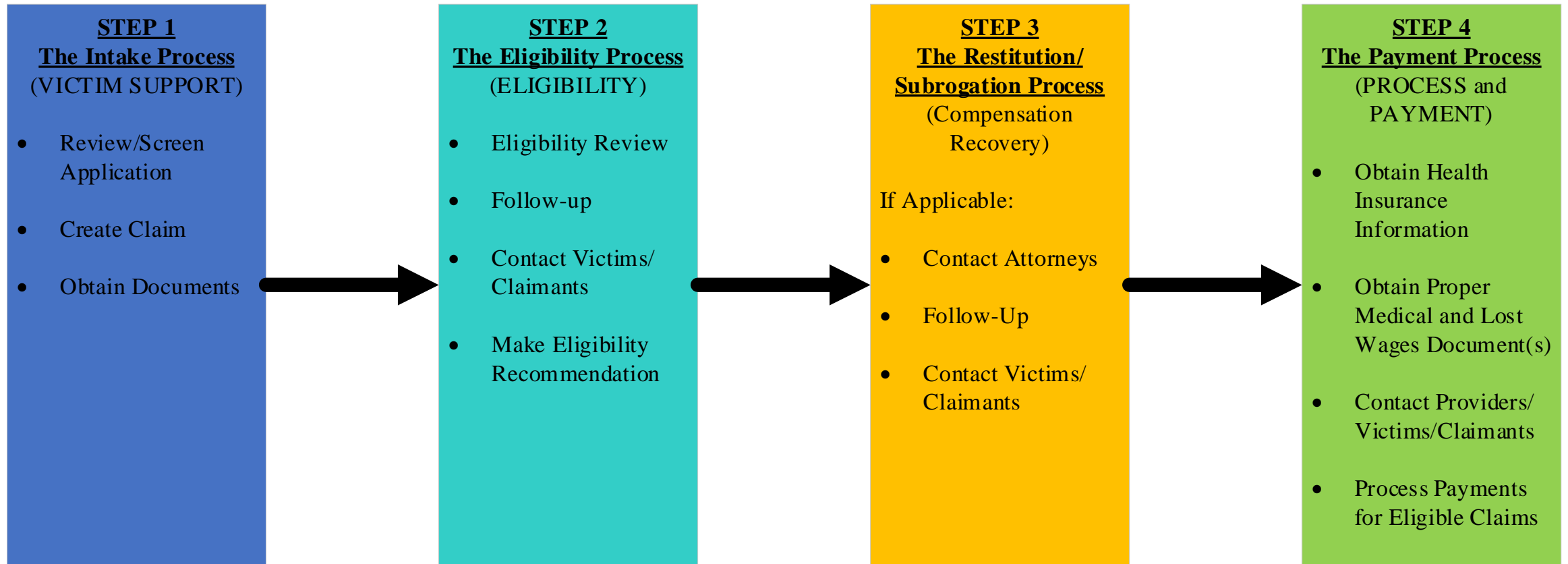
PAYER OF LAST RESORT:

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

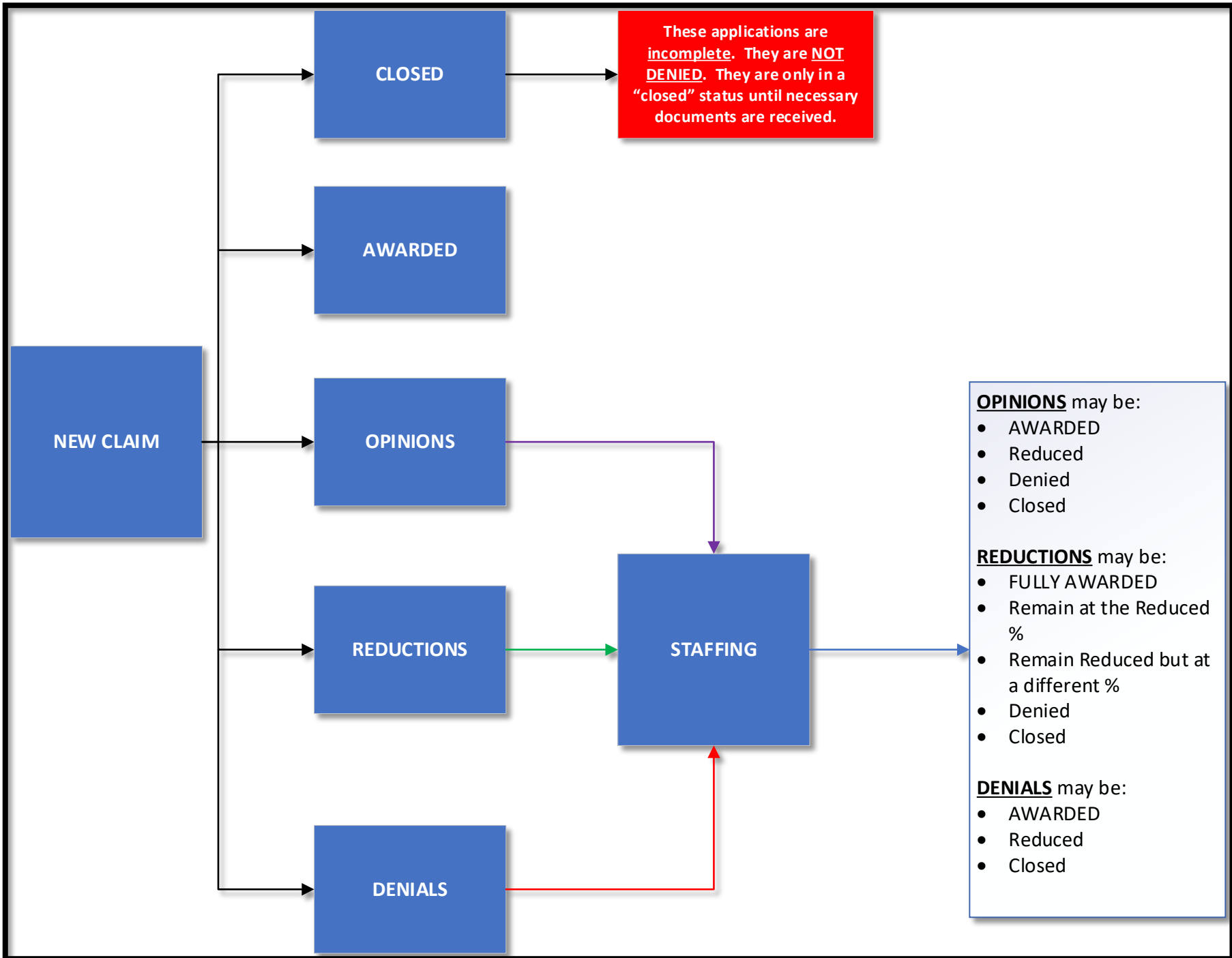
Note: Number of customers served, units provided, and cost per unit will be updated after the presentation

Agency Service #219 Determine Claims' Eligibility

Eligibility Criteria:

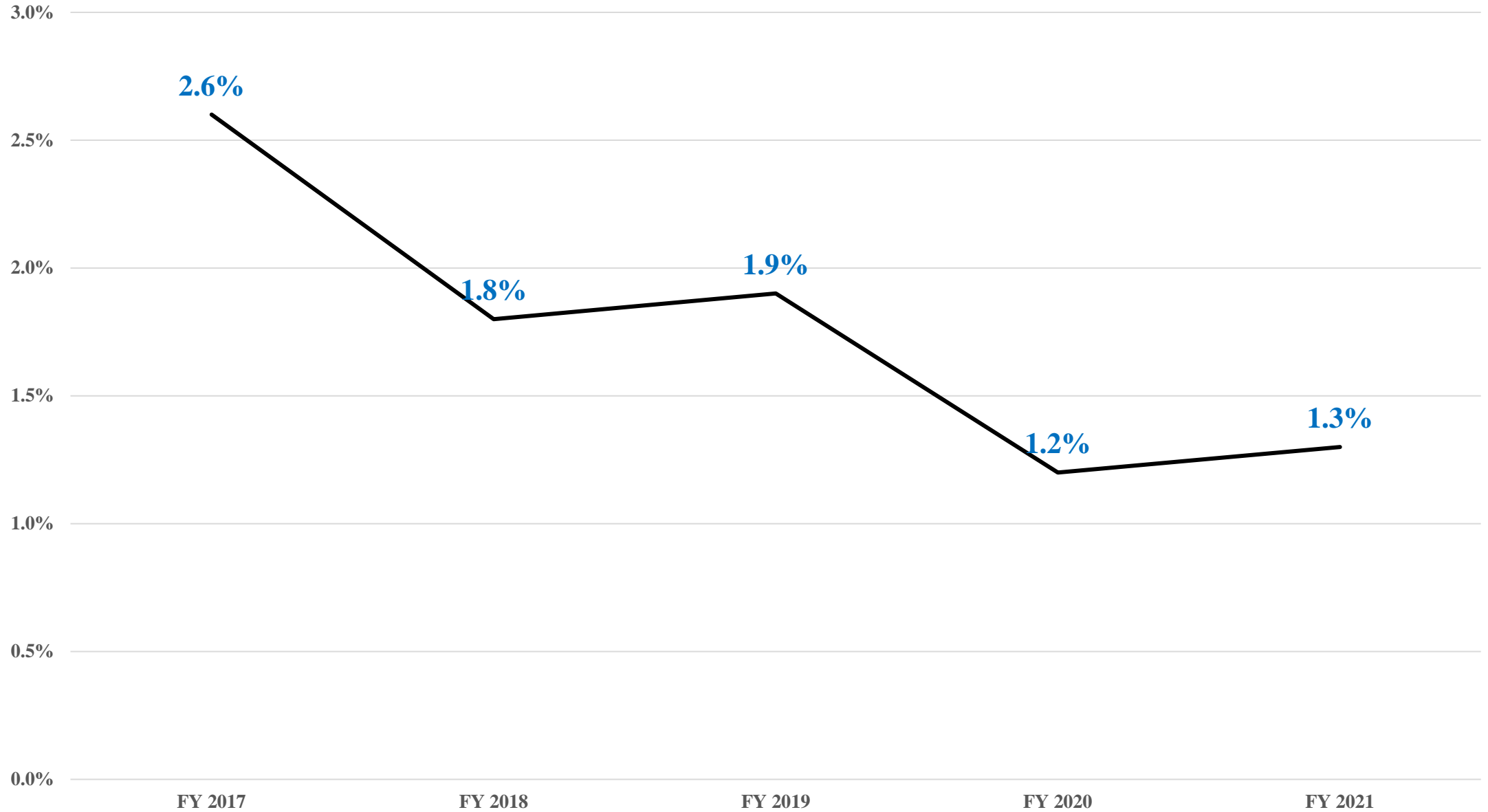
- Crime must occur in South Carolina
- Victim must sustain direct injury (physical and/or psychological)
- Victim must cooperate with law enforcement
- Crime must be reported within 48 hours (can be waived)
- Claim must be filed within 180 days of the incident (can be waived)
- If claim is not filed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

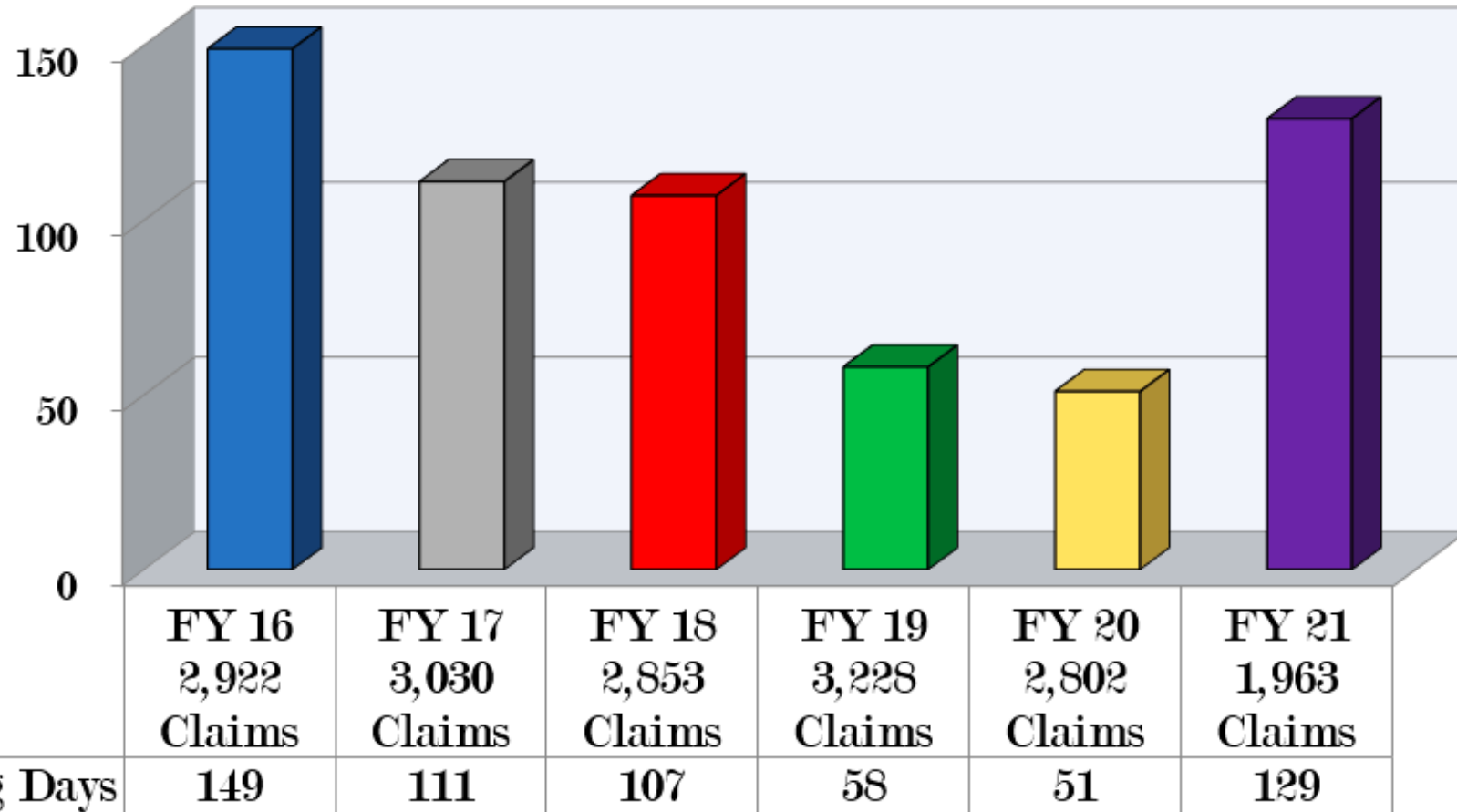
The next slides only contain information on performance measures that are associated with services covered earlier in this presentation.

Claims Received & Payments Made

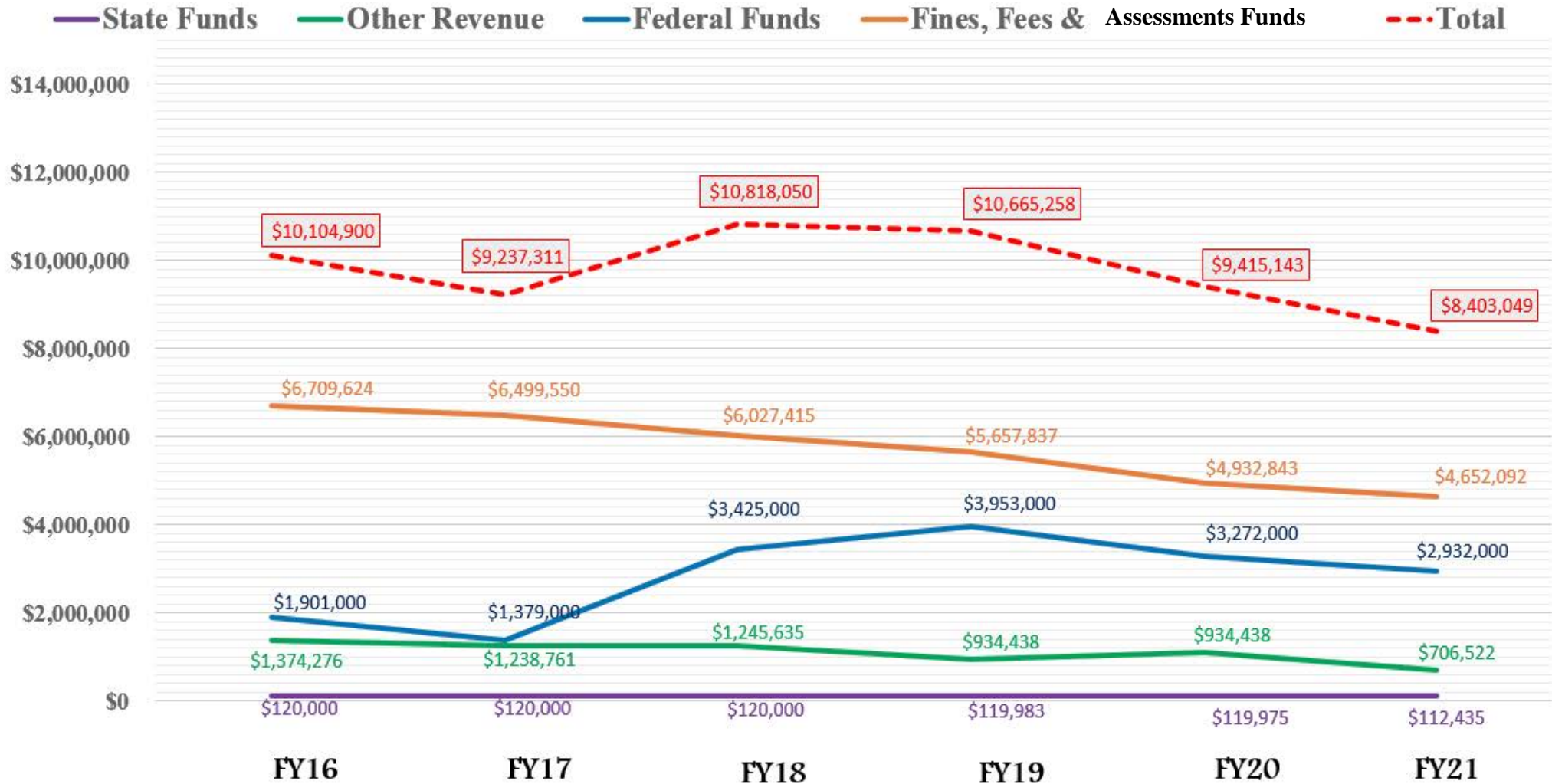
Type of Claims	FY 17	FY 18	FY 19	FY20	FY21
Claims Received	8,627	7,967	9,113	7,092	5,881
Number of Payments Made	8,933	8,123	9,363	8,211	4,595

- | | | | | |
|---|---|-----------------|-----------------|--------------|
| | | 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%***

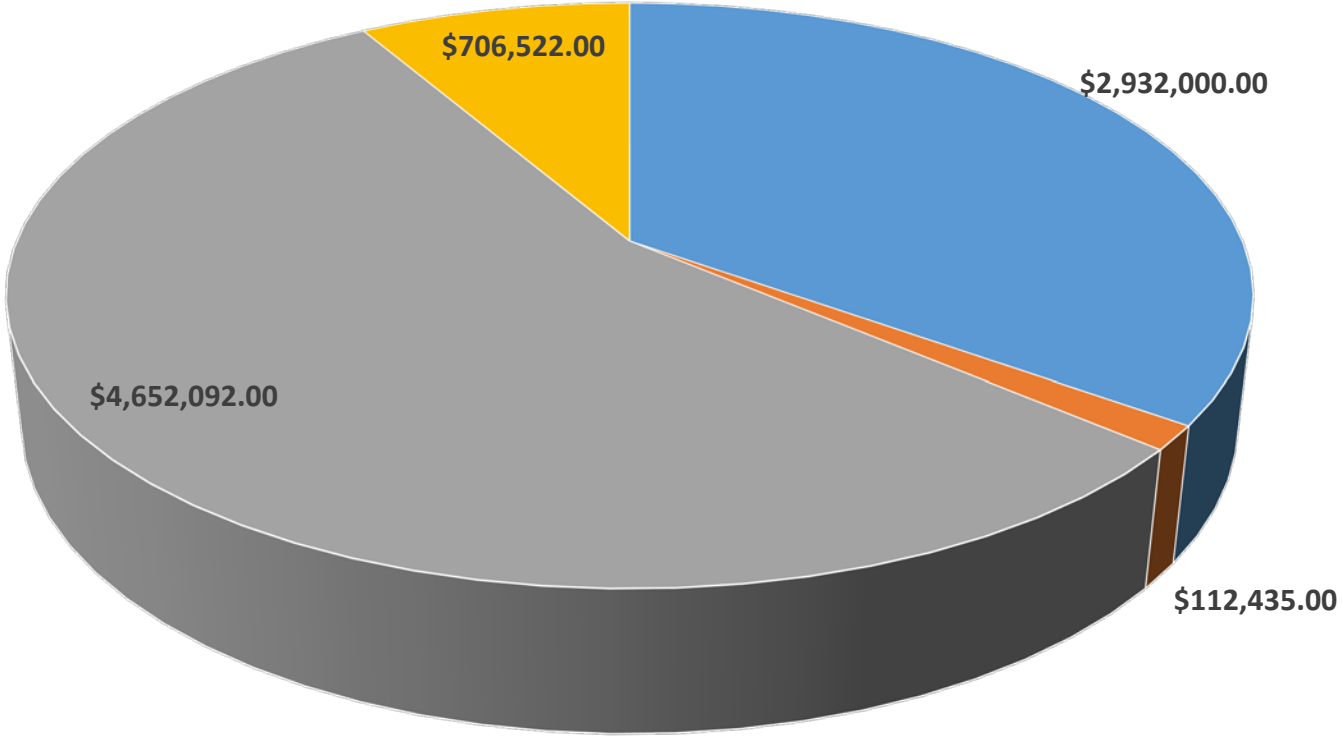
Average Eligibility Processing Time For Claims



Revenue

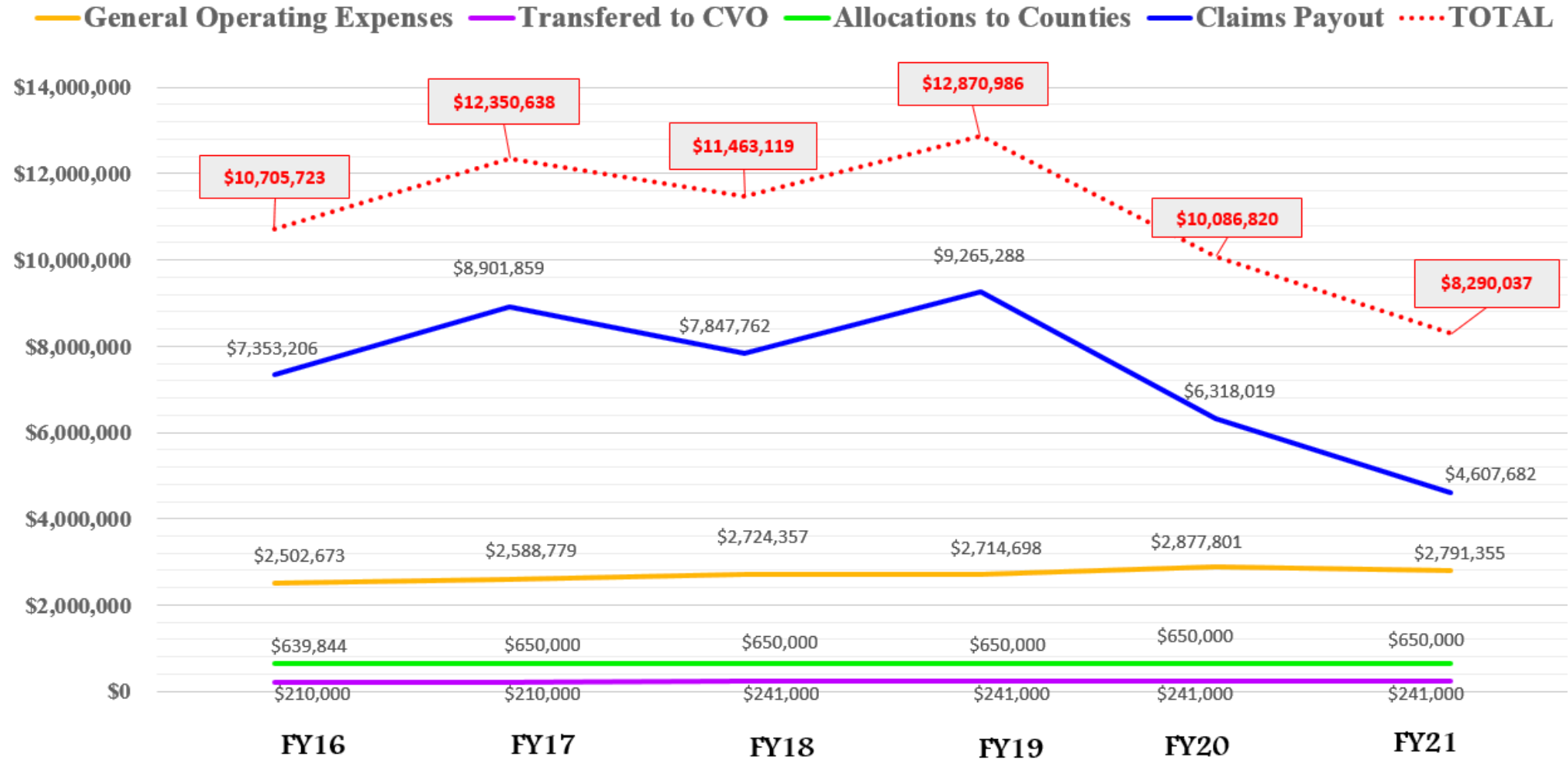


Funding Sources FY 2021

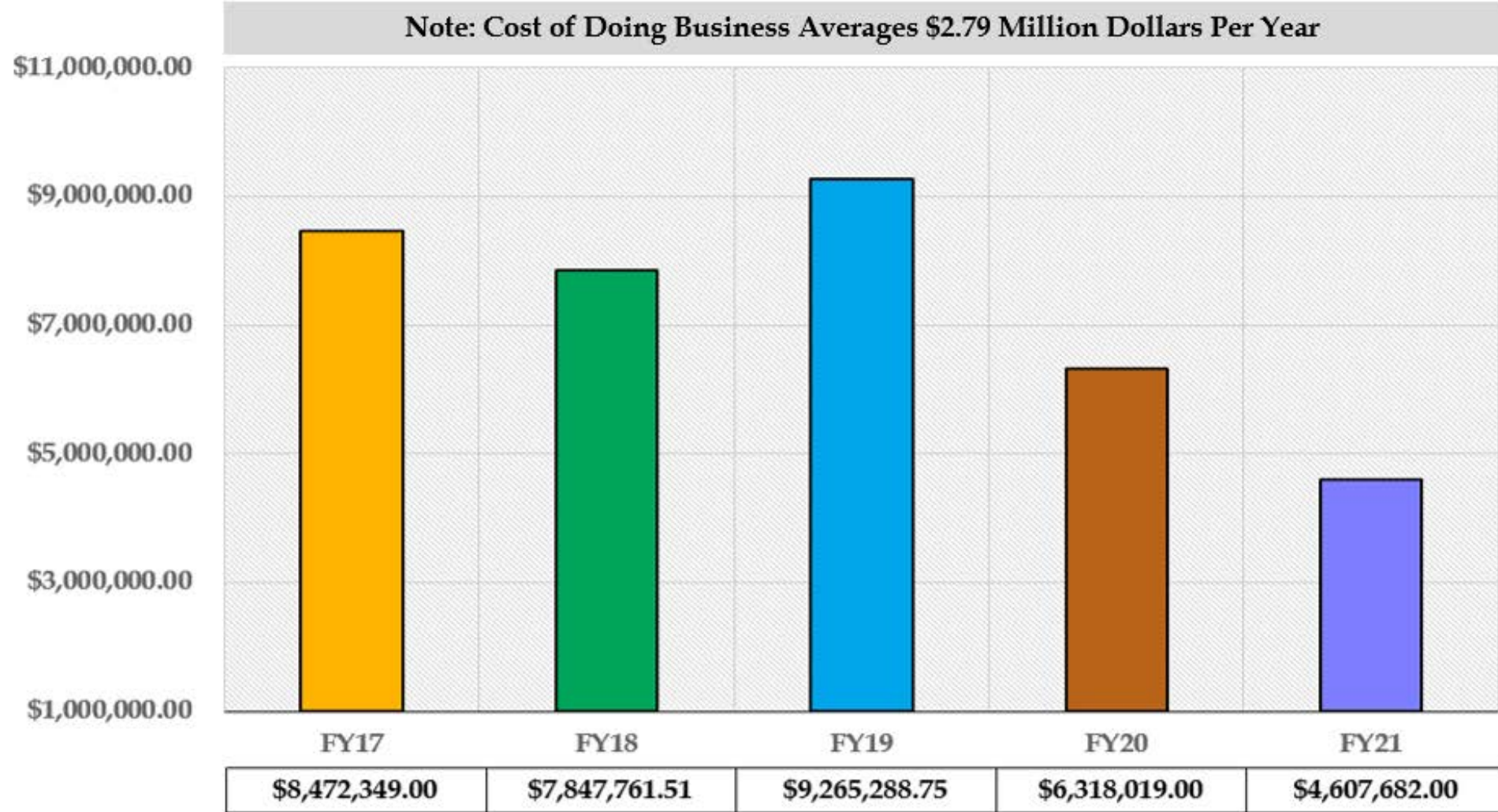


■ Federal ■ State ■ Fines, Fees & Assessments ■ Other

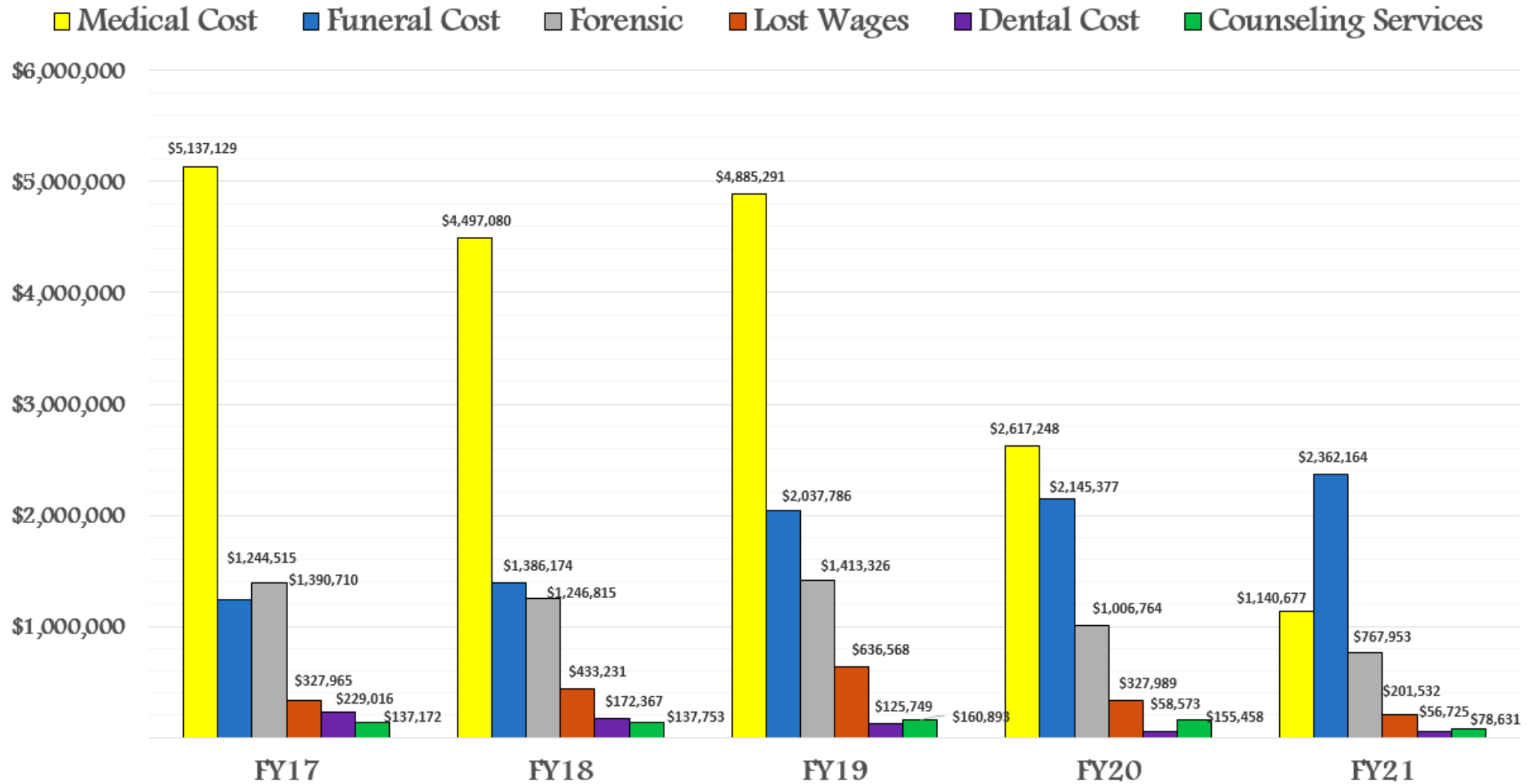
Expenditure Breakdown



Money Paid On Claims

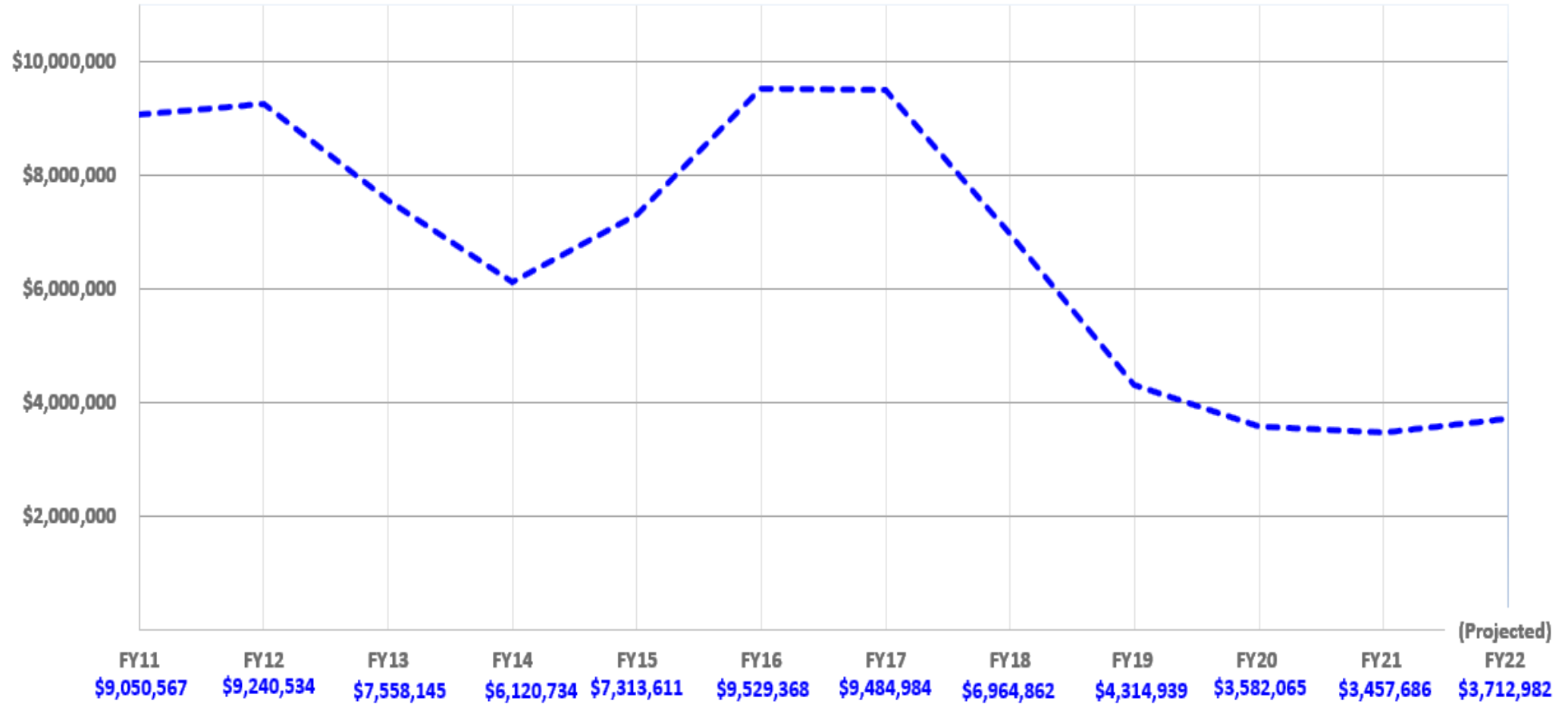


Compensation Claims Payout



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.



Crime Victim Compensation

Alan Wilson
Attorney General

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).