



LAWRENCE D. TARR, Chairman  
WILLIAM L. DUDLEY, JR., Commissioner  
VIRGINIA R. DIAMOND, Commissioner  
JAMES SZABLEWICZ, Chief Deputy  
Commissioner

**COMMONWEALTH of VIRGINIA**  
**CRIMINAL INJURIES COMPENSATION FUND**  
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January 6, 2005

The Honorable Mark Warner, Governor

Members of the General Assembly  
Commonwealth of Virginia

Dear Governor Warner and  
Members of the General Assembly:

On behalf of the Criminal Injuries Compensation Fund, it is my pleasure to present to you the Annual Report for the Criminal Injuries Compensation Fund for fiscal year 2004. The report details the Fund's activities from July 1, 2003, through June 30, 2004.

In 2004, the Criminal Injuries Compensation Fund processed 1702 claims for assistance. The total amount awarded exceeded \$2.7 million dollars. The slight decrease in payouts can be attributed to sound fiscal management in response to the loss of the fund balance. In order to rebuild the fund balance, CICF took several cost saving measures over the past fiscal year.

The Criminal Injuries Compensation Fund looks forward to the challenge of serving the crime victims in the Commonwealth in an efficient and sensitive manner. On behalf of the Workers' Compensation Commission and the Criminal Injuries Compensation Fund, we thank you for your continued support for the crime victims in the Commonwealth.

Sincerely,

Lawrence D. Tarr  
Chairman



## CRIMINAL INJURIES COMPENSATION FUND ANNUAL REPORT FISCAL YEAR 2004



Continuing the Standard of Excellence

## MISSION STATEMENT

“The mission of the Criminal Injuries Compensation Fund is to administer the Compensating Victims of Crime Act in a compassionate, fair and efficient manner. In so doing, the Fund strives to treat every victim and survivor with dignity and respect, recognizing the tremendous impact that violent crime has upon our society.”

## INTRODUCTION TO AND HISTORY OF THE CRIMINAL INJURIES COMPENSATION FUND

*§19.2-368.1-“The General Assembly finds that many innocent persons suffer personal physical injury or death as a result of criminal acts or in their efforts to prevent crime or apprehend persons committing or attempting to commit crimes. Such persons or their dependents may thereby suffer disability, incur financial hardships or become dependent upon public assistance. The General Assembly finds and determines that there is a need for governmental financial assistance for such victims of crime. Therefore, it is the intent of the General Assembly that aid, care and support be provided by the Commonwealth as a matter of moral responsibility for such victims of crime.”*

The Criminal Injuries Compensation Fund [CICF] was created by the Virginia General Assembly in 1977 to pay unreimbursed expenses of victims who suffer personal physical or emotional injury or death as a result of a crime. The fund is administered by the Virginia Workers' Compensation Commission.

The Fund receives no tax dollars from the citizens of Virginia. CICF is funded by court fees, assessments on offenders, and restitution. The Fund also receives federal funds to supplement monies available to victims of violent crime. These federal funds are also generated by court fines at the federal level, and not public tax dollars.

Since its inception, the Fund has processed over 30,000 claims from Virginians who have been victims of violent crimes. CICF receives an average of 1800 claims and awards approximately three million dollars annually. Awards assist victims with medical costs, lost wages, funeral expenses, and counseling costs that are not covered by any other source.

In order for victims to be eligible, the crime must have occurred in Virginia, or to a Virginia resident in a state, country, or territory that does not have a compensation program. The crime must be reported to law enforcement within 120 hours, unless good cause for the delay can be shown. A claim must be filed with the Fund within one year of the occurrence of the crime, unless good cause can be shown for not doing so. The claim must have a minimum value of \$100. The victim must cooperate fully with law enforcement, and must not have engaged in illegal activity or contributed to the injuries.



## STATISTICS SUMMARY

The Criminal Injuries Compensation Fund [CICF] processed 1702 claims in fiscal year 2004. Of the 1702 claims filed, 1314 initial awards were made and \$2,707,687 in awards was paid. The 1314 awards are a record number for the Fund and represent a 9.1% increase over 2003's 1200 awards.

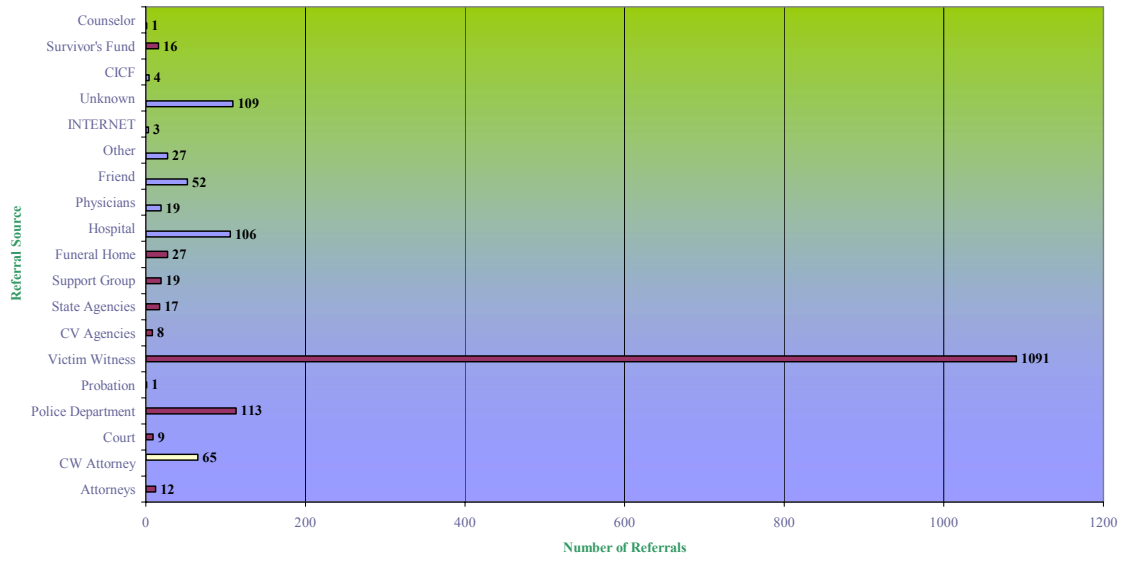
CICF's work continues after the initial award is entered. Victims of violent crime often need long term care for their physical or emotional injuries. 729 supplemental awards were granted and represent 32.6% of the total amount awarded or \$884,178. Supplemental awards are issued when an eligible victim documents the need for additional benefits after the initial award has been entered.

CICF expects that these numbers will continue to grow in coming years. As such, it is important that sufficient funding exist to serve victims of violent crime throughout the Commonwealth. CICF receives no money from the Commonwealth's General Fund. One of the principal sources of funding for CICF is restitution from criminal defendants.

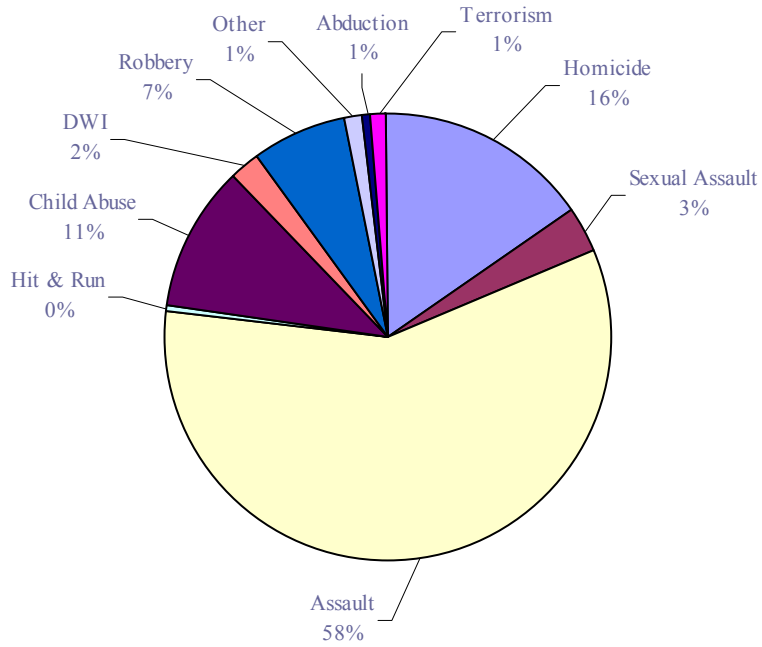
***I want to express my gratitude to you for the award. It was more than I ever dreamed possible....I felt like David facing Goliath. This indeed is my Christmas miracle....***

(from a victim who was held hostage and assaulted during an armed standoff between an offender and police)

### CICF Referrals



### Award Expenditures (By Crime Type) Fiscal Year 2004



**CRIMINAL INJURIES COMPENSATION FUND  
REVENUES AND EXPENSES FY 04\***

Beginning Cash Balance	\$5,616,877
Cash Receipts	
CICF (court fees)	\$3,299,339
Inmate Employment payments	\$ 8,809
Restitution	\$ 269,770
Unclaimed Restitution	\$ 261,737
Expenditure Refunds	\$ 15,455
Grant Proceeds	\$ 706,965
Total:	\$4,562,075
Cash Disbursements	
Benefits for Victims	\$2,836,705
Administrative	\$ 575,817
Mandated Transfer to State General Fund	\$2,187,876
Total Disbursements:	\$5,600,398
Ending Cash Balance:	\$4,578,554

\*This data has yet to audited by the Auditor of Public Accounts

## 2004 ACCOMPLISHMENTS

Restitution is an important source of funds that enables CICF to appropriately compensate crime victims. Virginia Code §19.2-368.15 gives CICF the right to subrogate on behalf of the victim. This means if CICF makes an award, the Fund is entitled to the restitution a victim may be awarded up to the amount of the CICF award. A victim who signs a CICF application agrees to allow the Fund to collect if restitution is ordered. The Fund has access to the Virginia tax system and can obtain monies from defendants by placing an assessment on tax refunds. This tax set-off is available even if restitution is not ordered, or if the amount ordered is less than what has been paid on behalf of a victim by the Fund.

In response to fund balance transfers and in order to ensure the solvency of the Fund, CICF took on more aggressive cost savings and collections measures, including raising awareness about restitution and negotiating costs.

In the summer of 2004, CICF partnered with the Virginia Network for Victims and Witnesses of Crime, the Department of Corrections, and the Supreme Court to hold regional seminars on restitution. Close to 400 clerks, Commonwealth's Attorneys, Probation and Parole Officers, Judges, Victim Witness advocates and others took part in these meetings.

As a follow up to these seminars, the Fund is assisting interested localities in developing community restitution collection plans. The increased awareness of CICF resulted in record collections for the Fund in this fiscal year. CICF collected \$187,963 in restitution payments, \$261,737 in unclaimed restitution, and \$80,852 in through the tax debt set off system. Total collections were \$530,552, an increase of 54%. The Fund went from 812 restitution awards to 950 and collected tax set off in 553 cases versus 479 in the prior year.

The Fund has also reached out to underserved non-English speaking victims of crime by implementing a multilingual phone translation service and translating its brochures into Spanish. This assures that this underserved and vulnerable population can receive assistance.

CICF developed agreements with routine providers of care to victims of violent crime to control costs so that the fund balance can be restored and more resources will be available to crime victims. Partners such as trauma centers, counselors, and dentists have agreed to accept reduced rates for victim treatment. This has saved the CICF over \$300,000 to date.

CICF has been instrumental in the development of the International Victims of Terrorism Compensation program at the federal level. The Fund assisted in developing policy and was used as a model for the program. Additionally, CICF provided training to staff of the program. This program will assist Virginia citizens who are victims of terrorism while traveling or working abroad.

## CONCLUSION

CICF continually seeks ways to improve services for victims. In the coming year, the Fund will continue its emphasis on training and outreach. Because not all eligible victims are being reached, the Fund will further solidify its work with the Victim/Witness Assistance Community, medical providers and law enforcement in order to ensure that victims are treated in the most efficient and compassionate manner.

Though violent crime rates have dropped, the monetary cost of violent crime will continue to rise. CICF looks forward to the challenges inherent in continuing to meet the standards of excellence as it serves victims of crime.

*...no one ever wants to be a victim of a heinous crime but I am so thankful there is help.....*