



COMMONWEALTH of VIRGINIA

R. FERRELL NEWMAN, Chairman

WESLEY G. MARSHALL, Commissioner

ROBERT A. RAPAPORT, Commissioner

WORKERS' COMPENSATION COMMISSION

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September 30, 2019

The Honorable Ralph Northam
Governor of Virginia
PO Box 1475
Richmond, VA 23218

Dear Governor Northam:

On behalf of the Virginia Workers' Compensation Commission, it is my pleasure to present to you the Annual Report for the Criminal Injuries Compensation Fund for Fiscal Year 2019. This report details the activities of the Fund from July 1, 2018 through June 30, 2019.

In FY 2019, the Criminal Injuries Compensation Fund processed 3,924 new claims for crime victim compensation and forensic evidence collection, awarding **\$5,942,633**. The Fund's commitment to sound stewardship continued through the negotiation of bills with medical providers on behalf of claimants, enhanced collections activity against offenders, and the initiation of other cost-saving measures throughout the year.

As we enter a new year, the Criminal Injuries Compensation Fund looks forward to maintaining its commitment to serving crime victims in the Commonwealth with both sensitivity and efficiency. On behalf of the Workers' Compensation Commission and the Criminal Injuries Compensation Fund, I thank you for your ongoing support for crime victims in our state.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Newman", with a long horizontal line extending to the right.

R. Ferrell Newman
Chairman



Virginia Victims Fund

Officially the Criminal Injuries Compensation Fund

ANNUAL REPORT

Fiscal Year 2019



A division of the Virginia Workers' Compensation Commission

About Virginia Victims Fund

Citing the Commonwealth’s “moral responsibility” to provide financial assistance to victims of crime, the Criminal Injuries Compensation Fund, working as the Virginia Victims Fund (the Fund), was established by the Virginia General Assembly in 1977 to pay unreimbursed expenses of innocent victims of crime who suffered physical or emotional injury or death (§ 19.2-368.1, Code of Virginia). In 2008, the Fund also established the Sexual Assault Forensic Exam (SAFE) Payment Program as the result of changes to § 19.2-165.1 of the Code of Virginia, which tasked the Fund with payment of expenses associated with forensic evidence collection for victims of sexual assault in the Commonwealth. The Fund is administered by the Virginia Workers’ Compensation Commission.

For forty one years, the Fund has assisted victims of crime and their families by easing the financial burden that crime often creates, providing relief in the form of reimbursement for medical expenses, lost wages, funeral expenses, relocation, counseling costs and other “necessary and reasonable” expenditures incurred by the victim. Since its inception, the Fund has processed over 55,924 claims from victims of violent crime.

The Fund is funded by court fees, assessments on offenders and restitution. The monies awarded to victims of crime in conjunction with compensation claims are not funded through state tax dollars.

Additionally, the Fund receives federal grant funds from the Victims of Crime Act (VOCA) to supplement monies available to victims of violent crime. VOCA funds are generated by court fines at the federal level. The Fund’s SAFE Program receives General Fund monies via dollars designated to the Supreme Court of Virginia to reimburse for sexual assault evidence collection expenses.

Apprehension and conviction of the offender are not prerequisites for a crime victim’s eligibility.

Who Can File A Claim

In order for a victim to meet the Fund’s eligibility requirements for crime victim compensation, they must meet the following eligibility requirements:

- The crime must occur in Virginia or against a Virginia resident in a state, country, or territory that does not have 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 exists for not doing so
- Claim must be a minimum value of \$100
- The victim must fully cooperate with all law enforcement agencies and must not be criminally responsible for the crime upon which a claim is based, or be an accomplice or accessory to the crime



MISSION

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.

Payers of Last Resort

By law, the Fund is the payer of last resort, assisting victims with expenses that are not covered by any other source. While the Fund does consider claimants' collateral resources, assistance from the Fund is not income-based. The statutorily designated maximum payout amount is \$25,000 for crimes occurring after July 1, 2007 and \$15,000 for crimes occurring prior to July 1, 2007.

Under the policies and guidelines of the SAFE Program, the Fund pays for forensic evidence in sexual assault cases regardless of the victim's involvement with the criminal justice system, as in accordance with state and federal law.

To address as many compensable expenses as possible, the Fund negotiates bills with medical providers on behalf of claimants. The Fund has established standing negotiation agreements with over 1,900 medical providers. These memoranda of agreements, as required by a 2010 amendment to Code of Virginia § 19.2-368.3, further require that health care providers accept payment from the Fund as payment in full without billing the patient for any remaining balances. While, the SAFE program has a separate memoranda of agreement on file with all hospitals that have forensic programs; the Fund continually works to increase memoranda of agreements with pharmacies.

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About the Commission

The Virginia Workers' Compensation Commission (VWC), established in 1918, is an independent judicial and administrative state agency that oversees the workers' compensation system for the Commonwealth. It also administers the Criminal Injuries Compensation Fund, also known as the Virginia Victims Fund. The Commission is headed by three Commissioners. The Commissioners are chosen by the General Assembly and serve six-year terms. R. Ferrell Newman, Wesley G. Marshall, and Robert A. Rapaport (pictured below, left to right), currently serve as Commissioners, with Commissioner Newman serving as the current Chairman.



VVF's Guiding Values

INNOVATIVE

Introducing or using new ideas or methods, in order to better serve our customers

RESPECTFUL

Marked by or showing respect or reverence at all times

ACCOUNTABLE

Required to explain actions or decisions

RELIABLE

Consistently able to be trusted to do or provide what is needed

IMPARTIAL

Treating all people and groups equally

INTEGRITY

The quality of being honest and objective; conduct that is of the highest moral character

EFFECTIVE

Successful in producing a desired or intended result



Kassandra
Bullock,
Virginia Victims
Fund Director



“Service is the rent we pay for being.

It is the very purpose for life, not something you do in your spare time.”

- Marian Wright Edelman

As many of you know, service is a vital component of our work. I am proud that VVF is guided by Commission values: Respectful, Innovative, Reliable, Integrity, Accountable, Effective, and Impartial. These values serve as a roadmap to ensuring every claim is given the utmost consideration and all claimants are treated with dignity throughout the claims process. VVF is strengthening its processes to deliver trauma informed services in a culturally and linguistically appropriate manner.

More than a year has passed since my arrival to VVF and I am pleased to share news of exciting changes. We have updated policies, streamlined processes, updated memoranda of agreements, improved the CICF crisis response team, implemented a robust training and outreach program and improved access for victims of crime. Also, we have made progress on identifying and locating victims of crime to whom restitution is owed and restructured VVF’s sponsorship program.

Your support and assistance in these efforts are critical. VVF’s goal is: For every victim of crime to be heard and afforded access to comprehensive services throughout the Commonwealth! We hope that this report will illuminate our mission and enhance communication to keep you informed as we continue in our efforts to improve services to victims and survivors of crime.

Kassandra Bullock, VVF Director



Virginia Victims Fund By The Numbers

Victim Compensation Claim Information

A comparison of FY18 and FY19 is included below.

New Claims Received	FY18: 1,760
	FY19: 1,491

New Claims Approved	FY18: 969
	FY19: 1,099

*Supplemental Awards	FY18: 388
	FY19: 456

Claims Denied	FY18: 305
	FY19: 270

Expenses Approved	FY18: 2,006
	FY19: 2,507

* Occur when additional expenses are approved on previously approved claims.

In Fiscal Year 2019 (FY19) The Fund Provided

\$2.7 Million

A total of \$2,770,413 awarded to crime victims and their families

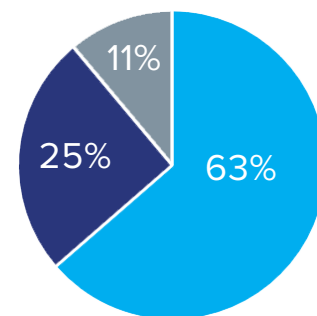
\$3.1 Million

A total of \$3,172,220 used for forensic evidence collection in sexual assault cases

5,660 Awards

Total number of expenses awards

VVF Referral Sources



- Unknown
- Victim Witness
- Other (Medical Provider, Police or Sheriff Department, Commonwealth Attorney, Funeral Home, Internet/Media)



Most Frequent Crime Types

Top Six

- 521 Assault (Non-Domestic)
- 249 Assault (Domestic)
- 242 Homicide (Non-Domestic)
- 90 Child Sexual Assault
- 56 Homicide
- 64 Adult Sexual Assault



Top Five Expenses

Paid for VVF Claims

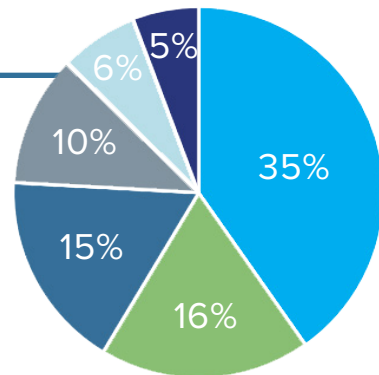
- Funeral Expenses **\$854,162**
- Hospital Expenses **\$459,844**
- Physician Expenses **\$438,616**
- Wage Loss **\$302,444**
- Domestic Loss of Support **\$161,815**



Largest Expense Outlays, VVF

Top Six

- Funeral Expenses
- Hospital Expenses
- Physician Expenses
- Wage Loss
- Domestic Loss of Support
- Transportation





SAFE

Sexual Assault Forensic Examination

PAYMENT PROGRAM

Sexual Assault Forensic Exam (SAFE) Payment Program

SAFE offers evidence collection at no cost to victims of rape or sexual assault. The SAFE Payment Program receives General Fund monies via dollars designated to the Supreme Court of Virginia to reimburse for Sexual assault evidence collection expenses.

Expenses Covered By SAFE Include:

- Emergency room physician fees
- Hospital and forensic examiner fees
- Testing for sexually transmitted infections and/or pregnancy
- Medications to prevent sexually transmitted infections and/or pregnancy
- Ambulance transport from a hospital unable to provide evidence collection to one that can provide it
- Follow-up medical forensic examination

By The Numbers

SAFE Claim Information

A comparison of FY18 and FY19 is included below.

New Claims Received	FY18: 1,960
	FY19: 2,433
New Claims Approved	FY18: 1,380
	FY19: 2,188
*Supplemental Awards	FY18: 197
	FY19: 502
Expenses Paid	FY18: 2,096
	FY19: 3,153

* Occur when additional expenses are approved on previously approved claims.

SAFE Most Frequent Crime Types

- Adult Sexual Assault- 1,368 reported
- Child Sexual Assault- 1,060 reported



SAFE Expenses Paid

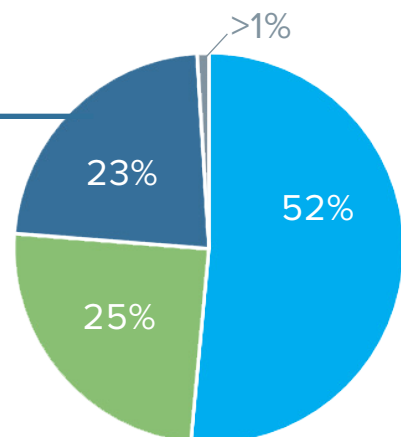
Amount Paid for SAFE Claims

- Hospital Expenses **\$1,634,916**
- Prescription Expenses **\$782,040**
- Physician Expenses **\$738,841**
- Transportation **\$3,820**



Largest Expense Outlays, SAFE

- Hospital Expenses (\$1,634,916)
- Prescription Expenses (\$782,040)
- Physician Expenses (\$738,841)
- Transportation (\$3,820)



Financials

Fiscal Year
2019 (FY19)



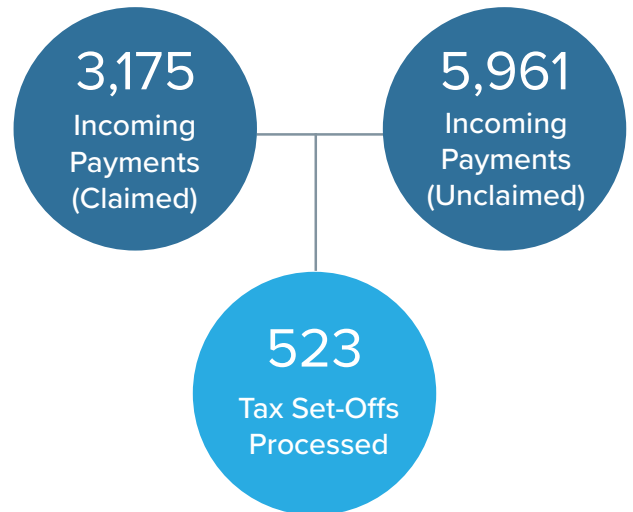
Revenue for FY19

- Fines (\$2,696,492)
- Restitution (\$257,268)
- Tax Debt Set-Offs (\$126,906)
- Collections (\$74,538)
- Court Contributions (\$1,885,000)
- VOCA Grant (\$1,923,000)
- Miscellaneous (\$4,006)

Unclaimed Restitution

Collected and Repaid FY19:

- Sum of Incoming Payments (\$1,177,786)
- Number of Incoming Payments (5,961)
- Sum of Repayments (\$73,479)
- Number of Repayments (107)



Since FY18:

- Collections are down **8%**
- Unclaimed Restitution received increased **39%**
- Unclaimed Restitution repaid to victims increased **55%**



Pictured above: The Fund Development Team during a learning simulation for the Virginia Workers Compensation Commission in recognition of VWC's Centennial Events. Pictured left to right: Rayelle Jackson, Unclaimed Restitution Specialist; Brandon Ellis, Fund Development Specialist; and Chantel Pettiford, Unclaimed Restitution Specialist

Unclaimed Restitution Update



Summary of HB483: Criminal Injuries Compensation Fund; Restitution Owed to Victims

- Adds to the duties of VVF the obligation to (i) identify and locate victims for whom restitution owed to such victims has been deposited into the Fund and (ii) collect and disburse such unclaimed restitution to such victims.
- Clerks shall deposit into the Fund by November 1st of each year restitution collected for victims who can no longer be identified or located, or state that there is no such restitution to be deposited.
- Requires that clerks record the receipt of restitution payments in the automated information system operated by the Supreme Court of Virginia or a system established and maintained by a circuit court.



Unclaimed Restitution Highlights:

- Hired two Unclaimed Restitution Specialists
- Developed a work-group of stakeholders and received feedback on process and forms
- Created policy and procedures to outline the Unclaimed Restitution's research process
- Updated existing forms for reporting Unclaimed Restitution
- Created the Unclaimed Restitution letters and an application which are mailed to the courts and victims
- Created tracking mechanisms for a repayments process and reports from courts
- Updated the Virginia Victims Fund website and agency database

Crisis Response Team

Preparing Responders Across the Commonwealth to Assist in Mass Casualty Events



NOVA Basic Crisis Response Training

The Department of Criminal Justice, in collaboration with Virginia Victims Fund (VVF) and Virginia Victims Assistance Network (VVAN) hosted two NOVA Basic Crisis Response Team Trainings in Fiscal Year 2019. Allied professionals from around the Commonwealth joined in the 24 hour intensive training facilitated by Cindy Yadav, Regional Crisis Response Coordinator for VVAN and NOVA Trainer, Roger Roberts.

Highlights from the intensive training:

- The Trauma Experience
- Crisis Intervention
- Group Crisis Intervention
- Long Term Stress Reactions

NOVA's Basic CRT training consists of twenty four hours of techniques and protocols for providing crisis intervention to traumatized individuals. Training focuses on the fundamentals of crisis and trauma, and how to adapt to basic techniques to individuals and groups also known as psychological first aid.

63 volunteers trained in the NOVA model for Crisis Intervention in Virginia



Each responder received 24 hours of intensive training on Group Crisis Intervention

The Role of Crisis Response Team

is to provide direct services through individual and group crisis intervention sessions; assist families through companionship at the family assistance center during the immediate aftermath of a mass violence event, and assist local officials and other decision-makers to plan for immediate and long-range care, comfort and assistance for victims, first responders and survivors within their communities.



Training and Outreach

Providing multi-disciplinary technical training and outreach services regarding victim compensation in Virginia



Pictured left to right: The Honorable Brian Moran, Secretary of Public Safety & Homeland Security; Cristi Lawton, Executive Director of Virginia Victims Assistance Network; Kassandra Bullock, Director of Virginia Victims Fund, ME Hart, Co-Founder & CEO of HART Learning Group, LLC. and Shannon Dion, Director of DCJS, look on as Governor Northam signs the Crime Victims' Rights Week proclamation.

Customer Service

18,502

Incoming calls

1,752

Email inquiries from Claimants and Advocates

697

Email requests from Medical Providers

The Fund's Outreach Services strives to increase awareness, accessibility, and quality of service delivery to victims through training and outreach to advocates, service providers, law enforcement, and medical personnel by providing technical assistance and trainings.

Outreach

4,126
reached

The Fund also has a Sponsorship Program, which supports victims' services events and also enhances partnerships throughout the Commonwealth. The Sponsorship Program is a public information program to promote "extensive and continuing publicity and public awareness". The program promotes the provision of quality training for victims' service professionals and increases awareness and knowledge of the Virginia Victims Fund programs and services.

Sponsorship

27
Trainings

Training

1,415
reached

Additionally, numerous web-based and in-person trainings for victim witness advocates, community-based advocates, medical personnel, mental health professionals and service providers are offered.



The Way Forward

A Look Towards Fiscal Year 2020

Victims of violent crime face a myriad of concerns as they struggle to regain control of their lives and recover both physically and emotionally. The Fund remains dedicated to playing a role in that recovery by assisting Virginia victims in dealing with the financial burdens that often accompany victimization. While paying out over 5.8 million dollars in FY 2019 in compensation and SAFE claims, the Fund continues its work helping vic-tims, holding offenders fiscally accountable and collaborating with a wide variety of service pro-viders (law enforcement, medical professionals, court services staff, etc.) to best serve the needs of claimants. The Fund continues to ensure the Fund's viability by aggressively pursuing offenders for repayment and continued implementation of cost-cutting and collections-enhancing measures.

Forensic Nursing Study

Additionally, HJ 614, introduced by Delegate Karrie K. Delaney, et al., directs the Virginia State Crime Commission to study current access for victims to forensic nursing programs across the Commonwealth. VVF is contributing to this study as it relates to its Sexual Assault Forensic Exam (SAFE) Program.

This study is scheduled to be completed by November 2019.



Legislative Changes Effective July 1, 2019

With the conclusion of the 2019 Regular Session of the General Assembly came quite a few bills that impacted the field of victims' services. Delegate Robert B. Bell introduced House Bill (HB) 2773 to increase the amount of the awards payable on compensation claims in Virginia!

Specifically, HB 2773 removes the current \$600 limit placed on the amount that may be awarded to a crime victim for total loss of earnings resulting from incapacity. The bill also increases from \$5,000 to \$10,000 the maximum amount a claimant may be awarded from the Criminal Injuries Compensation Fund for expenses directly related to funeral or burial costs.

Additionally, the bill increases from \$25,000 to \$35,000 the maximum aggregate award received by a claimant as a result of an injury or death.

This change is effective July 1, 2019 and will apply to crimes committed on or after July 1, 2019.

2018 Virginia State Crime Commission Sex Trafficking Study

The Crime Commission conducted a study of sex trafficking in the Commonwealth. At the conclusion of the study, "Crime Commission members unanimously adopted numerous legislative and administrative recommendations to address sex trafficking in Virginia". One of the recommendations included a request that VVF "collaborate with stakeholders to develop informational materials, increase outreach, and support training efforts relating to claims filed with the Fund by victims of sex trafficking". Highlights of VVF's response are included on page 12 of this report.

“

“It takes courage and tenacity for a victim of crime to navigate through the criminal justice system, during their attempt to restore normalcy to their life. Team CICF/VVF is there to lift up these victims, during their time of need, ensuring that we do all that we can to restore their true self in body, mind and spirit.”

Evelyn V. McGill, VWC Executive Director



Also, looking ahead to FY 2020, the Fund will continue outreach efforts to increase awareness of its programs and services and also strengthen the overall response to victims of crimes. With the increase of federal Victims of Crime Act Victim Assistance funds, the Fund will look at ways to effectively manage the impact on submission and processing compensation claims.

Efforts to serve Virginia’s victims of violent crime continue unabated as we look toward the future. Staff remains committed to maximizing operational capacity and looking for ways to streamline internal processes, collaborate with community partners in new and innovative ways, and advocate for victims of crime.

Above all else, the Fund will zealously maintain its tradition of providing assistance to victims of crime with compassion, efficiency, and fairness.

Ways to Connect



Online:
www.virginiavictimsfund.org



By Phone:
1-800-552-4007



Email:
info@virginiavictimsfund.org

