



**COMMONWEALTH OF VIRGINIA**  
**Workers' Compensation Commission**

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Robert A. Rapaport  
Chairman

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September 23, 2021

The Honorable Ralph Northam  
Governor of Virginia  
P.O. 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 (FY) 2020. This report details the activities of the Fund from July 1, 2020 through June 30, 2021.

In FY 2021, the Criminal Injuries Compensation Fund processed 3,388 new claims for crime victim compensation and forensic evidence collection, awarding **\$7,141,435**. The Fund's commitment to sound stewardship continued through the negotiation of bills with medical providers on behalf of crime victims, enhanced restitution 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 Virginia 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 that reads "Robert A. Rapaport". The signature is written in a cursive style.

Robert A. Rapaport  
Chairman



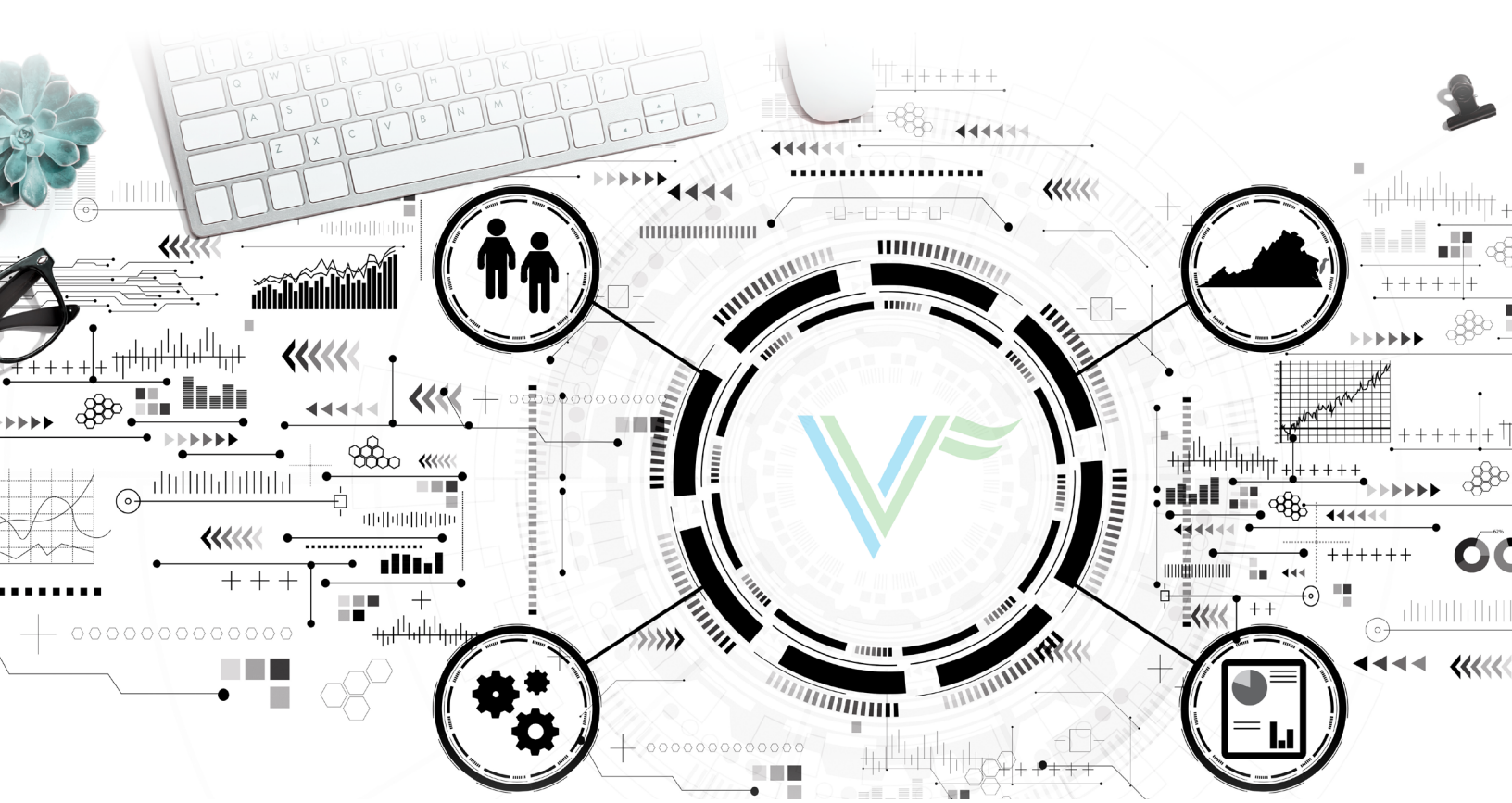
A division of the Virginia Workers' Compensation Commission



**VIRGINIA VICTIMS FUND**

*Helping Innocent Victims of Crime*

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND



# ANNUAL REPORT 2021



As we prepare the Fund's FY2021 Annual Report, we reflect on the unprecedented health, social, and economic challenges that occurred in the past year. Drawing on our Agency's core value of innovation, VVF was able to pivot operations seamlessly to meet the challenges brought forth by the pandemic. Transitioning many roles remotely, VVF continued to process claims and provide much needed timely compensation services to victims of crime and their families at improved levels.

While the challenges throughout the victim services field have been extraordinary, it has been our greatest honor to witness the resolve and commitment of our staff and allied professionals who continue to support victims of crime throughout the criminal justice process, during recovery, and provide hope for their future.

Through the many challenges, VVF remained focused on our mission and dedicated to our core values of innovation, respectfulness, accountability, reliability, impartiality, integrity and effectiveness. That focus enabled VVF to continue to provide responsive services to crime victims, their families, advocates and services providers.

# Director's STATEMENT

The lessons learned will guide us in continued success as we conduct a Victim Compensation Service Gap Analysis and Assessment in collaboration with the Office of Victims of Crime; implement organizational changes identified in the VVF Vision 2021 plan, and refine and improve upon procedures that impact decision times for claimants, medical providers, and other stakeholders.

Concentration in these areas will promote a victim-centered response in all areas of VVF programs. This is our goal as we continue on the pathway forward. Despite the local and national challenges experienced this year, together we continue to persevere.

This report is a testament to our collective commitment in service to survivors of crime and their families; effective partnership through inter-agency collaboration and coordination of efforts and commitment to moving forward to increasing holistic approaches for crime victims in the Commonwealth.

In solidarity and service,

Kassandra Bullock  
Director, Virginia Victims Fund

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# About the COMMISSION



The Virginia Workers' Compensation Commission was established in 1918. The Commission is an independent judicial and administrative state agency that oversees the workers' compensation system for the Commonwealth. The Commission is headed by three Commissioners chosen by the General Assembly and serve six-year terms.

Honorable R. Ferrell Newman, Honorable Wesley G. Marshall and Honorable Robert A. Rapaport are the current Commissioners, with Newman serving as Chairman. Ms. Evelyn McGill is the Executive Director and Honorable James J. Szablewicz is the Chief Deputy Commissioner.



**Commissioners and Senior Leaders pictured left to right:**

Hon. R. Ferrell Newman, Chairman; Hon. Wesley G. Marshall, Commissioner; Hon. Robert A. Rapaport, Commissioner; Evelyn V. McGill, Executive Director and Hon. James J. Szablewicz, Chief Deputy Commissioner

**VWC's MISSION-** To serve injured workers, victims of crimes, employers, and related industries by providing exceptional services, resolving disputes, and faithfully executing the duties entrusted to us by the Commonwealth of Virginia.

**VWC's VISION-** Lead the nation as the most effective and innovative state agency.

# About VIRGINIA VICTIMS FUND

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In 2014, the Criminal Injuries Compensation Fund began awareness and marking efforts to increase public knowledge and access for victims of crime to the Fund. The Virginia Victims Fund, officially the Criminal Injuries Compensation Fund, better describes the organization as a result of these efforts.

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). The Fund is administered by the Virginia Workers' Compensation Commission.

In 2008, the Fund established the Sexual Assault Forensic Exam (SAFE) Payment Program as the result of changes to § 19.2-165.1 of the Code of Virginia, tasking the Fund with payment of expenses associated with forensic evidence collection for victims of sexual assault in the Commonwealth.

The Fund's SAFE Program receives General Fund monies via dollars designated to the Supreme Court of Virginia to pay for sexual assault evidence collection expenses.

In 2018, House Bill 483 added to the duties of the Fund. As a result the Code of Virginia

§ 19.2-368.3 included the responsibility "to collect and disburse such unclaimed restitution... and to identify and locate victims for whom restitution owed to such victims..."

For 44 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, and other expenditures incurred as a result of the crime. Since transitioning to its current claims system, the Fund has processed over 78,000 claims.

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). VOCA funds are generated by court fines at the federal level.

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

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## VVF's 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.

# Core VALUES

## Payers of Last Resort

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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 \$35,000 for crimes occurring after July 1, 2019.

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 2,300 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 hospitals and standalone forensic programs; the Fund will continually work to increase memoranda of agreements with medical, dental, mental health providers and pharmacies across the Commonwealth.

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**Innovative** • Using new or creative methods to better serve customers

**Respectful** • Showing respect or reverence at all times

**Accountable** • Required to explain actions or decisions

**Reliable** • Consistently doing what is needed for the best outcome

**Impartial** • Treating all people and groups equally

**Integrity** • Conduct that is of the highest moral character

**Effective** • Producing a desired or intended result in a prompt manner

# CLAIMS INFORMATION

Virginia Victims Fund

**\$5,426,408**

Paid to crime victims and their families, FY 2021

**1,539**

Claims received

**1,244**

Claims approved

**3,006**

Expenses approved

**675**

Supplemental Awards

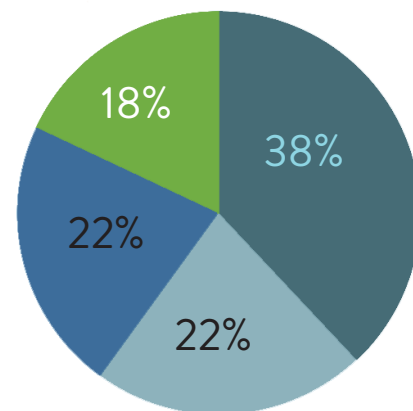
**4,742**

Expense Awards

## Crime Types

### Virginia Victims Fund Claims

- Assault (non-domestic)- 38%
- Homicide (non-domestic)- 22%
- Assault (domestic)- 22%
- Other- 18%



## Referral Sources

**29%** Victim Witness

**71%** \*Other or Unknown

\* Other sources include:

- Commonwealth Attorney
- Funeral Home
- Internet/Media
- Medical Provider
- Police/Sheriff Department

## Top 5 Expenses Awarded

### Virginia Victims Fund Claims

- 40% Funeral | \$2,134,239
- 21% Hospital | \$1,135,455
- 11% Lost Wages | \$586,212
- 8% Physician | \$444,317
- 6% Domestic Loss of Support | \$347,041

Who Can

FILE A CLAIM

In order for a crime victim to meet the Fund's eligibility requirements for compensation, the following eligibility requirements must be met:

- 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
- A claim must be a minimum value of \$100
- The victim must fully cooperate with law enforcement and must not be criminally responsible for the crime upon which a claim is based, or be an accomplice or accessory to the crime



# SAFE

Sexual Assault Forensic Examination

# PAYMENT PROGRAM

## SEXUAL ASSAULT FORENSIC EXAM (SAFE) CLAIM INFORMATION

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The SAFE Payment Program offers evidence collection at no cost to victims of rape or sexual assault. Healthcare providers bill the SAFE Payment Program directly.

Evidence is collected through a Physical Evidence Recovery Kit (PERK) and does not require the filing of a police report if the PERK is completed within 120 hours of the incident.

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.

\$1,715,027

Total paid by SAFE for forensic evidence collection and associated expenses

\$1,885,000

Court contributions

1,849

Claims received

1,304

Claims approved

567

Supplemental awards

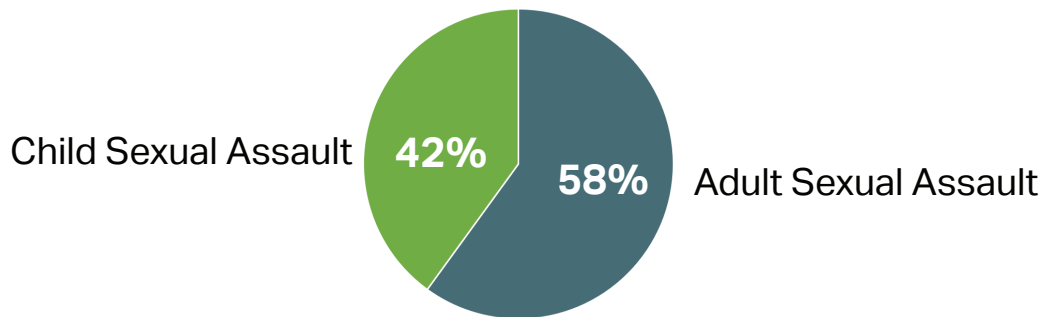
1,736

Expense awards

## Breakdown of CRIME TYPES

### Crime Types- SAFE Claims

- Adult Sexual Assault (1,069 Claims Received)
- Child Sexual Assault (780 Claims Received)



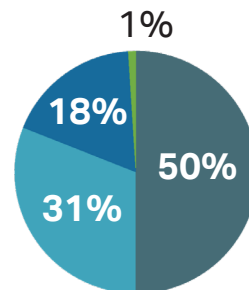
## Top Expenses PAID BY SAFE

### Expenses Covered

- Emergency room physician fees
- Hospital and forensic examiner fees
- Testing for sexually transmitted infections and/or pregnancy
- Medication 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

### Top Expenses Paid

- 50% Hospital | \$847,389
- 31% Physician | \$531,827
- 18% Prescriptions | \$323,167
- 1% SAFE-related | \$8,171



# Financials

**\$5,856,417**

FY2021 Total Revenue

<b>\$1,877,011</b>	Fines
<b>\$1,885,000</b>	Court Contributions
<b>\$1,578,000</b>	VOCA Grant
<b>\$331,741</b>	Restitution
<b>\$104,910</b>	Collections
<b>\$79,598</b>	Tax Debt Set-Offs
<b>\$157</b>	Miscellaneous

**\$7,141,435**

Total Awarded to Victims

<b>\$5,426,408</b>	VVF Claims
<b>\$1,715,027</b>	SAFE Claims

**4,826**

Incoming Payments (Claimed)

**283**

Tax Debt Set-Offs Processed



## Unclaimed Restitution

The Virginia Victims Fund receives from the Courts of the Commonwealth of Virginia, any restitution that has been designated as unclaimed for more than one year pursuant to the Code of Virginia § 19.2-305.1.

Since the Fund's assumption of the duties to locate victims of crime and repay unclaimed restitution Funds, the Restitution and Recovery Team implemented a technology-focused approach in order to maximize resources and reunite victims of crime with the restitution funds.

### Restitution tools used to locate and identify crime victims and offenders:

- Department of Motor Vehicles
- TransUnion Risk and Alternative Data Solutions, Inc (TLO)
- Better Business Bureau
- SCC- Clerk Database
- Fast People Search
- White Pages
- Yellow Pages

Additionally, an internal audit process was developed and implemented, increasing accuracy, efficiency, timely reporting and offender accountability. The audit ensures restitution collection payments are properly posted based on court case allocation, victim identification and defendant identification.

### Unclaimed Restitution Collected and Repaid in FY2021:

Sum of Incoming Payments | **\$1,179,876**

Number of Incoming Payments | **4,826**

### Staffing Increase

Restitution and Recovery Team | **+1**

Total Unclaimed Restitution Specialists | **3**

**\$372,762**

Sum of Repayments

**1,049**

Number of Repayments

**46%**

Increase in number of unclaimed repayments since FY2020

## Outreach

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

The Fund provides training and outreach to advocates, law enforcement, medical personnel and service providers to increase awareness, accessibility and quality of service delivery to victims. The Fund also manages a Sponsorship Program, promoting the provision of quality training for victims' service professionals and increasing awareness and knowledge of the Fund's services.

70 Outreach Events      2 Sponsorship Events      645 Total People Reached

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11,095 Calls Received

3,883 Email Inquires Received

2,944 E-Faxes Received

59,454 VVF Website Visitors

## Legislative Updates

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Legislation and administrative changes passed during FY2021, directly impacting the Fund.

### **HB 1867 Victims of Crime, Compensation, Reporting Requirement; Sexual Abuse**

Provides that the requirement that the Virginia Workers' Compensation Commission find that police records show the crime was promptly reported no more than 120 hours after it occurred in order to award a claimant funds from the Criminal Injuries Compensation Fund does not apply to claims of sexual abuse. Under current law, the exception to such requirement applies only to claims of sexual abuse that occurred while the victim was a minor.

### **HB 2004 Virginia Freedom of Information Act; Law-Enforcement Criminal Incident Information, Criminal Files**

Adds criminal investigative files, defined in the bill, relating to a criminal investigation or proceeding that is not ongoing, also defined in the bill, to the types of law-enforcement and criminal records required to be released in accordance with the provisions of the Virginia Freedom of Information Act. For additional details, click [here](#).

### **HB 2233 Orders of Restitution; Docketed on Behalf of Victim, Enforcement**

Provides that an order of restitution shall be docketed in the name of the Commonwealth, or a locality if applicable, on behalf of a victim, unless the victim named in the order of restitution requests in writing that the order be docketed in the name of the victim. For complete details, click [here](#).

# The Way Forward

Reflecting on the accomplishments of the past year and the ground work laid for future priorities outlined in the VVF Vision 2021 Plan and over the next few years, the Virginia Victims Fund has developed a roadmap for programmatic success, as well as organizational capacity and sustainability.

This fiscal year, we faced a noticeable decline in revenue and resources; however with the increased emphasis on restitution and collection, along with changes due to the VOCA Fix, we are excited to share several initiatives that will enhance trauma appropriate service delivery, bring about procedural enhancements to the restitution, recovery, and compensation process, and further emphasize the promotion of Victim Rights.

## **VVF Operational Restructure and Reinforcement**

As VVF continues to keep its mission at the forefront of its work; during FY21 VVF implemented a staffing restructure with a regional team approach. This approach will foster development of relationships and improve communication and collaboration efforts with allied professionals, programs and entities serving victims of crime. These changes, along with other ancillary functions, were implemented to facilitate faster and appropriate decisions for claimant eligibility, maximize resources internally and externally, and promote best possible outcomes for crime victims. Also, VVF took a critical look at its operational processes this fiscal year. As a result, procedural enhancements were implemented to interlink the claims process and restitution and recovery efforts. VVF launched and adopted practical steps on its collection and recovery efforts.

Obtaining positive outcomes continues as VVF's press ahead to sustain services to victims; identify and locate victims to whom money is

owed; make payments to Providers; and hold offenders accountable.

## **Victim Compensation Assessment Grant**

In FY21, Virginia was among six states awarded the Victims Compensation Assessment Grant, which will allow for the conducting of a service gap analysis for victim compensation. This competitive grant partners VVF with experienced consultants to closely examine compensation in Virginia. The analysis will not only identify and address programmatic gaps; but also conduct a and assess policies, legislation, and inter-agency collaboration. The final product will include recommendations to enhance the compensation program and further access to victims of crime. The three (3) year project will culminate in the development of an implementation plan based on the needs identified in the assessment. After which, Virginia and the Fund will serve as a model for other compensation programs.

As we continue on this pathway forward, reflection, introspection and the evaluation of compensation services will serve as motivation for continued growth and increased access for all victims in Commonwealth. The Fund will continue its commitment to respond to the needs of crime victims with intentionality---reinforcing its mission, re-envisioning services and revolutionizing partnerships with victims services providers and other allied agencies. We look forward as we create pathways for progress, build connections, share knowledge and implement change that will continue to move victim services in Virginia forward.

# Ways to **CONNECT**

**Online** • [virginiavictimsfund.org](http://virginiavictimsfund.org)

**Phone** • 800-552-4007

**Email VVF** • [info@virginiavictimsfund.org](mailto:info@virginiavictimsfund.org)

**Email SAFE** • [safe@virginiavictimsfund.org](mailto:safe@virginiavictimsfund.org)

**Mail** • P.O. Box 26927, Richmond, VA 23261

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