

OKLAHOMA CRIME VICTIMS COMPENSATION PROGRAM

2014 ANNUAL REPORT



DISTRICT ATTORNEYS COUNCIL
VICTIM SERVICES DIVISION

TABLE OF CONTENTS

Agency Information	3
Our Mission	4
Letter from the Board	5
Program Overview	6
Revenue Sources	7-8
FY 2014 Activity Summary by County	9
Applications By Crime Type	12
Benefits of the Program	13-14
Sexual Assault Examination Fund	15
Victims Assistance Grant	16-18

OKLAHOMA CRIME VICTIMS COMPENSATION PROGRAM

2014 Annual Report

July 1, 2013 – June 30, 2014

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OUR MISSION

**To compassionately deliver
services by
offering information,
resources and financial
assistance to crime victims
and the organizations who
serve them.**

The Honorable Mary Fallin, Governor
The Honorable Todd Lamb, Lieutenant Governor
The Honorable Brian Bingman, Senate Pro Tempore
The Honorable Jeff W. Hickman, Speaker of the House

Greetings!

The Victim Services Division of the District Attorneys Council oversees the Crime Victims' Compensation Program. In addition to compensating victims for crime-related expenses, the victims division also pays for all sexual assault forensic exams, and awards federal grants to agencies that perform direct services to victims of violent crime. The work done by the District Attorneys Council Victim Services Division is meant to provide meaningful, transformative results for victims of crime and those who serve them. These services assist crime victims and their families in their darkest hour and help them rebuild their lives and start the long road to recovery. All services are funded through fines and penalty assessments paid by state and federal offenders, not tax payer dollars.

The Board wishes to express their sincere gratitude to all who make this program a success. Together we will continue to make a difference in the lives of crime victims.

It is an honor to present this 2014 Annual Report to you.

Respectfully,

Oklahoma Crime Victims' Compensation Board

WHO WE ARE AND HOW WE HELP

The Crime Victims' Compensation Program (21. O.S. 142.1 et. seq) is administered by the District Attorneys Council and is dedicated to ensuring that financial assistance is available to eligible violent crime victims for crime-related expenses that cannot be reimbursed by insurance or other sources.

The Crime Victims' Compensation Program is the "payor of last resort" after primary sources of payment such as health insurance, Medicaid, Medicare and insurance etc.

To be eligible a person must:

- Report the crime to law enforcement within 72 hours of the crime or disclosure to a responsible adult if the victim is a minor.
- File a claim within one year of the incident date, death or disclosure to a responsible adult. The one year deadline may be waived up to two years. If the crime was a child sexual assault, the Board may waive all filing deadlines for good cause.
- Fully cooperate with law enforcement.
- Not be the offender or accomplice.
- Have out-of-pocket expenses relating back to the crime.

To qualify a person must:

- Be an innocent victim of a violent crime who suffers physical or psychological harm or death.
- Be a dependent of a deceased victim.
- Have authority to act on behalf of a victim or dependent.

Benefits:

Maximum award is \$20,000.00. Crimes *with* injuries that involve extended work loss or loss of support in the event of a homicide can be approved for up to \$40,000.00.

Benefits may be awarded for:

- Medical/Dental care
- Prescription medicine
- Counseling, physical therapy, rehabilitation
- Work loss/ Loss of income in homicide cases
- Caregiver work loss
- Crime scene clean-up
- Funeral and burial expense
- Impound fees

WHERE WE GET THE MONEY

\$6,772,254.03 deposited into Fund in FY 14.

The premise of the Fund has always been that crime victims in this state should be awarded financial assistance with certain expenses related to crime. Based on the concepts of fairness and justice, and bolstered by the strong belief that criminals should be held responsible for their actions; the Oklahoma Crime Victims' Compensation Fund is completely supported through fines paid by persons pleading guilty or convicted of crimes at the District and Federal Court level. There are no tax dollars used to fund payments to victims.

STATE COURTS

\$4,496,975.64 was deposited in the Fund from judges assessing the following court costs:

\$30 - \$300	Misdemeanor
\$50 - \$10,000	Felony (Criminal Injurious Conduct)
\$45 - \$1000	Felony (Non-Injurious Conduct)
\$35	Crimes involving violence/threat of violence/sexual assault (Municipal)
\$25	Driving Under the Influence (Municipal)
Deferred Judgment	Felony/Misdemeanor ranges
Deferred Prosecution	Felony/Misdemeanor ranges
Juvenile Adjudication	May award up to \$2,000

FEDERAL COURTS

\$1,332,609.61 was deposited in the Fund through the national Victims of Crime Act (VOCA), which allows the collection of fines, fees and assessments from federal offenses. Passed in 1984, VOCA has awarded grants to the Oklahoma Crime Victims Compensation Fund since 1986. These grants are based on a formula that gives each state 60 percent of the state funds paid to victims in the previous year.

RESTITUTION

Fees received through restitution accounted for *\$233,805.90* of our annual funding. A defendant may be ordered to reimburse the Fund for monies paid on behalf of his or her victim. The Division provides local prosecutors with information on the amount of money the Fund has already paid on behalf of a victim so that the amount owed to the Fund can be determined. Restitution paid by parolees to victims who cannot be located is another source of revenue. If the money remains unclaimed after three years, it is deposited in the Crime Victims' Compensation Fund. If any of the victims are later located, restitution is paid directly from the Fund.

INMATE FEES AND INTEREST

If an inmate earns wages while incarcerated, five percent of those earnings are deposited into the Fund. Inmates having savings accounts while incarcerated are required to pay 20 percent of interest earned to the Fund. *\$158,588.61* was deposited to the Fund in FY 2014 from Inmate wages and Interest. The fund also collects interest on the balance in the overall fund. This year alone, interest earned was *\$74,543.37*.

OTHER SOURCES OF REVENUE

Donations totaled *\$800.00* and subrogation totaled *\$470,116.69* in FY 14. Both are other sources of revenue for the Fund. When a crime victim is awarded money in a civil suit against the criminal, the Crime Victims' Compensation Fund has a lien of subrogation in an amount equal to the amount paid by the Fund. Similarly, if other collateral sources such as insurance or Medicaid pay service providers for expenses paid by the program, those service providers are obligated to return the overpayment to the Fund. Deferred Prosecution Agreements netted the program *\$4,814.39*.

FY2014 ACTIVITY SUMMARY BY COUNTY

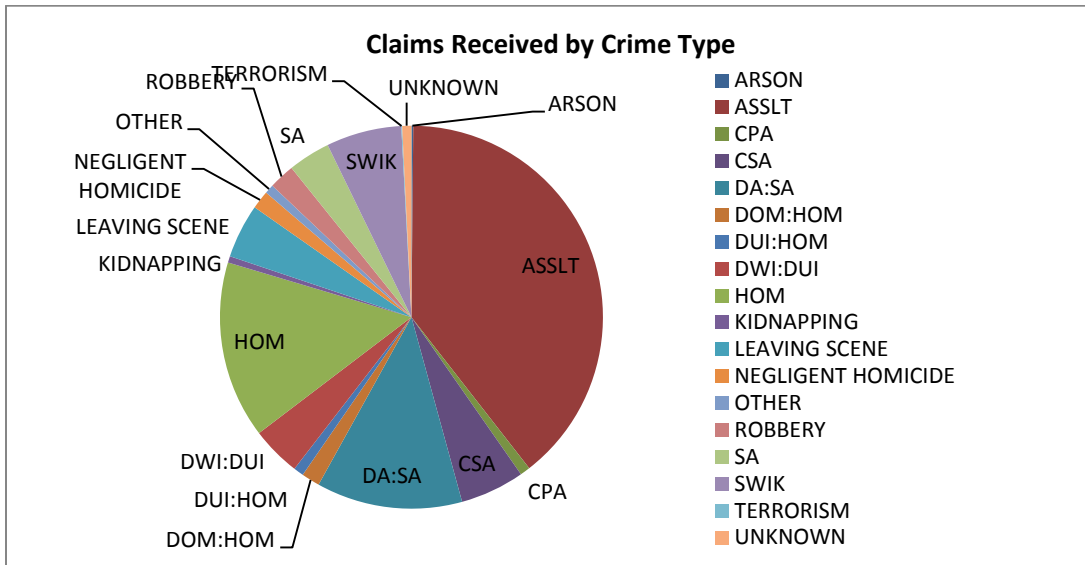
County	Claims Received in FY14	Claims Approved in FY14	Claims Denied in FY14	Award Amount	SANE Applications Received	SANE Award Amounts	VCA Collections
ADAIR	6	6	1	28465	8	2393	31638
ALFALFA	1	0	2	0	5	2330	5763
ATOKA	1	1	0	3327	2	900	9164
BEAVER	0	0	0	0	1	427	8540
BECKHAM	13	0	9	0	9	2300	21662
BLAINE	8	4	2	12268	1	900	23758
BRYAN	19	7	7	32931	25	10737	77705
CADDO	18	14	13	58382	7	1450	25765
CANADIAN	17	3	8	58492	20	6750	110238
CARTER	20	6	13	28287	53	15281	58546
CHEROKEE	9	4	2	-1437	21	8393	80241
CHOCTAW	6	4	0	41562	10	4900	10359
CIMARRON	1	0	4	0	0	450	2186
CLEVELAND	55	33	17	204727	94	21449	270749
COAL	0	0	0	0	3	450	5067
COMANCHE	42	17	13	128335	71	28878	55199
COTTON	0	0	0	160	5	2250	11876
CRAIG	2	3	0	38717	2	950	14680
CREEK	22	9	8	58863	21	8159	145845
CUSTER	14	10	14	55240	8	3400	34816
DELAWARE	5	6	2	26637	8	1350	80101
DEWEY	1	3	2	1767	0	0	6610
ELLIS	0	2	0	15860	2	500	3137
GARFIELD	16	13	7	110796	8	3392	67651
GARVIN	10	2	1	5674	7	2298	40328
GRADY	23	18	10	44038	16	6106	115843
GRANT	1	1	1	7500	1	0	5867
GREER	0	1	0	6067	1	500	3485
HARMON	0	0	0	0	0	0	2942
HARPER	0	0	0	0	0	0	2360
HASKELL	2	3	0	41407	3	900	22216
HUGHES	3	2	2	16836	12	3150	1981
JACKSON	4	1	2	3048	7	1478	34489
JEFFERSON	0	0	0	0	2	900	4801
JOHNSTON	3	2	0	9365	12	4142	11759
KAY	16	4	4	10577	23	10048	73193
KINGFISHER	7	5	0	23876	3	850	37886

County	Claims Received in FY14	Claims Approved in FY14	Claims Denied in FY14	Award Amount	SANE Applications Received	SANE Award Amounts	VCA Collections
KIOWA	4	2	2	10839	3	1500	15146
LATIMER	4	0	1	0	2	0	29224
LE FLORE	12	4	6	18989	13	5011	91571
LINCOLN	6	5	10	8424	21	5530	26916
LOGAN	12	5	11	13712	16	5480	60926
LOVE	3	2	1	8739	3	1405	16498
MAJOR	3	3	2	8149	1	500	10253
MARSHALL	4	2	3	9824	10	3622	15174
MAYES	9	2	2	6455	14	5800	49586
MCCLAIN	8	1	3	1169	19	4618	57361
MCCURTAIN	10	7	5	65883	18	7600	18846
MCINTOSH	7	2	1	14616	12	5089	32766
MURRAY	2	0	2	0	10	3690	11381
MUSKOGEE	28	15	7	66609	76	24381	62538
NOBLE	1	0	0	0	6	2315	7641
NOWATA	1	1	0	5419	3	600	4254
OKFUSKEE	6	5	1	34403	7	473	10626
OKLAHOMA	305	156	211	1418887	356	148642	608422
OKMULGEE	10	3	2	28068	22	8200	61540
OSAGE	16	14	4	164310	16	5300	90232
OTTAWA	5	3	1	26085	11	2350	152252
PAWNEE	4	4	1	21210	1	465	40286
PAYNE	45	20	18	106838	47	17810	124471
PITTSBURG	8	3	4	28473	25	8906	59173
PONTOTOC	10	6	13	37776	26	11513	44794
POTTAWATOMIE	31	7	19	25287	35	10351	88442
PUSHMATAHA	2	1	0	20000	3	1800	8152
ROGER MILLS	0	0	0	0	0	0	3450
ROGERS	10	3	1	21339	31	13400	59537
SEMINOLE	15	6	2	17407	16	4500	33992
SEQUOYAH	24	12	7	80209	15	4242	14427
STEPHENS	11	10	1	119400	13	5250	22458
TEXAS	5	2	1	5287	2	748	19867
TILLMAN	3	2	0	20621	0	0	8645
TULSA	290	99	154	786757	384	146638	771893
WAGONER	9	6	1	24369	17	4250	85255
WASHINGTON	5	2	4	7211	20	8000	64358
WASHITA	3	2	0	10599	3	1450	11370

County	Claims Received in FY14	Claims Approved in FY14	Claims Denied in FY14	Award Amount	SANE Applications Received	SANE Award Amounts	VCA Collections
WOODS	4	3	0	28353	3	1800	17179
WOODWARD	10	4	9	43309	8	2200	27854
Totals	1290	608	654	4,386,792	1,759	643,790	4,457,202

*Claims may have been submitted prior to FY2014.

APPLICATIONS BY CRIME TYPE



Crime Type	Number of Claims	Percentage
ARSON	2	0.16%
ASSLT	507	39.30%
CPA	11	0.85%
CSA	70	5.43%
DA:SA	159	12.33%
DOM:HOM	20	1.55%
DUI:HOM	11	0.85%
DWI:DUI	54	4.19%
HOM	193	14.96%
KIDNAPPING	7	0.54%
LEAVING SCENE	59	4.57%
NEGLIGENT HOMICIDE	20	1.55%
OTHER	10	0.78%
ROBBERY	28	2.17%
SA	46	3.57%
SWIK	82	6.36%
TERRORISM	1	0.08%
UNKNOWN	10	0.78%
Grand Total	1290	100.00%

BENEFITS OF THE PROGRAM

Funeral –\$7,500.00 may be reimbursed for expenses related to the funeral, cremation, or burial of a deceased victim.

Future Economic Loss - Needed services which cannot be obtained without prior approval of the victim's compensation claim.

Income Loss - Loss of income from work the victim would have performed if he/she had not been injured. Work loss must be verified by the employer and the attending physician. Caregiver work loss can be awarded up to \$3,000.00, if the work loss is verified by the victim's physician and caregiver's employer. Caregiver work loss may only be awarded to persons who have unreimbursed wage loss due to caring for an injured victim of crime.

Loss of Support - In the event of the death of a victim, the Board may consider providing reimbursement for loss of support to a dependent based on the victim's net income at the time of death, less any collateral sources such as: Life insurance and uninsured motorist coverage over \$50,000.00, social security, workers compensation or 3rd party reimbursements. Monthly installments or a lump sum award is at the discretion of the Board.

Medical/Dental - Includes products, services, and accommodations for medical care (Examples: doctor exams, dental work, hospital treatment, hospital stay, artificial limbs, prescriptions, and eye glasses.) Medical related fees will be paid up to 80%, with a 20% required write-off by the medical service provider.

Rehabilitation - Includes such things as physical therapy, rehabilitative occupational training, and other remedial treatment and care.

Counseling for Victims - Counseling expenses may be paid up to 80%, with a 20% required write-off by the mental health service provider. The maximum compensable amount for the victim's counseling is \$3,000.00. This limit may be waived by the Board in extenuating circumstances.

Grief Counseling - Crisis counseling that is initiated within three years of the crime date is compensable, up to \$3,000.00 for each family member of a homicide victim. *Medical and pharmaceutical treatment for a family member of a homicide victim is not compensable.*

Crime Scene Cleanup- Crime scene cleanup may be approved up to \$2,000.00.

Replacement Services - Expenses reasonably incurred in obtaining ordinary and necessary services in place of those the victim would have performed for the benefit of self or family, if the victim had not been injured.

Other Fees - If the victim is responsible for paying impound fees associated with a violent crime occurring in the vehicle and the vehicle is held as evidence, impound costs may be reimbursed up to \$750.00.

Limits of Compensation- The maximum allowable award is \$20,000.00, except when additional work loss/loss of support is being claimed, the maximum award can be extended to \$40,000.00. The sum of all payments made to individual claimants and service providers on behalf of one victim may not exceed this amount.

Property losses are not covered under the Act.

SEXUAL ASSAULT EXAMINATION FUND

There were 1759 claims received in FY '14 with award amounts totaling \$643,790.00. These funds go directly to the professionals (Medical Doctors or Sexual Assault Nurse Examiners) who conduct the forensic examinations on victims of sexual abuse. Funds for the payment of the sexual assault examinations came from deposits into the Crime Victims Compensation Fund via a journal entry transfer through the Office of State Finance. The compensable amount for the sexual assault examination is \$450.00. There is an additional \$50.00 available for medications prescribed by the sexual assault examiner for the one-time initial treatment of the victim. The District Attorneys Council is empowered by the Crime Victims Compensation Board to pay for forensic sexual assault examinations.

*Claims paid could include claims received in FY 13 and paid in FY 14.

VICTIMS OF CRIME ACT GRANT FUNDING

In FY 14, the Victims of Crime Act (VOCA) nine member Board approved 109 grants totaling \$5,057,876.00 to organizations serving victims of crime in Oklahoma. The VOCA grant is available from the Office for Victims of Crime, US Department of Justice, through the successful collection of assessments paid by offenders at the federal level. Included in the list of subgrantees are: Rape Crisis Shelters, Domestic Violence Shelters, Victim-Witness Assistance Programs, and Child Advocacy Programs. The District Attorneys Council is the pass-through agency for this federal grant. The following programs were funded with VOCA grant dollars in FY 14.

FY 2014 VOCA Subgrantees

Domestic Violence/Sexual Assault Programs – 30

ACTION Associates (Clinton)
Community Crisis Center (Miami)
Crisis Control Center (Durant)
Domestic Violence Intervention Services/Call Rape (Tulsa) – 3 grants
Domestic Violence Program of North Central Oklahoma (Ponca City)
Family Crisis and Counseling Center (Bartlesville)
Family Crisis Center (Ada)
Family Shelter of Southern Oklahoma (Ardmore)
Help-In-Crisis (Tahlequah)
Ki Bois Community Action Foundation (Stigler and McAlester) – 2 grants
Marie Detty Youth & Family Services (Lawton)
Northwest Domestic Crisis Services (Woodward)
Okmulgee Family Resource Center (Okmulgee)
Project Safe (Shawnee)
Safenet Services (Claremore)
Seminole County Domestic Violence Association (Seminole)
SOS for Families (Idabel)
Southwest Oklahoma Community Action Group, Inc. (Altus)
Stillwater Domestic Violence Services (Stillwater)
Women in Safe Home (Muskogee)
Women's Crisis Services of LeFlore County (Poteau)
Women's Haven (Duncan)
Women's Resource Center (Norman)
Women's Service & Family Resource Center (Chickasha)
YWCA Enid (Enid)
YWCA Oklahoma City (OKC) – 2 grants

District Attorneys' Offices – 24

District 2 (Arapaho)
District 3 (Altus) – 2 grants
District 4 (Enid)
District 6 (Chickasha)
District 7 (OKC)
District 8 (Newkirk) – 2 grants
District 9 (Stillwater)
District 10 (Pawhuska)
District 11 (Bartlesville)
District 13 (Miami)

District 14 (Tulsa) – 3 grants
District 16 (Poteau)
District 17 (Idabel)
District 18 (McAlester)
District 19 (Durant)
District 20 (Ardmore)
District 21 (Norman)
District 22 (Ada)
District 23 (Shawnee)
District 27 (Tahlequah)

CASA Programs - 21

13th Judicial District CASA (Grove)
22nd Judicial District CASA (Ada)
Canadian County CASA (El Reno)
CASA for Children (Muskogee)
CASA of Cherokee Country (Tahlequah)
CASA of Oklahoma County (OKC)
CASA of Southwest Oklahoma (Lawton)
CASA Voices for Children (Chickasha)
Cleveland County CASA (Norman)
Counseling, Inc. (Tishomingo)
Garfield County Child Advocacy Council (Enid)
Little Dixie Community Action Agency (Hugo)
Multi-County Youth Services (Clinton)
Northern Oklahoma Youth Services (Ponca City)
Northwest Oklahoma CASA (Woodward)
Okmulgee County Family Resource Center (Okmulgee)
Pawnee/Osage CASA (Pawnee)
Payne County CASA (Stillwater)
San Bois CASA (Poteau)
Tri-County CASA (Claremore)
Tulsa CASA (Tulsa)

Child Programs (other than CASA) – 24

22nd Judicial District Care Cottage (Ada)
Bethesda, Inc. (Norman) – 3 grants
Center for Children and Families (Norman)
Child Abuse Network (Tulsa)
Delaware County Children's Special Advocacy Network (Jay)
Family & Children's Services (Tulsa)
Garfield County Child Advocacy Council (Enid)
Logan Community Services (Guthrie)
Mary Abbott Children's House (Norman)
Moore Youth and Family Services (Moore)
North Care (OKC)
Oklahoma Interviewing Services (OKC)
Oklahoma Lawyers for Children (OKC)
Parent Child Center of Tulsa (Tulsa)
Payne County Youth Services (Stillwater)
The Care Center (OKC) – 2 grants
The Saville Center (Stillwater)
University of Oklahoma Health Sciences Center (OKC)
William W. Barnes Children's Advocacy Center (Claremore)
Youth Services of Bryan County (Durant)
Youth Services of Tulsa (Tulsa)

Law Enforcement Programs – 3

Broken Arrow Police Department (Broken Arrow)
Creek County Sheriff's Office (Sapulpa)
Oklahoma City Police Department (OKC)

Tribal Programs – 4

Cherokee Nation (Tahlequah)
Choctaw Nation of Oklahoma (Hugo)
Comanche Nation Hope House (Lawton)
Kaw Nation (Kaw City)

Other Programs – 3

Legal Aid Services of Oklahoma (OKC)
Mothers Against Drunk Driving (OKC)
Office of the Chief Medical Examiner (OKC)

NOTES