

OKLAHOMA CRIME VICTIMS COMPENSATION PROGRAM

2015 ANNUAL REPORT



DISTRICT ATTORNEYS COUNCIL
VICTIM SERVICES DIVISION

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OKLAHOMA CRIME VICTIMS COMPENSATION PROGRAM

2015 Annual Report

July 1, 2014 – June 30, 2015

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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 Oklahoma Crime Victims Compensation Program (OCVC) is pleased to present you with the 2015 Annual Report. This report highlights the successes of this program and the hope that it brings to crime victims. When we review the program's client surveys; we see hope, financial relief and gratitude.

All services are funded through fines and penalty assessments paid by state and federal offenders. No tax payer dollars or state appropriations are used or received for this program.

The program will celebrate its 35th Anniversary this year! We thank you for your encouragement through the years. Together we will continue to make a difference in the lives of crime victims. Hope begins with healing.

It is an honor to present this 2015 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 "payer of last resort" after primary sources of payment such as health insurance, Medicaid and Medicare.

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, unless waived by the Board
- 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 related 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 and Prescription Medication
- Counseling, physical therapy, rehabilitation
- Work loss/ Loss of income in homicide cases and Caregiver work-loss
- Crime scene clean-up
- Funeral and burial expense, including traditional healing and burial for American Indian Crime Victims
- Impound fees

FUNDING SOURCES

\$7,566,985.28 deposited into Fund in FY 15.

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

\$4,434,618.56 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

\$2,227,114.37 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 *\$292,531.91* 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. *\$149,916.19* was deposited to the Fund in FY 2015 from Inmate wages and Interest. The fund also collects interest on the balance in the overall fund. This year alone, interest earned was *\$68,906.79*.

OTHER SOURCES OF REVENUE

Donations totaled *\$924.00* and Subrogation totaled *\$391,397.69* in FY 15. 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 *\$1,575.77*.

FY2015 ACTIVITY SUMMARY BY COUNTY

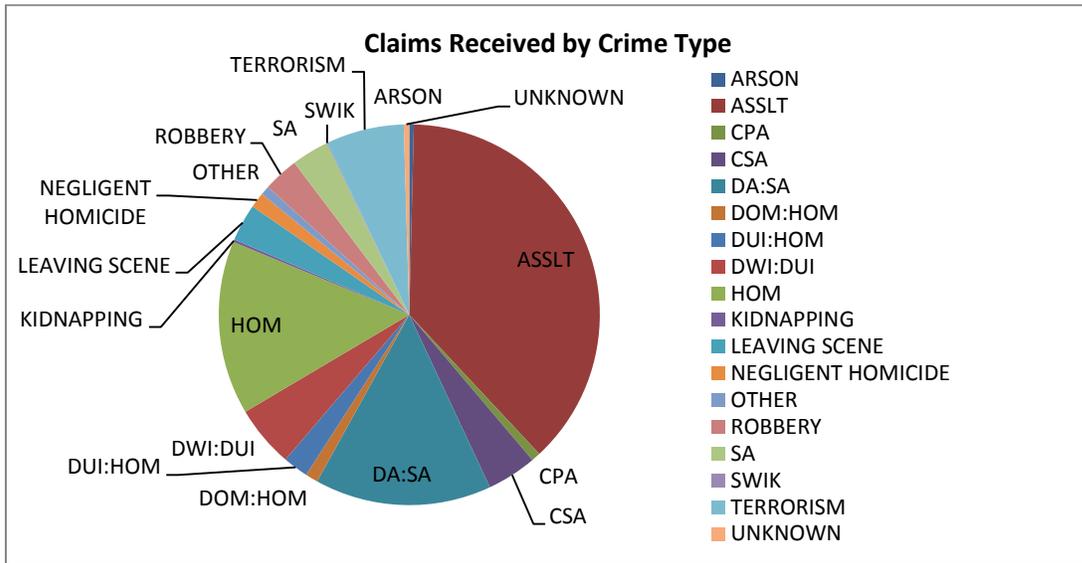
County	Claims Received in FY14	Claims Approved in FY14	Claims Denied in FY14	Award Amount	SANE Applications Received	SANE Award Amounts	VCA Collections
ADAIR	4	2	3	5,212	8	3,242	34,483
ALFALFA	1	1	0	17,121	1	665	4,869
ATOKA	2	2	0	4,211	13	4,050	11,337
BEAVER	0	0	0	0	0	0	7,934
BECKHAM	8	7	17	69,891	10	3,850	23,154
BLAINE	4	1	5	0	4	1,900	21,749
BRYAN	30	10	3	45,052	27	9,900	66,150
CADDO	9	8	3	62,990	8	4,246	31,662
CANADIAN	20	10	8	116,772	16	8,113	119,057
CARTER	28	8	6	55,025	22	12,826	65,362
CHEROKEE	6	1	0	4,506	29	12,809	66,071
CHOCTAW	5	2	1	27,500	8	2,700	10,684
CIMARRON	0	0	0	0	0	0	3,905
CLEVELAND	57	49	29	303,395	101	46,444	254,217
COAL	1	0	0	0	2	900	5,090
COMANCHE	32	28	11	170,653	41	19,350	56,129
COTTON	0	0	0	0	0	0	13,650
CRAIG	3	1	6	1,627	4	1,800	17,330
CREEK	18	8	4	30,497	23	9,510	131,489
CUSTER	10	7	7	45,853	6	2,750	30,428
DELAWARE	2	1	1	1,571	6	2,796	96,989
DEWEY	1	2	0	22,532	0	0	6,558
ELLIS	0	1	0	1,904	2	900	2,120
GARFIELD	19	11	4	90,455	16	8,287	75,109
GARVIN	11	4	8	19,874	8	3,686	38,611
GRADY	26	11	8	52,509	18	7,437	118,276
GRANT	2	2	1	5,608	0	500	5,088
GREER	2	1	0	7,984	1	500	12,965
HARMON	0	0	0	0	0	0	2,169
HARPER	0	0	0	0	1	170	2,741
HASKELL	2	1	1	32,235	2	1,400	18,049
HUGHES	5	2	1	20,000	14	6,300	1,632
JACKSON	9	1	3	6,092	9	4,980	35,148
JEFFERSON	2	0	0	0	4	1,847	3,575
JOHNSTON	2	0	2	0	5	2,317	12,274
KAY	17	11	10	74,946	22	11,150	63,459
KINGFISHER	6	2	1	34,751	7	2,700	37,702

County	Claims Received in FY14	Claims Approved in FY14	Claims Denied in FY14	Award Amount	SANE Applications Received	SANE Award Amounts	VCA Collections
KIOWA	0	0	0	242	2	1,000	18,715
LATIMER	5	2	3	19,319	3	2,200	27,475
LE FLORE	9	16	19	100,138	0	0	8,621
LEFLORE	0	0	0	0	27	11,300	91,423
LINCOLN	2	0	1	0	21	9,117	40,395
LOGAN	17	6	6	17,847	13	5,026	54,879
LOVE	2	0	1	4,177	8	3,348	17,602
MAJOR	2	4	4	27,968	3	1,215	13,007
MARSHALL	0	1	1	7,431	0	0	12,635
MAYES	12	5	9	23,897	16	7,150	54,767
MCCLAIN	4	6	3	12,169	8	4,570	42,944
MCCURTAIN	47	17	8	115,004	26	9,450	21,892
MCINTOSH	4	1	0	20,902	5	1,850	30,186
MURRAY	3	1	0	7,448	5	2,714	12,148
MUSKOGEE	35	7	10	63,132	91	37,652	56,084
NOBLE	2	0	0	0	3	1,350	7,778
NOWATA	3	4	1	28,204	7	2,700	2,360
OKFUSKEE	1	2	0	25,337	2	900	10,725
OKLAHOMA	281	209	210	1,821,983	346	157,589	632,847
OKMULGEE	7	1	1	40,000	15	6,600	70,994
OSAGE	13	5	9	56,116	15	7,450	81,797
OTTAWA	7	2	2	14,052	9	4,550	160,543
PAWNEE	7	1	3	295	3	1,500	41,273
PAYNE	44	21	20	48,590	47	18,916	108,263
PITTSBURG	8	6	3	54,634	33	13,100	49,619
PONTOTOC	12	7	1	51,946	26	10,200	33,802
POTTAWATOMIE	20	7	2	29,080	37	17,200	104,846
PUSHMATAHA	3	1	1	6,148	4	900	7,117
ROGER MILLS	0	0	0	0	1	450	2,258
ROGERS	30	8	17	67,462	20	9,200	61,458
SEMINOLE	12	9	6	65,186	7	4,100	34,041
SEQUOYAH	9	8	11	25,533	8	5,485	9,690
STEPHENS	7	8	8	51,297	19	8,650	23,655
TEXAS	4	2	0	31,327	15	5,281	19,373
TILLMAN	1	0	1	0	2	950	9,217
TULSA	300	96	161	904,099	315	152,706	728,535
WAGONER	11	5	1	25,948	26	11,706	79,191
WASHINGTON	12	7	2	29,680	17	7,350	62,697

County	Claims Received in FY14	Claims Approved in FY14	Claims Denied in FY14	Award Amount	SANE Applications Received	SANE Award Amounts	VCA Collections
WOODS	5	1	4	20,000	2	701	15,709
WOODWARD	14	9	4	65,848	12	4,604	31,587
Totals	1301	682	677	5,213,625	1658	7,51,205	4,408,384

*Claims may have been submitted prior to FY2015.

APPLICATIONS BY CRIME TYPE



Crime Type	Number of Claims	Percentage
ARSON	5	0.38%
ASSLT	490	37.66%
CPA	10	0.77%
CSA	55	4.23%
DA:SA	195	14.99%
DOM:HOM	14	1.08%
DUI:HOM	28	2.15%
DWI:DUI	68	5.23%
HOM	192	14.76%
KIDNAPPING	3	0.23%
LEAVING SCENE	41	3.15%
NEGLIGENT HOMICIDE	17	1.31%
OTHER	10	0.77%
ROBBERY	39	3.00%
SA	41	3.15%
SWIK	1	0.08%
TERRORISM	86	6.61%
UNKNOWN	6	0.46%
Grand Total	1301	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/ Loss and Replacement Services Loss for dependents – Includes expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the victim would have performed for the benefit of self or family if not for the injury or death.

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.

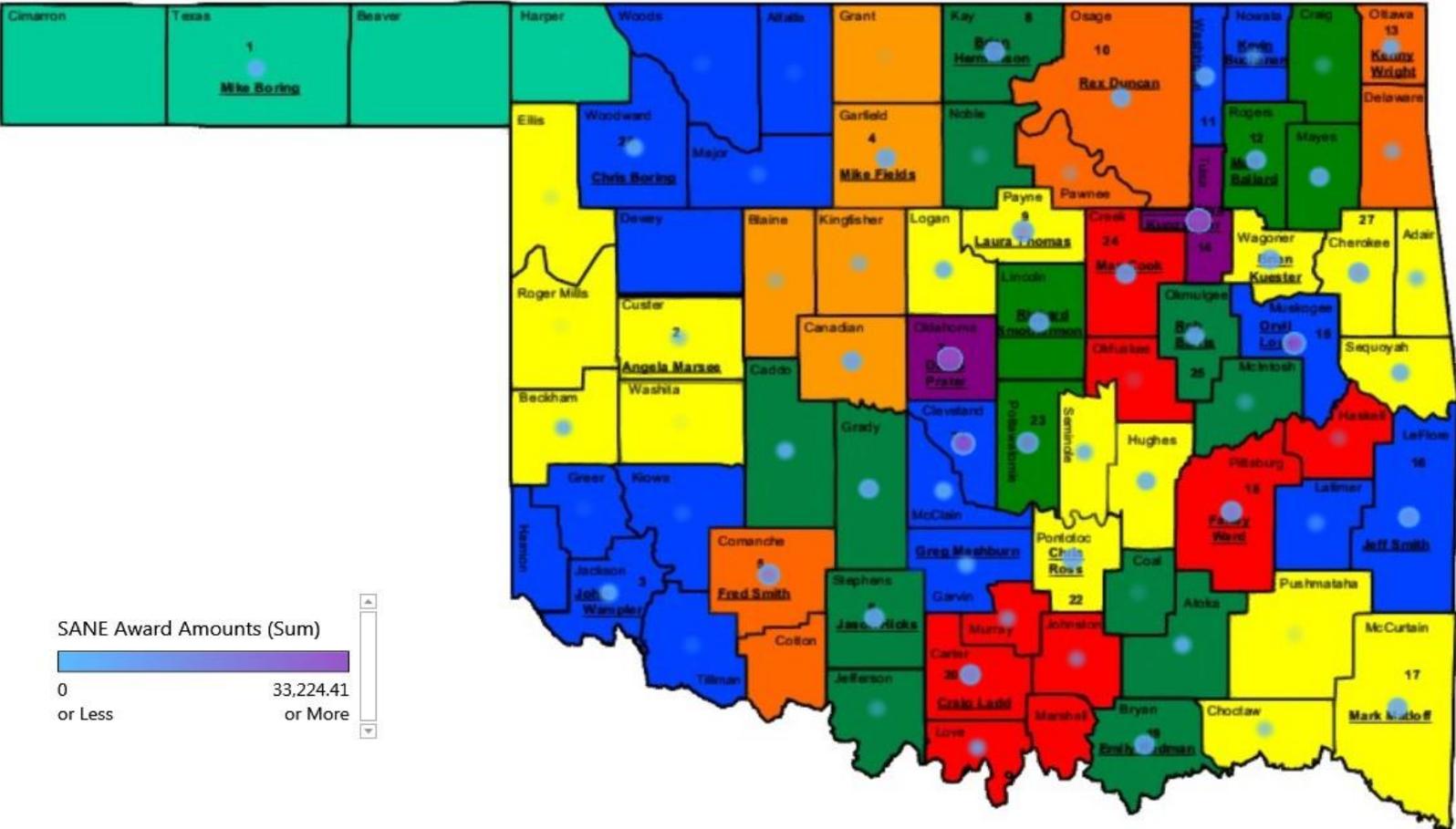
Property losses are not covered under the Act.

SEXUAL ASSAULT EXAMINATION FUND

There were 1753 claims received in FY '15 with payments totaling \$806,459.49. 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 14 and paid in FY 15.

SANE AWARD AMOUNTS
OKLAHOMA DISTRICT ATTORNEYS
2015



VICTIMS OF CRIME ACT GRANT FUNDING

In FY 15, the Victims of Crime Act (VOCA) nine member Board approved 145 grants totaling \$13,432,684.39 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 sub grantees 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 15.

FY 2015 VOCA Sub grantees

Domestic Violence/Sexual Assault Programs – 35

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) – 2 grants
Family Crisis and Counseling Center (Bartlesville)
Family Crisis Center (Ada)
Family Shelter of Southern Oklahoma (Ardmore)
Help-In-Crisis (Tahlequah) – 2 grants
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) – 2 grants
Project Safe (Shawnee)
Safenet Services (Claremore)
Seminole County Domestic Violence Association (Seminole) – 2 grants
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) – 3 grants

District Attorneys' Offices – 31

District 2 (Arapaho) – 2 grants
District 3 (Altus) – 2 grants
District 4 (Enid)
District 5 (Lawton)
District 6 (Chickasha)
District 7 (OKC)
District 8 (Newkirk) – 3 grants
District 9 (Stillwater)

District 10 (Pawhuska)
District 11 (Bartlesville)
District 12 (Claremore)
District 13 (Miami)
District 14 (Tulsa) – 3 grants
District 15 (Muskogee)
District 16 (Poteau)
District 17 (Idabel)
District 18 (McAlester)
District 19 (Durant) – 2 grants
District 20 (Ardmore)
District 21 (Norman)
District 22 (Ada)
District 23 (Shawnee) – 2 grants
District 27 (Tahlequah)

CASA Programs - 26

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) – 4 grants
Little Dixie Community Action Agency (Hugo) – 2 grants
Multi-County Youth Services (Clinton)
Northern Oklahoma Youth Services (Ponca City)
Northwest Oklahoma CASA (Woodward)
Okmulgee County Family Resource Center (Okmulgee) – 2 grants
Pawnee/Osage CASA (Pawnee)
Payne County CASA (Stillwater)
San Bois CASA (Poteau)
Tri-County CASA (Claremore)
Tulsa CASA (Tulsa)
Youth and Family CASA (Shawnee)

Child Programs (other than CASA) - 32

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) – 4 grants
Leflore County Child Advocacy Network (Poteau)
Logan Community Services (Guthrie)
Mary Abbott Children's House (Norman)
Moore Youth and Family Services (Moore)
Muskogee County Child Advocacy Center (Muskogee)
North Care (OKC)
Oklahoma Interviewing Services (OKC) – 2 grants
Oklahoma Lawyers for Children (OKC)
Parent Child Center of Tulsa (Tulsa)
Payne County Youth Services (Stillwater)

The Care Center (OKC) – 2 grants
The C.A.R.T. House (El Reno)
The Saville Center (Stillwater)
Tulsa Lawyers for Children (Tulsa)
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 – 7

Broken Arrow Police Department (Broken Arrow)
Creek County Sheriff’s Office (Sapulpa)
Guthrie, City of (Guthrie)
Oklahoma City Police Department (OKC)
Oklahoma State Bureau of Investigation (Edmond)
Osage County Sheriff’s Office (Pawhuska)
Tulsa, City of (Tulsa)

Tribal Programs – 13

Believing in Nation Generations (Anadarko)
Cherokee Nation (Tahlequah)
Choctaw Nation of Oklahoma (Hugo)
Comanche Nation Hope House (Lawton)
Eastern Shawnee Tribe of Oklahoma (Wyandotte)
Iowa Tribe of Oklahoma (Perkins)
Kaw Nation (Kaw City)
Kiowa Tribe of Oklahoma (Anadarko)
Miami Tribe of Oklahoma (Miami)
Muscogee (Creek) Nation (Okmulgee)
Osage Nation (Pawhuska)
Wichita and Affiliated Tribes (Anadarko)
Wyandotte Nation (Wyandotte)

Other Programs – 7

Legal Aid Services of Oklahoma (OKC) – 2 grants
Mothers Against Drunk Driving (OKC)
Office of the Chief Medical Examiner (OKC)
Office of the Attorney General (OKC) – 2 grants
District Attorneys Council (OKC)

NOTES

