



Every Crime Victim Matters

New York State Office of Victim Services 2015-16 Annual Report



Office of
Victim Services

Table of Contents

Executive Summary	3
Agency Operations	5
Powers and Duties of the Agency	6
Agency Disbursements	12
Compensation and Claims Processing	13
Vocational Rehabilitation Services and Additional Medial Services	23
Grants Unit	25
Agency Funded Programs	26
Training	43
Statewide Advisory Council	44
Public Awareness and Outreach	45
2015 Chapter Laws Affecting Crime Victims and Related Issues	46
“Son of Sam” Law	51
Subrogation and Restitution	52

Executive Summary

New York State has had an agency dedicated to serving its innocent crime victims since 1966. The enabling legislation for the agency, only the second of its kind in the country and the first permanent program, was enacted in response to public outcry over the murder of a young man in a subway, leaving behind a widow with little means to care for their 15-month old child. ***The Mission of the Office of Victim Services is to provide compensation to innocent victims of crime in a timely, efficient and compassionate manner; to fund direct services to crime victims through a network of community-based programs; and to advocate for the rights and benefits of all innocent victims of crime.***

Funding for compensation to crime victims comes from a combination of State and Federal monies. The State portion comes from the Criminal Justice Improvement Account (CJIA), which is funded by mandatory surcharges and crime victim assistance fees assessed on certain offenders. The amount of CJIA funding available to OVS depends on legislative appropriation. The Federal funding for compensation and victim and witness assistance grants comes from the Crime Victims Fund, which was established by the Federal Victims of Crime Act (VOCA) of 1984.

OVS provides substantial financial relief to victims of crime and their families. This includes, for example, paying unreimbursed crime-related expenses, such as medical and funeral expenses, loss of earnings or support, crime scene clean-up, the cost to repair or replace items of essential personal property, reasonable court transportation expenses, counseling expenses, moving expenses and the cost of residing at, or using the services of, a domestic violence shelter. Over time, compensation coverage has broadened to include counseling for step-family members, victims of kidnapping and unlawful imprisonment or stalking victims who are not physically injured.

The agency is also responsible for advocating for crime victims' rights, needs and interests in New York State. This advocacy role has resulted in the agency developing legislation, subsequently enacted, that has protected and extended the rights of crime victims and expanded the services and assistance available to them.

OVS has received funding from the New York State Legislature since 1981-82 for the sole purpose of awarding grants to community-based programs so those providers can serve crime victims and witnesses. The agency has received federal VOCA funds for this same purpose since 1986-87. OVS funded 225 local victim assistance programs (VAPs) during 2015-16.

This report reflects the Office of Victim Services' efforts and accomplishments in meeting the needs of crime victims during New York State's fiscal year 2015-16. Highlights include:

- Launching the Victim Service Portal (VSP) in April 2015, an online system that makes submitting claims easy and efficient. The online system also allows applicants to upload and electronically submit all necessary documentation in support of their claim. The VSP was first made available to victim advocates in Western New York in early April and was then rolled out to VAPs in all other regions throughout April and May. Individuals

could submit claims online as of late 2015. More than 9,000 claims were submitted through the Victim Services Portal during 2015-16, which was more than half of the claims submitted to OVS during this period. OVS will continually evaluate the VSP to ensure that it meets the needs of the agency, victim advocates and individuals. During the first year alone, the OVS made several improvements to the system based on user feedback.

- Also in April, OVS observed National Crime Victims' Rights Week. The agency promoted the national theme – Engaging Communities – Empowering Victims – by partnering with the New York State Justice Center for the Protection of People with Special Needs to reach victims with disabilities and special needs, their advocates and families to make them aware of services available from OVS and victim assistance programs in their communities.
- For the first time since 2009, OVS hosted a training conference for advocates from victim assistance programs funded by the agency. Hosted in Liverpool, Onondaga County, on Oct. 27 through 29, the training was attended by more than 400 professionals and featured 30 workshops and presentations by survivors of crime who had been assisted by OVS and VAPs. Evaluations of the conference were overwhelmingly positive.
- OVS applied for, and received, a Federal Fiscal Year 2015 Victim Assistance Discretionary Grant Training Program for VOCA-funded victim assistance programs for \$1,418,202. This grant will be used to provide training to the staff of the 225 VAPs funded by the agency on the following topics: fiscal literacy, how to develop a strategic plan, and how to conduct a program evaluation. The training grant also will fund four training academies throughout the State and the agency's annual conference.
- The agency also applied for, and received, a second federal grant of \$500,000 to support Phase II of its project to create the Crime Victims Legal Network, a unique online tool that will allow crime victims outside of New York City to determine the type of civil legal help they need and connect with resources to ensure their interests are represented. The agency will use the Final Report and the Implementation Plan created in Phase I to pilot the Crime Victims Legal Network in targeted areas and providing a subset of civil legal services that have been identified as necessary. Future phases are planned to expand the Network to serve all of New York State outside of New York City. OVS is partnering with the Empire Justice Center, Pro Bono Net and the Center for Human Services Research at the University of Albany on the project.
- More than 100 victim assistance programs successfully applied to OVS' Model Office Request for Applications and received \$1.5 million in federal grants to modernize their offices. The funding allowed those programs to purchase equipment – scanners, computers and printers – and software used for filing claims through the state's Victim

Service Portal. Programs also purchased mobile devices or tablets that will allow their staff to file claims whenever – and wherever – they meet with victims.

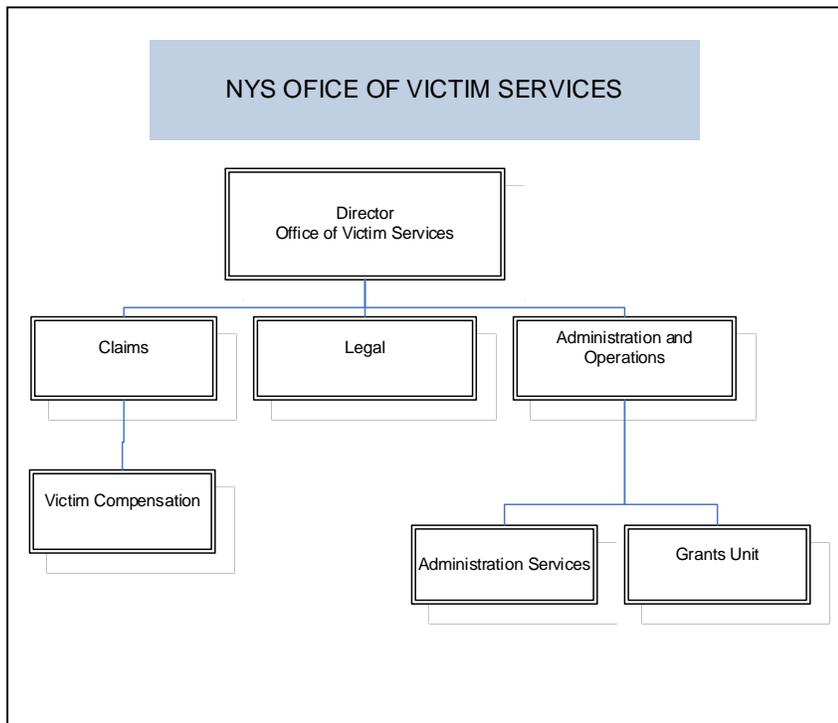
Agency Operations

Structure

The agency's Director is appointed by the Governor and oversees operation of the agency.

The OVS executive team includes the Deputy Director of Administration who oversees Finance, Grants and Operations; a General Counsel who leads the Legal Unit; and Deputy Director of Claims who manages the Crime Victim Compensation investigation teams, advocates and Additional Medical and Vocational Rehabilitation Units.

The staffing target for the agency is 74 employees.



Powers and Duties of the Agency (Executive Law Section 623)

- 1. To establish and maintain a principal office and such other offices within the state as it may deem necessary.**

The agency's principal office is located at 80 South Swan St., Albany, 12210, with a second office at 55 Hanson Place, Brooklyn, 11217. The office 65 Court St., Buffalo, 14202, was closed in November 2015.

- 2. To appoint a secretary, counsel, clerks and such other employees and agents as it may deem necessary, fix their compensation within the limitations provided by law, and prescribe their duties.**

The agency's staffing target was 74 employees. Duties performed by staff are related to the agency's compensation program, its victim/witness assistance program, and its statutorily mandated advocacy role.

- 3. To adopt, promulgate, amend and rescind suitable rules and regulations to carry out the provisions and purposes of article twenty-two, including rules for the determination of claims, rules for the approval of attorneys' fees for representation before the office and/or before the appellate division upon judicial review as provided for in section six hundred twenty-nine of article twenty-two, and rules for the authorization of qualified persons to assist claimants in the preparation of claims for presentation to the office.**

During 2015-16, the agency adopted regulations related to Executive Law Article 22. The agency's regulations were amended to limit attorney's fees, making those fees a reimbursable expense under a claim only for successful representation before OVS during an administrative appeal or the judicial review of an OVS final determination. The agency's regulations were also amended to create standards for the reduction or denial of a claim based on a victim's contributing conduct.

- 4. To request from the Division of State Police, from county or municipal police departments and agencies and from any other state or municipal department or agency, or public authority, and the same are hereby authorized to provide, such assistance and data as will enable the Office to carry out its functions and duties.**

In order to verify the stated crime and loss information submitted by crime victims to OVS, the agency requested needed information from the police, district attorneys' offices, child protective services, courts and other criminal justice agencies and authorities.

- 5. To hear and determine all claims for awards filed with the Office pursuant to article twenty-two, and to reinvestigate or reopen cases as necessary.**

During 2015-16, OVS rendered 16,501 original decisions: claims awarded and claims denied. The agency also reinvestigated or reopened claims as necessary.

6. To direct medical examination of victims.

In order to determine the causal relationship between the injuries claimed by victims and the medical services provided or to be provided, the agency made five referrals in 2015-16 to medical, psychological, chiropractic or dental consultants.

7. To hold hearings, administer oaths or affirmations, examine any person under oath or affirmation and to issue subpoenas requiring the attendance and giving of testimony of witnesses and require the production of any books, papers, documentary or other evidence. The powers provided in this subdivision may be delegated by the Director to any member or employee. A subpoena issued under this subdivision shall be regulated by the civil practice law and rules.

The agency reviewed 67 claim decisions and rendered new decisions as a result of appeals submitted by crime victims or their family members. As part of this process, the agency administered oaths and affirmations and issued subpoenas and took testimony when necessary.

8. To take or cause to be taken affidavits or depositions within or without the State.

OVS has taken affidavits or depositions when it was deemed necessary.

9. To establish and maintain a special investigative unit to expedite processing of claims by senior citizens and special emergency situations, and to promote the establishment of a volunteer program of home visitation to elderly and invalid victims of violent crime.

OVS has designated an essential personal property (EPP) unit to handle only EPP claims. Individuals who are 60 years old or older submit the majority of original awarded claims for EPP only, so this unit now expedites those claims. There are numerous OVS-funded victim assistance programs serving older adults and the elderly across the state.

10. To advise and assist the Governor in developing policies designed to recognize the legitimate rights, needs and interests of crime victims.

OVS annually submits a list of legislative proposals to the Governor for his review and subsequent development of his legislative program. OVS reviews legislation at the request of the Governor and provides comment on the impact, if any, to the agency and crime victims.

11. To coordinate state programs and activities relating to crime victims.

During the fiscal year, OVS staff met regularly with its Advisory Council and crime victims' coalitions and other crime victim advocates. The agency's Director serves on the New York State Sentencing Commission, the state's Domestic Violence Advisory Council, the state's Interagency Task Force on Human Trafficking, New York State Children's Justice Task Force, the New York State Council for Interstate Juvenile Supervision, New York State Judicial Committee on Women in the Courts, the United States Sentencing Commission's Victims Advisory Group, New York State Interagency Council on Homelessness, New York State Supreme Criminal Court E-Filing Committee, and the Violence Against Women Act Advisory Committee. OVS is also represented on the New York State Interagency Task Force on HIV/AIDS, the New York State Traumatic Brain Injury Committee, the state's Committee for the Coordination of Police Services to Elderly Persons, the state's Disaster Preparedness Commission, the National Association of Crime Victim Compensation Boards, and the National Association of VOCA Assistance Administrators.

12. To cooperate with and assist political subdivisions of the State and not-for-profit organizations in the development of local programs for crime victims.

Information and referral services have been requested by, and provided to, municipal police departments and county sheriffs' offices, county executives and district attorneys' offices.

The agency also supported the 225 victim/witness assistance programs it funded in 2015-16. These programs provided services ranging from crisis intervention and counseling to assisting crime victims with filing for compensation. The agency's Grants Unit also provided VAP trainings in regional and individual site locations, reaching approximately 600 individuals. Training topics included compensation, VOCA guidelines, fiscal reporting guidelines and OVS guidelines. When necessary, OVS provided technical assistance and sent advisory bulletins on current issues or policies to all programs. Those bulletins also are available online: www.ovs.ny.gov

13. To study the operation of laws and procedures affecting crime victims and recommend to the Governor and Legislature proposals to improve the administration and effectiveness of such laws.

OVS tracks legislative bills that could affecting crime victims and their rights. The agency also keeps apprised of rules and regulations proposed by other state agencies, including but not limited to: the Division of Criminal Justice Services, the Department of Corrections and Community Supervision, the Justice Center for the Protection of People with Special Needs, the New York State Police, the Office for the Prevention of Domestic Violence, and the Office of Mental Health, that could potentially affect crime victims.

14. To establish an Advisory Council to assist in formulation of policies on the problems of crime victims and to provide recommendations to the Director to improve the delivery of services to victims by the Office.

Experts in the field of victim assistance, human services and criminal justice have provided the agency with knowledge and expertise relating to crime victim policy and service delivery through the Advisory Council since its creation in March 1985.

15. To work with national associations, statewide coalitions, regional coalitions, victim service providers, and other advocates to address and advance the rights and interests of crime victims of the state.

OVS consults regularly with the National Association of Crime Victim Compensation Boards, and the National Association of VOCA Assistance Administrators and participates in their regional and national conferences. In addition, OVS staff attends regional coalition meetings around the state and works with victim assistance programs, allied professionals and other state agencies to advance the rights and interests of crime victims in New York State.

16. To promote and conduct studies, research, analysis and investigations of matters affecting the interests of crime victims.

As needed and requested, OVS conducted several programmatic and fiscal analyses related to its compensation program.

17. To coordinate training opportunities for crime victim advocates and service providers.

The agency provides compensation training to VAP staff monthly to help ensure that victim advocates are fully informed about the benefits available to innocent crime victims. In addition, the Grants Unit staff train VAPs on issues related to their grants with the agency and Legal staff offers training on restitution and the Direct Reimbursement Forensic Rape Exam program. Grants Unit staff also provide on-site technical assistance to VAPs as needed.

18. To serve as a clearinghouse for information relating to crime victims' problems and programs.

OVS continues to maintain a multi-disciplinary clearinghouse of studies, books, reports, journals, and other printed materials relating to crime victims. These materials address the rights, needs and interests of crime victims as they pertain to victim compensation, victim assistance and the status of victims in the criminal justice system.

- 19. To accept, with approval of the Governor, as agent of the state, any grants including federal grants, or any gifts for the purpose of article twenty-two. Any monies so received may be expended by the Office to effectuate any purpose of article twenty-two, subject to the applicable provisions of the State Finance Law.**

In 2015-16, OVS received \$9,376,000 in federal funds for victim compensation and \$118,676,064 in federal funds for victim assistance.

- 20. To render each year to the Governor and to the Legislature, on or before December first of each year, a written report on the office's activities including, but not limited to, specific information on each of the subdivisions of this section. Such report shall also include but not be limited to information regarding crime victim service programs, including:**

- a. the programs funded by the office;
- b. other sources of funding for crime victims service programs;
- c. an assessment of the adequacy of the current level of appropriation to the office to meet the reasonable needs of crime victims service programs for funding under section six hundred thirty-one-a of this article; and
- d. an estimate of the reasonable needs of programs in the next fiscal year.

A list of funded victim assistance programs (VAPs) is attached at the end of this report. The state's Criminal Justice Improvement Account also provides financial support for these programs, with funding determined annually by legislative appropriation.

Funding in both the current year and subsequent years' budgets is adequate to meet the funding needs of VAPs. In fact, federal appropriations were increased to reflect the increase in the State's Victim and Witness Assistance federal grant, the federal training grant and a federal grant to establish a Civil Legal Network for crime victims. In addition, funding for VAPs in 2016-17 is \$71.7 million, which is sufficient to meet the needs of these programs.

- 21. To render biennially to the Governor and the Legislature a written report on the manner in which the rights, needs and interests of crime victims are being addressed by the state's criminal justice system to include, but not be limited to:**

- a. Information transmitted by the state Office of Probation and Correctional Alternatives under Criminal Procedural Law Section 390.30, Subdivision 5 and Family Court Act Section 351.1, Subdivision 7, which the board shall compile, review and make recommendations on how to promote the use of restitution and encourage its enforcement.

- b. Information relating to the implementation of and compliance with Executive Law Article 23 by the criminal justice agencies and the "crime victim-related agencies" of the state.

Chapter 489 of the Laws of 2014 changed the agency's reporting requirements related to victim impact statements, restitution, and fair treatment standards for crime victims, from once a year in its annual report, to once, every two years in a separate, stand-alone report. The OVS 2014-15 Annual Report was the last to report under those previous requirements. The first stand-alone report pursuant to Chapter 489 is scheduled to be issued in 2017. This report will cover the first, two-year period since the law's enactment: state fiscal years 2015-16 and 2016-17.

22. To make grants to local crime victim service programs and carry out related duties under section 631-a of article twenty-two.

Approximately \$67 million in state and federal funds were appropriated to the agency for grant-making purposes in 2015-16, allowing OVS to assist crime victims by funding 225 programs across the state. In addition to auditing and monitoring functions, the Grants Unit provided continuing technical assistance and support to these programs.

23. To delegate to specified employees of the Office the power to disallow claims under circumstances where regulations of the Office provide for disallowance without prejudice to reopening of claims.

Rules and regulations implementing this subdivision are in place. These rules allow staff to close specific types of claims without prejudice to their reopening.

Disbursements in U.S. Dollars for State Fiscal Years 2006-07 through 2015-16

FISCAL YEAR	PERSONNEL	NON-PERSONNEL	TOTAL ADMINISTRATION	PAYMENTS TO VICTIMS	VICTIM and WITNESS ASSISTANCE	TOTAL LOCAL ASSISTANCE	GRAND TOTAL
2006-07	4,571,729	1,455,573	6,027,302	28,024,638	25,728,088	53,752,726	59,780,028
2007-08	4,594,228	1,347,183	5,941,411	27,427,450	29,435,614	56,863,064	62,804,475
2008-09	4,733,353	1,349,476	6,082,829	27,348,258	29,731,477	57,079,735	63,162,564
2009-10	5,134,729	2,144,990	7,279,719	25,345,981	29,242,026	54,588,007	61,867,726
2010-11	4,873,488	1,857,294	6,694,782	31,751,660	30,097,426	61,849,086	68,543,868
2011-12	6,148,310	1,174,793	7,323,103	28,996,191	40,262,893	69,259,084	76,582,187
2012-13	3,877,867	2,780,361	6,658,228	27,973,708	29,379,624	57,353,332	64,011,560
2013-14	4,277,662	2,255,530	6,533,192	26,365,765	29,689,514	56,055,279	62,588,471
2014-15	3,953,684	2,185,121	6,138,805	23,886,074	30,625,000	54,511,074	60,649,889
2015-16	3,989,831	1,975,067	5,964,898	21,080,037	37,034,260	58,114,297	64,079,195

Compensation and Claims Processing

OVS plays a key role in helping to ensure that crime victims are aware of its services, their rights in the criminal justice system and existence of victim assistance programs in their communities.

The agency provides information cards detailing OVS locations, phone numbers, website and services to police departments and sheriffs' offices, which are required to distribute them to crime victims. The card also includes basic rights afforded to crime victims and a space to write information about appropriate local victim assistance programs. The cards also are available online for downloading and printing as needed.

OVS also distributes a poster detailing its services to police departments and sheriffs' offices, district attorneys' offices, courts, hospitals and victim assistance programs, among others. State law mandates the creation and distribution of this poster.

The agency also was required to work with the state Division of Criminal Justice Services (DCJS) to develop a form that must be used by all district attorney offices to report the distribution of the OVS publication, *The Rights of Crime Victims in New York State*. The law also requires district attorneys to complete the form annually and submit it to OVS each year by January 1. Additionally, district attorneys are required to make this publication available to crime victims or their families at no cost or to others for a fee not to exceed the cost of reproduction.

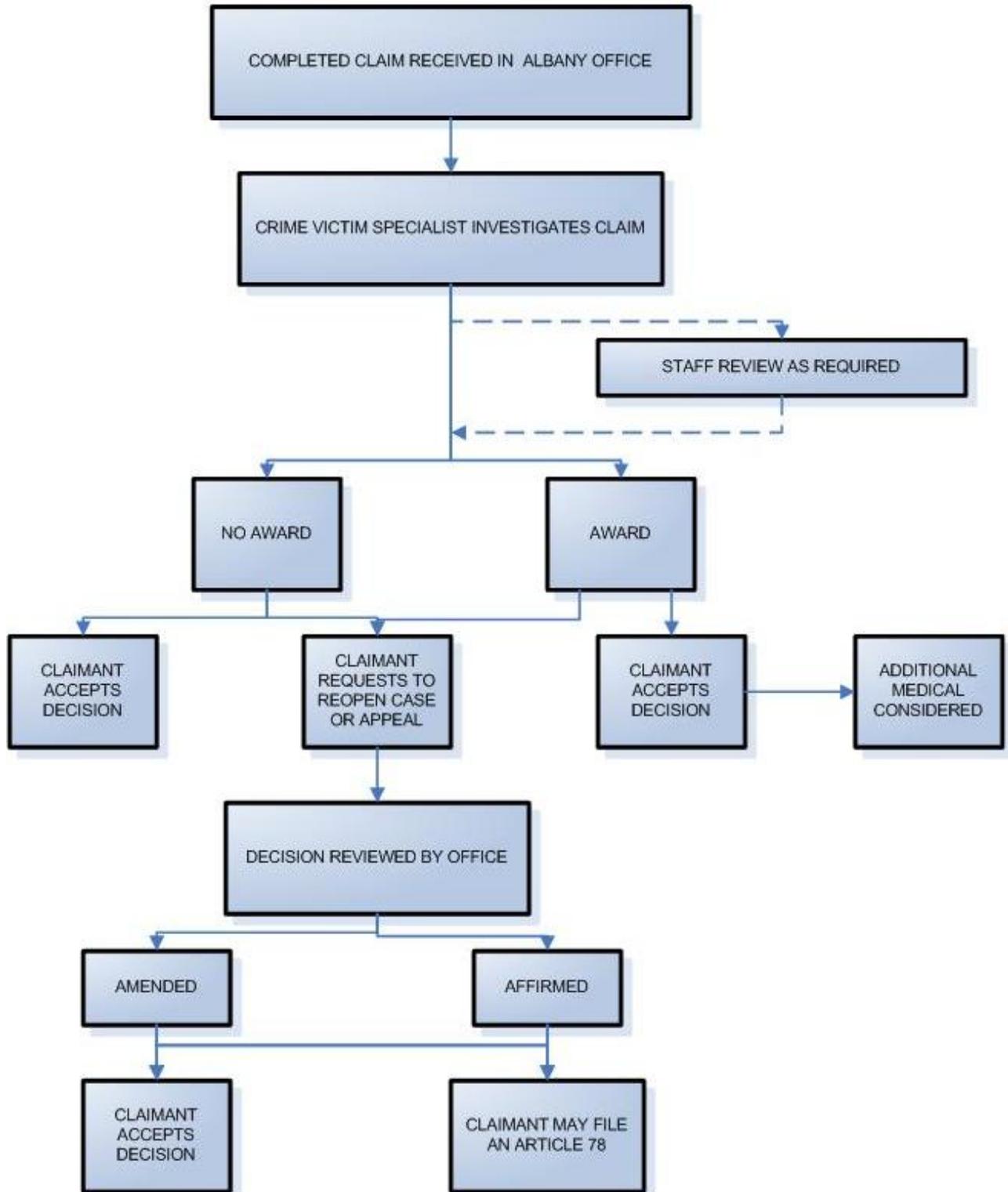
Who may be eligible for compensation?

- The victim must be an innocent victim of the crime
- Victims of crime who were physically injured as a result of the crime
- Victims of crime who are under 18, older than 60, or disabled, who were not physically injured
- Certain relatives and dependents, including spouse, grandparent, parent, stepparent, guardian, brother, sister, stepbrother, stepsister, child or stepchild of a victim
- Those who paid for or incurred burial costs for an innocent crime victim
- Child victims and/or a child who witnesses a crime
- Certain victims of unlawful imprisonment or kidnapping
- Certain stalking victims
- Victims of terrorist acts outside of the United States who are a resident of New York State
- Victims of frivolous lawsuits brought by a person who committed a crime against the victim

Compensation includes:

- Expenses for medical or other related services not covered by other insurance or benefit programs
- Lost earnings or loss of support up to \$600 a week, not to exceed the maximum of \$30,000
- Burial expenses up to \$6,000 (for crimes committed on or after Nov. 1, 1996)
- Occupational rehabilitation expenses
- Counseling services to the victim and to certain family members are paid in accordance to the OVS fee schedule, which is based on reasonable fee rates depending on the credentials of the treating counselor
- The cost of repair or replacement of essential personal property lost, damaged or destroyed as the direct result of a crime up to \$500. A maximum of \$100 in cash can be replaced.
- Transportation expenses for necessary court appearances in connection with the prosecution of the crime or transportation for medical appointments necessary as a result of the crime
- The cost of residing at or utilizing the services of a domestic violence shelter
- Crime scene cleanup expenses and/or cost of securing a crime scene up to \$2,500
- Attorney fees – up to a maximum of \$1,000 – for representation before the agency and/or before an appellate court upon judicial review of the victim's OVS claim

The Claim Process



Emergency Awards

In those instances where a crime victim will suffer undue hardship and is likely to be eligible for compensation, OVS may provide an emergency award before a final decision is made on the claim. Under these conditions, the agency is authorized to award up to \$2,500. OVS typically authorizes emergency awards for burial expenses, medication, relocation expenses, security devices, lost earnings/support or emergency medical equipment.

The crime victim must still meet the agency's eligibility criteria. Individuals applying for emergency awards must know the police department or precinct where the crime was reported and the assigned police complaint number.

During fiscal year 2015-16, the agency approved 414 emergency awards totaling \$799,944.

Individuals eligible for emergency assistance can apply by:

- Visiting an OVS-funded program in their community;
- Faxing an application to (518) 402-0921.

OVS will determine an individual's eligibility within 24 to 72 hours, depending on the information provided and nature of the claim. Additional information about emergency awards is available by calling 1-800-247-8035, from 9 a.m. to 5 p.m. Monday through Friday.

Forensic Rape Examination Direct Reimbursement

OVS directly reimburses providers that are licensed by New York State to perform forensic rape examination services. The reimbursement fee covers the examiner's services, related facility costs, basic laboratory tests and pharmaceuticals.

This reimbursement system is designed to ensure that sexual assault survivors are not billed for any forensic rape examination services and is an exception to the OVS payer of last resort rule. The agency will reimburse the provider if an individual does not have private health insurance or opts not to use their health insurance; this provides for the personal privacy of sexual assault victims. If a victim voluntarily elects to use his or her private health insurance benefits to cover the forensic exam, the facility performing the exam may not bill OVS. A licensed health care provider must file a direct reimbursement claim form and an itemized bill for services with OVS within one year of the examination to receive reimbursement.

OVS reimbursed health care providers \$4,169,556 on 5,337 forensic rape examination claims during 2015-16; the reimbursement rate is \$800. This fee is reviewed annually and may, if appropriate, be adjusted by OVS in consultation with the state Department of Health.

Claims

The Office of Victim Services handles three types of compensation claims: personal injury, death, and essential personal property.

Law enforcement agencies, hospitals and OVS-funded victim assistance programs (VAPs) are required to provide crime victims with information about compensation available through the agency. OVS provides victim notification cards, claim applications, brochures and posters to these entities for that purpose.

VAPs are required to assist victims with filing applications with OVS, which also will accept claims directly from individuals. Certain documents are required for OVS to accept a claim; those documents depend on the type of crime and the type of victim: for example, a child or someone older than 60. The agency then investigates each claim to determine whether an individual is eligible for assistance. If an individual is deemed eligible, OVS awards the claim.

The following details the number of claims accepted for review to determine eligibility for the most recent 10 fiscal years:

<u>Fiscal Year</u>	<u>Total Claims Accepted</u>
2006-2007	13,699
2007-2008	13,602
2008-2009	15,929
2009-2010	16,910
2010-2011	18,120
2011-2012	17,804
2012-2013	16,745
2013-2014	17,262
2014-2015	15,840
2015-2016	15,683

While the agency primarily assists victims of violent crimes (murder, rape, robbery or assault) who have suffered personal injury, it also can compensate victims of certain other crimes, such as burglary, larceny, stalking, kidnapping and unlawful imprisonment, who have not been injured.

Under certain circumstances, OVS also can repair or replace personal property if an individual did not sustain personal injury. During 2015-16, the agency accepted 2,961 of those types of claims, which represented 19 percent of the total claims accepted in the fiscal year.

Claims Accepted by Type 2015-16

<u>Claim Type</u>	<u>Accepted</u>
<i>Personal Injury</i>	11,945
<i>Death</i>	777
<i>Essential Personal Property</i>	2,961
<hr/>	
Total Claims Accepted	15,683

Claims Awarded

OVS awarded a total of 9,014 claims during the 2015-16.

It is important to note that claims awarded in a fiscal year do not directly correlate to the number of claims accepted by the agency in that year. A claim accepted during one fiscal year may be awarded in a subsequent year.

<u>Claim Type</u>	<u>Awarded</u>
<i>Personal Injury</i>	7,162
<i>Death</i>	501
<i>Essential Personal Property</i>	1,351
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Total Claims Awarded	9,014

Awarded Claims by Age and Gender

Nearly one third of all claims awarded involved individuals who ranged in age from 18 to 29.

Awarded claims involved more female victims than males (55 percent as compared to 44 percent). The gender of the victim in the remaining 1 percent of claims was not reported, designated as "u" for unknown in the chart on the following page.

Awarded Claims by Age and Gender

<u>Age</u>	<u>Gender</u>	<u>Claims Awarded</u>
0-12	F	359
0-12	M	165
0-12	U	6
13-17	F	233
13-17	M	179
13-17	U	6
18-29	F	1,646
18-29	M	1,086
18-29	U	29
30-44	F	1,418
30-44	M	873
30-44	U	23
45-59	F	733
45-59	M	736
45-59	U	20
60 and older	F	792
60 and older	M	699
60 and older	U	<u>11</u>
		Total: 9,014

Claims Paid

A claim can be awarded in one fiscal year but not paid until a following year. In addition, claims can continue to be paid over multiple years. As a result, the number of claims paid during any given fiscal year can exceed the number of claims awarded during that year.

The following chart does not include payments made on emergency awards (see Page 15 for that information).

<u>Claim Type</u>	<u>Paid</u>	<u>Amount</u>
<i>Personal Injury</i>	5,188	\$13,301,130
<i>Death</i>	569	\$2,537,461
<i>Essential Personal Property</i>	1,479	\$290,282
<i>Forensic Rape Exam Direct Reimbursement</i>	5,337	\$4,169,556
TOTAL	12,573	\$20,298,429

“No Award” Decisions

During 2015-16, OVS determined that 7,486 claims were ineligible for assistance; these are known as “no award” decisions. It is important to note that these claims may have been received by the agency either that fiscal year or a prior fiscal year.

The agency deemed nearly half of those claims ineligible because individuals did not provide necessary documentation and/or information to enable OVS to make a decision. Those 3,728 “no information supplied” determinations can be reopened if an individual subsequently provides necessary documents for the agency to reevaluate the claim. Another 827 claims were determined not eligible under the law, with an additional 683 claims ineligible for administrative reasons: they were duplicates, withdrawn by the applicant or the individuals who filed the claims could not be located.

Other common reasons that resulted in an ineligible decision include: the individual did not cooperate with law enforcement, a police report could not be located, a child was not the witness or victim to the crime, and the individual did not have any compensable loss.

No Award Reason and Claim Totals

No Information Supplied	3,728
Not Eligible	827
Domestic Violence - No Physical Injury	419
Child Not Victim or Witness	322
Unable to Locate Claimant	310
No Cooperation with Police or DA	281
Duplicate Claim	266
Pending Police Investigation	159
No Crime	156
Unable to Substantiate	144
No Compensable Loss	143
Unable to Locate Police Report	124
Claim Withdrawn	107
Victim Not a Victim of Crime	93
Conduct Contributing	86
Not Essential Personal Property	79
No Funeral Loss	39
Accident	29
Conflicting Data	28
Victim older than 18, must file his/her own claim	22
Business Loss	19
Pending Trial	19
Year Late Filed	16
Hit and Run, Leaving Scene of Property Damage	15
Lost Property	12
Legal Guardian Must File Claim	10
Crime Not in New York State	9
Not Victim of Criminal Act	7
Claimant Died from Unrelated Cause	7
District Attorney	3
Police Report Filed More Than A Week After Crime	2
Died From Injuries	2
No Financial Difficulty	1
World Trade Center – Unsubstantiated Injury	1
Not Eligible and Lost Property	1

Appeals

Within 30 days of a decision date, individuals may make an application in writing to the OVS Director for an administrative review of the agency’s decision.

Appeals that proceed are brought before an Administrative Review Panel, which hears any evidence or argument by the individual relevant to the claim. The panel’s decision, either affirming or modifying the agency’s decision, becomes the final decision of OVS.

Individuals may challenge the final decision of the Administrative Review Panel by commencing a proceeding pursuant to Article 78 of the state’s Civil Practice Rules and Laws within four months of the panel’s decision.

During 2015-16, 67 claimants appealed the agency’s decision. Some of those appeals were scheduled and determined during that same fiscal year while others were heard in the subsequent fiscal year.

The Administrative Review Panel reviewed 80 decisions in 2015-16, many of which were from previous fiscal years; 69 percent of those decisions were affirmed without changes.

Rejected Claims

Rejected claims are those that OVS could not process because they were missing required information about the claimant or the crime.

During 2015-16, the agency rejected 1,806 applications. It is the policy of OVS to contact claimants whose applications are rejected to seek the missing information. If at any time that information is submitted, the agency will process the claim. The following chart details reasons for claims being rejected.

Reasons for Rejected Claims

Application Not Signed	668
No Police Complaint Number	609
Missing Claimant Social Security Number	508
No Police Agency Name	409
Claimant Under the Age of 18	369
No Crime Date	276

Vocational Rehabilitation Services and Additional Medical Services

The agency's Vocational Rehabilitation Unit strives to improve the quality of life for individuals who have been permanently disabled as a direct result of a crime. The unit is staffed by a registered nurse who:

- Manages the vocational and occupational rehabilitation program for victims and survivors of crime;
- Reviews the claimant's treatment plan to ensure services are allowable and related to the crime;
- Refers the claimant to an independent medical consultant as needed for further professional opinion on service needs and causal-related services;
- Reviews any requests for home modifications necessary as a result of a disability due to a crime (the home modification process takes on average between 12 and 18 months to complete);
- Reviews requests from claimants for costly medical equipment (i.e. wheelchairs, beds, prosthesis, vehicle modifications etc.) and works with vendors for reasonable and customary costs;
- Assists the agency's Additional Medical Unit with interpreting medical bills and records;
- Reviews medical bills, reports and claimant requests for appropriateness to injuries sustained from the crime;
- Reviews requests for educational assistance for job retraining; and
- Develops and maintains cooperative relationships with community resources to assist the victim in achieving pre-injury status or maximum potential.

Vocational Rehabilitation Services and Additional Medical Disbursements

The agency's Additional Medical Claims Unit, staffed by a senior supervisor, seven agency program aides and one support staff member, is responsible for processing medical bills received as a result of an awarded claim.

Individuals may submit requests for reimbursement at any time for causally related expenses, including medical and mental health care. Some individuals submit bills throughout the course of their lifetime.

During 2015-16, the Additional Medical Unit approved:

- 450 claims for counseling, totaling \$929,181
- 62 claims for homecare for disabled individuals, totaling \$4,037,621
- 1,620 claims for other medical and related expenses, totaling \$6,485,992

In addition, OVS also paid \$405,469 for vocational rehabilitation benefits, such as vehicle modifications, durable medical equipment and home modifications. Additional details are included the chart on Page 24.

Loss Expense Type	Award
Ambulance	\$333,602.50
Counseling	\$929,180.81
Dentist	\$581,317.84
Doctor	\$2,329,061.14
Durable Medical Equipment (DMI)	\$149,583.08
Education	\$15,349.00
Funeral	\$6,128.75
Home Care/Facility	\$711,159.80
Home Care/Individual	\$3,326,461.17
Home Modifications	\$179,506.51
Hospital	\$2,111,046.33
Medical Consultant	\$88,787.83
Medical Supplies	\$265,246.90
Medical Transportation	\$100,926.66
Moving/Storage	\$400.00
Other	\$2,292.75
Pharmacy/Medications	\$246,364.04
Vehicle Modifications	\$76,378.74
	\$11,452,793.85

Grants Unit

The Grants Unit is responsible for:

- Distributing grants funded by the federal Victims of Crime Act (VOCA) to community-based providers so they can serve crime victims and their families. The unit oversees the open, competitive process that determines how those grants are awarded. Grant contracts align with the federal fiscal year (Oct. 1 through Sept. 30).
- Administering those grants and monitoring the agencies that receive them. Victim assistance programs (VAPs) provide a comprehensive array of services, such as crisis intervention, legal assistance, counseling, emergency financial assistance, transportation, intervention, information, referrals, telephone counseling, and assistance with filing for compensation and other benefits.
- Overseeing and supporting the activities of the OVS Advisory Council.
- Coordinating statewide training for VAPs and other agencies, including law enforcement and health care providers.

Victim Assistance Programs

OVS receives state and federal funding to provide grants to community-based service providers that assist crime victims and witnesses across New York State. Providers receiving these grants include criminal justice agencies, such as police and probation departments and district attorneys' and sheriffs' offices; hospitals and health care providers; and non-profit organizations, such as YWCAs, rape crisis centers, and community action programs.

Nearly all of the funding available for grants is the result of fines, fee and surcharges paid by certain offenders convicted in state or federal court. The agency received \$51 million in federal VOCA funds for these grants. In addition, the state Legislature appropriated \$13 million in funding from the state's Criminal Justice Improvement Account and \$2.8 million in general funds for grant making during 2015-16.

Service providers must respond to a Request for Proposals issued by OVS to be considered for funding. This process allows the Grants Unit to assess a program's ability to serve crime victims and their families, using criteria including, but not limited to, the program's past performance and other resources available within a geographical area. Grant funding allows providers to maintain or in some cases, expand services to their communities.

Many programs for crime victims and witnesses would not exist without funding from OVS. For example, the agency is a major source of funding for the Victim Information and Notification Everyday (VINE) program. This program – offered by the state Department of Corrections and Community Supervision, and the New York State Sheriffs' Association – notifies individuals whenever an offender's incarceration status in a local or state correctional facility changes.

During 2015-16, OVS awarded grants to the following providers for direct services and/or upgrade technology and equipment to better serve victims. Providers listed more than once offer multiple programs that serve crime victims:

VOCA Grants	
Program Name	Award
A New Hope Center, Inc.	\$418,069.00
Adirondack Health Institute Inc.	\$279,931.00
Advocacy Center of Tompkins County	\$147,243.00
Advocacy Center of Tompkins County	\$96,825.00
Advocacy Center of Tompkins County	\$104,051.00
Alternatives for Battered Women Inc.	\$163,061.00
Barrier Free Living Inc.	\$99,880.04
Behavioral Health Services North	\$337,400.96
Beth Israel Medical Center	\$179,988.00
Bivona Child Advocacy Center	\$78,042.72
Brighter Tomorrows Inc.	\$77,575.02
Bronx County District Attorney	\$317,396.00
Bronx Independent Living Services Inc.	\$114,630.80
BronxWorks Inc.	\$67,925.00
Brooklyn Chinese American Association	\$75,207.00
CAMBA Inc.	\$225,121.44
Catholic Charities of Chenango County	\$56,728.06
Catholic Charities of Fulton & Montgomery Counties	\$205,632.00
Catholic Charities of Fulton & Montgomery Counties	\$37,324.00
Catholic Charities of Saratoga, Warren and Washington Counties	\$171,310.31
Catholic Charities of Schoharie County	\$39,573.80
Catholic Charities of the Diocese of Albany	\$66,762.36
Catholic Charities of the Diocese of Rochester	\$77,011.05
Catskill Regional Medical Center	\$51,876.00
Cattaraugus Community Action Inc.	\$190,263.42

VOCA Grants	
Program Name	Award
Cattaraugus Community Action Inc.	\$39,948.91
Cattaraugus Community Action Inc.	\$45,437.66
Cattaraugus Community Action Inc.	\$228,649.67
Cayuga Counseling Services Inc.	\$135,814.45
Cayuga County District Attorney	\$34,287.00
Cayuga Seneca Community Action Agency Inc.	\$37,727.02
Center for Safety & Change, Inc.	\$664,314.73
Center for Safety & Change, Inc.	\$65,446.01
Center for the Elimination of Violence in the Family Inc.	\$142,800.00
Chances and Changes, Inc.	\$121,253.00
Chances and Changes, Inc.	\$27,364.61
Chautauqua County	\$148,927.00
Child and Adolescent Treatment Services	\$207,022.00
Child and Family Services of Erie County	\$98,227.19
City of Elmira	\$85,958.00
City of Rochester, New York	\$282,467.00
Community Action of Greene County Inc.	\$150,980.87
Community Action of Greene County Inc.	\$50,715.29
Community Agency for Senior Citizens, Inc.	\$314,694.33
CONNECT, Inc.	\$68,920.33
County of Albany	\$418,226.15
County of Genesee	\$71,347.51
County of Genesee	\$126,000.00
County of Monroe	\$209,759.00
County of Monroe	\$165,738.86
Crime Victims Assistance Center, Inc.	\$366,545.14
Crime Victims Assistance Center, Inc.	\$ 26,708.60
Crime Victims Support Services of the North Bronx, Inc.	\$224,199.99

VOCA Grants	
Program Name	Award
Crown Heights Jewish Community Council Inc.	\$150,286.40
Day One New York, Inc.	\$102,035.88
Delaware Opportunities Inc.	\$102,000.00
Delaware Opportunities Inc.	\$ 68,303.00
Division of State Police State of New York	\$783,015.00
Domestic Violence and Rape Crisis Services of Saratoga County	\$258,350.69
Dominican Women's Development Center	\$271,503.89
EAC, Inc.	\$127,790.00
East Harlem Neighborhood Based Alliance	\$90,393.20
Edwin Gould Services for Children and Families	\$170,466.59
Empire Justice Center	\$58,218.00
Equinox, Inc.	\$410,053.00
Erie County District Attorney	\$455,500.00
Erie County Probation Department	\$61,611.00
Family Counseling Center of Fulton County, Inc.	\$46,854.00
Family Counseling Service of the Finger Lakes, Inc.	\$120,817.05
Family Counseling Service of the Finger Lakes, Inc.	\$50,408.92
Family Services Inc.	\$337,206.61
Friends of the Chautauqua County Child Advocacy Program	\$154,079.00
Fulton County District Attorney	\$87,618.47
Fund for the City of New York	\$192,364.53
Good Shepherd Services	\$175,532.75
Grace Smith House Inc.	\$69,233.38
HANAC Inc.	\$63,600.00
Help Social Service Corporation	\$178,159.91
Herkimer County District Attorney	\$52,887.00
Hopes Door Inc.	\$448,665.00
Icahn School of Medicine of Mount Sinai	\$57,730.00

VOCA Grants	
Program Name	Award
Icahn School of Medicine of Mount Sinai	\$647,367.12
In Our Own Voices, Inc.	\$59,159.76
International Institute of Buffalo, Inc.	\$85,364.00
International Institute of Buffalo, Inc.	\$59,467.28
Jamaica Service Program for Older Adults, Inc. (JSPOA)	\$188,734.00
Kings County District Attorney's Office	\$520,433.00
Korean American Family Service Center Inc.	\$110,000.00
Legal Aid Society of Rochester NY	\$107,300.00
Legal Services NYC	\$144,414.15
Lewis County Opportunities, Inc.	\$56,895.86
Liberty Resources, Inc.	\$203,798.53
Livingston County	\$53,890.00
LSNY Bronx Corporation (Legal Services NYC - Bronx)	\$57,585.35
McMahon/Ryan Child Advocacy Site, Inc.	\$69,923.00
Mechanicville Area Community Services Center Inc.	\$35,352.00
Mental Health Association in Orange County Inc.	\$33,823.91
Mental Health Association of Columbia-Greene Counties, Inc.	\$64,839.99
Mental Health Association of Columbia-Greene Counties, Inc.	\$246,820.18
Mothers Against Drunk Driving	\$134,504.00
Mount Sinai Hospital	\$160,448.94
Mount Sinai Hospital	\$160,448.94
Mount Sinai Hospital	\$141,195.11
My Sisters Place Inc.	\$417,532.41
Nassau County	\$153,936.16
Neighborhood Self Help by Older Persons Project, Inc.	\$84,571.00
New York Asian Womens Center Inc.	\$253,196.93
New York Asian Womens Center Inc.	\$570,833.00
New York City Alliance Against Sexual Assault	\$64,476.05

VOCA Grants	
Program Name	Award
New York City Department for the Aging	\$377,561.95
New York City Gay & Lesbian Anti Violence Project	\$128,990.00
New York City Gay & Lesbian Anti Violence Project	\$100,003.51
New York City Gay & Lesbian Anti Violence Project	\$122,511.80
New York City Health & Hospital Corporation-BELLEVUE	\$661,527.13
New York City Health & Hospital Corporation-HARLEM	\$81,483.06
New York City Health & Hospital Corporation-JACOBI	\$172,317.00
New York City Health & Hospital Corporation-LINCOLN	\$134,947.00
New York City Health & Hospital Corporation-METROPOLITAN	\$145,072.91
New York City Health & Hospital Corporation-NCB	\$79,664.72
New York County District Attorney's Office	\$342,437.00
New York Legal Assistance Group Inc.	\$142,692.00
New York State Sheriffs Association Institute, Inc.	\$434,107.04
Niagara Falls Memorial Medical Center	\$202,220.02
Niagara, County of	\$257,535.00
North Brooklyn Coalition Against Family Violence, Inc.	\$150,170.93
Northeast Health Foundation, Inc.	\$523,827.99
Northwest Buffalo Community Center Inc.	\$ 179,148.71
NYS Department of Corrections and Community Supervision	\$274,996.00
NYS Justice Center for the Protection of People with Special Needs	\$268,867.00
NYS Office for the Prevention of Domestic Violence	\$50,290.89
Onondaga County District Attorney's Office	\$122,143.00
Ontario County	\$169,183.00
Opportunities For Otsego, Inc.	\$172,461.00
Orange County Probation	\$352,548.00
Orange County Safe Homes Project Inc.	\$138,150.00
Orleans County	\$74,776.51
Oswego County Opportunities Inc.	\$218,944.00

VOCA Grants	
Program Name	Award
Oswego County Opportunities Inc.	\$32,859.69
Pace University	\$77,570.00
Parents For Megan's Law, Inc.	\$47,811.39
Parents For Megan's Law, Inc.	\$123,692.15
Parents For Megan's Law, Inc.	\$49,513.54
Planned Parenthood Mohawk Hudson, Inc.	\$291,344.00
Planned Parenthood of Central and Western NY Inc.	\$382,434.00
Planned Parenthood of North Country New York Inc.	\$203,695.24
Planned Parenthood of the Southern Finger Lakes Inc.	\$141,709.64
Polish Community Center of Buffalo, Inc.	\$246,770.45
Putnam County Department of Social Services	\$131,772.00
Putnam/Northern Westchester Women's Resource Center	\$232,271.00
Putnam/Northern Westchester Women's Resource Center	\$146,583.00
Queens County District Attorney	\$396,966.01
Queens Legal Services Corporation	\$72,865.84
Rensselaer County	\$197,853.00
Retreat Inc.	\$164,232.45
Richmond County District Attorney	\$24,404.00
Rochester Society for the Prevention of Cruelty to Children	\$135,927.31
Rochester Society for the Prevention of Cruelty to Children	\$129,082.44
Safe Harbors of the Finger Lakes Inc.	\$94,293.96
Safe Harbors of the Finger Lakes Inc.	\$95,919.00
Safe Harbors of the Finger Lakes Inc.	\$72,395.00
Safe Harbors of the Finger Lakes Inc.	\$94,288.96
Safe Horizon Inc.	\$672,722.78
Safe Horizon Inc.	\$158,277.33
Safe Horizon Inc.	\$241,766.00
Safe Horizon Inc.	\$323,711.72

VOCA Grants	
Program Name	Award
Safe Horizon Inc.	\$1,550,742.00
Safe Horizon Inc.	\$1,223,193.27
Safe Horizon Inc.	\$170,723.73
Sanctuary for Families, Inc.	\$352,735.87
Saratoga Center for the Family	\$125,152.20
Schenectady County District Attorney	\$199,089.01
Schuyler County	\$52,417.91
Seneca County Mental Health Department	\$69,201.00
SOS Shelter, Inc.	\$196,357.00
Southern Tier Health Care System Inc.	\$167,666.00
St. Lawrence Valley Renewal House for Victims of Family Violence, Inc.	\$250,809.74
St. Lawrence Valley Renewal House for Victims of Family Violence, Inc.	\$92,610.12
St. Luke's-Roosevelt Hospital Center	\$546,225.98
St. Regis Mohawk Tribe	\$58,956.81
START Children's Center, Inc.	\$233,357.31
Steuben Church People Against Poverty, Inc.	\$123,533.00
Suffolk County District Attorney's Office	\$151,377.00
Suicide Prevention & Crisis Services Inc.	\$88,764.34
Suicide Prevention & Crisis Services Inc.	\$57,808.69
The Arab-American Family Support Center	\$76,338.00
The Children's Aid Society	\$169,238.52
The Children's Aid Society	\$121,817.84
The Kingsbridge Heights Community Center Inc.	\$305,234.67
The New York and Presbyterian Hospital	\$202,834.93
The New York and Presbyterian Hospital	\$198,646.72
The New York and Presbyterian Hospital	\$381,824.60
The New York Center for Children	\$79,020.73
The Safe Center Long Island Inc.	\$219,987.68

VOCA Grants	
Program Name	Award
The Safe Center Long Island Inc.	\$139,725.00
The Safe Center Long Island Inc.	\$200,184.24
The Salvation Army	\$153,795.00
The Salvation Army	\$49,959.00
The Salvation Army	\$39,785.04
Ulster County	\$440,753.00
Unity House of Troy Inc.	\$189,152.53
Urban Justice Center	\$120,031.00
Urban Justice Center	\$156,513.00
Vera House Inc.	\$165,988.39
Vera House Inc.	\$238,776.00
Vera Institute of Justice, Inc.	\$98,544.38
Victim Resource Center of the Finger Lakes Inc.	\$96,462.00
Victim Resource Center of the Finger Lakes Inc.	\$44,039.00
Victims Assistance Center of Jefferson County	\$545,255.67
Victims Information Bureau of Suffolk Inc.	\$366,678.25
Victims Information Bureau of Suffolk Inc.	\$237,024.11
Victims Information Bureau of Suffolk Inc.	\$183,206.51
Violence Intervention Program Inc.	\$858,671.68
Warren County District Attorney's Office	\$152,762.00
Washington County District Attorney's Office	\$127,373.00
Wayne County	\$50,477.11
Westchester Community Opportunity Program, Inc.	\$813,138.26
Westchester County District Attorney's Office	\$313,270.00
Wyoming County	\$66,830.00
Wyoming County	\$30,880.56
Young Women's Christian Association of Niagara, Inc.	\$123,204.28
Young Women's Christian Association of Niagara, Inc.	\$55,233.00

VOCA Grants	
Program Name	Award
YWCA of Cortland	\$103,511.00
YWCA of Schenectady	\$278,647.85
YWCA of the Mohawk Valley	\$291,846.18
YWCA of the Mohawk Valley	\$196,873.26

Sexual Assault Legislative Grant	
Program Name	Award
Catskill Regional Medical Center--RISE Program	\$9,311.00
Cattaraugus Community Action	\$34,150.00
Cayuga Counseling Services	\$24,377.00
Chances and Changes	\$4,912.00
Crime Victims Assistance Center, Inc.	\$4,794.00
Delaware Opportunities	\$12,260.00
Kingsbridge Heights Community Ctr.	\$54,786.00
Mental Health Association of Columbia Greene Counties	\$44,301.00
Mental Health Association of Orange County	\$6,071.00
Mount Sinai School of Medicine (SA-Adolescent)	\$28,799.00
Mount Sinai School of Medicine / SAVI	\$116,195.00
New York Asian Women's Center	\$45,446.00
New York City Alliance Against Sexual Violence	\$11,573.00
NYC Gay and Lesbian Anti-Violence Project	\$17,949.00
NYCHHC North Central Bronx Hospital	\$14,299.00
Oswego County Opportunities, Inc.	\$5,898.00
Parents for Megan's Law	\$8,887.00
Planned Parenthood of the North Country New York	\$36,561.00
Planned Parenthood of the Southern Finger Lakes	\$25,435.00
PP Central & Western NY (formerly PP Rochester-Syracuse)	\$68,642.00
Putnam Northern Westchester Women's Res Ctr.	\$26,310.00

Sexual Assault Legislative Grant	
Program Name	Award
Safe Harbors of the Finger Lakes, Inc.	\$17,216.00
Safe Horizon	\$58,102.00
St. Lawrence Valley Renewal House of Victims of Family Violence	\$16,622.00
Suicide Prevention and Crisis Services, Inc.	\$15,932.00
The Advocacy Center of Tompkins Co	\$17,379.00
The Safe Center LI (Nassau Co. Coalition Against Domestic Violence)	\$35,931.00
The Salvation Army	\$8,967.00
Vera House	\$42,857.00
Victims Information Bureau of Suffolk County	\$32,883.00
Victims Resource Center of the Finger Lakes	\$7,904.00
YWCA of Niagara County	\$9,914.00
YWCA of the Mohawk Valley	\$35,336.00

Model Office Grant	
Program Name	Award
A New Hope Center	\$10,904.74
Advocacy Center of Tompkins County - Domestic Violence Services	\$17,704.62
Advocacy Center of Tompkins County - Sexual Assault Services	\$6,373.96
Advocacy Center of Tompkins County - Child Abuse Services	\$5,864.84
Alternatives For Battered Women, Inc. (Willow Domestic Violence Center)	\$15,756.52
Bivona Child Advocacy Center	\$4,170.96
Bronx County District Attorney	\$11,553.57
Bronx Independent Living Services Inc.	\$8,977.29
CAMBA Inc.	\$22,731.99
Catholic Charities of Fulton & Montgomery Counties	\$12,788.00
Catholic Charities of Fulton & Montgomery Counties	\$5,533.00
Catholic Charities of Saratoga, Warren, and Washington Counties	\$14,714.93
Catholic Charities of the Diocese of Albany (Herkimer)	\$4,620.95
Catholic Charities of the Diocese of Rochester dba Catholic Charities of Chemung & Schuyler	\$3,425.34
Catskill Regional Medical Center	\$1,167.15
Cattaraugus Community Action, Inc.	\$39,034.79
Cattaraugus Community Action, Inc.	\$6,439.20
Cattaraugus Community Action, Inc.	\$5,951.21
Cattaraugus Community Action, Inc.	\$38,296.58
Cayuga Counseling Services Inc.	\$12,551.57
Center for Safety & Change, Inc.	\$6,344.48

Model Office Grant	
Program Name	Award
Center for Safety & Change, Inc.	\$1,213.99
Center for the Elimination of Violence in the Family Inc.	\$6,716.00
Chances and Changes, Inc.	\$7,374.32
Chances and Changes, Inc.	\$3,862.16
City of Elmira	\$3,340.00
Community Agency for Senior Citizens, Inc.	\$12,592.98
County of Albany	\$18,611.85
County of Monroe - Sheriff's Office	\$9,836.00
Crime Victims Assistance Center, Inc.	\$24,896.15
Crime Victims Assistance Center, Inc. - Rape Crisis/Sexual Assault	\$2,777.97
Day One New York, Inc.	\$5,755.81
Delaware Opportunities, Inc.	\$4,476.00
Delaware Opportunities, Inc.	\$2,748.00
Division of State Police State of New York	\$20,385.00
Domestic Violence and Rape Crisis Services of Saratoga County	\$5,694.37
Dominican Women's Development Center	\$12,533.46
EAC, Inc.	\$12,851.49
East Harlem Neighborhood Based Alliance,	\$2,174.00
Edwin Gould Services for Children and Families	\$28,280.00
Equinox, Inc.	\$21,626.36
Erie County District Attorney	\$3,900.00

Model Office Grant	
Program Name	Award
Family Counseling Service of the Finger Lakes, Inc.	\$11,062.00
Family Counseling Service of the Finger Lakes, Inc.	\$4,420.00
Family Services Inc.	\$24,405.40
Friends of the Chautauqua County Child Advocacy Program	\$9,235.22
Fund for the City of New York	\$12,985.79
Grace Smith House, Inc.	\$5,110.71
HANAC Inc.	\$9,320.74
HELP Social Service Corporation	\$10,905.85
Hope's Door Inc.	\$26,442.00
In Our Own Voices, Inc.	\$7,112.35
Jamaica Service Program for Older Adults, Inc. (JSPOA)	\$12,785.89
Kings County District Attorney's Office	\$ 5,391.05
Lewis County Opportunities, Inc.	\$11,804.41
Liberty Resources, Inc.	\$13,797.30
LSNY Bronx Corporation (Legal Services NYC-Bronx)	\$ 2,622.98
McMahon/Ryan Child Advocacy Site, Inc.	\$4,608.00
Mental Health Association of Columbia-Greene Counties, Inc.	\$5,669.95
Mental Health Association of Columbia-Greene Counties, Inc.	\$14,524.91
Mount Sinai Hospital Adolescent Health Center	\$2,617.78
Mount Sinai Hospital Adolescent Health Center	\$2,617.78
Mount Sinai Hospital Adolescent Health Center	\$2,617.78

Model Office Grant	
Program Name	Award
My Sisters' Place, Inc.	\$8,736.98
Neighborhood Self Help by Older Persons Project, Inc.	\$3,803.00
New York Asian Women's Center, Inc.	\$14,316.28
New York Asian Women's Center, Inc.	\$23,811.08
New York City Alliance Against Sexual Assault	\$4,791.92
New York City Health & Hospital Corporation-METROPOLITAN	\$5,260.00
New York City Health & Hospital Corporation-N. CENTRAL BRONX	\$2,067.00
New York State Sheriffs' Association Institute, Inc.	\$1,044.00
Niagara Falls Memorial Medical Center	\$7,618.17
North Brooklyn Coalition Against Family Violence, Inc.	\$10,315.30
Northeast Health Foundation, Inc.	\$21,746.07
Onondaga County District Attorney's Office	\$2,768.20
Ontario County District Attorney's Office	\$4,707.60
Opportunities for Otsego, Inc.	\$10,991.42
Orange County Probation	\$15,088.15
Orange County Safe Homes Project Inc.	\$9,301.90
Oswego County Opportunities Inc.	\$14,756.44
Oswego County Opportunities Inc.	\$4,898.23
Parents For Megan's Law, Inc.	\$1,644.41
Parents For Megan's Law, Inc.	\$5,597.98
Parents For Megan's Law, Inc.	\$1,644.41

Model Office Grant	
Program Name	Award
Planned Parenthood Mohawk Hudson, Inc.	\$9,729.09
Planned Parenthood of Central and Western New York, Inc.	\$25,721.86
Planned Parenthood of the Southern Finger Lakes, Inc.	\$8,944.53
Polish Community Center of Buffalo, Inc.	\$18,386.66
Putnam/Northern Westchester Women's Resource Center	\$23,005.04
Putnam/Northern Westchester Women's Resource Center	\$14,963.83
Rensselaer County District Attorney's Office	\$7,950.14
Richmond County District Attorney	\$1,226.00
Rochester Society for the Prevention of Cruelty to Children	\$19,968.13
Rochester Society for the Prevention of Cruelty to Children	\$12,362.61
Safe Harbors of the Finger Lakes Inc.	\$19,124.00
Safe Harbors of the Finger Lakes Inc.	\$10,624.00
Safe Harbors of the Finger Lakes Inc.	\$9,974.00
Safe Harbors of the Finger Lakes Inc.	\$ 8,974.00
Sanctuary for Families, Inc.	\$14,423.45
Saratoga Center for the Family	\$ 3,775.00
Schenectady County District Attorney	\$10,811.95
Schuyler County	\$4,149.63
Southern Tier Health Care System Inc.	\$16,017.00
St. Lawrence Valley Renewal House for Victims of Family Violence, Inc.	\$10,849.22
St. Lawrence Valley Renewal House for Victims of Family Violence, Inc.	\$2,934.99

Model Office Grant	
Program Name	Award
St. Luke's-Roosevelt Hospital Center	\$21,313.30
START Children's Center, Inc.	\$15,160.79
Steuben Church People Against Poverty, Inc.	\$4,887.64
Suffolk County District Attorney's Office	\$1,001.07
Suicide Prevention & Crisis Services Inc. - Sexual Assault	\$4,520.40
Suicide Prevention & Crisis Services Inc. - Underserved Victims	\$4,520.40
The Arab-American Family Support Center	\$4,819.93
The Kingsbridge Heights Community Center, Inc.	\$23,306.52
The New York and Presbyterian Hospital – DOVE	\$8,814.95
The Safe Center LI, Inc. - Domestic Violence Program	\$22,439.36
The Safe Center LI, Inc. - Child Advocate Program	\$18,414.18
The Safe Center LI, Inc. - Rape & Sexual Assault Program	\$18,406.43
The Salvation Army – Jamestown	\$7,408.92
The Salvation Army – Jamestown	\$1,744.96
The Salvation Army – Safehouse	\$3,789.11
Unity House of Troy Inc.	\$17,388.00
Urban Justice Center - Human Trafficking Institute	\$5,199.88
Urban Justice Center - Assistance for Survivors in the Sex Trade	\$5,199.88
Vera House Inc. - Domestic Violence Program	\$24,004.36
Vera House Inc. - Sexual Assault Program	\$23,230.48
Vera Institute of Justice, Inc.	\$26,266.91

Model Office Grants	
Program Name	Amount
Victims Assistance Center of Jefferson County	\$29,419.32
Violence Intervention Program Inc.	\$41,130.45
Washington County District Attorney's Office	\$6,683.34
Westchester Community Opportunity Program, Inc.	\$30,580.96
Westchester County District Attorney's Office	\$3,299.25
YWCA of Cortland	\$7,688.87
YWCA of the Mohawk Valley	\$12,948.69
YWCA of the Mohawk Valley	\$7,822.81

Grants Unit Sponsored Training

The Grants Unit provides training and updates by hosting regional meetings with providers in five geographic regions of the state monthly, bi-monthly or quarterly.

Topics include compensation benefits and claims processing, fiscal reporting requirements, VOCA guidelines, and updates on OVS regulations and guidelines. Additionally, program monitors provide technical assistance and training to victim assistance programs as part of their on-site monitoring responsibilities. Claims Processing Unit investigators also teach monthly compensation training in Albany and Brooklyn for victim assistance programs.

Statewide Conference

For the first time since 2009, OVS hosted a statewide conference for victim assistance programs it funds. The three-day conference included workshops that addressed cutting-edge concepts and emerging issues in the victim services field, including therapy and counseling; self-care and self-improvement for victim advocates; and supervisory and management topics, including succession planning. The agency hosted the event from Oct. 27 through 29 in Liverpool, Onondaga County. Survivors of crime also spoke at the event, sharing their stories and how OVS and victim advocate assisted them on their journey from crime victim to survivor.

Statewide Advisory Council

Under Executive Law Article 22 Section 623 (14), the Office of Victim Services can establish an advisory council “to assist in formulation of policies on the problems of crime victims and to provide recommendations to the director to improve the delivery of services to victims by the office.”

Pursuant to the protocol that establishes the Council, it must have 16 members who have demonstrated an active interest in, or professional knowledge of, the problems, needs and treatment of victims. Appointed by OVS, members serve three-year terms and each year, elect a president and vice president to lead the Council.

The New York State Coalition Against Domestic Violence and the New York State Coalition Against Sexual Assault each must have a representative on the Council. Members must be active members of one of the five regional crime victim service provider coalitions. In addition, members of the Legislature or other individuals having a special interest in victim issues may be invited to serve as non-voting, ex-officio members.

The Council has five standing committees with the following responsibilities:

- The *Legislative Committee* studies and suggests legislation for consideration by the agency, in addition to monitoring legislation related to crime victims and keeping the Council informed of any relevant changes.
- The *Program Committee* reviews, analyzes, and reports on victim, fiscal, and administrative issues common among service providers funded by the agency. The committee focuses on concerns directly affecting program administration, including, but not limited, to budgeting, staffing and the grant process.
- The *Compensation and Service Committee* informs the agency of unmet needs and advises how to improve services for crime victims. The committee reviews and discusses victim compensation issues and may recommend changes to compensation applications, benefits and services.
- The *Social Justice Committee* studies the effects of social and economic inequality on marginalized populations of crime victims and reports findings and recommendations to the agency to address those issues.
- The *Public Outreach Committee* notifies the agency of efforts to inform crime victims and the general public on victims’ issues, linking efforts from across the state and offering planning and implementation information to any service provider.

Public Awareness and Outreach

During the past three years, the OVS has expanded its public awareness efforts. The agency works to reach victims of crime and increase awareness of the agency in a variety of ways: funding service providers across the state; sponsoring trainings and events, especially during National Crime Victims' Rights Week; making presentations to agencies and non-profit organizations that come in contact with crime victims; and collaborating with local and state agencies, among other activities. The agency maintains a website (www.ovs.ny.gov) and publishes and distributes brochures and posters detailing its services and programs.

The agency's Executive Staff actively participate in the National Association of Crime Victims Compensation Boards (NACVCB) and the National Association of VOCA Assistance Administrators (NAVAA). Attendance at regional and national meetings, coupled with e-mail correspondence among members of these organizations, allow OVS staff to learn about practices in other states, problems they face and new issues and developments in the field.

The agency marked National Crime Victims' Rights Week from April 19 through 25, 2015 by:

- Hosting a press conference in Monroe County featuring Lieutenant Governor Kathy Hochul as the keynote speaker. The agency partnered with the state's Justice Center for the Protection of People with Special Needs on the event; Monroe County is one of four in the state piloting a task force aimed at enhancing the investigation and prosecution of cases involving individuals with disabilities and special needs. Also at the event, OVS unveiled its redesigned poster and throughout the year distributed it to victim assistance programs, hospitals, local government offices and police agencies, among other organizations and agencies, across the state.
- Sponsoring its eight annual blood drive in Albany. A total of 28 individuals donated, with each of those donations having the potential to save three lives, according to the American Red Cross, which partnered with the agency. Governor Andrew M. Cuomo also issued a proclamation declaring the week as National Crime Victims' Rights Week in New York State.

Other outreach efforts include:

- Highlighting current news, events and training on the agency website's home page so it is easily accessible to the public and service providers; and
- Continuing to provide training and education, presented by the agency's legal staff, on a variety of topics, including compensation, the forensic rape examination program, human trafficking, and crime victim restitution. The agency's presentation titled "Crime Victim's Compensation and the Issue of Restitution" is accredited by the New York State Continuing Legal Education Board. Any attorney who attends the presentation receives 1.5 Continuing Legal Education (CLE) credits.

2015 Chapter Laws Affecting Crime Victims and Related Issues

Chapter 3: Makes technical corrections to law relating to credit record freezes

Signed Date	Effective Date
02/23/2015	shall be deemed to have been in full force and effect on and after 1/1/2015

Chapter 23: Increases certain special accidental death benefits

Signed Date	Effective Date
06/30/2015	7/1/2015

Chapter 45: Relates to extending the expiration of the September 11th worker protection task force act

Signed Date	Effective Date
06/30/2015	06/30/2015

Chapter 76: Relates to the implementation by colleges and universities of sexual assault, dating violence, domestic violence and stalking prevention and response policies and procedures; and making an authorization therefor

Signed Date	Effective Date
07/07/2015	provided that §§1, 2 and 3 shall take effect on (10/5/15) the ninetieth day after it shall have become a law, provided, however, that §§6445 and 6449 of article 129-B of the education law, as added by §1, shall take effect (7/7/16) one year after it shall have become law

Chapter 104: Relates to counseling for grandchildren of homicide victims

Signed Date	Effective Date
08/13/2015	and apply to all claims filed on or after the date it shall have become a law

Chapter 146: Alters the period of effectiveness of certain provisions relating to removing special powers granted to the society for the prevention of cruelty to children

Signed Date	Effective Date
08/13/2015	and shall be deemed to have been in full force and effect on (8/11/14) the same date as chapter 325/2014 took effect

Chapter 195: Regarding the interstate compact for juveniles by the state of New York and relates to the effectiveness thereof

Signed Date	Effective Date
08/13/2015	08/13/2015

Chapter 227: Relates to improving state disaster preparedness, response and recovery capabilities

Signed Date	Effective Date
08/13/2015	08/13/2015

Chapter 237: Relates to the use of electronic means for the commencement and filing of papers in certain actions and proceedings

Signed Date	Effective Date
08/31/2015	provided that §§4, 5, 6 and 7 shall expire and be deemed repealed 9/1/2019; and provided that par 2-a of subd (b) of §2111 of the civil practice law and rules, as added by §2, shall expire and be deemed repealed 9/1/2017

Chapter 240: Provides clarification on determining the expiration date of an order of protection issued in relation to a family offense

Signed Date	Effective Date
09/22/2015	takes effect on (10/22/15) the thirtieth day after it shall have become a law and shall apply to offenses committed on or after such effective date; provided, however, that the amendments to the opening paragraph of subd 5 of § 530.12 and the opening paragraph of subd 4 of § 530.13 of the criminal procedure law made by §§1 and 2 shall not affect the expiration of such paragraphs and shall be deemed to expire therewith

Chapter 241: Limits the scope of information disclosed in a published notice of change of name

Signed Date	Effective Date
09/22/2015	09/22/2015

Chapter 242: Establishes the crime of concealment of a human corpse

Signed Date	Effective Date
09/23/2015	takes effect on (11/22/15) the sixtieth day after it shall have become a law

Chapter 244: Broadens the focus of the New York state committee for the coordination of police services to elderly persons

Signed Date	Effective Date
09/25/2015	09/25/2015

Chapter 247: Relates to clinical records and confidentiality

Signed Date	Effective Date
09/25/2015	09/25/2015

Chapter 250: Relates to the crime of forcible touching

Signed Date	Effective Date
09/25/2015	takes effect on (11/1/15) the first of November next succeeding the date on which it shall have become a law

Chapter 263: Provides that there need not be a finding of financial difficulty for crime victim awards of less than \$10,000

Signed Date	Effective Date
09/25/2015	and shall apply to all claims filed on and after such date

Chapter 361: Relates to waivers for families of victims of terrorist attacks

Signed Date	Effective Date
10/05/2015	10/05/2015

Chapter 366: Prohibits discrimination in housing based upon domestic violence status and establishing task force to study impact of source of income on access to housing

Signed Date	Effective Date
10/21/2015	takes effect on (1/19/16) the ninetieth day after it shall have become a law

Chapter 367: Establishes a pilot program for the filing of petitions for temporary orders of protection by electronic means

Signed Date	Effective Date
10/21/2015	takes effect 4/1/2016

Chapter 368: Enacts the trafficking victims protection and justice act

Signed Date	Effective Date
10/21/2015	takes effect on (1/19/16) the ninetieth day after it shall have become a law; provided however that §§ 33 and 45 shall take effect immediately

Chapter 373: Expands the class B misdemeanor of public lewdness to include the commission of a lewd act while trespassing in a dwelling and being observed by a lawful occupant

Signed Date	Effective Date
10/26/2015	takes effect on (11/1/15) the first of November next succeeding the date on which it shall have become a law

Chapter 394: Relates to preparation and distribution of the notification form for victims of violent felony offenses regarding a name change petition by the defendant

Signed Date	Effective Date
10/26/2015	takes effect on (11/25/15) the thirtieth day after it shall have become a law

Chapter 418: Relates to health care and wellness education and outreach programs for victims of sex offenses or victims of child pornography promotion

Signed Date	Effective Date
11/20/2015	11/20/2015

Chapter 419: Relates to public education and outreach about female genital mutilation

Signed Date	Effective Date
11/20/2015	11/20/2015

Chapter 423: Relates to assault of certain persons providing direct patient care

Signed Date	Effective Date
11/20/2015	takes effect on the first of November next succeeding the date on which it shall have become a law: 11/1/2016

Chapter 426: Relates to exempting victims of sex trafficking from the DNA databank fee

Signed Date	Effective Date
11/20/2015	and shall apply to convictions occurring on or after such date and for convictions for which sentence has not been imposed prior to such effective date

Chapter 430: Relates to technology systems used for locating missing children with developmental disabilities

Signed Date	Effective Date
11/20/2015	11/20/2015

Chapter 432: Provides that translations and notifications regarding family offense interventions be in other than the English language

Signed Date	Effective Date
11/20/2015	takes effect on (2/18/16) the ninetieth day after it shall have become a law

Chapter 436: Relates to the statewide central register of child abuse and maltreatment; repealer

Signed Date	Effective Date
11/20/2015	takes effect on (1/19/16) the sixtieth day after it shall have become a law

Chapter 440: Provides for the continuation of use of ignition interlock device where a person upon whom such use was imposed as a condition of probation remains delinquent

Signed Date	Effective Date
11/20/2015	11/20/2015

Chapter 449: Allows the unsealing of criminal records in any district court, city court or criminal court in the city of New York in certain instances

Signed Date	Effective Date
11/20/2015	11/20/2015

Chapter 472: Relates to protecting public health and sanitarian enforcement workers from assault

Signed Date	Effective Date
11/20/2015	takes effect on (11/1/16) the first of November next succeeding the date on which it shall have become a law

Chapter 475: Authorizes mutual aid agreements between counties for the provision of services by coroners and medical examiners

Signed Date	Effective Date
11/20/2015	11/20/2015

Chapter 477: Relates to assault in the second degree

Signed Date	Effective Date
11/20/2015	takes effect on (11/1/16) the first of November next succeeding the date on which it shall have become a law

Chapter 487: Relates to assault in the second degree on an emergency medical service paramedic or emergency medical service technician.

Signed Date	Effective Date
11/20/2015	takes effect on (2/18/16) the ninetieth day after it shall have become a law

Chapter 490: Relates to the correction medical review board's access to autopsies

Signed Date	Effective Date
11/20/2015	11/20/2015

Chapter 492: Relates to severe child abuse and orders of protection in child abuse and neglect cases

Signed Date	Effective Date
11/20/2015	takes effect on (2/18/16) the ninetieth day after it shall have become a law

Chapter 499: Relates to adjudication and violation procedures in juvenile delinquency and PINS cases

Signed Date	Effective Date
11/20/2015	takes effect on (2/18/16) the ninetieth day after it shall have become a law and shall apply to petitions for violations of probation, conditional discharge and suspended judgment filed on or after such effective date

Chapter 530: Relates to the qualifications of certain county probation officer directors

Signed Date	Effective Date
12/11/2015	12/11/2015

Chapter 537: Relates to the accurate reporting of crimes on college and university campuses

Signed Date	Effective Date
12/11/2015	and shall be deemed to have been in full force and effect on the same date as chapter 486 of the laws of 2014 took effect

Chapter 545: Relates to incapacitated parole violators

Signed Date	Effective Date
12/11/2015	takes effect on (6/8/16) the one hundred eightieth day after it shall have become a law

Chapter 565: Requires the annual reporting of criminal activity on subways

Signed Date	Effective Date
12/21/2015	12/21/2015

“Son of Sam” Law

New York State enacted Section 632-a of the Executive Law in 1977 in response to numerous offers made by the media to pay serial killer David Berkowitz for the right to tell his story. The statute is commonly known as the state’s Son of Sam law, after one of the monikers given to Berkowitz. The law permits profits of a crime, such as money received for a book or movie that details the crime, to be diverted to victims.

Since its passage, the law has been amended to withstand a constitutional challenge and to add a new category, “funds of a convicted person.” The law defines funds of a convicted person as all funds and property received from any source by individuals convicted of certain state and federal crimes committed in New York State. The law also requires that anyone paying or receiving profits from a crime or funds of a convicted person notify OVS of those funds.

For funds of a convicted person, OVS must determine whether the underlying crime committed by the perpetrator is a specified crime detailed in law (primarily serious felonies). No such determination is necessary if the agency receives notice of profits from a crime.

OVS then notifies crime victims and inquires whether they want the agency to freeze those funds or profits, enabling victims to retain a lawyer and initiate a lawsuit. Victims have three years to sue the perpetrator from the discovery of either source of funds.

During 2015-16, the agency froze \$10,377,047 under the “funds of a convicted person” portion of the law. There was no activity from “profits from a crime.” The following chart details 10 years’ worth of activity under the law:

Fiscal Year	Amount Frozen
2006-07	\$547,741
2007-08	\$397,284
2008-09	\$1,334,683
2009-10	\$3,570,143
2010-11	\$1,197,610
2011-12	\$1,731,159
2012-13	\$2,350,389
2013-14	\$1,272,371
2014-15	\$1,620,131
2015-16	\$10,377,047

Subrogation and Restitution

When OVS provides a monetary award to a crime victim, the agency has a lien on any funds recovered by the victim as a result of a civil proceeding brought against the defendant or any other responsible third party. The State also is authorized to commence a civil action against a victim's assailant or any liable third party if the victim declines to do so. This assignment to the State of the victim's cause of action is called subrogation. If a civil action results in the victim receiving a financial award greater than the OVS award, the agency only receives the amount equal to what it paid the victim.

Restitution is money paid to a victim by the perpetrator of the crime and is designed to compensate the victim for the losses he/she incurred as a result of the crime. OVS has a lien on restitution when the agency makes a monetary award to the claimant and the claimant receives restitution for the same loss.

The agency's presentation, "Crime Victim's Compensation and the Issue of Restitution," is accredited by the New York State Continuing Legal Education Board. OVS pursued this accreditation so that more attorneys would attend the course, bringing added attention to the issue of restitution and increasing the instances of awards to victims.

Subrogation and Restitution by Month for 2015-16

Month	Subrogation	Restitution	Total
April 2015	\$23,479.35	\$8,186.33	\$31,665.68
May 2015	\$35,043.07	\$3,356.14	\$38,399.21
June 2015	\$15,633.78	\$10,903.73	\$26,537.51
July 2015	\$39,047.51	\$12,566.62	\$51,614.13
August 2015	\$31,393.56	\$3,338.33	\$34,731.89
Sept 2015	\$36,965.19	\$4,910.62	\$41,875.81
October 2015	\$49,804.68	\$3,268.61	\$53,073.29
November 2015	\$21,987.28	\$7,638.44	\$29,625.72
December 2015	\$25,516.75	\$7,863.73	\$33,380.48
January 2016	\$17,364.04	\$2,148.96	\$19,513.00
February 2016	\$25,733.20	\$7,207.66	\$32,940.86
March 2016	\$14,316.28	\$14,422.30	\$28,738.58
Total	\$336,284.69	\$85,811.47	\$422,096.16