

OVS Outreach

Winter 2018

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From the Director's Desk



Welcome to the inaugural issue of *OVS Outreach*, our new quarterly newsletter. Our goal is to provide you – the community of victim advocates and professionals – with information about issues that affect your work.

Last year was an incredibly exciting and productive one for OVS. The agency entered its sixth decade of service and continued to meet its mission by providing compensation to innocent victims and their families and funding and monitoring 222 victim assistance programs. At the same time, we made a concerted effort to expand and enhance the training we offer and we were thrilled by your response to these opportunities.

More than 1,000 professionals have attended 15 trainings across the state on a variety of topics, from strategic planning to self-care, since December of 2016. And in November, OVS hosted its most successful biennial training to date. The three-day professional development conference – “Serving the Underserved: Increasing Access to Victim Services” – featured 35 workshops and presentations (see [Page 6](#) for more details).

More than 400 professionals attended the event, which was highly rated by those who submitted evaluations. Attendees reported they found the presentations useful and would be able to apply what they learned in their work and lives. Those positive reviews are a testament to the hard work and creativity of OVS staff and conference planning committee members.

Our Training and Outreach Unit staff are hard at work planning this year's slate of trainings; additional information will be forthcoming soon and I look forward to sharing those details with you.

Continued on [Page 2](#).

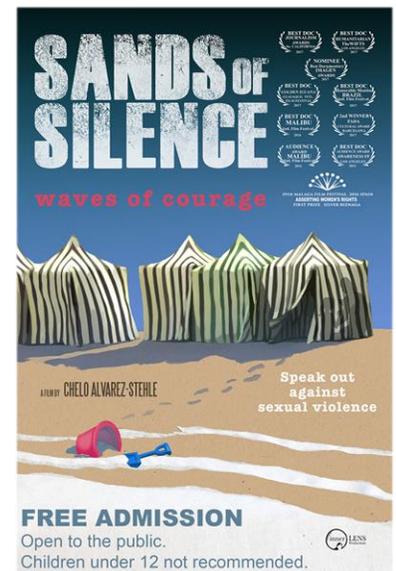
Documentary screening marks January as Human Trafficking Awareness Month

OVS will host a screening of “*Sands of Silence: Waves of Courage*,” an award-winning documentary about human trafficking, as part of an event marking Human Trafficking Awareness Month on Thursday, Jan. 25, in Albany.

The event is free and begins at 3 p.m. at Page Hall, [135 Western Ave.](#), on the University at Albany Downtown Campus.

In addition to a Q&A with “*Sands of Silence*” filmmaker Chelo Alvarez-Stehle and Virginia Isaias, a survivor who is featured in the film, the event will include a discussion of the state's response to human trafficking, its support for victims, and training and resources available for law enforcement. OVS Director Elizabeth Cronin will moderate.

For more information about the screening or to RSVP to attend, please contact Helen Hines at helen.hines@ovs.ny.gov.



Office of
Victim Services

OVS.NY.GOV / 1-800-247-8035

Providing help, healing and hope to crime victims since 1966.

From the Director's Desk *(continued)*

We all come into this field for different reasons and from different paths, but have a common motivation to make life better for crime victims. With our collective efforts, we make a positive difference in the lives of thousands of crime victims, yet we cannot rest. We need to rededicate ourselves to this work and noble calling. The world is a better place because of your efforts and OVS is proud to be your partner in this work.

In closing, I hope you enjoy OVS Outreach. We welcome your feedback: Send comments and suggestions for upcoming articles to Blake Kush at blake.kush@ovs.ny.gov.

Thank you again for your dedication and commitment to crime victims and their families.

Sincerely,



Elizabeth Cronin, Esq.

Legal Corner

New York State recently enacted two amendments to state law that expand eligibility for crime victims' compensation and recognize the fact that crime can have devastating effects on an individual, even if they aren't physically injured.

Victims of hate crimes and certain other offenses who are not physically injured, and vulnerable elderly or disabled individuals incapable of caring for themselves who have lost up to \$30,000 in savings, can now seek compensation. The amendments to state Executive Law took effect Oct. 17, 2017, and applies to claims filed with OVS on or after that date.

Before this legislative change, eligibility for compensation was limited to victims who suffered physical injuries, with some exceptions, generally involving domestic violence-related crimes. For example, an individual who suffered broken bones during a hate crime-related assault has always been eligible

for compensation, but someone traumatized by extensive damage done to their home because of a hate crime was ineligible for assistance to pay for counseling.

The amendments also eliminate the physical injury requirement for victims of certain robbery, menacing, criminal mischief, harassment, aggravated harassment and criminal contempt charges.

In addition, the change allows vulnerable elderly individuals and disabled individuals - defined in state law as those who are incapable of caring for themselves - to recoup up to \$30,000 in savings. State law also includes an age requirement for vulnerable elderly: at least 60 years old. Previously, the agency could only reimburse victims to this extent for loss of support or earnings.

Governor Andrew M. Cuomo included the amendments in his 2017-18 Executive Budget proposal and they were approved by the state Legislature as part of the enacted state budget.

In announcing the expansion, Governor Cuomo said, "Ensuring that crime victims receive the support they need to recover and restore a sense of normalcy to their lives is vitally important. These changes to expand compensation eligibility demonstrate New York's continued commitment to helping vulnerable New Yorkers and people who are victimized by crime."

While OVS has only had a few months' experience with the new eligibility, staff believe that the changes will allow it to better assist those who have been underserved.

FOR MORE INFORMATION

Additional information regarding these and other statute changes is available online under "Advisory Bulletins" at:

www.ovs.ny.gov/victim-assistance-program

Congratulations to OVS Contract Management Specialist 1, Rachel Riley for her winning submission of "OVS Outreach" during an agency-wide newsletter naming contest. A selection committee choose her title from an abundance of creative submissions for the agency's first ever newsletter.

OVS Outreach

E-Newsletter

January: Human Trafficking Awareness Month



Each year, New York joins the nation and the world in marking January as Human Trafficking Awareness Month.

The United Nations estimates that nearly 40 million people worldwide are trapped in forced or bonded labor and sex trafficking and according to the federal Justice Department, human trafficking is the second largest international criminal industry, second only to the drug trade. Any person, regardless of race, sexuality, gender, ethnicity, or immigration status may be a victim of trafficking.

Victim services professionals and advocates can make a difference in the fight against this modern-day slavery by

staying informed. Common red flags include a suspicious employment situation: Individuals may work, but have no access to their earnings; individuals may not have identification, know their address or be confused as to where they are; and they are fearful of providing information and distrustful of authority figures. [Additional information.](#)

If you encounter someone who you suspect is being trafficked, communicate messages of hope, letting them know that they have rights and are entitled to services and help. The following questions may help you better assess whether trafficking is occurring:

- Do you feel that you are free to leave your workplace?
- Do you feel that if you left, you or your loved ones would be hurt in some way?
- Do you receive all the money you earn?
- Were you ever told you had a debt to pay off?
- Do you owe your employer or someone else money for giving you a job?
- Do you have a safe place to stay?
- Can you describe your living conditions to me?
- Was your passport taken from you?

There also are [service providers](#) across the state that can help victims of human trafficking become secure, independent individuals. Additional information is available from the Human Trafficking Resource Center at [1-888-373-7888](tel:1-888-373-7888), which can help with locating resources within your community. You also can connect with assistance by texting "HELP" to 233733 (BeFree).

At a Glance with OVS Grants

The 2017 OVS Conference featured workshop sessions presented by OVS Grants staff on the Performance Measurement Tool (PMT) and Fiscal Pitfalls. This article summarizes the two workshop sessions for those who were unable to attend.

PMT is a reporting tool used for statistical purposes. The federal Department of Justice's Office for Victims of Crime requires victim assistance programs (VAPs) to use this tool, which aims to collect demographic data about victims and the services provided to them. VAPs are expected to provide the data requested in the PMT and if unable to do so, must be working to update

their systems so they can track the data requested.

Fiscal Pitfalls provided an overview of common errors that VAPs make in their reporting to OVS. These include:

- Inconsistent percent of effort between the Fiscal Cost Report, Position Description Form and the Executed Budget
- Percent of effort for Administrative positions (7.5 percent for fiscal, and 7.5 percent for administrative paper work)
- OVS funded/Match/Non-VOCA percent of efforts totaling more than 100 percent.

The workshop also featured updates on the Budget Amendment Request (BAR) Policy, guidelines for reimbursement and recoupment of

the 2016-2017 contract underspending for those on advance payments. These topics were outlined in a Power Point presentation that agencies can obtain from their OVS Contract contact.

The following questions and answers were discussed during these two presentations.

PMT Questions and Answers

Q: Do programs have to pro-rate all the demographics if the staff is not 100 percent?

A: Yes, programs must prorate demographics and VOCA allowable services to the percent of effort for each position listed on the OVS Grant. The percentages must be calculated for all positions funded

with VOCA funds and match for the entire PMT report.

Q: Is everyone counted as new for the month of October or the entire quarter?

A: All clients are counted as new for the first quarter (10/1/17 – 12/31/17).

Q: Do we need to submit a copy of the Excel PMT to OVS once we put the stats into the Federal PMT reporting system? If so, why?

A: Yes. OVC PMT and OVS PMT Excel spreadsheet due dates are the 20th of the month following the end of the quarter: Jan. 20, April 20, July 20 and Oct 20. OVS must verify the information programs have entered in the PMT and uses the Excel spreadsheet submitted by the VAP to do so. This report must be sent to ovsgrants@ovs.ny.gov. Don't forget to cc: your contract manager.

Q: If a single victim reports being victimized by multiple crimes, how is that counted in question 6 (assistance with OVS application) since we can only count the individual one time for question #1.

A: You can answer question 6 one time per client, per crime. If a client presents with three different dates of crime, you can count that as three times in question 6 because you've assisted with each crime.

Q: Is the answer to question 6 to be counted per quarter? Can I count the

answer for an individual across multiple quarters?

A: No, as noted, question 6 is one time per client, per crime. Any services regarding an OVS application, etc. after question 6 has been counted once should be counted under B4 (individual advocacy).

Q: Can we count hotline services even if we cannot identify the client?

A: Yes, you should be counting services (VOCA and/or match funds) on the hotline regardless of whether you can identify the client. There is now an option to enter anonymous contacts.

Fiscal Questions and Answers

Q: Will there be a webinar discussing the required paperwork for the reimbursement?

A: OVS hosted a [webinar](#) in December to discuss the reimbursement process and has published a [Q&A document](#) from it. Any remaining questions should be directed to your OVS contract contact.

Q: Now that OVS is paying for overtime, how is it recommended to be shown on the budget? What do we do if we did not budget for overtime in the 2017-2018 budget?

A: Overtime should be listed as one line item under Personal Salaries on the budget. All overtime should be billed against that line. If you did not factor in overtime in your current budget (2017-2018), talk with your OVS contact and submit a BAR. This may be one of those circumstances where a first quarter effective BAR is allowed.

Q: In regard to the Position Description Form, what do we do if we have staff on differing standard full-time hours? What about volunteers?

A: For those programs with different standard full-time hours, OVS seeks separate Position Description Forms reflecting those hours. For example, if the program has employees with a 40-hour work week, and other employees with a 37.5-hour work week, OVS would receive two separate Position Description Forms. Programs can select which Position Description Form they use to report volunteers.

FOR MORE INFORMATION

Additional OVS Grants Information is available online at:

www.ovs.ny.gov/victim-assistance-program



Save the Date:

2018 National Crime Victims' Rights Week

April 8-14, 2018

Expand the Circle: Reach All Victims

Emphasizing the importance of inclusion in victim services.

Visit <https://ovc.ncjrs.gov/ncvrw/> for more information.

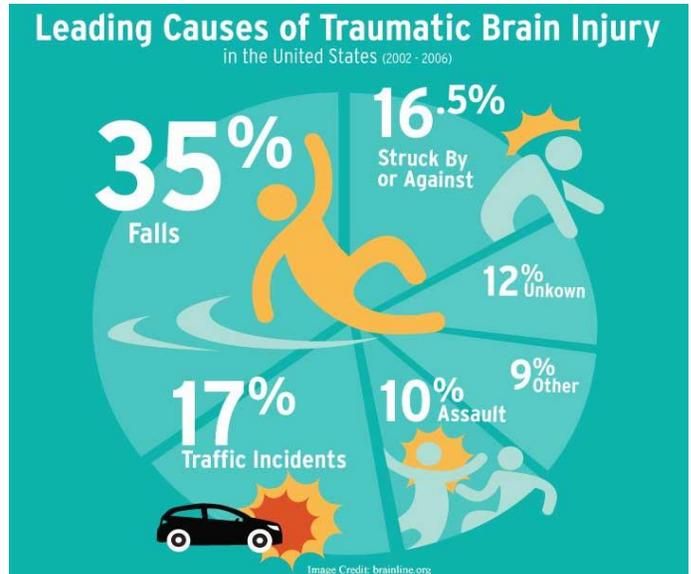
March is Brain Injury Awareness Month

Every 10 seconds in the U.S., a person sustains a brain injury that can result in a lifelong disability, especially if not properly treated. And according to the state Department of Health, more than 500 New Yorkers are reported to sustain a brain injury each day, but the prevalence of those incidents is estimated to be 50 percent higher than reported. It is not uncommon for crime victims to sustain brain injuries, which can result from a hit or jolt to the body. Infants and young children are especially vulnerable to such injuries, symptoms of which may either appear immediately or not surfacing until days or weeks after the injury.

Symptoms can include headaches, balance problems, blurred vision and dizziness. Cognitive impairment also occurs, with individuals feeling mentally “foggy”, irritable, more emotional, nervous or anxious than usual and exhibiting difficulty remembering new information.

Victim services professionals and advocates can better assist victims of crime by being knowledgeable about brain injuries and symptoms so they can help those individuals access specialized treatment. The state Health Department

offers wallet-sized reference cards listing symptoms of brain injuries and resources for help. Visit the [New York State Department of Health website](#) to download those cards, which are available in multiple languages. Additional information and resources are available from the [Brain Injury Association of New York State](#) and [Centers for Disease Control and Injury Prevention](#).



Comp Chat

Did you know that OVS now determines eligibility as early as possible so that victims know quickly if they can receive assistance? This was just one of the several compensation-related topics covered by OVS Compensation Unit staff at the agency's 2017 Conference.

For example, date of crime medical expenses submitted with the claim may be paid in the decision. Any expenses originally submitted with the claim that could not be paid in the decision will be addressed within six weeks. Any subsequent bills submitted under the claim after the award decision has been made will be handled by the Additional Medical unit, typically within two to three weeks.

Compensation Questions and Answers

Q: Who determines if a victim meets the threshold for being a “vulnerable person”?

A: OVS relies on law enforcement (police or district attorney) to determine whether the victim is considered a vulnerable person as defined in the state's Penal Law.

Q: Will OVS continue to pay medical bills if the victim moves out of the country?

A: Yes.

Q: Does OVS pay counselors based on a fee schedule?

A: Yes, OVS does use a fee schedule based on provider credentials.

Q: What if victim sees a provider who is not in their insurance network?

A: OVS will require an Explanation of Benefits (EOB) from the victim's insurance company indicating that the company will not cover the expense for that provider.

Q: Some providers now charge a fee to fill out required OVS forms. Does OVS reimburse for that?

A: OVS will not pay a provider to fill out one of our forms. However, if the claimant already paid the provider for this service, OVS will reimburse the claimant directly.

Q: Is there any way OVS can pay more than \$2,500 on an emergency award for anti-HIV medications?

A: No, \$2,500 is the statutory maximum for an emergency award.

Serving the Underserved: A look back at the OVS 2017 Conference

More than 400 victim services professionals from across New York State attended the agency's biennial training conference, "Serving the Underserved: Increasing Access to Victim Services." The three-day event in Albany featured remarks from a diverse group of keynote speakers and more than 30 workshops geared toward helping those professionals better connect with crime victims from traditionally underserved populations, including the elderly, members of the LGBTQ community, Native Americans, immigrants and male victims of sexual abuse.

Featured speakers:

- Anthony Zenkus, Director of Education with The Safe Center LI, detailed research findings showing how income inequality increases trauma and risk for crime victims.
- Survivors of sexual assault, Antuan Raimone and Michelle Corrao, each gave powerful presentations about the crimes committed against them, their journey of healing from the trauma, and their work in helping victims of similar crimes.

Two other speakers focused on self-care for victim services professionals:

- Gayle Thom, a retired FBI victim specialist, discussed secondary trauma and its effect on professionals and their families, and offered strategies for coping and building resiliency.
- Dr. Joel Goodman, Director of the HUMOR Project, provided a lighthearted yet serious presentation on the importance and healing power of humor and the benefits of taking humor seriously.

Workshop topics included civil legal assistance for victims; identifying and responding to labor trafficking; helping immigrant survivors; special needs for male victims of sexual abuse; supporting victims with brain injury; and best practices to identify / intervene in cases of elder abuse, among others.

The conference also included a presentation of achievement awards to four women who have devoted their lives and careers to victim assistance services.

The New York State Office of Victim Services recognized two women with its Lifetime Achievement Award:

Susan Xenarios, who founded the first hospital-based program to serve sexual assault victims in New York City, and Kim Spoonhower, a long-time agency employee who joined the state after working as a victim advocate in Broome County. The award, first presented in 2015, recognizes outstanding work and service on behalf of crime victims across New York State.

Noreen Fyvie and Karen Senez each received the agency's first-ever Dedicated Service Award. Fyvie, who was the agency's director of compensation before retiring earlier this year, spent nearly 40 years with the agency, starting her career as a stenographer in 1978 when she was still in high school. Senez, director of the Albany Investigations Unit, has worked for the Office of Victim Services for more than three decades.

To learn more about these remarkable women, click [here](#).

We look forward to seeing you at the next biennial conference in 2019!

OVS 2017 CONFERENCE HIGHLIGHTS



#Superwomen

OVS 2017 Conference Awardees with Director Elizabeth Cronin (middle). Left to right: Susan Xenarios, Noreen Fyvie, Kim Spoonhower, Karen Senez.



The Best Kind of Therapy

Three certified therapy dogs joined the OVS 2017 Conference to offer some four-legged support. Here, "Lacey" greets conference attendee Stephen Phillips.



Triumph Over Tragedy

Keynote Speaker Michelle Corrao, pictured above with Director Elizabeth Cronin, shared a truly inspiring sexual assault victim testimonial.