



Every Crime Victim Matters

New York State Office of Victim Services 2016-17 Annual Report



Office of
Victim Services

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Executive Summary

The mission of the Office of Victim Services (OVS) is to provide compensation to innocent victims of crime in a timely, efficient and compassionate manner; to fund direct services to crime victims via a network of community-based programs; and to advocate for the rights and benefits of all innocent victims of crime.

New York State has had an agency dedicated to serving innocent crime victims since 1966. The enabling legislation for the agency, only the second of its kind in the country and the first to provide for a permanent program, was enacted in response to public outcry over the murder of a young man in a subway, leaving behind his widow with little means to care for their 15-month-old child.

State and federal funding sources support compensation for crime victims. State funding is maintained from the Criminal Justice Improvement Account (CJIA), which is supported by mandatory surcharges and crime victim assistance fees assessed on certain offenders. The amount of funding available to OVS depends upon state appropriation. Federal funding for compensation and victim and witness assistance grants is received 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 broadened to include counseling for step-family members, victims of kidnapping and unlawful imprisonment, and 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. In this capacity, the agency informs or develops legislation which, if subsequently enacted, protects or extends the rights of crime victims and expands services and assistance available to those individuals.

Since 1981, OVS has received funding from the New York State Legislature 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. OVS funded 223 local victim assistance programs (VAPs) during 2016-17.

This report reflects the OVS' efforts and accomplishments in meeting the needs of crime victims during New York State's fiscal year 2016-17. Highlights include:

- OVS reached a notable milestone in August 2016 when it marked the 50th anniversary of its founding. To commemorate the event, the agency hosted a reception in Albany for victim advocates, service providers, and survivors of crime and their family members. The event featured a large-scale timeline with photos and narratives depicting the agency's five decades of service; posters telling stories of survivors, advocates and OVS staff; and the premiere of a 10-minute video showcasing the agency's impact on individuals and communities. The video and visual displays all focused on the role the agency and individuals have played in inspiring the tremendous victim advocacy work done in New York State since 1966.

Also at the event, OVS Director Elizabeth Cronin hosted a press conference and announced the agency's first-ever public awareness campaign. Advocates, a survivor of crime and the parent of a child victim also spoke at the press conference. The campaign, titled "Help, Healing and Hope for Crime Victims," included five, 30-second public service announcements that aired in 10 broadcast television markets around the state for five weeks beginning in October 2016. The PSAs include a link to a website that OVS created specifically to mark the anniversary (www.ny.gov/ovs50th). The site featured stories and testimonials from survivors, family members, and advocates, highlighted the history of victim advocacy in the state, and provided access and information on the resources offered by the agency.

- The agency continued to support and improve its Victim Service Portal, an online system that streamlines the claims application process and allows applicants to upload and electronically submit all necessary documentation in support of their claims. More than 8,800 claims were submitted through the Victim Services Portal in 2016-17, which was more than half of the total claims submitted to OVS during this period. OVS will continually evaluate the portal to ensure that it continues to ensure the claims process meets the needs of victims, advocates, and the agency.
- OVS observed National Crime Victims' Rights Week in April. The theme – "Serving Victims. Building Trust. Restoring Hope." – underscored the importance of early intervention, advocacy, and services to establish trust with victims, which in turn begins to restore their hope for healing and recovery.
- Working with the National Association of VOCA Assistance Administrators, OVS conducted a comprehensive statewide training needs assessment for victim assistance program staff. The agency received more than 200 online survey responses and interviewed more than 20 state and local leaders by phone to obtain feedback. These results guided the training program that OVS developed for its funded victim assistance programs (VAPs), an initiative supported through a \$1.4 million VOCA training grant OVS received in 2015. OVS presented these survey findings and its needs assessment process at the 2016 VOCA National Training Conference in Albuquerque, New Mexico.
- OVS partnered with the Institute for Disaster Mental Health at SUNY New Paltz to offer two victim services academy trainings for advocates and service providers from all over the state. Hosted on the SUNY New Paltz campus, each four-day academy included trainings on understanding crime, helping practices, special populations and self-care strategies. More than 160 participants attended trainings, which were taught by trauma-informed mental health experts.
- The agency also applied for, and received, a third federal grant of \$500,000 to support Phase III 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 to connect with resources to ensure their interests are represented. The third grant will allow the network to expand from its pilot sites to serve all individuals who live in the 57 counties outside of New York City.

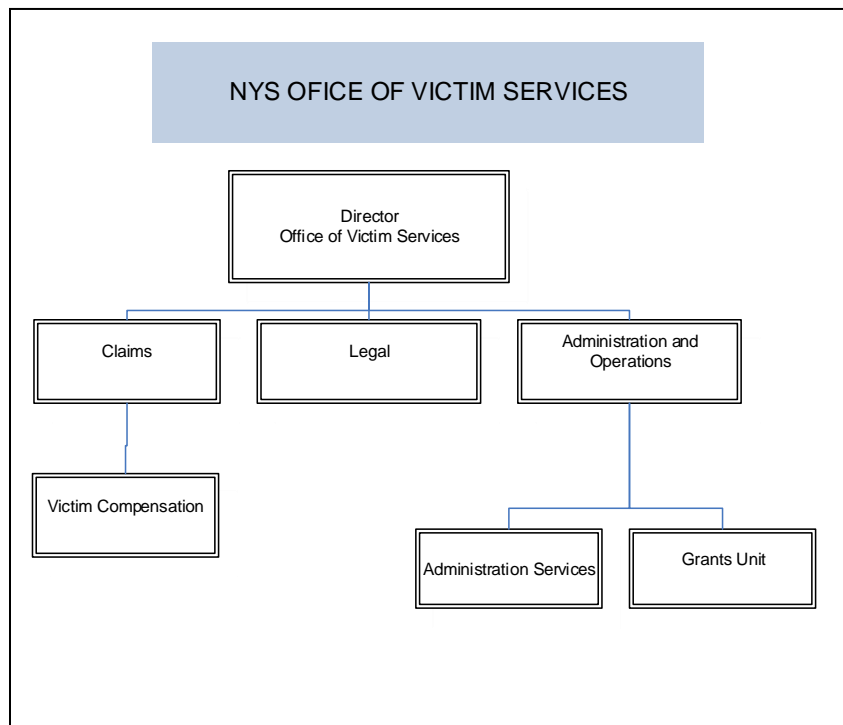
Agency Operations

Structure

The OVS Director is appointed by the Governor and oversees the 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 a Deputy Director of Claims who manages the Crime Victim Compensation investigation teams, as well as the Additional Medical and Vocational Rehabilitation Units.

The staffing target for the agency is 92 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. in Albany. It has a second office at 55 Hanson Place in Brooklyn.

- 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 is 92 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 2016-17, it was not necessary for the agency to propose or adopt any regulations related to Executive Law Article 22.

- 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 2016-17, OVS rendered 13,286 original decisions: claims awarded and claims denied. The agency also reinvestigated or reopened claims as necessary.

- 6. To direct medical examination of victims.**

To determine the causal relationship between the injuries claimed by victims and the medical services provided or to be provided, the agency made two referrals in 2016-17 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 64 claim decisions and rendered new decisions because 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 took 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 an Essential Personal Property (EPP) unit to handle only those claims. Individuals who are 60 years old or older submit most original awarded claims for EPP only, so this unit 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 Domestic Violence Fatality Review Team, 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, the State's Interagency team to implement the Enough is Enough campus sexual assault prevention and education law, and the federal Violence Against Women Act Advisory Committee. OVS also is 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 were requested by, and provided to, municipal police departments and county sheriffs' offices, county executives and district attorneys' offices.

The agency supported and funded the 223 victim assistance programs in 2016-17. 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 to approximately 550 professionals on topics including compensation, VOCA and OVS guidelines, and fiscal reporting 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 affect crime victims and their rights. The agency also ensures it is 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 provide the agency with knowledge and expertise relating to crime victim policy and service delivery through the Advisory Council, which was created 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.

OVS added an Outreach Unit in 2016 to its organizational structure. This unit is charged with training staff at funded victim assistance programs and oversees a robust training program for VAP staff (see the Training and Research section of this report for more details).

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 and are available on the OVS website: www.ovs.ny.gov.

19. To accept, with approval of the Governor, as an 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 2016-17, OVS received \$7,396,000 in federal funds for victim compensation and \$133,904,016 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 631-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 is included in this report. The state's Criminal Justice Improvement Account also provides financial support for these programs, with funding determined annually by legislative appropriation.

State and Federal funding in the FY 2016-17 year is adequate to meet the funding needs of VAPs. Federal appropriations were increased to reflect the additional federal funding received by the agency for its Victim and Witness Assistance grants, a training grant, and grants to create a Civil Legal Network for crime victims. In addition, funding for victim assistance programs in 2017-18 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] [Crime Victims Board became OVS in 2010] 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.

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

Approximately \$72 million in state and federal funds were appropriated to the agency for grant-making purposes in 2016-17, allowing OVS to assist crime victims by funding 223 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 2007-08 through 2016-17

FISCAL YEAR	PERSONNEL	NON-PERSONNEL	ADMINISTRATION SUBTOTAL	PAYMENTS TO VICTIMS	VICTIM & WITNESS ASSISTANCE PROGRAMS	LOCAL ASSISTANCE SUBTOTAL	GRAND TOTAL
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
2016-17	4,523,077	2,532,592	7,055,669	23,420,253	42,406,050	65,826,303	72,881,972

Note: The Administration Subtotal reflects personnel and non-personnel costs while the Local Assistance Subtotal reflects payments to victims and grants to victim and witness assistance programs.

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 the existence of victim assistance programs in their communities.

The agency provides information cards detailing OVS locations, phone numbers, its 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 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 attorneys' 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' offices 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.

In order to be eligible for compensation, all victims must be innocent victims of a crime (see Executive Law Section 620, 624(2)).

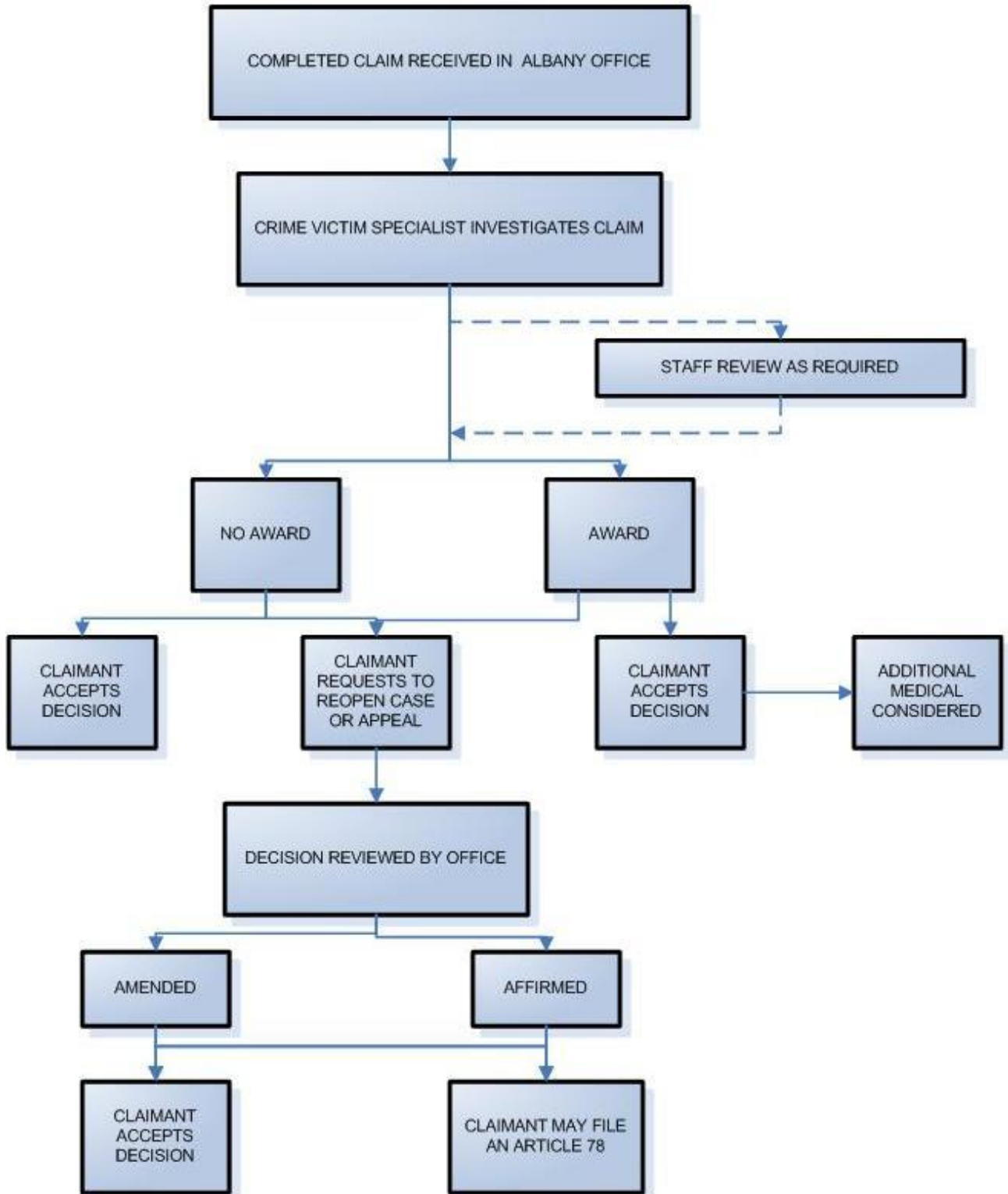
Below are those who may be eligible for compensation after evaluation by the agency:

- 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 witnessed a crime
- Certain victims of unlawful imprisonment or kidnapping
- Certain stalking victims
- Victims of terrorist acts outside of the United States who are residents 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 2016-17, the agency approved 415 emergency awards totaling \$823,267.

OVS will determine an individual's eligibility within 24 to 72 hours, depending on the information provided and nature of the claim. Individuals eligible for emergency assistance can apply by visiting an OVS-funded victim assistance program in their community or by faxing an application to the agency: (518) 402-0921. 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 \$5,088,943 on 6,496 forensic rape examination claims during 2016-17; 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 help victims file applications with OVS. OVS also accepts 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 (e.g., 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 (see Executive Law Section 624), OVS awards the claim.

The following details the number of claims accepted for eligibility determination and processing for the most recent 11 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
2016-2017	11,992

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 2016-17, the agency accepted 2,482 of those types of claims, which represented 20 percent of the total claims accepted in the fiscal year.

Claims Accepted by Type 2016-17

<u>Claim Type</u>	<u>Accepted</u>
<i>Personal Injury</i>	8,744
<i>Death</i>	766
<i>Essential Personal Property</i>	2,482
<hr/>	
Total Claims Accepted	11,992

Claims Awarded

OVS awarded a total of 7,596 claims during the 2016-17. 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>	5,821
<i>Death</i>	581
<i>Essential Personal Property</i>	1,194
<hr/>	
Total Claims Awarded	7,596

Awarded Claims by Age and Gender

Forty percent of all claims awarded involved individuals who ranged in age from 18 to 29. Awarded claims involved more female victims than males (55 percent vs. 44 percent). The gender of the victim in the remaining 1 percent of claims was not reported, designated as "u" for unknown. Additional details are included in the chart on the following page.

Awarded Claims by Age and Gender

Age	Gender	Claims Awarded
0-12	F	241
0-12	M	155
0-12	U	6
13-17	F	234
13-17	M	204
13-17	U	3
18-29	F	1,190
18-29	M	986
18-29	U	17
30-44	F	1,113
30-44	M	842
30-44	U	11
45-59	F	666
45-59	M	570
45-59	U	3
60 and older	F	726
60 and older	M	622
60 and older	U	7
		Total: 7,596

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 16 for that information).

Claim Type	Paid	Amount
Personal Injury	4,570	\$14,630,352
Death	630	\$2,536,642
Essential Personal Property	1,337	\$260,955
Forensic Rape Exam Direct Reimbursement	6,496	\$5,088,943
TOTAL	13,033	\$22,516,892

“No Award” Decisions

During 2016-17, OVS determined that 5,690 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 in 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 2,440 “no information supplied” determinations can be reopened if an individual subsequently provides necessary documents for the agency to reevaluate the claim. Another 615 claims were determined not eligible under the law, with additional 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	2,440
Not Eligible	661
Domestic Violence - No Physical Injury	533
Unable to Locate Claimant	335
No Cooperation with Police or DA	294
Unable to Substantiate	186
Child Not Victim or Witness	155
No Crime	149
Claim Withdrawn	117
Unable to Locate Police Report	110
Pending Police Investigation	105
Conduct Contributing	96
Duplicate Claim	93
Not Essential Personal Property	90
No Compensable Loss	85
Victim Not a Victim of Crime	53
Accident	27
Victim older than 18, must file his/her own claim	26
No Funeral Loss	23
Conflicting Data	19
Crime Not in New York State	16
Lost Property	15
Hit and Run, Leaving Scene of Property Damage	12
Not Victim of Criminal Act	11
Business Loss	10
Pending Trial	7
Year Late Filed	7
Legal Guardian Must File Claim	6
Claimant Died from Unrelated Cause	3
Police Report Filed More Than A Week After Crime	2
Died From Injuries	2
Civil Lawsuit Ongoing	1
District Attorney	1
TOTAL	5670

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.

During 2016-17, 64 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.

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.

The Administrative Review Panel reviewed 115 decisions in 2016-17, many of which were from previous fiscal years; 69 percent of those decisions were affirmed without changes.

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.

Rejected Claims

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

During 2016-17, the agency rejected 1,266 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 the reasons that claims were rejected.

Top Reasons for Rejected Claims

Application Not Signed/No Authorization Submitted	525
No Police Complaint Number	331
No Police Agency Name	312
Claimant Under the Age of 18	183
No Crime Date	158
Missing Victim DOB	12

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 causally related services;
- Reviews any requests for home modifications necessary because 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 because 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 2016-17, the Additional Medical Unit approved:

- 455 claims for counseling, totaling \$958,402;
- 67 claims for homecare for disabled individuals, totaling \$4,515,603; and
- 1,748 claims for other medical and related expenses, totaling \$7,684,570.

In addition, OVS also paid \$799,323 for vocational rehabilitation benefits, such as vehicle modifications, durable medical equipment and home modifications. Additional details:

Vocational Rehabilitation Reimbursement

Loss Expense Type	Award
Ambulance	\$251,918.87
Counseling	\$958,401.82
Dentist	\$634,802.71
Doctor	\$2,762,182.67
Durable Medical Equipment (DMI)	\$357,358.96
Education	\$23,423.00
Home Care/Facility	\$1,019,380.25
Home Care/Individual	\$3,496,222.98
Home Modifications	\$384,414.00
Hospital	\$2,489,864.58
Medical Consultant	\$152,017.35
Medical Supplies	\$218,747.89
Medical Transportation	\$107,900.69
Moving/Storage	\$23,534.82
Other	\$1,584.25
Pharmacy/Medications	\$219,270.12
Vehicle Modifications	\$57,550.37
TOTAL	\$13,158,575.33

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 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 Office of Victim Services' Advisory Council.
- Coordinating statewide training for victim assistance programs 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 the funding available for grants is the result of fines, fees, and surcharges paid by certain offenders convicted in state or federal court. The agency received \$56 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 2016-17.

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 2016-17, OVS awarded grants to the following providers for direct services and/or to upgrade technology and equipment to better serve victims. Providers listed more than once offer multiple programs that serve crime victims:

VOCA Grant Recipients	
Program Name	Award
A New Hope Center, Inc.	\$434,768.00
Adirondack Health Institute, Inc.*	\$151,883.00
Advocacy Center of Tompkins County	\$99,679.00
Advocacy Center of Tompkins County	\$107,112.00
Advocacy Center of Tompkins County	\$102,701.58
Alternatives for Battered Women, Inc.	\$343,916.32
Barrier Free Living, Inc.	\$184,378.55
Behavioral Health Services North	\$80,314.81
Beth Israel Medical Center	\$79,515.11
Bivona Child Advocacy Center	\$317,396.00
Brighter Tomorrows, Inc.	\$114,630.80
Bronx County District Attorney	\$70,055.00
Bronx Independent Living Services, Inc.	\$75,207.00
BronxWorks, Inc.	\$238,301.76
Brooklyn Chinese American Association	\$211,601.00
CAMBA, Inc.	\$38,426.00
Catholic Charities of Chenango County*	\$177,663.66
Catholic Charities of Fulton & Montgomery Counties	\$40,723.99
Catholic Charities of Fulton & Montgomery Counties	\$68,611.47
Catholic Charities of Saratoga, Warren and Washington Counties	\$78,724.03
Catholic Charities of Schoharie County	\$52,818.00
Catholic Charities of the Diocese of Albany	\$193,411.39
Catholic Charities of the Diocese of Rochester	\$40,637.70
Catskill Regional Medical Center	\$46,170.11
Cattaraugus Community Action, Inc.	\$232,189.55
Cattaraugus Community Action, Inc.	\$141,719.95
Cattaraugus Community Action, Inc.	\$34,287.00
Cattaraugus Community Action, Inc.	\$38,670.69

VOCA Grant Recipients	
Program Name	Award
Cayuga Counseling Services Inc.	\$692,947.53
Cayuga County District Attorney	\$67,681.55
Cayuga Seneca Community Action Agency, Inc.	\$149,197.00
Center for Safety & Change, Inc.	\$125,749.00
Center for Safety & Change, Inc.	\$28,310.38
Center for the Elimination of Violence in the Family, Inc.	\$152,538.00
Chances and Changes, Inc.	\$213,323.47
Chances and Changes, Inc.	\$99,155.38
Chautauqua County	\$88,000.00
Child and Adolescent Treatment Services	\$287,165.00
Child and Family Services of Erie County	\$52,619.85
City of Elmira	\$155,420.46
City of Rochester, New York	\$318,996.47
Community Action of Greene County, Inc.	\$70,893.90
Community Action of Greene County, Inc.	\$426,442.67
Community Agency for Senior Citizens, Inc.	\$73,235.00
CONNECT, Inc.	\$133,500.00
County of Albany	\$216,645.00
County of Genesee	\$168,125.86
County of Genesee	\$175,703.00
County of Monroe	\$377,541.33
County of Monroe	\$99,434.70
Crime Victims Assistance Center, Inc.	\$49,404.81
Crime Victims Assistance Center, Inc.	\$127,948.26
Crime Victims Support Services of the North Bronx, Inc.	\$51,166.44
Crown Heights Jewish Community Council, Inc.	\$230,926.28
Day One New York, Inc.	\$154,741.75
Delaware Opportunities, Inc.	\$105,980.95

VOCA Grant Recipients	
Program Name	Award
Delaware Opportunities, Inc.	\$104,040.00
Division of State Police State of New York	\$69,670.00
Domestic Violence and Rape Crisis Services of Saratoga County	\$788,528.00
Dominican Women's Development Center	\$433,149.86
EAC, Inc.	\$284,864.18
East Harlem Neighborhood Based Alliance	\$131,545.00
Edwin Gould Services for Children and Families	\$92,415.80
Empire Justice Center	\$175,282.93
Equinox, Inc.	\$60,295.00
Erie County District Attorney	\$421,496.00
Erie County Probation Department	\$455,500.00
Family Counseling Center of Fulton County, Inc.	\$62,086.00
Family Counseling Service of the Finger Lakes, Inc.	\$46,854.00
Family Counseling Service of the Finger Lakes, Inc.	\$123,217.06
Family Services Inc.	\$53,147.63
Friends of the Chautauqua County Child Advocacy Program	\$348,801.11
Fulton County District Attorney	\$157,492.00
Fund for the City of New York	\$89,372.02
Good Shepherd Services	\$198,056.26
Grace Smith House, Inc.	\$180,654.73
HANAC, Inc.	\$70,698.37
Help Social Service Corporation	\$63,600.00
Herkimer County District Attorney	\$178,159.91
Hopes Door, Inc.	\$52,887.00
Icahn School of Medicine of Mount Sinai	\$448,665.00
Icahn School of Medicine of Mount Sinai	\$59,443.00
In Our Own Voices, Inc.	\$647,367.12
International Institute of Buffalo, Inc.	\$60,644.33

VOCA Grant Recipients	
Program Name	Award
International Institute of Buffalo, Inc.	\$86,647.00
Jamaica Service Program for Older Adults, Inc. (JSPOA)	\$60,742.04
Kings County District Attorney's Office	\$188,734.00
Korean American Family Service Center, Inc.	\$524,771.00
Legal Aid Society of Rochester NY	\$110,000.00
Legal Services NYC	\$107,300.00
Lewis County Opportunities, Inc.	\$147,293.11
Liberty Resources, Inc.	\$58,485.91
Livingston County	\$207,872.86
LSNY Bronx Corporation (Legal Services NYC - Bronx)	\$55,508.00
McMahon/Ryan Child Advocacy Site, Inc.	\$58,736.25
Mechanicville Area Community Services Center, Inc.	\$71,931.00
Mental Health Association in Orange County, Inc.	\$35,997.00
Mental Health Association of Columbia-Greene Counties, Inc.	\$34,419.55
Mental Health Association of Columbia-Greene Counties, Inc.	\$65,514.99
Mothers Against Drunk Driving	\$249,147.37
Mount Sinai Hospital	\$139,212.00
Mount Sinai Hospital	\$151,013.76
Mount Sinai Hospital	\$151,013.76
My Sisters Place, Inc.	\$132,892.15
Nassau County	\$430,000.54
Neighborhood Self Help by Older Persons Project, Inc.	\$157,736.11
New York Asian Womens Center, Inc.	\$84,571.00
New York Asian Womens Center, Inc.	\$259,581.38
New York City Alliance Against Sexual Assault	\$585,997.00
New York City Department for the Aging	\$65,903.48
New York City Gay & Lesbian Anti Violence Project	\$385,113.76
New York City Gay & Lesbian Anti Violence Project	\$132,675.00

VOCA Grant Recipients	
Program Name	Award
New York City Gay & Lesbian Anti Violence Project	\$102,970.93
New York City Health & Hospital Corporation-BELLEVUE	\$126,089.94
New York City Health & Hospital Corporation-HARLEM	\$674,217.78
New York City Health & Hospital Corporation-JACOBI	\$78,841.65
New York City Health & Hospital Corporation-LINCOLN	\$172,317.00
New York City Health & Hospital Corporation-METROPOLITAN	\$134,947.00
New York City Health & Hospital Corporation-NCB	\$146,082.64
New York County District Attorney's Office	\$79,664.72
New York Legal Assistance Group, Inc.	\$344,437.00
New York State Sheriffs Association Institute, Inc.	\$149,688.00
Niagara Falls Memorial Medical Center	\$1,343,993.91
Niagara County	\$207,330.45
North Brooklyn Coalition Against Family Violence, Inc.	\$265,262.00
Northeast Health Foundation, Inc.	\$154,550.51
Northwest Buffalo Community Center, Inc.	\$515,923.16
NYS Department of Corrections and Community Supervision	\$183,483.61
NYS Justice Center for the Protection of People with Special Needs	\$274,996.00
NYS Office for the Prevention of Domestic Violence	\$345,374.00
Onondaga County District Attorney's Office	\$48,763.50
Ontario County	\$124,540.00
Opportunities For Otsego, Inc.	\$175,710.00
Orange County Probation	\$361,121.00
Orange County Safe Homes Project Inc.	\$142,077.00
Orleans County	\$75,878.44
Oswego County Opportunities, Inc.	\$235,594.00
Oswego County Opportunities, Inc.	\$35,201.43
Pace University	\$79,700.00
Parents For Megan's Law, Inc.	\$297,169.00

VOCA Grant Recipients	
Program Name	Award
Parents For Megan's Law, Inc.	\$389,474.00
Parents For Megan's Law, Inc.	\$206,501.78
Planned Parenthood Mohawk Hudson, Inc.	\$144,209.66
Planned Parenthood of Central and Western NY, Inc.	\$259,111.89
Planned Parenthood of North Country New York, Inc.	\$135,386.00
Planned Parenthood of the Southern Finger Lakes, Inc.	\$238,579.00
Polish Community Center of Buffalo, Inc.	\$150,560.00
Putnam County Department of Social Services	\$402,919.58
Putnam/Northern Westchester Women's Resource Center	\$74,323.11
Putnam/Northern Westchester Women's Resource Center	\$204,511.00
Queens County District Attorney	\$170,605.01
Queens Legal Services Corporation	\$24,404.00
Rensselaer County	\$139,736.47
Retreat, Inc.	\$132,663.18
Richmond County District Attorney	\$98,861.00
Rochester Society for the Prevention of Cruelty to Children	\$100,565.00
Rochester Society for the Prevention of Cruelty to Children	\$75,889.00
Safe Harbors of the Finger Lakes, Inc.	\$98,856.02
Safe Harbors of the Finger Lakes, Inc.	\$692,465.82
Safe Harbors of the Finger Lakes, Inc.	\$162,923.14
Safe Harbors of the Finger Lakes, Inc.	\$248,943.00
Safe Horizon, Inc.	\$333,341.27
Safe Horizon, Inc.	\$1,597,035.00
Safe Horizon, Inc.	\$1,259,586.52
Safe Horizon, Inc.	\$175,782.03
Safe Horizon, Inc.	\$362,561.08
Safe Horizon, Inc.	\$128,282.60
Safe Horizon, Inc.	\$201,298.94

VOCA Grant Recipients	
Program Name	Award
Sanctuary for Families, Inc.	\$52,417.90
Saratoga Center for the Family	\$70,461.00
Schenectady County District Attorney	\$206,214.00
Schuyler County	\$170,841.00
Seneca County Mental Health Department	\$259,772.00
SOS Shelter, Inc.	\$94,351.45
Southern Tier Health Care System, Inc.	\$562,596.88
St. Lawrence Valley Renewal House for Victims of Family Violence, Inc.	\$60,743.02
St. Lawrence Valley Renewal House for Victims of Family Violence, Inc.	\$237,664.17
St. Luke's-Roosevelt Hospital Center	\$127,170.00
St. Regis Mohawk Tribe	\$151,377.00
START Children's Center, Inc.	\$91,553.45
Steuben Church People Against Poverty, Inc.	\$59,625.90
Suffolk County District Attorney's Office	\$78,629.00
Suicide Prevention & Crisis Services, Inc.	\$172,346.66
Suicide Prevention & Crisis Services, Inc.	\$124,093.97
The Arab-American Family Support Center	\$314,391.00
The Children's Aid Society	\$207,826.01
The Children's Aid Society	\$203,578.17
The Kingsbridge Heights Community Center, Inc.	\$391,314.22
The New York and Presbyterian Hospital	\$80,570.88
The New York and Presbyterian Hospital	\$229,112.80
The New York and Presbyterian Hospital	\$144,739.00
The New York Center for Children	\$207,929.75
The Safe Center Long Island, Inc.	\$158,409.00
The Safe Center Long Island, Inc.	\$51,442.00
The Safe Center Long Island, Inc.	\$40,849.38
The Salvation Army	\$442,231.00

VOCA Grant Recipients	
Program Name	Award
The Salvation Army	\$192,506.90
The Salvation Army	\$123,632.00
Ulster County	\$161,209.00
Unity House of Troy, Inc.	\$170,967.65
Urban Justice Center	\$245,911.00
Urban Justice Center	\$103,149.80
Vera House, Inc.	\$98,256.00
Vera House, Inc.	\$45,510.00
Vera Institute of Justice, Inc.	\$561,032.80
Victim Resource Center of the Finger Lakes, Inc.	\$373,275.88
Victim Resource Center of the Finger Lakes, Inc.	\$241,336.76
Victims Assistance Center of Jefferson County	\$186,501.71
Victims Information Bureau of Suffolk, Inc.	\$880,997.75
Victims Information Bureau of Suffolk, Inc.	\$162,672.00
Victims Information Bureau of Suffolk, Inc.	\$131,194.00
Violence Intervention Program, Inc.	\$51,222.00
Warren County District Attorney's Office	\$805,762.65
Washington County District Attorney's Office	\$301,230.99
Wayne County	\$163,061.00
Westchester Community Opportunity Program, Inc.	\$69,958.00
Westchester County District Attorney's Office	\$32,325.92
Wyoming County	\$56,918.00
Wyoming County	\$126,840.63
Young Women's Christian Association of Niagara, Inc.	\$104,815.00
Young Women's Christian Association of Niagara, Inc.	\$287,252.43
YWCA of Cortland	\$299,610.69
YWCA of Schenectady	\$202,750.56
YWCA of the Mohawk Valley	\$434,768.00

VOCA Grant Recipients	
Program Name	Award
YWCA of the Mohawk Valley	\$151,883.00

*Contracts ended during the 2016-17 fiscal year.

Grants Unit-Sponsored Training

OVS contract managers 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, and Grants Unit staff provide updates and information at regional coalition meetings with providers in five geographic regions of the state (Western, Downstate, Northeastern, Central and Southern Tier) either monthly, bi-monthly or quarterly.

Statewide Advisory Council

Under state Executive Law, 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.”

The Council must have 16 members who demonstrate 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, monitors legislation related to crime victims and keeps 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 on 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 public on victims' issues, linking efforts from across the state and offering planning and implementation information to any service provider.

Training, Public Awareness and Outreach

The OVS Training and Outreach Unit, staffed by two employees, coordinates and provides training to all funded victim assistance programs across the state. To make trainings as accessible as possible, they are offered regionally and often recorded and available on the VAP section of the OVS website (www.ovs.ny.gov).

The Unit is also responsible for planning and implementing the agency's statewide conference and will soon create an OVS newsletter specifically for VAP staff. This Unit also plays a critical role in the agency's major outreach and public awareness initiatives, such as press conferences and events like the National Crime Victims' Rights Week and the agency's 50th Anniversary commemoration.

In 2016-17, OVS provided 12 free trainings to victim assistance program staff. Approximately 500 advocates, direct service professionals and experts from nearly 200 victim assistance programs attended the trainings, which the agency hosted in seven major metropolitan areas across the state. These trainings were funded through a \$1.4 million federal VOCA training grant that OVS received in 2015. Highlights include:

- Victim Services Academy Training: New Paltz in May and June 2016
- OVS Financial Literacy Training: five locations statewide during December 2016
- How to Develop a Strategic Plan: five locations statewide from February through April 2016.

Since Director Cronin's appointment, 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; presenting to agencies and non-profit organizations that come in contact with crime victims; and collaborating with local and state agencies.

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. In addition to the highlights featured in the Executive Summary, the agency also:

- Marked National Crime Victims' Rights Week (April 10-16, 2016) in New York State with a press conference that focused on the topic of elder abuse. The featured speakers were Philip Marshall, who shared his personal story of advocating on behalf of his grandmother, New York City philanthropist and socialite Brooke Astor, who was neglected and victimized by her son (and Philip's father) Anthony Marshall and one of her attorneys. Because of that experience, Philip Marshall became an outspoken

advocate for raising awareness of – and working to prevent – elder abuse. Representatives from the state Office for the Aging and state Office of Children and Family Services also participated, as did a local service provider.

- Sponsored its ninth annual blood drive in Albany. A total of 25 individuals donated, with each of those donations having the potential to save 72 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.
- Participated in conferences and Director Cronin accepted a variety of speaking engagements. She regularly meets with different constituencies and in 2016-17, her appearances included, but were not limited to: the SUNY New Paltz Institute for Disaster Mental Health Annual Conference; the annual Crime Victims' Remembrance Ceremony in Schenectady; and a panel discussion in New York City.
- Highlighted current news, events and training on the agency website's home page so it is easily accessible to the public and service providers; and
- Continued 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, "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.

2016 Chapter Laws Affecting Crime Victims and Related Issues

Chapter 7: Authorizes service animals or therapy dogs to accompany victims of domestic violence at residential programs whenever such accompaniment is reasonable under the circumstances.

Signed Date	Effective Date
03/11/2016	provided, however, that §§1 and 2 shall take effect on (12/28/16) the same date and in the same manner as ch 584/2015 amending the social services law, relating to authorizing service animals or therapy dogs to accompany victims of domestic violence in residential programs, as proposed in legislative bills numbers S.5372 and A.6626, takes effect

Chapter 13: Relates to the statewide central register of child abuse and maltreatment.

Signed Date	Effective Date
03/21/2016	takes effect on (1/19/16) the same date and in the same manner as ch 436/2015 amending the social services law relating to the statewide central register of child abuse and maltreatment, as proposed in legislative bills numbers S.3520-A and A.5803

Chapter 48: Extends the chief administrator of the courts' authority to allow referees to determine certain applications to a family court for an order of protection; extends for two more years, the judicial hearing officer pilot program in the family courts of the seventh and eighth judicial districts for ordering a reference to determine an application for an order of protection or temporary order of protection in certain cases.

Signed Date	Effective Date
06/01/2016	06/01/2016

Chapter 63: Relates to jurisdiction for organized retail theft crimes. Criminal Sanction Impact.

Signed Date	Effective Date
06/08/2016	takes effect on (11/1/2016) the first of November next succeeding the date on which it shall have become a law

Chapter 88: Provides that criminal history record checks received from the division of criminal justice services shall be available to nursing home and home care service agencies.

Signed Date	Effective Date
06/30/2016	06/30/2016

Chapter 105: Relates to posting the child abuse hotline telephone number in public and charter schools.

Signed Date	Effective Date
07/21/2016	takes effect on (1/17/17) the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the commissioner of education is authorized to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date on or before such date

Chapter 130: Requires statements made to the state board of parole by the victim of a crime be considered when determining whether to grant a discretionary release on parole.	
Signed Date	Effective Date
07/21/2016	takes effect on (10/19/16) the ninetieth day after it shall have become a law
Chapter 131: Adds financial literacy and elder abuse education and outreach to the list of congregate services provided by a public or a government agency or non-profit agency which are provided in community settings at which elderly people come together for services and activities.	
Signed Date	Effective Date
07/21/2016	07/21/2016
Chapter 153: Relates to the identification of unknown dead and missing persons; requires the county medical examiner and coroner to provide certain information to the division of criminal justice services and to the National Missing and Unidentified Persons System created by the Office of Justice Program's National Institute of Justice.	
Signed Date	Effective Date
07/21/2016	takes effect on (9/19/16) the sixtieth day after it shall have become a law
Chapter 209: Authorizes the commissioner of the office for people with developmental disabilities to have access to certain criminal history information contained in the central data facility established by the division of criminal justice services.	
Signed Date	Effective Date
07/21/2016	takes effect on (10/19/16) the ninetieth day after it shall have become a law
Chapter 239: Enacts "Tiffany Heitkamp's law"; relates to the effect of prior conviction for operation of certain vehicles while intoxicated upon imposition of penalties for boating while intoxicated.	
Signed Date	Effective Date
08/16/2016	takes effect on (11/1/2016) the first of November next succeeding the date on which it shall have become a law
Chapter 243: Authorizes awards for burial expenses of crime victims to be paid to a business.	
Signed Date	Effective Date
08/18/2016	and shall apply to all claims filed on or after it shall have become a law
Chapter 251: Prohibits any person from attempting to or to in fact alter, deface, injure, knock down, cover, remove or otherwise interfere with any traffic control device or railroad sign or signal; provides an affirmative defense therefor that operator can show he or she was not aware of the device.	
Signed Date	Effective Date
08/19/2016	takes effect on (11/1/16) the first of November next succeeding the date on which have become a law

Chapter 267: Elevates assault of a utility worker in the second degree to a class D felony; includes an employee of an entity governed by the public service law within such provisions.

Signed Date	Effective Date
08/19/2016	takes effect on (11/1/16) the same date and in the same manner as ch 472/2015 takes effect

Chapter 268: Includes within the class D felony of assault in the second degree, the intentional causing of physical injury to a process server to obstruct from performing his or her lawful duty, or as retaliation against the process server for performing his or her lawful duty.

Signed Date	Effective Date
08/19/2016	takes effect on (11/1/16) the same date and in the same manner as ch 477/2015 takes effect or on (11/1/16) the same date and in the same manner as ch 472/2015 takes effect, whichever shall be later

Chapter 269: Includes the possession of a machete within the class A misdemeanor of criminal possession of a weapon in the fourth degree.

Signed Date	Effective Date
08/19/2016	08/19/2016

Chapter 281: Includes within the class D felony of assault in the second degree, the intentional causing of physical injury to a station cleaner or terminal cleaner employed by a mass transit company, while such cleaner is engaged in such employment.

Signed Date	Effective Date
08/19/2016	takes effect on (11/1/16) the first of November next succeeding the date upon which it shall have become a law; provided, however, if ch 472/2015 shall not have taken effect on or before such date then § 2 shall take effect on (11/1/16) the same date and in the same manner as such chapter of the laws of 2015, takes effect

Chapter 316: Requires police agencies to take reports of missing adults whenever the adult is reported to be missing.

Signed Date	Effective Date
09/09/2016	takes effect on (11/8/16) the sixtieth day after it shall have become a law

Chapter 408: Requires every general hospital, public health center, diagnostic center, treatment center or outpatient department to provide identification, assessment, and appropriate treatment or referral of persons suspected as human trafficking victims; requires notification to social services where person is under the age of 18.

Signed Date	Effective Date
11/04/2016	takes effect (11/4/17) one year after it shall have become a law; provided however, that effective immediately, the commissioner of health may make regulations and take other actions necessary to implement this act on its effective date

Chapter 413: Relates to the composition of the interagency task force on human trafficking and the duties and meeting requirements of such task force.

Signed Date	Effective Date
11/04/2016	provided, however, that the amendments to §483-ee of the social services law made by §1 shall not affect the repeal of such section and shall be deemed to be repealed therewith

Chapter 456: Requires the division of criminal justice services to provide notice to the appropriate local police agency, within 48 hours, of the change of address, or the other information relating to a sex offender.

Signed Date	Effective Date
11/28/2016	takes effect on (1/27/17) the sixtieth day after it shall have become a law

Chapter 500: Provides for the processing of and maintenance of sexual offense evidence kits.

Signed Date	Effective Date
11/28/2016	takes effect on (2/26/17) the ninetieth day after it shall have become a law; provided, however, that pars (c) and (d) of subd 1 of § 838-a of the executive law as added by § 1, shall take effect immediately

Chapter 516: Provides for enhanced protection of water supplies from and emergency planning for terrorism and cyber terrorism attacks.

Signed Date	Effective Date
12/31/2016	12/31/2016

“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 2016-17, the agency froze \$2,061,216 under the funds of a convicted person provision of the law; there was no activity from profits from a crime. The following chart details 10 years of activity under the law:

Fiscal Year	Amount Frozen
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
2016-17	\$2,061,216

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.

As noted earlier, the agency's training, "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 2016-17

Month	Subrogation	Restitution	Total
April 2016	\$9,595.24	\$7,727.65	\$17,322.89
May 2016	\$20,261.50	\$8,921.76	\$29,183.26
June 2016	\$29,125.18	\$2,894.83	\$32,020.01
July 2016	\$16,107.73	\$2,112.12	\$18,219.85
August 2016	\$76,882.81	\$6,259.06	\$83,141.87
September 2016	\$20,851.83	\$3,409.10	\$24,260.93
October 2016	\$6,720.18	\$2,653.65	\$9,373.83
November 2016	\$6,898.91	\$1,426.88	\$8,325.79
December 2016	\$5,844.57	\$16,829.06	\$22,673.63
January 2017	\$10,670.75	\$10,158.67	\$20,829.42
February 2017	\$109,044.67	\$10,795.92	\$119,840.59
March 2017	\$29,595.58	\$3,164.41	\$32,759.99
TOTALS	\$341,598.95	\$76,353.11	\$417,952.06