

# Michigan Crime Victim Services Commission

## 2020 Annual Report

Pursuant to MCL 18.353, the members of the Michigan Crime Victim Services Commission developed this annual report to detail the Michigan Crime Victim Compensation Program and the Commission's activities. The report is submitted to the Governor and state Legislature.

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# Crime Victim Services Commission

## Overview

The Crime Victim Services Commission (CVSC) is the state agency charged with overseeing a wide range of funding and services for victims of crime. Its goal is to support and promote services that protect and enhance the health, safety, dignity and rights of victims of crime throughout the state of Michigan.

The Commission is a legislatively created and governor-appointed public body. Commissioners are required to be a bi-partisan group and must include a practicing attorney, a county prosecutor, a law enforcement officer, a member of the medical profession and a community-based victim advocate.

The Commission is empowered to investigate and determine claims for Michigan's crime victim compensation program. The Commission monitors, evaluates and coordinates state and local victim assistance programs. It also determines and administers revenue and assessments required in support of services under the Crime Victim's Rights Act. Finally, the Commission administers federal grant funding under the Victim of Crime Act of 1984 (VOCA).

The Commission was created by Public Act 519 of 1996 and succeeds the Crime Victims Compensation Board created by Public Act 223 of 1976 and the Criminal Assessments Commission created by Public Act 196 of 1989. Executive Order 1997-10 transferred the Commission from the Department of Management and Budget to the Michigan Department of Community Health (MDCH). Executive Order 2015-4 merged the Department of Community Health and the Department of Human Services into the Michigan Department of Health and Human Services (MDHHS).

Under MDHHS, the Commission administers three victim service programs: Crime Victim Compensation, Crime Victim's Rights, and the Victims of Crime Act (VOCA). All program efforts are fully supported by criminal assessments or fines paid by convicted defendants in state and federal courts. The Commission provides an advisory function in policy development, determines criminal assessment amounts and acts as the appeals forum for compensation claims. In addition to its statutory program duties, the Commission also supports training and technical assistance for state victim advocates and is project leader for the statewide Michigan Victim Information and Notification Everyday project (MI- VINE).

The Commission would like to extend its thanks and appreciation to the many excellent victim service agencies, organizations, and individuals who work with us to carry out the important task of providing crime victim services in Michigan.

In accordance with MCL 18.353, the Commission shall give an annual report of its activities to the Governor and state Legislature. The Commission is pleased to provide this report for 2020.

## Crime Victim Services Commission Members 2020

The Crime Victim Services Commission (CVSC) is comprised of five members including a member admitted to the practice of law, a county prosecuting attorney, a peace officer, a member of the medical profession and a community-based victim advocate. This is a governor appointed, bi-partisan Commission, in which not more than three members can be of the same political party. Members serve for 3 years.

### **October 1, 2019-December 8, 2019**

**Victor Fitz, J.D.**, Chairperson, represents a county prosecuting attorney.

**Brian Mackie, J.D.**, Chairperson, represents an individual admitted to the practice of law in this state, for not less than 5 years immediately preceding his or her appointment.

**William Fales, J.D.**, represents a member of the medical profession.

**Annie Harrison**, represents a peace officer.

**Karen Gray Sheffield**, represents a community-based victim advocate.

**December 8, 2019-October 1, 2020**

**Brian Mackie, J.D.**, Chairperson, represents an individual admitted to the practice of law in this state, for not less than 5 years immediately preceding his or her appointment.

**William Fales, J.D.**, represents a member of the medical profession.

**Victor Fitz, J.D.**, represents a county prosecuting attorney.

**Cpl. Robin Hornbuckle**, represents a peace officer.

**Karen Gray Sheffield**, represents a community-based victim advocate.

## Crime Victim Rights Services

In 1985 the William Van Regenmorter Crime Victims' Rights Act created comprehensive rights of notification and participation in all stages of the criminal justice process for felony crime victims in Michigan. In 1988 the law was amended to include the victims of serious misdemeanors and juvenile offenses. The law creates a duty for police agencies, sheriffs, the Department of Corrections, prosecuting attorneys, courts and other agencies to include crime victims within the formal conduct of investigative, judicial, sentencing and post-sentencing proceedings.

The Crime Victim's Rights Fund is a state restricted fund that was created to support crime victim rights services in Michigan. The Crime Victim Services Commission is the state entity charged with overseeing the Crime Victim's Rights Fund and implementing crime victim rights services in Michigan.

Crime victim rights services are supported in Michigan through the implementation of two programs: the Crime Victim Rights Grant Program and MI-VINE.

### Crime Victim Rights Program Grants

Crime Victim Rights Program grants are available to prosecutors' offices in Michigan. Eligible grantees provide comprehensive notification, information and assistance addressing victim rights throughout the criminal justice process, as established by the William Van Regenmorter Crime Victim's Rights Act of 1985. Grants must focus on delivery of rights and services required by the Crime Victim's Rights Act and the Michigan Constitution. Funded programs must meet all other grant requirements described in the Program Guidelines. Grantees must certify through the application process that grant funds will provide direct victim rights for crime victims and will not be used to supplant state or local funds that would otherwise be available for crime victim rights or have historically been funded locally or through other means. Program grantees must also assist potential recipients of crime victim compensation benefits (including potential recipients who are victims of federal crimes) in applying for such benefits.

| FY 2020 <sup>1</sup> Crime Victim Rights Grant Program |              |
|--|--------------|
| <b>CRVP funding allocation</b>                         | \$11,661,081 |
| <b>Number of CVRP grantees</b>                         | 83           |
| <b>Victims served</b>                                  | 82,741       |

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<sup>1</sup> FY 20: October 1, 2019, through September 30, 2020.

## MI-VINE (Victim Information and Notification Everyday)

MI-VINE is a free, confidential, fully automated notification service that immediately notifies registered crime victims and other users upon a change in an offender's custody status. MI-VINE can relay important custody, court or arrest information in a matter of minutes anywhere in the United States. Victims and others may call 800-770-7657 or log onto [www.vinelink.com](http://www.vinelink.com) to obtain immediate status information on prisoners in custody of the Michigan Department of Corrections (MDOC) or participating county jails. Victims whose perpetrator is being held within MDOC will be automatically registered to receive automated notification of a change in prisoner custody status unless they have made other arrangements with MDOC. Victims may also log onto [www.vinelink.com](http://www.vinelink.com) to receive email, text, or telephone notification of the custody status of offenders in Michigan county jails and/or to receive notification of court events involved in their case.

During the 2020 fiscal year, 82,741 individuals registered to receive notification of custody status and/or court events with MI-VINE. Automated victim notification is an important part of the criminal justice process toolbox and is utilized by law enforcement and prosecution throughout the state. In addition to MDOC, there are 72 prosecutor offices and 81 sheriff offices participating in the MI-VINE Network.

## Crime Victim Compensation

Michigan's crime victim compensation program is intended to help crime victims recover from financial losses resulting from their victimization. Michigan became the 17<sup>th</sup> state to offer a compensation program starting in 1977. Since then, the program has been amended numerous times to expand basic program eligibility and coverage for victims.

The Crime Victim Services Commission (CVSC) Compensation Program may help crime victims and their families recover from the financial costs of crime. It can cover costs including medical and dental treatment, non-medical remedial treatment, counseling, funeral expenses, crime scene clean up, grief counseling, residential security, transportation, loss of earnings or support and other necessary services not paid by other sources.

The Michigan Crime Victim Compensation program maintains a comprehensive webpage for the public with how-to guides, application details and frequently asked questions available at [Crime Victim Compensation](#).

In addition to direct compensation to crime victims, the Michigan Crime Victim Compensation Program also includes the SAFE Response Program. The SAFE Response program provides direct reimbursement to health care providers for the provision of a Sexual Assault Medical Forensic Examination.

## Compensation and SAFE Response Applications and Awards

Compensation awards and denials in FY 2020 include awards and denials on applications initiated in FY 2019, as well as applications initiated in prior years but completed in FY 2020.

| FY 2020 <sup>2</sup> Compensation/SAFE Response |                           |
|---|---------------------------|
| <b>Compensation/SAFE funds awarded</b>          | \$ 3,656,193 <sup>3</sup> |
| <b>Compensation applications approved</b>       | 649                       |
| <b>Applications denied/closed</b>               | 242                       |
| Not within time limits                          | 5                         |
| No police report                                | 0                         |
| Did not cooperate                               | 13                        |
| Incomplete information                          | 58                        |
| Contributory misconduct                         | 21                        |
| Ineligible crime                                | 52                        |
| Ineligible application                          | 91                        |
| Other   | 0                         |
| <b>SAFE Response applications approved</b>      | 1,997                     |

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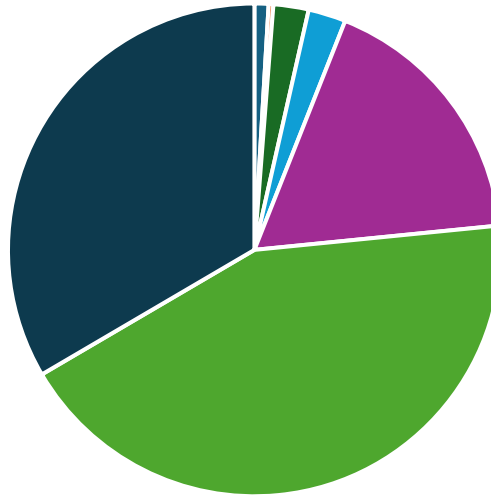
<sup>2</sup> FY 20: October 1, 2019, through September 30, 2020.

<sup>3</sup> This amount represents a point in time and may not include any refunds, restitution, or other accounting adjustments subsequently received. Any variance in the amounts would be attributed to these adjustments.



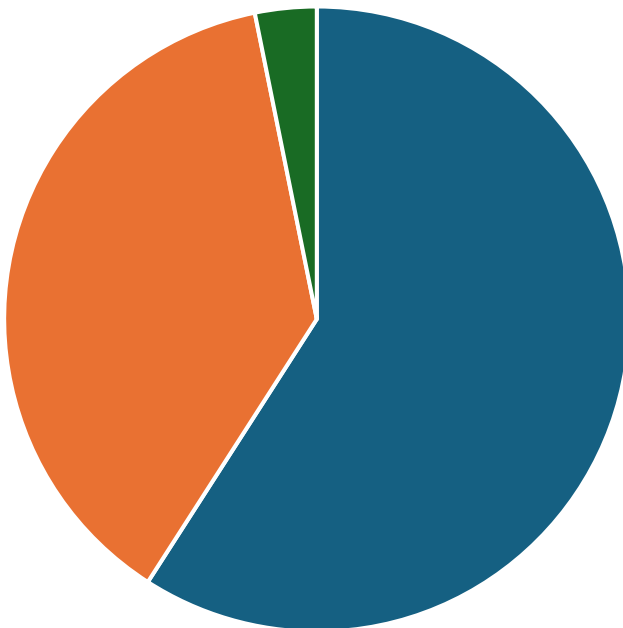
## FY 2020<sup>4</sup> Compensation Demographics

Compensation: Race/Ethnicity



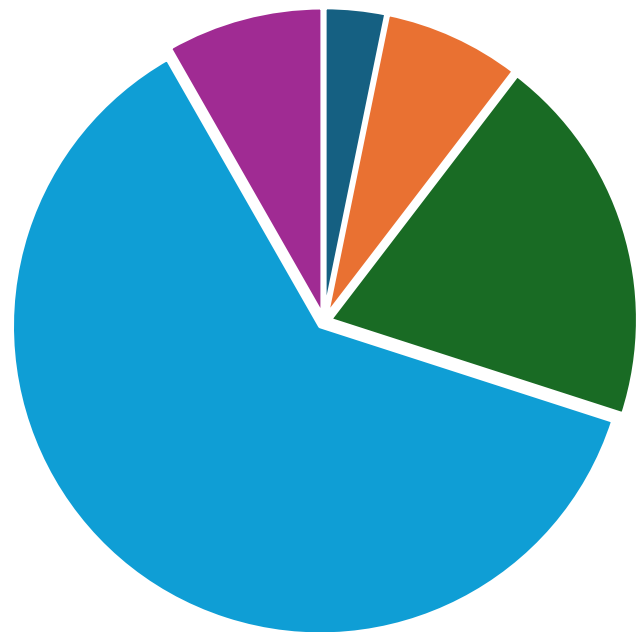
■ American Indian/Alaskan Native ■ Asian ■ Hispanic/Latino  
■ Multiple Races ■ Not reported/tracked ■ Black/African American  
■ White/Non-Latino

Compensation: Gender



■ Male ■ Female ■ Not Tracked

Compensation: Age



■ 0-12 ■ 13-17 ■ 18-24 ■ 25-59 ■ 60 and older

# Funding to Support Michigan Crime Victim Rights Services and Crime Victim Compensation

Support for Crime Victim's Rights Services and Crime Victim Compensation comes from the State of Michigan Crime Victim Rights Fund (CVRF) and the federal Victims of Crime Act Compensation Formula Grant Program.

## State of Michigan Crime Victim Rights Fund: Revenue

The Crime Victim's Rights Fund (CVRF) is a state restricted fund that was created to support crime victim rights services in Michigan. Revenues into the fund are generated from post-conviction assessments (\$130/felony violation; \$75/misdemeanor or ordinance violation). The fund's primary purpose is to support crime victim rights services required by the Crime Victim's Rights Act and the Michigan Constitution, with excess funding directed to Crime Victim Compensation in Michigan. The Crime Victim Services Commission is the state entity charged with overseeing the Crime Victim's Rights Fund.

Revenue into the fund has steeply declined since 2019. It is suspected that these declines were initially due to a reduction in criminal convictions and subsequent criminal case court backlogs during the COVID-19 crisis.

| <b>Fiscal Year</b> | <b>CVRF Revenue</b> |
|--------------------|---------------------|
| <b>2018</b>        | \$ 19,858,585       |
| <b>2019</b>        | \$ 16,942,554       |
| <b>2020</b>        | \$ 12,474,294       |

## Federal Crime Victim Fund: Michigan's Federal Compensation Allocation

In addition to funding through the Michigan Crime Victim Rights Fund and Crime Victim Rights Sustaining Grants, Michigan receives federal matching funds for every state dollar expended on crime victim compensation. The federal Victims of Crime Act Compensation Formula Grant Program provides funding to supplement state compensation programs that provide financial assistance and reimbursement to victims for crime and related out-of-pocket expenses. Grants from the federal fund are available to eligible crime victim compensation programs, including Michigan. The funding allocation level is set by calculating 60 percent of the amount of certified state payout, which consists of state funds that were expended on crime victim compensation during the preceding fiscal year (2 years prior to the grant year). The federal compensation award can only be expended on

eligible crime victim compensation expenses. Federal funds expended on compensation cannot be counted as part of the certified state payout.

| <b>Michigan's 2020 Federal Compensation Award</b> |                      |
|---|----------------------|
| <b>FY 2018 Certified Payout</b>                   | <b>FY 2020 Award</b> |
| \$4,268,294.00                                    | \$2,035,000          |

# Victim Assistance Programming

## Victim Assistance Grants Programs

The Crime Victims Assistance program provides federal and state dollars in subgrants to local public and non-profit agencies that engage in direct services to crime victims in the community. Private non-profit organizations, public agencies and Native American Indian Tribes are awarded funds through an annual competitive or allocated application process.

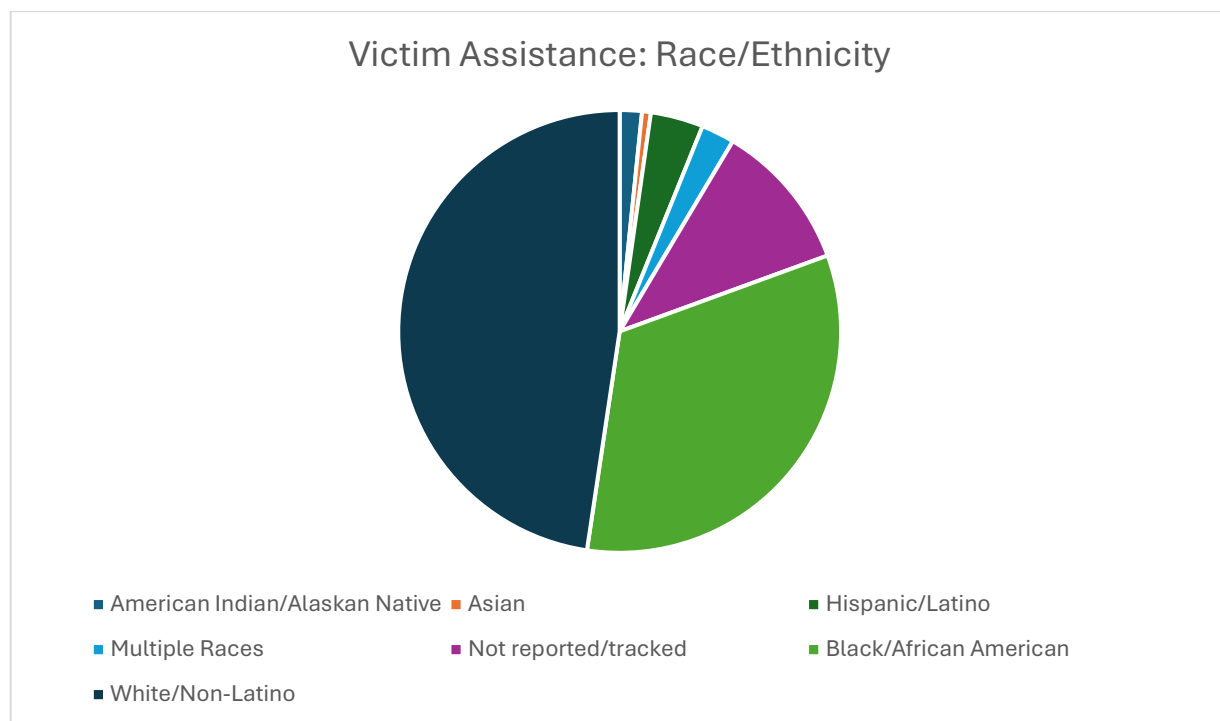
The program is designed around the federal VOCA Victim Assistance Program. Under that program, priority is given to projects providing services to victims of child abuse, sexual assault, domestic violence and underserved crime victims. Direct services are efforts that respond to the emotional and physical needs of crime victims, assist victims of crime to stabilize their lives after victimization, assist victims to understand and participate in the criminal justice system or restore a measure of security and safety for the victims. To be eligible, an agency must promote public and private coordination, utilize volunteers, have non-federal sources of service funds, assist victims with compensation claims and have a proven record of direct service provision to victims of crime.

During the 2020 fiscal year, the Victim Assistance Grant Program supported the following individual grant programs providing services to crime victims:

- Children's Advocacy Center Services.
- Culturally Specific Responsive Services for Underserved Victims of Crime.
- Domestic Violence Services.
- Human Trafficking Programming.
- Services to Victims of Elder Abuse.
- Sexual Assault Comprehensive Services.
- Sexual Assault Victim Services.
- Statewide Domestic Violence Hotline.
- Statewide Sexual Assault Hotline.
- Supervised Visitation and Safe Exchange Services for Crime Victims.
- Transitional Supportive Housing VOCA.
- Tribal Victim Services.
- VOCA Targeted Victim.

| FY 2020 <sup>5</sup> Victim Assistance                               |                            |
|--|----------------------------|
| <b>Victim Assistance funds awarded</b>                               | \$ 66,755,517 <sup>6</sup> |
| <b>Organizations funded</b>  | 120                        |
| <b>Victims served</b>  | 126,517                    |
| <b>Victims receiving services for the first time in 2020</b>         | 81,126 (64.12%)            |
| <b>Victims presenting more than one victimization</b>                | 26,878 (21.24%)            |
| <b>Number of individuals assisted with compensation applications</b> | 5,660                      |

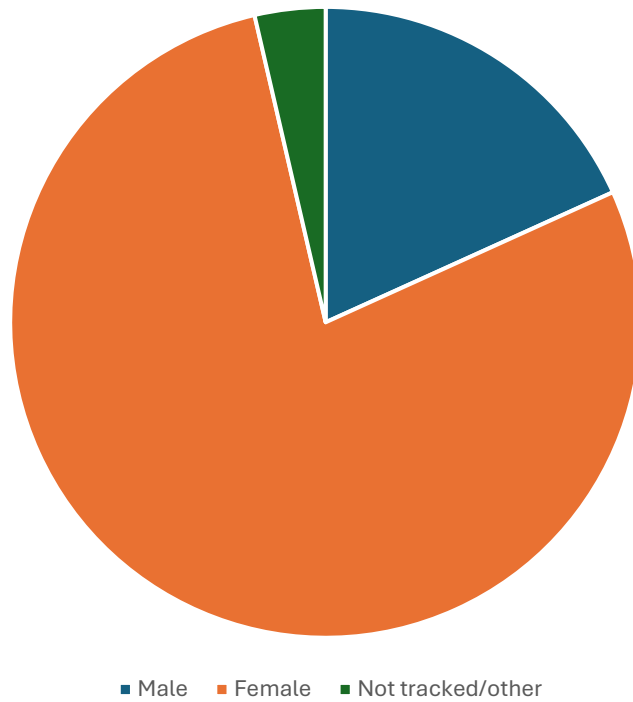
## FY 2020 Victim Assistance Demographics



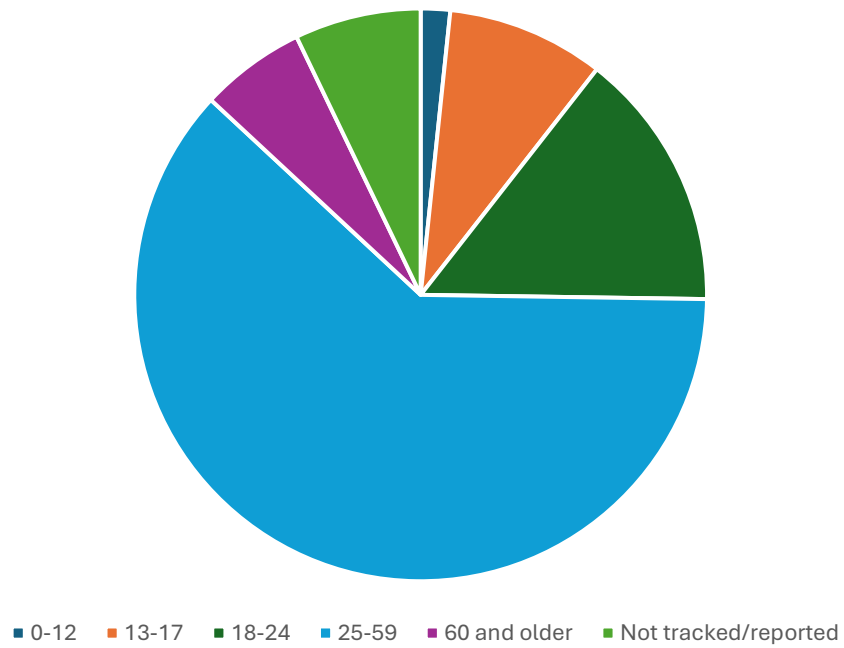
<sup>5</sup> FY 20: October 1, 2019, through September 30, 2020.

<sup>6</sup> This funding level represents a point in time and may not include all obligations and adjustments to funding sources.

Victim Assistance: Gender



Victim Assistance: Age



## Funding to Support MI Victim Assistance Programming

Support for Victim Assistance Programming comes from the federal Victims of Crime Act Victim Assistance Formula Grant Program.

### Federal Crime Victim Fund: Crime Victim Assistance Allocation

The Federal Crime Victims Fund (the Fund) was established by the Victims of Crime Act (VOCA) of 1984. The Fund is financed by fines and penalties from convictions in federal cases, not from tax dollars. Federal, state and Tribal victim assistance programs receive formula grants, discretionary grants and set asides according to a carefully established annual allocation process.

Michigan's federal VOCA awards have fluctuated greatly and trended downward since 2018. Annual VOCA allocations to Michigan grantees have been managed to maximize funding available and to avoid decreases in the number of victims and survivors that are served as well as potential loss of essential staff for victim service programs. Because VOCA allows a four-year spending window, Michigan has spread federal awards across multiple state fiscal years to stabilize funding levels and smooth out the yearly fluctuations in federal awards.

| <b>Federal Fiscal Year</b> | <b>Victim Assistance Award</b> |
|----------------------------|--------------------------------|
| <b>2018</b>                | \$ 100,318,579                 |
| <b>2019</b>                | \$ 67,762,883                  |
| <b>2020</b>                | \$ 49,889,476                  |

# Appendix A: History of Authorization for Crime Victim Services

## **Crime Victims Compensation Act. PA 223 of 1976; MCL 18.351 et seq.**

This act created the Crime Victims Compensation Board and provided for the reimbursement of expenses to innocent crime victims who suffer personal injury. Michigan became the 17th state to offer this program. The act was amended seven times between 1985 and 2010 to expand basic program eligibility and coverage for victims.

## **Federal Victims of Crime Act of 1984 (VOCA). Public Law 98-473, 98 Stat.2170**

This federal statute created the Crime Victims Fund in the U.S. Treasury. Federal criminal fines and forfeitures support the fund. The Office for Victims of Crime in the U.S. Department of Justice disburses the bulk of these funds to state crime victim compensation and victim assistance programs. In general, about one-half of the funds support state victim compensation programs, which receive 60 percent of their previous year payout of state funds to crime victims. About one-half of these funds support state victim assistance programs, which receive a base funding amount in addition to a proportional share based on state population.

## **The William Van Regenmorter Crime Victim's Rights Act. PA 87 of 1985; MCL 780.751**

The Crime Victim's Rights Act created comprehensive rights of notification and participation in all stages of the criminal justice process for felony crime victims in Michigan. The act was amended in 1988 to include victims of serious misdemeanors and juvenile offenses. Several amendments improving the implementation and scope of services have since been enacted. The act creates a duty for police agencies, sheriffs' departments, prosecuting attorneys, courts, the Michigan Department of Corrections and other agencies to include the participation of the crime victim in the official conduct of proceedings.

## **Michigan Constitutional Amendment for Crime Victims Rights**

Upon legislative approval of House Joint Resolution P, 84th Legislature, and Proposal B by the electorate on November 8, 1988, Article I, Section 23 was added to the Constitution of the State of Michigan. Effective December 24, 1988, the amendment gave constitutional authority for the statutory rights of crime victims, provided legislative authority to enforce victim's rights and provided legislative authority to assess convicted defendants to pay for crime victim's rights.

## **The Criminal Assessments Act. PA 196 of 1989; MCL 780.901**

This act created the Criminal Assessments Commission and the Crime Victim Rights Fund. It authorized courts to order and collect financial assessments from criminal defendants to support the fund and provided for disbursements from the fund to support crime victim rights services. The Commission was charged with recommending appropriate assessment amounts to support the fund. This act has been amended several times to increase assessment amounts and to increase



the number of assessable offenses. Since FY 97-98, this fund has provided 100 percent of state dollars for crime victim services.

**Crime Victim Services Commission. PA 519 of 1996; MCL 18.351.**

Created the Crime Victim Services Commission and abolished the Crime Victims Compensation Board. The number of members was increased from three to five, and the Commission was provided unprecedented authority to coordinate state services and funding for victims of crime.

**Criminal Assessments Commission. PA 520 of 1996; MCL 780.901.**

Abolished the Criminal Assessments Commission and transferred its powers and duties to the Crime Victim Services Commission.

**The SAFE Response Act. PA 391 OF 2008; MCL 18.355a.**

Amended PA 223 of 1976 and allows victims of sexual assault to obtain a sexual assault forensic examination at no charge.