

Advisory Committee on Sexual and Domestic Violence

Virtual Meeting

(In accordance with approved policy)

Wednesday, June 14, 2023

10:30 a.m. – 12:30 p.m.

DRAFT MINUTES

Members Present: Kathy Anderson, Teresa Berry, Sanu Dieng, Marva Dunn, Barbara Favola, Kate Hanger, Kristen Howard, Claudia Lopez-Muniz, Kike Oliver, Adrian Perry, Unique Phillips, Kristina Vadas, Kristi VanAudenhove, Toni Zollicoffer

Members Absent: Maria Altonen, Elvira De la Cruz, Autumn Edmond, Nancy Fowler, House of Delegates Representative (Vacant)

Members of the Public: Angella Alvernaz, Bonita Archer, Jen Baxley, Shannon Dion, Gleibys Gonzalez, Melanie Hoffman, Eileen Longenecker, Andi Martin, Ara Mendoza, Sydnee Pottebaum, Brianna Scott, Anya Shaffer, Andrea Sutton, Jonathan Yglesias

Welcome, Introductions, and Remarks

Teresa Berry called the meeting to order at 10:32 a.m. Committee members introduced themselves. A quorum was present.

Approval of March 15, 2023, Meeting Minutes

Sanu Dieng made a motion to approve the minutes from March 15, 2023, as submitted. Kristen Howard seconded the motion. The motion passed unanimously (Senator Favola was not yet present).

Virginia Victims Fund Presentation

Bonita Archer and Shannon Dion from the Virginia Victims Fund (VVF) presented on the unclaimed restitution process (VVF's presentation slides are attached to these minutes). In summary, a 2016 Crime Commission study identified the following needs: uniformity within the restitution process, collection of restitution, monitoring of restitution compliance, and disbursement of restitution. The study recognized challenges locating victims. The Office of the Executive Secretary of the Supreme Court of Virginia developed the following best practices for courts: 1) if a victim cannot be identified, the court shall deposit the funds to VVF by November 1st each year (in practice, clerks do this throughout the year); 2) the court shall also report victims' last known addresses to VVF. Courts now issue orders based on these practices.

VVF uses multiple databases to search for victims. If a victim is located, they are paid the restitution owed to them. VVF also then provides the court with the victim's contact information so the court can send future restitution directly to the victim. Neither the courts nor VVF have authority to send restitution to any person or entity other than the victim. Virginia is one of only two states that proactively seeks victims who are owed restitution.

A committee member asked how case sealing impacts restitution. Member of the public, Eileen Longenecker with the Supreme Court of Virginia, informed the committee that there is current legislation pending that clarifies owed restitution is not impacted by sealing a case.

A committee member asked for the current balance of unclaimed restitution. VVF staff said they would obtain that information and provide it to the committee.

A committee member asked whether there is a provision in VVF procedures for restitution that a victim refuses. VVF staff said that no, VVF follows the court order to only send restitution to the victim.

A committee member asked what happens to restitution for a business if the business no longer operates. VVF staff said that the restitution goes to the former owner of the business.

A committee member asked if there is a way to determine the age of unclaimed restitution. VVF staff said that there is not.

It was mentioned that DCJS, in partnership with other stakeholders, developed a restitution brochure for victims, which is found on the DCJS website [here](#).

Virginia's Anti-Human Trafficking Initiatives Presentation

Angella Alvernaz from the Virginia Department of Criminal Justice Services (DCJS) presented on anti-human trafficking initiatives (the presentation slides are attached to these minutes). In summary, the initiatives include the following:

1. Data and Research, to include the Virginia Analytics System for Trafficking (VAST).
2. Federal grant used to focus efforts in western Virginia, including a coordinated response to trafficking in 16 counties and 9 cities.
3. Work on the Governor's Commission on Human Trafficking Prevention & Survivor Support.
4. Training law enforcement, victim service providers, and hotel proprietors and employees.
5. Updating reporting methods to include a new, centralized law enforcement reporting mechanism with the Virginia State Police (VSP). VSP has a new human trafficking unit with dedicated investigators, on-line and text tip lines, and collaborations with localities and federal partners.
6. Reports and Publications
 - a. [The Governor's Commission on Human Trafficking Prevention and Survivor Support Final Report](#)
 - b. State Trafficking Response Coordinator Annual Reports on the [DCJS Website](#)

State Agency Funding Updates

- Virginia Department of Criminal Justice Services
Kristina Vadas reported on the following grant programs (presentation slides are attached to these minutes): Victims Services Grant Program (VSGP), Victim Witness Grant Program, Sexual Assault Services Program, VSTOP, Virginia Sexual and Domestic Violence Victim Fund Grant Program, American Rescue Plan Act VSGP Grant Program.
- Virginia Department of Health
On behalf of Maria Altonen, Kristina Vadas reported that the VDH firearm injuries dashboard went live recently, and it is available at <https://www.vdh.virginia.gov/firearm-injury/>
- Virginia Department of Housing and Community Development
Kike Oliver reported that VDHCD completed year one of their Virginia Homeless Solution grant program and they are starting year two on July 1, 2023. Additionally, VDHCD is awaiting U.S. Department of Housing and Urban Development funding to open their grant for Continuums of Care.
- Virginia Department of Social Services
No report.

Past Business

- Language Access Workgroup Recommendation
Kristi VanAudenrove reported that Kristi, Elvira De la Cruz, and Kathy Anderson drafted a letter to the Crime Commission requesting a study on language access. They will provide the letter to Committee Chair, Teresa Berry, to review and sign on behalf of the committee. Senator Favola requested a copy be sent to her as well.
- Virginia Sexual and Domestic Violence Program Professional Standards Committee
Kristina Vadas reported that at the May 9, 2023, Professional Standards Committee meeting, eleven sexual and domestic violence agencies became fully accredited. The next meeting is July 12, 2023. It will be a virtual meeting. Most of the remaining applicants will be discussed then. DCJS will open the next round of applications from mid-August to mid-September 2023.

New Business

- Committee Membership and Leadership
Kristina Vadas informed the committee that the following members' terms expire after today's meeting, and they are unable to be reappointed as they have served two terms: Kathy Anderson, Teresa Berry, and Autumn Edmond. The following members' terms expire; however, they have only served one term and/or partial terms and they are eligible for reappointment: Marva Dunn, Unique Philips, and Toni Zollicoffer. DCJS is awaiting notice on appointments/reappointments. At the September meeting, assuming the six vacancies are filled by appointments, the committee will elect a new chair and vice chair. Committee members extended their gratitude and appreciation to Chair Teresa Berry for her leadership.

Other Member Announcements

None

Public Comment

None

2023 Meeting Dates: **September 20, 2023, 10:30 a.m. – 12:30 p.m.** (in-person meeting, Meadowdale Library, 4301 Meadowdale Blvd, North Chesterfield, VA 23234)

December 13, 2023, 10:30 a.m. – 12:30 p.m. (virtual meeting)

Closing

Teresa Berry adjourned the meeting at 12:31 p.m.

July 3, 2023

Maria Altonen
 Virginia Dept. of Health

Kathy Anderson
 Empowerhouse

Teresa Berry, Committee
 Chairperson
 Sexual Assault Response and
 Awareness, Inc. (SARA)

Angela Blount
 Virginia Sexual and Domestic
 Violence Action Alliance

Elvira De la Cruz
 Latinos In Virginia
 Empowerment Center

Sanu Dieng
 Transitions Family Violence
 Services

Marva Jo Dunn
 City of Emporia Family
 Violence & Sexual Assault
 Unit

Autumn J. Edmond
 Arlington County
 Victim/Witness Program

Barbara A. Favola
 Senate of Virginia

Nancy Fowler
 Virginia Dept. of Social
 Services

Kate Hanger
 Virginia Victim Assistance
 Network

Kristen Howard
 Virginia State Crime
 Commission

Claudia Lopez-Muñiz
 New Directions Center

Kike Oliver
 Virginia Dept. of Housing and
 Community Development

Unique Phillips
 Women's Resource Center of
 the New River Valley

Mary Sharpe
 Office of the Attorney
 General

Kristina Vadas
 Virginia Dept. of Criminal
 Justice Services

Toni Zollicoffer
 Fairfax County Domestic and
 Sexual Violence Services

Dear Chairperson Berry:

On behalf of the Virginia Victims Fund, thank you for the opportunity to present information to the Virginia Advisory Committee on Sexual and Domestic Violence on the process of returning restitution to victims of crime. It is my understanding that our invitation stemmed from an inquiry by the Committee as to *whether these funds can be used to support victim serving agencies*. ([March 15, 2023, minutes](#))

Attached to this letter is the presentation we shared on June 14, 2023, in which we described how each dollar collected by courts is earmarked for a specific victim pursuant to restitution and sentencing orders. When courts cannot locate victims, the earmarked funds are transferred to the Fund, where our staff researches and locates victims to reunite them with their money.

As we indicated during the presentation, these funds cannot be used to support victim serving agencies absent a legislative change in which the General Assembly and the Governor would have to approve taking money that has been paid to and belongs to specific victims.

Thank you again for the opportunity to explain how the Virginia Victims Fund reunites victims with their restitution.

Sincerely,

A handwritten signature in blue ink that reads "Shannon Dion". The signature is written in a cursive, flowing style.

Shannon Dion

Attachment

Unclaimed Restitution



VIRGINIA VICTIMS FUND

Helping Innocent Victims of Crime

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND

Bonita Archer, MPA
Restitution & Recovery Team Leader

Background

VA Crime Commission Study in 2016

- In response to HB605, the Crime Commission authorized a broad review of the topic of restitution, to include:
 - Examination of current methods for payment and
 - Collection of restitution; and,
 - Extension of probation.
- Staff identified four categories of need:
 - Uniformity within the restitution process;
 - Collection of restitution;
 - Monitoring of restitution compliance; and,
 - Disbursement of restitution.

Background

- The Virginia Crime Commission Study identified many key findings with regard to disbursement of restitution including:
 - Clerks often have challenges locating victims and lack the resources to identify current addresses.

Background

- The Office of the Executive Secretary for the Supreme Court, in coordination with other stakeholders involved in the restitution process, should develop best practice guidelines for managing the restitution process. The guidelines should address such practices as:
 - Issues involving collections when the victim is a large corporation or insurance company;
 - How to handle unclaimed restitution;
 - Options for locating the victim for disbursement;

Legislative Changes effective July 1, 2018

- If restitution is ordered to be paid by the defendant to the victim of a crime and the victim can no longer be located or identified:
 - the Clerk shall deposit any such restitution collected to the Criminal Injuries Compensation Fund for the benefit of crime victims by November 1 of each year
 - the Clerk shall report the victim's last known contact information, including the victim's home address, telephone number, and email address, and the amount of restitution being deposited for that victim...

Legislative Changes effective July 1, 2018

- The administrator... shall make prompt payment directly to the victim for any proper claims.
- Before making the deposit, the administrator shall record the name, contact information, and amount of restitution being deposited for each victim appearing from the clerk's report to be entitled to restitution.

How do we make this work?

- VVF will now be actively involved in the process of attempting to locate victims for repayment.
- More information on victims is being collected by the courts that will need to be included on any information sent to VVF.
- Clerk's offices need to report that they have no unclaimed restitution to deposit each year.
- VVF will need to inform Clerk's offices of new addresses for victims after repayment is made.

Unclaimed Restitution Process

- The offender is ordered to pay restitution to a victim and makes a payment through the clerk's office.
- The clerk's office deposits the payment and waits 21 days to ensure the payment cleared, then reissues a court check to the victim.
- If the payment is returned to the court or the check is not cashed *after 1 year(?)*, the clerk's office reissues the payment to VVF

Unclaimed Restitution Process

- VVF deposits the payment and enters each unclaimed check into the WENDY database as unclaimed restitution.
- VVF unclaimed restitution staff begin researching the victims using information provided by the clerk (last known address, phone number, etc.)
- VVF staff uses databases such as TLO, DMV, White Pages, Google, and any other people search software available to the Fund.

VVF Process

- If a victim is located, a letter is sent to the victim at their current address.
- Once identifying documents are received from the victim, VVF sends a repayment memo to the Comptroller for payment.
- A check is issued to the victim from the Department of the Treasury.

VVF Process

- If a victim is located, VVF notifies the clerk's office.
- Or, the clerk's office fills out a WC₄ form requesting that payment be reissued to the victim at the new address.
 - VVF processes the request and reissues the payment per the information provided on the WC₄.

VVF Process- Final Steps & Summary

- VVF notifies the court that the victim has been located at a new address and payment has been issued.
- The Court should issue all further payments from the offender, directly to the victim, at the new address.

Checks & Balances

- All monies received are connected to a specific victim
- Money does not get transferred unless directed by the court or clerk
- No statutory authority for VVF, Courts, or Clerks to do anything else with the money – only goes to victims
- Multiple reviews and audits

VIRGINIA VICTIMS FUND

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND

THIS CHECK IS VOID WITHOUT A COLORED BORDER AND WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

CULPEPER JUVENILE & DOMESTIC RELATIONS COURT
135 WEST CAMERON STREET
CULPEPER, VA 22701
(540) 727-3418

UNION BANK & TRUST
68-316/514

2574

OCTOBER 25, 2022

PAY
TO THE
ORDER OF

CRIMINAL INJURIES COMPENSATION FUND (CICF)

\$ 771.96

SEVEN HUNDRED SEVENTY-ONE AND 96/100*****

DOLLARS

VOID AFTER 30 DAYS

Ray McClane
AUTHORIZED SIGNATURE

MEMO

CULPEPER JUVENILE & DOMESTIC RELATIONS COURT

Check issued to : CRIMINAL INJURIES COMPENSATION FUND (CICF)

2574

Check issued on : OCTOBER 25, 2022

Check Amount : 771.96

SEVEN HUNDRED SEVENTY-ONE AND 96/100*****

This check issued for the following reason:

Memorandum data: UNCLAIMED RESTITUTION
: BALANCES AS OF 10/24/2022

CRIMINAL INJURIES COMPENSATION FUND (CICF)
P.O. BOX 26927
RICHMOND, VA 23261

WVC
OCT 28 2022
Indexing Tech D

VIRGINIA VICTIMS FUND

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND



REPORT FOR UNCLAIMED RESTITUTION WC1



A Division of the Virginia Workers' Compensation Commission

Web: www.virginiavictimsfund.org • Mail: P.O. Box 26927, Richmond, Virginia 23261 • Phone: 1.800.552.4007 • Fax: 804.823.6905

SECTION 1: Contact Information

Court: CULPEPER JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT	Date: 10/25/22
Contact Person: BETHANY MCCLANAHAN	Title: CLERK
Address: 135 W CAMERON STREET, CULPEPER, VA 22701	Email: BMCCLANAHAN@VACOURTS.GOV
Phone: (540) 727-3418	Fax: (540) 727-3498
Date(s) this Report Represents: 07/2020-06/2021	

SECTION 2: Verification and Signatures

Please certify remittance from one of the two options below:

☒ I, BETHANY MCCLANAHAN certify that I have prepared and examined the report consisting of 1 pages, totaling \$ 771.96 of restitution that is presumed unclaimed, pursuant to § 19.2-305-1 (1).

OR:

☐ I, _____ certify that this office does not have unclaimed restitution to report to the Virginia Victims Fund for this time period.

SIGNATURE (Required)

Beth McClanahan

PRINT

BETHANY MCCLANAHAN

DATE

10/25/22

SUBMIT FORM:

Via Mail: Virginia Victims Fund, P.O. Box 26927, Richmond, VA 23261

Via Fax: 804-823-6911

Via Email: restitution@virginiavictimsfund.org

VVC

OCT 28 2022

Indexing Tech D

VIRGINIA VICTIMS FUND

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND



REPORT FOR UNCLAIMED RESTITUTION WC2



A Division of the Virginia Workers' Compensation Commission

Web: www.virginiavictimsfund.org · Mail: P.O. Box 26927, Richmond, Virginia 23261 · Phone: 1.800.552.4007 · Fax: 804.823.6905

LOCALITY: CULPEPER JUVENILE & DOMESTIC RELATIONS DISTRICT COURT

DATE: 10/25/2022

Amount	Date of Crime	Case Number	Victim's Name	Victim's Last Known Address	Victim's Email Address, Phone Number, Other Identifiers	Defendant's Name	Restitution Details
\$150.00	UNKNOWN- CASE IS EXPUNGED					LENCHICK	DEF PAID RESTITUTION ON 7/15/2020. DISBURSED CHECK NEVER CASHED OR RETURNED.
\$621.96	UNKNOWN- CASE IS EXPUNGED					COLES	DEF MADE 4 RESTITUTION PAYMENTS. COURT ISSUED DISBURSEMENTS ON 11/17/20, 12/1/20, 2/9/21 & 5/6/21. CALLED LAST YEAR TO NO AVAIL. ESCHEATED CASES LAST YEAR.

VWC
OCT 28 2022
Indexing Tech D

VIRGINIA VICTIMS FUND

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND



VIRGINIA VICTIMS FUND

Helping Criminal Victims and Their Families

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND

J.L. Snellings
Interim Director



A Division of the Virginia Workers' Compensation Commission

Web: www.virginiavictimsfund.org • Mail: P.O. Box 26927, Richmond, Virginia 23261 • Phone: 1.800.552.4007 • Fax: 804.823.6905

January 19, 2023

RECORDS
Maytee Romero de
Parham
Petersburg Circuit Court
7 Courthouse Avenue
Petersburg, VA 23803

FILED

FEB 08 2023

Mayteo E. Parham
Clerk of Circuit Court
Petersburg, Virginia

VVF #: 34485 (unclaimed)
Victim:
Crime Date:
Accused:
Court Case #:

Dear Clerk:

The Virginia Victims Fund is respectfully requesting a copy of the final court order or a copy of the warrant with the case final disposition. Additionally, we are requesting a copy of the **RESTITUTION PLANS** if applicable, in the above-named case once it has been completed.

Sentencing orders may be mailed to: Virginia Victims Fund
PO BOX 26927
Richmond, VA 23261

Please note: There is no fee for this request pursuant to Va. Code Section 17.1-266.

§ 17.1-266. Services rendered in Commonwealth's cases. No clerk, sheriff or other officer shall receive payment out of the state treasury for any services rendered in cases of the Commonwealth, whether in a court of record or a court not of record, except as allowed by statute. Localities shall be exempt from paying fees for services rendered by a clerk or other court officer for cases, whether in a court of record or a court not of record, when the locality is a party to a case commenced in a court serving that locality or in any other jurisdiction when the localities have a reciprocal waiver of fees agreement. Sheriffs may, in writing, grant a waiver of the sheriff's fee to one or more localities.

VIRGINIA VICTIMS FUND

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND

CONVICTION AND SENTENCING ORDER

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF PETERSBURG

FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 730

Hearing Date: **February 11, 2020**

Judge: **HONORABLE DENNIS M. MARTIN, SR.**

COMMONWEALTH OF VIRGINIA

PLAINTIFF

v.

██████████
DEFENDANT

This day came the defendant, who appeared in person with his attorney, **Walter Harris - Public Defender**. The defendant is represented by the appointed attorney named above. The appointment in the District Court is confirmed in this Court after inquiry. The Commonwealth was represented by **Tiffany Buckner**.

Whereupon the defendant was arraigned as charged in the indictment, and after being advised by his counsel pleaded guilty to the indictment. Whereupon, the Court having been advised by the defendant, his counsel, and the attorney for the Commonwealth that there has been a plea agreement in this case, and such agreement in writing having been presented to the Court, and now filed herein, and the evidence of the Attorney for the Commonwealth and none being offered on behalf of the defendant, the Court accepts said agreement and the plea of guilty by the defendant tendered in person.

VIRGINIA VICTIMS FUND

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND

Supervised probation. The defendant is placed on probation to commence on his release from incarceration, under the supervision of a Probation Officer for **an indefinite period of time**. The defendant shall comply with all the rules and requirements set by the Probation Officer. Probation shall include substance abuse counseling and/or testing as prescribed by the Probation Officer.

Costs. The defendant shall pay costs of this proceeding.

Restitution. The defendant shall make restitution as follows: \$150.00 to [REDACTED] as set forth in the Restitution Order.

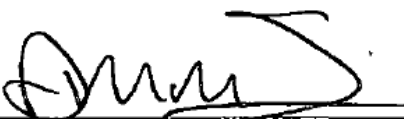
Credit for time served. The defendant shall be given credit for time spent in confinement while awaiting trial pursuant to Code § 53.1-187.

In addition, the defendant is Ordered to cooperate fully and promptly in providing information and permitting fingerprinting and/or sampling of blood or saliva or tissue as required by this Order, pursuant to Va. Code sec. 19.2-310.2. Upon completion of these procedures, the defendant shall be released but shall be subject to the terms and conditions of any other orders governing the defendant's release/incarceration.

February 11, 2020

2/13/2020

ENTER DATE


JUDGE

WVC

FEB 17 2023

Indexing Tech [

MDL-ASTR.ORD

VIRGINIA VICTIMS FUND

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND

ORDER FOR RESTITUTION

Commonwealth of Virginia VA. CODE § 19.2-305.1

Petersburg

CITY

Case No(s).

CR20-11

- ☐ General District Court ☒ Circuit Court
☐ Juvenile and Domestic Relations District Court

In re:

☒ Commonwealth of Virginia

v.

☐

☒ DEFENDANT ☐ JUVENILE

Petersburg

ADDRESS OF ☐ DEFENDANT ☐ JUVENILE

VA

CITY

STATE

23803

ZIP

TELEPHONE NO.

Having considered all relevant and material evidence presented to restitution, the court ORDERS as follows:

THE DEFENDANT/JUVENILE IS ORDERED TO PAY

RESTITUTION OF \$

690.54

- ☐ with interest accruing at the legal rate from
☐ the date of loss or damage of

DATE

☐ the date of this order ☐

DATE

PAYMENT TO THE CLERK'S OFFICE OF THIS COURT IS DUE IN FULL BY

DUE DATE

☒ The defendant/juvenile shall pay restitution as follows (if applicable):

- ☐ as part of an approved payment agreement in accordance with Va. Code § 19.2-354 for the payment of any fines, costs, restitution and other amounts owed; however, payment of restitution is still due in full by the due date above beginning ☐ after release from incarceration.
- ☒ in payments of \$ 50.00 per month beginning ☐ after release from incarceration.
- ☐ as described in the payment plan submitted by the defendant/juvenile which is incorporated in this order.
- ☐

☐ Restitution shall be monitored by ☐ local probation ☒ Probation and Parole (circuit court) ☐ CSU ☐

☐ A hearing will be held on to review compliance with this order.

HEARING DATE AND TIME

Payment of restitution shall be made on behalf of the following victim(s):

☐ Supplemental sheet incorporated.

VIRGINIA VICTIMS FUND

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND

- [] Restitution shall be monitored by [] local probation ☒ Probation and Parole (circuit court) [] CSU []
[] A hearing will be held on to review compliance with this order.

HEARING DATE AND TIME

Payment of restitution shall be made on behalf of the following victim(s): [] Supplemental sheet incorporated.

Victim 1: [REDACTED] in the amount of \$ 690.54

Victim 2: in the amount of \$

Victim 3: in the amount of \$

- [] A proportional percentage of a payment shall be paid to each victim. [] Each victim should be fully paid in the above order.
[] Restitution to be paid by the defendant/juvenile jointly and severally with the following convicted/adjudicated delinquent persons and any other co-defendants convicted/adjudicated delinquent:

[] DEFENDANT [] JUVENILE
DATE OF BIRTH SOCIAL SECURITY NO. (LAST 4 DIGITS ONLY)
ADDRESS
CITY STATE ZIP
TELEPHONE NO.

[] DEFENDANT [] JUVENILE
DATE OF BIRTH SOCIAL SECURITY NO. (LAST 4 DIGITS ONLY)
ADDRESS
CITY STATE ZIP
TELEPHONE NO.

- [] The amount of restitution shall be docketed as a judgment. [] Supplemental sheet incorporated.

- []

Note: Any money paid by the defendant/juvenile will be paid first to restitution, and any collection costs associated with restitution.

2-11-20
DATE

I acknowledge that I received a copy of this page at sentencing.

[REDACTED]
DEFENDANT/JUVENILE

WVC
FEB 17 2023

Indexing Tech D

VIRGINIA VICTIMS FUND

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND



VIRGINIA VICTIMS FUND
Helping Innocent Victims of Crime
OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND

UNCLAIMED RESTITUTION APPLICATION



A Division of the Virginia Workers' Compensation Commission

Web: www.virginiavictimsfund.org • Mail: P.O. Box 26927, Richmond, Virginia 23261 • Phone: 1.800.552.4007 • Fax: 804.823.6905

INSTRUCTIONS:

Please complete **Section 1** with current information if you are a victim of a crime to whom Unclaimed Restitution is to be paid or claiming restitution owed to a deceased victim. If you are not the victim, skip to 'Claimant Information if other than the Victim'.

Please complete **Section 2** if you are the representative of a business to whom Unclaimed Restitution is to be paid.

SECTION 1: Individual Victim Information		
Last Name: [REDACTED]	First Name: [REDACTED]	Middle Name: C
Former Name (if different from above):	Date of Birth: [REDACTED]	
Phone Number: [REDACTED]	Email Address: [REDACTED]	Current Street Address: [REDACTED]
City: Virginia Beach	State: VA	Zip Code: 23456
Claimant Information if other than the Victim:		
Full Name:	Address:	Select which applies: <input type="checkbox"/> Heir, Executor, or Administrator of the Victim's Estate <input type="checkbox"/> Parent/Guardian (if Victim is a minor) <input type="checkbox"/> Power of Attorney for Victim
Phone Number:		
SECTION 2: Business Information		
Business Name:	Business Owner or Representative:	Co-Owner Name:
Federal ID Number:	Phone Number:	Email Address:

VIRGINIA VICTIMS FUND

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND



REPAYMENT REQUEST FORM WC4



A Division of the Virginia Workers' Compensation Commission

Web: www.virginiavictimsfund.org • Mail: P.O. Box 26927, Richmond, Virginia 23261 • Phone: 1.800.552.4007 • Fax: 804.823.6905

SECTION 1: Contact Information

Court/Reporting Office:
Smyth County Circuit Court

County/City:
Smyth County, Virginia

Contact Person:
John H. Graham, Clerk

Date:
April 4, 2023

Mailing Address:
109 West Main Street, Suite 1081, Marion, Virginia 24354

Email Address:
jgraham@vacourts.gov

Phone Number:
276.782.4044

Fax Number:
276.782.4045

SECTION 2: Victim Information

Victim Name:

Social Security or Business Tax ID #:

Amount of Restitution Paid: \$
1,000.00

Date Unclaimed Restitution Originally Submitted:
October 29, 2020

SECTION 3: Verification and Signatures

I am from the Clerk's Office and:

☒ I would like the repayment sent directly to the court.

Court Tax ID #: 54-6001609

Court Address: Smyth County Circuit Court, 109 West Main Street, Suite 1081, Marion, Virginia 24354

☐ I would like the repayment sent to the victim at the above address.

SIGNATURE (Required)

John H. Graham

PRINT

John H. Graham

DATE

4/10/23

SUBMIT FORM:

Via Mail: Virginia Victims Fund, P.O. Box 26927, Richmond, VA 23261

Via Fax: 804-823-6911

Via Email: restitution@virginiavictimsfund.org

Forms

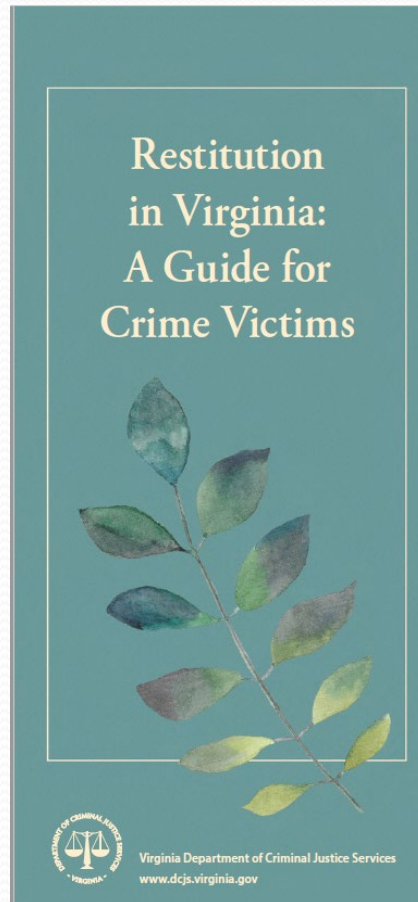
- WC₁ and WC₂
- WC₄
- Unclaimed Restitution Application

Resource: <https://cicf.state.va.us/forms>

VIRGINIA VICTIMS FUND

OFFICIALLY CRIMINAL INJURIES COMPENSATION FUND

<https://www.dcjs.virginia.gov/publication-link/restitution-virginia-guide-crime-victims>



What is restitution?

The purpose of restitution is to compensate or repay a crime victim for monetary loss due to a crime. Restitution is court-ordered by a judge. It is usually limited to payments for damages or losses directly caused by a crime. Whenever a defendant is ordered to pay restitution, any money collected by the court is used first to pay restitution before being used to pay fines, costs, or penalties.

How do I request restitution?

The judge will need information about your losses in order to determine the amount of court-ordered restitution. It is important to keep a record of all expenses related to the crime. *Make sure you give this information to your local Victim/Witness Assistance Program or Commonwealth's Attorney's Office.* It is your responsibility to provide copies of the bills and other documents showing the extent of your injuries, out-of-pocket losses, and any other damages you want the court to consider in ordering restitution. The information must be received as soon as possible, and prior to the trial date.

When do I request restitution?

Give your restitution information to your local Victim/Witness Assistance Program or Commonwealth's Attorney's Office, *as soon as possible*. Restitution might not be ordered if you do not provide the information prior to the trial date. It is important to stay in frequent contact with your Victim/Witness Assistance Program in order to follow all case developments and deadlines. To determine the date on which information is needed in your case, call the Victim/Witness Assistance Program or Commonwealth's Attorney's Office.

If restitution information is not provided in time, you may have to pursue your restitution request through a civil lawsuit. Regardless of whether or not restitution is court-ordered, you may also consult a private attorney regarding other legal remedies that may be available. Please ask the Victim/Witness Assistance Program staff as early as possible

page 1



HELPFUL RESOURCES

COURT location and contact information:

www.courts.state.va.us/courts/home.html

COMMONWEALTH'S ATTORNEY location and contact information:

www.cas.state.va.us/cgi-bin/attorneySearch.cgi

VICTIM/WITNESS ASSISTANCE PROGRAMS directory:

www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/victims/virginia-victim-assistance-directory.pdf

For information, assistance, and referrals, please call these statewide toll-free numbers.

Virginia Victim Assist Helpline

1-888-887-3418

(Hours of operation: Monday – Friday, 8:30 am–4:30 pm)

<http://lvanetwork.org>

Virginia Information and Notification Everyday (VINE)

1-800-467-4943

www.vinelink.com

Virginia Department of Corrections Victim Services Program

1-800-567-4292

(Hours of operation: Monday – Friday, 8:15 am–5:00 pm)

<https://vadoc.virginia.gov/victim>

email at: victimservices@vadoc.virginia.gov

Virginia Victims Fund

1-800-552-4007

<http://virginiavictimsfund.org>

Virginia Workers' Compensation Commission

1-877-664-2566

www.workcomp.virginia.gov

Questions?

Bonita R. Archer, MPA

Restitution and Recovery Team Leader, VVF

Bonita.archer@virginiavictimsfund.org

1.800.552.4007

State Trafficking Response Updates

Advisory Committee on Sexual and Domestic Violence
June 2023



DCJS

Virginia Department of Criminal Justice Services



Data & Research

What is VAST?

Virginia Analytics System for Trafficking (VAST) is a resource to provide information to help understand and act to address the Human Trafficking issues in Virginia

- ▶ **Brings data together** from public and private entities across discipline
- ▶ **Provides relevant and tailored information** from the data for local and state-level stakeholders
- ▶ **Leverages the Commonwealth Data Trust and governance model** to provide a safe, secure, and legally compliant information data sharing environment

What does VAST Do?

The project enables Virginia to...

- **Identify possible Trafficking Cases** across different Trafficking types
- **Locate hotspots** where Trafficking may take place
- **Identify KPI's for Trafficking Victims** to prepare for future escalations
 - Identify triggers that will help VA transform Trafficking (practices) from **reactive to proactive**
- **Strengthen the outreach and exposure** to the Trafficking Issue

VAST is the only platform of its kind in the nation and is the leading data platform for comprehensive Human Trafficking data collection and analysis

Arrests for 2020
316⁵⁵²
▼43% from Last Yr

Incidents for 2020
393⁶¹⁰
▼36% from Last Yr

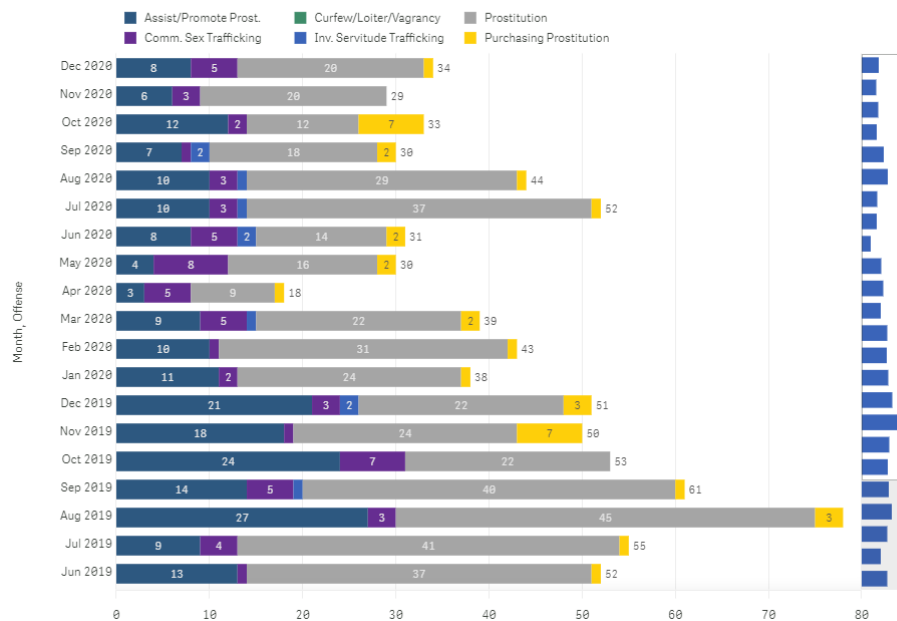
Offenses for 2020
421⁶⁵⁴
▼36% from Last Yr

Offenders for 2020
513⁸³⁹
▼39% from Last Yr

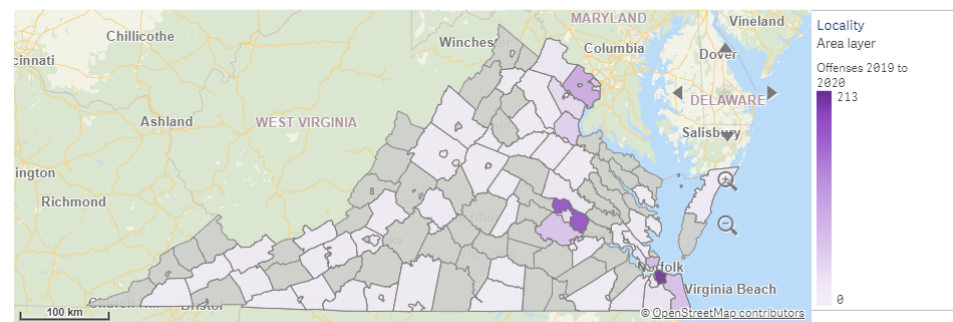
Victims for 2020
414⁶³⁰
▼34% from Last Yr

Hover and click for Help

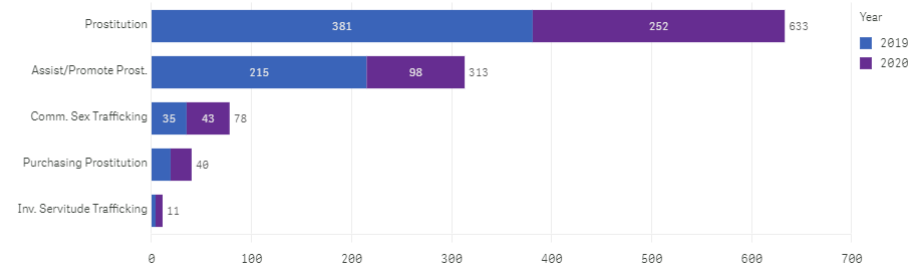
Offenses by Month



Offenses by Locality 2019 to 2020



Offenses 2019 to 2020

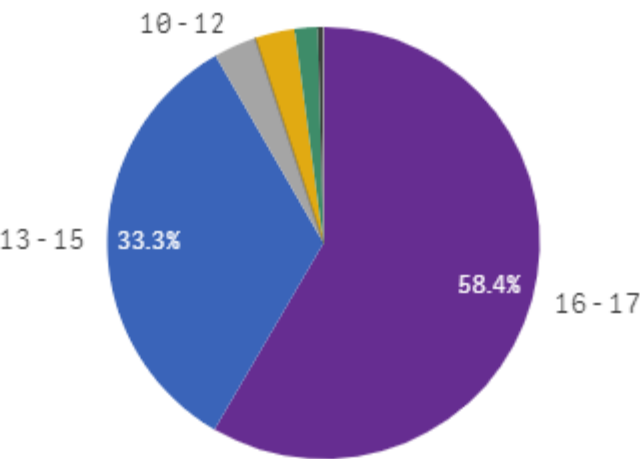


Human Trafficking Trends in Virginia

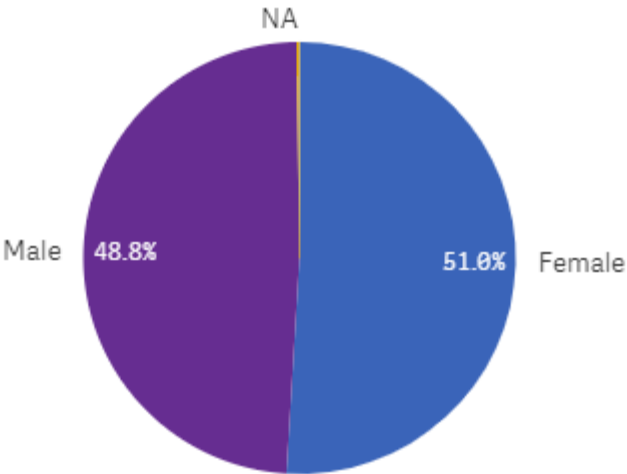
- Northern:
 - Disproportionate number of gang-controlled cases
 - Increasing number of family-controlled cases
 - Average age 11-13
 - Increase in the number of brothel-based operations
- I-81 Corridor:
 - Increased number of gang-controlled cases (in transit)
 - Average age of 13-17
- Eastern:
 - Mixture of all types of control (gang, family, non-gang)
- Central:
 - Mixture of all types of control (gang, family, non-gang)

Note: Illicit Massage Businesses (IMBs) are present in every region

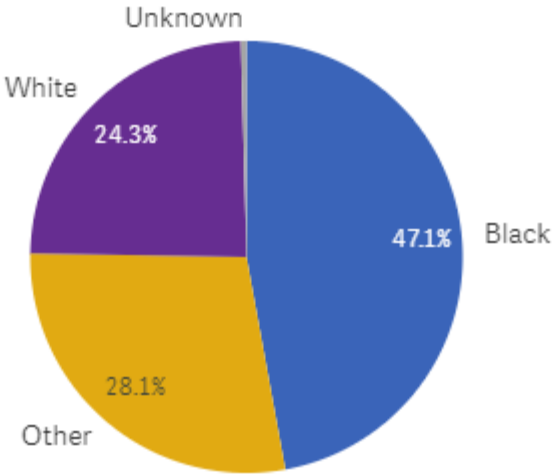
Missing Children by Age Group



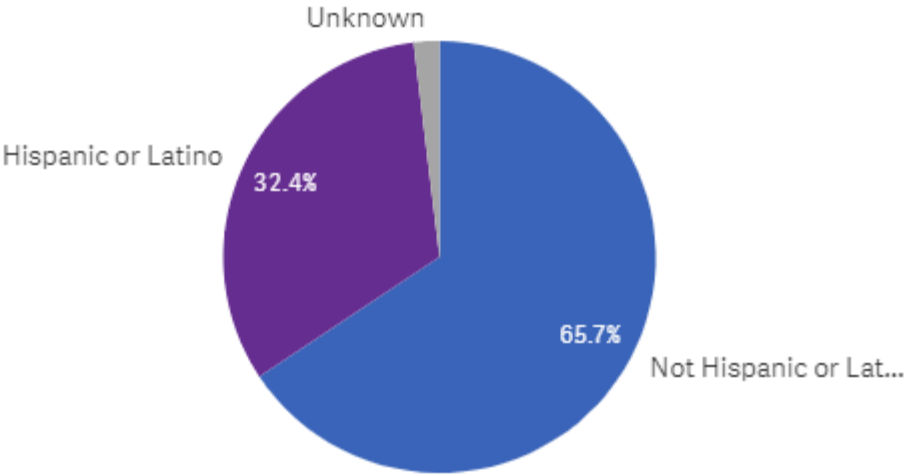
Missing Children by Sex



Missing Children by Race



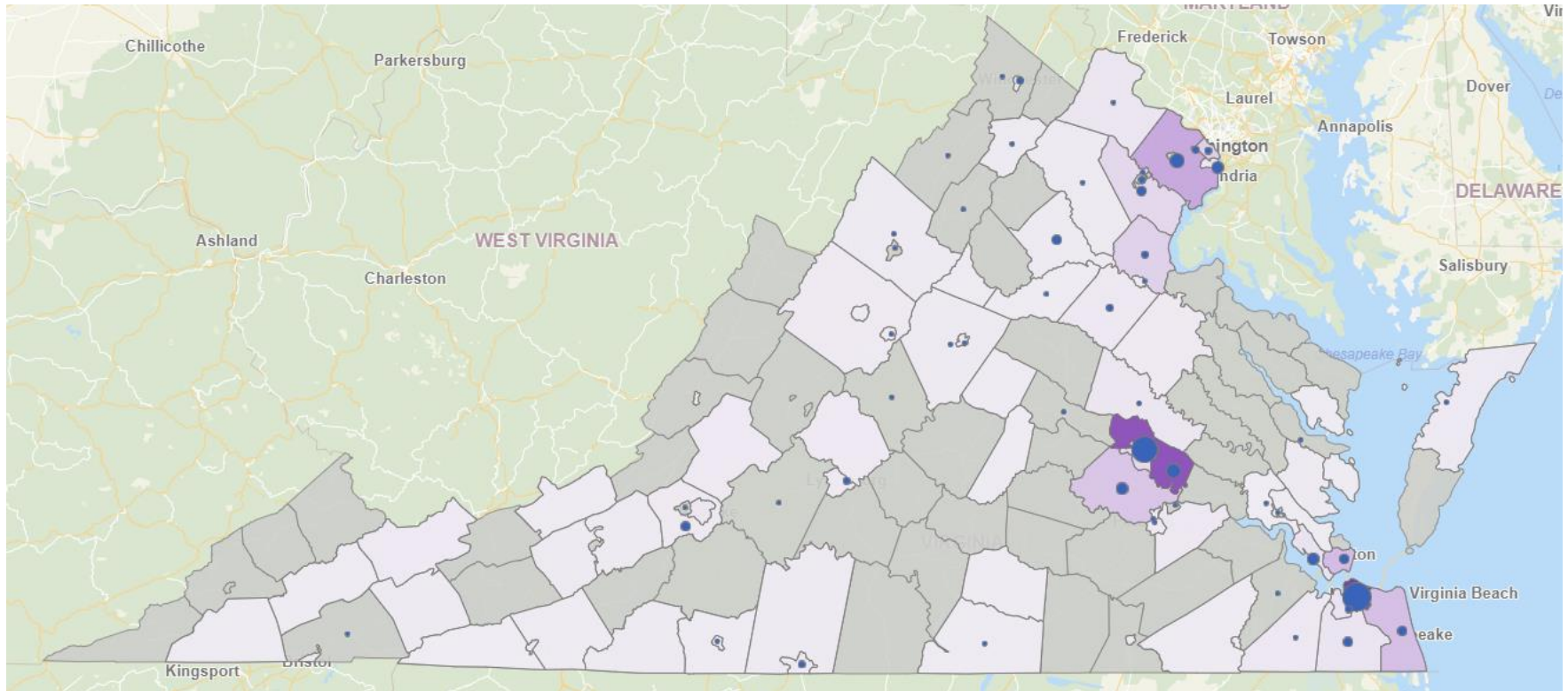
Missing Children by Ethnicity



Human Trafficking Trends in Virginia

- There are an average of 469 missing children per day in Virginia.
- An average of 96 new missing children are reported daily in Virginia.
- Average age of missing youth are 16-17 years old.

Human Trafficking Trends in Virginia





Federal Grant

Services for Minor Victims Federal Grant

- Building a coordinated response in 16 counties and 9 cities;
- Coordinated response to include wraparound case management, victim services and legal services;
- Legal services provided in the entire western region and statewide for immigration related trafficking cases;
- Dedicated residential treatment facility for juvenile sex trafficking victims recently opened;
- Forensic medical examination location created in Rockbridge County, VA
- Specialized training courses being offered.

Current Results:

68 identified juvenile sex trafficking victims;
631 professionals trained since the grant began;



Governor's Commission on Human Trafficking & Survivor Support



Virginia Department of Criminal Justice Services
www.dcjs.virginia.gov

The Governor's Commission on Human Trafficking Prevention & Survivor Support

Overall Objectives:

- **Increase enforcement** by coordinating with state and local law enforcement, Commonwealth's Attorneys, and U.S. Attorneys
- **Empower survivors** through partnerships that increase the provision of resources that survivors need for recovery and wellness
- **Enhance education** throughout the Commonwealth
- Adapted from [Executive Order Number 7, 2022](#)



Training Opportunities

Law Enforcement Learning Track

1. ***Interdiction for the Protection of Children:***

Suitable for patrol officers and patrol supervisors. Assists law enforcement in identifying child sexual abuse, sexual exploitation, and sex trafficking while on traffic stops, calls for service, and engaging with citizen contacts.

2. ***Human Trafficking Investigation & Prosecution:***

Suitable for human trafficking investigators and prosecutors. Assists investigators and prosecutors in understanding effective strategies for building a human trafficking case that is capable of being prosecuted at the state level while limiting the need for victim testimony. ***Next Course: September 27-28, 2023.***

3. ***5-Day Sexual Exploitation Treatment & Training Services (SETTS):***

Suitable for all victim service providers, law enforcement, and government agencies. This course addresses the vulnerable populations that are at-risk for trafficking, the types of trauma that occur within these populations, and effective strategies to identify and serve these survivors. Evidence-based treatment modalities, the mindset of offenders, demand reduction, mandated reporting protocols, multi-disciplinary responses, vicarious trauma, and burnout will be covered. ***Next Courses: August 21-25, 2023 & October 16-20, 2023.***

Contact Blane Sawyer (blane.sawyer@dcjs.virginia.gov) for additional information and questions.

Victim Services Learning Track

1. **5-Day Sexual Exploitation Treatment & Training Services (SETTS):**

Suitable for all victim service providers, law enforcement, and government agencies. This course addresses the vulnerable populations that are at-risk for trafficking, the types of trauma that occur within these populations, and effective strategies to identify and serve these survivors. Evidence-based treatment modalities, the mindset of offenders, demand reduction, mandated reporting protocols, multi-disciplinary responses, vicarious trauma, and burnout will be covered. **Next Courses: August 21-25, 2023 & October 16-20, 2023.**

2. **2-Day Sexual Exploitation Treatment & Training Services (SETTS) for Case Managers:**

Suitable for human trafficking case managers. A condensed SETTS course that focuses on effective case management strategies for working with human trafficking survivors. This is not an introductory course. Participants should understand human trafficking prior to enrolling. **Next Course: July 24-25, 2023.**

3. **2-Day Sexual Exploitation Treatment & Training Services (SETTS) for Clinicians:**

Suitable for licensed clinicians. A condensed SETTS course that focuses on effective clinical treatment modalities for working with human trafficking survivors. This is not an introductory course. Participants should understand human trafficking prior to enrolling. **Most Recently Delivered on May 1-2, 2023.**

Contact Blane Sawyer (blane.sawyer@dcjs.virginia.gov) for additional information and questions.

Mandated Hotel Training

[House Bill 258 \(Hotels; human trafficking training\)](#), as adopted by [Chapter 751](#), is an act that directs the [Virginia Department of Criminal Justice Services \(DCJS\)](#), under the direction of the Criminal Justice Services Board, to develop an online course to train hotel proprietors and their employees, as defined in [§ 35.1-15.1 of the Code of Virginia](#), to recognize and report instances of suspected human trafficking.

The act provides that:

- DCJS provide an online course shall be provided at no cost to the hotel proprietors and their employees.
- Every hotel proprietor require its employees to complete such human trafficking training course developed by the Department or an alternative online or in-person training course approved by the Department within six months of being employed by a hotel and thereafter at least once every two years, for as long as the employee is employed by the hotel.

The act has an effective date of January 1, 2023; **VDH will begin enforcing these requirements starting July 1, 2023.** The [Virginia Department of Health \(VDH\)](#) will ensure that hotels are complying with this new requirement during their site inspections.

Additional information can be accessed on the [DCJS website](#) and the [VDH website](#).

Contact Blane Sawyer (blane.sawyer@dcjs.virginia.gov) for additional information and questions.



Reporting Updates

Virginia State Police Human Trafficking Unit

Current Responsibilities:

- Dedicated Human Trafficking Investigators
- Human Trafficking Tip Line (Online and Text)
- Collaborates with localities and with Federal Partners
- Provides support to localities, as needed
- Partners with DCJS and other State Agencies to support the statewide response

Future Development:

- Regional ECM Task Force Development
- Continue to build investigative capacity and resources

Additional information can be found on the [Virginia State Police](http://www.virginiastatepolice.com) website.



Reporting in Virginia

If you are experiencing a life-threatening situation, call 9-1-1 or #77.

Mandated Reporting for Youth:

- Report to Virginia Child Protective Services (CPS):
 - Virginia CPS Hotline at (800) 552-7096
 - [Mandated Reporter Online Portal](#)
 - Locate your local CPS Office by clicking [HERE](#)
- Report to the [Virginia State Police Human Trafficking Unit](#):
 - [Submit a tip online](#) or
 - Text “VSP” with the tip to “847411”
 - Call #77

Reporting for Adults:

- Report to the [Virginia State Police Human Trafficking Unit](#):
 - [Submit a tip online](#) or
 - Text “VSP” with the tip to “847411”
 - Call #77
- Virginia Victims Assistance Network (VVAN): (833) INFO-4-HT
- National Human Trafficking Hotline: (888) 373-7888 or text 233733

Submit anonymous tip to Virginia State Police

For tip submissions requiring an immediate response, please contact Virginia State Police. In an emergency call 911.

What / Subject

Where / Location

Details / Description

Remaining Characters: 300

File

Choose File

No file chosen

Note: Images and videos can be attached after you select "Submit Anonymous Tip"

Submit Anonymous Tip



Reports & Publications

Reports & Publications

2022 - 2023

- [The Governor's Commission on Human Trafficking and Survivor Support Final Report](#)
- State Trafficking Response Coordinator Annual Reports on the [DCJS Website](#)



Publications



Trafficking Response Coordinator Annual Report - 2022

12/02/2022



Trafficking Response Coordinator Annual Report 2020 - 2021

12/10/2021



The State of Human Trafficking in Virginia

10/15/2019



FIVE-YEAR STATUS REPORT: Laying the Foundation for Virginia's Coordinated Response to Human Trafficking

12/15/2018



Transitional Housing Toolkit for Anti-Trafficking Service Providers

06/28/2011

1 of 6 [next >](#)

[more](#)



Angella Alvernaz
State Trafficking Response Coordinator
Virginia Department of Criminal Justice Services (DCJS)
angella.alvernaz@dcjs.virginia.gov
804.517.8695



DCJS Victims Services Team Grant Programs

Advisory Committee on Sexual and Domestic Violence
June 14, 2023



DCJS

Virginia Department of Criminal Justice Services

VOCA-Supported Grants

- **Victims Services Grant Program (VSGP)**
 - SFY 2024 12-month continuation awards with 10% reduction to VOCA portion of awards
 - Almost all award packages have been distributed
- **Victim Witness Grant Program (VWGP)**
 - SFY 2024 12-month continuation awards with 10% reduction to VOCA portion of awards
 - Presented to Criminal Justice Services Board tomorrow for final approval

Office on Violence Against Women Grants

- **Sexual Assault Services Program (SASP)**
 - CY 2023: 12-month awards underway
 - SFY 2024 Special One-Time Funding Opportunity: award packages have been distributed
- **VSTOP**
 - CY 2023: 12-month awards underway

Other Funding Sources

- **ARPA VSGP Restoration Grants**
 - Grants scheduled to end 6/30/2023
 - Currently reviewing extension requests for one additional year
 - Additional ~\$3M of ARPA funding to support sexual and domestic violence agencies is in the FY24 state budget; awaiting final
- **Virginia Sexual and Domestic Violence Victim Fund (VSDVVF)**
 - SFY 2024 12-month awards
 - Presented to Criminal Justice Services Board tomorrow for final approval