



SOUTH CAROLINA Victim Service Coordinating Council

Approved Guidelines for Expenditures of Monies Collected for Crime Victim Service in Municipalities and Counties Effective October 4, 2018

The following is a list of approved expenditures of crime victims' funds retained by county and municipal governments pursuant to Sections 14-1-206, 14-1-207, 14-1-208, and 14-1-211 exclusively for the purpose of providing victim services; including but not limited to:

1. Personnel, salaries/ benefits, performing direct services to crime victims (Victim Advocates within law enforcement and solicitor offices, notifiers for detention centers and the summary courts);
2. Automobiles shall be used solely by the Victim Service Provider (VSP) for providing direct victim services to crime victims if purchased out of the Victim Assistance Fines, Fees and Assessment Fund.

In order to replace the vehicle purchased out of the fund, the vehicle is required to fall under one of the two categories noted below:

Category A: Vehicle is required to be "deadlined" by the county or municipal/town mechanic listing the vehicles' safety issues

Category B: The vehicle has reached a minimum of 125,000 miles

The county or municipality are required to 1) sell the old vehicle that was replaced, 2) show and maintain documentation regarding the sale price, and 3) prove that the proceeds were deposited back into the Victim Assistance Fines, Fees and Assessment Fund.

If there are Time and Activity Forms involved, please note that the full price of the vehicle cannot be paid out of the fund if the time and activity sheets do not verify full time employment of the advocate providing direct services to crime victims. In such a case, the county or municipality is required to apply the percentage of the employee's time (that the auditing department has provided via Time and Activity Forms received) towards the total cost of the vehicle. This percentage will be the only amount that will be paid from the Victim Assistance Fines, Fees and Assessment Fund towards the purchase of a new vehicle.

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3. Expenses for a victim may be reimbursed to the Victim Service Provider (VSP) only while providing direct victim services at the rate of per diem for meals and transportation
4. Computers, computer software, internet connection, website for personnel providing direct crime victim services;
5. Automated victim information and notification systems;
6. Victim related training and conference registration, hotel accommodations for personnel providing direct crime victim services;
7. Office space, furniture, equipment (telephone, telephone lines, 800 numbers, fax, copier) and equipment maintenance for personnel providing direct crime victim services;
8. Postage, copying and printing cost for programs as relating to notification services and correspondence relating to direct victim services as carried out by the Victim Service Provider
9. Brochures for crime victims describing the crime victim services available through the entities and contact information. Reference materials.
10. Telephone charges relating directly to crime victim services;
11. Pager, cell phone expenses for personnel providing direct crime victim services;
12. Various Volunteer personnel costs and training expenses directly providing services to crime victims;
13. Office supplies for personnel directly involved in providing services for crime victims;
14. Camera, film, video tape, VCR recording equipment to support evidence documentation for domestic violence and sexual assault cases and viewing of educational materials for victims;
15. Recording or translation services directly related to crime victim services;
16. Funding for Women and Children shelters/treatment center for crime within the county or municipality;
17. Funding for Rape Crisis Centers
18. Funding for other local organizations providing direct services for crime victims (Mental Health and other facilities);

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19. Matching funds for grant programs providing direct services to crime victims (CDV grants and dedicated court grants for CDV); Emergency funding to be paid to service providers for crime victims: day care for children of crime victims required to be in court, limited rent, utilities for transitional housing for CDV victims, limited groceries and transportation); Funding for child friendly interview rooms, separate waiting rooms for crime victims.

The following is a list of additional approved expenditures of crime victims' funds retained by county and municipal governments pursuant to Sections 14-1-206, 14-1-207, 14-1-208, and 14-1-211 exclusively for the purpose of providing victim services; including but not limited to:

- 1. Funds may be used for attorneys to represent and provide legal services for crime victims. Attorneys providing this service are required to maintain statistical reports to include but not limited to the number of victims, types of victims and services provided. Please note (attorneys representing Towns and or Counties are excluded from providing this service).**
- 2. Funds may be used for an Administrative Assistant's salary providing direct victim services to crime victims. Please note (if this person is not full time and has dual roles not providing direct victim services, contact DCVC to discuss the necessary Time and Activity (T&A) form required initially for 90 days to determine a percentage. This form must be continuously maintained by the employee). Funds may be used to pay a portion of the following expenses relating to the Administrative Assistant;**
 - A. Rent (% applied if dual role)**
 - B. Phone (% applied if dual role)**
 - C. Computer (to be used solely by Administrative Assistant)**
 - D. Software (to be used solely by Administrative Assistant)**
- 3. Funds may be used to establish an Emergency Fund for crime victims. You are required to follow all of the Victims of Crime Act (VOCA) Guidelines, develop an emergency fund application and maintain backup information regarding the emergency funds used.**
- 4. Funds may be used to provide Victims' Rights Week (VRW) Scholarships for crime victims and or immediate family members to attend the Annual South Carolina VRW Conference.**

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5. Funds may be used for a Financial Support Specialist's salary that will respond to transitional housing requests. Please note (if this person is not full time and has dual roles not providing direct victim services, contact DCVC to discuss the necessary Time and Activity (T&A) form required initially for 90 days to determine a percentage. This form must be continuously maintained by the employee). Funds may be used to pay a portion of the following expenses relating to the Financial Support Specialist;
- A. Rent (% applied if dual role)
 - B. Phone (% applied if dual role)
 - C. Computer (to be used solely by Financial Support Specialist)
 - D. Software (to be used solely by Financial Support Specialist)

It is important to remember that policies and procedures are required to be developed, updated and maintained for auditing purposes.

Purchasing Bullet Resistant Vests for Sworn and Civilian LEVAs:

- The final decision to purchase bullet resistant vests using Act 141 funds rests with the county sheriff or chief of police, following the local unit of government's normal fiscal approval process. Both Sworn and Civilian Law Enforcement Victim Advocates are eligible for vests funded with Act 141 revenue, subject to the conditions below.
- Act 141 funds may not be used to purchase vests if they would supplant existing local funding that was previously used for this purpose.
- Should vests be purchased, they must be (1) gender specific, (2) individually sized to the wearer, (3) be rated at Threat Level II or III but not be of "tactical" or special operations grade, (4) the vests must be new purchases, not used, and a brand approved under current FBI standards, (5) used within their manufacturer's certification dates and then replaced, and (6) the use of the vests by either Sworn or Civilian LEVAs must conform to individual agency policy regarding the circumstances of use.

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Procedural Guidelines for Towing effective February 8, 2019

Summary: Victims of crime can be faced with substantial costs when their vehicle must be towed or stored in an impoundment lot due to a related victimization. Examples include victims of carjacking, crashes caused by DUI offenders, hit and run crimes involving a vehicle, or the theft of a vehicle. Particularly for persons with limited means who may have high insurance deductibles, the cost of regaining what may be their only means of transportation can be crucial to their employment, their children's schooling, medical appointments and overall safety.

Guidelines for the use of Act 141 funds for towing and/or vehicle impoundment involving eligible victims of crime:

- Act 141 funds may be used for the payment of vehicle towing expenses or the fees charged by an impoundment lot for eligible crime victims (referred to as "towing / impoundment services").
- Prior to using Act 141 funds to pay for the towing of crime victims' vehicles, the county/municipality is required to have written policies and procedures in place as to the criteria and processing of reimbursement to eligible victims.
- In order for a county or municipality to provide reimbursement for towing and impoundment costs of eligible crime victims, they must first include these costs in their budget for Act 141 funds and show such an item on their annual budget reports.
- Counties/municipalities are required to document towing/impoundment reimbursement including the type of criminal case associated with each use of the funds, the number of cases, and the amount of money spent for each towing service. Also, they must maintain this documentation for accountability and auditing purposes.
- Act 141 funds may not be given directly to crime victims for towing/impoundment fees; funds shall be paid directly to the vendor providing the service unless there is a reimbursement to the victim for out of pocket expenses and with proper documentation.
- A law enforcement incident report is required in order for victims to be considered for reimbursement for towing/impoundment.
- Use of these funds for towing/impoundment must be considered as a last resort after any reimbursement by the victim's insurance
- If victims' insurance covers towing expenses but deductibles must be paid, then the fund may pay the deductible directly to the service provider. If the victim provides documentation they paid out of pocket for the insurance deductible, Act 141 funds may be used to reimburse the victim directly.

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Towing Continued:

- If the victim's vehicle is stolen and the victim did not have car insurance or the legal right to drive (license suspension, no driver's license, or other issues precluding the victim from having the legal right to drive or own the vehicle), the funds may not be used for towing/impoundment fees.
- The county or municipality may use their discretion to determine if the victim's illegal conduct contributed to the crime, which would preclude the reimbursement of towing/impoundment fees with Act 141 funds.
- There must be an eligible criminal offense impacting a crime victim in order to pay for towing/impoundment fees from the funds.

Act 141 Funds may be used for victims of the following crimes: (including the attempted commission of crimes)

1. Murder, manslaughter (§16-3-10 et. seq.)
2. Assault and Battery (§16-3-600, et. seq.)
3. Criminal Sexual Conduct (§16-3-651, et. seq.)
4. Kidnapping (§16-3-910)
5. Trafficking in Persons (§16-3-2020)
6. Armed Robbery (§16-11-330 et. seq.)
7. Carjacking (§16-3-1075)
8. Domestic Violence (§16-25-65, et. seq.)
9. Boating Under the Influence Resulting in Death (§50-21-113(A)(2))
10. Hit and Run (§56-5-1210 et. seq.)
11. Car Theft
12. Reckless Homicide; Reckless Driving; Driving While Under the Influence
(§56, Article 23) Section 56-5-2930; Section 56-5-2933; Section 56-5-2945;

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Procedural Guidelines for COVID-19 Pandemic Effective May 14, 2020

This is an amendment to the *Approved Guidelines* for Act 96 (Part IV) regarding Act 141 allowable expenditures under authority pursuant to Sections 14-1-206 and subsequent sections of the Code of Laws of South Carolina, as amended.

The COVID-19 pandemic has presented unprecedented challenges to the victims of crime provider community in South Carolina. Chief among these is our ability to serve victims while at the same time preserving the health of service providers and victims themselves due to the necessity of close proximity in many situations. Accordingly, the use of Act 141 funds for the purchase of protective equipment and supplies, as described below, is approved.

- Funds may be used to purchase medical grade face masks, face shields, protective glasses, gowns, gloves, sanitizer supplies (e.g., wipes, gel, sprays, etc.) and similar items which mitigate the possibility of transmission or infection by the Coronavirus. Advocates may use this protective equipment at all times, whether on duty or off duty.
- These supplies are to be used exclusively by certified victim advocates and victim assistance volunteers as they provide services to crime victims or attend Victim Service Provider training functions.
- In addition, masks may also be provided to any crime victim and those that accompany them when the victim advocate comes into physical (social distancing) proximity to the victim. Similarly, sanitizer products such as gels and wipes may be provided to the victim during the course of any physical close contact meetings to sanitize the office, vehicle or other immediate meeting location.