

PROVISO 117.51

117.51. (GP: Assessment Audit / Crime Victim Funds) If the State Auditor finds that any county treasurer, municipal treasurer, county clerk of court, magistrate, or municipal court has not properly allocated revenue generated from court fines, fines, and assessments to the crime victim funds or has not properly expended crime victim funds, pursuant to Sections 14-1-206(B)(D), 14-1-207(B)(D), 14-1-208(B)(D), and 14-1-211(B) of the 1976 Code, the State Auditor shall notify the State Office of Victim Assistance. The State Office of Victim Assistance is authorized to conduct an audit which shall include both a programmatic review and financial audit of any entity or non-profit organization receiving victim assistance funding based on the referrals from the State Auditor or complaints of a specific nature received by the State Office of Victim Assistance to ensure that crime victim funds are expended in accordance with the law. Guidelines for the expenditure of these funds shall be developed by the Victim Services Coordinating Council. The Victim Services Coordinating Council shall develop these guidelines to ensure any expenditure which meets the parameters of Article 15, Chapter 3, Title 16 is an allowable expenditure. Any local entity or non-profit organization that receives funding from revenue generated from crime victim funds is required to submit their budget for the expenditure of these funds to the State Office of Victim Assistance within thirty days of the budget's approval by the governing body of the entity or non-profit organization. Failure to comply with this provision shall cause the State Office of Victim Assistance to initiate a programmatic review and a financial audit of the entity's or non-profit organization's expenditures of victim assistance funds. Additionally, the State Office of Victim Assistance will place the name of the non-compliant entity or non-profit organization on their website where it shall remain until such time as they are in compliance with the terms of this proviso. Any entity or non-profit organization receiving victim assistance funding must cooperate and provide expenditure/program data requested by the State Office of Victim Assistance. If the State Office of Victim Assistance finds an error, the entity or non-profit organization has ninety days to rectify the error. An error constitutes an entity or non-profit organization spending victim assistance funding on unauthorized items as determined by the State Office of Victim Assistance. If the entity or non-profit organization fails to cooperate with the programmatic review and financial audit or to rectify the error within ninety days, the State Office of Victim Assistance shall assess and collect a penalty in the amount of the unauthorized expenditure plus \$1,500 against the entity or non-profit organization for improper expenditures. This penalty plus \$1,500 must be paid within thirty days of the notification by the State Office of Victim Assistance to the entity or non-profit organization that they are in non-compliance with the provisions of this proviso. All penalties received by the State Office of Victim Assistance shall be credited to the General Fund of the State. If the penalty is not received by the State Office of Victim Assistance within thirty days of the notification, the political subdivision will deduct the amount of the penalty from the entity or non-profit organization's subsequent fiscal year appropriation.

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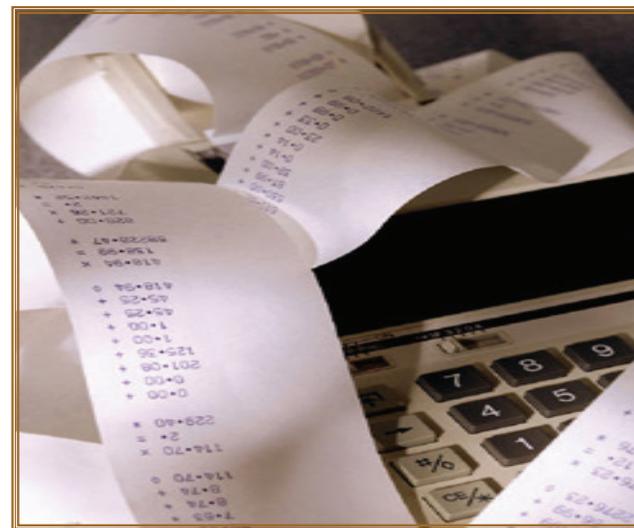


**For further information,
please call: (803) 734-1900
and ask for the Auditing Section.**

SOVA

Auditing Section

Programmatic Review and Financial Audit



Victim Assistance Fines, Fees & Assessment Fund (VAFFA Fund)

State Office of Victim Assistance
1205 Pendleton Street, Rm. 401
Columbia, SC 29201
Phone (803) 734-1900
Fax (803) 734-1708

Victims Only Please 1-800-220-5370

www.sova.sc.gov
(click on the auditing tab)

The State Office of Victim Assistance has over the past several years, built partnerships and worked in a collaborative effort with various agencies and victim service providers across the state such as advocates, sheriff's departments, police chiefs, counties, municipalities, municipal court, magistrate court, mayors, clerks of courts, finance personnel and treasurers, judges, town administrators as well as non-profit agencies to educate and train them on the usage of the Victim Assistance Fines, Fees and Assessment Fund and the accountability of such funds. During FY 10-11 and FY 11-12, there were over 1 million dollars in which the SOVA Auditing staff found as a result of budget reviews/desk audits and site visit audits that were spent on unallowable expenditures. These municipalities and counties were required to replace the funds back into the local Victim Assistance Fines, Fees and Assessment Fund.

As we moved forward from 2009 when the SOVA Auditing Department was initially developed and implemented from the original Proviso of 89.70, it has been our intent to provide as much training, technical assistance and support as possible to municipality and county officials to ensure that the funds are used in accordance to the approved guidelines developed by the Victim Service Coordinating Council. As a result of the technical assistance and support, it has afforded a large number of agencies to work in a collaborative effort with officials within their arena to become knowledgeable and more equipped in managing and tracking the collection, expenditures and policy and procedures regarding the request for the victim assistance funds. Some of the information that training, technical assistance and support provides on an ongoing basis consists of the following to include but not limited to: time and activity forms and calculations, sample budgets, sample contracts and statistical reports, donating victim assistance funds, approved guidelines, policy and procedure for the victim assistance programs, and job descriptions. If you would like additional information or would like to conduct further research, you may log onto www.sova.sc.gov and click on the auditing tab. This section of the SOVA website will provide more information that may assist you with the accountability of the victim funds. You may also feel free to call and speak with the SOVA Auditing staff at 803-734-1900.

Again, thank you for your continued support and we look forward to collaborating with you and working together to meet the needs of crime victims.

SOVA Director

Approved Guide for Expenditures of Monies Collected for Crime Victim Service in Municipalities and Counties. Effective December / 2013

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 for the life of the automobile;
3. Expenses for a victim may be reimbursed to the Victim Service Provider (VSP) only while providing direct victims 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. 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. Volunteer personnel 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, etc.);
19. Matching funds for grant programs providing direct services to crime victims (CDV grants, dedicated court grants for CDV, etc.);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, transportation, etc.);Funding for child friendly interview rooms, separate waiting rooms for crime victims.

