

CRIME VICTIMS' COMPENSATION RESTITUTION Law Enforcement Reimbursement Program



The most recent South Dakota Victims' Services Needs assessment surveyed victims' who received services in South Dakota. Most of the respondents indicated they learned about the ongoing victims' services available in the state from our Law Enforcement partners.

Crime Victims' Compensation promotes positive interactions between law enforcement and victims by

- *supporting community policing*
- *trust-building*
- *and has a cumulative effect on providing positive community-police relationships.*

The Department of Public Safety and the Victims' Services wishes to further promote these positive interactions through the Law Enforcement Reimbursement Program. The bill was presented during the 2020 SD Legislative Session as we received numerous reports of law enforcement officers providing similar assistance, with no expectation or option for reimbursement.

- We know that for complex reasons, crime victims can be reluctant, and are confronted with anxiety when Law Enforcement arrives on the scene. Typically, the underlying reasons can include an uncertainty of providing for oneself or children.
- The opportunity for LE to ensure the victims safety and basic needs can be a **critical foundation** for trust in the system in the following days, weeks, and months through follow-up investigation and prosecution.
- Once the Officer(s) assess the scene and determine the needs of the victim, they may provide access to safety, shelter and a meal or items to meet the basic needs for children until they can be connected to ongoing victims' services through a shelter or other victims' services program that may not be immediately available.
- Whether the officer is paying for eligible items from their own pocket, or through their agency, they can request reimbursement through SDVS.
- To request reimbursement, individual officers or agencies can submit receipts along with a completed form, which will ask for limited crime details, and expense information. SDVS will retain copies of the form, which will expedite the application process should the victim later apply for compensation.

South Dakota is largely rural with approximately 30 Shelters serving all 66 counties. Barriers to receiving access to services include transportation, temporary shelter, and inclement weather. Rural and interstate roadways are often shut down or dangerous for travel during winter months, leaving victims stranded after violent encounters.



Law Enforcement Reimbursement

SDCL 23A-28B-40 authorizes DPS Victims' Services Department to use the state Crime Victims' Compensation Fund to reimburse law enforcement for certain emergency expenses incurred for crime victims.

23A-28B-40.1. **Emergency expenses--Requests for reimbursement.**

The department may use the crime victims' compensation fund to reimburse a law enforcement agency or law enforcement officer for any actual expenses incurred for the payment of emergency expenses, including food and shelter, for any person if:

- 1) A law enforcement officer reasonably believes the person was the victim of a crime; and
- 2) No other services were reasonably available for the victim at the time.

Any law enforcement agency or law enforcement officer seeking reimbursement under this section shall submit to the Department a request and the receipts for the expenses incurred for any victim as provided in this section.



Emergency expenses to provide victims' basic needs until the victim is connected with Shelter services are allowable.

Allowable expenses may include:

Temporary shelter though hotel/motel for no more than 2 nights unless extreme circumstances deem it to be more. Once connected with Shelter services – the Shelter can provide additional stays according to their policies.

Note: Hotel/Motel shall only be paid by the Law Enforcement Agency via direct pay or direct bill.

Transportation expenses to assist the victim with one-time travel to shelter services or another location where they will be safe. (Maximum transportation \$50)

Food

- One-time meal
- Groceries for basic food needs for 2 days.
- Infant formula/food

Note: other available options should be attempted first, such as a community food bank. NO alcohol or tobacco. (Receipt required)

Childcare expenses

- Diapers/wipes
- Reasonable comfort items such as blankets

Contact SDVS Victims' Services for questions on other potential eligible expense requests.

SDVS Office - (605) 773-6317 or VictimsServices@state.sd.us

SDVS Program Director- Cora Olson

Office: 605-773-3109

Cell: 605-370-0201 (After hours)

E-mail: Cora.olson@state.sd.us

Where possible, please provide Victims of Violent Crime with information on the Crime Victims Compensation Program. More information about eligibility and how to apply, and application links can be found online by visiting <https://dps.sd.gov/victims-services/crime-victims-compensation/eligibility-and-apply-cvc>.

Please submit this form, along with receipts to the SDVS Crime Victims' Composition Office by:

Mail:

Department of Public Safety
Victims' Services
118 West Capitol Avenue
Pierre, SD 57501

Or E-mail:

VictimsServices@state.sd.us