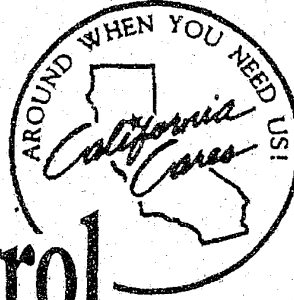




California State Board of Control



Biennial Report 1990-92

149707

Board Members

John Lockwood
Chairman of the Board

Gray Davis
Controller

Ruth D. Lockhart
Public Member of the Board

Austin Eaton
Executive Officer

California State Board of Control



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OFFICE OF THE GOVERNOR
State of California

July 13, 1993

The State Board of Control has provided quality services to the citizens of California for over eighty years. During that time, the Board has evolved from an audit and control agency to a service organization providing vital and responsive programs to violent crime victims and people who sustain injuries for which the State is responsible.

The most significant change experienced by the Board in recent years is the unprecedented growth of the Victims of Crime Program. The number of new claims filed has increased eighty-three percent over the past three years due to greater awareness of the program by the general public, as well as benefits being extended to cover victims of new types of crimes, such as child abuse. I commend the Board and its staff for meeting the ever-increasing workload demands associated with processing these claims in a consistent and expeditious manner.

I'm deeply concerned about the welfare of victims of violent crime. That's why I encourage the Board to continue its work to reach out to victims' rights groups and to join with other federal, state, and local agencies in promoting the principles of the Victims' Bill of Rights (Proposition 8).

I would like to take this opportunity to express my sincere congratulations to the Board for the accomplishments outlined in the 1990-92 Biennial Report and for the excellent services it provides to the citizens of our State. Keep up the good work!

Sincerely,

A handwritten signature in black ink, reading "Pete Wilson", is positioned above the printed name.

PETE WILSON

On behalf of the members and staff of the State Board of Control, I am pleased to present the Board's Biennial Report for State Fiscal Years 1990-91 and 1991-92.

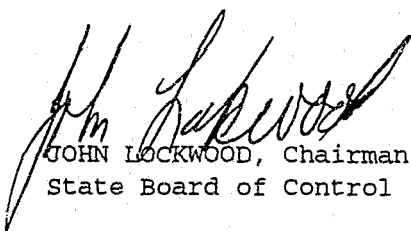
The Board completed its 81st year of service to the State and its citizens in 1992. During the period covered by this report, the Board continued to experience growth in the number and types of claims received, at the same time facing the challenges created by diminishing revenues and State budget reductions.

In response to the dramatic growth in new claims and the backlog of unprocessed claims experienced by the Victims of Crime Program in the years immediately preceding this report period, the Board instituted several improvements and program revisions. Those included improvements in the Board's claims processing function, as well as increased audits, monitoring and automation of counties that process claims for the Board. As a result, the average processing time for claims during the 1990-91 Fiscal Year was reduced to 104 days, while an all-time low average of 81 days was achieved in the 1991-92 Fiscal Year.

Due to general economic conditions within the State, the Restitution Fund, the primary source of revenue for the VOC Program, has suffered a deficit during the past two years. A shortfall of approximately \$10 million is projected by the end of Fiscal Year 1992-93. Various efforts instituted by the Board to overcome this situation include the passage of legislation during 1992 to increase restitution fines on felonies, enhance the ability of the Department of Corrections to deduct fines from prisoners' wages, provide incentives to the counties to collect fines and orders, and authorize delayed claim payments in the event of a fiscal emergency. In addition, the Fiscal Management Section was established in 1991 within the Board's Administrative Division. The primary purpose of this section is to recover funds used to support the VOC Program through collection of overpayments and liens placed on civil suits. This section also works with county probation and judicial staff to promote collection of restitution fines and orders, and manages the process for obtaining federal funds through the Victims of Crime Act.

While striving to fulfill its statutory responsibilities, the Government Claims Program has suffered multiple General Fund budget reductions totaling \$355,000 during this report period, resulting in a decrease from 24 staff positions to 15. Consequently, the Board has streamlined the Government Claims operations in order to continue the most necessary functions of the Program, ensuring that Californians have a fair, equitable and timely means available to them to seek reimbursement for damages.

The Board maintains an unwavering commitment to providing quality services which assist the citizens of this State in their time of need.



JOHN LOCKWOOD, Chairman
State Board of Control

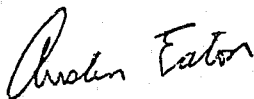
During 1990-92, the State Board of Control experienced continued expansion of its responsibilities while demonstrating an increased dedication to public service.

During this period, the Government Claims Program completed its obligations to administer the Earthquake Disaster Relief Program, expending approximately \$69.6 million for claim settlements. In addition, four legislative bills were sponsored and coordinated through the State Legislature, totaling more than \$4 million for 1,426 claims from individuals who felt they had been injured by the State.

The Victims of Crime (VOC) Program experienced tremendous growth in the number of claims received and processed, while simultaneously coping with a shortage of revenue in the Restitution Fund and successfully eliminating a prior backlog of unprocessed claims. To help alleviate these fiscal and workload constraints, the Board continued implementing operational improvements such as streamlining claims processing procedures, increasing automation, developing cost-containment measures and enacting legislative reform.

In an effort to increase revenue and recover funds to support the VOC Program, the Board added the Fiscal Management Section. The Board also strengthened its commitment to providing quality services by reaching out to the business, provider and victim service communities and networking with other agencies which have a mutual concern for the protection of victims of violent crime.

The outstanding efforts of the Board members and staff during the past two fiscal years are reflected in this Biennial Report.



AUSTIN EATON
Executive Officer
State Board of Control

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Overview of the Board of Control

Board Mission Statement

Board Members

Board Responsibilities

Meetings

Overview of the Board of Control

This three-member Board serves the State of California and its citizens by acting as an intermediary between State Government and the people of the State. The Board hears and attempts to resolve different claims and grievances which the people may have as a result of an action taken by the State or because of a crime committed against a citizen.

The two major programs administered by the Board are the Government Claims (GC) Program and the Victims of Crime (VOC) Program. (See the Board Organization Chart on page 24.) The GC Program processes civil claims for money or damages filed against the State and presents recommendations regarding the claims to the Board regarding potential claim settlements. However, the Board may reject the claim and advise the claimant to pursue court action.

The VOC Program—the first victims' compensation program established in the United States—reimburses victims for certain expenses incurred as a result of a crime. The VOC Program reimburses victims for wage loss, medical and psychotherapy expenses, and funeral/burial expenses under certain circumstances.

In 1987, the Board established its own Administrative Division to support the programs rather than contract out for those services. This change was needed to improve the efficiency of the programs by allowing program staff to focus on program issues.

Board Mission Statement

The mission of the Board is to provide a timely and effective means of helping people recover financially from the effects of violent criminal activities or actions or inactions of state government to the maximum extent allowed by law.

Board Members

California statutes dictate that the Board include the Director of General Services as Chair, the State Controller, and one public member appointed by the Governor. The Board Members currently are: John Lockwood (Director of General Services and Chairman of the Board), Gray Davis (Controller), and Ruth D. Lockhart (Public Member of the Board).

Board Responsibilities

Structurally, the Board is organized into three divisions: Government Claims, Victims of Crime, and Administration.

Government Claims

The Government Claims Division administers those Board responsibilities that relate directly to state government.

The primary function of the GC Division is to receive and process all civil claims for money or damages that are filed against State agencies under Government Code Section 900 et seq. (See Exhibit 2, page 26, for a listing of types of civil claims processed by the Board.) This requirement stems from



the principle that the State must be permitted to determine the course of claims against it. If the claim falls within an area of the State's statutory liability (i.e., tort claims), the Board may either approve a settlement of the claim or reject the claim. Following the Board's action, the claimant is advised that he/she may pursue a court action if the claim had not been resolved satisfactorily.

The Board also considers a wide variety of "equity claims" for which no statutory liability exists. In these cases, the State may damage a person although no legal liability for the damage may exist. Thus, the damaged person probably has no recourse in a court of law. It has long been the policy of the State that persons so damaged should not suffer because of the inadequacy of the law. For this reason, the State created a process under Government Code Section 905.2(d) for the consideration of these equity claims. For equity claims that are allowed, the Board requests the Legislature to authorize payment of the claims. These requests are transmitted to the Legislature as two annual omnibus claims bills, each of which typically contains several hundred claims.

For certain types of claims, the Legislature may delegate authority to the Board to make awards in meritorious cases and may provide an appropriation of funds in advance to cover these payments. Several examples of these special claims programs can be found on page 26.

The GC Division also administers over 70 fiscal control functions assigned to the Board by various statutes, including the following: approving the charitable organizations which may participate in the annual State Employees' Charitable Campaign, adopting and maintaining regulations governing

travel allowances for certain State officials, hearing and resolving protests relating to the State's purchase of supplies and equipment, approving payment of past State obligations from current funds, discharging state agency accountability for recovering funds owed to the State, and authorizing proposed state tax refunds that exceed \$50,000 each.

Victims of Crime

The California Victims of Crime Program was established in 1965 to provide reimbursement to victims for certain out-of-pocket losses sustained as a result of the commission of a crime. The California VOC Program was the first of its kind in the nation and the third victims compensation program in the world, preceded only by New Zealand in 1963 and England in 1964.

As of 1992, 46 states, plus the District of Columbia and the Virgin Islands, had VOC compensation programs. In 1990, California's VOC Program celebrated a quarter of a century of compensating victims.

California, with 29.8 million people, or 11.8 percent of the nation's total population, paid out 34 percent of all state funds that were paid to victims nationwide in 1990 (the most recent national figures available). In that year, California paid approximately \$1.65 per capita to reimburse crime victims. (See Exhibit 13 and 16, page 37 and 39.)

California's VOC Program was initially administered by the Department of Social Welfare under the Welfare and Institutions Code. In 1968, the Legislature transferred the overall administration of the VOC Program to the Board while transferring the claims verification function to the Department of Justice.



In 1978, claims verification was also transferred to the Board, making the Board entirely responsible for both the administrative and operative functions.

The VOC Program is administered by the Board through the VOC Division. The VOC Program provides assistance to victims who suffer physical and/or emotional injury as a result of a crime, survivors of victims who sustained death, or persons who are legally dependent upon an injured or deceased victim for financial support. A member of the victim's family or a person in close relationship to the victim who is present during the crime or whose treatment is medically required for successful treatment of the victim may also qualify for assistance.

In addition, a member of the victim's family who incurred emotional injury as a result of a crime may apply for reimbursement of up to \$10,000 for medical expenses and/or mental health counseling expenses. Any individual who assumed the obligation of paying the medical and/or burial expenses of a deceased victim may apply for reimbursement of those expenses.

A victim who is a California resident may apply for benefits even if the crime occurred while out-of-state. A nonresident of the State may apply for VOC Program benefits if the crime occurred while the nonresident was in State.

Meetings

The Board holds public meetings—approximately two to three weeks apart—throughout the year. Meetings are held in Sacramento, San Francisco, Los Angeles, and San Diego.

Since the policies, rules, and regulations adopted by the Board affect persons from all "walks of life," the Board encourages public participation at these meetings.



SIGNIFICANT ACHIEVEMENTS

**Earthquake Disaster Relief Program
Legislative Claims Program
Bid Protest Program
VOC Program**

Significant Achievements

Earthquake Disaster Relief Program

Background

Chapters 21 and 22 of the Legislature's First Extraordinary Session of 1989 directed the Board to compensate victims—without regard to fault or liability—for the deaths, personal injuries, and personal property losses which occurred when portions of the San Francisco-Oakland Bay Bridge and the Interstate-880 Cypress Structure collapsed during the Loma Prieta Earthquake on October 17, 1989. Two legislative appropriations totaling \$110 million were also authorized for the payment of claims and for the administration of the program.

In response to this legislation, the Board established the Earthquake Disaster Relief Program (EDRP) to provide fair and prompt payment to earthquake victims to minimize the need for costly litigation. Two forms of compensation were available to eligible applicants: (1) an emergency payment of up to \$50,000 per person for certain surviving family members of a deceased victim and up to \$25,000 per person for an injured victim; and (2) negotiated settlements which could include economic and noneconomic damages.

The Board moved quickly to implement the EDRP. Eight days after the Governor signed the legislation on November 6, 1989, the Board began distributing its new EDRP application form to prospective applicants. The Board also conducted an extensive media campaign to publicize the program, and established a toll-free telephone number for the use of applicants and their representatives. On November 21, 1989, the Board issued the first

emergency payments to the surviving family members of a deceased victim only two days after receiving the family's applications.

The Board contracted with a private adjusting firm (Toplis and Harding) to investigate the applications and to prepare written reports with recommended settlement offers for each eligible applicant. The adjuster's reports were reviewed and discussed during biweekly meetings of a review committee which included staff of the Attorney General's Office, Department of Transportation's Legal Office, and the Board's Executive Office.

The committee developed proposed settlement offers which were informally communicated to the applicants or their representatives. If subsequent discussions between the State (the adjuster or the Attorney General's Office) and the applicants were successful, the proposed offers were formally recommended for approval to the Board and the Director of Finance. The Board also contracted with a settlement facilitation firm (Judicial Arbitration and Mediation Services) to mediate those cases for which negotiations were not initially successful.

Program Highlights

The Board received a total of 412 EDRP applications. Of this total, the Board rejected 71 applications due primarily to applicant ineligibility and denied four applications as being untimely filed. In addition, 40 applications were resolved administratively without the need for Board action (improperly filed, duplicate, or withdrawn applications).

The Board approved 297 applications for settlement, including 130 applications for the 43 death-related



cases, 136 injury-related applications, and 31 applications involving personal property damages only. The Board's approved offers to settle these applications totaled \$71.3 million.

Of the 297 applications for which the Board approved settlement offers, three applicants rejected the offers and subsequently pursued litigation against Caltrans. In total, litigation has been pursued to date by 11 applicants, including three injured victims (including the two applicants who rejected the Board's settlement offers), two parents of a deceased victim (whose surviving spouse accepted the Board's settlement offer), and six insurance companies seeking reimbursement for paying their insured's automobile insurance loss or workers' compensation benefits. The Board rejected a total of 33 applications filed by insurance companies.

The Board expended approximately \$69.6 million for claim settlements, including \$3.2 million in emergency payments, and approximately \$950,000 for administrative expenses (\$574,000 of which was used to pay for the services of the two contractors). [The \$69.6 million figure is less than the total settlement amount approved by the Board (\$71.3 million) because (1) two approved settlements were rejected by the applicants, and (2) many of the settlements included the purchase of an annuity which ultimately cost less than the amount originally estimated at the time the settlement was approved.] The Earthquake Disaster Relief Fund also incurred administrative expenses of \$65,000 in Attorney General charges and \$50,000 to settle a lawsuit (San Jose Mercury News v. State Board of Control) involving access to the Board's EDRP records.

At the conclusion of the EDRP, approximately \$19.1 million was

available for reversion from the Earthquake Disaster Relief Fund to the unappropriated balance of the General Fund. Combining this reversion with the \$20 million which had already reverted to the General Fund pursuant to language in the 1991 Budget Act, the Program had a net residual of \$39.1 million out of \$110 million in total funding.

Legislative Claims Program

In Fiscal Years 1990-91 and 1991-92, the Board sponsored and coordinated the enactment of four omnibus claims bills which contained funds appropriated for the payment of tort and equity claims. Chapter 1405/1990 (AB 2571) contained \$1,462,245.14 to pay 575 claims, Chapter 1446/1990 (SB 1767) contained \$1,169,043.62 to pay 218 claims, Chapter 332/1991 (SB 66) contained \$737,767.49 to pay 480 claims, and Chapter 554/1991 (AB 214) contained \$984,021.92 to pay 153 claims. The majority of these funds were used to pay claims involving contracts, State employee compensation, and State agencies' revolving fund cash shortages.

Bid Protest Program

The Board's bid protest workload has grown significantly over the past seven years, increasing from three protests filed in Fiscal Year 1984-85 to 83 protests filed in Fiscal Year 1991-92. One reason for the growth in protests over the past two years is that in at least one-half of the cases, the protestants have raised issues relating to the State's minority, women, and disabled veteran business enterprise contract participa-



tion requirements. This trend may subside, however, as the State and the bidder community gain experience with these relatively new requirements.

Of the 83 bid protests filed with the Board in Fiscal Year 1991-92, 37 were decided by the Board following a full hearing and 11 were dismissed by the Board without a hearing. In addition, 35 protests were resolved administratively without the need for Board action.

Despite the recent growth in bid protest workload, and the minimal budgetary resources the Board can devote to this function, the Board has been able to resolve most protests in a relatively expeditious manner. Since January, 1992, the Board has assigned a hearing officer to conduct protest hearings and prepare proposed decisions for the Board's consideration. As a result, the Board has been able to streamline its protest procedures and handle the growing workload in this area while experiencing staff reductions.

Victims of Crime Program

In recent years, the major challenge facing the VOC Program has been to respond to the rapid growth in claims (a jump from 28,374 new claims received in Fiscal Year 1989-90 to 46,555 new claims received in Fiscal Year 1991-92) (see Exhibits 1 and 2 on pages 27 and 28 as population grew, public awareness of available benefits increased, and legislative changes liberalized those benefits. During the period covered by this report, however, a new challenge has come on the horizon that has tested the ability of the VOC Program to respond in an entirely new way.

Due partly to the vast increase in payments made by the VOC Program and partly to the economy, the limits of the Restitution Fund are being tested more than ever before. The conflicting pressures of claims growth and the fiscal problems facing the VOC Program and the State have necessitated a variety of efforts in response.

These obstacles have presented an opportunity to find new efficiencies to maximize the limited resources available and to deliver services to California crime victims in the most rapid and effective way possible.

During this report period, the VOC Program made a number of innovations to improve the quality and efficiency of service to victims and to contain program costs. Changes were made during Fiscal Years 1990-91 and 1991-92 in the following areas:

Service Improvements

- * A system was developed for pre-authorizing payments on certain claims for ongoing mental health counseling, within established limits. Over 30% of current mental health claims qualify for this type of treatment, saving considerable processing time.

- * Monthly payments of wage and income/support payments, was instituted, allowing victims a more regular and dependable income source during their recovery.

- * The VOC Program's automated computer system has been expanded to include all claims processed by VOC Program staff and 12 of the 21 Joint Powers Agreement (JPA) counties contracting to provide verification.



* A Customer Service Unit was created, providing fast and accurate, better-informed telephone responses to victims and the public.

* An express team of claims specialists was established, expediting claims processing and improving turnaround time. Preliminary determinations of eligibility are made and necessary documentation is requested upon a claim's initial arrival.

* Total claims production has increased, as has the average daily productivity per claims specialist (increased from 2.71 claims per day in Fiscal Year 1989-90 to 3.33 claims/day in Fiscal Year 1990-91).

Cost Containment Measures

* A private contractor has been retained to review medical bills before payment. The review includes appropriateness of treatment and applies maximum rates from the Workers' Compensation medical fee schedule. Over \$1 million was saved in the first quarter of this program's operation, with an average bill reduction of about 40%.

* A team of specialists has been trained to conduct negotiations on larger hospital bills. An average reduction of approximately 30% has been achieved, for a total savings of over \$2.2 million in the first year.

* A more careful review of the larger mental health treatment claims has been instituted to determine the appropriateness and necessity of in-patient mental health treatment and long-term outpatient therapy. Utilizing the VOC Program's staff psychologist,

a staff review committee, and occasionally a peer review committee, additional significant savings have been achieved.

* A new unit has been established within the Board's Administrative Division for the purpose of collecting monies owed to the VOC Program in the form of court-ordered restitution, overpayments, and liens. Collections in the first nine months of operation have exceeded \$1 million. This is an increase of almost 250% over the same period in the previous year. This unit also works with and trains county judiciary collection staff and staff of Probation Offices and District Attorney's offices to increase local collections of restitution fines. (Exhibits 10 and 11 on pages 34 and 35 illustrate the monies collected by county.)

* The Board sponsored a bill (SB 1444, Senator Presley), to raise additional revenue. The bill was enacted on September 14, 1992 and would encourage counties to collect monies owed to the Restitution Fund by payment of 10% of all monies collected to the county collecting them. Revenue to the Fund would also be enhanced by increases in minimum restitution fines and in an increase in withholding of inmates' earnings for payment of outstanding restitution fines.

In addition, the bill provides that Program payments, if accepted by the provider, would represent payment in full for services in cases where such payments were reduced in accordance with the Board's rate-setting authority. This would prohibit the provider from continuing to bill the client or other carrier, company or program for any remaining balance above the rate paid by the VOC Program. Also, the bill



provides for payment of claims to be delayed under certain circumstances during periods when the Restitution Fund is inadequate to make payment.

Legislative Changes

* Other changes to the Program through new legislation introduced during this period include:

- The maximum Emergency Award was increased from \$1,000 to \$2,000.
- Closed hearings for claims involving minor victims of sexual assault were instituted.
- More stringent time limits were imposed for payment of certain types of mental health claims.
- Notification requirements were imposed in cases where a determination on a claim is unable to be made within 180 days of filing. Notification is also required when VOC Program staff requests an independent psychological examination.



Program Responsibilities

Government Claims

- Tort Claims**

- Equity Claims**

- Special Claims**

 - Hazardous Substance Compensation**

 - Marine Resources Protection**

 - AIDS Vaccine Victims Compensation**

- Bid Protest**

- GC Division Structure**

- GC Division Fiscal Information**

Victims of Crime

- VOC Program-Mission Statement**

- Program Criteria**

- Related Victims Programs**

- VOC Division Structure**

- VOC Division Fiscal Information**

Administration

- Audits**

- Fiscal Management**

- Information Services**

- Legislation and Policy**

- Administrative and Support**

Programs

Government Claims

Tort Claims

The GC Division's principal responsibility is to assist the Board in the administration of the State Tort Claims Act. Claims must be filed under this act prior to the filing of a lawsuit against an agency, officer, or employee of the State of California. The intent of the act is to allow the State to conduct timely claim investigations to defend itself against unjust claims, correct the conditions or practices which give rise to claims, and settle just claims to avoid the costs of litigation.

Tort claims are reviewed for compliance with the act and must meet all of the following requirements:

1. Jurisdiction- The claim must allege that action or inaction of a State agency or employee led to injury, damage, or loss.
2. Completeness - The claim must include the date and a complete description of the incident involving the State that led to injury, damage, or loss.
3. Timeliness - The claim must be filed (a) within six months of the incident date for wrongful death, personal injury, personal property loss, or growing crops; or (b) within one year of the incident date for any other cause of action, such as breach of a written contract or real property loss.

If the claim raises complex issues of fact and law, and exceeds \$50,000 in claimed damages, the Board generally rejects the claim within 45 days from receipt, thus allowing the claimant to initiate a lawsuit. In such instances, the Board provides a copy of the claim to the State's counsel (usually the Attor-

ney General's Office or the Department of Transportation's Legal Division) and any other affected agencies. If the claim does not involve complex issues of fact and law, the Board generally:

1. Refers the claim to the State's counsel and any other affected agencies for review and recommendation, and
2. Hears and acts on the claim at a Board hearing following receipt of the State's recommendation.

If the Board rejects the claim, the claimant may initiate a lawsuit. However, if the Board determines that the affected State agency is liable for the damage or loss and on such basis allows the claim, the Board can order the agency to pay the claim under Government Code Section 965.

If the claim involves a state asset for which a "self-insurance" program is available (for example, state-owned vehicles), the Board notifies the claimant that the claim is being referred to the State's claims-adjusting service (usually the Office of Risk Management and Insurance within the Department of General Services) for investigation and possible settlement.

Equity Claims Program

Claims which the Board considers "in equity" must contain a description of the events leading to the claimant's monetary loss and an explanation of why the steps taken to resolve the claim have not been successful. There are no statutes of limitations for the filing of equity claims with the Board.

When an equity claim is received, Board staff refers the claim to the



affected state agency for review and recommendation. Following receipt and review of the agency recommendation, the Board hears and acts on the claim. If the Board allows the claim, it is referred to the Legislature in an omnibus claims bill for funding and payment authority. If the Board rejects the claim, the claimant may initiate a lawsuit.

The Board also refers claims to the Legislature for payment authority when the involved State agency has an obligation to pay the claim but no appropriation is available for payment or has insufficient funds in its budget to pay the claim.

Special Claims Programs

Hazardous Substance Compensation Program. This program, which was authorized by Chapter 756, Statutes of 1981, has been administered by the Board since its inception in January 1982. It is designed to compensate individuals for losses and/or injuries sustained from exposure to hazardous materials in cases where no other sources of recovery are available.

Marine Resources Protection Program. The Marine Resources Protection Act of 1990 (Act) established an extensive protected zone extending along the southern California coast and prohibits the use of gill and trammel nets by commercial fishermen in the protected zone after January 1, 1994. The Act authorized the use of gill and trammel nets in the protected zone from January 1, 1991 to December 31, 1993, provided that the user of such nets secures a special permit from the Department of Fish and Game (Fish & Game). Revenue derived from the sale of the

permits will be used to compensate eligible fishermen who surrender their permits between July 1, 1993 and December 31, 1993.

Under the Act, gill and trammel net users may receive a lump sum payment for surrendering their permits in an amount equal to the average annual value of fish, other than rockfish which was taken using gill and trammel nets during the period 1983 to 1987, inclusive. Applicants for compensation must agree to permanently discontinue fishing with gill or trammel nets in the protected zone. Fish & Game will calculate the compensation to be paid to each eligible applicant and the Board will certify these determinations.

AIDS Vaccine Victims Compensation Program. In 1986, the Legislature created the AIDS Vaccine Victims Compensation Fund to pay damages for personal injuries resulting from the use of an AIDS vaccine which is approved by the U.S. Food and Drug Administration (FDA) or the State Department of Health Services (DHS) for clinical trials administered in California. Under Health and Safety Code Section 199.50, the Board is required to implement the AIDS Vaccine Victims Compensation Program to award to any person who is injured by an AIDS vaccine compensation for medically related expenses, loss of earnings, and pain and suffering caused by the injury, which is not to exceed \$550,000. As of January 1, 1993, neither the FDA nor DHS had yet approved an AIDS vaccine for clinical trials in California.



Bid Protest Program

The Board has been authorized to resolve bid protests since the enactment of Chapter 1736, Statutes of 1955. Under Public Contract Code Section 10306 and 12102(f), bidders in a competitive procurement who are not selected for award of the contract may file a protest with the Department of General Services, Office of Procurement (Procurement). If the protest is timely filed (prior to the award of the contract), Procurement is precluded from awarding the contract for commodities (supplies or equipment), or for equipment or services related to electronic data processing and telecommunications, until either the Board resolves the protest or the protest has been withdrawn. Protests filed after the contract award are not accepted by the Board.

In general, the Board provides each protestant with an informal hearing on its protest and the Board renders an independent decision on the protest based on the factual evidence contained in the administrative record of the protest. The Board's exception to this procedure is to dismiss those protests which fail to assert that the protestant should have been selected for award of the bid or lack sufficient facts to support the finding that the protestant should have been selected for award.

The Board's bid protest jurisdiction is limited to hearing issues involved in the "awardee-selection" process. Such issues include: (1) Compliance with the minority, women and disabled veteran business enterprise contract participation requirements (2) specification compliance, (3) the accuracy and fairness of the scoring system used to evaluate proposals, (4) the

appropriateness of proposed contract language, (5) bidder responsibility (past contract performance, unfair pricing practices, adverse financial condition), and (6) small business preference eligibility. Although protestants may attempt to challenge the appropriateness of the bid specifications used by the State, these issues are more appropriately directed to the Director of General Services.

GC Division Structure

With the enactment of the 1992 Budget Act, the GC Program has a 15-member staff working under the direction of a Deputy Executive Officer. Claims review and related analytical duties are performed by a Program Manager, three program analysts, and two claims technicians. The Program Manager is also responsible for support services provided by a seven-member staff.

In addition to the GC Division's staff, each state agency designates a "claims coordinator" who is responsible for responding to the Board's claim-referral and recommendation requests. The agencies with whom the Board has most frequent contact include: the Attorney General's Office, the Department of Transportation, the State Controller's Office, the Department of General Services, the Department of Finance, the Department of Personnel Administration, and the Department of Corrections.

GC Division Fiscal Information

The GC Division's operations are funded almost entirely from a General Fund appropriation in the annual Bud-



get Act. The remaining support is in the form of reimbursements from the Department of Toxic Substances Control for the Board's administration of the Hazardous Substance Compensation Program.

During the 12-month period ending June 30, 1991, the GC Division expended \$1,063,000 from its General Fund appropriation and received reimbursements totaling \$916,000. For the 1991-92 fiscal year, the GC Division expended \$1,008,000 from its General Fund appropriation and received reimbursements totaling \$219,000. (Most of the reimbursements relate to the Earthquake Disaster Relief Program.)

The Board projects General Fund expenditures during the 1992-93 fiscal year at \$828,000 with reimbursements totaling \$17,000.



Programs

Victims of Crime

VOC Program - Mission Statement

Our mission is to ease the financial burden of crime victims through reimbursement of qualifying losses incurred as a result of a crime.

We believe in:

✱ *Commitment to Service*

Victims compensation is one of the key elements in providing for the needs of victims. As such, applications for reimbursements should be processed quickly, efficiently, fairly, consistently, and with sensitivity.

✱ *Dedicated Staff*

The sensitivity and commitment of our staff plays a valuable role in accomplishing our mission.

✱ *Focus on Victim*

Each application and claimed loss that we receive on behalf of a victim should be reviewed in an objective manner without bias. We have a responsibility to process qualifying applications and bills for service in a way that maximizes the benefits to the victim. Although we have an obligation to safeguard against misuse of funds, such efforts should not preclude the timely and sensitive resolution of claims.

✱ *Protecting Privacy*

All victims deserve to have the information in their files protected with the utmost confidentiality allowed by law.

✱ *Importance of Victim Services Network*

Law enforcement, Victim/Witness Assistance Centers, other victims representatives, and service providers offer a myriad of important services to victims. All of these entities play a key

role in victims' recovery and deserve our cooperation and to be accurately informed regarding the status of claims in which they are involved. Prompt payment for covered services supports both the victims' recovery and continued availability of victims' services.

Program Criteria

Basic qualifying criteria which must be established for a victim to qualify for VOC Program compensation requires that the crime must be reported to law enforcement, and the victim must cooperate in the investigation and prosecution of any known suspect. In addition, the victim must not have participated in the crime or been involved in events leading up to the crime.

Only certain types of losses are reimbursable by the VOC Program. These include medical and medically-related expenses, mental health counseling, loss of income, loss of support, funeral/burial costs, and job rehabilitation expenses. Victims' losses that are reimbursable from any other source (i.e., health insurance, Social Security, etc.) are not covered by the VOC Program.

The current maximum dollar amount that a victim may receive for all qualifying expenses is \$46,000. Certain lower monetary limitations may also be applicable, however, depending upon the type of claimant and the date of the crime.

Related Victims Programs

The Good Samaritan Act and the Missing Children Reward Act are additional programs administered by the VOC Division within the Board. The



Good Samaritan Act provides compensation to persons who suffered injury or losses as a result of preventing a crime, apprehending a criminal, or rescuing a person in immediate danger of injury or death. The Missing Children Reward Act makes awards available to persons who provide information leading to the location of a missing child. In comparison to the VOC Program, these two components account for a relatively small number of the total claims received by the Board.

VOC Division Structure

There are currently 271.5 state-level staff employed by the Board, under the direction of a Deputy Executive Officer, to conduct the day-to-day operation of processing victims' claims. Of these, 144 are claims specialists or analysts who evaluate claims and make recommendations for approval or denial. The remaining 127.5 include staff who review and prepare claims for hearing, write policy and procedures, develop new computer processes, provide training, and perform support functions for all the various activities.

In addition, the Board contracts under "Joint Powers (JP) Agreements" with 21 county victim/witness assistance centers. Under these agreements, the JP counties hire staff (who are trained by Board staff trainers) to perform initial verification on claims which are received at the local victim/witness centers.

VOC Program Fiscal Information

Primary funding for the VOC Program is appropriated from the Restitution Fund (Fund). This fund is comprised of monies collected through

finances and penalties imposed by judges upon persons convicted of crimes in California. Some of the fines and penalties are paid to the Assessment Fund, of which 32.02 percent is transferred monthly to the Fund; others are paid directly to the Fund.

The Fund's primary source of revenue is from penalty assessments. At this time, judges are directed to assess a "special" ten dollar penalty for every ten dollars in fines, penalties, or forfeitures normally imposed upon individuals found guilty of various misdemeanor offenses (Penal Code Section 1464 and Government Code Section 13967(a)). Monies collected as part of this "special" ten dollar assessment are transmitted by the counties to the State Treasury. By statute, two percent of the ten dollars are redirected to the counties for collection/automation improvements. Of the remaining 98% (\$9.80), 30% (\$2.94) is deposited into the General Fund to support trial court funding, and the balance of 70% (\$6.86) is allocated to the State Penalty Fund. The Fund receives 32.02 percent (\$2.20) of the amount allocated to the State Penalty Fund. The remaining 67.98% (\$4.66) is allocated among seven different funds which support other state programs. This source represented about 58.3% of Fund revenue in Fiscal Year 1990-91 and 77.8% in Fiscal Year 1991-92.

The following is a list of other Fund revenue sources:

1. Civil and Criminal Violation Assessment. Authority: Penal Code Section 1463.18, which requires the first \$20 of Driving Under the Influence of Alcohol or Drugs (D.U.I.) fines, to be paid directly to the Fund. This represented 5.6% of Fund revenue in Fiscal Year 1990-91, and 6.4% in Fiscal



Year 1991-92.

2. Penalties on Felony Convictions. Authority: Government Code Section 13967, which requires a restitution fine of \$100 - \$10,000 on felony convictions, to be paid directly to the Fund. This represented 34.3% of Fund revenue in Fiscal Year 1990-91 and 13.6% in Fiscal Year 1991-92.

3. Escheat of Unclaimed Checks, Warrants, Bonds, and Coupons. Authority: Government Code Sections 17070-18073, which requires that uncashed warrants be redeposited into the Fund after four years. This represented .4% of the Fund revenue in Fiscal Year 1990-91 and .3% in Fiscal Year 1991-92.

4. Fines - Crimes of Public Offense. Authority: Government Code Section 13967, this revenue source is comprised of those restitution fines paid directly to the Board as a result of a lien, and represented 1.4% of the Fund revenue in Fiscal Year 1990-91 and 1.9% in Fiscal Year 1991-92.

In addition to Fund dollars, the Program receives federal dollars from the Federal Victims of Crime Act (VOCA) of 1984 to reimburse victims of crime. (See Victims of Crime Exhibits 1 to 17, pages 27 to 40.) VOCA authorizes the U.S. Attorney General to make annual grants from a Crime Victims Fund in the United States Treasury. Of the amount in this fund, 49.5% is allocated for grants to state crime victim compensation programs. If sufficient funds are available, state compensation programs receive an amount equal to 40 percent of the amount paid from state funds by the program as compensation to victims of

crime during the federal fiscal year (FFY) two years prior to the reporting year (i.e., FY 1991-92 reporting period would be based on awards made during the 1989 FFY). If the amount of money in the Crime Victims Fund is insufficient to award each state 40% of its payouts, all states will be awarded the same percentage of their prior payouts from available funds.

During the 12-month period ending June 30, 1991, the Fund received a total of \$59.9 million in revenues from fines, penalties and assessments and \$15.4 million from the Federal VOCA grant. The total amount of claims payments made during this same time period was \$78.3 million.

For Fiscal Year 1991-92, the Fund received a total of \$53.9 million in revenues from fines, penalties and assessments and \$35.3 million from the Federal VOCA grant. This represents combined federal allotments for two fiscal years as a result of a change in the accounting system for VOCA awards. The total amount of claims payments made during this same time period was \$81.7 million.

For FY 1992-93, the Board anticipates receiving \$60.5 million in penalty revenues and \$23.9 million from the Federal VOCA grant. Claims payments are projected to be \$78.9 million. Further, the Board projects Fund revenue totalling approximately \$65.1 million during Fiscal Year 1993-94 and \$15.2 million from the Federal VOCA grant. Claims payments are projected at \$86.8 million. (See Exhibits 13 - 17, pages 37-40, for further information regarding VOC revenue sources.)





Programs Administration

Administration Division

The Board's Administration Division provides the necessary control and support essential to the administration of the Board's GC and VOC Programs. The Division is composed of the following five sections: Audits, Fiscal Management, Legislation and Policy, Information Systems, and Administrative Support.

Audits

The Audit Section supports management by furnishing an independent and objective analysis of the Board's fiscal system and operating programs. To accomplish this, Audit staff evaluate the efficiency and effectiveness of the Board's operations, determine compliance with applicable laws, regulations, policies and procedures, and assess the adequacy of internal controls to safeguard the Board's assets and secure its confidential data. In addition, audit staff conduct internal and external investigations into allegations of possible illegal or improper activity associated with the Board's operations. The section performs special reviews as requested by management. Audit staff also act as a liaison coordinating audit activities with the Department of Finance, the State Controller's Office, the Office of the Auditor General, independent auditors, and other audit agencies.

Fiscal Management

The mission of the Fiscal Management Section (FMS) is to maintain the solvency of the Restitution Fund by

ensuring all monies relating to overpayments, lien recoveries, and restitution orders owed to the State are remitted in a timely fashion. These funds are then deposited into the Restitution Fund, which is the primary source of revenue for the VOC Program.

FMS staff review and analyze facts of a given claim to verify that an overpayment may actually exist. FMS staff then make a determination concerning the type of overpayment, and whether to pursue collection based upon such factors as the claimant's ability to pay, cost-effectiveness, etc. For those claims in which collection is pursued, FMS initiates the collection letters, responds to disputed overpayments and, where appropriate, sets up monthly payment schedules.

FMS also administers a Lien Identification and Recovery Program for those payments made by the VOC Program. In this capacity, FMS staff notify claimants or their representatives of the Board's lien requirements and file Notices of Lien with the appropriate court or agency. FMS additionally acts as a liaison with the U.S. Department of Justice, the California Youth Authority, the California Department of Corrections, and various other state and county agencies to generate revenue needed by the Restitution Fund.

Information Systems

As a support branch of the Board, the Information Systems Section (ISS) services the Board's needs in the area of automated information systems technology. It identifies applications for information technology as it relates to the Board's mission and programs, and seeks opportunities to enhance management's decision-making capa-



bilities for program control and staff efficiency by developing and maintaining reliable and secure information systems. This involves management and support of the computerized claims processing systems for both the VOC and the GC Programs as well as maintenance of the Board's 68 personal computers, software, and related equipment.

An important aspect of this function is the management and implementation of the Board's new VOC computerized claims processing system known as VOX. This system allows Board employees to electronically document the various stages of a claim as it is processed and track its progress. VOX claims are processed at the Board's main office, as well as in 21 Joint Powers counties throughout the state that have been authorized to process VOC claims. In a manner similar to the VOX system, the ISS also provides support for the GC information and applications that reside and are processed on the Board's Wang VS-300.

The ISS is further responsible for maintaining the integrity and security of the data contained in the VOX database at HWDC through system security and control of the data entry and update processes. In accordance with the Board's policy to keep its software current, the ISS maintains the latest versions of all software programs used on a regular basis and provides user and administrative support for those programs. Administratively, this support includes preparation of various Board reports required by the Department of Finance, the Department of General Services, and HWDC. ISS also provides support to employees by coordinating personal computer training and by providing information related to data processing. ISS also coordinates all

procurement of electronic data processing equipment through the State Office of Procurement.

Legislation and Policy

The Legislation and Policy Section (LPS) performs legislative analysis and coordination for the Board as well as management analysis, and the development of public information and regulations for the Board's programs.

The legislative analysis and coordination function includes the tracking and analysis of all legislation which affects the Board's programs. During Fiscal Years 1990-91 and 1991-92, the LPS analyzed a total of 48 Assembly Bills and 45 Senate Bills. Upon approval from the Governor, the Board's position on these bills is communicated to the Legislature and other affected parties. LPS also assists with drafting and coordinating legislative proposals of particular interest to the Board. In addition, LPS coordinates with program staff in the development and processing of regulations to implement laws relative to the programs administered by the Board.

The LPS management analysis activities involve the evaluation of Board programs, policies, procedures, and organization structures. Staff responsible for performing such studies conduct special projects which require preparation of written reports that include recommendations for review and approval of executive management.

LPS is further responsible for assisting the Board's Public Information Officer in activities which include preparation of presentations for the Deputy Executive Officer as well as responding to requests from various news organizations, private groups and



other public agencies for information regarding the Board's legislative and program policies. Part of this effort involves the preparation of publication and media materials, such as the Board's Biennial Report, informational pamphlets, posters and training videos.

Administrative and Support

This section is responsible for management of the Board's budget, personnel and business services activities. The budget staff coordinate the preparation of the Board's annual budget expenditure plan, including development of budget change proposals, revenue and expenditure analysis and forecasting, federal grant liaison, personnel and management analysis activities related to workload/staffing issues. Budget staff also act as liaison between the Board and the Department of Finance and the Legislative Analyst's Office for the approval of purchase orders and contracts, and the preparation of all fiscal documentation required by the Budget Act, Government Code and State Administrative Manual.

The personnel staff administer the Board's internal personnel system ensuring compliance with all civil service laws rules and policies hiring, promoting, transferring, disciplining and separating employees. In addition to providing consultation and information to Board managers and employees regarding these issues, personnel staff are responsible for administration of the Board's promotional exams, for recruiting all classifications used by the Board, and for processing personnel transactions. In this capacity, personnel staff are routinely required to prepare written and oral recommendations concerning interpretations of various

personnel rules, regulations, statutes and policies in conjunction with the State Personnel Board and the Department of Personnel Administration.

Staff assigned to the Board's business services function prepare and monitor the Board's contracts, coordinate all building facility and telecommunication activities, schedule all staff training, develop the Board's transportation plan, and inventory all equipment.

The Board's mailroom, reproduction, and supply distribution functions are also consolidated within this section of the Division.



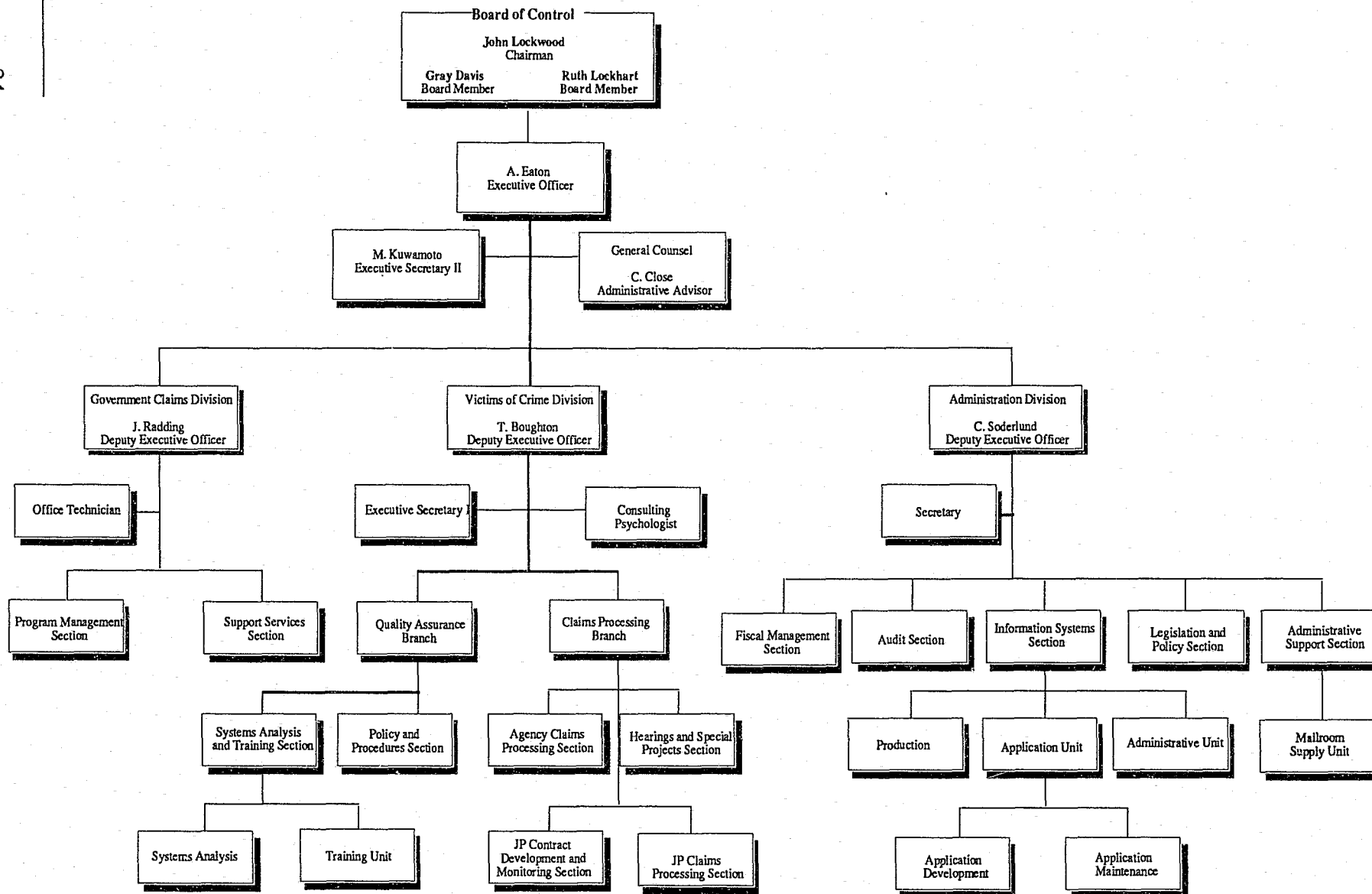
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Board of Control Organization Chart



Government Claims Exhibit 1

Number of Civil Claims and Bid Protests Received and Total Dollars Paid 1983-84 to 1992-93

FISCAL YEAR	NUMBER OF CIVIL CLAIMS RECEIVED	TOTAL DOLLARS AWARDED FOR CLAIMS PROCESSED (000's)	NUMBER OF BID PROTESTS RECEIVED
1983-84	10,481	\$10,889	NA
1984-85	11,642	6,263	3
1985-86	13,115	12,907	16
1986-87	14,330	25,526	35
1987-88	16,543	12,915	85
1988-89	10,945	13,741	55
1989-90	9,779	19,259	45
1990-91	10,170	** 2,620	64
1991-92	10,579	** 5,414	83
*1992-93	12,500	NA	85

* Fiscal Year 1992-93 figures are projections.

**Prior to 1990-91, the SBOC sponsored four legislative claim bills each year. Two of the bills contained funding to pay judgments and settlements in cases for which the State Attorney General's Office represented the State. The drop in dollars awarded after 1989-90 is primarily due to enacted legislation which transferred the sponsorship of these judgment/settlement claims bills.

Sources: SBOC Government Claims Division Program Data; Governor's Budget.



Government Claims Exhibit 2

Civil Claims Processed by The Board of Control

Torts - Attorney General's Office/Department of Veterans' Affairs as Counsel

Torts - Department of Transportation as Counsel

Torts - Self-Insured State Assets (Primarily State Vehicles)

State Agency Contracts and Procurement Violations

Indemnity for Persons Erroneously Convicted and Subsequently Pardoned

Reimbursement of State Funds

Judgments, Settlements, and Attorney Fees

Controller's Warrants, Agency Checks, and Treasurer's Bonds/Interest Coupons

Refunds of Taxes, Penalties, Fees, and Deposits

State Employee Compensation

State Employee Personal Property Damage

State Employee Travel, Relocation, and Moving Expenses

State Inmate and Patient Personal Property Damage

Unclassified (Lottery Awards, Horse Racing Tickets, Others)



Victims of Crime Exhibit 1

Number of Initial Claims Received and Total Dollars Paid for all Initial and Supplemental Claims Processed 1967-68 to 1992-93

Fiscal Year	Number of Initial Claims Received	Total Dollars Paid For All Claims Processed (OOO's)
1967-68	169	\$ 17
1968-69	401	79
1969-70	369	122
1970-71	471	420
1971-72	698	525
1972-73	1,081	767
1973-74	1,313	1,375
1974-75	3,792	1,422
1975-76	4,932	2,577
1976-77	5,526	5,305
1977-78	6,525	5,099
1978-79	7,028	4,227
1979-80	7,444	6,335
1980-81	8,700	6,353
1981-82	7,595	15,170
1982-83	8,600	18,337
1983-84	10,700	14,335
1984-85	13,165	12,955
1985-86	15,358	41,979
1986-87	19,829	38,258
1987-88	19,290	38,455
1988-89	21,932	53,536
1989-90	28,374	59,868
1990-91	37,687	78,275
1991-92	46,555	81,712
1992-93*	58,626	75,775

* Fiscal Year 1992-93 figures are projections.

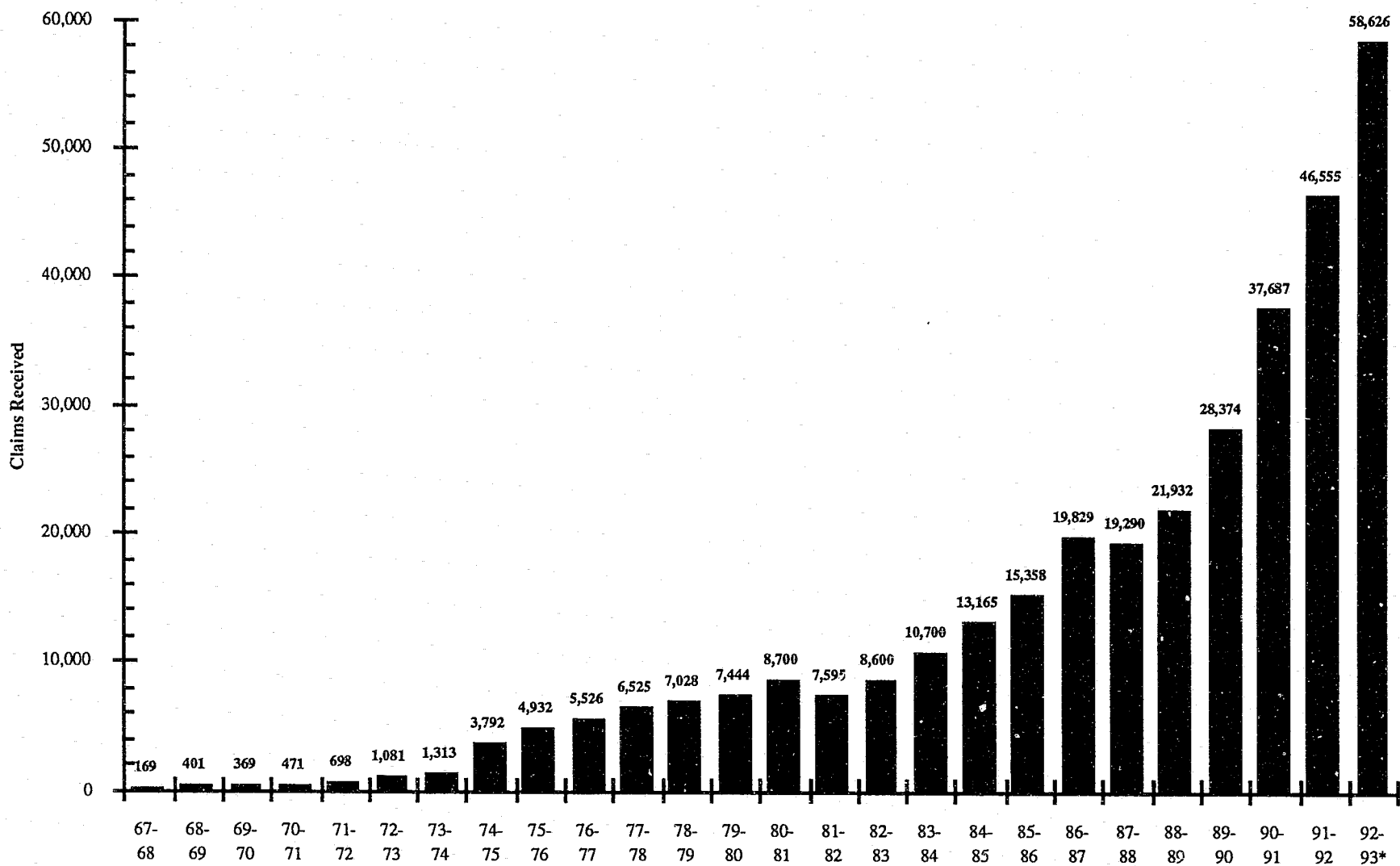
Sources: SBOC 1984 and 1985 Annual Reports; SBOC Information System; Governor's Budget; SBOC 1992-93 and 1993-94 Budget Change Proposals.





Victims of Crime Exhibit 2

Number of Initial Claims Received 1967-68 to 1992-93

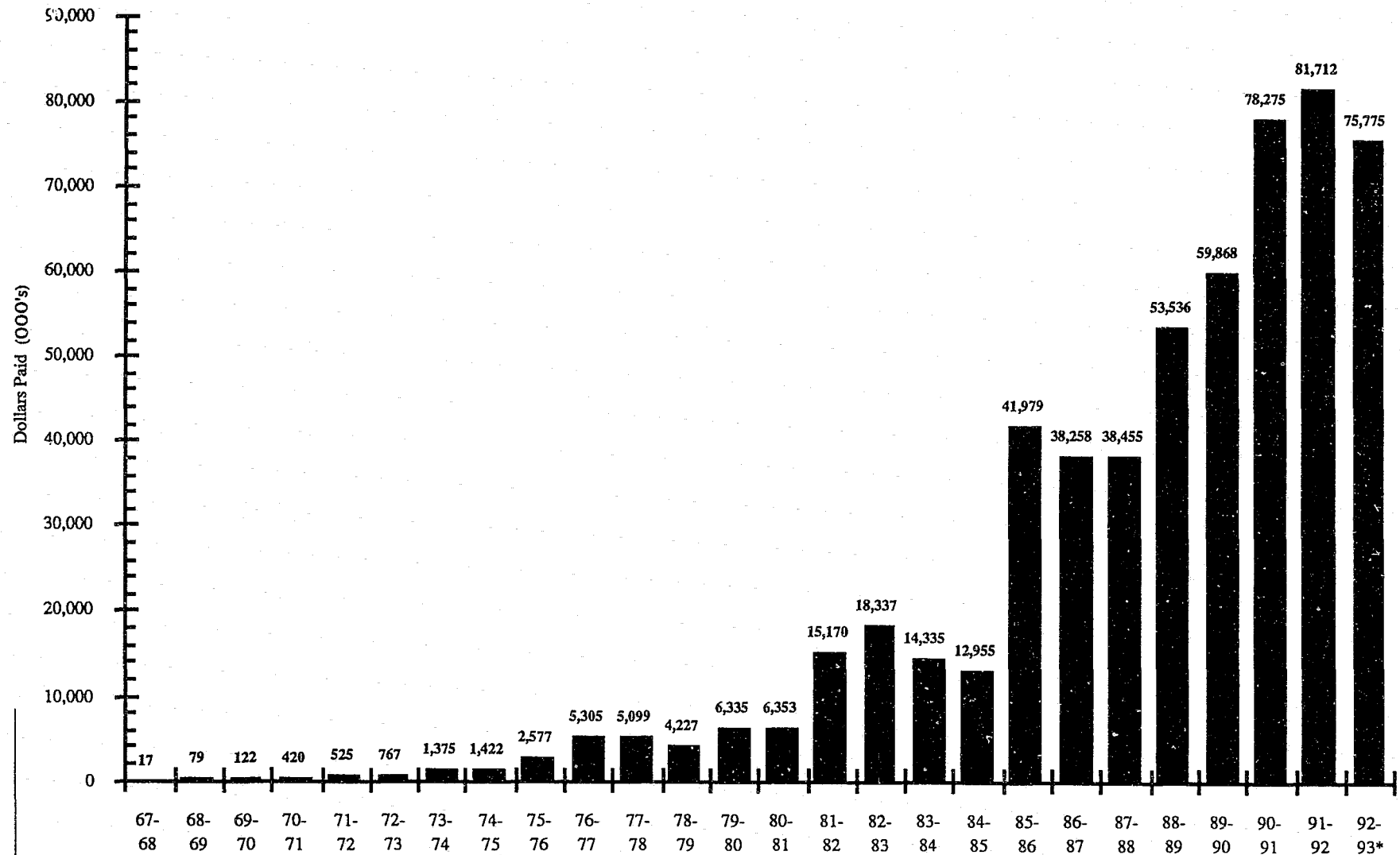


Sources: SBOC 1988-90 Annual Report; Governor's Budget; SBOC Data Processing System; SBOC 1992-93 and 1993-94 Budget Change

* Fiscal Year 1992-93 figure is a projection.

Victims of Crime Exhibit 3

Total Dollars Paid for all Initial and Supplemental Claims Processed (000's) 1967-68 to 1992-93



Sources: SBOC1990-92 Annual Report; Governor's Budget; SBOC 1992-93 and 1993-94 Budget Change Proposals.

*Fiscal Year 1992-93 figure is a projection. Year 1992-93 figure is a projection.





Victims of Crime Exhibit 4

Number and Percent of Initial Claims Received by Crime Category
1983-84 to 1991-92

CRIME CATEGORY	1983-84		1984-85		1985-86		1986-87		1987-88		1988-89		1989-90		1990-91		1991-92	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Murder	2,590	24.2	2765.0	21.0	2,718	17.7	2,834	14.3	2,893	15.0	3,411	15.6	4,568	16.1	5,173	13.7	6,809	14.6
Hit and Run	471	4.4	645.0	4.9	691	4.5	865	4.4	985	5.1	1,096	5.0	1,305	4.6	1,409	3.7	1,548	3.3
Robbery	1,177	11.0	1251.0	9.5	1,275	8.3	1,435	7.2	1,504	7.8	1,350	6.2	1,646	5.8	2,424	6.4	2,955	6.3
Rape	770	7.2	816.0	6.2	906	5.9	1,179	6.0	1,147	6.0	1,301	5.9	1,731	6.1	2,441	6.5	3,244	7.0
Driving under the Influence	653	6.1	882.0	6.7	768	5.0	999	5.0	965	5.0	1,062	4.8	1,419	5.0	1,575	4.2	1,528	3.3
Assault and/or Battery	1,166	10.9	1514.0	11.5	1,966	12.8	2,663	13.4	2,428	12.6	2,818	12.9	2,695	9.5	3,689	9.8	4,324	9.3
Assault w/a Deadly Weapon	2,600	24.3	2778.0	21.1	3,240	21.1	3,758	19.0	3,711	19.2	3,628	16.5	4,852	17.1	5,480	14.5	6,893	14.8
Child Molest	749	7.0	2422.0	18.4	3,594	23.4	5,461	27.5	4,938	25.6	6,094	27.8	8,285	29.2	11,958	31.7	14,812	31.8
Miscellaneous	524	4.9	92.0	0.7	200	1.3	635	3.2	719	3.7	1,172	5.3	1,873	6.6	3,538	9.4	4,442	9.5
Total	10,700	100.0	13,165	100.0	15,358	100.0	19,829	100.0	19,290	100.0	21,932	100.0	28,374	100.0	37,687	100.0	46,555	100.0

Victims of Crime Exhibit 5

Number and Percentage of Total Dollars Paid by Crime Category
1983-84 to 1991-92

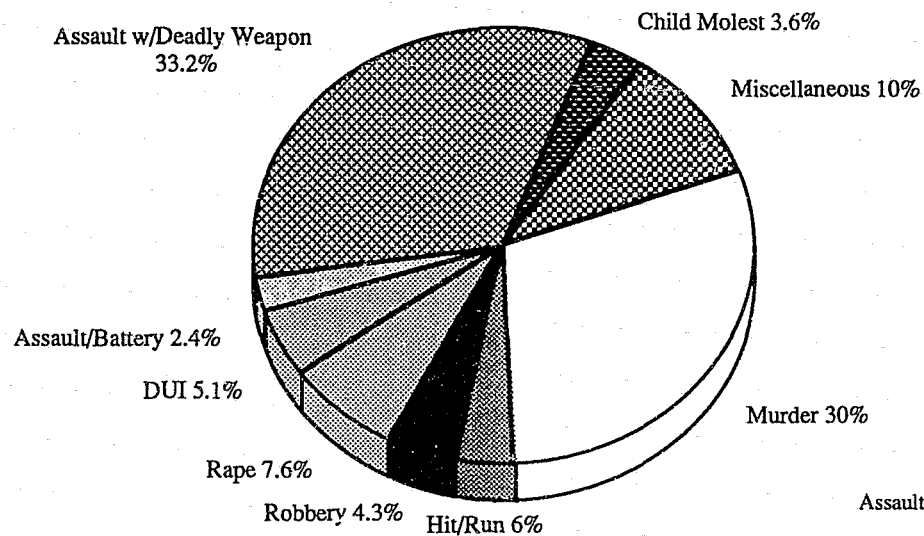
CRIME CATEGORY	1983-84		1984-85		1985-86		1986-87		1987-88		1988-89		1989-90		1990-91		1991-92	
	Millions	Percent	Millions	Percent	Millions	Percent	Millions	Percent	Millions	Percent	Millions	Percent	Millions	Percent	Millions	Percent	Millions	Percent
Murder	\$ 4.3	30.0%	\$ 4.2	32.1%	\$ 12.7	30.2%	\$ 8.1	21.1%	\$ 7.4	19.1%	\$ 9.9	18.5%	\$ 11.7	19.5%	\$ 14.3	18.3%	\$ 15.1	18.5%
Hit and Run	0.6	3.8%	0.7	5.2%	2.8	6.7%	2.5	6.5%	2.7	6.9%	4.1	7.6%	3.9	6.6%	5.2	6.6%	4.9	6.0%
Robbery	0.6	4.3%	1.1	8.5%	3.2	7.6%	2.4	6.4%	2.5	6.6%	3.2	5.9%	3.6	6.1%	4.9	6.3%	5.6	6.9%
Rape	1.1	7.6%	1.0	8.0%	2.1	5.1%	2.2	5.7%	2.4	6.2%	3.2	5.9%	3.4	5.6%	4.6	5.9%	4.3	5.3%
Driving under the Influence	0.7	5.1%	1.0	7.5%	3.0	7.2%	2.4	6.3%	2.1	5.5%	2.9	5.5%	3.8	6.4%	4.6	5.9%	3.7	4.5%
Assault and/or Battery	0.3	2.4%	0.6	5.0%	3.1	7.4%	3.1	8.1%	3.0	7.9%	4.7	8.9%	5.1	8.5%	5.6	7.2%	5.7	7.0%
Assault w/a Deadly Weapon	4.8	33.2%	3.3	25.2%	10.2	24.2%	9.6	25.0%	8.0	20.9%	10.0	18.7%	11.6	19.3%	16.2	20.7%	15.7	19.2%
Child Molest	0.5	3.6%	0.9	6.9%	4.7	11.1%	7.6	19.9%	9.6	24.9%	13.9	26.0%	14.6	24.3%	19.3	24.6%	22.2	27.2%
Miscellaneous	1.4	10.0%	0.2	1.6%	0.2	0.5%	0.4	1.0%	0.8	2.0%	1.6	3.0%	2.2	3.7%	3.6	4.6%	4.5	5.5%
Total	\$14.3	100.0%	\$13.0	100.0%	\$42.0	100.0%	\$38.3	100.0%	\$38.5	100.0%	\$53.5	100.0%	\$59.9	100.0%	\$78.3	100.0%	\$81.7	100.0%

Sources : SBOC 1988-90 Annual Report; SBOC Data Processing System; Governor's Budget; SBOC Monthly Report to the Legislature.

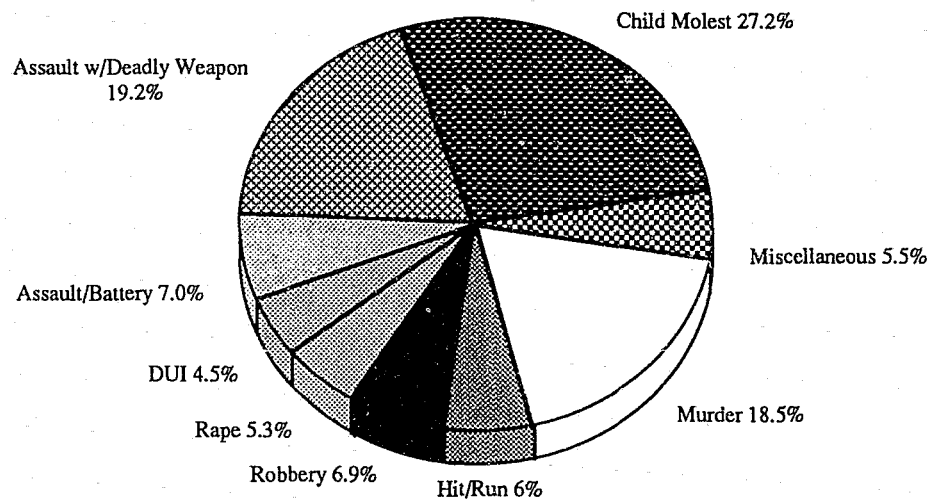
Victims of Crime Exhibit 6

Percentage of Total Dollars Paid by Crime Category 1983-84 to 1991-92

1983-84
\$14.3 Million



1991-92:
\$81.7 Million



Sources: SBOC Data Processing System



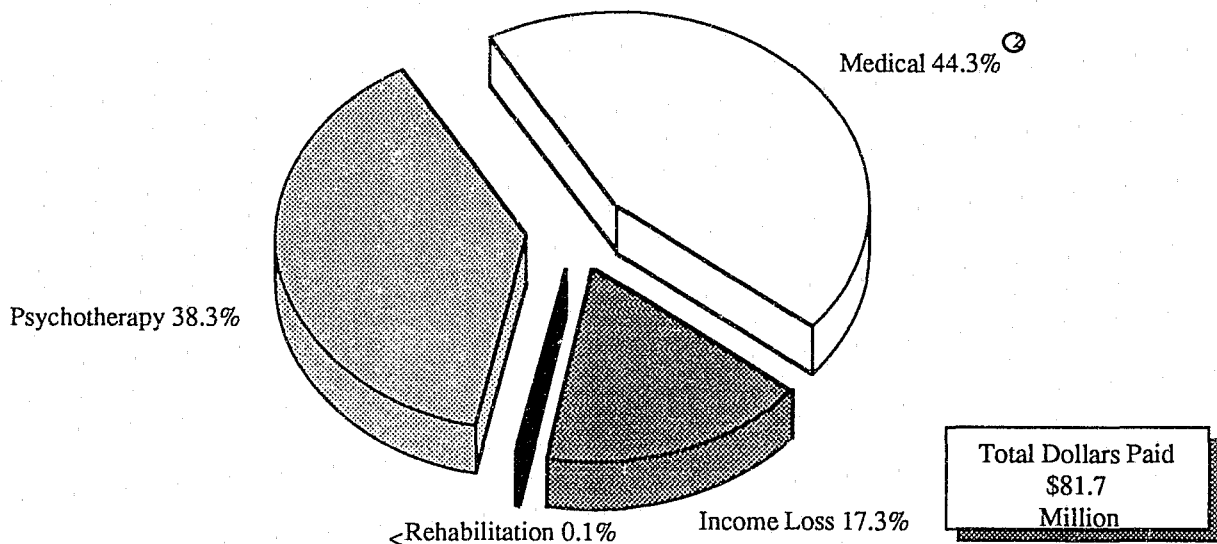
Victims of Crime Exhibit 7

Total Dollar Amount Paid By Expense Category (000's) 1987-88 to 1991-92

FISCAL YEAR	EXPENSE CATEGORIES								TOTAL DOLLARS	
	MEDICAL		INCOME LOSS		REHABILITATION		PSYCHOTHERAPY			
	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent
1987-88	\$18,731.4	48.7	\$6,164.3	16.0	\$19.2	0.1	\$13,540.1	35.2	\$38,455	100.0
1988-89 ^①	\$25,108.4	46.9	\$7,992.9	14.9	\$21.4	0.1	\$20,413.3	38.1	\$53,536	100.0
1989-90	\$28,138.0	47.0	\$10,177.6	17.0	\$31.6	0.1	\$21,520.8	35.9	\$59,868	100.0
1990-91	\$36,812.0	47.0	\$13,135.0	16.8	\$41.0	0.1	\$28,287.0	36.1	\$78,275	100.0
1991-92	\$36,211.0	44.3	\$14,118.0	17.3	\$87.0	0.1	\$31,296.0	38.3	\$81,712	100.0

Victims of Crime Exhibit 8

Percentage of Dollars Paid By Expense Category 1991-92



^① In Fiscal Year 1988-89, the Board implemented a different counting procedure to more accurately reflect workload. Prior to 1988-89, multiple supplemental bills may have been counted as only one claim, and the number of claims processed included only claims heard by the Board. Beginning in 1988-89, each supplemental claim was counted separately.

Total claims processed, beginning with the 1988-89 figures, include claims that required staff processing time but did not require Board action. In 1988-89, the number of claims processed included 53,715 claims heard by the Board and an additional 6,600 that were processed but did not require Board action. In 1989-90, 62,219 claims were heard by the Board, and 6,500 additional processed claims were not heard. All future reporting of claims data will reflect this new counting procedure.

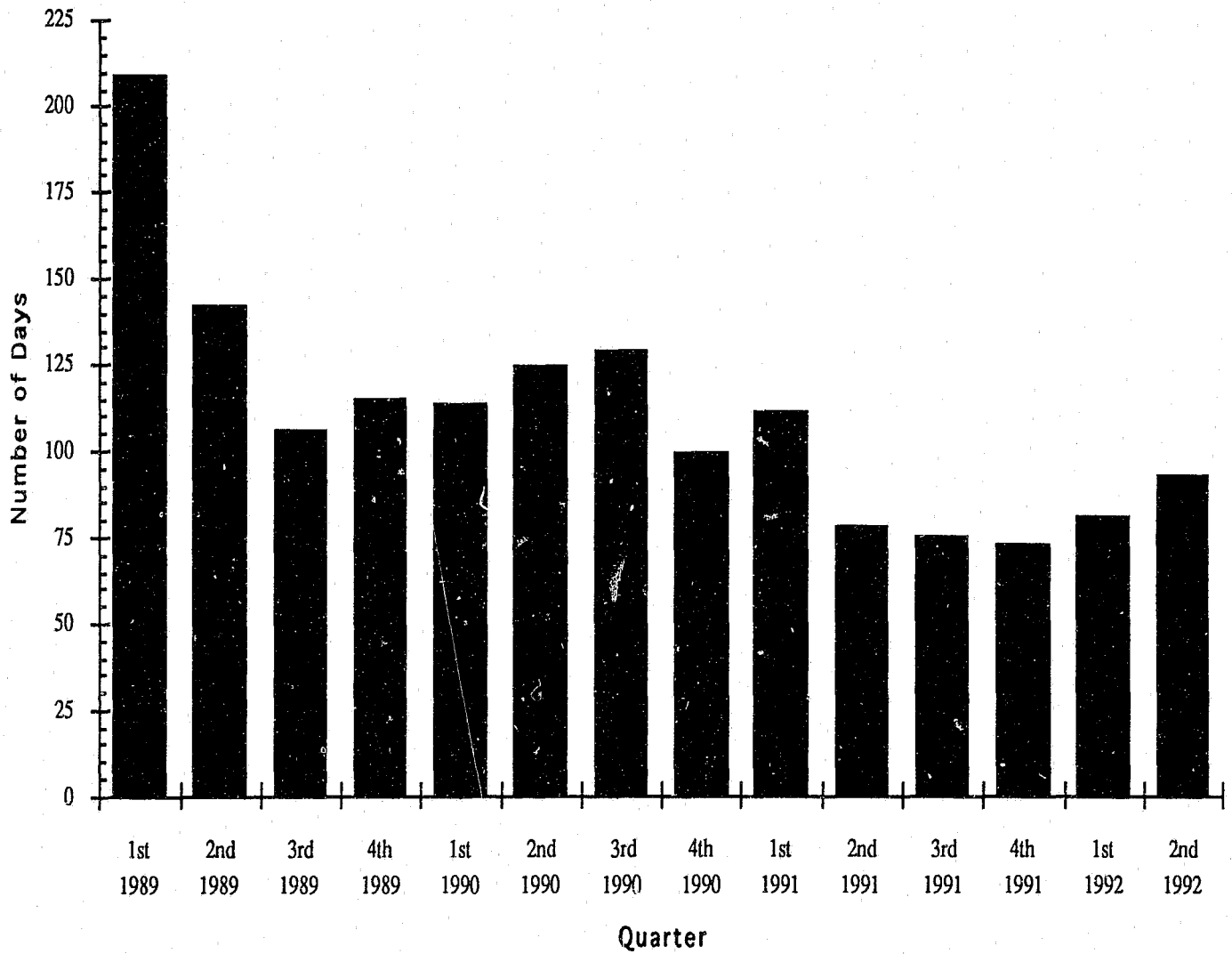
^② Funeral/burial costs are included under Medical Expense.

Sources: SBOC Data Processing System; Governor's Budget; SBOC Monthly Report to the Legislature.



Victims of Crime Exhibit 9

Average Processing Time in Days For Victims of Crime Claims



Source: Board Claims Aging Studies.



Victims of Crime Exhibit 10

Number and Percent of Initial Claims Received and Total Dollars Paid On All Claims By County FY 1990-91

County	Initial Claims Received		Payments for Initial and Supplemental Claims		Reimbursements to Restitution Fund	
	Number	Percent	Amount	Percent	Revenue	Percent
Alameda	1,658	4.40%	\$3,334,515	4.26%	\$2,411,726	4.02%
Alpine	24	0.06%	54,793	0.07%	12,490	0.02%
Amador	39	0.10%	39,138	0.05%	69,180	0.12%
Butte	307	0.82%	391,375	0.50%	245,125	0.41%
Calaveras	51	0.14%	109,585	0.14%	64,182	0.11%
Colusa	24	0.06%	7,828	0.01%	76,017	0.13%
Contra Costa	1,058	2.81%	2,583,075	3.30%	1,225,227	2.04%
Del Norte	110	0.29%	70,448	0.09%	72,701	0.12%
El Dorado	261	0.69%	555,753	0.71%	427,372	0.71%
Fresno	541	1.43%	954,955	1.22%	1,262,593	2.11%
Glenn	64	0.17%	31,310	0.04%	83,343	0.14%
Humboldt	467	1.24%	500,960	0.64%	331,119	0.55%
Imperial	70	0.19%	164,378	0.21%	376,354	0.63%
Inyo	15	0.04%	31,310	0.04%	112,646	0.19%
Kern	462	1.23%	947,128	1.21%	1,675,870	2.80%
Kings	109	0.29%	117,413	0.15%	258,572	0.43%
Lake	109	0.29%	109,585	0.14%	116,336	0.19%
Lassen	27	0.07%	54,793	0.07%	78,002	0.13%
Los Angeles	9,436	25.04%	29,235,713	37.35%	14,280,384	23.83%
Madera	85	0.23%	156,550	0.20%	217,413	0.36%
Marin	224	0.59%	540,098	0.69%	581,951	0.97%
Mariposa	14	0.04%	54,793	0.07%	25,919	0.04%
Mendocino	301	0.80%	391,375	0.50%	185,466	0.31%
Merced	138	0.37%	305,273	0.39%	631,365	1.05%
Modoc	10	0.03%	7,828	0.01%	44,788	0.07%
Mono	7	0.02%	78,275	0.10%	66,996	0.11%
Monterey	414	1.10%	759,268	0.97%	1,152,429	1.92%
Napa	309	0.82%	508,788	0.65%	260,358	0.43%
Nevada	121	0.32%	140,895	0.18%	358,124	0.60%
Orange	1,577	4.18%	3,287,550	4.20%	5,570,993	9.30%
Placer	436	1.16%	665,338	0.85%	509,701	0.85%
Plumas	14	0.04%	31,310	0.04%	35,217	0.06%
Riverside	1,466	3.89%	2,136,908	2.73%	2,110,119	3.52%
Sacramento	2,120	5.63%	2,888,348	3.69%	2,328,049	3.88%
San Benito	80	0.21%	93,930	0.12%	56,899	0.09%
San Bernardino	1,321	3.51%	3,303,205	4.22%	1,895,796	3.16%
San Diego	2,155	5.72%	3,976,370	5.08%	3,711,645	6.19%
San Francisco	1,390	3.69%	3,099,690	3.96%	699,005	1.17%
San Joaquin	1,317	3.49%	1,855,118	2.37%	1,211,833	2.02%
San Luis Obispo	378	1.00%	281,790	0.36%	571,955	0.95%
San Mateo	733	1.94%	1,502,880	1.92%	1,525,875	2.55%
Santa Barbara	640	1.70%	1,213,263	1.55%	1,002,311	1.67%
Santa Clara	1,827	4.85%	2,966,623	3.79%	3,586,858	5.98%
Santa Cruz	455	1.21%	657,510	0.84%	587,237	0.98%
Shasta	693	1.84%	743,613	0.95%	324,855	0.54%
Sierra	9	0.02%	7,828	0.01%	13,143	0.02%
Siskiyou	64	0.17%	93,930	0.12%	172,707	0.29%
Solano	743	1.97%	1,103,678	1.41%	636,954	1.06%
Sonoma	837	2.22%	1,244,573	1.59%	830,108	1.39%
Stanislaus	371	0.98%	751,440	0.96%	571,206	0.95%
Sutter	102	0.27%	93,930	0.12%	119,655	0.20%
Tehama	145	0.38%	172,205	0.22%	154,143	0.26%
Trinity	69	0.18%	31,310	0.04%	10,327	0.02%
Tulare	488	1.30%	453,995	0.58%	628,455	1.05%
Tuolumne	135	0.36%	148,723	0.19%	134,601	0.22%
Ventura	475	1.26%	1,268,055	1.62%	1,518,869	2.53%
Yolo	253	0.67%	297,445	0.38%	232,179	0.39%
Yuba	186	0.49%	211,343	0.27%	73,400	0.12%
Unknown	749	1.99%	1,455,915	1.86%	2,405,857	4.01%
TOTALS	37,687	100.00%	\$78,275,000	100.00%	* \$59,934,000	100.00%

*Based on unaudited reports.

Sources: SBOC Data Processing System; Governor's Budget.



Victims of Crime Exhibit 11

Number and Percent of Initial Claims Received and Total Dollars Paid On All Claims By County FY 1991-92

County	Initial Claims Received		Payments for Initial and Supplemental Claims		Reimbursements to Restitution Fund	
	Number	Percent	Amount	Percent	Revenue	Percent
Alameda	2,319	4.98%	\$3,432,939	4.20%	\$2,776,847	5.18%
Alpine	43	0.09%	80,342	0.10%	13,135	0.02%
Amador	54	0.11%	48,637	0.06%	44,750	0.08%
Butte	434	0.93%	416,430	0.51%	241,052	0.45%
Calaveras	59	0.13%	54,100	0.07%	86,564	0.16%
Colusa	30	0.06%	21,960	0.03%	109,774	0.20%
Contra Costa	1,145	2.46%	3,028,678	3.71%	1,152,748	2.15%
Del Norte	45	0.10%	36,036	0.04%	44,038	0.08%
El Dorado	268	0.57%	395,847	0.48%	301,934	0.56%
Fresno	649	1.39%	1,132,473	1.39%	905,424	1.69%
Glenn	68	0.15%	100,624	0.12%	96,828	0.18%
Humboldt	633	1.36%	593,759	0.73%	252,876	0.47%
Imperial	99	0.21%	144,787	0.18%	357,904	0.67%
Inyo	19	0.04%	54,548	0.07%	142,618	0.27%
Kern	419	0.90%	970,883	1.19%	1,358,730	2.53%
Kings	87	0.19%	111,000	0.14%	269,665	0.50%
Lake	118	0.25%	185,770	0.23%	104,221	0.19%
Lassen	43	0.09%	38,637	0.05%	90,982	0.17%
Los Angeles	11,295	24.26%	29,303,146	35.86%	12,596,468	23.50%
Madera	93	0.20%	173,150	0.21%	184,626	0.34%
Marin	234	0.50%	443,314	0.54%	643,750	1.20%
Mariposa	12	0.03%	11,874	0.01%	26,164	0.05%
Mendocino	329	0.71%	435,243	0.53%	177,105	0.33%
Merced	181	0.39%	346,355	0.42%	492,487	0.92%
Modoc	9	0.02%	26,345	0.03%	36,756	0.07%
Mono	10	0.02%	70,697	0.09%	63,394	0.12%
Monterey	391	0.84%	760,952	0.93%	868,377	1.62%
Napa	332	0.71%	547,753	0.67%	172,871	0.32%
Nevada	120	0.26%	183,389	0.22%	228,639	0.43%
Orange	2,115	4.54%	3,055,373	3.74%	5,646,728	10.53%
Placer	595	1.28%	550,012	0.67%	350,104	0.65%
Plumas	26	0.06%	29,091	0.04%	33,920	0.06%
Riverside	2,160	4.64%	2,327,525	2.85%	2,221,257	4.14%
Sacramento	2,964	6.37%	3,629,426	4.44%	1,730,890	3.23%
San Benito	101	0.22%	113,101	0.14%	92,334	0.17%
San Bernardino	1,630	3.50%	3,269,405	4.00%	1,626,028	3.03%
San Diego	3,046	6.54%	5,568,594	6.81%	4,437,948	8.28%
San Francisco	1,770	3.80%	3,299,216	4.04%	640,528	1.19%
San Joaquin	1,143	2.46%	1,483,278	1.82%	989,482	1.85%
San Luis Obispo	452	0.97%	389,266	0.48%	538,087	1.00%
San Mateo	713	1.53%	1,537,849	1.88%	1,073,171	2.00%
Santa Barbara	641	1.38%	860,938	1.05%	725,480	1.35%
Santa Clara	2,998	6.44%	3,111,384	3.81%	3,159,979	5.90%
Santa Cruz	555	1.19%	595,372	0.73%	659,401	1.23%
Shasta	893	1.92%	763,749	0.93%	326,857	0.61%
Sierra	7	0.02%	23,441	0.03%	11,174	0.02%
Siskiyou	102	0.22%	154,524	0.19%	139,636	0.26%
Solano	824	1.77%	1,470,590	1.80%	748,809	1.40%
Sonoma	1,020	2.19%	1,328,507	1.63%	700,924	1.31%
Stanislaus	329	0.71%	745,010	0.91%	869,566	1.62%
Sutter	148	0.32%	207,579	0.25%	152,444	0.28%
Tehama	144	0.31%	82,193	0.10%	174,034	0.32%
Trinity	68	0.15%	44,463	0.05%	74,263	0.14%
Tulare	663	1.42%	558,628	0.68%	630,139	1.18%
Tuolumne	154	0.33%	122,335	0.15%	111,134	0.21%
Ventura	521	1.12%	1,264,209	1.55%	1,571,918	2.93%
Yolo	288	0.62%	414,744	0.51%	303,065	0.57%
Yuba	186	0.40%	213,497	0.26%	59,215	0.11%
Unknown	761	1.64%	1,349,634	1.65%	(37,240)	-0.07%
TOTALS	46,555	100.00%	\$81,712,000	100.00%	\$53,602,000	100.00%

*Based on unaudited reports.

Sources: SBOC Data Processing System; Governor's Budget.



Victims of Crime Exhibit 12

Joint Powers Agreement Counties 1991-92



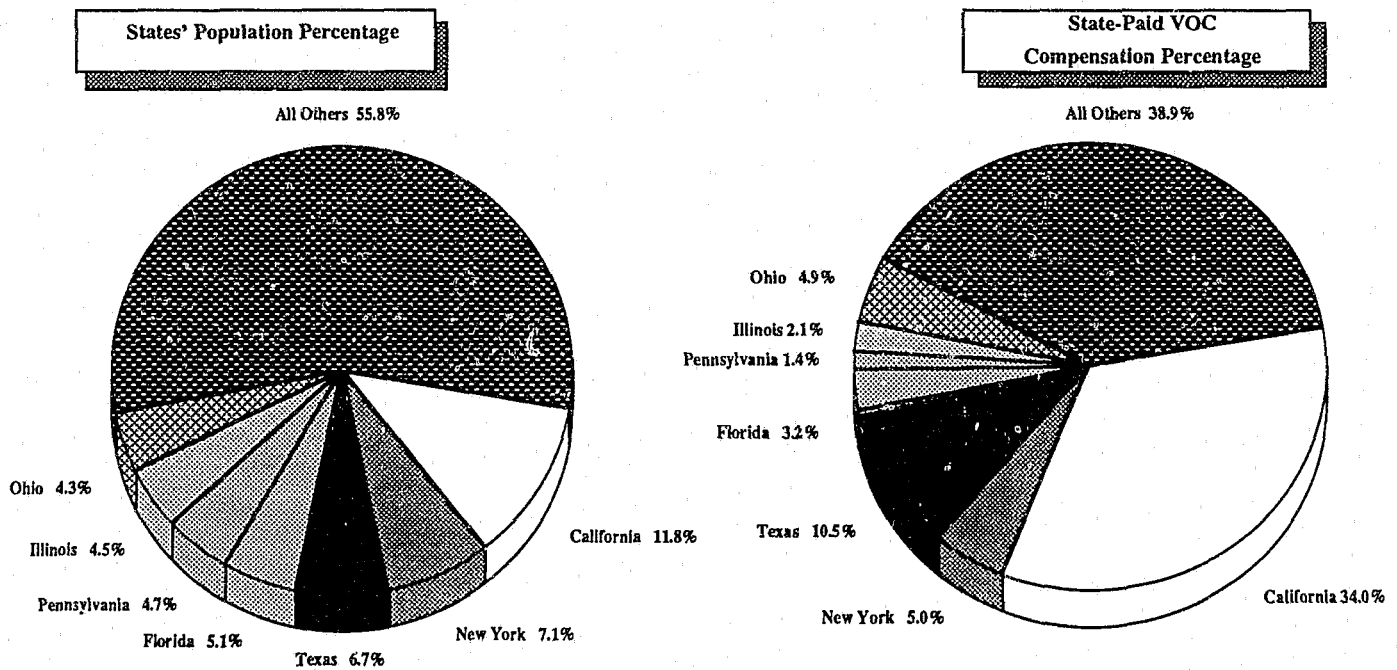
Victims of Crime Exhibit 13

Selected States by 1990 Population and State-Paid VOC Compensation and 1992 VOCA Award (Millions)

STATES	FFY 1990 POPULATION		1990 COMPENSATION		1992 VOCA AWARD*	
	Number	Percent	Amount	Percent	Amount	Percent
California	29.8	11.8	\$48.8	34.0	\$19.5	34.3
New York	18.0	7.1	7.2	5.0	2.9	5.1
Texas	17.0	6.7	15.1	10.5	6.0	10.6
Florida	12.9	5.1	4.6	3.2	1.9	3.3
Pennsylvania	11.9	4.7	2.0	1.4	0.8	1.4
Illinois	11.4	4.5	3.0	2.1	0.7	1.2
Ohio	10.8	4.3	7.1	4.9	2.8	4.9
All Others	140.9	55.8	55.9	38.9	22.2	39.1
TOTAL	252.7	100.0	\$143.7	100.0	\$56.8	100.0

Victims of Crime Exhibit 14

Selected States by Percentage of Population and State-Paid VOC Compensation FFY 1990

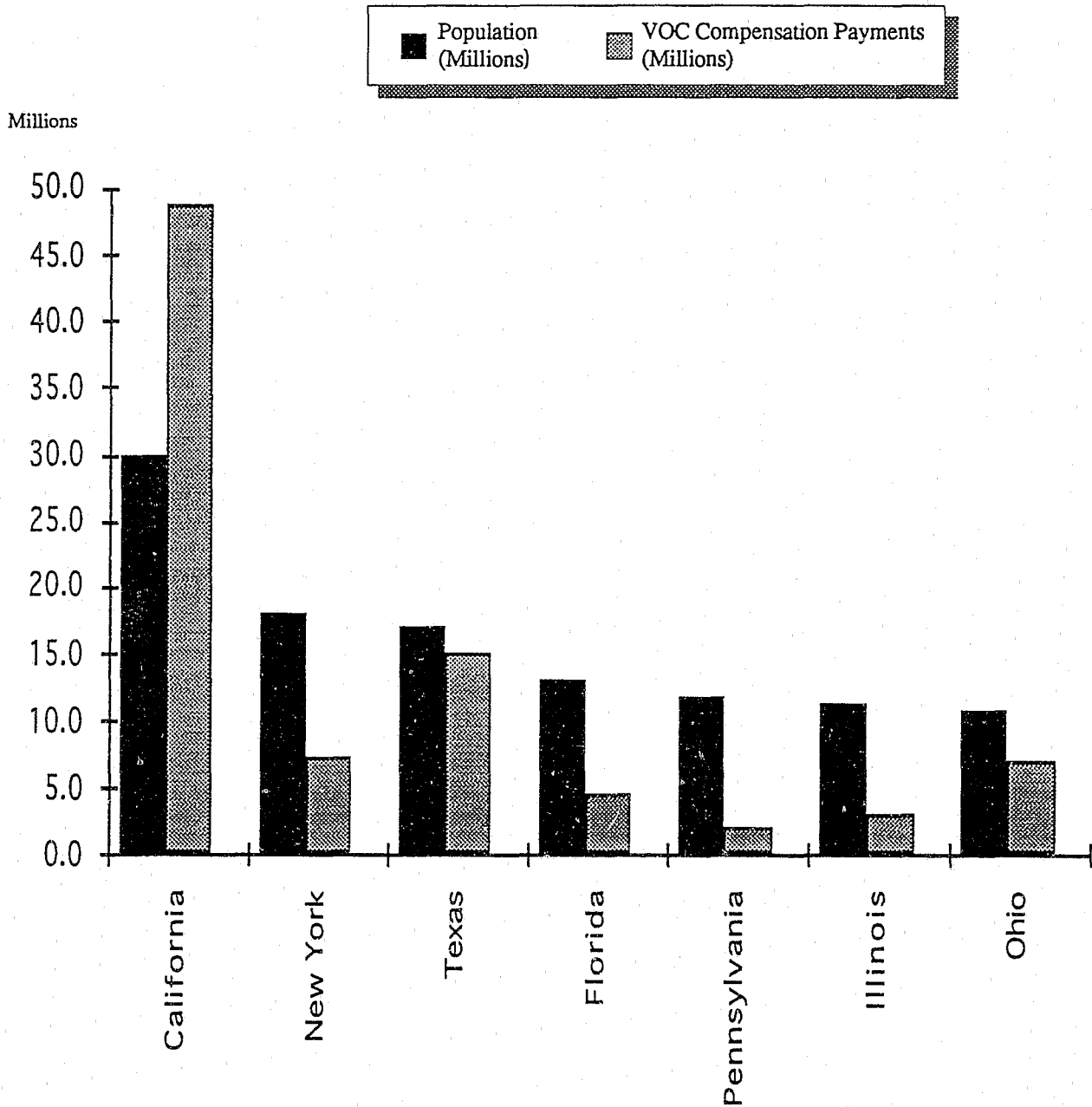


Source: US Department of Justice.



Victims of Crime Exhibit 15

Population and State-Paid VOC Compensation By Selected States FFY 1990



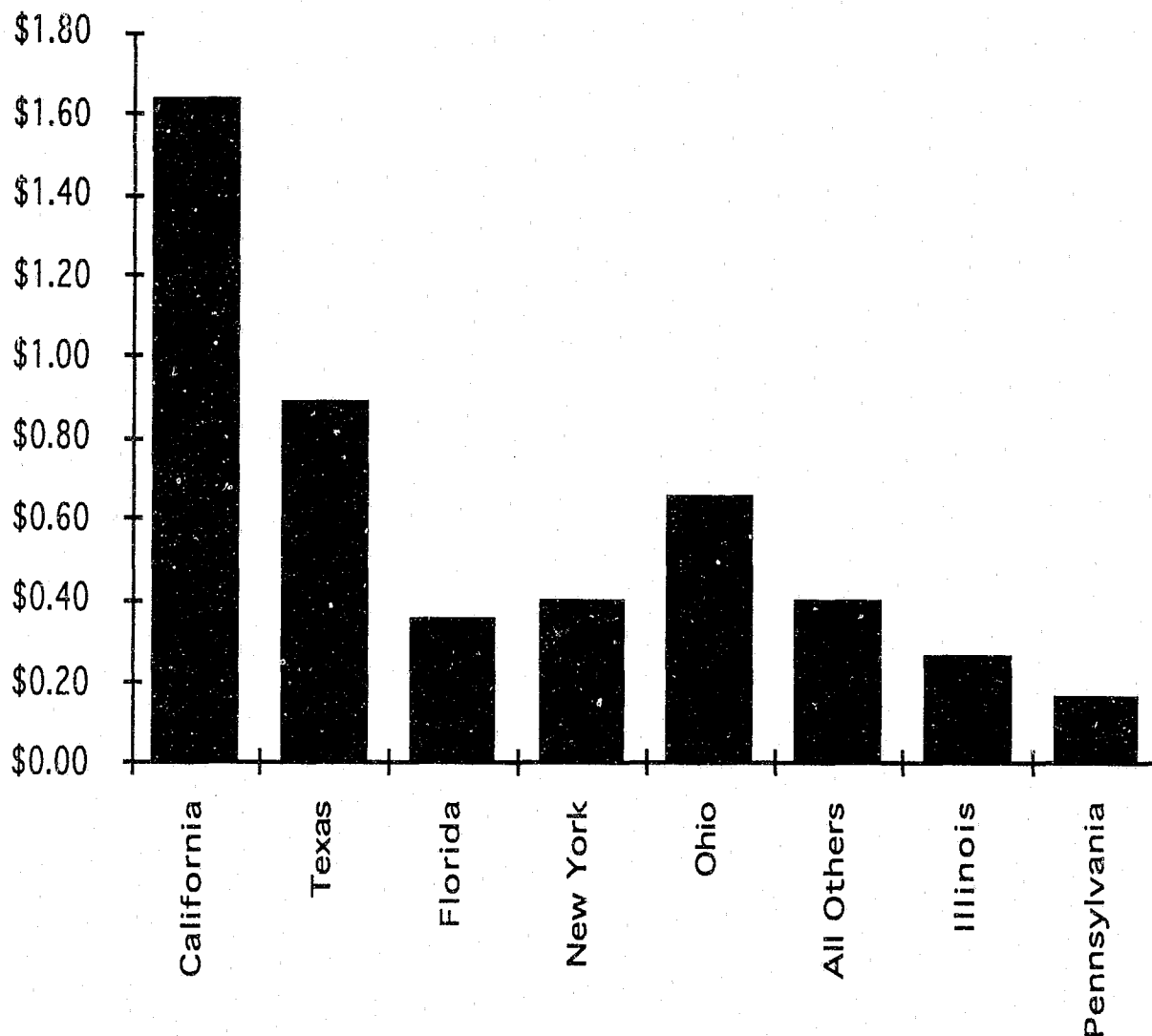
Source: US Department of Justice.



Victims of Crime Exhibit 16

State-Paid VOC Compensation Per Capita By Selected States FFY 1990

Per Capita

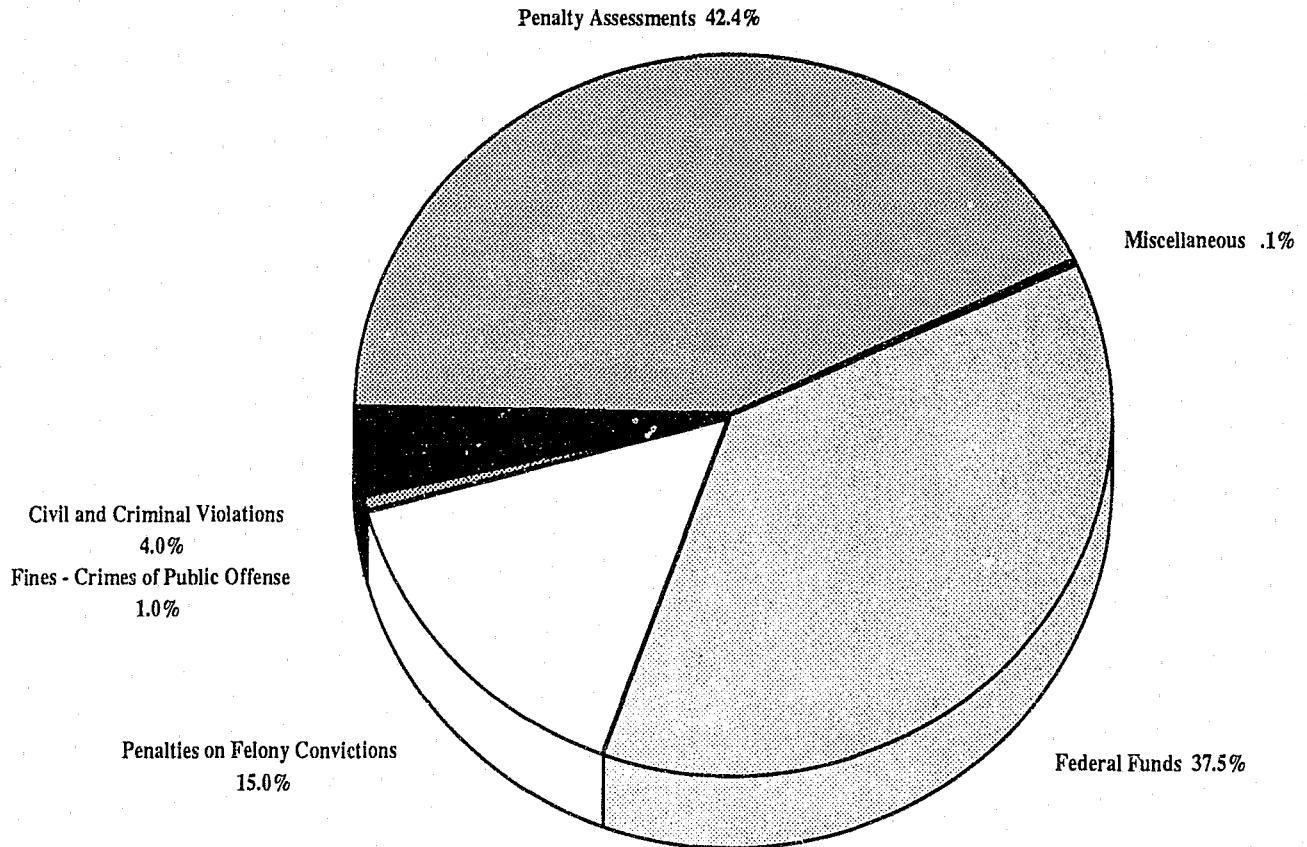


Source: US Department of Justice.



Victims of Crime Exhibit 17

Victims of Crime Revenue Sources FYS 1990-92



Source: Administration Division, SBOC.

