



State of South Carolina
Office of the Governor

NIKKI R. HALCY
GOVERNOR

OFFICE OF EXECUTIVE
POLICY AND PROGRAMS

June 9, 2014

Mr. Alan Watkins
Lee County Administrator
PO Box 309
Bishopville, SC 29010

Dear Mr. Watkins:

The State Office of Victims Assistance (SOVA) is sending this notice to inform you that we have completed the 90 Day Follow-up Programmatic Review and Financial Audit for the Lee County Victim Assistance Program and a copy of official report is attached for your review. Due to Proviso 89.61, SOVA is now legislatively mandated 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 to ensure that the crime victim funds are expended in accordance with the law. If errors are found, the agency has 90 days from this meeting date to rectify the error and if the error is not rectified within the specified time period a penalty will be assessed.

Once again enclosed is a copy of our audit results. Please be advised that all SOVA audits and follow-up reviews are public information. You will have 5 business days from the completion date stated on the front of this report to provide me with a written response. At the end of 5 business days, this report will be posted on the SOVA website at www.sova.sc.gov under the SOVA auditing tab.

Should you have any further questions or concerns, please feel free to contact me or Ms. Richelle A. Copeland at (803)734-1900.

Sincerely,

A handwritten signature in black ink that reads "Larry Barker".

Larry Barker, Ph.D.
Director

CC: Sheriff Simon
Connie Brown

VICTIMS' COMPENSATION • VICTIM/WITNESS ASSISTANCE • TRAINING • INFORMATION • REFERRALS

STATE OFFICE OF VICTIM ASSISTANCE
1205 PENDLETON STREET, EDGAR A. BROWN BUILDING, ROOM 401
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**Office of the Governor
State Office of Victim Assistance**

August 1, 2013

**Programmatic Review and
Financial Audit of Lee County
Victim Assistance FFA Funds**

June 10, 2014

90 Day Follow-up Review

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Acronyms:
VAFFA – Victim Assistance Fines, Fees, and Assessment
SOVA – State Office of Victims Assistance

Introduction and Laws

PREFACE

The 90 Day Programmatic Review and Financial Audit was initiated in response to recommendations in the State Office of Victim Assistance's initial review completed on August 1, 2013. On November 20, 2013, the Director of SOVA issued a letter to the County Administrator and the Sheriff's Department informing them that SOVA will conduct a 90 Day Follow up Review in regards to the SOVA Initial Report. The audit was conducted on January 24, 2014.

Governing Laws and Regulations *Proviso 89.61*

General Provision 89.61. (GP: Assessment Audit / Crime Victim Funds) Effective July 1, 2011

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 ~~reviews on~~ 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 Title 16, Article 15 is an allowable expenditure.

Proviso 89.61(cont)

Any local entity or non-profit organization ~~who~~ that receives funding from ~~victim assistance~~ 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 being~~ approved by the local budget's approval by the governing entity 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. ~~In addition, any~~ 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 Victims 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 ~~of~~ in the amount of the unauthorized expenditure plus \$1,500 against the entity or non-profit organization for improper expenditures ~~in a fiscal year.~~ 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 ~~ninety~~ 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.

***SC Code of Law
Title 14***

Courts – General Provisions

Collection/Disbursement of Crime Victim Monies at the Municipal & County Levels: below is a brief synopsis of applicable sections.

- **Sec. 14-1-206, subsection(s) A, B & D:** A person who is convicted of, pleads guilty or nolo contendere to, or forfeits bond for an offense occurring after June 30, 2008, tried in general sessions court must pay an amount equal to 107.5 percent of the fine imposed as an assessment. The county treasurer must remit 35.35 % of the revenue generated by the assessment imposed in general sessions to the county to be used exclusively for the purpose of providing direct victim services and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month.

- **Sec. 14-1-207 Subsection(s) A, B & D:** A person who is convicted of, pleads guilty or nolo contendere to, or forfeits bond for an offense occurring after June 30, 2008, tried in magistrate's court must pay an amount equal to 107.5 percent of the fine imposed as an assessment. The county treasurer must remit 11.16 % of the revenue generated by the assessment imposed in magistrate's court to the county to be used exclusively for the purpose of providing direct victim services and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month.

- **Sec. 14-1-208 Subsection(s) A, B & D:** A person who is convicted of, pleads guilty or nolo contendere to, or forfeits bond for an offense occurring after June 30, 2008, tried in municipal's court must pay an amount equal to 107.5 percent of the fine imposed as an assessment. The county treasurer must remit 11.16 % of the revenue generated by the assessment imposed in municipal court to the county to be used exclusively for the purpose of providing direct victim services and remit the balance of the assessment revenue to the State Treasurer on a monthly basis by the fifteenth day of each month.

- **Sec. 14-1-211 Subsection A, B, & D:** A one hundred dollar surcharge is imposed on all convictions obtained in general sessions court and a twenty-five dollar surcharge is imposed on all convictions obtained in the magistrate's and

municipal court must be retained by the jurisdiction which heard or processed the case and paid to the city or county treasurer.

***SC Code of Law
Title 14 (cont)***

- **(B)** Any funds retained by the county or city treasurer must be deposited into a separate account for the exclusive use for all activities related to those service requirements that are imposed on local law enforcement, local detention facilities, prosecutors, and the summary courts. These funds must be used for, but are not limited to, salaries, equipment that includes computer equipment and internet access, or other expenditures necessary for providing services to crime victims. All unused funds must be carried forward from year to year and used exclusively for the provision of services to the victims of crime.

All unused funds must be separately identified in the governmental entity's adopted budget as funds unused and carried forward from previous years. **(D)** To ensure that surcharges imposed pursuant to this section are properly collected and remitted to the city or county treasurer, the annual independent external audit required to be performed for each municipality and each county must include a review of the accounting controls over the collection, reporting, and distribution of surcharges from the point of collection to the point of distribution and a supplementary schedule detailing all surcharges collected at the court level, and the amount remitted to the municipality or county.

The supplementary schedule must include the following elements:

- (a) All surcharges collected by the clerk of court for the general sessions, magistrates, or municipal court;
- (b) The amount of surcharges retained by the city or county treasurer pursuant to this section;
- (c) The amount of funds allocated to victim services by fund source; and
- (d) How those funds were expended, and any carry forward balances.

The supplementary schedule must be included in the external auditor's report by an "in relation to" paragraph as required by generally accepted auditing standards when information accompanies the basic financial statements in auditor submitted documents.

Introduction and Legislative

AUDIT OBJECTIVES

The SC State Proviso 89.61 authorizes the State Office Victim Assistance to conduct 90 Day Follow up Audit which shall include both a programmatic review and financial audit of any entity or non-profit organization receiving victim assistance funding. This review was based recommendations outlined by the State Office of Victim Assistance in the Programmatic Review and Financial Audit of the Lee County Victim Assistance FFA Funds to ensure they have complied as required in accordance with the state law.

Audit Objectives were;

- To determine if services were being provided to crime victims in accordance to state laws and regulations.
 - To determine if Lee County maintained accountability of the funds reporting requirements as it relates to state laws.
 - To determine if Lee County is in compliance with state regulations as it relates to the current Victim Assistance Contract.
 - To determine if Lee County is in compliance with state laws as it relates to purchasing procedures and reimbursement of funds.
-

RESULTS IN BRIEF

Personnel Records

Were services provided to crime victims in accordance to state laws and regulations?

Yes, Lee County Victim Services provided services to crime victims in accordance to state laws and regulations. The county sheriff's department has developed a new Victim Advocate Procedural Manual that does an excellent job outlining processes and procedures for performing advocacy support and assistance for victims of crimes. Upon review of the new manual, SOVA provided technical assistance to discuss some minor revisions; however, the county did an excellent job in developing the manual. They were advised to update the manual as changes were made within the victim assistance program and distribute to necessary parties.

FFA Funding Records

Has Lee County maintained accountability of the funds reporting requirements as it relates to state laws?

Yes, Lee County maintained accountability of the funds reporting requirements as it relates to state laws. Written procedures were established that would allow the County Magistrate's Office the ability to request documentation from the Court Administration's Office to identify where the county or municipality fees and assessments were originated. In addition, the Treasurer and Finance Offices have incorporated new accounting line items in the financial system. This allows the county to track the funds received from multiple agencies separately.

Victim Service Program

Is Lee County in compliance with state regulations as it relates to the current Victim Assistance Contract?

Yes, Lee County is in compliance with state regulations as it relates to the current victim assistance contract. The county sheriff's department has been submitting monthly, quarterly and yearly reports to the contractual municipality; however, they are required to revise the report to ensure that it indicates types of victims as well as record separately each agency's crime victims assisted. In addition, the victim advocate's job description was revised to incorporate providing services to contractual municipalities.

As of January 24, 2013, the county had only one contractual agreement with the City of Bishopville; however, they had engaged in conversation with other municipal chiefs. Therefore, the possibilities of other contracts may be forthcoming. Furthermore, it appears the county is working together to develop a process that would allow proper accountability and tracking of funds received by multiple departments.

*Victim Witness FFA
Fund Distribution*

Is Lee County in compliance with state laws as it relates to purchasing procedures and reimbursement of funds?

Yes, Lee County was in compliance with state laws as it relates to purchasing procedures in reimbursement of funds. The Lee County Finance Director developed written countywide policies and procedures for requesting departmental funds for purchases and has reimbursed the victim assistance fund **\$39,973**.

Objective(s), Conclusion(s), Recommendation(s), and Comments

A. Personnel/Victim Service Program**Objective**

Were services provided to crime victims in accordance to state laws and regulations?

Conclusion

Yes, Lee County Victim Services provided services to crime victims in accordance to state laws and regulations. The county sheriff's department has developed a new Victim Advocate Procedural Manual that does an excellent job outlining processes and procedures for performing advocacy support and assistance for victims of crimes. Upon review of the new manual, SOVA provided technical assistance to discuss some minor revisions; however, the county did an excellent job in developing the manual. They were advised to update the manual as changes were made within the victim assistance program and distribute to necessary parties.

Background

SC Code of Law Title 16; Articles 14 & 16

Discussion

During the initial audit, the auditor reviewed the department's victim assistance processes and procedures for providing services to crime services and found the previously used procedures were a broad overview of the responsibilities and did not supply detailed information on how to provide the services. Since there were no written detailed procedures, SOVA recommended Lee County Sheriff's Department develop a victim advocate procedural manual to outline how services are provided to crime victims in a more detailed manner.

During the audit site visit, the county victim advocate submitted a newly developed Victim Advocate Procedural Manual to be reviewed. The procedural manual included the following information:

- Purpose
- Mission Statement
- Job Description
- Victims' Rights & Statutes

Discussion Cont.

- Specific Duties for Types of Crime Victims
- Case Management of File Procedures
- Purchase written procedures, sample documentation, and guidelines.
- Training, Networking, and Partnerships
- Resources and Publications

Upon review of the procedural manual, it appeared the county did an excellent job in developing the manual; however, additional technical assistance was discussed during the audit interview. For example: the auditor explained that if any donations are given to outside agencies, the county will be required to contact SOVA for assistance to ensure proper information is requested per Proviso 89.61 reporting requirements. Although, the county is no longer providing donations at this time to any entity, this information was provided to them. Also, it appears the county utilized the sample Victim Assistance Procedural Manual on SOVA's website which advocates are encouraged to do. In addition, the following information was provided as it relates to the job descriptions;

1. Ensure job descriptions are reviewed and updated on an annual basis.
2. Ensure all policies and procedures are reviewed and updated on an annual basis.
3. Ensure Victim Service Provider Certification requirements are outlined in job descriptions.
4. Place updated job description on file with the County Human Resource Department.
5. Include a section on contractual services and what job duties are required for each area.
6. Include the required monthly, quarterly, and annual reports.

The county did complete this recommendation by developing a new Victim Advocate Procedural Manual.

**Recommendation(s)
and Comments**

A-1

There are no further recommendations.

Objective(s), Conclusion(s), Recommendation(s), and Comments

B. Victim Witness FFA Funding Records**Objective**

Has Lee County maintained accountability of the funds reporting requirements as it relates to state laws?

Conclusion

Yes, Lee County maintained accountability of the funds reporting requirements as it relates to state laws. Written procedures were established that would allow the County Magistrate's Office the ability to request documentation from the Court Administration's Office to identify where the county or municipality fees and assessments were originated. In addition, the Treasurer and Finance Offices have incorporated new accounting line items in the financial system. This allows the county to track the funds received from multiple agencies separately.

Background

SC Code of Law Title 14, Chapter 1; Section 206: Collections/Distribution

Discussion

During the initial audit, the county took actions in maintaining proper accountability of the victim assistance funds by ensuring segregation of duties as it relates to the collection and disbursement of funds. These steps included transferring all checking account privileges to the finance department from the victim advocate and developing and implementing a purchase request process that incorporates both the sheriff and finance approval before purchases are made. However, it was recommended the Lee County Finance Department ensures all purchase procedures are in written format and copies provided to necessary departments. Also, they are to develop a new line item in the accountability process to track revenue received from surrounding municipalities for the Victim Assistance fund. In addition, this line item is required to be integrated into all applicable departmental financial systems to include but not limited to the Magistrate, Clerks, Treasurer and Finance.

Discussion Cont.

Because the county has been integrated into the statewide Case Management System (CMS) established by the SC Court Administration's Office, it is recommended the Lee County Magistrate contact the CMS system administrator to determine if the current system has a way of identifying what county or municipality the collected fines, fees, and assessments were received from. This module is needed for accountability of reporting purposes for contracting entities. In recent years, the development of victim assistance contracts have increased and this leads to funds being transferred between counties and municipalities at a higher rate. Therefore, the CMS will be required to be updated by incorporating a module that allows entities the ability to maintain separate accountability for centralized fines, fees, and assessment funds collected from multiple counties and municipalities.

On February 7, 2014, SOVA received a copy of the Lee County Finance Office Policies and procedures for the Victim Assistance Fund and the Lee County Victim Assistance Funds Procedures for Collection and Disbursement of Revenue. The departmental written procedural updates put in place based on the above recommendations were as outlined below:

The County Magistrate's Office submitted written documentation stating that based on conversations with the County Administration's Office, the South Carolina Judicial Department CMS System does not separately breakdown fines, fees, and assessments received and cannot show funds separately of any entity. However, this data can be provided to the agency if requested. This process involves the County Data Entry Clerk making the notations when entering ticket information. The notation is a unique entity identifier determined by the county that allows the county administration's office to categorize the collection data that is placed into the information. The SC Court Administration's Office confirmed there were no existing plans for updating the CMS to address this concern; however, they would research and provide additional review of this matter in an attempt to set up a process wherein this data could be easily retrieved. Therefore, Lee County is required to make the request to get this information at this time.

Discussion Cont.

During the audit site visit interview, the Lee County Magistrate's Office provided documentation showing procedures in place to ensure they are capturing the appropriate information for segregating collected revenue sources on a monthly basis. This process included sending an E-ticket to the CMS Applications Office to request a separate printout of all Victim Funds collected by the Magistrate's Office for the Bishopville Police Department. Also, they would submit a Victims' Impact Fees Collected report to the Lee County Treasurer by the 10th of each month. The Victims' Impact Fees Collected report outlines each of the individually collected municipal and county assessments and surcharges received during the prior month. (See Appendix A)

Lee County Finance Office Policies and Procedures for Victim Assistance Fund

In addition, Lee County Finance Department policy states all purchases will be conducted in accordance with the Lee County Finance Department's policies and procedures for the Victim Advocate Fund and would utilize the new line items as developed by the administration during the collections process. These written procedures appeared to be adequate in providing the needed external and internal controls that will allow the county to provide the victim advocate financial support in an efficient manner.

This policy outlines instructions on proper documentation for requesting funds, county per diem guidelines, personnel responsibilities, and expenditure approval guidelines and process. The policy outlines requirement that invoices/reimbursement form must be accompanied by a written request for payment from the Sheriff to the Finance Director. Once received, the Lee County Finance Director is to review invoices/reimbursements as well as the Victim Services Approved Guidelines to ensure the expense is allowable. By incorporating checks and balances, the county has decreased the likelihood of future inappropriate utilization of the funds. The auditor further instructed county officials to contact SOVA if there are any questions as it relates to the expenditure approval.

**Recommendation(s)
and Comments**

B-1

There are no further recommendations.

Objective(s), Conclusion(s), Recommendation(s), and Comments

C. Victim Witness FFA Expenditure Reports**Objective**

Is Lee County in compliance with state regulations as it relates to the current Victim Assistance Contract?

Conclusion

Yes, Lee County is in compliance with state regulations as it relates to the current victim assistance contract. The county sheriff's department has been submitting monthly, quarterly and yearly reports to the contractual municipality; however, they are required to revise the report to ensure that it indicates types of victims as well as record separately each agency's crime victims assisted. In addition, the victim advocate's job description was revised to incorporate providing services to contractual municipalities.

As of January 24, 2013, the county had only one contractual agreement with the City of Bishopville; however, they had engaged in conversation with other municipal chiefs. Therefore, the possibilities of other contracts may be forthcoming. Furthermore, it appears the county is working together to develop a process that would allow proper accountability and tracking of funds received by multiple departments.

Background

SC Code of Law Title 14, Article 1; Section 206: Collections/Distribution

SC Governing Laws Proviso 89.61

SC Code of Law Title 16, Article 15

Discussion

During the initial audit, it was determined that Lee County had a contract with at least one municipality. However, the county was not in compliance with state laws and regulations as it related to the Victim Assistance Contract required information as outlined by the State Office of Victim Assistance. It appeared the county was retaining all fines, fees and assessments received for the City of Bishopville.

Discussion Cont.

However, the county was not separately identifying fines, fees and assessments received from the City of Bishopville. Also, the county victim advocate was not providing monthly, quarterly and year-end victim service statistical reports to the City of Bishopville. Therefore, SOVA recommends the county victim advocate develop and implement written process and procedures for services provided to the City of Bishopville. Also, SOVA recommended the county meet and consult with other neighboring municipalities to determine if it would be beneficial to them to develop a victim assistance service contract. Additionally, the victim advocate must ensure monthly, quarterly and year-end victim assistance statistical reports are submitted to each local municipality that the county may have entered a contract with. Also, the victim advocate must be prepared to submit copies of all statistical reports as requested by SOVA. County officials were also required to develop written policies and procedures for tracking funds collected and retained from local municipalities separately from the receipt of funds to the disbursement of the funds.

During the 90 Day audit site visit, Lee County provided SOVA with copies of the updated victim advocate job description, monthly, quarterly and yearly victim statistical reports, and the written victim assistance funds procedures for collection and disbursement of revenue for review.

While reviewing the victim advocate job description, it appeared the county did update the job description to reflect actual duties performed by the victim advocate on a daily basis to include providing victim services to the City of Bishopville.

At the conclusion of the site visit, SOVA advised the county in detail about the following noted concerns and revisions:

1. The victim advocate job description stated the advocate would participate in community programs and outreach in an effort to further educate as well as become a more integral part of the communities. The county was informed this job duty would be required to be revised and should state victim community programs and victim related outreach in victim services.

Discussion Cont.

2. The job description states the advocate would under a contract provide services to all victim services to Bishopville. This job description should be revised to state, provide contractual direct victim services to crime victims in Bishopville as needed.

The sheriff's department was advised that once the above revisions were made, they are required to ensure the updated job description is placed on file with Lee County's Human Resource Office.

Furthermore, because the county had a victim services contract with the City of Bishopville, SOVA recommended the county explore developing contracts with other local municipalities. During the 90 Day site visit, county officials stated they had not officially met with other neighboring municipalities. However, no other contracts have been coordinated at the time of the site visit. The auditor encouraged the county to continue to work with local municipalities in the development of victim service contracts if it would be beneficial to all parties.

The sheriff's department victim advocate submitted copies of the FY12-13 Victim Reports provided to the City of Bishopville for review. The auditor reviewed the reports and it appears the county victim advocate has provided reports to the City of Bishopville on a monthly basis outlining services provided to crime victims and the total number of victims. However, it did not outline the type of victims receiving services. Although the county did maintain crime statistics for FY12-13 as it relates to the total combined number of victims; however, they were not tracking any detailed information such as types of victims and services provided for Lee County and City of Bishopville separately. At the conclusion of the audit site visit interviews, the sheriff's victim advocate was asked to revise the currently used reports to ensure they are providing statistical information separately for Lee County and the Town of Bishopville.

Discussion Cont.

Lee County Victim Assistance Funds Procedures for Collection and Disbursement of Revenue

In reviewing the written procedures for collection and disbursement of revenue, it appeared the county has worked in a collaborative effort to develop a process that will allow proper accountability and tracking of funds received from multiple agencies. This procedure outlined in detail the entity where the funds are originated, how they are tracked within departments and how the victim advocate would request disbursements.

The procedures for collection and disbursement of revenue policy outlines how the Magistrate's Office will ensure they maintain a record to differentiate between money collected from fees assessed by the Lee County Sheriff's Office and the City of Bishopville Police Department. Also, these funds are to be reported separately to the Treasurer's Office. Once received, the Treasurer's Office will keep a separate track of the funds in the computer system but will at this time deposit all funds received into a joint account. Additionally, the finance department will receive a monthly check for the total amount collected in Victims' Assistance Funds. The finance department will receive written requests from the county's victim assistance department for disbursement and will verify the expenditures are on the approved guidelines. If a call is warranted to SOVA regarding the request, the county officials are encouraged to make the call for clarity. The finance department is also responsible for keeping record of all funds on hand and expenditures and will balance the check book for the Victim Assistance Office.

According to county personnel, this policy shall remain in effect as it relates to all VAFFA assessments and surcharges collected for Lee County, the City of Bishopville and any future signed contracts for victim services.

**Recommendation(s)
and Comments**

C-1

There are no further recommendations.

Objective(s), Conclusion(s), Recommendation(s), and Comments

D. Victim Witness FFA Fund Distributions**Objective**

Is the County in compliance with state laws as it relates to purchasing procedures and reimbursement of funds?

Conclusion

Yes, Lee County was in compliance with state laws as it relates to purchasing procedures in reimbursement of funds. The Lee County Finance Director developed written countywide policies and procedures for requesting departmental funds for purchases and has reimbursed the victim assistance fund **\$39,973**.

Background

SC Code of Law Title 14, Article 1; Section 206: Collections/Distribution

South Carolina Victim Service Coordinating Council Approved Guidelines for Expenditures of Monies Collected for Crime Victim Service in Municipalities and Counties. (Prior to January 2010/Dated January 2010)

Discussion

During the initial audit, it was determined that Lee County officials did not maintain county wide accountability in the reporting and reimbursing requirements regarding state laws and regulations. In prior audits, the external auditor noted concerns and recommended changes regarding the county's lack of segregation of duties in multiple departments. However, the previous Lee County Administration disregarded the independent external auditor's recommendations and neglected to make the necessary changes as required to ensure proper accountability and reimbursement of the victim assistance funds. Therefore, it was recommended the finance director develop county wide written policies and procedures for requesting departmental purchases and to reimburse the fund for the total amounts as outlined in the FY11 State Auditor's Office Court Audit and the FY09 & FY10 County Annual Financial Independent Audits. As a results, the county reimbursed the Victim Assistance Fund a total of **\$41,047.78**.

Discussion Cont.

This amount included a reimbursement for \$1,074.48 found in the FY11 court audit conducted by the State Auditor's Office and \$39,973 reimbursement recommendation issued by the county's independent external auditor's reports for FY09 and FY10. While completing the initial audit report, SOVA received documentation from the county showing \$1,074.48 had been reimbursed into the account per the FY11 State Auditor's Office recommendations. However, the additional \$39,973 reported by the county's independent external auditor was not reimbursed. Therefore, SOVA recommended Lee County reimburse the victim assistance fund a total of **\$39,973** per the county's independent external auditor's recommendations for questionable unauthorized expenditures between FY09 and FY10.

At the 90 Day audit site visit, the county finance director submitted written policies and procedures for requesting departmental funds for purchases. It appeared these new procedures were made available to all appropriate departments. Also, county personnel appeared to be communicating and working in a collaborative effort to ensure they maintain accountability in the reporting and disbursement of the victim assistance funds. In addition, SOVA reviewed reports currently being maintained and they outlined all of the victim assistance fund deposit and expense details. Also, the county finance director submitted a copy of the reimbursement check showing the county deposited \$39,973 into the Lee County Victim Assistance account on June 28, 2013. According to the Lee County Victim Assistance Bank Statement Recap for Fiscal Year Ending (FYE) 6-30-2013, it appeared from the auditor's review that as of January 2014 the victim assistance fund currently had over \$60,000 retained and all expenditures from the fund were allowable.

Recommendation(s)
and Comments

D-1

There are no further recommendations.

Objective(s), Conclusion(s), Recommendation(s), and Comments

E. Technical Assistance**Documentation Provided**

During our site visit we explained and provided the following documents:

1. Copy of the Legislative Proviso 89.61
2. Copy of a Sample Budget
3. Sample Staff Hired Report
4. Sample Time and Activity Report
5. Sample Expenditure Report
6. Copy of 2010 Approved Guidelines
7. Victim Advocate Procedural Manual
8. Victim Assistance Contracts
9. Technical Assistance

Other Matters

There are no other matters.

Corrective Action

Proviso 89.61 states:

“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 Victims 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 ~~of in~~ the amount of the unauthorized expenditure plus \$1,500 against the entity or non-profit organization for improper expenditures ~~in a fiscal year~~. 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 ~~ninety~~ 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. “

The 90 Day Follow-up review site visit was completed on January 24, 2014.

All errors were completed by the 90 Day Follow-up review.

Official Post-Audit Response

The County/City has 5 business days from the date listed on the front of this report to provide a written response to the SOVA Director:

**Larry Barker, Ph.D.
1205 Pendleton St., Room 401
Columbia, SC 29201**

At the end of the five day response period, this report and all post-audit responses (located in the Appendix) will become public information on the State Office of Victim Assistance (SOVA) website:

www.sova.sc.gov

Appendix(s)

Appendix A - Lee County Victim Impact Fees Collection FY 13-14

Appendix A

VICTIMS IMPACT FEES COLLECTED (EXAMPLE) FY2013 - FY2014

Source	Category	Account Number	July	August	September	October	November	December
CLERK OF COURTS OFFICE	ASSESSMENTS (DD)	000-001-0000-0096	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	CONVICTION SURCHARGE (FF)	000-001-0000-0098	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CITY OF BISHOPVILLE	ASSESSMENTS (DD)	000-001-0000-0015	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CITY OF BISHOPVILLE	CONVICTION SURCHARGE (FF)	000-001-0000-0016	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOWN OF LYNCHBURG	ASSESSMENTS (DD)	000-001-0000-0017	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOWN OF LYNCHBURG	CONVICTION SURCHARGE (FF)	000-001-0000-0018	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
MAGISTRATES OFFICE	ASSESSMENTS (EE)	000-002-0000-0066	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	CONVICTION SURCHARGE (GG)	000-002-0000-0066	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CITY OF BISHOPVILLE	ASSESSMENTS (EE)	000-002-0000-0019	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CITY OF BISHOPVILLE	CONVICTION SURCHARGE (GG)	000-002-0000-0020	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOWN OF LYNCHBURG	ASSESSMENTS (EE)	000-002-0000-0021	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOWN OF LYNCHBURG	CONVICTION SURCHARGE (GG)	000-002-0000-0022	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

**Disbursed January 2014 Fees by ck # _____ in the amount of \$ 0.00 on 01-10-2014.

CC: ASSISTANT LEE COUNTY ADMINISTRATOR
SHERIFF'S OFFICE
SOLICITOR'S OFFICE
LEE COUNTY FINANCE DIRECTOR



State of South Carolina

Office of the Governor

NIKKI R. HALEY
GOVERNOR

OFFICE OF EXECUTIVE
POLICY AND PROGRAMS

Programmatic Review Completed by:

Richelle A. Copeland
Richelle A. Copeland, Sr. Auditor

6/10/14
Date

Reviewed by:

Ethel Douglas Ford
Ethel Douglas Ford, CPM, Deputy Director

6/10/14
Date

Larry Barker
Larry Barker, Ph.D. Director

6/10/14
Date