



**DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES**

CRIMINAL INJURIES COMPENSATION BOARD

FY2010 Annual Report

October 1, 2010

Governor Martin O'Malley
Lt. Governor Anthony G. Brown
Secretary Gary D. Maynard
Chairman Sandy Roberts
Executive Director Cortney Fisher



Department of Public Safety and Correctional Services

Criminal Injuries Compensation Board

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STATE OF MARYLAND

MARTIN O'MALLEY
GOVERNOR

ANTHONY G. BROWN
LT. GOVERNOR

GARY D. MAYNARD
SECRETARY

PHILIP PIÉ
DEPUTY SECRETARY
PROGRAMS AND SERVICES

CORTNEY FISHER
EXECUTIVE DIRECTOR

October 1, 2010

The Honorable Gary D. Maynard
Secretary, Department of Public Safety and Correctional Services
300 E. Joppa Road, Suite 1000
Towson, Maryland 2186-3020

Re: Criminal Injuries Compensation Board's 2010 Annual Report

Dear Secretary Maynard:

According to Criminal Procedure Article, §11-805(a)(8), Annotated Code of Maryland, the Criminal Injuries Compensation Board is to submit an annual report to the Governor and you. Please accept this report as the 2010 Annual Report of the Criminal Injuries Compensation Board.

The report details the activities of the Board for Fiscal Year of 2010. The Board has paid out over \$7.3M in claims this fiscal year, while only collecting \$3.6M in from special funds collections. Overall, the Board has made great strides towards its goal of ensuring victim satisfaction with the compensation procedure.

One of the major issues facing the Board immediately is funding future payments. All of these concerns and accomplishments are detailed in the attached report.

I hope that find the report both meaningful and informative. If I can be of any further assistance please do not hesitate to contact me.

Sincerely,

Cortney Fisher
Executive Director

c: Deputy Secretary Philip Pié, DPSCS
Chairman Sandy Roberts, CICB

General Program Information

Program Description

Pursuant to the authority granted to it by the Maryland Annotated Code, Criminal Procedure Article, §§11-801 through 11-819 and the Secretary of the Department of Public Safety and Correctional Services, the Maryland Criminal Injuries Compensation Board (CICB) provides financial assistance to crime victims who have suffered compensable injury or loss in the aftermath of victimization. The CICB consists of two equal entities which co-exist under the authority of the Secretary: an appointed Board, which hears disputed claims and makes decisions regarding awards and denials and an employed staff, which processes requests for compensation under the direction of CICB's Executive Director. The Criminal Injuries Compensation Fund (CICF) consists of a state special fund appropriation comprised of fees levied throughout the criminal justice process and a federal fund appropriation also comprised of fees levied on offenders in the federal criminal justice system.

Mission

The Criminal Injuries Compensation Board assists the Department and the Secretary in enhancing services to victims of crime by providing compassionate care and mitigating the impact on crime victims by providing financial assistance in the aftermath of criminal victimization.

Vision

The Maryland Criminal Injuries Compensation Board will be nationally recognized as a leader in the field of crime victim services and rights. We will be known as a compensation authority who values dignity, respect, professionalism, diversity, and competence in our interactions with each other, our colleagues, and our constituency. We strive to meet one of the core rights of crime victims: financial restoration. We will provide compassionate and competent services to crime victims by accurately and efficiently processing claims for compensation to alleviate financial hardship in the aftermath of criminal victimization. We will set the standard for and provide leadership in the field of crime victim services within the Department of Public Safety and Correctional Services. Claimants of the Maryland Criminal Injuries Compensation Board will be presumed eligible for claims and will be heard throughout the claims process, be treated with dignity, respect, and fairness, be informed at all times of their claims status, and will fully afforded the right to participate in the claims process.

Financial Overview

Revenue

During Fiscal Year 2010 the Criminal Injuries Compensation Board collected a total of **\$3,595,640** in revenue from Special Funds appropriated by the General Assembly. The breakdown of collection sources is as follows:

- Pursuant to Courts and Judicial Proceedings Article §7-409(b), the Criminal Injuries Compensation Fund received **\$147,252** from an estimated 7,363 Circuit Court criminal cases. Circuit Court criminal case revenue represents **4.0%** of the total revenue collected by the Criminal Injuries Compensation Fund.
- Pursuant to Courts and Judicial Proceedings Article §7-409(c), the Criminal Injuries Compensation Fund received **\$1,075,238** from an estimated 53,762 District Court criminal cases. District Court criminal case revenue represents **29.9%** of the total revenue collected by the Criminal Injuries Compensation Fund.
- Pursuant to Courts and Judicial Proceedings Article §7-409(c), the Criminal Injuries Compensation Fund received **\$1,780,886** from an estimated 593,629 District Court traffic cases. District Court traffic court case revenue represents **49.5%** of the total revenue collected by the Criminal Injuries Compensation Fund.
- Pursuant to Courts and Judicial Proceedings Article §7-409(d), the Criminal Injuries Compensation Fund received a **\$500,000** transfer which represents **13.9%** of the total revenue collected by the Criminal Injuries Compensation Fund.
- As a result of the Criminal Injuries Compensation Board's revenue recovery program, the Criminal Injuries Compensation Fund received a total of **\$92,264**, all of which was recovered from restitution owed by offenders as a result of a criminal conviction and sentence which included a restitution order. Revenue recovery during Fiscal Year 2010 represents **2.6%** of the total revenue collected by the Criminal Injuries Compensation Fund.

Expenditures

During Fiscal Year 2010, the Criminal Injuries Compensation Board spent a total of **\$8,102,323**. Of the just over \$8,000,000 spent, the Criminal Injuries Compensation Board disbursed **\$7,337,078** in awards to crime victims and used **\$765,245** on operating expenses to manage the agency. Operating expenses represent only **9.4%** of the CICB budget, while over 90% of the budget is disbursed directly to crime victims. **\$4,572,638** of the total amount disbursed was received from a federal compensation grant; **\$3,529,685** of the total amount disbursed was received from the Special Fund appropriation discussed above.

Program Overview

Beginning in the fourth quarter of Fiscal Year 2010, and continuing into Fiscal Year 2011, CICB core functions have been divided into three distinct, yet collaborative, internal programs: **claims examination, victim services, and revenue recovery.**

Claims Examination

The claims examination program of CICB serves the Mission of the agency by maintaining responsibility for financial assistance to crime victims. It is the goal of CICB's claims examination process to provide resources for each claimant, whether through an award of CICF money to eligible claimants and victims or through a referral to other resources for claimants and victims who do not meet the CICF eligibility requirements.

There are nine full-time claims examiner positions, three full-time claims processor positions, and one Administrator position responsible for the claims examination process within CICB. Three of the claims examiner positions were vacant at the end of the Fiscal Year; six of the positions were filled with active claims examiners. Two of the claims processor positions were filled at the end of the fiscal year; one position was vacant.

The claims examination team is responsible for receiving applications for compensation, communicating with the victim and claimant about the claims process, efficiently processing the claim for compensation so that the claimant receives the compensation award in the most expedient manner possible, providing referrals to other programs for financial reimbursement where there is no eligibility for CICF, and processing the claim award for payment through the Department of Public Safety and Financial Services Division of Financial Services.

During Fiscal Year 2010, the claims examination team paid claims in the following categories of victimization:

- 282 claims for compensation as a result of homicide, for a total of \$1,612,641.88
- 559 claims for compensation as the result of an assault, for a total of \$5,213,001.54
- 31 claims for compensation as the result of a sexual assault, for a total of \$89,786.83
- 29 claims for compensation as the result of domestic violence, for a total of \$154,944.60
- 24 claims for compensation as the result of child abuse, for a total of \$56,966.80
- 25 claims for compensation as the result of drunk driving, for a total of \$209,736.03

During Fiscal Year 2010, the claims examination team:

- Received **1,644** claims for compensation from crime victims in Maryland;
- Of the 1,644 claims received, determined that **1,559** claims initially met the statutory minimum requirements for award consideration;
- Facilitated the Board's approval of **950** awards for compensation; and

- Disbursed a total of **\$7,337,078** to crime victims who had compensable injuries as the result of the crime.

In addition to providing awards and/or other financial assistance to each crime victim, it is a key goal of the CICB to provide those awards, and process the claims, in an expedient and efficient manner. During Fiscal Year 2010, the claims examination team had an average processing time of **157 days**, from the date that the claim is received in the CICB office to the day that the final decision is sent to the victim or claimant. While there is much work to do to continue decreasing the average number of days that it takes our claims examination team to process the average claim, the 157 day average represents a **decrease of 28 days** on average from the Fiscal Year 2009 average claim processing time. Additionally, **33%** of all of our claims are processed within 90 days, which is an increase in the percentage of claims resolved within 90 days from Fiscal Year 2009. In Fiscal Year 2009, only 21% of all claims were resolved within 90 days.

Revenue Recovery

The second function of the CICB is to recover revenue owed to victims as the result of a court order for restitution upon a defendant's conviction. When the CICB pays for a victim's reimbursable expenses, the CICB creates a right of subrogation which allows CICB to recover the costs that have been paid out previously to a victim or a claimant. It is the goal of CICB's revenue recovery program to ensure that the claims examination program is able to function in the best interest of victims by recovering revenue sufficient to supplement the funds generated through the court fee legislation described above.

Throughout Fiscal Year 2010, the CICB employed one full-time revenue recovery specialist. In Fiscal Year 2011, CICB has increased the staff on the revenue recovery team to three full-time revenue recovery specialists. The revenue recovery team is responsible for tracking offenders through the criminal justice process, and when relevant, working with the prosecutors to request restitution, initiate collection efforts after a restitution judgment is entered, and work collaboratively with the Division of Parole and Probation to hold offenders accountable to their full court-ordered sentence.

During the last fiscal year, the revenue recovery team recovered \$92,264 in offender owed restitution. During Fiscal Year 2011, the CICB hopes to increase the amount of revenue recovered to 25% of the total amount of funds disbursed in awards.

Victim Services

The final function of the CICB is to assist the Department in providing exceptional services to crime victims and to ensure that victims of crime are receiving all of the rights to which they are entitled throughout the compensation process. In the fourth quarter of Fiscal Year 2010, CICB added a victim services team in an effort to prioritize and expand this role of the State's compensation program. It is the responsibility of the victim services team to create the standard for state-based victim services leadership.

In the fourth quarter of FY 2010, CICB hired an Administrator of Victim Services Operations, funded by Byrne Justice Assistance Grant through the Governor's Office of Crime Control and Prevention. CICB hopes to hire three additional victim service coordinators in the second quarter of Fiscal Year 2011, funded by a Victims of Crime Act grant through the Governor's Office of Crime Control and Prevention.

The victim services program within CICB is responsible for ensuring that victims in the compensation program are well-served and are afforded their rights throughout the process. Victim services specialists work collaboratively with the claims examination team to help ensure that victims are restored financially, whether through CICB compensation or other sources. Victim services specialists also work collaboratively with the revenue recovery team to ensure that victims know of and are granted their rights to request and receive restitution from offenders. Additionally, the victim services specialists working within CICB will provide outreach to community and criminal justice-based allied professionals, assist the victim and claimant population through the compensation process, and provide continuing education on emerging victim-related issues to the CICB team. The victim services-compensation collaborative model developed by CICB has been identified as an emerging practice by the National Center for Victims of Crime, and will be highlighted at their national conference in September 2010.

During Fiscal Year 2011, CICB anticipates that the victim services program will provide direct victim services to each claimant or victim who files a claim for compensation with CICB.

Conclusions

The CICB has made tremendous strides toward its goals of ensuring victim satisfaction with the compensation process and efficiently and expediently providing compensation to eligible crime victims. In just one year, CICB increased its monetary amount of awards for compensation by over \$1 million and decreased the average number of days that it takes to process a claim by nearly a month. The agency has developed nationally recognized models for providing exceptional services to crime victims, and has increased the number of staff members dedicated to recovering revenue. CICB is on an exciting track throughout the next several years.

However, CICB is not without its challenges, first among them being a funding shortfall. Last amended in 1997, the legislation which creates the Special Fund appropriation dedicated to CICB is no longer sufficient to meet the needs of Maryland's crime victims. In Fiscal Year 2010 alone, CICB disbursed over twice the funds appropriated by the State Special Fund Appropriation. CICB is working with the Department of Public Safety and Correctional Services to address the financial shortfall and ensure that that the State of Maryland is able to continue providing exceptional compensation services to the crime victims of Maryland.