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FROM: Governor's Office of Crime Prevention, Youth, and Victim Services

December 31, 2021

The Honorable Larry Hogan
Governor of Maryland
100 State Circle
Annapolis, MD 21401

The Honorable Brian E. Frosh
Attorney General of Maryland
200 St. Paul Place
Baltimore, MD 21202

The Honorable Robert L. Green
Secretary
Department of Public Safety and Correctional Services
6776 Reisterstown Road
Baltimore, MD 21215

The Honorable Steven J. Kelly, Esq.
Chair
State Board of Victim Services
100 Community Place
Crownsville, MD 21032

RE: Report required by Criminal Procedure Article §§ 11-914(1) and 11-915(b)(5) (MSAR #12676 and MSAR #12143)

Gentlemen:

Pursuant to §§ 11-914(1) and 11-915(b)(5) of the Criminal Procedure Article, the Governor's Office of Crime Prevention, Youth, and Victim Services respectfully submits this *Maryland State Board of Victim Services 2021 Annual Report*. This report includes information on the Board's accomplishments, the distribution of money under the Maryland Victims of Crime Fund and the Legal Services for Crime Victims Fund, and recommendations to continue comprehensive and compassionate statewide services for every crime victim as allowed by law.

Should you have any questions, please feel free to contact me at 410-697-9338.

Sincerely,

V. Glenn Fueston, Jr.
Executive Director

cc: Sarah Albert, Department of Legislative Services (5 copies)

GOVERNOR'S COORDINATING OFFICES
100 COMMUNITY PLACE
CROWNSVILLE, MD 21032-2023



**GOVERNOR'S OFFICE OF
CRIME PREVENTION, YOUTH,
AND VICTIM SERVICES**

**Maryland State Board of Victim Services
2021 Annual Report**

*CP §§ 11-914(1) and 11-915(b)(5); EX ORD 01.01.2020.02/Ch. 11,
2020*

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

V. Glenn Fueston, Jr.
Executive Director

Governor's Office of Crime Prevention, Youth, and Victim Services

Submitted by:
Governor's Office of Crime Prevention, Youth, and Victim Services

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December 31, 2021
MSAR # 12676 | MSAR # 12143

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Acknowledgements

This *Maryland State Board of Victim Services 2021 Annual Report* is the result of hard work, valuable input, and dedication from numerous stakeholders. Everyone was generous with their time and supportive feedback. Their participation in the Maryland State Board of Victim Services, as well as their feedback, suggestions, and recommendations were invaluable for the final report. The completion, timeliness, and comprehensiveness of this report would not have been possible without their efforts.

Roster of Members

Pursuant to § 11-912 of the Criminal Procedure Article, the Maryland State Board of Victim Services is composed of various members, including a Chair, appointed by Governor Hogan, and a Vice-Chair.

Governor Larry Hogan
Governor of Maryland

The Honorable Anne Colt Leitess, Esq.
Anne Arundel County State's Attorney

V. Glenn Fueston, Jr.
Executive Director, Governor's Office of Crime Prevention, Youth, and Victim Services

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Chair, Criminal Injuries Compensation Board

Steven J. Kelly, Esq., Chair
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Adam Lippe, Esq.
Public Member, Baltimore County State's Attorney's Office

Barbara Bond, Vice-Chair
Attorney General's Office

Lourdes Padilla
Secretary, Department of Human Services

Sam Abed
Secretary, Department of Juvenile Services

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Maryland Chiefs of Police Association,
Prince George's County Police Department

Anne T. Bean
Service Provider, Cecil County Department of Community Services

The Honorable Joe Riley, Esq.
Caroline County State's Attorney

Lou Gieszl
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Jill Ritter
Public Member, Washington County State's Attorney's Office

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Secretary, Department of Public Safety and Correctional Services

Alonzo Robertson, Esq.
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Lisa Smith, Esq.
Service Provider, Maryland Public Service Commission

R. Gary Hofmann, III
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Lisa Spicknall-Horner
Public Members, Donate Life Maryland

Molly Knipe
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Jeanne Yeager

Public Member, Mid-Shore Council on
Family Violence

Maryland State Board of Victim Services

Alternate Representatives

Heather Amador

Governor's Office of Crime Prevention,
Youth, and Victim Services

Jessica Daigle, Esq.

Anne Arundel County State's Attorney's
Office

Jessica Dickerson

Department of Juvenile Services

Lisae Jordan, Esq.

Maryland Coalition Against Sexual Assault

Patricia Stevens

Department of Public Safety and
Correctional Services

Executive Summary

In accordance with §§ 11-914 and 11-915 of the Criminal Procedure Article, the Maryland State Board of Victim Services (Board) is charged to continue its mission to ensure victims of crime receive justice and are treated with dignity, respect, and compassion through comprehensive victim services. Through its charge, and under the leadership of Chair Steven Kelly, Esq., Sanford Heisler Sharp, LLC, Vice-Chair Barbara Bond, Attorney General's Office, and staff from the Governor's Office of Crime Prevention, Youth, and Victim Services (Office),¹ the Board continued to partner with victim service providers; local communities; executive, legislative, and judicial branches of State government; and the federal government to better serve Maryland's victims of crime.

To address its charge, the Board continued to improve the treatment for victims of crime by working with criminal justice agencies and private non-profit organizations, creating and expanding innovative initiatives, and welcoming feedback and suggestions from individuals and communities across the State.

Pursuant to §§ 11-914(1) and 11-915(b)(5) of the Criminal Procedure Article, this *Maryland State Board of Victim Services 2021 Annual Report* includes information on the activities of the Board, the administration of funds to victims of crime, and specific recommendations to improve the treatment and services for Maryland's victims of crime.

Background

Recognizing the unique and distinctive needs of crime victims, the Maryland General Assembly created the Board and the position of the State Coordinator in 1987. This was done for the purpose of monitoring, assessing, coordinating, and making recommendations concerning state and local efforts to assist victims of crime. The Board's mission is to ensure that all crime victims in Maryland are treated with dignity, respect, and compassion during all phases of the criminal justice process.

In 1991, under the authority of the Office, the Maryland General Assembly created the Maryland Victims of Crime (MVOC) fund to provide funding support for victim services. In 2007, the Legal Services for Crime Victims (LSCV) fund was created by the Maryland General Assembly to provide Maryland crime victims the opportunity to have legal representation in the criminal

¹ Maryland General Assembly. (2020). [Chapter 11, Acts of 2020](#). In March 2020, the Governor's Office of Crime Control and Prevention was renamed the Governor's Office of Crime Prevention, Youth, and Victim Services.

court system. The Board makes funding recommendations to the Office, which administers and manages the MVOC and the LSCV grant projects.

Pursuant to § 11-914 of the Criminal Procedure Article, and under the authority of the Executive Director of the Office, the Board shall:

- Submit to the Governor an annual written report of its activities, including its administration of the MVOC fund;
- Monitor the service needs of victims;
- Advise the Governor on the needs of victims;
- Recommend the appointment of the Victim Services Coordinator to the Executive Director;
- Review and approve the Victim Services Coordinator's plans and annual reports, and the Victim Services Coordinator's implementation, operation, and revision of programs;
- Approve or disapprove each grant application submitted by the Office;
- Advise the State's Attorneys' Coordination Council on the adoption of regulations governing the administration of the Victim and Witness Protection and Relocation Program established under § 11-902 of this subtitle;
- Advise the State's Attorneys' Coordinator on the administration of the Victim and Witness Protection and Relocation Program;
- Develop pamphlets to notify victims and victim's representatives of the rights, services, and procedures provided under Article 47 of the Maryland Declaration of Rights or State law, how to request information regarding an unsolved case, and how to request that an offender be placed on electronic monitoring or electronic monitoring with victim stay-away alert technology, including:
 - One pamphlet relating to the Maryland Electronic Courts (MDEC) system protocol registration process and the time before and after the filing of a charging document other than an indictment or information in circuit court; and
 - A second pamphlet relating to the time after the filing of an indictment or information in circuit court; and
- Develop a poster to notify victims of the right to request a private room in a law enforcement agency or unit to report crimes under Title 3 of the Criminal Law Article; and
- Develop a notification request form and an MDEC system protocol in consultation with the Administrative Office of the Courts, through which a victim or victim's representative may request to be notified under § 11-104 of this title.

Furthermore, and in accordance with § 11-915(b)(5) of the Criminal Procedure Article, the Victim Services Coordinator shall, under the authority of the Executive Director, submit to the Governor, the Attorney General, the Secretary of Public Safety and Correctional Services, and

the Board an annual report that includes recommendations on how to improve victim assistance programs.

Accomplishments

Annual Statewide Memorial Services

In partnership with the Victim and Witness Divisions of the State’s Attorneys’ Offices, the Office and the Board sponsor four regional memorial services each year during the National Crime Victims’ Rights Week. The memorial services feature inspirational speakers, musical performances, and quiet reflection which honor over 4,000 crime victims of homicide, vehicular manslaughter, and missing crime victims and their families. These memorial services provide a safe, supportive, and trustworthy space for families of crime victims to congregate and share their stories. Many advocates, who strive to serve victims of crime, help to coordinate the memorial services because they understand the importance of a positive outlet for families to cope with their grief and honor their lost and loved ones. The regional memorial services are geographically divided throughout the State (*as illustrated below*).

Eastern Region	Western Region	Southern Region	Northern Region
Caroline	Allegany	Calvert	Anne Arundel
Dorchester	Carroll	Charles	Baltimore City
Kent	Frederick	Prince George’s	Baltimore
Queen Anne’s	Garrett	St. Mary’s	Cecil
Somerset	Montgomery		Harford
Talbot	Washington		Howard
Wicomico			
Worcester			

Due to the Coronavirus Disease 2019 (COVID-19) pandemic, and in an effort to protect the health and safety of organizers, guests, and communities in Maryland, the *31st Statewide Memorial Services for Crime Victims and Their Families* were held virtually. The *31st Statewide Memorial Services* were hosted by the Baltimore City, Charles County, Dorchester County, and Frederick County State’s Attorneys’ Offices on Sunday, April 18, 2021. Governor Hogan opened each of the virtual services, and shared the administration’s commitment in “securing justice for crime victims, honoring those we have lost to violence, showing continued support for those left

behind, and working hard to create a safer Maryland.”² The four virtual services totaled over 4,000 views online.

Maryland Crime Victims’ Rights Conference

The *2021 Maryland Crime Victims’ Rights Conference* was held virtually on April 19 - April 22, 2021, providing crime victim service professionals the opportunity to listen, learn, and network with speakers and peers as it relates to emerging victim issues and innovative approaches to empower victims. Bridie Farrell presented the keynote “Committed to Progress.” Workshops presented during the conference focused on ethics and confidentiality, legal remedies for survivors of school-based gender violence, victim notification, non-fatal strangulation, [Handle with Care Maryland](#), and more.

The Governor’s Victim Assistance Awards were presented during the virtual *2021 Maryland Crime Victims’ Rights Conference*. The awards were presented to three Marylanders who went above and beyond the call of duty to assist crime victims:

- Pauline Mandel, Esq., Director of Legal Services for the Maryland Crime Victims’ Resource Center, received the Vincent Roper Memorial Award in recognition of outstanding work to secure crime victim justice for all in a quiet and selfless manner.
- Dr. Rahel Schwartz, Clinical Director for the Jewish Coalition Against Domestic Violence (JCADA), received the Henry Gleim Memorial Award in recognition of outstanding services to crime victims and those who work to serve them.
- Karen Darby, Director of the Victim Services Unit for the Division of Parole and Probation, received the Virginia Mahoney Award in recognition of an outstanding leader who epitomized true leadership in support of victims’ rights.

Recommendations to the Governor

Pursuant to §§ 11-914(1) and 11-915(b)(5) of the Criminal Procedure Article, and under the authority of the Executive Director, the Board identified the following recommendations to improve treatment and services available for victims of crime (*as illustrated below*).

Recommendation 1: Maryland should continue to support Victim Information and Notification Everyday (VINE) for courts, custody, parole, probation, and sex offender alert line services.

² Governor’s Office of Crime Prevention, Youth, and Victim Services. (2021). [Governor Larry Hogan Presents Proclamation in Recognition of Crime Victims Rights Week, Commends Efforts to Protect and Help Victims During Maryland Conference and 31st Memorial Services for Crime Victims and Their Families.](#)

Recommendation 2: The Board should continue to collaborate with the [Active Assailant Interdisciplinary Workgroup](#) (AAIWG) to develop protocols and best practices for Family Assistance Centers and victim services when responding to an active assailant incident.

Recommendation 3: Maryland State’s Attorneys’ Offices should continue to utilize the Victim and Witness Protection and Relocation Program. Program funds are used to protect victims and witnesses, and relocate victims and witnesses to protect them and/or facilitate their participation in court proceedings.

Recommendation 4: Maryland should develop long term strategies to meet the financial needs of crime victims. Provisions should be made to increase the collection of costs imposed on convicted defendants in district and circuit courts that are distributed into the MVOC fund and the Criminal Injuries Compensation Fund. Increased revenue would address the mounting need that is necessary to continue supporting crime victims through services and compensation, statewide training, federal and state policies, technology, and public awareness and community outreach.

Recommendation 5: The Board supports collaboration and partnerships amongst direct service providers to sustain continuity of operations.

All recommendations support the overall goals of enhancing victims’ awareness of services, increasing victims’ safety, and increasing victims’ self-sufficiency.

2022 Priorities

Priority 1: Develop an updated outcome-based strategic plan for victims of crime, to include: meaningful metrics for providers, priority areas for funding, and strategies to address the victim services response to COVID-19.

Priority 2: Enhance and support relationships with law enforcement, statewide coalitions, and state’s attorneys’ offices.

Priority 3: Address underserved crime victims through outreach, training, and the encouragement of state and local agency collaboration.

Key Initiatives

Roper Victim Assistance Academy of Maryland

The Office also supports the [Roper Victim Assistance Academy](#) (Academy) which offers two levels of training, basic and advanced, to victim service professionals in Maryland. The basic

training consists of a 40-hour standardized multidisciplinary academic curriculum designed for newer professionals, and is conducted as a one-week residential program. In June 2021, the one-week basic training program occurred virtually due to COVID-19, and resulted in 32 professional graduates. Between July 1, 2020 and June 30, 2021, the Academy offered 78 advanced training sessions on cyber victimization, immigrant victimization, human trafficking, ethics in victim services, and compassion fatigue and self care, in which 2,843 participants completed the training. Transitioning the training to a virtual format has resulted in positive outcomes and increased attendance.

All training provided by the Academy is nationally approved and certified for professional certification units and university credits. Continuing Education Units (CEUs) and university credits for both the basic and advanced training programs are also offered by the Academy.

The Maryland Victim Assistance Certification Program is also offered by the Academy, and is available in three certification levels to coincide with years of experience and training. In FY 2021, 83 individuals received a certification (either Level I certification, Level II certification, or Level III certification).

Victims' Rights Compliance Initiative

In April 1999, the Board and the Office established the *Victims' Rights Compliance Initiative* (Initiative) in an effort to remedy crime victims' rights violations. The goal and objective of the Initiative is to improve the criminal justice system's response to victims of crime through systematic improvements of services provided to victims; and to give victims the option to voice their concerns and seek system response when they believe that their statutory rights have been violated at any point in the criminal justice system.

In support of this Initiative, the Office advises criminal justice agencies on victims' rights. The Office promotes and facilitates voluntary, efficient, and effective compliance with laws; analyzes agency implementation practices, policies, procedures, and tools; and recommends and resolves complicated questions and problems between victims and service providers in a non-adversarial manner. More specifically, the Office responds to calls, letters, and emails received from crime victims across the State alleging violations of various crime victims' rights, seeking referrals for direct services, and looking for information and explanations about the criminal justice process. Some of these examples include:

- Frustration with the lack of (or limited) criminal justice agency responses to the crime;
- Confusion about and/or failure to be informed of filing of nolle prosequi by prosecutors;
- Lack of information regarding case status;
- Denial of compensation claims by the appointed five member Criminal Injuries Compensation Board;

- Nonpayment of restitution by offenders granted probationary sentences or parole; and
- Lack of notification of offender’s parole, violation of probation, and release from incarceration.

In FY 2021, the Victim Services Program Manager, who serves as the Victim Services Coordinator, responded to 157 calls, letters, and emails from crime victims in the State regarding complaints or requests for services (*as illustrated below*).

Jurisdiction	Number of Complaints/Request for Services
Allegany	1
Anne Arundel	5
Baltimore	9
Baltimore City	9
Carroll	1
Charles	1
Frederick	4
Garrett	1
Harford	2
Howard	3
Kent	3
Montgomery	3
Prince George’s	7
St. Mary’s	1
Washington	1
Unknown	106
TOTAL	157

The Office seeks to refer victims with active cases to appropriate advocacy groups or responsible agencies, and to examine what occurred in cases which have been completed. As a result of these efforts, the Office received and addressed numerous victim contacts (*as illustrated below*).

	Referrals	Number of Referrals
Closed Matters	Criminal Injuries Compensation Board or other financial assistance	53
	Department of Human Services	4
	Department of Public Safety and Correctional Services	11
	Law Enforcement Agency	20
	Office of the Attorney General	3
	State’s Attorney’s Office or other legal assistance	51
	Transitional Housing Services	4
	Victim Assistance Organization	66
	TOTAL*	212

*The total number of referrals is greater than the number of complaints/requests for services because several victims received referrals to multiple organizations and agencies.

Victim Information Notification Everyday

Victim Information Notification Everyday (VINE) is an automated service that can provide victims with information on the custody status of offenders and upcoming court hearing dates. The Department of Public Safety and Correctional Services (DPSCS) manages the VINE program for Maryland.

The Office and the Board supported the launch of Enhanced VINE,³ a new version that offers victims an improved user experience with the addition of an offender watch list, contact list, and quick escape button, as well as expanded access to victim services to include the comprehensive VINE Service Provider Directory for Maryland. The Board supports the use of the VINE Service Provider to centralize program information through a comprehensive directory of victim service providers in Maryland, increasing access to victim services for VINE users. The directory is accessible by phone, mobile app, and internet.

Crime Victim Mandated Pamphlets and Forms

Pursuant to Article 47 of the Maryland Declaration of Rights, § 11-914 of the Criminal Procedure Article, and other statutory provisions, the Board developed two pamphlets to ensure that a victim's right to be informed is upheld by law enforcement personnel, commissioners or juvenile justice intake workers, and state's attorneys.

With the enactment of [Amber's Law](#) (Chapter 643 of 2017), individuals have received the opportunity to request reasonable protections for the safety of an alleged victim or the victim's family. The Board developed the brochure, *Maryland Crime Victims: Requesting Protections for Safety*, to inform victims on how to request that an offender be placed on electronic monitoring or electronic monitoring with victim stay-away alert technology.

As illustrated below, **153,500** crime victim mandated materials have been distributed throughout the State, between July 1, 2020 and June 30, 2021.

Primary Agency Responsible for Distributing Crime Victim Mandated Pamphlets/Forms	Language	Quantity Distributed
Law Enforcement (<i>Crime Victims and Witnesses: Your Rights and Services</i>)	English	106,600
Law Enforcement (<i>Crime Victims and Witnesses: Your Rights and Services</i>)	Spanish	16,500
Law Enforcement (<i>Maryland Crime Victims: Requesting Protections for Safety</i>)	English	10,000
State's Attorneys' Office (<i>Your Rights as a Victim in the Criminal and Juvenile Justice Process</i>)	English	12,400

³ Governor's Office of Crime Prevention, Youth, and Victim Services (2020). [Governor's Office of Crime Prevention, Youth, and Victim Services. Department of Public Safety and Correctional Services Announces Availability of Enhanced Victim Notification Service in Maryland.](#)

State's Attorneys' Office (<i>Your Rights as a Victim in the Criminal and Juvenile Justice Process</i>)	Spanish	200
State's Attorneys' Office (<i>Crime Victim Notification and Demand for Rights Form</i>)	English	5,000
State's Attorneys' Office (<i>Crime Victim Notification and Demand for Rights Form</i>)	Spanish	2,800
TOTAL Quantity Distributed		153,500

Pursuant to Chapters [85](#) and [86](#) of 2021, the Board is required to develop a [poster](#) notifying a victim of the right to request a private room in a law enforcement agency when reporting crimes under Title 3 of the Criminal Law Article. The Board developed the poster and copies were provided to all law enforcement agencies.

MARYLAND SUPPORTS CRIME VICTIMS

**Reporting a crime
against a person?***

**YOU HAVE THE RIGHT TO
REQUEST A PRIVATE ROOM.**

Tiene el derecho de solicitar una habitación privada.

Vous avez le droit de demander une chambre privée.

您有权要求一间私人房间。

*Crimes under Title 3 of the Criminal Law Article, including suicide, assault, reckless endangerment, sexual crimes, robbery, kidnapping, abuse, extortion and other threats, stalking and harassment, surveillance and other crimes against privacy, threat of mass violence, human trafficking, and labor trafficking

For more information on victims' rights and services,
please visit the website below



GOVERNOR'S OFFICE OF
CRIME PREVENTION, YOUTH,
AND VICTIM SERVICES

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Maryland State Board of Victim Services Manual

The Board updated the manual which outlines the duties, procedures, and responsibilities of the Board and its members. The updated manual was shared with all members and can be found [here](#).

Grant Programs

Maryland Victims of Crime Fund

Chapter 561 of 1991 created the MVOC fund as a source of revenue to allow the Board to ensure implementation of the Declaration of Crime Victims' Rights Amendment to the Maryland Constitution, as well as the Guidelines for Treatment of and Assistance to Crime Victims and Witnesses, and other laws adopted to benefit victims and witnesses of crime.

The primary purpose of this fund is to provide advocacy and support services to victims of crime to develop and enhance existing programs that serve victims of crime in Maryland. In 2021, the Office released the [FY 2022 Maryland Victims of Crime \(MVOC\) Fund NOFA](#) which identified the following priorities:

- Direct services for victims of crime;
- Victim service providers in law enforcement;
- Victim/witness service providers in state's attorney's offices;
- Enhanced services and support for child advocacy centers; and
- Enhanced services to crime victims that aid and promote the distribution of mandated brochures and educate them on their rights according to Maryland law.

In response to the FY 2022 MVOC NOFA, which made \$600,000 available, the Office received 33 applications, totaling over \$1.5 million in requested funds. Based on Board members' review of the applications and funding recommendations, the Office awarded \$600,000 to 14 subrecipients. In addition, subrecipients may have an opportunity to receive a second year of level funding for FY 2023 provided the program is in good standing and demonstrating positive outcomes. The Office will provide a second year of continuation funding, contingent on the availability of funding, if the subrecipient shows success through the submission of quantitative metrics including outcome based performance measures within quarterly and annual reporting.

Legal Services for Crime Victims Fund

Chapters 125 and 126 of 2007 created the LSCV grant program under § 11-919 of the Criminal Procedure Article to provide victims of crime the opportunity to have legal representation in the

criminal court system. Through this grant program, funds are received from unclaimed restitution to protect victims' rights as provided by law. The Division of Parole and Probation, and the Department of Juvenile Services collect court-ordered restitution from adult defendants and juvenile respondents for subsequent distribution to crime victims.

The primary purpose of this grant program is to ensure that the money obtained from unclaimed restitution is used for annual grants to provide legal counsel to victims of crime and delinquent acts, and to protect the victims' rights as provided by law. In 2021, the Office released the [FY 2022 Legal Services for Crime Victims \(LSCV\) NOFA](#) which requires programs to offer statewide legal services to victims of crime and delinquent acts. In response to the FY 2022 LSCV NOFA, the Office received six applications, totaling over \$400,000 in requested funds. Based on Board members' review of the applications and funding recommendations, the Office awarded \$75,000 to one program for statewide legal services.

Appendix: 2021 Crime Victim Related Legislative Session Summary

During 2021, the State of Maryland continued its ongoing efforts to explore new legislation to more effectively help fight crime and improve public safety for all of its citizens. There were several significant bills passed during the 2021 session of the Maryland General Assembly that will help protect Maryland's citizens and assist criminal justice stakeholders in their fight. Below is a list of those bills that protect and benefit crime victims. This list is not exhaustive.

2021 Enacted Legislation

Victims/Youth

HB 9 - Family Law - Mandatory Reporter Training

Summary: Requires the Department of Human Services to post on its website a free online course on the identification, prevention, and reporting of child abuse.

Effective: October 1, 2021

HB 180 - Juveniles - Sexting

Summary: Establishes a certain mitigating factor in a certain juvenile court proceeding against a child for a certain violation if the violation involved or arose out of sexting; prohibits the court from making a disposition of community detention if the violation arose out of sexting unless the court finds that extraordinary circumstances exist; authorizes the court to order a child whose violation arose out of sexting to participate in an age-appropriate educational program on the risks and consequences of sexting; etc.

Effective: October 1, 2021

HB 193 - Criminal Procedure - Victims of Crime - Private Room

Summary: Requires the State Board of Victim Services to develop a poster to notify a victim of the right to request a certain private room in a law enforcement agency or unit when reporting a crime, other than homicide, that primarily involves injury to a person; requires a certain law enforcement agency to display a poster developed by the State Board of Victim Services informing a victim of the right to request a private room; and requires a certain law enforcement agency to provide a certain private room to a certain victim.

Effective: October 1, 2021

HB 231 - Crimes - Mitigation and Defense - Race, Color, National Origin, Sex, Gender Identity, or Sexual Orientation

Summary: Establishes that the discovery or perception of, or belief about, another person's race, color, national origin, sex, gender identity, or sexual orientation, whether or not accurate, does not constitute legally adequate provocation to mitigate a killing from the crime of murder to manslaughter nor is it a defense to the crime of assault in any degree.

Effective: October 1, 2021

HB 289 – Peace Orders – Workplace Violence

Summary: Makes certain provisions of law relating to the filing, issuance, and modification of certain peace orders and to the shielding of certain court records of certain peace order proceedings apply to certain peace orders filed by certain employers on the basis of certain acts committed against certain employees at the employees' workplace; requires an employer to notify an employee before the employer files a certain petition; etc.

Effective: October 1, 2021, October 1, 2023

HB 373 - Education - Child Abuse and Sexual Misconduct Prevention - Hiring Emergent Employees

Summary: Authorizes the hiring of an emergent employee by a county board of education or nonpublic school for a period not to exceed 60 days pending a review of an individual's employment history for applicants who will have direct contact with minors; authorizes a contracting agency to use an employment history review completed by a current or former employer under certain circumstances; authorizes a county board or nonpublic school to share a certain employment history review with other county boards and nonpublic schools; etc.

Effective: July 1, 2021

HB 548 - Human Services - Trauma-Informed Care - Commission and Training (Healing Maryland's Trauma Act)

Summary: Establishes the Commission on Trauma-Informed Care to coordinate a statewide initiative to prioritize the trauma-responsive and trauma-informed delivery of State services that impact children, youth, families, and older adults; requires the Commission to submit its findings annually to the Governor and the General Assembly by June 30; requires the Commission to study developing a process and framework for implementing an Adverse Childhood Experiences (ACEs) Aware Program in the State; etc.

Effective: July 1, 2021

HB 744 - Courts – Counsel Appearance Fees – Domestic Violence

Summary: Prohibits the clerk of a circuit court from collecting fees for docketing the appearance of a petitioner's or a respondent's counsel in domestic violence (protective order) cases.

Effective: October 1, 2021

[HB 881](#) - Mental Health Facilities - Sexual Abuse and Harassment - Reporting and Prevention

Summary: Requires residential treatment facilities to report complaints of sexual abuse and sexual harassment within 24 hours of receiving the complaint to the Behavioral Health Administration, the Office of Health Care Quality, or in the case of a minor, to Child Protective Services; requires the Office and the Administration to develop and implement a certain reporting system; requires facilities to develop and implement policies and procedures for responding to complaints of sexual abuse and harassment; etc.

Effective: October 1, 2021

[SB 43](#) - Criminal Law - Law Enforcement Officers - Prohibition on Sexual Activity

Summary: Prohibits a law enforcement officer from engaging in certain sexual acts, sexual contact, or vaginal intercourse with a person who is a victim, witness, or suspect in an open investigation that the officer is conducting, supervising, or assisting with if the officer knew or should have known that the person is a victim, witness, or suspect, is requesting assistance from or responding to the law enforcement officer in the course of the officer's official duties, or is in the custody of the officer; establishes certain exceptions; etc.

Effective: October 1, 2021

[SB 109](#) - Secretary of State - Address Confidentiality Programs - Merger of Programs and Expanded Participant Eligibility

Summary: Merges the Address Confidentiality Program and the Human Trafficking Address Confidentiality Program into a single Address Confidentiality Program administered by the Secretary of State; expands certain eligibility requirements for the Address Confidentiality Program to include certain individuals; repeals the requirement that a request by a Program participant to withdraw from the Address Confidentiality Program be notarized; etc.

Effective: October 1, 2021

[SB 220](#) - Criminal Law - Hate Crimes - Protected Groups and Penalties

Summary: Alters the term "sexual orientation" in the context of hate crimes; includes gender identity in the list of characteristics on the basis of which a person may not commit certain acts; authorizes a court to require an offender convicted of hate crimes to complete an antibias education program in addition to any other penalties imposed; requires the University System of Maryland to manage the development of an antibias education program by January 1, 2023; etc.

Effective: October 1, 2021

SB 267 - Family Law – Investigation of Suspected Child Abuse and Neglect – Preliminary Report to State’s Attorney

Summary: Repeals a requirement that a local department of social services or law enforcement agency provide a local State's Attorney with a report of the preliminary findings of an investigation of suspected child abuse or neglect within 10 days after receiving notice of suspected child abuse or neglect.

Effective: October 1, 2021

SB 369 - Child Abuse and Neglect - Memorandum of Understanding With Military Family Advocacy Program

Summary: Requires a local department of social services with a military installation in its jurisdiction to enter into a memorandum of understanding with the Military Family Advocacy Program for that installation; and establishes certain requirements for a memorandum of understanding under the Act.

Effective: October 1, 2021

SB 494 - Juveniles Convicted as Adults - Sentencing - Limitations and Reduction (Juvenile Restoration Act)

Summary: Authorizes a court, when sentencing a minor convicted as an adult, to impose a sentence less than a certain minimum term; prohibits a court from imposing a sentence of life without the possibility of parole or release for a minor; authorizes an individual convicted as an adult for an offense committed as a minor to file a motion to reduce the duration of the sentence; requires a court to conduct a hearing on a motion to reduce the sentence; requires notice of the hearing be given to the victim or the victim's representative; etc.

Effective: October 1, 2021

SB 505 - Criminal Law - First-Degree Child Abuse - Continuing Course of Conduct

Summary: Establishes as first-degree child abuse three or more acts that constitute second-degree child abuse committed as a continuing course of conduct; and applies certain penalties.

Effective: October 1, 2021

SB 515 - Criminal Procedure – Registered Sex Offenders – Entry Onto School Property

Summary: Repeals a certain exception authorizing, under certain circumstances, a student who is a registered sex offender to enter onto real property used for public or nonpublic elementary or secondary education; authorizes a student who is a registered sex offender to receive an education in accordance with State law in a locale other than real property used for public or nonpublic education; requires a county board of education and the State Board of Education to develop certain guidelines and model policies; etc.

Effective: Upon Enactment

SB 607 - Criminal Law - Harm to Service Animals

Summary: Prohibits a person from willfully and maliciously killing, injuring, or interfering with the use of a certain service animal, or willfully and maliciously allowing a certain animal to kill, injure, or interfere with the use of a certain service animal; establishes penalties for a violation of certain provisions of the Act of imprisonment of up to 2 years or a fine of up to \$2,500, or both; authorizes a court to order a certain defendant to pay certain restitution as a condition of sentencing; etc.

Effective: October 1, 2021

Corrections/Law Enforcement/Public Safety

HB 89 - Correctional Services - Diminution Credits - Education

Summary: Awards a diminution credit of 60 days per program completed to reduce the term of confinement of an inmate if the inmate successfully obtains a certain educational certificate, diploma, or degree; provides that an inmate serving a sentence for a certain violent crime can be allowed a deduction of 40 days; prohibits certain inmates sentenced for certain violent crimes from receiving a diminution of a sentence; provides for the prospective application of the Act; etc.

Effective: October 1, 2021

HB 126 - Public Safety – Pretrial Services Program Grant Fund – Extension and Program Requirements

Summary: Prohibits a pretrial services program that receives a certain grant from charging a fee to a defendant for participation in the program; and extends the termination date of the Pretrial Services Program Grant Fund to June 30, 2028.

Effective: October 1, 2021

HB 240 - Criminal Procedure - Forensic Genetic Genealogical DNA Analysis, Searching, Regulation, and Oversight

Summary: Establishes that a certain forensic genetic genealogical DNA analysis and search may not be initiated without certifying certain information before a court and obtaining a certain authorization from the court; requires a court to authorize the initiation of a certain forensic genetic genealogical DNA analysis and search if certain information is certified before the court; prohibits certain biological samples subjected to certain forensic genetic genealogical profile analysis to be used to determine certain information about a certain donor; etc.

Effective: October 1, 2021

[HB 670](#) - Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures

Summary: Repeals the Law Enforcement Officers' Bill of Rights; prohibits a police officer from preventing a citizen from recording the officer's actions if the citizen is otherwise acting lawfully and safely; establishes the Maryland Loan Assistance Repayment Program for Police Officers and the Maryland Police Officers Scholarship Program; requires the Police Training and Standards Commission to take certain actions in response to violations of a certain Use of Force Statute; requires each county to have a police accountability board; etc.

Effective: July 1, 2022

[HB 882](#) - Workgroup to Study Partial Expungement

Summary: Alters the name of the Partial Expungement Workgroup to be the Workgroup to Study Partial Expungement; requires the Workgroup to study and develop a plan and legislative recommendations for enabling the expungement of criminal charges that are currently not eligible for expungement because of the requirements of § 10-107 of the Criminal Procedure Article; requires the Workgroup to submit a report on or before January 5, 2022; etc.

Effective: Upon enactment

[HB 1186](#) - Office of the Attorney General - Firearm Crime, Injuries, Fatalities, and Crime Firearms - Study Extension

Summary: Alters certain dates by which the Office of the Attorney General is required to provide certain reports to the Governor and the General Assembly relating to firearm crimes, firearm injuries and fatalities, and crime firearms; authorizes the Office to access certain information from the District Court concerning certain protective orders for a certain purpose; requires an additional report to be submitted by December 1, 2024 by the Office of the Attorney General under a certain Act; etc.

Effective: June 1, 2021

[HB 1187](#) - Juvenile Law - Juvenile Justice Reform

Summary: Requires the Governor, beginning in fiscal year 2023, to appropriate at least \$2,000,000 in the annual budget bill for a grant to Roca Baltimore, LLC; requires the Juvenile Justice Reform Council to submit a supplemental report on its findings and recommendations to the Governor and the General Assembly by October 1, 2021; and extends the termination date of the Council to June 30, 2022.

Effective: June 1, 2021

[HB 1248](#) - Public Safety - Police Officer - Data Collection and Reporting

Summary: Requires certain law enforcement agencies to report by March 1, 2022, and each March 1 thereafter, certain information to the Governor's Office of Crime Prevention, Youth, and

Victim Services regarding police officer-involved use of force incidents that resulted in a monetary settlement or judgment against the law enforcement agency; requires the Governor's Office of Crime Prevention, Youth, and Victim Services to adopt certain procedures and compile and report certain information to the General Assembly by June 30 each year; etc.

Effective: October 1, 2021

SB 17 - Criminal Law – Life–Threatening Injury Involving a Motor Vehicle or Vessel – Criminal Negligence (Wade’s Law)

Summary: Prohibits a person from causing a life-threatening injury to another as a result of the person's driving, operating, or controlling a motor vehicle or vessel in a criminally negligent manner; exempts certain conduct that results in a life-threatening injury to another; and establishes a penalty of imprisonment not exceeding 1 year or a fine not exceeding \$5,000 or both for a violation of the Act.

Effective: October 1, 2021

SB 71 - Maryland Police Accountability Act of 2021 - Body-Worn Cameras, Employee Programs, and Use of Force

Summary: Requires certain law enforcement agencies to require the use of body-worn cameras by July 1, 2023, for each law enforcement officer that regularly interacts with the public; requires a certain body-worn camera to automatically record and save at least 60 seconds of video footage immediately prior to the officer activating the record button; requires each law enforcement agency to establish a certain system to identify police officers who are at risk of using excessive force and to provide appropriate responses to reduce the risks; etc.

Effective: June 1, 2021, July 1, 2022

SB 178 - Maryland Police Accountability Act of 2021 - Search Warrants and Inspection of Records Relating to Police Misconduct (Anton's Law)

Summary: Requires that an application for a certain no-knock search warrant be approved in writing by a police supervisor and the State's Attorney; requires a certain no-knock search warrant to be executed between 8:00 a.m. and 7:00 p.m, absent exigent circumstances; requires a certain custodian to allow inspection of certain records by certain persons; provides that a record relating to an administrative or criminal investigation of misconduct by a police officer is not a personnel record for certain purposes; etc.

Effective: October 1, 2021

SB 270 - Crimes - Indecent Exposures - Definition

Summary: Defining the term "indecent exposure" to establish that the offense of indecent exposure prohibits a person from engaging in a certain act of masturbation in public.

Effective: October 1, 2021

SB 623 - Criminal Law - Crimes Involving Computers

Summary: Prohibits a person from committing a certain prohibited act with the intent to interrupt or impair the functioning of a healthcare facility or a public school; prohibits a person from knowingly possessing ransomware with the intent to use the ransomware for the purpose of introduction into the computer, computer network, or computer system of another person without authorization; authorizes a victim to bring a civil action for damages against a certain person; etc. Effective: October 1, 2021

SB 857 - Health - Maryland Behavioral Health and Public Safety Center of Excellence - Establishment

Summary: Establishes the Maryland Behavioral Health and Public Safety Center of Excellence within the Governor's Office of Crime Prevention, Youth, and Victim Services; requires the Center to monitor and analyze its models, plans, policies, strategies, programs, technical assistance, and training in order to identify opportunities to reduce and eliminate disparities in the criminalization of racial minorities with behavioral health disorders; requires the Office to appoint certain individuals to oversee the Center; etc. Effective: July 1, 2021

Other

HB 15 - Creating Governor's Office for Immigrant Affairs

Summary: Establishes the Governor's Office of Immigrant Affairs, subject to the availability of funding, to create a network of neighborhood-based centers providing immigrant services, assist law enforcement in combating crimes against immigrants, and promote civic and economic participation among immigrant communities; requires the Director to submit a report to the Governor and the General Assembly by June 15 each year describing calls received by the Office, the number of immigrants assisted and all other relevant information; etc. Effective: October 1, 2021

HB 18 - Landlord and Tenant – Residential Tenants – Access to Counsel

Summary: Establishes that certain procedural notice requirements must be fulfilled prior to the filing of a complaint by a landlord or a landlord's agent for the repossession of residential rental property for failure to pay rent; establishes that certain individuals shall have access to legal representation in eviction proceedings; establishes the Access to Counsel in Evictions Program to direct services to provide covered individuals with access to legal representation; establishes a certain Task Force; etc. It requires MLSC to help connect tenants with legal counsel in eviction cases. In addition, it requires landlords to provide notice to a tenant before filing for eviction and gives the tenant 10 days to pay the rent.

Effective: October 1, 2021

[HB 39](#) - Action for Change of Name - Waiver of Publication Requirement

Summary: Requires a court to waive a certain publication requirement in an action for change of name under the Maryland Rules on motion by an individual who has filed the action. The law is intended to help protect the privacy of transgender people who legally change their names, as well as domestic violence survivors.

Effective: October 1, 2021

[HB 130](#) - Commission on LGBTQ Affairs – Established

Summary: Establishes the Commission on LGBTQ Affairs in the Governor's Office of Community Initiatives; provides for the appointment, qualifications, terms, removal, and resignation of Commission members; requires the Commission to elect annually a chair and vice chair; authorizes the Commission to appoint a director; establishes that the director is a special appointment; requires publication of an annual report to include recommendations on policies for LGBTQ adults and youth to end discriminatory practices in the State; etc.

Effective: October 1, 2021

[HB 391](#) - Solid Waste Management – Prohibition on Releasing a Balloon Into the Atmosphere

Summary: Prohibits a person who is at least 13 years old, a corporation, a partnership, an association, a nonprofit entity, the State, or any unit or political subdivision of the State from knowingly and intentionally releasing, or causing to be released, a balloon into the atmosphere, with certain exceptions; prohibits a person from organizing or participating in a mass balloon release of 10 or more balloons; requires a certain unit of a local government with delegated enforcement authority to report certain violations; etc.⁴

Effective: October 1, 2021

[HB 514](#) - Maryland Legal Services Corporation Funding – Abandoned Property

Summary: Increases the amount, from \$2,000,000 to \$8,000,000, that the Maryland Legal Services Corporation (MLSC) Fund receives from the State's Unclaimed Property Fund. MLSC provides funding to low income legal service providers in Maryland, including several programs providing representation to survivors of domestic violence.

Effective: July 1, 2021

⁴ It is important to note that [HB 391](#) was included in the [2021 Crime Victim Related Legislative Session Summary](#) because many victim memorial services often include a balloon release.

SB 41 - Health - Mental and Emotional Disorders - Consent (Mental Health Access Initiative)

Summary: Alters the minimum age, from 16 years to 12 years, at which a minor has the same capacity as an adult to consent to consultation, diagnosis, and certain treatment of a mental or emotional disorder by a health care provider or clinic; and providing that a health care provider may decide to provide certain information to a certain parent, guardian, or custodian under certain provisions of law unless the health care provider believes that the disclosure will lead to harm to the minor or deter the minor from seeking care.

Effective: October 1, 2021

SB 127 - Institutions of Higher Education - Use of Criminal History in Admission - Modifications

Summary: Prohibits an institution of higher education from using certain third-party admissions application information about the criminal background of the applicant to deny admission; alters a certain process in using certain information about an applicant's criminal history to make a determination regarding the applicant's access to campus residency; and authorizes an institution of higher education to develop a process for determining or restricting access to campus residency for certain students convicted of certain crimes.

Effective: July 1, 2021

SB 201 - Criminal Procedure - Expungement of Records

Summary: Requires the expungement of certain records 3 years after a disposition of the charge if no charge in the case resulted in a disposition other than acquittal, dismissal, not guilty, or nolle prosequi, except nolle prosequi with a requirement of drug or alcohol treatment; requires a court to send a certain notice; requires a court to notify a certain defendant of certain information relating to expungement; requires a court to mail a certain written form to a certain defendant; etc.

Effective: October 1, 2021