

Maryland State Board of Victim Services 2023 Annual Report

Criminal Procedure Article, §§ 11-914(1) and 11-915(b)(5); MSAR #12676 | MSAR #12143

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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 Moore.

Steven J. Kelly, Esq., Chair Grant & Eisenhofer

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

Anthony Brown Maryland Attorney General

Lou Gieszl Administrative Office of the Courts

R. Gary Hofmann, III Maryland Sheriffs' Association, Queen Anne's County Sheriff's Office

Molly Knipe Service Provider, YWCA of Annapolis and Anne Arundel County

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

Dorothy J. Lennig, Esq. Executive Director, Governor's Office of Crime Prevention, Youth, and Victim Services

Steven Levin, Esq. Chair, Criminal Injuries Compensation Board

Adam Lippe, Esq. Public Member, Baltimore County State's Attorney's Office

Rafael Lopez Secretary, Department of Human Services LaJoy Preston Maryland Chiefs of Police Association, Prince George's County Police Department

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

Alonzo Robertson, Esq. Public Member, Maryland Crime Victims' Resource Center, Inc.

Vincent Schiraldi Secretary, Department of Juvenile Services

Carolyn Scruggs Secretary, Department of Public Safety and Correctional Services

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

Lisa Spicknall-Horner Public Members, Donate Life Maryland

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

Tiffany Bright Attorney General's Office **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

Laurie Kimble Queen Anne's County Sheriff's Office

David Shultie Administrative Office of the Courts

Patricia Stevens Department of Public Safety and Correctional Services

Jacqueline Turner Department of Human 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., Grant & Eisenhofer, and staff from the Governor's Office of Crime Prevention, Youth, and Victim Services (Office), 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 collaborating 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 2023 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 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:

- (1) Submit to the Governor an annual written report of its activities, including its administration of the MVOC fund;
- (2) Monitor the service needs of victims;
- (3) Advise the Governor on the needs of victims;
- (4) Recommend the appointment of the Victim Services Coordinator to the Executive Director;
- (5) Review and approve the Victim Services Coordinator's plans and annual reports, and the Victim Services Coordinator's implementation, operation, and revision of programs;
- (6) Approve or disapprove each grant application submitted by the Office;
- (7) 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;
- (8) Advise the State's Attorneys' Coordinator on the administration of the Victim and Witness Protection and Relocation Program;
- (9) (i) 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:
 - 1. 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
 - 2. A second pamphlet relating to the time after the filing of an indictment or information in circuit court; and
 - (ii) 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 ("Other Crimes against the Person"); and
- (10) 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 5,000 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 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				

The *33rd Statewide Memorial Services for Crime Victims and Their Families* were hosted by the Calvert, Cecil, Montgomery, Wicomico County State's Attorneys' Offices on Sunday, April 23, 2023.

Maryland Crime Victims' Rights Conference

The 2023 Maryland Crime Victims' Rights Conference was held on April 27, 2023, at the Maryland Judicial Center in Annapolis. The conference was offered in person and virtually, 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. Workshops presented during the conference focused on survivor-led services, human trafficking, financial abuse of elders, services for immigrants, domestic violence legislation, truth in sentencing, homicide survivors, and trauma-informed care.

Victim and Witness Protection and Relocation Program

The Victim and Witness Protection and Relocation Program is used to protect and relocate victims and witnesses and securely facilitate their participation in court proceedings. The Victim and Witness Protection and Relocation Program is administered by the State's Attorney Coordinator, and the Board has the authority to advise the State's Attorneys' Coordination Council (Council) on the regulations and administration of the program.

The Board created a workgroup to review the current guidelines and provide recommendations to the Council. The Board provided recommendations to update the guidelines as well as recommendations to collect data and to use the funds for pre-arrest/pre-charge expenses. The Board also drafted a sample relocation form and contract. The recommendations, form, and contract were approved by the Council. The Board and the Office will assist the Council with training for these changes.

Active Assailant Interdisciplinary Workgroup

Over the last few years, the Board has collaborated with the Maryland <u>Active Assailant</u> <u>Interdisciplinary Work Group</u> (AAIWG) to develop guidance and best practices for support services for mass casualty incidents, including guidance for establishing family assistance centers, victims' rights, and compensation. Board members assisted with the development of <u>Support Services for Mass Casualty Incidents: Guidance and Best Practices</u>, which identifies best practices, resources, and operational considerations relevant to response and recovery efforts for a mass casualty incident.

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.

Recommendation 2: The Board should continue to collaborate with the AAIWG to develop guidance 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 relocate victims and witnesses for their protection and facilitate their participation in court proceedings.

Recommendation 4: Maryland should pursue long-term strategies to address 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 funding would continue to support 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 among 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.

Key Initiatives

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 goals of the Initiative are 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 State FY 2023, the Victim Services Program Manager, who serves as the Victim Services Coordinator, responded to 143 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	6
Baltimore	5
Baltimore City	15
Cecil	3
Charles	2
Dorchester	1
Frederick	2
Harford	2
Montgomery	4
Prince George's	17
St. Mary's	3
Washington	2
Worcester	3
Unknown	77
TOTAL	143

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	59
	Department of Human Services	4
	Department of Juvenile Services	1
	Department of Public Safety and Correctional Services	6
	Law Enforcement Agency	26
	Office of the Attorney General	1
	State's Attorney's Office or other legal assistance	46
	Victim Assistance Organization	40
	TOTAL*	183

*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.

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 <u>Amber's Law</u> (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 Maryland Crime Victims: Requesting Protections for Safety brochure to inform victims on how to request that an offender be placed on electronic monitoring or electronic monitoring with victim stay-away alert technology.

Pursuant to § 11-914 of the Criminal Procedure Article, the Board created a <u>poster</u> to notify 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 ("Other Crimes against the Person").

Primary Agency Responsible for Distributing Crime Victim Mandated Pamphlets/Forms	Language	Quantity Distributed
Law Enforcement (Crime Victims and Witnesses: Your Rights and Services)	English	214,135
Law Enforcement (Crime Victims and Witnesses: Your Rights and Services)	Spanish	18,850
Law Enforcement (Private Room Poster)	English	3
Law Enforcement (Maryland Crime Victims: Requesting Protections for Safety)	English	700
State's Attorneys' Office (Your Rights as a Victim in the Criminal and Juvenile Justice Process)	English	5,650
State's Attorneys' Office (Your Rights as a Victim in the Criminal and Juvenile Justice Process)	Spanish	2,150
State's Attorneys' Office (Crime Victim Notification and Demand for Rights Form)	English	9,800
State's Attorneys' Office (Crime Victim Notification and Demand for Rights Form)	Spanish	0
TOTAL Quantity Distributed		251,288

As illustrated below, **251,288** crime victim mandated materials have been distributed throughout the State between July 1, 2022, and June 30, 2023.

The Board will host an initial meeting in late 2023, with stakeholders and agencies that process the <u>Crime Victim Notification Request and Demand for Rights Form</u>, in order to update the instructions on the form and discuss how the form is currently being processed in all jurisdictions.

Grant Programs

Maryland Victims of Crime (MVOC) 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 2023, the Office released the *FY 2024 Maryland Victims of Crime (MVOC) Fund Notice of Funding Availability (NOFA)* which identified the following priorities:¹

- 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 2024 MVOC NOFA, which made \$450,000 available, the Office received 57 applications, totaling over \$3.6 million in requested funds. Based on the Board's and Office's review of the applications and funding recommendations, the Office awarded \$450,000 to 15 subrecipients. Subrecipients will be provided the opportunity to receive a second year of level funding, providing the program is in good standing and demonstrating positive outcomes.

Legal Services for Crime Victims (LSCV) 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

¹ Governor's Office of Crime Prevention, Youth, and Victims Services. *Maryland Victims of Crime Fund (MVOC)*. <u>https://goccp.maryland.gov/grants/programs/mvoc/</u>

acts and to protect victims' rights as provided by law. In 2023, the Office released the *FY 2024 Legal Services for Crime Victims (LSCV) NOFA*, which requires programs to offer statewide legal services to victims of crime and delinquent acts.² In response to the FY 2024 LSCV NOFA, the Office received two applications, with \$75,000 in grant funds available. The Office awarded \$75,000 to one program for statewide legal services in State FY 2024.

Conclusion

The Board, under the leadership of the Office's Executive Director, will continue to partner with State agencies and victim service providers to ensure all crime victims in Maryland are treated with dignity, respect, and compassion during all phases of the criminal justice process.

² Governor's Office of Crime Prevention, Youth, and Victim Services. *Legal Services for Crime Victims Fund* (*LSCV*). <u>https://goccp.maryland.gov/grants/programs/lscv/</u>