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

February 12, 2020

Chair Luke Clippinger and Members of the House Judiciary Committee
Room 101, House Office Building
Annapolis, MD 21401

**Re: House Bill 493: Criminal Procedure - Criminal Injuries Compensation Fund -
Conditions for Awards on Claims**

POSITION: Letter of Information

Dear Chair Clippinger and Members of the House Judiciary Committee,

The Governor's Office of Crime Prevention, Youth, and Victim Services is providing this letter of information for House Bill 493: Criminal Procedure - Criminal Injuries Compensation Fund - Conditions for Awards on Claims.

The Criminal Injuries Compensation Board ("Board") makes financial assistance awards from the Criminal Injuries Compensation Fund ("CICF"), if the Board finds that the committed crime or delinquency act led to the (1) physical injury or death of the victim; or (2) psychological injury to the victim that necessitated mental health counseling.

House Bill 493 would permit the Board to make awards to victims for property damage that resulted from the crime. Additionally, the bill requires, if good cause is shown, the Board to waive the requirements that (1) law enforcement or judicial records show that the crime, delinquent act was reported to proper authorities within 48 hours after the incident and (2) the victim has cooperated fully with all law enforcement units.

The CICF is a special fund within the Victim Services Unit at the Governor's Office of Justice, Youth, and Victim Services. The CICF provides financial assistance to innocent victims of crime. Current law permits victims to seek compensation from the fund within three years of the incident that caused the injury.

According to §11-819 of the Criminal Procedure Article, the CICF is funded by (1) court costs collected from defendants under § 7-409 of the Courts Article, (2) money distributed to the fund by speed monitoring systems on Maryland Route 210 in Prince George's County, (3) any

investment earnings or federal matching funds received by the State for criminal injuries compensation, (4) and any additional funds available from any other sources.

Total CICF revenue collected from the District Court has reduced from \$3,193,127 in FY12 to \$2,233,107 in FY19, a reduction of around 30%. This is largely due to several factors including a reduction in criminal charges and dispositions, marijuana decriminalization, and the use of speed and red light cameras for traffic enforcement. The decrease in State revenues will also result in a reduction in federal revenues, as the State receives matching federal funds totaling 60% of the State funds expended.

Pursuant to legislation that passed last Session, on January 1, 2020, caps on amounts awards for funeral expenses and mental health treatment have increased. The Board does not currently know how the increased caps will affect the long-term solvency of the fund.

House Bill 493 has potential to increase the amount of claims and potential expenditures from the CICF related to awards for property damage.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "V. Glenn Fueston, Jr.", written in a cursive style.

V. Glenn Fueston, Jr.

Executive Director

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

For all inquiries, please contact
Andy Baranauskas, Legislative Affairs Manager
410-855-2538

Anthony.Baranauskas@maryland.gov