



BILL NO: Senate Bill 788
TITLE: Criminal Procedure - Victim Compensation – Alterations
COMMITTEE: Judicial Proceedings
HEARING DATE: March 9, 2023
POSITION: **Favorable**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judicial Proceeding Committee to issue a favorable report on SB 788.**

Maryland’s Criminal Injuries Compensation Board and victim compensation process is onerous and results in the routine denial of countless claims by victims of crime. The process to apply for victim compensation is not trauma-informed and many victims choose not to even apply for compensation because it is so cumbersome, traumatic, and frequently results in an ultimate denial of compensation.

The barriers to victim compensation impact all victims of crime including victims of domestic violence. Despite the thousands of domestic violence victims in Maryland in 2022, no domestic violence related claims for victim compensation were paid to victims of domestic violence.¹ Domestic violence is vastly underreported with an estimated half of all victims not reporting the violence to law enforcement.²

Victims of domestic violence do not report their abuse to law enforcement for numerous reasons including distrust between victims of domestic violence and law enforcement. In a 2015 survey, 88% of victims of domestic violence or sexual assault reported that police “sometimes” or “often” do not believe victims or blamed victims for the violence.³ In that same survey, 83% of the those surveyed thought police “sometimes” or “often” do not take allegations of sexual assault and domestic violence seriously. Over 80% believed that police-community relations with marginalized communities influenced survivors’ willingness to call the police. Victims of domestic violence who do not report their abuse to law enforcement are barred from receiving any victim compensation. Those same victims of domestic violence often cannot leave the violence because they lack the financial resources to do so.

¹ [https://dlslibrary.state.md.us/publications/Exec/GOCPYVS/CP11-805\(a\)\(8\)_2022.pdf](https://dlslibrary.state.md.us/publications/Exec/GOCPYVS/CP11-805(a)(8)_2022.pdf)

² <https://bjs.ojp.gov/content/pub/pdf/cv19.pdf>

³ https://www.aclu.org/sites/default/files/field_document/2015.10.20_report_-_responses_from_the_field_0.pdf

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Senate Bill 788 addresses the numerous obstacles victims face to receive victim compensation in Maryland including the eligibility requirements such as reporting the crime to law enforcement within 48 hours, fully cooperating with law enforcement, and an arbitrary determination that an individual did not contribute to their victimization. It also helps clarify and expand which relatives are eligible to receive compensation and what types of expenses are eligible for reimbursement to more accurately reflect family structures and the needs of victims. The claims process is streamlined in SB 788 to reduce the unacceptable delays victims currently experience if they engage in the victim compensation process. Enhanced program reporting requirements are included to improve transparency and accountability. Finally, SB 788 removes the counterproductive reliance on criminal justice fines and fees to fund these benefits, creating greater program stability.

By assisting with the destabilizing expenses that come with the trauma of violent victimization, such as medical care, mental health care, lost wages, funeral and burial expenses, crime scene cleanup and more, compensation helps reduce the risk of future victimization and perpetration of harm, and the long-term costs of violence to the state.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report on SB 788.**