
BILL NO.: House Bill 861
TITLE: Criminal Procedure - Victim Compensation - Alterations
COMMITTEE: Judiciary
DATE: March 7, 2023
POSITION: **SUPPORT**

House Bill 861 would address our current victim compensation agency to improve the process of what is currently almost completely inaccessible to victims of crime and their families. The Women's Law Center (WLC) supports HB 861 because a major overhaul is long overdue, and the bill will help make the Criminal Injuries Compensation Board (CICB) an accessible, non-discriminatory victim compensation process. It will provide prompt and crucial financial support when it is needed most, and remove unnecessary and arbitrary denials of financial relief for applicants for expenses incurred as a result of being a victim of crime.

The WLC operates protection order projects in 3 jurisdictions and has other projects that exclusively serve victims of crime in collateral legal issues. We have found over the decades we have been representing victims that obtaining any benefits from the CICB is virtually impossible for our clients. Maryland has one of the lowest grant rates of victim compensation in the country. Over half of all claimants were denied victim compensation in Maryland as ineligible or closed without any compensation in FY22, with no victim of domestic violence related crimes awarded compensation.

House Bill 861 would remove numerous requirements that bar victims from eligibility for victim compensation, including the requirements that a victim must report a crime to law enforcement within 48 hours and that a victim must "cooperate" with law enforcement. It would 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 bill would also remove the concept of the "perfect victim" who may have "contributed" to their own victimization.

In addition, HB 861 would reconstitute the Criminal Injuries Compensation Board to include more members with lived experience and those that work directly with victims. The claims process would be streamlined in HB 861 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.

Frankly, although the CICB has existed, we do not give our clients who should receive compensation the false hope that they actually will. It is beyond time to make this an actual workable agency to assist victims and their families in the right circumstances.

For these reasons, the Women's Law Center urges a favorable report on House Bill 861.

The Women's Law Center of Maryland is a private, non-profit, membership organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change.