



---

Maryland General Assembly- House Judiciary Committee  
Room 101  
House Office Building  
Annapolis, MD 21401

RE: Letter of support for HB 861 Criminal Procedure – Victim Compensation - Alterations

March 7, 2023

Chair Clippinger and the House Judiciary Committee,

The Health Alliance for Violence Intervention (HAVI) is pleased to support HB 861 “Criminal Procedure - Victim Compensation - Alterations.” This bill would reform our state’s victim compensation process to ensure it is accessible to all victims of crime. We respectfully ask that your committee provide a favorable report for this important legislation.

The HAVI represents a national network of hospital-based violence intervention programs (HVIPs). HVIPs are victim service providers that use patient-focused strategies to break the cycle of violence and reduce rates of repeat injury. Founded in 2009, the HAVI represents 50 programs across the United States. In fact, the R Adams Cowley Shock Trauma Center Violence Intervention Program was one of our founding members, with UM Capital Region Health, Johns Hopkins Hospital, Lifebridge Health, and Youth Advocate Programs subsequently joining.

As service providers who care for survivors of community violence, our collective experience is that the existing victim compensation system in Maryland is wholly inaccessible for survivors of community violence. Our clients, typically Black and Brown young men who have survived gunshot wounds, are almost universally denied compensation. This both re-traumatizes survivors and adds an unjust financial burden to an already challenging recovery.

This lack of access impedes our ability to promote community safety in the communities hardest hit by gun violence. It means that survivors face challenges accessing medical care, mental health services, and securing basic needs such as food and housing. This has the combined effect of perpetuating the cycle of violence.

Fortunately, this bill addresses the barriers which have locked survivors of gun violence out of the existing system. It removes the requirement that victims must report a crime within 48 hours, an eligibility criterion typically unknown to survivors until after they apply. HB 861 removes requirements that a victim must “cooperate” with law enforcement- a vague term with vastly different meanings between members of law enforcement and the community.

Additionally, it strikes the concept of the "model victim" which is a flawed, outdated, and unjust concept.

In addition to these reforms that directly support victims, the bill has several provisions to improve the overall system. In order to adapt the program to meet an evolving challenge, it reconfigures the Criminal Injuries Compensation Board to include both members with lived experience as well as service providers. The bill removes unnecessary bureaucratic hurdles by streamlining the claims process. Finally, it improves the financial stability of the program by decreasing the reliance on criminal justice fines and fees.

We believe HB 861 is an important step to ensure survivors of community violence have the resources needed to fully recover after their injuries. Although it was not intended this way, in practice, the existing system picks winners and losers by perpetuating a harmful trope of "deserving" and "underserving" victims. This is not only immoral, but perpetuates the cycle of violence.

For these reasons, we ask that the House Judiciary Committee provide a favorable report on HB 861 Criminal Procedure – Victim Compensation - Alterations.

Sincerely,

A handwritten signature in black ink that reads "Kyle Fischer". The signature is written in a cursive, flowing style.

Kyle Fischer, MD, MPH  
Policy Director  
The Health Alliance for Violence Intervention (HAVI)  
KyleF@TheHAVI.org