

Brady
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Testimony of Ramya Swami, Manager, State Policy, Brady
Support for HB 575 / SB 471 [FAV]
Before the Maryland Senate Judicial Proceedings Committee
February 9, 2024

Chair Smith, Vice Chair Waldstreicher and distinguished members of the Maryland Senate Judicial Proceedings Committee,

Founded in 1974, Brady works across Congress, courts, and communities, uniting gun owners and non-gun owners alike to end America's gun violence epidemic. Our organization today carries the name of Jim Brady, who was shot and severely injured in the assassination attempt on President Ronald Reagan. Jim and his wife, Sarah, led the fight to pass federal legislation requiring background checks for gun sales. Brady continues to uphold Jim and Sarah's legacy by uniting Americans across the country in the fight to prevent gun violence.

Brady applauds the thoughtful work and legislative efforts of this body to prevent and end gun violence throughout the state. Tragically, despite these efforts and some of the strongest gun laws in the nation, each year, 785 Marylanders are killed by gun violence, and 493 of those deaths are from firearm homicides.¹ We need only look at the fact that Maryland has the seventh highest firearm homicide rate in the country to see that gun violence is a crisis in Maryland communities and additional policies must be put in place to prevent further tragedies. **In furtherance of our goal to reduce firearm violence across the state and in communities of color, Brady strongly urges a favorable report on HB 575 / SB 471.**

Gun violence can destroy the lives of survivors who face insurmountable medical costs and family members who have lost their primary breadwinners. Victim compensation is an important pathway for survivors to access support – covering specific expenses such as medical bills, funeral and burial expenses, and counseling. But eligibility restrictions can lock survivors out of compensation, and victims of police violence and their families typically cannot access victim compensation. This type of funding is crucial to the healing of survivors of crimes and would interrupt the cycles of violence that pervade homes and communities who have no recourse or resources to move forward.

HB 575 / SB 471 creates an accessible, non-discriminatory victim compensation process to support all victims of crime, or their family members left behind. It will provide prompt and crucial financial support

¹ Centers for Disease Control and Prevention, National Center for Injury Prevention and Control. *Web-based Injury Statistics Query and Reporting System (WISQARS)* [online]. (2005) [cited 2024 Feb. 2]. Available at: www.cdc.gov/injury/wisqars.

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.

Victim Compensation is about public safety. 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. The current victim compensation process disproportionately disqualifies and alienates applicants of color and their families from receiving compensation at alarming rates, especially Black men and youth impacted by gun and other forms of community violence. Maryland has one of the lowest grant rates of victim compensation in the country. **Over 60% of all claims were denied victim compensation in Maryland as ineligible or closed without any compensation in FY23, with no victim of domestic violence related crimes awarded compensation.**

HB 575 / SB 471 removes 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.

Data collected by the U.S. Department of Justice in 2019 found that 6 in 10 violent victimizations are never reported to police. Victims of violent crime face a complex series of issues as they navigate the justice system, the healing process, and even everyday life. Acknowledging these complex needs and barriers to reporting, the state legislature has taken action to allow for other forms of evidence.

For survivors of police violence and loved ones of those killed by police, these restrictions are especially perverse. A police report documenting the victimization is often elusive. Survivors may not want to speak with officers, resulting in exclusion for noncooperation. The very people responsible for the victimization are tasked with assigning blame, and denying the victim or their family access to needed resources.

HB 575 / SB 471 would remove these discriminatory barriers such as the police reporting requirement and expand the forms of evidence that could be used to show that a survivor suffered harm. Too often, victims and survivors of qualifying crimes, including Black men, members of the LGBTQ+ community, immigrants, victims of intimate partner violence, and other Marylanders who are marginalized, do not report because they have a justified mistrust of law enforcement and/or fear retaliation from their abusers.

HB 575 / SB 471 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 bill also strikes the concept of the “perfect victim” who may have “contributed” to their own victimization. A large body of evidence and lived experience demonstrates this has not been effective at helping people heal and preventing future victimization; rather, it has too often exacerbated the trauma victims experience in the aftermath of violent crime. This bill reconstitutes the Criminal Injuries Compensation Board to include more members with lived experience and those that work directly with victims. The claims process is streamlined to reduce the unacceptable delays victims currently experience if they engage in the compensation process. Enhanced program reporting requirements are included to improve transparency and accountability.

For decades, survivors of color who are directly impacted and disproportionately excluded from victim compensation have been leading calls for changes that would remove barriers to accessing compensation, and that would ensure survivors of police violence can receive compensation. With this bill, Maryland has an opportunity to demonstrate that we value healing regardless of the type of victimization, that we value the experiences of victims, and particularly that we value the experiences of Black and Brown victims of police violence. **For these reasons Brady strongly urges a favorable report on HB 575 / SB 471 .**

Sincerely,
Ramya Swami
State Policy Manager
Brady Campaign to Prevent Gun Violence