

TESTIMONY IN SUPPORT OF SENATE BILL 471

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The Governor's Office of Crime Prevention and Policy (GOCPP) serves as a coordinating office that advises the Governor on criminal justice strategies. The office plans, promotes, and funds efforts with government entities, private organizations, and the community to advance public policy, enhance public safety, reduce crime and juvenile delinquency, and serve victims. Senate Bill 471 would create a victim compensation process that is more accessible to victims of crime, or their family members, provide prompt and crucial financial support when it is needed most, and eliminate some denials of financial relief for victims of crimes. **We urge the Senate Judicial Proceedings Committee to favorably report on Senate Bill 471.**

The Criminal Injuries Compensation Board (CICB) provides aid to victims of crime in Maryland. Its statutory authority is to be construed to remedy the harm to the victim and in favor of eligibility for the victim or claimant. For those who qualify, it can be an extremely helpful remedy as it helps pay for expenses incurred due to criminal injuries.

Unfortunately, in current practice, it is difficult for victims to qualify for and receive reimbursement from the CICB. The current law has an array of requirements, including that the crime must be reported within 48 hours; the victim must fully cooperate with all law enforcement units; relief is limited to victims of violent crimes; it does not provide relief for domestic partners of victims; and, limits compensation for psychological injuries.

SB 471 would alleviate many of the above-described barriers by making the following changes. All of these measures would greatly help victims of crimes.

Eligibility

- Adds domestic partners, adults under legal guardianship, and dependent minors as eligible to apply
- Removes “innocent” from definition of people who may apply
- Expands definition of psychological injury to include any crime, not simply certain sexual offenses, felonies, or crimes resulting in physical injury or death
- Expands time for filing from 3 to 4 years and allows for filing anytime in the cases of child abuse
- Extends time to file a case with delayed DNA testing or matching, allows a claimant to apply within 4 years of notification of DNA results
- Removes requirements that the claimant report crime within 48 hours, cooperate with law enforcement, and not have “contributed” to their own injury

Processing claims

- Redefines the role of GOCPP staff so that they, and not the Board, will make initial determinations. The Board will hear first-level appeals
- Amends communication methods with claimant to include: email, phone, other appropriate methods
- Reduces claim response time from 90 days to 30 days once the Office receives all of the required documents from the claimant

Board

- Expands board membership from 5 to 7 members
- Requires board diversity, including racial-ethnic, geographic, gender, survivor from community with high rates of violence and incarceration, and victim services organization worker
- Redefines role of Board to hear appeals, instead of making initial determinations

Evidence

- Expands the type of evidence a claimant may use to prove a crime has been committed, their injury, and their need for assistance to include: documentation provided by law enforcement, medical records, and testimony of qualified third party (doctor, psychologist, social worker, caseworker, domestic violence/sexual assault advocate/caseworker)

Eligible expenses

- Removes the requirement that a claimant must report the crime to the proper authorities within 48 hours and that the victim must cooperate fully with law enforcement units
- Expanded to include: medical supplies, assistive technology for disabilities, one-time relocation expenses, child care for medical or counseling care, and transportation

Payments

- Raises payment amounts allowed
 - Funeral expenses from \$7500 to \$10,000
 - Counseling from \$10,000 to \$45,000
 - Property damage from \$250 to \$2000
 - Emergency awards from \$5000 to \$10,000
- Increases emergency award limits, removes requirements for repaying emergency awards, and establishes that emergency awards may be made for funerals, crime scene clean up, and relocation expenses

GOCPP

- New reporting requirements
- Requires creation of online application portal

The Governor's Office of Crime Prevention and Policy urges the Senate Judicial Proceedings Committee to report favorably on Senate Bill 471.