



TESTIMONY BY Keith Wallington

Director of Advocacy, Justice Policy Institute

kwallington@justicepolicy.org

Senate Bill 471

Criminal Procedure – Victim Compensation – Alterations

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Chairperson and committee members, thank you for your attention to this important issue. I am Keith Wallington, the Director of Advocacy for the Justice Policy Institute (JPI). JPI is a national research and policy advocacy organization working with communities most impacted by crime and the criminal legal system to build better safety solutions. I am here today to testify in support of Senate Bill 461, which will create a more accessible, non-discriminatory compensation process to support all people and families who have experienced crime. This bill will improve access to crucial financial support when it is needed most by removing barriers like the requirement that a victim must “cooperate” with law enforcement or report the crime to law enforcement within 48 hours to access victim compensation resources.

As a young college student, I lost my older brother to gun violence. Both my parents worked factory jobs, and as a low-income family, we did not have the financial resources to cover the funeral expenses, let alone the means to bring me or my twin brother home from college for his funeral. It was through the generosity of our basketball coach and teammates that we were able to get home. As a result of the lack of support through this process, it was not until well after the funeral and my brother was buried that we were finally able to afford to place a headstone on his grave. Unfortunately, this was just the tip of the iceberg regarding what was to come.

My mother never got over her son’s death and never received the support or therapy she needed to address and heal from this trauma. His death and my mother’s unmet needs led to a steady decline in her health that eventually resulted in her early death. I can only imagine how our lives, particularly my mother’s life, would have been different if we had been connected to victim support and services during that horrible time. My lived experience underscores the critical need for this legislation and the improvements it provides to expand access to financial resources for survivors of crime.

Ultimately, victim compensation is about public safety. By assisting with the destabilizing expenses that come with the trauma of experiencing crime — such as medical and mental health care, lost wages, funeral and burial expenses, and crime scene cleanup — compensation helps reduce the risk of future victimization and perpetration of harm, and the long-term costs of violence to communities. For instance, according to the Alliance for Safety and Justice, “unaddressed, trauma can

contribute to instability, including mental health or addiction issues, challenges returning to work, maintaining housing or caring for loved ones, and can even lead to someone being revictimized.”¹

The current victim compensation [process disproportionately disqualifies and alienates applicants of color](#) and their families, especially Black men and youth impacted by gun and other forms of violence.² [Alarming, in fiscal year 2022, over half of all claims were denied victim compensation in Maryland. Not one victim of a domestic violence crime received compensation.](#)³

House Bill 575 will help to improve the victim compensation process by removing requirements that bar victims from accessing assistance, including the requirements that a victim must report a crime to law enforcement within 48 hours and that they must “cooperate” with law enforcement. Given relationship challenges with law enforcement and communities of color, there is often a lack of trust in working with some police departments. In *The Right Investment 2.0*, JPI examined [neighborhood data in Baltimore City](#) that highlights these concerns about the current victim compensation process as it relates to neighborhood violence, victimization, and criminal legal system involvement.⁴ For example, the neighborhood with the highest incarceration rate in Baltimore City, Greater Rosemont, also ranks high among youth homicide rate, homicide rate, non-fatal shootings, as well as lower access to medical insurance and a median household income of \$37,000. Greater Rosemont and neighborhoods experiencing similar challenges related to lack of investment, access to public health and safety resources, and disproportionate involvement in the criminal legal system experience victimization at a higher rate than other communities and have a deep mistrust of the police and the legal system. [Historical patterns of aggressive and abusive policing, over surveillance, and mass incarceration coupled with the requirement that crime survivors engage with law enforcement to access much-needed victim compensation resources pose an insurmountable obstacle to many of our neighbors when they are at their most vulnerable.](#) Maryland needs to fix the current system to ensure that all crime survivors have an equal opportunity to access victim compensation resources.

This legislation also expands the types of relatives eligible to receive compensation and expenses eligible for reimbursement to reflect more accurately the diversity of modern family structures and needs of crime survivors. The prevalence of non-traditional family structures, particularly in communities that experience high levels of violence and incarceration, disqualifies far too many crime survivors from current CICB support. For example, under current status, a child of a parent unable to work due to being a crime victim would not qualify to receive benefits if they do not live with that parent. This bill also strikes the “perfect victim” requirement. Current law bars crime survivors from accessing CICB support if there is evidence that their behavior contributed to their victimization. Law enforcement determines if someone contributed to their own victimization, and merely being outside, in the “wrong place at the wrong time” could lead to disqualification. [A large body of evidence](#) and lived experience demonstrates this has not been effective at helping people

¹ Alliance for Safety and Justice, *Toward Shared Safety: The First-Ever National Survey of America’s Gaps Survey*, September 2022. <https://wesharesafety.us/wp-content/themes/shared-safety/assets/downloads/NatlSafetyGaps-09142020.pdf>

² John Maki and Heather Warnken, “Realizing the Promise of Crime Victim Compensation: Recommendations to Help Community Violence Intervention Meet the Needs of Underserved Victims,” New York University, June 2023. https://marroninstitute.nyu.edu/uploads/files/Realizing_the_Promise_of_CVC_%281%29.pdf

³ *Criminal Injuries Compensation Board FY2022 Annual Report* (Maryland Governor’s Office of Crime Prevention, Youth, and Victim Services, 2022). <https://goccp.maryland.gov/wp-content/uploads/CP-%C2%A7-11-805a8-GOCYVS-Criminal-Injuries-Compensation-Board-FY-2022-Annual-Report-MSAR-11640.pdf>

⁴ Justice Policy Institute, *The Right Investment 2.0: How Maryland Can Create Safe and Healthy Communities*, January 2024. <https://justicepolicy.org/the-right-investment-2-0/>

heal and preventing future victimization; rather, it exacerbates the trauma victims experience in the aftermath of violent crime.⁵

In addition to these changes, SB 471 would also improve transparency and accountability by enhancing program reporting requirements and removing reliance on fines and fees to fund these supports, creating greater program stability. For communities most impacted by crime, this legislation is an important step toward supporting and investing in impacted communities and, in turn, promoting public safety. This bill is good public policy that will reach communities historically left behind and ignored as victims. JPI strongly encourages your support for Senate Bill 471.

⁵ U.S. Department of Justice Office of Victim Services, “A Vision for Equity in Victim Services: What Do the Data Tell Us About the Work Ahead?” June 8, 2021. <https://ovc.ojp.gov/media/video/12971>