



FAVORABLE WITH AMENDMENT TESTIMONY FOR HOUSE BILL 180

Public Safety - Gun Violence Victim Relocation Program - Establishment

TO: Members of the House Judiciary Committee

FROM: Center for Criminal Justice Reform, University of Baltimore School of Law; The Rebuild, Overcome, and Rise (ROAR) Center at the University of Maryland, Baltimore

DATE: March 3, 2025

The University of Baltimore School of Law Center for Criminal Justice Reform (CCJR) supports community driven efforts to improve public safety and address the harm and inequity caused by the criminal legal system. The Rebuild, Overcome, and Rise (ROAR) Center at the University of Maryland, Baltimore provides wrap-around services to victims of crime in Baltimore City.

ROAR empowers crime survivors in Baltimore City to rebuild their lives by offering free wraparound services including legal, case management, health care management, and mental health services. ROAR works to improve the social and criminal justice system responses to crime survivors and their families. Since June 2019 when ROAR started providing services, the team has assisted over 840 people, all of whom are survivors of crime ranging from homicides, non-fatal shootings, rapes, assaults, intimate partner violence, and more.

In alignment with our organizational missions and direct experience, **we offer our strong support, with amendments, to House Bill 180.** CCJR and ROAR fully support the intent and importance of this legislation, as there is a strong need for greater support for relocation services for Marylanders impacted by gun violence. We offer this information to help inform the General Assembly's work on this important topic, and to hopefully help with clarifying language to support effective implementation, especially to ensure these resources are reaching the directly impacted community members who need them the most.

Four years ago, while still serving at the United States Department of Justice, CCJR Executive Director Heather Warnken had the opportunity to lead an assessment for the City of Baltimore through the National Public Safety Partnership Program (PSP) on the response to victims of crime.¹ While concerned with issues impacting all victims, the assessment was

¹ National Public Safety Partnership, *Victim Services Capacity Assessment Report: Focused on Underserved Survivors, Including Boys and Men of Color and Those Impacted by Gun Violence*, July 2021, <https://www.baltimorepolice.org/sites/default/files/2022-08/PSP%20Victim%20Services%20Assessment%20FINALB.pdf>.

focused on the response to Black and brown victims of gun violence, a population of crime survivors that experience significant harms, yet due to numerous barriers and discriminatory factors, are least likely to be seen and served as victims of crime.

Through over 50 hours of recorded confidential interviews with diverse stakeholders throughout the frontlines of victim response, this assessment dug deep on several relevant subtopics, including emergency relocation services. Though this report is now a few years old and was specific to the experience of gun violence survivors in Baltimore City, many of the findings and recommendations continue to be relevant, including serving as an organizing structure for an ongoing working group convened by the Mayor's Office of Neighborhood Safety and Engagement (MONSE) to help shape and support needed improvements to victim services.

First and foremost, the report affirms the paramount importance of growing and reimagining resources for gun violence survivors, not only for protecting the sanctity of human life, but as a critical tool for advancing public safety and further reducing the rate of homicides throughout Maryland. In particular, it underscores the urgent need for significant increases in relocation resources at the heart of House Bill 180. The gaps in services and missed opportunities identified are corroborated by numerous other sources, including a report based on public health graduate interviews conducted with trauma surgeons in New Haven, CT, Washington, DC, and Milwaukee, WI in 2022: “[a]cross the various concrete and social services needs of gun violence survivors, housing stood out as a great stabilizing force, with unfortunately limited existing support options for patients...” These gaps combine with the enormous increase in housing costs and racial disparities in evictions in which Black renters experience eviction at much greater rates than white renters despite having similar rates of lease violations. Furthermore, “[g]iven the identification of housing as a social determinant of health, support with housing needs can translate into better physical health long term.”²

In the words of Lydia C. Watts, Esq., MPH, the Executive Director of ROAR Center at the University of Maryland, Baltimore:

The number one request for services ROAR receives is for help finding and securing **safe and affordable housing**. Survivors of non-fatal gunshots are most often released from the hospital - after anywhere from hours to months - *directly back to the house and neighborhood they lived in when they were shot*. This is extremely problematic because many survivors have a very well-founded fear that they will be shot again. They are uniformly terrified and desperately want to find somewhere else to live. It is not only the survivors who need this assistance, but also family members and friends who are often at risk as well. When we leave such survivors of violence and their loved ones vulnerable, we increase the likelihood of retaliatory shootings, shootings out of sheer terror that “I must shoot, or I will be shot.” When our systems of care provide no alternative to returning directly to the danger zone, the survivors rightfully feel as if no one cares about them or their families.

² Swope, C. B., & Hernández, D. (2019, December). Housing as a determinant of health equity: A conceptual model. *Social Science & Medicine*, 243, 112571.

Others interviewed for the PSP report spoke in depth about the limitations in resources for addressing the needs of survivors and interrupting retaliatory cycles of harm. This includes the lack of capacity and actual safety of “safe houses” and other short- and long-term housing and relocation options, lack of financial support for victims/witnesses and their family members, including for meeting interim food, transportation, behavioral health, and other survival needs. Gun violence in the United States, increasingly recognized as a public health crisis, including in Maryland last year through the landmark establishment of the statewide Center for Firearm Violence Prevention, is much more likely to affect low-income Black young men than any other demographic group. Poverty and racism are among the largest drivers of this public health crisis.³ The group most impacted is also a group with extremely low access to the resources needed to address housing needs.⁴

Since the PSP report was written, the Baltimore Police Department’s (BPD) Victim Assistance Unit has increased its staff size and dedicated substantial time and resources to “witness relocation.” This unit is staffed by dedicated and skilled public servants who clearly care deeply about the people who BPD serves that are impacted by violence. This unit works in collaboration with MONSE and the State’s Attorney’s Office of Baltimore City (BCSAO), Victim Witness Unit to relocate victims. However, there are substantial limitations in structure, policy, process, and capacity to serve all victims of gun violence in Baltimore City. Furthermore, there are many locations throughout Maryland in which similar collaborations do not exist.

Many of the other challenges with relocation identified in the PSP report remain. For example, BPD continues to maintain outright eligibility exclusions for relocation assistance to those labeled as “gang members” and “informants,” categorical exclusions that often bar, intentionally and unintentionally, individuals with highest risk of further harm if they are not assisted.⁵ The lack of transparency surrounding how those determinations are made creates further concern for ongoing documented racialized and bias-driven assumptions. What this policy leads to, ultimately, are arbitrary disparities in whose life will be protected versus who will have to fend for themselves. The perception that subjective and otherwise inconsistent process (or lack thereof) is driving whether someone will be explicitly told they are ineligible, interpreted as unworthy of protection when their life is on the line, can only contribute to the crisis of confidence in the system by many, especially among the most marginalized and vulnerable victims. This is furthered by a pervasive sense that protection and relocation by BPD and BCSAO are contingent upon and driven by victim/witness willingness to testify rather than the sanctity of life.

Notwithstanding our strong support for the need for this legislation, we are concerned that the bill as drafted reaffirms these problems with BPD’s eligibility criteria. In particular, the bill states “THE VICTIM SERVICES UNIT MAY NOT ACCEPT AN INDIVIDUAL INTO THE PROGRAM IF THE INDIVIDUAL IS SUSPECTED TO HAVE PERPETRATED THE

³ Margaret K. Formica, An Eye on Disparities, Health Equity, and Racism—The Case of Firearm Injuries in Urban Youth in the United States and Globally, *Pediatric Clinics of North America*, Volume 68, Issue 2, 2021, Pages 389-399.

⁴ Francis M. A Narrative Inquiry Into the Experience of Being a Victim of Gun Violence. *J Trauma Nurs.* 2018 Nov/Dec;25(6):381-388.

VIOLENCE.” For all the reasons stated above, this will have discriminatory outcomes, particularly for victims who themselves have any prior arrest or conviction record. It will lead to missed opportunities to advance public safety through intervening for some of the highest need potential recipients.

Furthermore, the many victims who do not feel safe speaking with the police will not get access to this program at all. There is a long-standing distrust of police, especially among Black, low-income communities that have experienced decades of unconstitutional policing. PSP interview participants discussed the high stakes of these determinations for people’s lives. Relatedly, they discussed the ways in which barriers to victim/witness participation in the criminal justice process in the face of intimidation, substantial fears of retaliation, and/or other repercussions are exacerbated by these constraints. People spoke openly about the challenge of known threats, including when a person may have a price on their head or bounty, and the lack of access to tangible or emotional supports in navigating this, especially for young men of color. This debilitating fear and uncertainty after being harmed while remaining unwilling to engage with law enforcement speak to the historic and persistent lack of trust, and the need for a relocation program that promotes a sense that those in need will be protected rather than judged.

The reality is that the majority of those being shot in Maryland and across the country are young, Black men. Often survivors are young men whose frontal cortexes are still developing, who have very high rates of trauma, and who may have endured repeated victimization experiences, including exposure to gun violence in their communities and other forms of structural violence. Too often those bearing the brunt of gun violence in our state have been received explicit and implicit messages that their victimization or their lives do not matter. At the time at which they have been shot and are facing potentially life-altering injuries and disabilities, we must do better.⁶ Providing victims with the support they need to establish immediate safety and turn this tragic event into a path towards safety and productivity helps not only their healing but public safety as a whole.

In addition, there are other areas of the current bill language where greater clarification may be helpful or needed, for example, how to determine “close proximity”, how the funding structure works, and how applicants demonstrate need. For these reasons, **we urge a favorable report with amendments on HB 180.**

⁶ Magee, Lauren A., Nobody Cares About Us Because We Survived: Perspectives of Community Gun Violence Survivors About the Challenges They Face. Rockerfeller Institute of Government (June 26, 2024) <https://rockinst.org/blog/nobody-cares-about-us-because-we-survived-perspectives-of-community-gun-violence-survivors-about-the-challenges-they-face/#:~:text=In%20addition%20to%20physical%20and,is%20accessible%20for%20a%20wheelchair.>