

MARYLAND STATE BOARD OF VICTIM SERVICES

State Board Meeting

Anne Arundel County Police Department Headquarters

Wednesday, November 7, 2012

10:00 am

AGENDA

Welcome/Call to Order Ellen Alexander
September 2012 Minutes..... Ellen Alexander

COMMITTEE REPORTS

Legislation committee..... BB or SB
Luncheon Deb Tall
Commemorative Day Debbie Tall

PRESENTATION

CourtWatch Montgomery Laurie Duke and Judy Whiton

OLD/NEW BUSINESS

Baltimore Child Advocacy Center Adam Rosenberg
Maryland Electronic Courts (MDEC)
Elder Victimization Anne Litecky
VINE Anne Litecky
NCVC Conference..... Anne Litecky
2013 Meeting Planner Ellen Alexander

?Recommendation to the Executive Director Ellen Alexander

Adjournment Ellen Alexander

Handouts: (emailed to members 10/25/2012)

- CAC
- Elder Victimization

Next Meeting ???? , 2013
Harford County Justice Center

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Maryland State Board of Victim Services

MISSION STATEMENT

To ensure that all crime victims in the State of Maryland receive justice and are treated with dignity and compassion through comprehensive victim services.

MANDATES [§11-914: General; §11-919: Grant]

1. Annual written report to Governor (including information on the administration of the Fund)
2. Monitor the service needs of victims
3. Advise the Governor on victim needs
4. Recommend the appointment of the Victim Services Coordinator (to GOCCP)
5. Review and approve the Victim Services Coordinator's (VSC's) plans and annual reports and the VSC's Implementation, operation and revision of programs
 - a. VSC Legislative Mandates:
 - i. Provide staff support to the Board on victim service matters
 - ii. Monitor, assess, and make recommendations on State and local victim compensation programs and procedures
 - iii. Provide technical assistance to local public and private programs that provide victim assistance
 - iv. Research and gather data on victims and victim assistance programs & disseminate that data to the public
 - v. Submit to Governor, Attorney General, Secretary of Public Safety & Correctional Services, and the Board an annual report that includes recommendations on how to improve victim assistance programs (see #1)
 - vi. Ensure that the rights of victims are observed
 - vii. Help victims to get the information to which they have a right
 - viii. Monitor compliance with the guidelines for treatment of and assistance to victims and witnesses under 11-1002 & 1003.
 - b. Other VSC duties:
 - i. Implementation and management of VINE contract
 - ii. Crime Victims' Rights Week
 1. Statewide Memorial Services
 2. Governor's Awards Luncheon
 - iii. Roper Victim Assistance Academy
6. Approve or disapprove each MOVC grant application submitted by GOCCP
 - a. Ensure grant purpose is one of the following:
 - i. Carry out Article 47
 - ii. Carry out guidelines for the treatment & assistance for victims and witnesses of crime & delinquent acts [provided in 11-1002 and 11-1003]
 - iii. Carry out any laws enacted to benefit victims and witnesses
 - iv. Supporting child advocacy centers
 - b. Ensure Legal Services for Crime Victims Fund: unclaimed restitution money [17-317(a)(3)(i)] goes to legal counsel for victims' rights issues
 - c. Ensure grants to child advocacy centers [11-923]: support the development and operation of CACs; supplement and not supplant current funding; annual report to legislature re: CACs.
 - d. Ensure equitable distribution of grants: grants should be equitably distributed among all purposes of the fund
7. Advise the State's Attorney's Coordinating Council on the adoption of regulations governing the administration of the Victim/Witness Protection and Relocation Program; Advise the State's Attorney's Coordinator on the administration of the Program
8. Develop pamphlets to notice victims of Art. 47 & state law rights, services and procedures:
 - a. Brochure 1 (Crime Victims and Witnesses: Your Rights and Services)
 - b. Brochure 2 (Your Rights as a Victim in the Criminal or Juvenile Justice Process)
9. Develop a notification request form (Crime Victim Notification Request and Demand for Rights Form)

MARYLAND STATE BOARD OF VICTIM SERVICES MEETING
MINUTES
Wednesday, November 7, 2012
Anne Arundel County Department of Police Headquarters

ATTENDEES

BOARD MEMBERS: Bonnie Ariano, Ellen Alexander, Barbara Bond, Tammy Brown, Walter Coryell, Jessica Dickerson, Linda Fleischer, Rea Goldfinger, Rhea Harris, Gary Hofmann, Molly Knipe, Patricia Marshall, Laura Martin, Margery Patten, Scott Beard on behalf of Sandy Roberts, Debra Tall and Deborah Unitus.

STAFF: Anne Litecky.

GUESTS: Heather Amador, Deepa Bijuria, Michaele Cohen, Laurie Duker, Lisae Jordon, Michelle Lee, Pauline Mandel, Laurie Rajala, Adam Rosenberg, Lisa Spicknall, Ed Parker and Judy Whiton.

WELCOME/CALL TO ORDER: Ellen Alexander, Chair, began the meeting at approximately 10:10 a.m.

- Ellen Alexander thanked everyone for coming and also thanked those who attended and participated in the September 5th Harford County Justice Center State Board meeting.
- Rhea Harris was welcomed as the new appointed designee for Secretary Maynard, Department of Public Safety and Correctional Services (DPSCS).

MINUTES:

- Motion: Move to approve Minutes of September 5, 2012.
- Vote: Seconded and unanimously approved.

COMMITTEE REPORTS

❖ **Legislation Committee**

- Three (3) Legislative priorities
 - 1) Proposed bill sponsored by DPSCS to increase court costs that will benefit CICB and MVOC.
 - CICB would see an increase of \$1.7 million per year while MVOC would see an additional \$150,000 in grant funding.
 - To achieve this, the following fee increases were suggested: Increase Circuit Court fees from \$45 to \$60, increase District Court fees from \$35 to \$50 and increase Traffic Court fees by \$5.
 - The following agencies would probably support this increase because they benefit from CICB and MVOC funding: medical facilities, medical providers, small businesses, mental health providers, and victims services agencies.
 - An MVOC increase would benefit direct service programs.
 - The board was asked to take the proposed bill to their respective agencies and garner support. The members requested a letter from the board asking the said agencies to support the proposed bill.
 - It was recommended that a sub-committee be established.

- Concerns: Most judges do not ascertain a defendant's indigency status.
- Amended MD Rule: 4-353 effective January 1, 2012.
- A letter in support of the proposed bill should be submitted to the courts and legislature.

- **2) CAC**

- Maryland structures CACs in three different ways: government based, private/public partnerships, private non-profits.
- Nationally, video recording of interviews is best practice. The interviews can be done in a multitude of settings and the ultimate benefit is that the victim only has to tell his/her story one time with a goal of reducing trauma to the child. Video recording allows for collaboration.
- Further concerns are identifying human trafficking cases in terms of looking for certain red flags when they come up in potential cases.
- With the Amendment to CP11-916, MVOC now includes CAC funding as a priority in the Notice of Funding Availability (NOFA).
- Handout: e-mailed CAC Briefing- explains the critical need for CAC in communities.

- **3) Elder Victimization:** The members recommended a sub-committee on Elder Victimization and asked that the sub-committee designate issues that need to be supported and suggest proposals be made on those issues.

- In Montgomery County and elsewhere, financial crimes are the number one concern of elders.
- It was requested that the sub-committee rotate meeting locations to meet needs of members coming from various parts of the state.
- Handout: e-mailed Elder Victimization

- ❖ **Governor's Victim Assistance Awards and Commemorative Day Luncheon Committee**

- Members were asked to sign up and be active participants.
- The committee met on 10/26/12 and a teleconference call was held with the GOCCP Training Division on 11/5/12. Since this is the first year of new legislation marking April 3rd Commemorative Victims Rights Day, it was decided to combine the luncheon with said commemoration- which would keep costs down and hopefully bolster attendance.
- The event will be held in Anne Arundel County for the convenience of the Governor. Anne Arundel Community College and Club Meade were also suggested.
- The Training Unit has agreed to solicit location bids to keep costs below \$30 per attendee.
- Normally, the luncheon has 200 guests in attendance, but this year the guest list will be 350, due to Commemorative Day.
- Following the NCVRW 2013 theme "Challenging times, Challenging Solutions" will be used with the color midnight blue.
- It was suggested that an invitation be mailed to the Governor by 11/5/12 requesting his attendance.
- The committee has established a December 15 deadline to finalize theme, colors, and location for the event.
- Because we want to increase attendance, we are asking the board to approve a one-time increase for the event, increasing the total *Governor's Victim Assistance Awards Luncheon* budget to \$9,000 for the *Governor's Victim Assistance Awards and Commemorative Day Luncheon*.
- The Board voted and unanimously approved the motion to increase the luncheon budget.

- The Board also approved a motion to go back to the previous luncheon program format, as attendees voiced dissatisfaction at the condensed structure of 2012's luncheon.
- The committee is also seeking suggestions on how to collect and process ticket money for the event.

❖ **Grant Committee**

- In October, Anne Litecky coordinated the independent reviewers for the FY2014 MVOC and LSCV Grants.
- Per the new policy and procedures, there will be two (2) independent reviewers and one (1) grant committee member reviewer per application.
- Reviewer packets are scheduled to go out this week.

PRESENTATION

❖ **Court Watch Montgomery**

- Founders: Laurie Duker and Judy Whiton presented.
- At least 20% of victims who come to obtain a Protective Order do not come back to court. Does judges' demeanor determine whether or not a victim comes back to court?
- Approximately 50% of temporary Protective Orders are violated, but most victims support getting an order, and 77% say violence is stopped with a standard order.
- Due to numerous concerns with Protective Orders, Montgomery County spends time studying trends. 1) Women are harassed while waiting for their orders by their husband or family members, 2) respondents have no idea it's a crime to violate their orders and 3) respondents have no idea that they are required to turn in their guns.
- There are simple reforms that help judges spend much less time on cases while saving the county and state judiciary money.
- Identifying factors that may keep victims from coming back to court and prevent a violation of their rights include safety, demeanor, and misunderstanding of the process, and lack of legal representation. Orders need to be understood to be effective.
- Disabled and male-to-male couples are at a higher risk of domestic violence and are virtually invisible in court.
- Based on 1200 cases in an October 2011 report, questions about whether or not the court process was effective was introduced, and the results are as follows:
 - There was a changing attitude of judges, bailiffs, and courts in terms of explaining things more clearly to the parties.
 - Judges now process and gather more information.
 - Improved communication in the county, thereby turning some best practices into policies.
 - Two of the most notable changes are staggered exits and an audio recording that explains the process to victims (available in both English and Spanish).
 - It is recommended that judges hold the respondent in the courtroom for 15-20 minutes to give the petitioner time to pick up their order and leave courthouse. Many Judges and judicial personnel are not aware of the existence of this concept, though since it was introduced 70% have now adopted this policy. 100% is the goal.
 - Victims said they would like security patrolling the hallways in the courthouse.
 - Dismissals are also a grave concern. Only 8% of individuals that applied were denied, but 20% were dismissed. Given that these people came in the week before to get a temporary order, the concern is why they don't come back.
 - Solutions:
 - Chief Judge Clyburn's formal recommendations: court created audio (English & Spanish) to play in waiting room for petitioners before court

- The courts produce an audio recording which is great and informative to those who listen to it.
- Judges need to say exactly what is going to happen and ask both petitioners and respondents if they have any questions.
- Only 38% of the time petitioners were told to turn in their guns. The petitioner needs to let the judge know if the respondent has access to weapons.
- The third round of monitoring just beginning w/ these issues in particular:
 - Respondents and petitioners should be equally informed about the process.
 - Protective Orders are traditionally not enforced properly
 - Petitioners are not showing up to complete process after receiving temporary order
- Recommendations to address issues:
 - GPS monitoring- Montgomery County's court system is currently behind in that receiving late notification.
 - New court house, 5 victim friendly features
 - Public safety/ law enforcement presence during volatile cases
 - Staggered exits
 - Police presence
 - Better education

OLD/NEW BUSINESS

❖ Maryland Electronic Courts (MDEC)

- A single state-wide integrated court case management system that includes technology, business process and management practices.
- Some concerns include privacy and protecting the identity of victims. Who will have access to the information and who will have access to MDEC and at what level?
- A fee for access was discussed.
- Another concern was Crime Victim Notification and Demand for Rights Forms (CVNF) and how it will be processed.
- Another concern is the ability of the technology across the state to handle the interface, particularly in smaller jurisdictions.
- Additionally, it is important that (DPSCS) share information about restitution amounts and imposed court costs for the purpose of tracking and collection.
- VINE data must be linked with Appriss.

❖ Maryland State Commission on Criminal Sentencing Policy (MSCCSP)

- The commission is addressing revisions to the victim section of the Sentencing Guidelines Worksheet used in Circuit Court.
- There are a couple members on the commission who wanted to remove victim's questions all together, but that is now off table for now.
- The Sentencing Guideline Commission reports that 50% of the new worksheet is complete. At a recent meeting the commission agreed to keep 50% of sentence announced field, and debate over whether to keep victim questions was more divided.
 - Some judges fail to use the worksheet or do not complete the victim's section
 - Is it a burden to fill them out? Would automation make the process easier?
- Currently MSCCSP is conducting a six month pilot of the automated system in Montgomery County Circuit Court which began May 8, 2012 and will end November 7, 2012. The June meeting was too early to tell the effectiveness. Observations suggest that information is being completed more frequently through the electronic system. The current victim-related questions will remain on the worksheet until the December 11, 2012 meeting (at least).

- In an effort to retain victim information on the worksheet, the Board will submit written testimony to the Executive Director of the Commission at least 3 days prior to the meeting on December 11, 2012.

❖ **Elder Victimization**

- Anne attended the conference and reports that there is an increase in the number of cases of elder victimization in Maryland, particularly financial crimes relating to the family and caretakers.
- The National Center for Victims of Crime Conference recognizes Elder Abuse as a priority.
- Board members were asked to sign up for at least one activity. 1) Legislation, 2) Assist with improving awareness publicly, 3) awareness to service providers in this state.
- The public isn't aware of this growing issue and many service providers and first responders aren't either. How can we bring about greater awareness?
- Many elderly victims need to obtain Protective Orders and they are frightened or have transportation issues.
- There are different forms of Elder Victimization including ID Theft, financial exploitation, elder abuse, and mortgage/reverse mortgage fraud to name a few.
- Would AARP be a potential partner in this?
- Albert Reed, Assistant State's Attorney in Prince George's County could come speak to the board on Elder Abuse. He works in the Attorney General's office and is a national model/resource for information.
- Barbara Bond volunteered to spearhead this committee on Elder Victimization.
- The board decided that at the next meeting they will target which type of elder abuse they want to take on.

❖ **VINE Conference**

- The State Victim Services Coordinator attended on behalf of MSBVS.
- The VINE Conference included account managers and trainers from around the country. The Majority of the states provide VINE services and include jails, detention centers, and parole and probation.
- Most states have at least one half-time or full-time person managing VINE monitoring.
- Recent concern: Probationer had been released for 5 months and was applying for a job when he was told that his potential employer had checked the VINE website and saw his name. Parolee and probationer names should be removed from the VINE website within 2 weeks of release.
- Engaging and educating jails on staying online is so important. It is critical that they notify Appriss and GOCCP in advance if they're going to get a booking system change because it can take months to get restored without advance notice.
- If they notify in advance, Appriss can set up a manual system to override the former system allowing for notifications and registrations. If the system is down VINE does not operate.
- Attendees were given an opportunity to share concerns and be honest about the challenges associated with VINE. It was deemed important to hold Appriss accountable instead of the states.
- A couple of ways to this is to leverage a contract, set up benchmarks, and hold Appriss accountable.

❖ **National Center for Victims of Crime Conference (NCVC)**

- The State Victim Services Coordinator attended on behalf of MSBVS.
- OVC's Acting Director gave a presentation on transforming victim services called "Vision 21". This is all an effort to increase the cap and prove to congress that state programs are worthy of additional funding. The current balance in VOCA is \$8 billion.
- OVC has been attempting to change and make progress since 1996.
 - What has changed; what is new?
 - Issues: Hard to find staff for crime victims and services. There is a lack of communication between researchers and service providers. Who is getting the survey? How is it tallied?

- VOCA: Expand VOCA funding eligibility and purposes. Currently, VOCA at the federal level is for direct services only. Times have changed and it is necessary for VOCA to address other areas as their current practices are rooted from the 1980s. Funding needs to include more funding for prevention, research, technology, legal assistance, collaboration, Multi-jurisdictional access to crime, organization, anti-terrorism, emergency reserve fund.
- Obstacles to increasing the umbrella of resources provided by VOCA:
 - Scarce resources and silo funding
 - Victims are turned away for services; organizations are asked to do more with less. Victimization encompasses so much more than domestic violence and sexual assault.
 - Existing model of service delivery is outdated, need to look at new practices and new issues including:
 - Demographics:
 - ✓ Latino and Pacific Islander populations are growing along with elderly.
 - ✓ The victimization of immigrants is increasing and it is important that we lift cultural barriers.
 - Human trafficking and sex trafficking
 - Crimes against Americans abroad
 - Mass disasters-VOCA funding for emergencies is not available
 - Cyber crimes
 - Financial fraud
 - Child victims of pornography
 - Cyber stalking
 - Lack of access to services for undocumented victims
 - Financial strains to accommodate technology which is evolving quickly, safety, privacy and confidentiality, resource constraints, administrative and training expenses.
- Recommendations: promote systematic and innovative use of technology; build body of evidence based practices, foster sustainability models, VOCA funding and VAWA funding. Expanding lens to holistic needs of crime victims
 - This is all in effort to increase the cap.
- The Board may want a presentation provided by the “Vision 21” group

❖ 2013 Meeting Planner

- The meetings scheduled will be kept the same as last year.
- The February 2013 meeting is at the Baltimore City CAC.
- There will be meetings in Prince George’s County & Frederick Counties in 2013 with intentions of picking up other counties in the coming years.

❖ Executive Committee

- It is more and more apparent that just a few Board members are taking on tasks. In fairness to all members, committee assignments will be given to members. This will create new challenges and stimulate excitement about doing something different.
- All are encouraged to step up and take on activities.
- The GOCCP is evolving
- Nakita Long, Program Assistant, has received a promotion and will be working in a different department and Shirley Haas, VRCC is retiring.

- The GOCCP has decided to combine the two positions and is utilizing resources within. New units have been created within the office and are now available for the Board to utilize for research and trainings.
 - Many of the administrative tasks that take up much time will be a responsibility of the new position, thereby allowing Anne time to focus on substantive support tasks as our victim's expert.
 - Replacing these two positions will allow Anne to provide more Board support.
 - The Board encourages GOCCP to look at models from other states or revise or reorganize the initiative.
 - Compliance calls will be referred to Anne, for the time being
 - Members shared concerns about reduction in MVOC staff. The Executive Director responded that staff is being reorganized and there are other personnel issues that need to be dealt with internally. Once that is done, she will share more information.
 - A Compliance Coordinator may still be considered in the future if deemed necessary.
- **Other Items of Interest**
- MCVRC has been named one of the top non-profits for 2012.
 - Awards ceremony- Anne Litecky received an award.
 - November 15, 2012: Dept. of Aging is holding a conference centered on healthcare issues.
 - Baltimore County's 10th annual conference is being held on November 15, 2012.
 - November 16, 2012, The Maryland Assoc. of Victim Service Providers is providing free training on: human trafficking, cold cases, and the affect of sexual assault and homicide victims, and identity theft. It will be held held in Glen Burnie.
 - Prince George's County granted permission to build a "Garden of Remembrance" for crime victims. You may purchase a brick in memory of a loved one through the MCVRC.

MEETING ADJOURNED: Guests and Board members were thanked for their participation. The meeting adjourned at approximately 12:40 P.M.

**The next Board meeting will be held at
Anne Arundel County Police Department Headquarters
on
Wednesday, January 9, 2012 at 10:00 a.m.**