

Maryland State Board of Victim Services
Staffed by the Governor's Office of Crime Control & Prevention
Meeting Minutes
May 10, 2017
Anne Arundel County Police Headquarters
8495 Veterans Highway
Millersville, MD 21108
10:00 a.m. – 12:00 p.m.

Participating Members:

Bonnie Ariano
Anne Bean
Scott Beard
Dario Broccolino
Jessica Dickerson
Karin Green
Gary Hofmann
Molly Knipe
Alonzo Robertson
Lisa Spicknall-Horner
Debbie Tall

Guests:

Michaele Cohen, Maryland Network Against Domestic Violence (MNADV)
Chelsea Wiggins, Maryland Coalition Against Sexual Assault (MCASA)

Staff:

Rebecca Allyn, Governor's Office of Crime Control & Prevention
Kimberly Herndon, Governor's Office of Crime Control & Prevention
Justice Schisler, Governor's Office of Crime Control & Prevention

I. Welcome, Introductions, and Chair's Remarks

The meeting was called to order at 10:15 a.m. Scott Beard introduced new Maryland State Board of Victim Services (MSBVS) Board member Karin Green. Ms. Green is the Criminal Injuries Compensation Board Chair. Other members and guests introduced themselves. Justice Schisler, Chief of Planning and Implementation at the Governor's Office of Crime Control & Prevention (Office), announced that Vanessa Lyon is the Office's new Assistant Director of Programs and Implementation Division. Ms. Lyon reports to Glenn Fueston, Executive Director and supervises Laurie Rajala, Chief of Programs, Justice Schisler, Chief of Planning and Implementation and Donald Hogan, Chief of Legislation and Justice Reinvestment.

II. Approval of Minutes

- ❖ **Motion:** Move to approve the meeting minutes from January's Board retreat.
- ❖ **Vote:** Seconded and unanimously approved.

III. General Discussion

a. Strategic Initiatives Breakout

Molly Knipe, Co-Chair of the Strategic Initiatives Committee, reminded the group that the strategic plan draft must be completed by or before July 1, 2017. The Governor's Office of Crime Control & Prevention's role will be to combine the Board's strategic plan with other plans from the various councils and committees focused on victims that are staffed by the Office.

Members of the Strategic Initiatives Committee were tasked with forming small groups (goal teams) to draft goals and objectives for the four (4) high level priority areas: infrastructure, staff, training, and technology, as identified in the statewide victims' needs assessment. Goal teams will produce 1-3 measurable goals and objectives for each priority area. A timeline was established for strategic planning:

- By May 15: Team leads will schedule a conference call to establish tactics and metrics.
- By June 1: Tactics and metrics are due to committee chairs.
- By June 15: Goal team leads will compile responsible parties for each tactic, identify resources/funding, and note existing resources/partnerships.
- By June 20: Each team will forward drafts to Committee Chairs.
- By June 26: Committee Chairs will submit the final draft report to the State Victim Services Coordinator.

At the end of the year, the overall plan will be evaluated to ensure goals have been accomplished. The Office will also include staff from its data and research unit on the technology strategic workgroup to discuss the potential of utilizing software across the state and data sharing possibilities for all victim service providers.

b. Annual Statewide Memorial Service Debrief

Each year, the memorial services mark the beginning of Maryland's observance of National Crime Victims' Rights Week and feature inspirational speakers, musical performances, and quiet reflection. This year, invitations were disseminated widely via email and social media to the four regional host sites. There was some concern that the electronic notices did not reach everyone as attendance was lower than usual this year. The Office will revisit mailing invitations with the host sites for the upcoming year. The Office will also work to ensure that the participant database is kept up to date.

c. Crime Victims' Rights Conference Debrief

The 2nd Annual Maryland Crime Victims' Rights Conference was held at the Turf Valley Resort in Ellicott City, MD on Friday, April 7th, 2017. Governor Larry Hogan welcomed hundreds of individuals who provide services and support to victims of crime in Maryland. The Governor also presented awards and Governor's Citations to three participants who have gone above and beyond the call of duty to serve crime victims. The conference provided valuable training and commemorated National Crime Victims' Rights Week. Members expressed gratitude to Board member Lisa Spicknall-Horner for her extraordinary message as Keynote Speaker. Based on

feedback from participants and through evaluations, the overall response was very positive. Participants were pleased with the location, presenters, workshop topics, and the food trucks.

d. Grant Review Process

Kim Herndon provided members with an overview of the Maryland Victims of Crime (MVOC) and Legal Services for Crime Victims (LSCV) Grant Review Process and reminded members that MVOC is a competitive application process. The Office conducts a three-tier review, to include internal staff and external independent reviewers, for each application submitted in accordance with the Notice of Funding Availability. Recommendations are then submitted for Executive staff review, along with reviewers' scores and comments. Recommendations are based on need to ensure that each jurisdiction has equitable funding. In early 2016, members proposed that the State Board be removed from the Grant Review process for both the MVOC and LSCV funding sources, except where statute mandates its role. Moving forward, the committee proposed that the State Board review grant application recommendations in their entirety via an Excel spreadsheet at a full board meeting (or via email if a State Board meeting is not feasible). Recommendations could then be discussed and the State Board would vote on the full set of applications as a group. This is the process that was used during the last grant cycle for FY 2017 applications.

e. Crime Victim Notification Request and Demand for Rights Form (CVNR) – Confidentiality Recommendation

In 2014, the Legislature passed SB 922, which provides that a victim may elect to keep his or her address and email address confidential by 1) designating on the Crime Victim Notification Request and Demand for Rights Form (CVNR) an alternate person to receive notice for the victim or 2) request as part of the Maryland Electronic Courts (MDEC) protocol, without having to file a motion to seal, that the victim's address and email address remain confidential (Crim. Proc. §11-104(d)(4)).

The CVNR form was amended by the Board in December 2015 to include a check off box as a mechanism to invoke Rule 16-907(c) (see attached), whereby a victim could request that his or her personal information could be shielded. Some clerks of the court were considering placing the form in an envelope in the court file to protect that information. A potential problem exists, however, if 1) the form containing the personal information is filed among the court records; and 2) the clerk has no authorization to shield or otherwise deny access to the form or the personal information contained thereon. Currently, it does not appear that the clerk has any authority to remove the form from the court records otherwise accessible by the public, or to redact the personal information. If the clerks place forms in an envelope or remove forms from public access, it remains unclear whether this is technically permitted under the statutory language. As the author of the form, the Board must decide whether this is an appropriate procedure.

Recommendation – The State Board does not need to take any action at this time. The clerks seem to be shielding the information and keeping the form separate from the file. The clerks have several different ways of shielding information, which is to be expected given differences from one court to the next (MDEC/non-MDEC,

large/small, etc.). The check box addition was added to the CVNR form to provide a mechanism to invoke Rule 16-907(c) whereby a victim could request that his or her personal information be shielded. Clerks should be directed to that Rule which provides for a required denial of inspection. However, the Rule does not prohibit access to the entire form, just to the address, telephone number, and email of the victim or victim's representative. The full Board is in agreement with this approach.

f. HB1071 Vehicle Laws - Victim's Representative Notification – License Suspension Hearing

Board members were advised of HB 1071, which requires the Governor's Office of Crime Control & Prevention to develop and update, as necessary, a uniform victim's representation notification form for a victim's representative to receive notification of a license suspension hearing as a result of a moving violation that contributed to a fatality. The Maryland Police Training and Standards Commission (MPTSC) must distribute the form to each law enforcement agency in the State. An investigating agency must provide the victim's representative with a copy of the notification form in conjunction with informing the representative of the right to file the form, as specified. If a victim's representative has timely filed a notification form and the violator has requested a hearing, the Motor Vehicle Administration (MVA) must notify (1) the victim's representative of any suspension hearing as a result of the moving violation and (2) the Office of Administrative Hearings (OAH) that a victim's notification form has been filed. As the author of other related forms, the MSBVS was tasked with developing the required form.

Members had significant questions regarding the new form, including those outlined below:

1. How does the victim/victim's family get the driver's information? Do they need license information? Police report number?
2. What does the Motor Vehicle Administration need?
3. Is the State's Attorney's Office involved and if so what do they need?
4. Law enforcement will need training as they are to distribute the form

The Governor's Office of Crime Control & Prevention will work to provide responses to the Board's inquiries. With more clarity, the Board will create the form (or update an existing notification form) appropriately. Members elected to table any movement with the form until more information is provided.

g. Family Violence Council Updates

The Family Violence Council, through its strategic planning process, has identified three goals to focus on for victims: safety, self-sufficiency and awareness and is determining outcomes based on those goals.

IV. Open Forum

Members discussed possible dates for the next meeting as some members will be on leave during the originally scheduled meeting on July 5th. There was a unanimous vote to meet on Wednesday, July 19, 2017.

V. Adjournment

- ❖ **Motion:** Motion to adjourn the meeting.
- ❖ **Vote:** Seconded and unanimously approved. The meeting was adjourned at 12:05 pm.

NEXT MEETING:

July 19, 2017

10:00 a.m. – 12:00 p.m.

Anne Arundel County Police Headquarters

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