



Department of Health and Human  
Services

## In This Issue

<b>Mission, Mandate, and A Message from the Chair</b>	1
<b>Membership &amp; Meetings</b>	2
<b>Spending A Night In Jail</b>	3
<b>Guest Speakers</b> Deidre Walker Arthur Wallenstein	4
<b>Budget Recommendations</b>	5
<b>OLO Study on Victim Services</b>	6
<b>Legislation</b>	7
<b>Testimonies</b> County Executive and County Council	8
<b>Working With The Montgomery County Police Department</b>	8
<b>Responding to the Sniper Attacks</b>	9
<b>Meet the Members of VSAB</b>	10

# Victim Services Advisory Board

## Montgomery County, Maryland

2003

### Mission Statement

To support Montgomery County's commitment to serving victims of crime, including rape, domestic violence, sexual assault, homicide survivors, adults molested as children, terrorism, hate violence, robbery, driving while intoxicated (DWI) and vehicular manslaughter, assault, battery, burglary, arson, larceny, stalking, carjacking, purse snatching, harassment and vandalism.

### Mandate

The Board must periodically review available services and facilities for victims and their families; determine needs of the victim and family services/programs; submit at least one report annually to the County Executive and County Council on the progress of programs to victims and their families and of actions needed to improve those programs; make recommendations for appropriate allocation of funds in accordance with agreed upon priorities and consideration of financial resources. The Board also assists the Director of the Department of Health and Human Services in the development of the annual victim services and families plan and acts as a local advocate for victim services programming.

Montgomery County Code -- Art. VII, Section 24-56. Bill 7-95.

### A Message from David Bachrach, Chair

All of Montgomery County was touched by crime during the past 12 months in one way or another. If we did not personally know a victim of the so-called Beltway Sniper, we knew the neighborhoods in which they were victimized. The County also experienced thousands of other violent crimes, reported and unreported. The Victim Services Advisory Board (VSAB) kept in contact with the County's victim services agencies and volunteers, police department command staff, the local State's Attorney's office, the County Council and the Maryland legislature to monitor policies, laws and actions that affected all kinds of victims of violent crime.

We collaborated with the police department to enhance its response protocols for victims of sexual assault. We also lobbied the Maryland House and Senate for statewide laws that supported victims of violent crime. In addition, we consulted with the state's attorney and Mothers Against Drunk Driving (MADD) about initiating legislation to enhance penalties for certain violent crimes.

**Monthly Meetings**

The Victim Services Advisory Board generally meets every fourth Thursday evening, (except August and winter holidays) 7 p.m. to 9 p.m.

Meetings are held at the Montgomery County Department of Health and Human Services, 1301 Piccard Drive, 4th Floor Conference Room, Rockville, Maryland.

Meetings are always open to the general public.

**Voting Members**

**Professional**

Kay Cummins, R.N., Arnold B. Gordon, Esq., William H. Henry, Esq., Andrea L. Shapiro, Esq., and Christine N. Whitaker, ATR, LCSW-C.

**At-Large**

Judith P. Aboud, David T. Bachrach, M.A., Deborah Ehrenstein, LCSW-C, Charles M. Floyd, C.P.P., C.F.E., Martha C. Jones, Margaret B. Kabat, LCSW-C, Pat Lupson, Linda Meyer, LCSW, Raed Tayeh, and Steven Wilkerson.

There are three vacancies: a clergy representative and two representatives from the Alcoholism and Other Drug Abuse Advisory Council and the Mental Health Advisory Committee.

**Non-Voting Members**

Ex-Officio Members

Nadja S.P. Cabello, Director, Victim Assistance and Sexual Assault Program (VASAP); Ethel Burnett, State's Attorney's Office; and Ellen Alexander, Montgomery County Police Department.

**Membership**

Membership includes 18 voting members who are residents of Montgomery County and four non-voting members. The voting members consist of five citizens from among the mental health, legal, medical, dental and nursing professions; ten citizens at-large who do not belong to any of the professions mentioned above; one member of the clergy; and representatives designated by the Alcoholism and Other Drug Abuse Advisory Council and the Mental Health Advisory Committee.

Four non-voting ex-officio members shall be the Director of the Victim Assistance and Sexual Assault Program of the Department of Health and Human Services (HHS) and representatives from the State's Attorney's Office, Public Defender's Office, and the Police Department.

Voting members serve a term of three years.

\*\*\*\*\*

Regular guests at VSAB's monthly meetings:

Dudley Warner, Director, Crisis Center, Dept. of Health and Human Services and Warren Lupson, Citizen.

## **A Message from David Bachrach, Chair** (continued from page 1)

We testified before the County Council regarding budget issues affecting crime victims, and began looking at ways Montgomery County can adopt more aggressive DNA collection policies in support of prosecuting violent offenders.

Most importantly, we met monthly to reaffirm our commitment to ensuring that Montgomery County's victim services are second to none, and to discuss topics pertinent to that mission. We sponsored guest speakers from the state parole board, the county's corrections department, and the police crime lab, for example. By maintaining a group of citizens that is committed to addressing victim-related issues on an ongoing basis, we are affirming the Executive's and Council's support for crime victims, and bringing residents, practitioners and policymakers to the same table to make decisions that affect us all.

## **Spending a Night in Jail**

February 15 -16, 2003 (Attended by Kay Cummins, Pat Lupson, and Warren Lupson)

Kay Cummins

I have worked with crime victims for many years and I must admit I have often wondered what jail was like for the offenders. Recently I had the unique opportunity to visit Montgomery County's completed construction of its state-of-the-art detention center in Clarksburg, Maryland. I was asked to be a mock prisoner for the weekend.

There were many staff members to greet me and about 20 other "prisoners." I was immediately struck by the massive size of the facility as the guard who escorted me got lost and we spent the greater part of a half hour finding the North Wing. Once there, we had to proceed through a double-door entry which was explained as necessary to keep prisoners from escaping. The guard desk had numerous viewing screens as cameras were discreetly placed all over. This jail was designed to keep track of people and there were few opportunities for any privacy.

My cell was on the ground floor just a few feet from the guard desk. It was approximately 6.5 feet wide and 8 feet long. I had a flat, limp pillow, two flat single sheets, a heavy woolen blanket, and a small towel. There was a 4.5 inch by 3 feet window on the back wall which looked at a brick wall. I could see only light or dark and if it was raining or snowing. A steel toilet was attached to the right side of a sink. There was no toilet seat, and no privacy from the guards or other participants.

I waited for the lights to dim but the lights remained on all night. I awoke after about four hours of sleep.

## **County's Crime Victims' Compensation Fund**

**B**etween July 1, 2002 and June 30, 2003 the VASAP's Crime Victims' Compensation Fund received requests for compensation to reimburse crime victimization losses from 102 eligible victims of crime. These victims requested a total of \$392,935 for losses incurred as a result of crime. The VASAP's compensation fund paid \$99,753 to these victims. However, our allotted budget for the fiscal year was \$49,320, which we had spent by December 2002. Fortunately, the Department of Health and Human Services filled the gap by allowing us to continue to pay for crime victim losses with an additional \$50,000.

**Y**ou can help us by sending donations to:

**The Crime Victims' Compensation Fund Account** c/o VASAP, 1301 Piccard Drive, Suite 4100 Rockville, Maryland 20850

**M**ontgomery County matches all donations "2 to 1." As an example, your \$100 donation will provide \$300 of funds to compensate eligible crime victims for their property, medical, and wage losses as well as funeral expenses. During this fiscal year, we received \$5,593. in donations. **Thank you** to our many generous donors!

**Spending a Night at the Jail** (continued)

It was an experience like no other I have ever encountered. It gave me a small glimpse into what it would really be like to be a prisoner. I experienced many emotions including mild humiliation, embarrassment, fear, and loneliness. I was surprised by the complete lack of privacy, the tightness of space, and the lack of storage area even for personal items. It was uncomfortable to be totally dependent on others for basic needs like food, drink, warmth, fresh air, and autonomy. I was glad to have this opportunity but I was equally glad it was only for one night!

"To be included as an invited guest to "spend the night in jail" was an honor and an experience. The new facility in Clarksburg is state-of-the-art and a compliment to the Montgomery County Department of Corrections." **Pat Lupson**

**Guest Speakers - December 5, 2002****Deidre Walker, Assistant Chief of the Montgomery County Police Department**

Meg Kabat

VSAB was very pleased to have Assistant Police Chief Deidre Walker attend its January meeting. Assistant Chief Walker discussed the Montgomery County Police Department's renewed and invigorated commitment to working with victim services programs in the county. She discussed the coordination of VASAP outreach volunteers when a sexual assault occurs as well as the referral process to VASAP when a homicide takes place. VSAB members expressed appreciation and gratitude to the Chief and to the entire Police Department for the continued work that is done to assist victims of crime in finding the support and help that they need and that can be provided through Montgomery County's many victim programs. Assistant Chief Walker looks forward to working with the Board in the future in order to continue to improve the coordination of victim services and the Police Department.

**Arthur Wallenstein, Director of the Department of Corrections**

Meg Kabat and Pat Lupson

VSAB was very pleased to have Arthur Wallenstein, the Director of the Department of Corrections in Montgomery County, attend its January meeting. Mr. Wallenstein began by discussing VINE (Victim Information and Notification Everyday) and some problems that exist with the system in Maryland. He has been encouraged by the appointment of Ms. Maryann Sarr, to the position of Secretary of Public Safety for Maryland and is hopeful that many of the problems with the VINE system will be addressed during her tenure. He is also investigating a program that would engage Montgomery County offenders in a victims' educational curriculum. Mr. Wallenstein encouraged the Board to contact him regularly and looks forward to working with the board in the future. Victims are part of the equation of corrections. It was enlightening to have the VSAB share with Mr. Wallenstein some of their concerns with regard to Montgomery County victims.

## **Budget Recommendations To The County Executive and County Council for FY '04**

This year Montgomery County faced a grave budget deficit, for all agencies. VSAB took its role as a budget advisory group very seriously, meeting with victim services administrators to learn about programmatic challenges and fiscal challenges.

Voting VSAB members then met independently to solidify the official Board position on the FY'04 budget, and presented it to the County Council on April 7, 2003. The testimony is summarized as follows:

1. The Board is grateful for the help it has received from the Council in addressing persistent problems in the coordination of HHS and police department responses to victims. Competition for control has decreased, and cooperation has increased.
2. The Board commends the Office of Legislative Oversight (OLO) for its thorough and accurate review of victim services in Montgomery County. VSAB supports the major findings of its recent study.
3. The County's Crime Victims' Compensation Fund continues to be an important way for the county to assist victims with financial hardship brought about by their victimization. We appreciate the Executive's proposed generous increase of \$25,000 for FY'04.
4. We have some concerns about \$50,000 in cuts to psychiatric services in the proposed budget. We understand that the line item was inadvertently removed. We strongly advise reinstatement of the line item.

VSAB is proud to report that, in part due to their advocacy, item 4 has been fully addressed.

**OLO Study on Victim Services - Kay Cummins**

The Office of Legislative Oversight (OLO) reviewed all services that are currently available to victims and witnesses of crime in Montgomery County, and a report of their findings and recommendations was published on March 18, 2003. VSAB was given an opportunity to respond to their recommendations and Ms. Kay Cummins (former Chair of VSAB) presented the Board's point of view.

Recommendation #1: Evolve the structure of publicly funded victim assistance programs into a coordinated, interdisciplinary network of services for crime victims.

**VSAB:** We agree that developing such a network of services could be a plus for all involved but have serious questions on how this network will be put to practical use. We would like to see a resource directory and victim database put into effect, but question the ability to continue to maintain the confidentiality of victims if they are listed in a database to be shared by service providers. Confidentiality is a major prerequisite for providing treatment to sexual assault victims and some other violent crime victims who would feel threatened if that were not maintained.

Recommendation #2: Commend the Montgomery County Police Department and Department of Health and Human Services for resolving the disagreement about who will provide 24/7 emergency support services to adult rape/sexual assault victims at the hospital or police facility.

**VSAB:** Commending staff for coordination of services is appreciated by all those who worked so hard to reach an agreement during very stressful and difficult times. We believe it is imperative to formalize this agreement with written confirmation either in the form of a law or a County mandate to prevent this agreement from being reversed in the future. We feel that this could be too easily reversed if there is a change in command if a written mandate or policy were not in place.

Recommendation #3: Amend County law to consolidate the two locally-funded victim compensation funds (Human Rights Commission and Victim Services and Sexual Assault Program), and seek legislation to require the State's victim compensation fund to reimburse the County for eligible expenses paid locally.

**VSAB:** The funds were set up for very specific victims and each has very specific guidelines that would be difficult to maintain if consolidated. Having worked on both the legislation to set up the current guidelines for the County and the State funds we have first hand knowledge of how they both work. Seeking legislation requiring the State to reimburse the County may only allow the victims to fall through the cracks in an already complicated and expensive situation. The homicide victim families, as an example, may currently apply for assistance for funeral expenses in both the County and the State but only if they fall under very specific income guidelines. Most funeral homes will not even pick up the body from the Coroner's office in Baltimore

**OLO Study on Victim Services (continued)**

until they have cash in hand. Families who fall under the HOC income guidelines often don't have sufficient funds to bury their loved ones without help. The County currently provides up to \$2,500 immediately. The cost of the average funeral today is \$8,000. Often if the family also qualifies for State assistance, it takes at least six months and often much longer for that money to be received. The most that the State will provide is \$5,000 still leaving a balance for the family to pay out of pocket during a time when many are unable to work. As difficult as the current situation is the victims in Montgomery County are faring better than most residents of the State of Maryland because there are two places to go for financial assistance.

Recommendation #4: Lobby State to evaluate and make continued improvements to the Victim Information and Notification Everyday (VINE) system.

**VSAB:** We would support any attempts to improve the VINE system. We believe it is a good program but it is only as good as the data input and the people who update it on a regular basis. It sounds better on paper than it does in reality and we agree that it needs fine tuning.

In addition, VSAB feels it would be appropriate to charge the State's Criminal Injuries Compensation Board (CICB) for services rendered to victims of crime including counseling services charging the standard rates seen in the public sector as long as the crime victim gives permission to share her/his victimization and financial information with the State. This could be done without any legislation required and would offer some of our victim programs income to assist them during these difficult financial times. It also makes sense to require the State to pick up some of the costs to assist crime victims.

**Legislation - Linda Meyer**

The VSAB legislative committee joined forces with victim rights organizations to support victims rights bills going before the House and the Senate. The victims organizations included: Maryland Crime Victims, Maryland Coalition Against Sexual Assault, and Maryland Network Against Domestic Violence. The legislative committee reviewed bills supported by these organizations and reviewed all victims bills going before the House and Senate. Timelines and progress of the bills were tracked. The victims bills were presented at a VSAB meeting and letters were written in support of 18 bills.

**Meeting with County Members, the County Executive and the County Council** David Bachrach, Chair, VSAB

VSAB met with each member of the County Council during the fiscal year. This year, VSAB chose two members who had not previously represented the Board before the Council to participate in this activity. The goals were to reinforce the importance of victim issues to the Council, and to learn about ongoing budget challenges facing the county's victim services. Members of the Council were receptive to VSAB concerns, and meetings lasted from 15 to 90 minutes. Topics included police services, psychological services, and the county's crime victim compensation fund.

**Working With The Montgomery County Police Department** Nadja Cabello, Director, VASAP

The past year has been one of considerable improvement in the relationship between the Montgomery County Police Department (MCPD) and the Victim Assistance and Sexual Assault Program (VASAP).

In July, 2002, a policy change to Directive Function Code DD616 was approved and implemented by Chief Moose which dramatically lessened VASAP's outreach response to rape and sexual assault victims. This formally changed Police Department policy that had been in place since the inception of VASAP as a Rape Crisis Program in 1979. Since 1979 the police, VASAP and the local hospitals responded to the needs of rape and sexual assault victims together in a coordinated team approach called the Sexual Assault Assistance Team (SAAT).

The revised 2002 policy changed this team response by directing Homicide/Sex investigators to notify a Montgomery County Police Department Victim Services Coordinator to assist adult rape and sexual assault victims, rather than a trained VASAP sexual assault outreach worker. This resulted in victims being denied immediate access to Rape Crisis Services from VASAP. This change was the culmination of several years of deteriorating relations between the programs, despite efforts at various levels to ameliorate them.

Persistent efforts on the part of the Victim Services Advisory Board (VSAB) involved the County Executive and the County Council, and ultimately a solution was reached. During the course of a study on Victim Services by the Council's Office of Legislative Oversight the depth and breadth of the problem became apparent. Subsequently, Assistant Chief of Police Deirdre Walker issued a memorandum to all Major Crimes Investigators directing them to notify VASAP prior to completion of the police interview, to not unduly delay notification and to no longer notify MCPD victim assistant coordinators on adult rapes and sexual assaults. Through this Memorandum the SAAT was reestablished ensuring an inter-departmental response team to cater to the special needs of sexual assault victims.

In order to maintain open lines of communication, Chief Walker has implemented Quarterly Victim Services Case Review Meetings which include staff from VASAP, Major Crimes, Family Crimes and the MCPD Victim Assistance Unit.

## In Retrospect

### Responding to the Sniper Attacks

Nadja Cabello, Director, VASAP

In response to the October sniper shootings the Victim Assistance and Sexual Assault Program together with the Crisis Center provided crisis intervention to over 700 individuals directly or indirectly affected by this random act of violence. Here are some of the highlights:

- VASAP provided two full days of crisis outreach to the Fitzgerald Auto Mall and has followed up twice to assist with any trauma aftermath resulting from that crime incident.
- We also assisted with crisis intervention to the Ride-On depot in Rockville, where one of the victims worked.
- VASAP deployed staff to meet with all surviving family members at the Police Training Academy together with the Police Victim Assistance Coordinators. The Police filled an outreach service gap for homicide victims and were a great asset in linking the survivors with VASAP.
- Clinically, many VASAP staff reported that existing clients had become increasingly symptomatic as a result of the sniper shootings. Our psychiatrist reported that in his 33 years in psychiatry he had not seen so many clients who were so depressed and many who needed increased medication to assist coping with this crisis.
- The Crisis Center saw a 75% increase in telephone calls concerning safety, how to talk to kids, and how to cope.
- Concretely, VASAP through the County's Crime Victims' Compensation Fund assisted many surviving family members with funeral expenses and other financial assistance directly related to effects of the sniper shootings.
- The State of Maryland, through the Criminal Injuries Compensation Board fund, stepped in to assist surviving family members with additional needs.
- VASAP therapists were quoted in two articles, one in the *Washington Post* and another in the *Wall Street Journal*. Both articles gave the VASAP and Crisis Center numbers as resources for residents to call with their concerns.

To quote from a victim's testimony from the President's Task Force on Victims of Crime: "Being a crime victim is an experience that one does not plan for, is not prepared for, and has no knowledge of who or where to turn." Remember that crime can happen to anyone and VASAP is here to help. We are a telephone call away at 240-777-1355.

---

*"Being a crime victim is an experience that one does not plan for, is not prepared for, and has no knowledge of who or where to turn."*

---

## **MEET THE MEMBERS OF THE VICTIM SERVICES ADVISORY BOARD**

We are pleased to introduce all of our current members who volunteer their time, special talents and skills to help improve victims' rights and services in Montgomery County.

### **Judith P. Aboud**

Ms. Aboud worked for the American Society of Health-System Pharmacists for 15 years and served as a Program Administrator. She has served as an outreach volunteer for the Victim Assistance and Sexual Assault Program of Montgomery County for 5 1/2 years and was awarded the George Sullivan Memorial Award as the outstanding volunteer for 1997.

### **David T. Bachrach, M.A. Criminology & Criminal Justice**

Mr. Bachrach has worked for the U.S. Department of Justice, monitoring police department compliance with the terms and conditions of federal grants. He also instructed students in criminal justice ethics and criminology theory. He is currently a management consultant, and serves as Board Chair.

### **Kay Cummins, R.N.**

Ms. Cummins has worked as a registered nurse at Shady Grove Adventist Hospital for the past 22 years. She is a Certified Post-Anesthesia Nurse specializing in the care of immediate post-operative patients. She became interested in victim advocacy after having family members become violent crime victims. Ms. Cummins is a former Chair of VSAB.

### **Deborah Ehrenstein, LCSW-C**

Ms. Ehrenstein is a Certified Licensed Clinical Social Worker who formerly worked for the Montgomery County Department of Health and Human Services, Jewish Social Service Agency and Sheltering Arms Children's Service. Recently retired, Ms. Ehrenstein contributes her experience and skills in the area of child protection.

### **Charles Floyd**

Mr. Floyd was chief of a medium -size police force, with special emphasis on white collar crime. His background includes highly confidential criminal investigations and extensive experience in management and supervision.

### **Arnold B. Gordon, Esq.**

Mr. Gordon is currently a Director of Barents Group/KPMG Peat Marwick and is responsible for all tax administration personnel in all projects of the firm throughout the world. Mr. Gordon has been a successful businessman and Maryland resident for 24 years and wants to give back to the community by helping to improve services for victims in Montgomery County. He has played a vital role in creating the new non-profit organization, Victims in Need, Inc.

### **William H. Henry, Esq.**

Mr. Henry has run his own law practice since 1995. He has been a victim advocate since 1996 when he was carjacked, shot and left for dead. He is a 1999 recipient of the Maryland State Governor's Award for Victim Rights and Service and a member of *Who's Who in America*. Mr. Henry is former co-chair of VSAB.

**MEET THE MEMBERS OF THE VICTIM SERVICES ADVISORY BOARD**

**Martha C. Jones**

Ms. Jones has been a resident of Montgomery County for over 27 years and a volunteer for the Abused Persons Program for 12 years as a court companion. Her active role in the community as a victim advocate has provided years of experience to help improve and evaluate services to victims.

**Margaret B. Kabat, LCSW-C**

Ms. Kabat is a Certified Licensed Clinical Social Worker currently employed with Value Options as the Provider Relations Manager for TRICARE. She has worked in mental health in Montgomery County for the past four years, both with children and adults. Ms. Kabat is currently the Vice-chair of the Board.

**Patricia Lupson**

Mrs. Lupson serves as president of Remembering the True Victims, a non-profit organization working inside penal institutions to help offenders understand the far reaching impact their crime has had on society. She serves as chairperson to the Victim Advisory Board to Maryland's Parole and Probation Department and is a board member on the Institutional Victim Advisory Panel for Maryland's Department of Corrections in addition to her membership with VSAB. Having this tri-representation brings to the citizens of Montgomery County the latest and best information on victim services from all aspects of the Maryland criminal justice system.

**Andrea Shapiro, Esq.**

Ms. Shapiro is an attorney, and an associate with the Law Offices of Thomas V. Mike Miller, Jr., P.A. Her primary practice is family law and domestic relations. Prior to joining the firm, Ms. Shapiro was a law clerk for the Honorable Stephen G. Chappell, Circuit Court for Charles County, Maryland. She is a member of various bar associations, including the Maryland Bar Association and the Prince George's County Women's Bar Association.

**Linda G. Meyer, M.A. in Special Education**

Ms. Meyer has a Bachelors degree in Social Work and a Masters in Special Education. For the past eight years she has worked as a Special Education Early Childhood teacher with Montgomery County's Infants and Toddlers Program of HHS.

**Raeed Tayeh**

Mr. Tayeh is the public affairs director for the Muslim American Society Foundation, and travels the country to conduct training seminars on grassroots civic involvement. He currently serves as the political director of the Muslim American Society.

**Christine Whitaker, ATR, LCSW-C**

Ms. Whitaker has a wide array of experiences from inpatient hospitals, special education services and in-home work with adolescents and their families who were sexually abused and offended along with many years of work with at-risk youth.

**Steven N. Wilkerson**

A lifelong resident of Montgomery County, Mr. Wilkerson is a financial advisor for UBS Paine Webber. In addition to his membership with VSAB, he is involved with Big Brother - Big Sister and Make-A-Wish-Foundation.

\*\*\*\*\*



Montgomery  
County,  
Maryland

Victim Services Advisory  
Board  
1301 Piccard Drive  
Suite 4100  
Rockville, MD 20850

Language translation and alternative formats of this report as well as the VSAB brochure are available upon request. For additional information on the Board, please call or write:

Montgomery County Victim Services Advisory Board  
c/o Victim Assistance and Sexual Assault Program (VASAP)

1301 Piccard Drive, Suite 4100

Rockville, MD 20850

240/777-1355 (Voice); 240/777-1329 (Fax); 240/777-1347 (TTY)

[www.vasap.org](http://www.vasap.org)