

VICTIM SERVICES ADVISORY BOARD AGENDA

December 1, 2022

- I. Additions to Agenda (1 Minute)
- II. Roll Call & Virtual Meeting Procedures (2 Minutes) – Neda Bolourian
- III. Approval of Minutes from September 22, 2022 meeting (1 Minute)
- IV. Executive Subcommittee update (55 Minutes) - Kathryn, Neda, Brian
 - a. Update on Meeting with Dr. Crowel – Brian/Neda/Rafiah
 - i. Holistic Health
 - ii. Cross-Board Work/Teaming up with Other BCCs
 1. Mental Health Advisory Committee; ICH; Early Childhood Council; Juvenile Justice; Child Care; Children and Youth
 - b. Game Plan for County Council Meetings – Neda, Kathryn, Brian
 - i. Meetings with: Elrich; Katz; Jawando; Glass; Albornoz; Friedson; Navarro; Sayles; Balcombe; Stewart; Mink; Fani-Gonzalez; Luedtke
 - ii. Elrich Town Halls: Dec. 7 (Silver Spring), 12 (Germantown), 14 (Bethesda).
 - c. Discussion and Approval of Board Priorities for FY 2023 -- Neda
 - d. SRO/Education Issues – Neda
 - e. Update on CJCC Meeting -- Kathryn
- V. Legislative Subcommittee Update (35 Minutes) – Kathryn, Neda, Rafiah Prince
 - a. Discussion and Approval of Bills to support for 2023 Legislative Session – Kathryn
 - b. Letters of Support and Division of Labor – Kathryn, Neda
- VI. Updated Brochures and Other Materials for VASAP/APP/VSAB (15 Minutes)
- VII. Public Affairs/Events Subcommittee updates (10 Minutes) – Leah
 - a. Upcoming Awareness month/days and other events
 - b. Calendar Updates
 - c. Social Event – Mark Your Calendars for **March 16** at 6:30 for Drinks/Appetizers

VIII. Announcements/Comments/New Business (1 Minute)

Adjournment 8:30 PM

Next Meeting:

January 26, 2022, 6:30 PM - 8:30 PM

Maryland General Assembly 2023 Session
Legislation to Consider Supporting
by Victim Services Advisory Board
(Updated Nov. 18, 2022)

During the 2022 session, VSAB approved 15 bills to support, and ultimately prepared testimony for 11 bills introduced in one or both chambers that we believe would benefit victims of crimes. The following is a list of bills to consider supporting for the 2023 session.

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Criminal Law and Procedure

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(MCASA one of top 3 picks) **Repeal of Spousal Defense** - repeals criminal law that allows marriage to be used as a defense to some sex crimes. Current law limits the circumstances under which an individual can be prosecuted for sexual violence against their spouse. These include when the parties have a limited divorce, a written separation agreement, have been separated and apart for three months or in rape involving force or threat of force. These exceptions do not recognize spouses, usually women, who are forced to endure unwanted touching, forcible sex or any similar assault just because they are married, or who, for physical or mental reasons, are incapacitated. Sponsors: Senator Lee and Delegate Crutchfield

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Body Cameras/Victim Privacy - Body-worn digital recordings can include images of

the other spouse commits a crime against them. Sponsor: Del. Rachel Jones

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Crime Victim Rights - Continued Supervision and Defendants Incompetent to Stand Trial - A bill permitting a victim to petition for continued supervision of a defendant found incompetent to stand trial (Stemmed from a court case involving a dangerous sex offender released from supervision.) Under current law, Maryland law limits the length of time a person may be detained after a finding that they are incompetent to stand trial. Both the State's Attorney and the victim must be notified of the contemplated dismissal, however, only the State's Attorney may file a motion to continue charges based on extraordinary cause. This bill would grant victims the right to petition the court to extend

|| **Stalking - in Violation of a Protective Order or Subsequent Offense - Increases penalties for violations** - The proposed law creates an enhanced penalty for stalking if the person has a prior conviction for stalking (either in Maryland or another state with a similar statute) or if the person had a protective order in effect against them at the time the offense was committed. If either of these circumstances are present, the stalking becomes a felony with a 10-year maximum penalty or \$10,000. Sponsors: Sen. Lee and Dels. Shetty and Pippy¶

¶ **Child Sex Abuse/Person in Position of Authority** - Current Maryland statutory rape provisions protect younger children, child sexual abuse laws protect children during the time a child is actually in an adult's care or supervision, certain school employees are always prohibited from having sex with their students, and new laws on sextortion provide the ability to prosecute those using threats of emotional distress to coerce sexual activity. However, the law still has gaps that fail to protect teenagers from sexual exploitation by extra-curricular activity instructors, scout masters, school volunteers, and other adults in authority. This bill closes these remaining gaps, so that all teens are protected. Sponsors: Del. Sam Lee¶

¶ **Probation Before Judgment/Extend Lack of Conviction to Federal Law** - changes the process by which a Probation Before Judgment (PBJ) is entered. PBJs are typically used in first-time and minor violations. Under current law, a PBJ is not considered a conviction under state law, but is considered a conviction under federal law. This discrepancy puts non-citizens at risk for deportation. This bill eliminates the need to first determine guilt or a defendant's acceptance of a nolo contendere plea before a PBJ is entered. Lack of a conviction applies the law equally to both citizens and non-citizens, and eliminates the fear of deportation for non-citizens. Sponsors: Sens. Lee, Waldstreicher and Ferguson, Dels. Moon and Shetty¶

¶ **Survivors Seeking Criminal Justice**¶

¶ **Explanation of Decision Not to Prosecute** - Few sexual assault survivors seek help through the criminal justice system. When they do, State's Attorneys Offices do not always prosecute. This bill requires that, at the request of the victim, the prosecutor provide an explanation of this decision. Sponsors: Sen. R. Young, Del. K. Lewis¶

¶ **Criminal Injuries Compensation** - Increases the maximum compensation, from \$10,000 to \$45,000, that may be awarded by the Criminal Injuries Compensation Board (CICB) for psychiatric, psychological, or mental health counseling; and prohibits the Board from setting maximum compensation thresholds lower than the thresholds established in a certain provision of law. The Criminal Injuries Compensation Fund, within the Victim Services Unit of the Governor's Office of Crime Prevention, Youth,

already established regional navigator program. Sponsor: Sen. Lee



Education and Schools



Human Trafficking Awareness Education - Requires the State Board of Education and nonpublic schools that hold a certificate of approval from the State Board and participate in the Nonpublic Schools Textbook and Technology Grants Program to develop and implement a program of age-appropriate education on the awareness and prevention of sexual abuse and assault that includes, for students in grades 6 through 8, material promoting the awareness and prevention of human and sex trafficking. Sponsor: Del. Steve Johnson

