

**MEMORANDUM**

March 14, 2002

TO: County Council

FROM: Karen Orlansky<sup>KO</sup>, Director  
Office of Legislative Oversight

SUBJECT: **Office of Legislative Oversight Report 2003-2, *Services to Victims and Witnesses of Crime in Montgomery County***

The Council's calendar for **March 18, 2002** includes the public release of Office of Legislative Oversight Memorandum Report 2003-2, *Services to Victims and Witnesses of Crime in Montgomery County*. Councilmembers received copies of the report under separate cover.

A joint Health and Human Services Committee and Public Safety Committee meeting on the report is scheduled for April 7, 2003.

**Members of the public can pick-up full copies of OLO Report 2003-2 in the Legislative Information Services office (5th floor COB) after the Council releases the report on Tuesday, March 18, 2003.**

c: M. Edgar, Council Secretary



# SERVICES TO VICTIMS AND WITNESSES OF CRIME IN MONTGOMERY COUNTY

March 18, 2003

Office of Legislative Oversight  
Report Number 2003-2

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## EXECUTIVE SUMMARY

Nearly 70,000 crimes were reported in Montgomery County in 2002. Because reported crime represents an estimated half of all violent crimes and an even smaller portion of property crimes, the actual number of crime victims in the County likely exceeds the number in official crime statistics.

The Office of Legislative Oversight identified two locally-funded victim compensation funds and 17 other government-based programs that provide a wide range of specialized services to victims and witnesses of crime in Montgomery County. Available services include crisis intervention and resource mobilization, counseling (short and long term), court accompaniment, assistance with completing court forms, notification about offender status and court dates, and reimbursement for crime-related expenses.

Some programs are designed for specific categories of crime victims, e.g., domestic violence victims, victims of hate/violence crimes. Other programs offer services, such as counseling, court accompaniment, and compensation, to victims of any type of crime.

In FY 03, the County funds approximately 80% of the more than \$5.5 million spent on government-based victim services in the County. State and Federal grants fund another 17%, with the balance paid for by the municipalities of Gaithersburg, Rockville, and Takoma Park.

OLO's primary recommendation is to evolve the structure of victim services programs into a coordinated, inter-disciplinary network of services. This recommendation addresses OLO's finding that the current array of programs in the County operate as related but disaggregated services. Both management and front-line program staff agree on the need to improve coordination between and among the different providers.

To accomplish this, OLO recommends that the Council formally request the County Executive, State's Attorney, and Sheriff to convene an inter-agency task force that is charged with integrating the different services into a coordinated system. Recommended actions include developing: a shared resource directory and victim database, written policies that clarify the roles and parameters of each program, joint training opportunities, and an inter-agency strategy to meet the growing need to serve non-English speaking victims.

As a positive example of coordinating victim services, the Council should commend the Montgomery County Police Department and Department of Health and Human Services for resolving a disagreement about which program will provide 24/7 emergency support services to adult rape/sexual assault victims. In addition, OLO recommends that the Council:

- Amend County law to consolidate the two County-funded victim compensation funds and seek State legislation that enables the County to request reimbursement from the State's victim compensation fund for eligible expenses paid locally;
- Lobby the State to evaluate and make continued improvements to the automated victim notification system (VINE); and
- Request OLO (or other entity) to conduct a companion study to this one that examines services provided to juvenile victims of crime in the County.

**OFFICE OF LEGISLATIVE OVERSIGHT REPORT 2003-2**  
**SERVICES TO VICTIMS AND WITNESSES OF CRIME IN MONTGOMERY COUNTY**

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## CHAPTER I: AUTHORITY, SCOPE, AND ORGANIZATION

### A. Authority

Council Resolution 14-1395, *FY 2003 Work Program of the Office of Legislative Oversight*, adopted July 30, 2002.

### B. Scope of Review

This report examines the array of publicly-funded programs that provide specialized services to adult victims or witnesses of crime in Montgomery County. Drawing upon the broad definition of victim services used by the federal Department of Justice (DOJ), OLO's review includes programs that meet both immediate and longer-term needs of crime victims and witnesses, including:

- Emergency services, e.g., on-scene support, 24/7 crisis center, shelter for domestic violence victims;
- Information about and referral to other victim services and other sources of assistance, e.g., temporary cash assistance, health care, housing;
- Counseling, safety planning, legal representation, and/or assistance with filing claims for compensation;
- Court-related services, e.g., notification of court dates/action, court accompaniment, transportation to and from court, assistance with victim impact statements, and help with filing for civil protection;
- Post-sentencing services, e.g., notification of offender's status, help with obtaining restitution; and
- Compensation programs that reimburse victims of crime for crime-related expenses, such as medical costs, funeral costs, lost wages, and property damage.

Many programs also conduct public information campaigns to educate the community on victim issues and available services. In addition, some programs organize training on victims-related issues for police officers, prosecutors, judges, and other allied professionals in the criminal justice and social services systems.

Appendix B (©4) contains a copy of the DOJ's full definition of victim services. Throughout this report, OLO uses the term "victim services" as shorthand for the range of services provided to both victims and witnesses of crime.

*Note: This OLO report is limited to a review of services provided to adult victims and witnesses of crime. The report recommends a follow-up study that would look at the parallel set of services provided to juvenile victims and witnesses of crime.*

## **C. Organization of Report**

**Chapter II, General Background on Victim/Witness Services**, defines victim services, provides a brief legislative and funding history of the crime victims movement in the United States, and discusses the generic advantages and disadvantages of different structural locations of victim service programs.

**Chapter III, Lessons from the Empirical Research**, discusses the challenges of defining and measuring the outcomes of victim services; summarizes the findings reported in the relatively few published evaluations of victim services programs; reviews the results of four different needs assessments conducted in other jurisdictions; and summarizes recently published findings about coordinating victim service programs.

**Chapter IV, Maryland Laws and State Victim Services Programs**, reviews the legal framework of victim rights in State law and summarizes the different victim services based in State agencies.

**Chapter V, Victim Services in Montgomery County**, begins with a summary of County crime data and an overview of the services available to crime victims and witnesses. Following the overview is more detailed information on each government-based program that provides victim services.

**Chapter VI, Inter-Agency Meetings of Victim Service Providers**, explains the parameters and outcomes of the three inter-agency meetings of victim service providers that OLO convened as part of the study process.

**Chapters VII and VIII, present OLO's Findings and Recommendations**

**Chapter IX, Agency Comments**, contains the written comments received on a final draft of the report.

## **D. Methodology**

Office of Legislative Oversight (OLO) staff members Craig Howard, Jennifer Kimball, and Karen Orlansky conducted this study. Assistance was also provided by Liz Freund, a graduate student working as a part-time volunteer in OLO's office.

OLO gathered information for this project in numerous ways including general research, document reviews, and individual and group interviews. OLO worked with agency staff to compile process, workload, and other program data. OLO staff consulted with senior management as well as line practitioners from the different offices and departments involved. OLO also attended meetings of the Victim Services Advisory Board and the County Executive's Task Force on Domestic Violence.

During the course of conducting this study, OLO convened three inter-agency meetings to identify priorities and areas in need of improvement. The parameters and results of these meetings are presented in Chapter VI.

Appendix A (©1) contains a list of the print and Internet resources that OLO used during the study period.

### **E. Acknowledgements**

OLO received a high level of cooperation from everyone involved in this study. OLO appreciates the information shared and insights provided by all staff who participated from County, State, and municipal agencies.

In particular, OLO thanks staff representatives from the Montgomery County Police Department, Department of Health and Human Services, Department of Correction and Rehabilitation, and Office of Human Rights; Office of the State's Attorney; Office of the Sheriff; Offices of the District and Circuit Courts, and the municipal Police Departments of Takoma Park, Gaithersburg, and Rockville. OLO also thanks members of the Victim Services Advisory Board, members of the County Executive's Task Force on Domestic Violence, Linda McMillan, Senior Legislative Analyst, and Assistant Chief Administrative Officer Bill Mooney.

## CHAPTER II: BACKGROUND

### A. Introduction and Definition of Victim Services

The National Crime Victimization Survey reports persons in the U.S. (aged 12 years and older) experienced approximately 24.2 million violent and property victimizations in 2001. Property crimes against households (e.g., burglary, theft, vehicle theft) accounted for 75% of all victimizations, and violent crimes (e.g., rape, assault) accounted for about 25%.<sup>1</sup>

The impact of crime on individual victims and witnesses varies significantly. A person's reaction to and recovery from criminal victimization depends upon the specific circumstances of the crime as well as the victim's unique psychological history and support system.

The National Organization for Victim Assistance (NOVA) categorizes the potential injuries that a victim or witness may experience as follows:

- **Physical injuries** – involve damage to the victim/witness's body. Physical injuries can range from minor (bumps, scratches) to moderate (bruises, broken bones) to severe (stabbing, gunshot wounds). As a result of a crime, victims/witnesses may experience health-related problems such as headaches, stomach aches, etc. Some physical wounds heal relatively quickly and others require ongoing treatment.
- **Financial injuries** – involve loss of money or possessions, or damage to items that must be repaired or replaced. There may also be expenses related to medical care, counseling, transportation, and time off from work to go to court.
- **Emotional injuries** – refer to the psychological stress which is also known as the "trauma of victimization." Initial reactions to being a crime victim/witness may include shock, fear, anger, confusion, numbness, guilt, shame, self-blame, and helplessness. Longer-term effects may include anxiety disorders, depression, fear, flashbacks, post-traumatic stress disorder, lowered self-esteem, suspiciousness, and/or a sense of social isolation.

Victims and witnesses can also experience harmful effects from what is described as a "second victimization" due to "insensitive treatment" by the criminal justice system itself. Examples of this include:

- Lack of information about the status and outcome of the case;
- Inconvenience related to finding transportation, child care, and taking time off from work to come to court only to have the case continued or dismissed;

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<sup>1</sup> Criminal victimization estimates in 2001 were the lowest recorded since 1973, when the National Crime Victimization Survey was initiated.

- Police or prosecutor attitudes suggesting that the victim contributed to his/her own victimization; and
- Delays in return of property kept as evidence or failure to return the property at all.

In some cases, victims and witnesses are so inconvenienced or distressed by their involvement with police officers, prosecutors, and/or judges they fail to testify. This in turn has a negative effect on the quality of evidence and the ability of prosecutors to make their case.

**This OLO report examines the array of publicly-funded programs that provide specialized services to adult victims or witnesses of crime in Montgomery County.** In general, victim services programs are designed to provide emotional support and practical assistance in overcoming the trauma of being a victim and/or witness of a crime, and to encourage victims and witnesses to participate in the criminal justice process.

Compensation programs reimburse victims of crime for crime-related expenses, such as medical costs, funeral costs, lost wages, and property damage. Other victim assistance programs provide one or more specialized services to victims and witnesses, such as:

- Emergency services, e.g., on-scene support, 24/7 crisis center, shelter for domestic violence victims;
- Information about and referral to other victim services and other sources of assistance, e.g., temporary cash assistance, housing;
- Counseling, safety planning, legal representation, and/or assistance with filing claims for compensation;
- Court-related services, e.g., notification of court dates/action, court accompaniment, transportation, assistance with victim impact statements, and help with filing for civil protection;
- Post-sentencing services, e.g., notification of offender's status, help with obtaining restitution.

Many programs also conduct public information campaigns to educate the community on victim issues and available services. In addition, some programs organize training on victim-related issues for police officers, prosecutors, judges and other criminal justice/human services staff.

Appendix B (©4) contains a copy of the federal Department of Justice's full definition of victim services. This OLO report uses the terms "victim services" and "victim assistance program" to refer to programs that serve both victims and witnesses of crime.

## **B. The Crime Victim Movement in the United States**

Victim assistance programs are an important piece of the nation's crime victim movement, which has grown significantly during the past 20 years. The crime victim movement includes advocacy for laws related to victims' rights as well as funding for specialized programs designed to assist victims and witnesses of crime.

### **1. Legislative History**

The first Federal victims' rights legislation was the Victim and Witness Protection Act of 1982. The Act called for the use of victim impact statements, which are assessments of the physical, financial and psychological effects of crime on individual victims taken before sentencing. The Act became a national model for state victims' rights laws.

1982 also marked the establishment of the Presidential Task Force on Victims of Crime, which was appointed to investigate the needs of victims and the most effective means of addressing them. In 1984, Congress implemented one of the major recommendations of the Task Force by passing the Victims of Crime Act (VOCA), which established the Office for Victims of Crime within the Department of Justice (DOJ) and the Crime Victims Fund. (For more on the Crime Victims Fund, see next section on funding history).

Other key Federal legislation that addresses services for crime victims and witnesses includes:

- The Violence Against Women Act (first enacted in 1994) focused on a variety of measures to combat violence against women;
- The Violent Crime Control and Law Enforcement Act (first enacted in 1994) established mandatory restitution for victims of domestic violence, sexual assault, child exploitation and abuse, and telemarketing fraud; and
- The Victims of Trafficking and Violence Prevention Act (enacted in 2000) established a compensation program for victims of international terrorism and mass violence worldwide.

During the past 20 years, 49 states passed Victims' Bills of Rights and 22 states enacted constitutional amendments that mandate certain services be provided to crime victims. In most states, including Maryland, the rights of crime victims and witnesses of crime include the following:

- The right to notification of all court proceedings related to the offense;
- The right to be reasonably protected from the accused offender;
- The right to have input at sentencing (usually in the form of a victim impact statement);

- The right to information about the conviction, sentencing, imprisonment, and release of the offender;
- The right of notice of these rights; and
- The right to enforce these rights.<sup>2</sup>

In addition, many states are increasingly funding victim services programs on a regular basis from general revenues or by earmarking a percentage of fines imposed on criminal offenders.

## 2. Funding History

The majority of victim assistance programs launched between 1974 and 1979 received funding from the federal Department of Justice's Law Enforcement Assistance Administration (LEAA). When LEAA was terminated in the early 1980s, Federal funding for victim services programs declined and many programs were forced to cut back on services and seek other sources of funds.

Federal funding for victim services increased again in the mid-1980's with passage of the Victims of Crime Act (VOCA) and Violence Against Women Act (VAWA). VOCA established the Crime Victims Fund, which accumulates revenues from criminal fines forfeited bail bonds, penalties, and other special assessment collected by the U.S. Attorneys' Offices, U.S. federal courts, and the Federal Bureau of Prisons. Until 2002, the source of funds for the Crime Victims Fund was entirely from offenders convicted of federal crimes; beginning in 2002, deposits into the Fund can also include gifts, bequests, or donations from private entities.

The federal Office of Victims of Crime allocates Crime Victims Fund revenue each year to states on a formula grant basis for victim services and victim compensation programs. Since 1984, more than \$2.5 billion has been distributed from the Crime Victims Fund for the following programs:

- **VOCA Crime Victim Compensation Program** – funds reimbursement for medical and mental health costs, funeral expenses, and lost wages when other resources do not cover the loss.
- **VOCA Crime Victim Assistance Program** – provides formula grants to states for victim assistance programs. The three original priority areas for state distribution of victim assistance funds included child abuse, domestic violence, and sexual assault.
- **Children's Justice Act Tribal Grant Program** – provides funds to help American Indian Tribes develop programs to improve the handling of child abuse cases.

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<sup>2</sup> Office for Victims of Crime Fact Sheet, What You Can Do If You Are a Victim of Crime, April 2002



The 1984 Violence Against Women Act (VAWA) established four federal grant programs to support domestic violence and sexual assault programs. Since the mid-1980's, these grants have provided more than \$1.6 billion in federal funding to local programs:

- **Formula Grants Program** – funds programs to develop and implement effective law enforcement and prosecution strategies to combat violent crimes against women and to develop and enhance victim services.
- **Discretionary Grants Program** – establishes that 4% of the amount appropriated each year for the Formula Grant Program be allocated to Indian Tribal governments to strengthen the tribal justice system's response to violent crimes against Indian Women.
- **Rural Domestic Violence and Child Victimization Enforcement Grant Program** – funds programs that focus on the needs of rural communities in addressing domestic violence and child victimization.
- **Grants to Encourage Arrest Policies** – funds programs that develop and implement laws, policies, and protocols to encourage or mandate the arrest of domestic violence offenders.

The Department of Justice estimates that state and local governments currently provide approximately two-thirds of the funding for victim assistance programs across the country. Federal dollars and private sources such as foundations, local businesses, and charitable groups account for the other third of program funding.

### **3. The Effect of Community Policing on the Victims' Movement**

The growth of community policing as the dominant law enforcement philosophy in the United States has further strengthened the victims' rights movement. Community policing encourages police officers to solve problems in collaboration with community members, with a strong focus on "customer service." This philosophy is consistent with services provided through victim services programs, which emphasize meeting customers' needs as well as maintaining the cooperation of victims and witnesses throughout the criminal justice process.

### **C. The Organizational Location of Victim Services**

Victim services programs are structurally located in different organizations across the criminal justice and social services systems. The structural location (also known as "sponsorship") of a victim services program influences the program's mission, funding, staffing and other key characteristics.

No national census of victim service programs exists that identifies and sorts programs, either by type of service or host agency. However, the published information on victim services research makes it clear that it is not unusual for more than one victim/witness assistance program to exist in a single jurisdiction. In fact, the federal Office for Victims of Crime has funded a five-year research project to develop integrated service delivery systems that can serve as models for other communities; for more on this project, titled *Victim Services 2000*, see page 22.

Data on grants awarded by the Office for Victims of Crime between 1999-2001 suggest that more than two-thirds of the victim services programs in the United States are based in private, non-profit organizations. Within government, these data show the largest percent of victim service programs are based in prosecutors' offices, followed by law enforcement agencies. A relatively small percent of victim services programs are hosted by other government offices, such as social services, courts, corrections, or probation. (See Table 1, page 11)

The first victim services programs in the United States were started by community-based organizations in the early 1970's. Of particular importance to the victims' movement were grassroots women's advocacy groups who raised concerns about the "double trauma" of rape victims; defined as the initial assault by the rapist followed by insensitive treatment by the criminal justice system. Other non-profit organizations joined the victims' rights movement with a focused interest on the treatment of domestic violence victims. Today, private non-profit organizations sponsor victim services programs in places such as battered women's shelters, rape crisis centers, religious organizations, and mental health clinics.

Many of the original government-sponsored victim services programs were based in prosecutors' offices. This location made sense because of the programs' intent to help victims navigate through the criminal justice process, and to help prosecutors function more efficiently. In addition, victims often have short-term contact with law enforcement officers, but more extended contact with the prosecutors' office. A 1990 survey of prosecutors' offices reported that more than 85% had victim assistance programs.<sup>3</sup>

An increasingly popular location for victim services programs is law enforcement agencies. A 1990 survey by the Department of Justice found that 37% of larger police departments (100+ sworn officers) have a victim assistance unit. A 1997 report by the National Institute of Justice cites the following reasons for the growing sponsorship by police and sheriff departments:

- Victim services programs are increasingly providing services to victims that extend beyond court assistance;

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<sup>3</sup> 1990 Federal National Assessment Program survey, cited in *Assessing Criminal Justice Needs, Research in Brief*, National Institute of Justice, 1992

- Staff based in law enforcement agencies tend to have easier access to victims and witnesses soon after the crime occurred; and
- The community policing approach to law enforcement places a high priority on meeting victims' needs.

Probation and corrections-based victim assistance programs generally focus on notification and restitution issues. The enactment of laws requiring jurisdictions to notify victims of offenders' status has likely influenced the placement of victim services within corrections departments.

### **Advantages and Disadvantages of Different Locations**

Table 2 (page 12), prepared by the National Institute of Justice (NIJ), lists advantages and disadvantages of different structural locations for victim services programs. This list reinforces that where a program is located should be linked to its objectives, target audience(s), and range of services to be provided. For example:

- A program based in a prosecutor's office provides easy access to clients via charging sheets and facilitates the inclusion of a victim's concerns in sentencing recommendations;
- A program based in a law enforcement office provides swift access to clients via arrest reports or calls to appear on the scene; and
- A program based in a corrections department is well positioned to notify a victim of an offender's status after sentencing.

The NIJ chart does not include advantages and disadvantages of victim services located in a Department of Health and Human Services, most likely because that location is not commonly found across the country. However, many of the advantages of being community-based would apply to being based in DHHS, such as providing access to services for victims of unreported crime, and the ability to tap easily into the network of other social services.

**TABLE 1**  
**VICTIMS OF CRIME ACT (VOCA) VICTIM ASSISTANCE GRANTS SUMMARY**  
**1999-2001 GRANT DATA**

<b>Program Category</b>	<b>Sub-Category</b>	<b>Number of Programs</b>	<b>% Within Category</b>	<b>% of Total Programs</b>
<i>Criminal Justice-Government</i>	Law Enforcement	290	26.9%	6.6%
	Prosecution	649	60.2%	14.7%
	Probation	38	3.5%	0.9%
	Court	47	4.4%	1.0%
	Corrections	22	2.0%	0.5%
	Other	32	3.0%	0.7%
	<b>Sub-Total</b>	<b>1078</b>	<b>100%</b>	<b>24.4%</b>
<i>Non-Criminal Justice Government</i>	Social Services	71	38.2%	1.6%
	Mental Health	21	11.3%	0.5%
	Public Housing	0	0%	0%
	Hospital	24	12.9%	0.5%
	Other	70	37.6%	1.6%
	<b>Sub-Total</b>	<b>186</b>	<b>100%</b>	<b>4.2%</b>
<i>Private Non-Profit</i>	Hospital	88	2.8%	2.0%
	Rape Crisis	536	17.3%	12.1%
	Religious Org.	30	1.0%	0.7%
	Shelter	1112	35.8%	25.1%
	Mental Health	226	7.3%	5.1%
	Other	1111	35.8%	25.1%
	<b>Sub-Total</b>	<b>3103</b>	<b>100%</b>	<b>70.1%</b>
<i>Native American Tribe</i>	--	<b>42</b>		<b>0.9%</b>
<i>Other</i>	--	<b>16</b>		<b>0.4%</b>
<b>Totals:</b>		<b>4425</b>		<b>100%</b>

Source: OLO compiled this summary table from federal grant data published by the federal Department of Justice, Office for Victims of Crime 1999-2001 (<http://www.ojp.usdoj.gov/ovc/help/links.htm>)

**TABLE 2**  
**ALTERNATIVES IN PROGRAM SPONSORSHIP:**  
**ADVANTAGES AND DISADVANTAGES**

<b>ADVANTAGES</b>	<b>DISADVANTAGES</b>
<p><b>Prosecutor Based</b></p> <ul style="list-style-type: none"> <li>• provides swift access to case information</li> <li>• provides easy access to clients via charging sheets</li> <li>• enables staff, through direct observation, to understand the criminal justice system</li> <li>• provides program with mantle of authority and credibility in dealing with clients and other groups</li> <li>• provides area-wide jurisdiction</li> <li>• provides opportunity to improve prosecutors' handling of victims</li> <li>• facilitates access to judges</li> <li>• facilitates inclusion of victim concerns in sentencing recommendations</li> <li>• provides opportunity for court escort and witness reception center</li> </ul>	<p><b>Prosecutor Based</b></p> <ul style="list-style-type: none"> <li>• focuses on victims in terms of potential as witnesses, not as individuals in need</li> <li>• restricts services to victims whose cases are brought to trail</li> <li>• limits on-the-scene crisis intervention and early contact with victims</li> <li>• restricts opportunity of staff to act as victim advocates</li> <li>• delays acceptance by some grassroots organizations</li> <li>• can create conflicts over confidentiality and disclosure</li> <li>• creates pressure to prosecute or drop cases inconsistent with victim needs</li> </ul>
<p><b>Law Enforcement Based</b></p> <ul style="list-style-type: none"> <li>• provides swift access to clients via arrest reports or calls to appear on the scene</li> <li>• facilitates 24-hour services because agency is already operating around the clock</li> <li>• provides opportunity to improve police handling of victims</li> <li>• provides opportunity to assist in interviewing children, rape victims, etc.</li> <li>• likely to be cooperative if the agency has implemented community policing</li> </ul>	<p><b>Law Enforcement Based</b></p> <ul style="list-style-type: none"> <li>• creates initial fear of interference with established practices</li> <li>• association with law enforcement can alienate or frighten some victims</li> <li>• invites excessive referrals of non-crime cases</li> <li>• discourages service delivery after investigation</li> <li>• may create conflicts with grassroots organization which distrust police</li> </ul>
<p><b>Probation/Parole/Corrections Based</b></p> <ul style="list-style-type: none"> <li>• facilitates opportunity for victim to express sentencing wishes</li> <li>• facilitates provision of restitution through direct contact</li> <li>• facilitates opportunity to inform offender of the effects of his or her crime through victim-offender reconciliation and victim impact statements</li> </ul>	<p><b>Probation/Parole/Corrections Based</b></p> <ul style="list-style-type: none"> <li>• limits access to cases from criminal justice system</li> <li>• limits potential for improving criminal justice system's handling of victims</li> <li>• reduces criminal justice system's interest in support program funding inhibits building credibility with police and prosecutors</li> </ul>

**TABLE 2 CONTINUED**

**ADVANTAGES**

**Community –Based Organization**

- facilitates opportunity for staff to advocate for victim vis-à-vis criminal justice system
- provides access to victims of unreported crimes and presents few disincentives to helping them
- can provide enhanced access to referral resources as a member of human services provider network
- can tap easily into local support services, such as churches, senior citizen centers, and block associations
- can establish own objectives and priorities
- more freedom to focus solely on the needs of victims, rather than also on the interests of the police or prosecutor

**DISADVANTAGES**

**Community-Based Organization**

- accesses victims at late state of criminal justice process
- misses victims if no charges have been filed or no conviction occurs
- creates potential conflict between offender orientation and concern for victims
- may be distrusted by police and prosecutors who view community organizations as monitoring programs

Source: National Institute Of Justice, *Serving Crime Victims And Witnesses*, 1997

## CHAPTER III: LESSONS FROM THE EMPIRICAL RESEARCH ON VICTIM SERVICES PROGRAMS<sup>1</sup>

### Introduction

Ideally, reliable data are available about the short-term and long-term effects of publicly funded programs, and decision-makers can target funds to activities that demonstrate they achieve measurable success. Unfortunately, the current research contains few well-designed evaluations that document the effectiveness of victim services in general. There is, however, an increasing number of research findings from evaluations of services designed for domestic violence victims.

A recurring challenge to evaluating victim services programs is the involvement of multiple agencies and multiple services. The services delivered are complex, inter-related, and not necessarily linear. As a result, it is often impossible to discern and measure the effect of a specific program or service. As the U.S. Department of Justice's publication on *Serving Crime Victims and Witnesses* observes in a chapter on assessing victim assistance programs, ". . . the widespread impulse to provide a humane and supportive response to the needs of innocent victims of crime may be a stronger justification for program efforts than any numerical findings."

This chapter:

- Discusses the definition and methods of measuring outcomes of victim/witness services programs;
- Summarizes the findings reported in the relatively few published evaluations of victim services programs;
- Describes what is meant by a community's "needs assessment" of victim services and reports the results of four different needs assessments; and
- Summarizes recently published studies about coordinating victim services programs in a community.

### A. Defining and Measuring Outcomes of Victim Services

Determining whether a victim services program is making a difference in victims' lives is substantially different than counting the number of victims served. Similar to many other service areas, however, there is no universal agreement on how to define the ultimate success or desired outcomes of victim/witness assistance programs. Moreover, it is difficult to measure reliably whether programs that provide victim services achieve desired outcomes.

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<sup>1</sup> See Appendix A (©1), Office of Legislative Oversight's Resource List, for titles of research articles, publications, and web sites that OLO consulted in writing this chapter.

Examples of intermediate and long-term outcomes cited in the research literature on victim services include:

- Victims prevail over the trauma of their victimization.
- Victims realize they can move on.
- Victims participate in the justice process.
- Victims have positive experiences in the justice process.
- Victims recover financially.
- Victims are not re-victimized.

Examples of initial or short-term outcomes include:

- Victims are more knowledgeable about the justice system.
- Victims feel they have a choice to participate in the justice system.
- Victims are aware of programs that provide compensation/restitution to victims.
- Victims feel they are believed.
- Victims are kept physically safe.
- Victims experience reduced anxiety about testifying in court.

It is challenging to measure program outcomes that assess a victim's feelings or emotional recovery. In addition, the complex and non-linear nature of victim services makes it difficult to determine the effectiveness of a specific intervention. Specific obstacles often cited to conducting outcome evaluations of victim services include:

- Victims do not necessarily remember the services provided, or may actually erase the memory in an effort to forget the victimization;
- The involvement of multiple programs makes it hard to measure the effect of a specific service; and
- Victims often blur their views on the outcome of the criminal justice proceeding with feelings about the service received.

## **B. Summary of Evaluation Findings**

As noted above, few well-designed evaluations of general victim services programs have been conducted. While some studies of site-specific victim services report positive outcomes, there is insufficient evidence to draw conclusions about the generic benefits of victim assistance programs. In addition, much of what is available comes from studies conducted in the late 1970's and 1980's.



With these caveats, the published research on selected victim services programs provides some evidence that:

- Many victims choose not to take advantage of the victim assistance services offered; the most frequently cited reasons are because victims received the help they needed from family and friends and/or victims did not have the time to get involved with victim services programs.
- In some cases, victim services programs do not achieve their goals because victims are not aware of the services available.
- Victim services programs can increase the cooperation of victims with law enforcement and prosecutors.
- Victim services programs can help victims not to feel further victimized by the criminal justice system itself. In particular, victims find value in being kept informed about the status of their cases and appreciate it when prosecutors show concern for them.
- Greater involvement of victims in court proceedings does not necessarily lead to an increase in the number of guilty findings or more severe sentences.
- Victims who do receive assistance do not necessarily recover any faster than those who do not receive assistance.
- One or two counseling sessions are not enough to make a difference in victims' lives.

The body of research on victim services aimed at helping domestic violence victims is growing. Relevant findings from these studies include that:

- Community Intervention Projects (programs that involve coordinating multiple criminal justice and social services in the community to assist domestic violence victims) appear to increase arrests and the successful prosecutions of offenders.
- Battered women who obtain a permanent protective order experience a statistically significant reduction in police-reported physical violence during the 12 months after an initial incident of partner violence; however, women with protective orders are also more likely to experience psychological abuse during the first six months following the incident of partner violence.
- Shelters for domestic violence victims can be important in helping women seek appropriate support services; in addition, shelters limit new incidents of violence in the six weeks following shelter stays.

- Battered women who had recently exited from a domestic violence shelter and who worked one-on-one with advocates over a period of 10 weeks experienced less violence (over the study period of two years), reported higher quality of life and social support, and had less difficulty obtaining community resources.

A multi-phased research evaluation of State victim compensation programs commissioned by the National Institute of Justice is currently in process. This major study is an in-depth analysis of compensation programs in six states: California, Idaho, Pennsylvania, South Carolina, Vermont, and Wisconsin. Initial findings include:

- Claimants are generally satisfied with their experience with the compensation program, with the most positive perceptions reports by claimants whose claims were processed more quickly and with more claimed expenses paid.
- Compensation programs fulfill their mission more effectively when they coordinate closely with direct service providers. Half of the claimants interviewed reported receiving no help in filing claims and some claimants incurred eligible types of expenses but did not claim them. Only half of the claimants with a full or partial denial reported being told reasons for the denials.
- Victims of homicide, domestic violence, sexual assault, and gun-related crimes appear well-represented on claimant roles. Claimants are likely to be older, more often female, and more often white than crime victims in general. Underserved groups of victims may include younger, male, and minority victims.

### C. Conducting a Needs Assessment

The various guides for developing programs and policies on behalf of crime victims consistently advise communities to “conduct a needs assessment,” either before starting a new program or for improving programs. **The purpose of a needs assessment is to find out what victims/witnesses of crime in a community want in terms of services and whether they felt that their needs were met by existing programs.**

A needs assessment is typically conducted by using questionnaires, individual interviews, and/or focus groups of victims; in some cases, a needs assessment also seeks the views of service providers. Needs assessments are limited to the extent that surveys of victims typically report very low response rates. In addition, the responses are inevitably skewed because they only represent the views of victims who can be located and victims who are willing to participate.

Despite the limitations of the data collected, information gained through a needs assessment can provide insight into how victims feel about the services they were offered and received. Results of a needs assessment can also help to identify potential areas for program change and improvement.

## Results of Selected Needs Assessments

In the course of conducting research for this project, OLO reviewed a number of needs assessments conducted by other jurisdictions. This section summarizes the results from the following four needs assessments:

- A needs assessment of crime victims in Pennsylvania, conducted for the Pennsylvania Commission on Crime and Delinquency (1998);
- A needs assessment of clients at four victim services programs nominated by experts in the field as being among the best in the United States (1999);
- A needs assessment of crime victims in Texas, conducted for the Office of the Texas Attorney General (1998); and
- A needs assessment conducted by the Urban Institute that involved a telephone survey of clients of 18 VOCA-funded victim service programs in six states (2001).

Appendix C (©5) and Appendix D (©11) contain copies of the victim survey instruments used in Denver and Texas.

The needs assessments all found that victims identify friends and family as the most frequently used and best source of support following a crime. One reason cited is the ability of friends and family to help during the critical period immediately after the crime occurs. Victim services staff are also identified as being a source of support, but not as often as law enforcement officers/detectives, prosecutors, and medical personnel. (See Table 3, page 19.)

Another common finding is that many victims are not aware of available services. One study reported that over half of the victims contacted had never heard of their local victim services programs. Of those who had heard of the programs, the most common source of information was the police.

The Texas study found some disconnect between the services the largest percent of victims reported needing and what victims reported receiving most often. At least one third of the victims surveyed indicated the need for a wide range of services including case information, education about available services, counseling/support groups, court accompaniment, and medical services. The only services reportedly received by at least one third of the victims surveyed were case information and medical services; other services were reportedly provided much less often. (See Table 4, page 20.)

A recurring complaint among victims about victim service agencies is that they often became involved too late in the process. (See Table 5, page 21, for survey results on the elapsed time between the crime and receiving services.) Other general complaints include not providing enough information about the criminal justice system, the need for more follow-up with victims especially with regard to the criminal justice process, and confusion about where to turn for help when services are not coordinated.

**TABLE 3**  
**SOURCES OF ASSISTANCE CITED BY CRIME VICTIMS AS HELPFUL**

<b>Source of Assistance</b>	<b>Percent of victims who rated source as moderately to very helpful</b>
Family	75.7
Friends	72.8
Police/Sheriff Officer	63.9
Investigator/Detective	54.5
Prosecutor	47.9
Medical personnel	35.3
Victim Assistance Coordinator	29.9
Victim Assistance Liaison	27.2
Minister/Clergy	22.5
Compensation Staff	16.8
Private Mental Health Professional	12.8
Family Violence Advocate	11.2
Victim Advocacy Group	11.0
Sexual Assault Advocate	7.5
Probation Officer	7.2
Other	3.7

Source: Crime Victims Institute, "The Impact of Crime on Victims: A Baseline Study on Program Service Delivery." Office of the Texas Attorney General, 1997-1998

**TABLE 4**  
**SURVEY RESULTS ON SERVICES NEEDED AND RECEIVED BY VICTIMS**

<b>Service</b>	<b>Percent of victims who reported needing this service</b>	<b>Percent of victims who reported receiving this service</b>
Case Information	69.1	41.6
Follow-Up	52.4	13.5
Education on Services or Crime Prevention	45.5	10.0
Spiritual Counseling	43.0	13.7
Victim Advocate Going to Court	42.8	9.4
Counseling by Licensed Professional	40.7	10.6
Medical Services	39.8	34.7
Crisis Intervention/Counseling	39.2	7.5
Support Groups	39.1	5.8
Victim Advocate at Hospital	38.3	6.5
Crisis Telephone Hotline	38.2	6.2
Help with Restraining Orders	34.5	7.8
Employment Services	30.7	1.4
Transportation	27.3	5.2
Child Care	23.9	1.5
Notification of the Death of a Family Member	22.6	5.3
Parenting Classes	21.8	0.6
Shelter/Safe House	20.5	2.3
Transitional Housing	20.0	1.1
Substance Abuse Services	19.8	1.2
Bilingual Services	19.4	2.2

Source: Crime Victims Institute, "The Impact of Crime on Victims: A Baseline Study on Program Service Delivery." Office of the Texas Attorney General, 1997-1998.

**TABLE 5**  
**SURVEY RESULTS ON**  
**THE ELAPSED TIME BETWEEN A CRIME AND RECEIVING SERVICES**

<b>Time from crime to receiving services</b>	<b>Percent of victims surveyed who reported this time frame</b>
Within a day or two	22%
Within a week	22
Within a month	24
Within 3 months	8
Within 6 months	5
More than 6 months	15

Source: "Phone Survey of VOCA-Funded Victim Assistance Program Clients: Preliminary Analyses of First 204 Respondents." The Urban Institute. July 24, 2001

All four assessments asked victims about their experience with the criminal justice process. Victims who were kept informed of court dates and prepared for their court experience consistently report a more positive experience, even in instances where the outcome of the criminal justice proceedings was not as the victim had hoped.

The needs assessments also found that most victims do not apply for compensation and those that did report having difficulty with the process. The reasons cited for not applying were lack of knowledge about the program, not understanding the program, not having expenses eligible for reimbursement, and/or having their own insurance cover expenses incurred.

#### **D. The Coordination of Victim Services**

The National Institute of Justice identifies developing effective relationships with other organizations as one of the most important initial and ongoing activities that victim services program staff must undertake. Specifically, NIJ cites five major reasons for victim services staff to establish networks among other service providers:

- To gain access to victims and witnesses;
- To identify other resources in the community that can help victims and witnesses;
- To improve the treatment of victims and witnesses already served by other organizations;
- To develop and institutionalize program support; and
- To share information and strategies.

A recurring theme in the growing research on how to effectively serve domestic violence victims is the need for agency collaboration. Important components cited to building community-wide collaborations include developing:

- Inter-agency teams;
- Equality among team members so that one agency does not dominate the collaboration;
- Building trust between agencies;
- Agreements about how cooperation will be implemented;
- Protocols and policies for different agencies as a joint endeavor; and
- Feedback mechanism about joint work.

#### **“VS 2000”: The Office of Victims of Crime’s Study of Service Integration**

In 1996, the federal Office for Victims of Crime (OVC) launched a major evaluation project on the integration of victim services across multiple programs. This evaluation effort, called “Victim Services 2000” or “VS 2000,” started with four demonstration sites. Two sites were discontinued, but projects in Denver and Vermont remain active.

OVC funded each site for planning, implementing, and evaluating a comprehensive and coordinated system of interdisciplinary services to victims that will serve as models for communities across the country.

In Vermont, VS 2000 was launched through the Vermont Center for Crime Victim Services. The project began with a statewide needs assessment of crime victims and related agencies and non-profit organizations. To date, the project has developed a plan to improve the range, quality, and accessibility of victim services, including a comprehensive design for integrated victim services. The Vermont VS 2000 project continues to work on strengthening local and state collaborative efforts, reaching out to traditionally underserved victim populations, and increasing public awareness of available victim services.

Denver's VS 2000 project involves over 50 victim service programs based both in the government and in the community. The three goals identified for the Denver project are to:

- Increase outreach efforts to previously unserved and underserved victim populations;
- Institutionalize training for service providers and allied professionals who work with victims; and
- Make use of technology to ensure improved services and information provided to victims.

Similar to Vermont, the VS 2000 project in Denver started with a needs assessment. The needs assessment led to development of an online resource directory; an inter-agency training plan; and standardized service evaluations. The project is working on final design of a shared case management system that will operate over a secure network. The case management system will allow providers to track their clients among the different providers. Over time, the goal is to eliminate duplicative intake and improve follow-up on referrals.

Another component of VS 2000 in Denver is the creation of a coalition of victim and offender service providers. This coalition has provided a forum for interaction and trust building between agencies, cross training opportunities, the creation of protocols and inter-agency agreements about service delivery, and a shared evaluation process.

The federal Office of Victims of Crime (OVC) is in the process of conducting an evaluation of VS 2000. OVC's published list of lessons learned includes that: the project should be based on core goals determined by the participating agencies; conduct a needs assessment to determine strengths and weaknesses among current services; recognize the value of building relationships between the criminal justice and community based programs; and a coalition of victim and offender service providers is an important component to project success.



## **CHAPTER IV: MARYLAND LAWS AND STATE VICTIM SERVICES PROGRAMS**

### **A. The Victim's Rights Amendment and Related State Laws**

Maryland is among 22 states with a constitutional amendment that mandates certain victim rights. Passed in 1994, the Victim's Rights Amendment to the Maryland Constitution (Article 47) reads as follows:

- a) A victim of crime shall be treated by agents of the State with dignity, respect, and sensitivity during all phases of the criminal justice process.
- b) In a case originating by indictment or information filed in a circuit court, a victim of crime shall have the right to be informed of the rights established in this Article and, upon request and if practicable, to be notified of, to attend, and to be heard at a criminal justice proceeding, as these rights are implemented and the terms "crime", "criminal justice proceeding", and "victim" are specified by law.
- c) Nothing in this Article permits any civil cause of action for monetary damages for violation of any of its provisions or authorizes a victim of crime to take any action to stay a criminal justice proceeding.

The other statutory provisions of victim's rights in Maryland law concern the rights of victims to participate in and be notified of events that occur in the criminal justice system related to their victimization. State law details the rights of victims and witnesses before the trial, during the trial, during sentencing, and post-sentencing. It also outlines a victim's rights to collecting court-ordered restitution. The specific location of these various rights within the State of Maryland Code includes the Correctional Services Article, Criminal Law Article, Criminal Procedure Article, Courts Article, and Family Law Article.

### **B. Victim Services Programs Based in State Agencies**

The Governor's Office of Crime Control and Prevention, Department of Public Safety and Correctional Services, Department of Human Services, and Attorney General's Office each sponsor victim services programs. Many of these programs either distribute grants to community-based programs or serve victims in cases where the offender is under State supervision. This section provides an overview of the major State-based activities that focus on meeting the needs of crime victims.

#### **1. Governor's Office of Crime Control and Prevention (GOCCP)**

As part of its overall mission to make Maryland's communities safer, the Governor's Office of Crime Control and Prevention (GOCCP) sponsors a number of victim-related services and programs. Specifically, the GOCCP administers the State's Victim

Information and Notification Everyday (VINE) system; staffs the State Board of Victim Services, Maryland Victims of Crime Fund, and Family Violence Council; and administers a number of grant programs that fund victim services. GOCCP is also responsible for the Victim's Rights Compliance Initiative, which essentially is a toll free number (1-877-9CRIME2) for victims to call for assistance in rectifying possible violations of their rights safeguarded under Maryland law.

**Victim Information and Notification Everyday (VINE)** – VINE is an automated telephone service that provides victims of crime with information and notification. The VINE system in Maryland only provides court case and custody status information on offenders in the Maryland criminal justice system. Appendix J (©59) contains a copy of the State's brochure that explains the VINE service.

Victims can either call the VINE system at any time to receive current information about an offender or can register to have the system contact them via telephone whenever a change occurs in the offender's court case or custody status. The VINE system in Maryland is funded by the State and is a free and anonymous service for participants.

A victim can become registered with VINE through two different methods. The first is by completing and returning the Maryland Crime Victim Notification Form that he/she receives from the State's Attorney's Office. Victims who return this form are automatically registered for VINE. The second method is to self-register by calling the toll-free Maryland VINE Line (1-866-MD4VINE). VINE registrants provide a phone number that they would like to be contacted at, and select a four-digit Personal Identification Number (PIN) to be entered after receiving an automated call.

During the self-registration process, a victim can register to receive information for a particular offender by using the offender's name, detention center identification number, or court case tracking number. The VINE service is available in both English and Spanish, and a victim may register up to two different telephone numbers. Operator assistance is available 24 hours a day, seven days a week if someone experiences difficulty with the registration process.

After a change in court case information or custody status for an inmate, the VINE system calls whoever is registered to receive notification for that inmate and informs them of the event. After providing the event information, the automated call asks the individual to type in the PIN that was selected during registration. If the PIN is not successfully entered, the system keeps calling back every two hours for a 24-hour period until the correct PIN is entered. Automated notification attempts cease after 24 hours.

All State District and Circuit courts were on-line by November 2001, and all non-State run local detention centers were on-line by March 2001.<sup>1</sup> The State Department of Public Safety and Corrections did not participate in VINE until October 2002. Consequently, until last fall, VINE was unable to provide information on offenders incarcerated in State-run correctional facilities. As of this writing, the State transfers data on all inmates to the

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<sup>1</sup> Governor's Office of Crime Control and Prevention, *Special Report*, December 31, 2002.

VINE system twice a day, except that the State-run Baltimore City Detention Center only provides information to VINE on inmates who have been sentenced; inmates held in the Baltimore City Detention Center while awaiting trial are still not included in the VINE system.

**State Board of Victim Services** – Created in 1988, the State Board of Victim Services monitors, assesses, coordinates and makes recommendations about State and local efforts to assist victims of crime. The Board’s mission is to ensure crime victims in Maryland are treated with dignity and compassion through comprehensive victim services, support, and programs. The Board is also charged with administering the Maryland Victims of Crime Fund (described below).

The Board consists of 22 members; 14 members appointed by the Governor and 6 ex officio members from within state government. The Board meets monthly to discuss ongoing programs, new initiatives, and other issues of interest to crime victims and advocates.

**Maryland Victims of Crime Fund** – Established in 1991, the Maryland Victims of Crime Fund (MVOC) is a funding source for victim assistance programs throughout Maryland. The MVOC receives revenue from court costs charged to defendants convicted of crimes in both District and Circuit Court.

The State Board of Victim Services distributes funds on a competitive basis from the MVOC to victim services agencies throughout the State to establish or enhance victim assistance support and services. Types of programs funded through the MVOC include:

- Computerized victim notification;
- Victim/witness units in State's Attorney's offices and law enforcement agencies;
- Community advocacy and outreach to crime victims;
- Bereavement programs and support groups for crime victims; and
- Crime victims' rights brochures.

Montgomery County programs that have received MVOC funds include the Department of Health and Human Services’ Victim Assistance and Sexual Assault Program and the Montgomery County Police Department’s Victim/Witness Assistance Section.

**Family Violence Council** – Established in 1995, the mission of the Family Violence Council is to prevent and reduce family violence in Maryland, and to break the cycle of violence between generations. The Council includes representatives from the various professions that respond to family violence and is staffed by GOCCP positions.

The Council has seven “Action Teams” - Criminal Justice, Courts, Legislative, Local Family Violence Coordinating Councils, Victim Service Resources, Children's and Domestic Violence Abuser Intervention & Sexual Offender Treatment. Each Action Team is in various stages of carrying out the recommendations set forth in a 1996 report aimed at creating a coordinated response to family violence.

**Grant Programs** – Apart from the Maryland Victims of Crime Fund, GOCCP administers several grant or special fund programs that can be used for programs targeted to victims of crime. These include State grant programs and Federal grant programs where the State serves as a “pass-through.” These grant programs include:

State

- Domestic Violence Unit Pilot Program Fund
- Victim Witness Protection and Relocation Fund

Federal “pass-through”

- Edward Byrne Memorial State Grants
- Local Law Enforcement Assistance Program
- Violence Against Women Act Grants
  - S\*T\*O\*P Formula Grants
  - Rural Domestic Violence Grants
  - Grant to Encourage Arrest Policies

## **2. Department of Public Safety and Correctional Services**

The Department of Public Safety and Correctional Services manages the Criminal Injuries Compensation Board, which is the State’s program for reimbursing victims for crime-related expenses. Both the Division of Correction and Division of Parole and Probation provide direct services to individual victims whose offender is under State supervision.

**Criminal Injuries Compensation Board** – The Criminal Injuries Compensation Board (CICB) provides financial assistance to victims of crime. Victims can apply to the Board for reimbursement of medical expenses and loss of earnings that directly resulted from a criminal incident. In cases of homicide, the Board may assist with funeral expenses and loss of support on the part of a victim's dependents. The CICB does not provide reimbursement for property damage. Appendix F (©21) contains a copy of the State law that established the Criminal Injuries Compensation Board.

The crime must be reported to the police within 48 hours (although this provision can be waived for good cause) and the claim must be filed within 180 days of the incident. An individual must have incurred at least \$100 in out-of-pocket expenses or have lost at least two continuous weeks’ earnings. An individual who caused, provoked, or contributed to the incident that caused the injury is not eligible for compensation.

A CICB award is reduced by the amount of any payments received from or on the behalf of the offender or from any other public or private source, including an award of the State Workers’ Compensation Commission under the Maryland Workers’ Compensation Act.

The maximum allowable claim in any award is \$45,000. The limits by category are as follows:

- Medical Expenses - \$45,000
- Disability - \$25,000
- Funeral Expenses - \$5,000
- Total Dependency - \$25,000
- Partial Dependency - \$17,500
- Counseling - \$5,000
- Crime Scene Clean Up - \$250

The Criminal Injuries Compensation Board receives funding from the federal Crime Victims Fund and the state Criminal Injuries Compensation Fund. The federal Crime Victims Fund provides an annual grant to state crime victim compensation programs that is equal to 40% of the amount awarded by the state program to victims of crime from state revenues.<sup>2</sup> The Maryland Criminal Injuries Compensation Fund receives a portion (\$20) of additional court costs that convicted defendants are required to pay in both Circuit and District Court.

**Division of Correction** – The Division of Correction offers a range of services to victims whose offender is incarcerated in a State correctional facility. The Division of Correction recently started participating in VINE (see page 25). In addition, the Division operates its own victim registration and notification system. Upon receipt of a victim's request for notification, a pamphlet is sent to the victim that provides information regarding the Division's victim services and telephone numbers of other governmental agencies, community resources, and victims' rights support groups.

Other victim services of the Division of Correction include:

- *Victim Impact Statements* – Case management staff must read and take into account the victim's impact statements when considering the inmate for any type of provisional release.
- *Domestic Violence Safety Measures* – The Division informs other agencies of the pending release of the inmate and any threats s/he has made to the victim or potential victim.
- *Duty to Warn* – If a staff member becomes aware that an inmate intends to harm a person once released from the Division, it is the responsibility of that staff member to gather as much information and inform the proper authorities.
- *Victim Offender Impact and Education Program (VOICE)* – The program exposes inmates to the affects of crime on victims using lesson plans, videos, group exercises, and victim panels.

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<sup>2</sup> See page 7 for information on the Federal Crime Victims Fund.

- *Victim Database* – A victim database is being developed that will allow the Division of Correction, the Maryland Parole Commission, and the Division of Parole and Probation to share victim information.

**Division of Parole and Probation** – The Division of Parole and Probation defines its mission to include offering and delivering victim services. The Division’s Office of Victim Services is the largest victim unit in parole and probation in the nation, with eight victim advocates. The advocates are trained in working with victims, responding to crisis situations, and advocating for victims on a case-by-case and systems-wide basis.

Specific activities of the Office of Victim Services include:

- Outreach to domestic violence victims, including the distribution of information on safety and other support services and assistance with preparing for probation violation proceedings;
- Helping victims to prepare victim impact statements, answering questions and concerns about their cases, and informing them of their right and community resources;
- Keeping victims notified about the status of offenders under their jurisdiction;
- Collecting and distributing court-ordered restitution; and
- Training staff and outside groups on victim issues, sensitivity, and services.

The Division also works closely with the Victim Advisory Board, which is charged with helping to identify and meet the needs of Maryland’s crime victims interacting with the Division. The Board aims to increase the community’s understanding of the Division’s victim services, encourage the consideration of victim’s needs on an individual basis, and emphasize the impact of crime to the offenders.

### **3. Department of Human Resources, Office of Victim Services**

The Office of Victim Services provides funding, technical assistance and fiscal oversight to community based organizations serving victims. In addition, the Office works to expand services to meet the special needs of historically underserved victim populations. Funds are allocated to local service providers in accord with the following three programs.

**Rape Crisis and Sexual Assault Program** – This program receives funds from the State General Fund and the Centers for Disease Control. Grants are allocated to a network of community based rape crisis programs located throughout the State. The program funds a range of services to adult and child victims of rape and sexual assault, including 24-hour hotlines, counseling, medical accompaniment, assistance in accessing other support services, and prevention efforts. The Department of Health and Human Services’ Victim Assistance and Sexual Assault Program receives annual funding as Montgomery County’s designated community based rape crisis program.

**Domestic Violence Program** – This program receives funds from the State General Fund and the federal Department of Health and Human Services. Grants are allocated to community based domestic violence programs throughout the State. The program funds support services to domestic violence victims and their children, including 24-hour hotlines, safe accommodations, therapeutic counseling, abuser intervention programs, legal counseling and court accompaniment. The Department of Health and Human Services' Abused Persons Program receives annual funding as Montgomery County's designated community based domestic violence program.

**Victims of Crime Assistance Program** – The federal Office of Victims of Crime allocates Victims of Crime Act (VOCA) funds each year to states on a formula basis. Each state receives a base amount of \$500,000 annually, and is provided additional funds based upon population. These funds are used to support victim compensation programs (see earlier description of State Criminal Injuries Compensation Board) and other victim services programs.

Local programs that provide victim services can apply for VOCA funds. Eligible activities include services that respond to the emotional and physical needs of crime victims, assist victims and their families to stabilize their lives after victimization, assist victims to understand and participate in the criminal justice system and provide victims with a measure of safety and security. VOCA funding priority is placed on programs that serve victims of domestic violence, rape/sexual assault, and child abuse. Montgomery County programs that have received VOCA grants include the Department of Health and Human Services' Abused Persons Program, Victim Assistance and Sexual Assault Program, and Child Welfare Services.

#### **4. Attorney General's Office**

By law, the Attorney General's Office must provide specific services to crime victims. The Director of Victim Assistance and Criminal Investigations Division Victim Assistance Coordinator are responsible for many of these mandated services.

**Director of Victim Assistance** – The Director notifies crime victims and victims' family members of court events related to their case or conviction on appeal. The Director coordinates this information with victim assistance offices in the State's Attorneys' Offices across the State as well as with the Department of Public Safety and Correctional Services. The Director also answers inquiries from victims and other citizens about victim-related issues, laws, and the criminal justice process.

**Criminal Investigations Division Victim Assistance Coordinator** – The Coordinator responds to victim inquiries related to Criminal Investigations Division cases. The Coordinator sends material to victims and witnesses, advises them as to the status of the case, and generally assists in travel arrangements for interviews and the trial, in addition to any special needs that may arise.

## **CHAPTER V: VICTIM SERVICES IN MONTGOMERY COUNTY**

This chapter provides an overview of the specialized services available to crime victims and witnesses in Montgomery County. More detailed program-by-program information begins on page 41.

### **OVERVIEW**

For each of the past two years, there were almost 70,000 crimes reported in Montgomery County. Part I crimes (including murder, forcible rape, robbery, aggravated assault, and larceny) represent approximately 40% of the crimes reported; and Part II crimes (including minor assaults, vandalism, narcotic drug violations, and disorderly conduct) represent the other 60%. Table 6 (page 34) lists the total crimes reported by type of crime for 2001 and 2002.

According to the National Crime Victimization Survey, only 49% of all violent victimizations and 37% of all property crimes are reported to the police. Applying this to Montgomery County means that there are significantly more crime victims than the approximately 70,000 incidents reflected in the County's crime statistics.

### **Number and Structural Location of Victim Services**

There are the two locally-funded victim compensation funds and 17 other government-based programs that provide specialized services to adult victims or witnesses of crime in Montgomery County. The government-based programs that provide victim services are structurally located in four County Government departments/offices and six other organizations:

- Department of Health and Human Services;
- Montgomery County Police Department;
- Department of Correction and Rehabilitation;
- Office of Human Rights;
- State's Attorney's Office;
- Sheriff's Office;
- Circuit Court;
- City of Gaithersburg's Police Department;
- City of Rockville's Police Department; and
- City of Takoma Park's Police Department.

There are nine programs whose primary purpose is to provide services to victims/witnesses of crime. Another eight programs provide services to victims as one component of their entire program. (See Table 7, page 35)



## **Types of Victim Services Provided**

Programs in the County offer a wide range of specialized services to victims and witnesses of crime. The available services include crisis intervention and resource mobilization, counseling (short and long term), court accompaniment, assistance with completing court forms, notification about offender status and court dates, and reimbursement for crime-related expenses. Table 8 (page 36) indicates which services are provided by each program.

Some services are designed for specific categories of crime victims. One set of County programs primarily serve victims of domestic/partner violence. (Table 8, page 36, denotes these programs with a check mark.) In addition, the Office of Human Rights' victim services are designed for victims of hate/violence incidents, and Adult Protective Services targets its victim services to seniors.

Table 9 (page 39) summarizes the different ways that a victim becomes a recipient of victim services. Some victims initiate contact with a program, based upon their own knowledge about available services, a recommendation from a friend or relative, or a referral from another program. Other crime victims become clients as the result of a contact (usually by telephone or letter) initiated by a program staff member.

## **Funding Victim Services in Montgomery County**

In FY 03, the County funds approximately 80% of the more than five million spent on government-based victim services in the County. Another 17% of funding comes from State and Federal grants. The balance comes from the municipalities of Gaithersburg, Rockville, and Takoma Park, which fund the victim assistance programs based in their respective police departments.

The \$5.5 million total (itemized in Table 10, page 40) includes FY 03 appropriations for the programs whose primary function is to serve crime victims and witnesses. It excludes funding for programs that provide victim services as one component of multiple activities (e.g., the Crisis Center), where the cost of victim services is not separately tracked.

The Department of Health and Human Services receives the largest amount in County funds for victim services and also receives the largest portion of non-County funds. The Montgomery County Police Department receives the second largest allocation of local funding for victim services, followed by the Office of the State's Attorney and the Office of the Sheriff.

## **Connections to Community-Based Programs**

As reviewed in Chapter II, Montgomery County differs from many other places in that most victim services are sponsored by government vs. private, non-profit organizations. In the County, there is no inventory of victim services based outside the government and no systematic coordination between the government-based and privately-based victim services.

During the course of conducting this study, OLO learned about a number of community-based organizations that serve crime victims:

- The Pro-Bono Counseling Project (established in 1991) links uninsured, low-income persons who need mental health care to licensed mental health professionals who provide a limited number of free counseling sessions. The type of psychotherapy available includes help with physical and sexual abuse and other forms of violence.
- MIRECS (Migrant & Refugee Cultural Support, Inc.) is a non-profit organization that provides training, seminars, outreach programs and services to help new immigrants and refugees. MIRECS' activities include education, interpretation, and translation services to domestic violence victims.
- The Victims' Rights Foundation, Inc. (established in 1997) raises funds to assist victims of crimes and their families. The foundation helps pay for victims' medical expenses, arranges prayer vigils, and organizes crime-prevention efforts. The Foundation most recently raised more than \$400K for the families of the sniper victims.
- Members of the Victim Services Advisory Board established Victims in Need, a non-profit organization that will collect private donations to help crime victims.

The rest of this chapter contains more detailed information on each of the government-based programs that provide victim services in Montgomery County. See page 41 for a list of programs and page references.

**TABLE 6**  
**MONTGOMERY COUNTY CRIME STATISTICS**  
**FY 01 AND FY 02**

	<b>Type of Crime</b>	<b>2001 Total</b>	<b>2002 Total</b>
<i>Part I</i>	Murder	19	32
	Forcible Rape	120	138
	Robbery	818	877
	Aggravated Assault	827	878
	Burglary	3,539	3,874
	Larceny	18,226	18,897
	Auto Theft	3,150	3,722
<b>Part I Total</b>		<b>26,364</b>	<b>28,418</b>
<i>Part II</i>	Minor Assaults	5,845	5,219
	Arson	168	175
	Vandalism	6,794	6,844
	Weapons	355	352
	Narcotic Drug Laws	3,453	2,813
	Family Offenses	478	456
	Juvenile Offense	1,880	1,729
	Disorderly Conduct	14,657	13,429
	All other Part II	10,560	11,278
<b>Part II Total</b>		<b>39,852</b>	<b>42,295</b>
	<b>TOTAL CRIME</b>	<b>66,216</b>	<b>70,713</b>

Note: The above table includes all crime reported in Montgomery County except for crimes from the City of Takoma Park Police Department and M-NCPPC Park Police.  
Source: Montgomery County Police Department

TABLE 7

## GOVERNMENT-BASED PROGRAMS THAT PROVIDE VICTIM SERVICES IN MONTGOMERY COUNTY

Agency/Department	Program	Primarily provides victim services	Provides victim services as one of multiple services
<i>County Government</i>			
Department of Health and Human Services	Crisis Center		✓
	Abused Persons Program Victim Assistance and Sexual Assault Program	✓	✓
Police Department	Adult Protective Services Program Victim Assistance Section	✓	✓
	Family Services Division, Domestic Violence Unit Victim Information and Notification Everyday (VINE) Pre-Trial Services	✓	✓
Department of Correction and Rehabilitation	Pre-Release Center/CART		✓
Office of Human Rights	Network of Neighbors	✓	✓
<i>Other Agencies</i>			
Office of the State's Attorney	Family Violence Unit Victim/Witness Assistance Section		✓
Office of the Sheriff	Domestic Violence Team	✓	✓
Circuit Court	Domestic Violence Assistance Program	✓	
<i>Municipalities</i>			
City of Gaithersburg Police Department	Victim Advocate	✓	
City of Rockville Police Department	Victim Advocate	✓	
City of Takoma Park Police Department	Victim/Witness Coordinator	✓	

TABLE 8

VICTIM SERVICES PROVIDED BY GOVERNMENT-BASED PROGRAMS IN MONTGOMERY COUNTY

X = Services provided to victims of all types of crime ✓ = Services focused on victims of partner/domestic violence

Victim Services	HHS <sup>1</sup>		Office of Human Rights <sup>2</sup>	MCPD		Corrections <sup>3</sup>	Sheriff's Office	State's Attorney		Courts (DVA)	Municipal Police Departments <sup>4</sup>
	Crisis Center	Abused Persons Program		VASAP	Victim Assistance Section			Domestic Violence Unit	Family Violence Unit		
<b>EMERGENCY SERVICES</b>											
Provide 24/7 access for intake, counseling and/or referrals <sup>5</sup>	X										
Provide 24/7 on scene support for crime victims at the request of law enforcement <sup>6</sup>				X							X
Provide 24/7 support for rape/sexual assault victims at the hospital/police facility <sup>7</sup>			X								
Operate shelter for victims of partner/domestic violence		✓									
Provide crisis intervention and other emergency services	X	✓	X	X			✓			✓	X
<b>RESOURCE MOBILIZATION/REFERRALS</b>											
Provide referrals to other victim services		✓	X	X	✓	✓	✓	✓	X	✓	X
Provide referrals and follow-up to other sources of assistance (e.g. housing, child welfare)		✓	X	X	✓	✓	✓	✓	X	✓	X
<b>COUNSELING AND OTHER SUPPORT SERVICES</b>											
Provide short-term counseling	X	✓	X								
Provide long-term counseling		✓	X								
Intervene with landlord, employer, and/or creditor (e.g. postpone payments, get paid for time in court)		✓	X	X	X				X	✓	X
Safety planning		✓		X	✓		✓			✓	X
Provide legal representation										✓	
Network of Neighbors <sup>8</sup>				X							

TABLE 8

VICTIM SERVICES PROVIDED BY GOVERNMENT-BASED PROGRAMS IN MONTGOMERY COUNTY

X = Services provided to victims of all types of crime ✓ = Services focused on victims of partner/domestic violence

Victim Service Areas	HHS <sup>1</sup>		Office of Human Rights <sup>2</sup>	MCPD		Corrections <sup>3</sup>	Sheriff's Office	State's Attorney		Courts (DVA)	Municipal Police Departments <sup>4</sup>
	Crisis Center	Abused Persons Program		VASAP	Victim Assistance Unit			Domestic Violence Unit	Family Violence Unit		
<b>COMPENSATION FOR CRIME RELATED EXPENSES</b>											
Help fill out application(s) for victim compensation		✓	X	X							
Manage program that provides compensation			X								
<b>COURT RELATED SERVICES</b>											
Provide information on the criminal justice system	X	✓	X	X	✓		✓	✓	X	✓	X
Provide information and assistance in filing for Temporary/Protective/Peace Orders		✓	X	X	✓		✓	✓	X	✓	X
Notify victim/witness of court dates and actions		✓	X	X	✓		✓	✓	X	✓	X
Accompany victim/witness during court proceedings		✓	X	X				✓	X	✓	X
Arrange or provide transportation for victim/witness to and from court		✓						✓	X		X
Assist with victim impact statements		✓	X					✓	X		
Reimburse witness for court-related expenses									X		
<b>POST-SENTENCING SERVICES</b>											
Notify victim of the offender's status		✓				X		✓	X		
Help victim obtain court-ordered restitution payment			X			X		✓	X		
<b>SYSTEMWIDE SERVICES</b>											
Educate the community on victimization and available services		✓	X	X				✓		✓	X
Train other criminal justice/human services staff on how to improve the handling of victims/witnesses				X			✓	✓			X

TABLE 8

**VICTIM SERVICES PROVIDED BY GOVERNMENT-BASED PROGRAMS IN MONTGOMERY COUNTY**

X = Services provided to victims of all types of crime    ✓ = Services focused on victims of partner/domestic violence

- <sup>1</sup> HHS also includes Adult Protective Services (APS), which is not included in this chart because of the limited nature of APS' victim services.
- <sup>2</sup> The Office of Human Rights provides services focused on victims of hate/violence.
- <sup>3</sup> Within the Department of Corrections and Rehabilitation (DOCOR), the Pre-Trial Services Unit performs the resource mobilization and referral functions, the notification functions are performed through DOCOR staff and the VINE system, and the restitution services are performed by the Pre-Release Center. DOCOR provides formal notification only when a notification request form has been filed by a victim, in accordance with State law.
- <sup>4</sup> Municipal Police Departments refers to the victim service programs within the City of Rockville Police Department, the City of Gaithersburg Police Department, and the City of Takoma Park Police Department.
- <sup>5</sup> APP and VASAP both have their own 24-hour hotline phone number, but the call comes into the Crisis Center and the line is staffed by Crisis Center personnel.
- <sup>6</sup> Applies to serious crimes that include instances of severe physical injury or death.
- <sup>7</sup> If the rape/sexual assault victim declines to go to a hospital or police facility, the MCPD VAU will respond to that victim. The Takoma Park Police Department (TPPD) victim assistant provides 24/7 response to rape/sexual assault incidents at the Takoma Park police station for incidents investigated by TPPD. For response at hospitals, TPPD contacts VASAP.
- <sup>8</sup> Network of Neighbors is a specialized service of providing community-based support and assistance to victims of hate/violence incidents through the use of community volunteers.

- Acronyms**
- HHS = Department of Health and Human Services
  - VASAP = Victim Assistance and Sexual Assault Program
  - MCPD = Montgomery County Police Department
  - DVA = Domestic Violence Assistance Program

**TABLE 9**  
**METHODS OF INITIAL ENTRY INTO MONTGOMERY COUNTY VICTIM SERVICE PROGRAMS**

Method of Entry	HHS			MCPD		Corrections	Sheriff's Office	State's Attorney		Courts (DVA)	Municipal Police Departments
	Crisis Center	Abused Persons Program	VASAP	Office of Human Rights	Victim Assistance Unit			Domestic Violence Unit	Family Violence Unit		
<b>CONTACT INITIATED BY VICTIM</b>											
Victim calls a program directly	X	X	X	X	X		X	X			X
Victim initiates contact as a walk-in	X	X	X	X	X		X	X		X	X
<b>CONTACT INITIATED BY PROGRAM STAFF</b>											
Police respond to incident and activate program staff			X		X						X
Program staff contact victim listed in a police report				X	X						X
Program staff contact victim listed in a charging document or a grand jury indictment						X	X	X	X		
Program staff contact victim listed in an Interim, Temporary, Protective, or Peace Order		X					X			X	
Program staff contact victim listed in a statement of charges filed with a District Court Commissioner							X <sup>1</sup>	X <sup>2</sup>	X <sup>2</sup>		

<sup>1</sup> This occurs if it is a domestic/partner violence case and the District Court Commissioner files a charging document that leads to a bond hearing.  
<sup>2</sup> This occurs if the State's Attorney's Office decides to prosecute the case and the case involves family violence and/or is heard in Circuit Court.



**TABLE 10**  
**FY 03 APPROPRIATIONS AND FUNDING SOURCES FOR GOVERNMENT-BASED**  
**VICTIM SERVICES IN MONTGOMERY COUNTY**  
**(\$ IN 000'S)**

Agency/Department	Program	Funding Source			Total Appropriation
		County	Municipalities	State/ Federal Grants	
<i>County Government</i>					
Department of Health and Human Services	Abused Persons Program <sup>1</sup>	\$1,894	--	\$290	\$2,184
	Victim Assistance and Sexual Assault Program	\$1,436	--	\$384	\$1,820
Police Department	Victim Assistance Section	\$560	--	\$40	\$600
	Domestic Violence Unit	\$84	--	--	\$84
Office of Human Rights	Network of Neighbors and Partnership Fund for Victims of Hate/Violence	\$184	--	--	\$184
<i>Other Agencies</i>					
Office of the State's Attorney	Victim/Witness Assistance Section	\$274	--	\$12	\$286
Office of the Sheriff	Domestic Violence Team <sup>2</sup>	\$117	--	\$74	\$191
Circuit Court	Domestic Violence Assistance Program	--	--	\$118	\$118
<i>Municipalities</i>					
Gaithersburg, Rockville, and Takoma Park Police Departments	Victim Assistance Programs	--	\$120	--	\$120
<b>Totals</b>		<b>\$4,549 (81%)</b>	<b>\$120 (2%)</b>	<b>\$918 (17%)</b>	<b>\$5,587</b>

**Note:** This table does not include the FY 03 appropriations for victim services provided by programs where the costs of serving victims are not easily tracked separately from other program activities. These programs are the Department of Health and Human Services' Crisis Center and Adult Protective Services; the State's Attorney's Office Family Violence Unit; and the Department of Correction and Rehabilitation's Pre-Trial Services Unit and Pre-Release Center/CART.

<sup>1</sup> Excludes portion of the Abused Person Program's budget allocated for offender counseling.

<sup>2</sup> Excludes portions of the Sheriff's Office budget that is not allocated specifically for victim services.

<b>Agency/Department/Program</b>	<b>Begins on Page</b>
----------------------------------	-----------------------

***County Government***

A. Abused Persons Program, Department of Health and Human Services	42
B. Victim Assistance and Sexual Assault Program, Department of Health and Human Services	48
C. Crisis Center, Department of Health and Human Services	58
D. Adult Protective Services, Department of Health and Human Services	60
E. Victim/Witness Assistance Section, Montgomery County Police Department	62
F. Domestic Violence Unit, Montgomery County Police Department	67
G. Department of Correction and Rehabilitation	70
H. Office of Human Rights	74
I. Advisory Board/Task Forces	78

***Other Agencies***

J. Family Violence Unit, Office of the State's Attorney	81
K. Victim/Witness Assistance Section, Office of the State's Attorney	84
L. Office of the Sheriff	87
M. Domestic Violence Assistance Program, Circuit Court	93
N. Municipal Police Departments	95

## **A. ABUSED PERSONS PROGRAM, DEPARTMENT OF HEALTH AND HUMAN SERVICES**

The Abused Persons Program (APP), established in 1977, provides crisis and ongoing counseling, shelter, support and advocacy services to victims of partner-related domestic abuse and their families. APP also provides assessment, counseling, and education to abusers. APP is located in DHHS' Crisis, Income & Victim Services area.

All of APP's activities meet OLO's definition of victim services except for the Abuser Intervention Program (AIP), which is aimed at offenders. Even AIP, however, is potentially beneficial to victims because the program's goal is to prevent batterers from committing future acts of violence.

### **1. Victim Services**

#### **a. Population Served**

The Abused Persons Program (APP) serves all adult victims of partner-related violence (female and male) as well as children who are witnesses to such violence. Most APP clients enter the program through referrals from an outside source.

Data collected by APP indicate that, during 2002, over 1,000 victims were referred to APP from over 20 different sources. Almost two-thirds of victims reported being referred to APP from another program with the balance being referred by family and friends or self-referred. Programs frequently mentioned by victims as referring them to APP include the:

- Crisis Center;
- Sheriff's Office;
- Montgomery County Police Department;
- Municipal Police Departments;
- Child Welfare Services;
- Emergency Services/Income Maintenance Programs;
- State's Attorney's Office;
- Commission for Women; and
- Hospitals and health nurses.

APP conducts outreach to domestic violence victims identified by other program's staff when a victim gives her/his permission for APP to contact them. The programs that most frequently generate these requests for APP outreach are the Sheriff's Office; other HHS programs such as Child Welfare Services, Emergency Services, and the Crisis Center; and the Montgomery County Police Department.

The table below summarizes the gender and ethnicity of victims served by APP for the past two fiscal years.

**TABLE 11  
DEMOGRAPHICS OF VICTIMS SERVED BY APP  
FY 01 AND FY 02**

Demographic Category	Counseling and Case Management		Victim Assistance Services	
	FY 01	FY 02	FY 01	FY 02
Female	96%	98%	98%	95%
Male	4%	2%	2%	5%
Caucasian (Non-Hispanic)	38%	35%	43%	39%
Black (Non-Hispanic)	23%	31%	32%	30%
Hispanic	31%	29%	22%	23%
Asian or Pacific Islander	4%	3%	3%	6%
Am. Indian/Eskimo	1%	1%	--	1%
Other	3%	1%	--	1%

Source: APP

**b. Services Provided**

APP's five program teams (listed below) interact with each other daily to deliver services:

- Victim counseling and case management;
- Domestic violence residential services team;
- Domestic violence victim assistance service team;
- Management and administrative staff; and
- Abuser intervention program.

The specific victim services provided by APP are more fully described below.

***Victim Counseling and Case Management***

The Victim Counseling and Case Management service team provides therapeutic counseling with the overall objectives of increasing the safety and well-being of domestic violence victims. Types of counseling services offered include telephone contact, short and long-term individual counseling, support groups, and educational groups. APP staff prioritize clients based on a number of factors including level of risk, access to resources, and readiness for intervention and change.

Each client in need of longer-term services receives an in-depth clinical intake during which a professional therapist conducts an assessment of issues such as:

- The dynamics of violence in the victim's relationships;
- The individual's current and past history of victimization;
- Other factors such as mental illness, medication needs, substance abuse, and homelessness; and
- The impact of the domestic violence on any of the victim's children.

Based on the assessment, the therapist and client develop a service plan and clinical contract that define the number of sessions and focus of treatment. If a client qualifies for both sexual assault and domestic violence counseling, counselors from APP work with counselors from VASAP (see page 48) to determine which counseling venue would be most appropriate.

DHHS does not consider a recipient of brief consultative services (1-3 visits) to be an "ongoing" counseling client. This service takes the form of general guidance on a specific abusive situation. In these short-term cases, APP does not develop formal service contracts.

When appropriate, victims are encouraged to attend a series of six educational group sessions offered by APP on a rotating basis. There is no charge to attend these sessions, and victims can begin attending at any session. The sessions are offered on several different days at the Piccard Drive offices in Rockville and the Silver Spring Government Center (sessions in Silver Spring are taught in Spanish). The titles of the six sessions are:

- Cycle of violence;
- Characteristics of batterers;
- Characteristics of victims;
- Effects of abuse on children;
- Safety planning/preventing reabuse; and
- Legal options and possible outcomes.

### ***Domestic Violence Residential Services Team***

The Betty Ann Krahnke Center (BAKC) provides emergency shelter services for domestic violence victims and their children under the age of 18. The shelter's capacity is 48 persons and the maximum length of stay is 90 days. The shelter includes a Crisis Unit for individuals who need only temporary accommodations and a Stabilization Unit for individuals who have longer term shelter needs. If the shelter is at full occupancy, victims are placed in a motel.

Shelter residents pay a daily fee on a sliding scale, with a maximum charge of \$5 per day. Shelter residents cook meals and clean the facility on a cooperative basis. In addition to a safe living environment, the primary services provided to shelter residents are:

- Educational groups on issues such as assertiveness training, decision-making, problem solving, and parenting;
- Group counseling for children affected by domestic violence;
- Professional crisis planning and assessment for ongoing service needs including court assistance and counseling to enable the victim to stop the physical abuse in the relationship; and
- Various additional support services such as transportation, childcare, training, and referrals.

### ***Domestic Violence Victim Assistance Services Team***

The Domestic Violence Victim Assistance Services Team provides a range of services to victims of domestic violence. APP describes their work as follows:

Victim assistants of the Abused Persons Program provide information, referral, support and advocacy services to identified victims of partner abuse. In addition, court companionship and collaboration with the Department of Health and Human Services, law enforcement, medical personnel, Courts, State's Attorney's Office and other County and private agencies may be provided if eligible. (Source: APP, February 2000)

During regular court business hours at the Rockville District Court and Circuit Court, a paid staff member or volunteer from the Domestic Violence Victim Assistance Services Team is usually available to provide technical assistance to anyone who wants to file a petition for an Ex Parte/Protective Order. While court staff routinely inform petitioners about the availability of technical assistance from APP, a petitioner is not required to check in with APP staff, and may file the petition on her/his own.

In the Rockville District Court, APP staffs a counter located across the hall from the civil desk. In Circuit Court, APP works out of the Family Division offices located on the second floor of the Judicial Center. There is no APP assistance available in the Silver Spring District Court.

In addition to providing technical assistance with filing for an Ex Parte Order, APP staff and volunteers are trained to provide a petitioner with information about additional services. In selected cases, an APP representative will accompany the victim through court proceedings (civil or criminal) or to the Sheriff's Office where a petitioner is instructed to deliver an Ex Parte Order once it is signed.

A court companion volunteer accompanies clients to civil court, criminal court, or to the District Court Commissioner. The companion volunteer is trained to offer support throughout the process and to act as an advocate for the victim when necessary. In general, the court companion meets clients at the courthouse or police station. The court companion may also provide transportation for clients residing at the residential shelter.

## 2. Funding and Staffing

The Abused Persons Program's FY 03 staffing complement for victim services is 17.7 workyears. In addition APP has approximately 26 trained volunteers, who provide court accompaniment and other victim assistance services, primarily at the District and Circuit Courts. The County Government contracts out staffing of the Betty Ann Krahnke Center.

The FY 03 appropriation for the victim services provided by APP is \$2.2 million. Of this amount, approximately \$1.9 is County-funded and \$290,000 comes from the following State/Federal grants.

- \$170,000 from the State Department of Human Resources;
- \$66,511 from a STOP Domestic Violence Grant;
- \$32,745 from a Victims of Crime Act Grant; and
- \$20,307 from a Domestic Violence Shelter Grant.

**TABLE 12**  
**FY 03 APPROPRIATION FOR VICTIM SERVICES PROVIDED BY APP**

<b>Category</b>	<b>FY 03 Total Appropriation</b>
Domestic Violence Shelter Services	\$1,025,000
Victim Counseling and Assistance Services	\$1,049,000
Domestic Violence Community Education and Outreach	\$110,000
<b>Totals</b>	<b>\$2,184,000</b>

Source: Montgomery Measures Up!, September 2002

### 3. Workload and Performance Data

The workload for APP varies. On a typical day, each therapist would see four clients and staff a group counseling session. The victim assistants usually spend about one hour each day helping clients apply for Temporary/Protective Orders. The time victim assistants or volunteers spend doing court companionship varies based on the length of the court proceeding. During FY 02, APP staff report they had 45 requests for court companionship that they were unable to perform due to insufficient staff resources.

APP collects a variety of workload and performance data as part of the *Montgomery Measures Up!* program and for internal use. Tables 13 and 14 below provide information on new clients coming into APP programs as well as usage and cost data for the Betty Ann Krahnke Center.

**TABLE 13**  
**NEW ABUSED PERSONS PROGRAM CLIENTS WITHIN SERVICE AREAS**  
**FY 01 AND FY 02**

Service	FY 01	FY 02
Victim Counseling and Case Management	302	309
Victim Assistance Services		
District Court	939	832
Circuit Court	208	202

Source: APP

**TABLE 14**  
**NUMBER OF FAMILIES AND COST PER FAMILY SERVED IN THE**  
**BETTY ANN KRAHNKE SHELTER**  
**FY 01 AND FY 02**

	FY 01	FY 02
Number of Families Served	180	106
Average Cost per Family Served	\$4,020	\$8,280 <sup>1</sup>

Source: Montgomery Measures Up!, September 2002.

<sup>1</sup> According to APP, the cost per family sheltered increased significantly in FY 02 due to: 1) longer lengths of stay due to the difficulty of identifying appropriate post-shelter dispositions for some clients, and 2) resources which were added during the year to enhance supervision, the residential milieu, and family/child activities and counseling.



## **B. VICTIM ASSISTANCE AND SEXUAL ASSAULT PROGRAM, DEPARTMENT OF HEALTH AND HUMAN SERVICES**

The Victim Assistance and Sexual Assault Program (VASAP) provides information, referral, advocacy, crisis and ongoing counseling, criminal justice assistance, court accompaniment, compensation and other support services to crime victims and their families as well as secondary victims, e.g., witnesses or others affected by a criminal incident.

VASAP is structurally part of Crisis, Income, and Victim Services in the Department of Health and Human Services (DHHS). The current program structure was established in 1995, through the combination of the Victim Advocate Program and the Sexual Assault Services Program.

### **1. Victim Services**

VASAP provides services designed for victims of all types of crime, with additional specialized services for victims of rape/sexual assault. VASAP provides some services without distinction by type of victimization and other services that are more targeted.

#### **a. Population Served**

VASAP serves victims of all types of crime, including: rape/sexual assault; homicide; driving while intoxicated; vehicular manslaughter; terrorism; torture; hate violence; robbery; carjacking; purse snatching; assault; battery; stalking; harassment; auto theft; burglary; arson; larceny; vandalism; and childhood sexual abuse.

All County residents who are victims of crime and non-residents who are victims of crime committed in the County are eligible for VASAP services. The victims' family members, witnesses to crime, and others affected by a criminal incident are also eligible.

VASAP served 2,240 persons in FY 01 and 2,343 in FY 02. Of the total number of clients served, 1,657 (74%) in FY 01 and 1,593 (68%) in FY 02 were related to rape/sexual assault incidents. The number of clients served refers to victims and secondary victims who received services during that fiscal year, regardless of when the actual crime occurred.

Table 15 (page 49) provides more information on the characteristics of persons served by VASAP. The data show that a large majority of VASAP clients are adult females, and that VASAP serves significant numbers of Black and Hispanic persons. Program staff also report that 29% of new cases coming into the program are Spanish-speaking clients.

**TABLE 15**  
**DEMOGRAPHICS OF VICTIMS SERVED BY VASAP**  
**FY 01 AND FY 02**

Demographic Category	FY 01		FY 02	
	Sexual Assault	Other Crime	Sexual Assault	Other Crime
Female	87%	63%	90%	61%
Male	13%	37%	10%	39%
Caucasian	46%	48%	39%	36%
Black	22%	27%	26%	31%
Hispanic	27%	18%	29%	25%
Asian	3%	6%	4%	6%
Other	2%	1%	2%	2%
Adult	59%	84%	66%	90%
Child	41%	16%	34%	10%

Source: VASAP

**b. Identifying Clients**

VASAP identifies clients in different ways, depending upon if the client is a victim of a rape/sexual assault or another type of crime.

***Rape/Sexual Assault Victims***

Victims of rape/sexual assault become VASAP clients through the work of outreach volunteers and through referrals from other programs.

Outreach volunteers are included as a part of a Sexual Assault Assistance Team (SAAT) that mobilizes at a hospital or police station to assist victims of rape/sexual assault. The outreach volunteer serves as a crisis counselor and describes services available to the victim and to the victim's family. Additionally, the outreach volunteer provides the victim with a direct connection to a VASAP therapist by asking the victim for permission for a therapist to make contact the next business day (the staffing section provides additional information about VASAP's outreach volunteers; see page 56).

Between 1979 and 1999, the Montgomery County Police Department's (MCPD) practice had been to activate VASAP volunteers to provide emergency support to adult and juvenile victims of rape/sexual assault. In 1999, the Police Department changed its practice such that VASAP volunteers were only consistently activated in cases involving juvenile victims. In 2002, police investigators began calling the victim advocates

employed by MCPD's Victim Assistance Section to respond in cases involving adult victims of rape/sexual assault. This change resulted in a significant disagreement as to who should provide emergency support services to adult rape/sexual assault victims.

In early 2003, following a series of meetings held by senior management from the Police Department and DHHS, the Police Department resumed activating VASAP volunteers to provide the emergency support services to all victims of rape/sexual assault at a hospital or police facility. In the rare situations where a victim does not go to a hospital or police facility, the investigators will call a victim advocate from the Police Department's Victim Assistance Section to provide emergency support services to the victim.

The second method of identifying clients who are victims of rape/sexual assault is via referrals. Sexual assault victims often do not report the crime to law enforcement and are referred to VASAP by friends, family, or another governmental or non-governmental program.

### ***Other Crime Victims***

Almost all general crime victims served by VASAP enter the program through referral. In addition to friends and relatives, the most common sources of referral to VASAP include:

- State's Attorney's Office;
- Sheriff's Office;
- Montgomery County Police Department;
- Municipal Police Departments;
- Crisis Center;
- Abused Persons Program;
- Schools; and
- Other County programs.

### **c. Services Provided**

#### ***Rape/Sexual Assault Outreach***

The purpose of VASAP's outreach service is to provide crisis intervention and emergency support services to victims of rape/sexual assault. The Outreach Volunteers' job is not to determine what happened or otherwise interfere with the ongoing police investigation.

VASAP trains its outreach volunteers to talk to victims with the initial goal of helping them understand what is going to happen in the immediate future in terms of a forensic exam, being questioned by police investigators, etc. The outreach volunteers also help victims with any initial problem solving, i.e. where they can spend the night if they cannot or do not want to return home.

Outreach volunteers inform victims about the services offered by VASAP with the goal that the victim will know that long-term help is available when he/she is in the emotional state of mind to make those decisions. The volunteers also talk with any family members or friends who are with the victim to explain available services as well as what they might expect from the victim in the next few days.

Last, the outreach volunteers will ask the victim if he/she would like a VASAP counselor to contact him/her the next business day. If the victim consents, then a VASAP therapist will follow-up. Either way, the volunteer leaves the victim with a packet of information about available services and educational materials. The outreach volunteers are required to develop a written report of the incident, including the services they provided, and deliver it to the appropriate VASAP therapist as soon as possible after the incident.

State law provides that all communication between a victim and his/her social worker is privileged. Because the outreach volunteers work under the supervision of the VASAP therapists (and by law, a therapist's license covers any employees or volunteers supervised), anything a victim says to an outreach volunteer while the victim is alone with the Volunteer falls under the realm of "privileged communication." This means that any information cannot be shared with police, prosecutors, or, if the case goes to trial, defense attorneys who may try to subpoena records to assist in the defense of the alleged perpetrator.

### *Counseling*

VASAP provides counseling services to sexual assault victims and to general crime victims. The goal of the counseling program is to assist victims overcome their trauma and maintain safety. VASAP staff explain that they accomplish this by providing a supportive setting in which to resolve grief and anger caused by victimization, to develop an appropriate sense of the meaning of the experience, and to learn new skills to maintain safety. VASAP's counseling services include:

- Individual counseling;
- Couples counseling;
- Family counseling;
- Group counseling;
- Support groups; and
- Psychiatric evaluation, treatment, and consultation.

When a victim begins counseling, a clinically-determined treatment plan is developed. There are no maximum time limits or pre-established standards for terminating service. VASAP staff explain that the needs of clients vary as it relates to type and length of service, and needs often fluctuate as a case makes its way through the criminal justice system. Landmark events in a case (e.g., the start of a trial, an offenders release from prison) often re-trigger victimization issues that lead a client back into counseling.

Counseling is offered in English, Spanish and French. VASAP's therapists offer flexible times for counseling, including early morning and evening hours as needed. Crisis intervention, either by telephone or walk-in, is available 24 hours per day through the Crisis Center.

VASAP therapists attempt to focus their counseling on the crime victimization issue. Often victims have other issues that need to be dealt with clinically, but the therapists try to refer them to the private sector to deal with those issues once they have completed their victimization treatment plan. VASAP staff feel very strongly that crime victimization is a specialty within the therapy/counseling field.

Fees for ongoing counseling services are charged on a sliding scale based upon a client's ability to pay. No one is denied service due to lack of funds. VASAP staff report that most clients are below the sliding scale and do not have to pay for services. VASAP also does not generally check to see if a victim has insurance that would provide for treatment through the private sector. If the client is a victim of a current crime, they do not ask about insurance. If the client is a victim of a crime that occurred a long time ago, i.e. an adult who was sexually assaulted as a child, VASAP staff generally try and refer that client to the private sector if they have insurance that can be used. Clients with insurance are still eligible for specialized group services not available in the private sector.

### ***Crime Victim Compensation Fund***

VASAP administers the Montgomery County Crime Victim Compensation Fund. By law, the Fund is intended to compensate victims of crime and provide other financial assistance and services to crime victims. (Appendix G (©36) contains a copy of the law that established the compensation fund.)

The Fund receives an annual appropriation from the County (\$49K in FY 03). By law, the Fund can also receive financial contributions from private citizens or any other source. The law requires the County to appropriate additional funds to match every \$1 of private contributions with \$2 of County funds. Any unused amount in the Fund at the end of a fiscal year is rolled over into the next fiscal year.

A victim is eligible for compensation if the crime was committed in Montgomery County or if the crime victim is a resident of the County and the crime occurred in a different jurisdiction that does not offer comparable compensation assistance. Victims also must meet public housing income limits established by the Housing Opportunities Commission.

To be eligible for compensation, a victim must file a police report within 48 hours of the crime and must file a claim for compensation within 90 days after the crime is reported. (By law, these requirements can be waived for "good cause" by the DHHS Director or his/her designee.) An individual who caused, provoked, or contributed to the crime is not eligible for compensation.

By law, the Compensation Fund may only provide financial assistance if “. . . assistance is not available from insurance, the State Victim Compensation Program, the Partnership Fund for Victims of Hate/Violence, or any other source for the same purpose arising from the same criminal incident.” (Section 32-25)

The Compensation Fund can provide up to \$2,500 per incident. Claimable expenses include:

- Medical expenses (including mental health treatment);
- Property loss/damage (not including “luxury” items);
- Funeral expenses; and
- Lost Wages.

Individuals must fill out an application for compensation and property replacement and return it to VASAP along with supporting documentation and income verification information. The structure of the Fund allows for a very quick turnaround time. VASAP staff estimate that the average time for a victim to receive a check is one month after all of the required paperwork is submitted. In an emergency situation, a payment can be made within several days.

In recent years, VASAP has received eligible compensation claims that exceed the Fund’s appropriation. However, to date, no eligible claims have been denied. This is because the Department chose to subsidize the Fund from other parts of the DHHS budget. Tables 16 (below) and 17 (page 54) provide more detailed data on claims received and paid in FY 01 and FY 02.

**TABLE 16  
CRIME VICTIM COMPENSATION FUND SUMMARY  
FY 01 AND FY 02**

	FY 01	FY 02
<b><i>Claims Submitted</i></b>		
Total number of claims submitted	84	82
Average amount of claim submitted	\$2,327	\$5,190
<b><i>Claims Paid</i></b>		
Total number of claims paid	79	75
Total amount paid in claims	\$73,172	\$82,108
Average claim paid	\$926	\$1,095

Source: VASAP

**TABLE 17**  
**TYPE OF CLAIMS PAID BY CRIME VICTIM COMPENSATION FUND**  
**FY 01 AND FY 02**

	FY 01	FY 02
Medical Expenses	\$27,699	\$31,557
% of total	38%	38%
Lost Wages	\$18,142	\$25,105
% of total	25%	31%
Property Loss/Damage	\$17,818	\$15,977
% of total	24%	19%
Funeral Expenses	\$9,512	\$9,469
% of total	13%	12%

Source: VASAP

***Services Provided by Victim Assistants***

VASAP’s victim assistants provide a comprehensive array of services to victims of crime in order to restore victims to their pre-crime level of functioning. Victim assistants have the capacity to provide services in English or Spanish.

The services provided by the victim assistant to each client varies based upon the client’s need, including:

- Court accompaniment;
- General education and support throughout the criminal justice process;
- Assistance in applying for compensation from the County’s Crime Compensation Fund and the Maryland Criminal Injuries Compensation Board;
- Creditor intervention;
- Assistance in meeting urgent needs, such as food, shelter, and/or clothing; and
- Collaboration with other County agencies upon client request.

The victim assistants are also responsible for investigating County Compensation Fund claims to determine their validity.

Similar to VASAP’s counseling services, there is no set timetable for how long a victim assistant works with clients. With certain cases such as homicides, the criminal justice process can last for years and result in extended involvement with clients.

Note: VASAP does not typically provide court accompaniment for domestic violence victims because that service is provided through the Abused Persons Program (APP). According to VASAP staff, due to an increased need and personnel shortage in APP, VASAP’s victim assistants will provide such court accompaniment at APP’s request.

***Community Education, Outreach, and Prevention***

VASAP provides community education on sexual assault and general crime prevention, with a special emphasis on meeting the needs of children, adolescents, disabled women, and Spanish-speaking women. While the programs are open to all community members, VASAP has targeted their community education effort to these high priority groups. VASAP contracts with a private sector firm to provide most community education services.

**2. Funding and Staffing**

VASAP's FY 03 appropriation totals \$1.8 million, of which \$1.4 million (79%) is County funded and \$384K (21%) is grant funded.

**TABLE 18  
FY 03 APPROPRIATION FOR VICTIM SERVICES PROVIDED BY VASAP**

<b>Source of Funds</b>	<b>Category</b>	<b>FY 03 Budget</b>
<i>County</i>	Personnel	\$1,262,318
	Operations	\$8,540
	Maryland Institute	
	Counseling Contract	\$50,000
	Community Education Contract	\$7,140
	Psychiatrist Contract	\$58,270
	Crime Victim Compensation Fund	\$49,320
	<b>Subtotal</b>	<b>\$1,435,588</b>
<i>Grant</i>	Maryland Rape Crisis and Sexual Assault Grant	\$136,169
	Victims of Crime Act Grant	\$230,000
	Violence Against Women Act Grant	\$18,000
	<b>Subtotal</b>	<b>\$384,169</b>
<b>Total</b>		<b>\$1,819,757</b>

Source: VASAP

VASAP's FY 03 staffing complement is 19 workyears. The program's management consists of a director and two senior therapists, who supervise the clinical staff. Line-staff includes 11 therapists (total of ten WYs) and five victim assistants (total of three WYs). All VASAP therapists have at least a Master's degree with specialized training in working with victims of crime. The victim assistants all have at least a Bachelor's degree.



VASAP's staffing complement includes three administrative staff positions. One of the three positions has been frozen since December of 2001.

VASAP contracts with the Maryland Institute for two contractors to perform community education and two clinical contractors to provide counseling to adults molested as children. Additionally, VASAP contracts with one independent psychiatrist to provide evaluation and psychotropic medication monitoring for 14 hours per week.

**Outreach volunteers.** At present, VASAP has a cadre of 28 trained outreach volunteers, who provide 24/7 on-call response to rape/sexual assault victims.

Outreach volunteers must be 20 years old and are required to be on-call one 12-hour shift per week or two six-hour shifts per week. Outreach volunteers must go through a 40-hour training program that provides specialized knowledge of the emotional, medical and legal issues that victims confront, and builds skills in crisis intervention techniques. Before being accepted into the training program, volunteers must pass through a written application and interview screening process. VASAP staff explain that screening is an on-going process, and prospective volunteers that are not meeting VASAP's standards during training are removed from the program.

Additionally, outreach volunteers must attend one meeting per month. The purpose of these meetings is to strengthen and enhance the volunteer's growth and development and to provide on-going training. The meetings provide an opportunity for volunteers to ask for and provide advice, discuss case studies, identify and solve problems, and listen to guest speakers. After providing an outreach to a sexual assault victim, an outreach volunteer is expected to debrief with her/his therapist supervisor to receive support and review problems or special concerns.

### 3. Workload and Performance Data

VASAP staff explain that their client caseload is unpredictable. There is not currently and very rarely has there ever been a waiting list for counseling or other services. Tables 19 (below) and 20 (page 57) summarize the current workload and efficiency data compiled and reported by VASAP.

**TABLE 19**  
**NUMBER OF VASAP SEXUAL ASSAULT OUTREACHES AND INDIVIDUALS SERVED\***  
**FY 98 – FY 02**

<b>Fiscal Year</b>	<b>Number of Outreaches</b>	<b>Number of Individuals Served</b>
1998	128	272
1999	107	206
2000	88	172
2001	93	213
2002	77	176

\*Number of Individuals Served includes the victim as well as any family and/or friends that are contacted by the outreach volunteer. Source: VASAP

**TABLE 20  
VASAP WORKLOAD AND EFFICIENCY DATA  
FY 01 AND FY 02**

<b>Category</b>	<b>FY 01</b>	<b>FY 02</b>
<b><i>Counseling Services</i></b>		
Number of New Adult Victim Counseling Cases	485	550
Total Number of Ongoing Adult Victim Counseling Cases	1,469	1,453
Average Cost per Ongoing Adult Case	\$529	\$619
<b><i>Victim Assistance Services</i></b>		
Number of Victims Receiving Victim Assistant Services	--	615
Average Cost per Victim Receiving Victim Assistant Services	--	\$595
<b><i>Community Education</i></b>		
Number of Community Education Presentations	355	338
Number of Community Education Participants	12,654	10,073
Average Cost per Presentation	\$132	\$163

Source: Montgomery Measures Up!, 2002

## C. CRISIS CENTER, DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Crisis Center provides telephone and walk-in crisis stabilization services to persons experiencing situational, emotional, or mental health crises. The Crisis Center, located on the ground floor of DHHS' office building on Piccard Drive in Rockville, is open 24 hours a day, seven days a week. The Crisis Center also operates a mobile outreach crisis team that serves persons experiencing emotional or mental health crises.

### 1. Victim Services

The Crisis Center deals with many types of crisis situations of which victims' issues is one component. The Center tracks requests for service based on the following five categories:

- *Mental Illness* – situations in which persons with serious mental illness are experiencing an acute phase in their illness.
- *Social Services* – situations in which an individual needs concrete resources such as shelter.
- *Situational Crisis* – situations which result from changes in a person's life that causes him/her to no longer be able to cope.
- *Victims' Issues* – situations in which sexual assault, domestic violence or crime victimization are involved.
- *Addiction Issues* – situations in which substance abuse is the primary presenting problem.

Within victims' issues, the Crisis Center deals with a substantial number of domestic violence victims. Crisis Center staff members work directly with staff from the Abused Persons Program to offer crisis intervention services for victims of domestic violence. A domestic violence victim who contacts the Crisis Center receives immediate crisis counseling. Crisis Center staff assess the situation, including whether the victim is in imminent physical danger.

The Crisis Center performs the intake function for the Betty Anne Krahnke Center (the County's residential shelter for abused persons). This means that if a caller is in immediate danger, then the Crisis Center can offer immediate assistance of shelter and safety to the victim and the victim's children.

If the Crisis Center identifies a caller's presenting problem as being domestic violence related, but determines that the caller is not in immediate danger, the Crisis Center generally refers the caller to the Abused Persons Program (APP). The Crisis Center provides APP the names of the individuals they have referred daily. However, it is the victim's responsibility to make follow up contact.

The Crisis Center also handles a substantial number of situations involving victims of rape/sexual assault. The Crisis Center collaborates with the Victim Assistance and Sexual Assault Program (VASAP) to offer crisis intervention to victims of sexual assault. The Crisis Center is the primary intake method for sexual assault victims after-hours, and provides referrals to VASAP.

The Crisis Center is also responsible for activating VASAP Outreach Volunteers when notified to do so by the Montgomery County Police Department. For more on this issue, see the VASAP program description that begins on page 48.

## **2. Funding and Staffing**

The Crisis Center's FY 03 budget is \$3.4 million, which funds a staff of 43 workyears. The portion of the Crisis Center's resources spent on victim services is not tracked separately. According to the Crisis Center, staff encountered 742 situations during FY 02 where either domestic violence or sexual assault was the presenting problem.

## **D. ADULT PROTECTIVE SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES**

Adult Protective Services (APS) is a state-mandated program to prevent or remedy the abuse, neglect, self-neglect, or exploitation of adults who are unable to protect their own interests. An adult in need of protective services is an adult who, because of physical or mental disability, lacks the capacity to provide for his or her daily needs. APS is part of the Department of Health and Human Services, Aging and Disability Services.

The APS program mission is to secure access by the client to necessary services in order that standards of health, safety, and well-being are met; to prevent or lessen the likelihood of abuse, self-neglect, or exploitation; to provide for the least restrictive and least intrusive mode of service intervention; and to ensure that the goals of each client's service plan are being accomplished.

### **1. Victim Services**

The two areas of APS' activities that meet the definition of victim services are services to adults who suffer from abuse and exploitation (predominantly financial exploitation). Together, these two areas constitute approximately 20% of APS' cases.

APS receives their clients through referrals. One source is Aging and Disability's Information and Assistance phone line, which receives approximately 26,000 calls per year. Other significant sources of referrals are home health agencies and hospitals.

APS is mandated to complete a face to face investigation for all valid referrals, and conducts between 500 and 540 investigations per year. When there is imminent danger and any suspicion of physical abuse, APS must investigate within 24 hours. Other investigations must be completed within five days. The majority of APS investigations involve clients over the age of 65. APS is required to make a finding whether or not there is a problem within 30 days. If after 90 days the problem still exists, the clients are transferred from assessment/short term case management to continuing services/long term case management. The length of time a case stays open varies and a case review is conducted every six months.

APS staff report that financial exploitation is a growing work area. Financial exploitation is defined as someone misusing the funds of a vulnerable adult while in a fiduciary relationship. APS investigates these cases and works with the client and the State's Attorney to try and develop a criminal case.

Abuse is defined as the sustaining of any physical injury by a vulnerable adult as a result of cruel or inhumane treatment or a result of a malicious act by any person. APS' abuse cases often involve seniors who have been in abusive relationships for many years. The package of County services available to most domestic violence victims does not

necessarily meet the needs of APS' clients. APS monitors abuse victims who do not accept services and encourage them to initiate legal action.

APS staff report that seniors who are victims of exploitation or abuse are often reluctant to become involved with the criminal justice system because the offender is typically a relative and/or caretaker and the victim fears being left alone.

## 2. Funding and Staffing

The Adult Protective Services' FY 03 budget is approximately \$542,000, which funds a staff of 6.6 workyears. The portion of the APS' resources spent on victim services is not tracked separately.

## 3. Workload and Performance Data

Workload and performance data are collected and reported for APS' services as a whole. As noted above, cases that may include victim services constitute approximately 20% of the APS caseload.

**TABLE 21**  
**ADULT PROTECTIVE SERVICES WORKLOAD DATA**  
**FY 01 AND FY 02**

	FY 01	FY 02
Number of clients receiving continuing adult protective services	390	516

Source: Montgomery Measures Up!, September 2002

Projections for the future need for APS assessments show a substantial increase over the next 15-20 years, indicating a potentially greater need for victim services in this area.

**TABLE 22**  
**PROJECTED GROWTH IN ADULT PROTECTIVE SERVICES ASSESSMENTS, 2005-2020**

Year	Projected Number of APS Assessments	Percent increase over the number of assessments conducted in 2000
2005	577	8%
2010	644	21%
2015	754	41%
2020	884	65%

Source: Montgomery County Council FY02 Intensive Budget Review Project #5, "Aging and Disability Services," January 29, 2002.

## **E. VICTIM/WITNESS ASSISTANCE SECTION, MONTGOMERY COUNTY POLICE DEPARTMENT**

In FY 02, the Montgomery County Police Department (MCPD) established the Victim/Witness Assistance Section, which is structurally located in the Office of the Chief of Police, Community Services Division. MCPD's directive for the Victim/Witness Assistance Section includes the following statement of department policy:

The Montgomery County Department of Police is committed to the fair, compassionate, and sensitive treatment of victims and witnesses of crime. This can be accomplished by providing the highest quality of law enforcement while working in partnership with the community. This partnership will help to assure that victims/witnesses are afforded reasonable protection and timely information to assist them in coping with and recovering from the effects of crime.

The department recognizes that every victim needs and expects a minimum level of follow-up contact to bring their experience to closure. The importance of the first responder's role in this cycle of events is critical to the beginning of the process. The department cannot meet every need but does have a responsibility to increase victims' awareness and assist them in navigating an increasingly complicated system of justice. (Source: Function Code 1107; Appendix K (©61) contains the full text of this directive.)

### **1. Victim Services**

The Victim/Witness Assistance Section focuses on identifying victim and witness needs, providing crisis intervention and support, and referring victims and witnesses to other service providers that can meet longer term needs.

The Section operates during regular business hours (9 AM -5 PM) Monday through Friday at five of the six district police stations. Staff at the Wheaton district station provide services until midnight. In addition, Section staff rotate being available on-call after-hours during the week and over the weekend.

#### **a. Population Served**

All County residents who are victims or witnesses of crimes committed in the County are eligible for services. Families of residents who are victims of crime in the County are also eligible. The Victim/Witness Assistance Section reports that victims and their families constitute approximately 95% of the individuals served. The other 5% are witnesses, most of whom witnessed violent crimes or serious car accidents.

## **b. Identifying Clients**

The victim advocates in the Victim/Witness Assistance Section identify the majority of victims served by reviewing crime or event reports. Every morning, the advocates assigned to each MCPD district station review all of the district station crime or event reports related to incidents that occurred the previous day. They use the reports to identify any victims or witnesses involved in the events.

The advocates also learn about victims by other means. For example, a police officer may notify the Section of a victim that the officer interacted with and believes needs assistance. On rare occasions, an officer will call the Victim/Witness Assistance Section staff to the scene of a crime to provide immediate crisis intervention and assistance.

In some cases individuals learn about the services provided and visit a district station to seek assistance on their own. Individuals learn about the victim services by word of mouth and MCPD community education and outreach efforts. In addition, police officers are instructed to provide each crime victim with a *Maryland Crime Victims and Witnesses: Your Rights and Services* brochure and a *Montgomery County Victim/Witness Assistance Information Sheet* that includes contact information. (See Appendix I (©50) and Appendix L (©65) for copies of these documents.)

The advocates prioritize victims to be served based on the type of crime involved. The Section places priority on victims of the following incidents:

- Assault
- Attempted suicide
- Battery
- Burglary
- Domestic violence
- Hate violence
- Homicide
- Indecent exposure
- Kidnapping
- Mental transports
- Missing persons
- Robbery
- Sudden death
- Stalking/Peeping Tom
- Threatening telephone calls
- Hit and run
- Larceny that involves traumatic circumstances or exceptional loss
- Commercial cases where an individual was traumatized

The advocates usually call or visit victims involved in these incidents within 24 hours to identify needs and offer assistance. If the advocates are not able to reach the individuals by phone or visit, they send outreach letters offering services to the victim.

The advocates either call or send a letter to victims of all other crimes for which the district station has a crime report. This contact takes place between 24 hours and one week after the incident. These incidents typically include property crime, disorderly conduct, and commercial cases that do not involve trauma or threats to an individual. The advocates express concern and introduce the victim to the services available. They may also send the victim a packet of crime prevention information.



The district stations and victim advocates do not currently receive crime reports for alcohol-related traffic accidents or crimes in which the alleged offender is a juvenile. The reports for those types of crimes go to the MCPD Collision Reconstruction Unit and Family Services Division, respectively. The Section staff is working on a system to receive information about the victims involved in those two types of crimes to ensure that all crime victims and witnesses are contacted by MCPD advocates.

### **c. Services Provided**

The specific services provided by the Victim/Witness Assistance Section vary depending on the type of crime and individuals' needs. Since the Section is located in the Police Department, victim advocates typically learn about incidents and identify victims earlier than other service providers. This puts the Section in a good position to address immediate needs, and then refer victims to other service providers to meet longer term needs.

Once an initial contact is made, some victims/witnesses respond by indicating that they do not need any services. If the victim does request assistance, the advocates begin by assessing both the emergency and long-term needs of the victim or witness. All of the services are provided free of charge. The specific services that the Victim/Witness Assistance Section advocates provide include:

- Comfort at the crime scene;
- Locating emergency food, shelter, or other life essentials;
- Conducting risk assessment and safety planning for victims of domestic violence;
- Assisting in obtaining protective orders;
- Providing information about victim rights;
- Locating services outside the area for individuals victimized while visiting the County;
- Providing information about the court system;
- Court accompaniment to (if the individual is not working with another agency that provides the service);
- Assisting in the application process for reimbursement from State and County compensation funds for medical bills, lost wages, funeral expenses, etc.;
- Assisting in obtaining information about restitution payment and collections,
- Obtaining police reports for victims/witnesses;
- Returning stolen property or property used as evidence;
- Providing information about on-going investigations, including the arrest of an offender;
- Intervening with landlords, employers, or creditors;
- Working with insurance companies on health or property benefits related to a crime; and
- Assisting in obtaining asylum under new immigrant protection legislation.

To meet other needs, the advocates refer victims/witnesses to other service providers. The advocates most often refer individuals to the Department of Health and Human Services' (DHHS) Victim Assistance and Sexual Assault Program and Abused Persons Program for counseling and other victim services. They also frequently refer victims to DHHS for other general support services, such as food stamps, job training, and child care.

The advocates close a case when the victim indicates that he/she no longer needs any additional services and/or accepts the referrals to other service providers. The advocates send a final letter to the victim at that point to communicate that the case is closed.

Some victims do not accept referrals for additional services. In these situations, the advocates keep the case open and follow up to check on the individual's safety and ongoing needs. This practice ensures that individuals who are not ready or willing to seek additional help do not fall through the cracks. However, it creates additional work in conducting follow-up and can result in cases remaining open for long periods of time. Due to confidentiality issues, the advocates cannot always access information about whether a victim followed up on a referral. This can lead to advocates keeping a case open even though the individual is receiving services from another provider.

The victim advocates conduct education and outreach to inform the community about the services provided by the Victim/Witness Assistance Section. In terms of training officers on victim-related issues, the County's police academy provides brief training on identifying victim needs, assisting victims of domestic violence, and the services available through the Victim/Witness Assistance Section. The victim advocates also inform officers about victim services via information sharing at roll calls.

### **3. Funding and Staffing**

The Victim/Witness Assistance Section staff consists of one full time program manager and seven full time victim advocates (formally classified in the County's personnel system as client assistance workers). Six advocates are each assigned to one of the six district stations. The seventh advocate, housed at the Wheaton Station, is assigned to domestic violence cases in the Wheaton district. The seventh advocate assists with other crime victims as time permits. The Wheaton and Bethesda district stations also use volunteers to prepare and send letters to victims. Staff expect to further develop a volunteer network over time.

The FY 03 personnel costs for the Victim/Witness Assistance Section totaled \$595,600. The Section received an additional \$4,000 for operating expenses, with other overhead costs incorporated into the overall Community Services Division budget. The Section is all County-funded except for a \$40,000 grant from the Governor's Office of Crime Control and Prevention, which funds a portion of one victim advocate.

The victim advocates in the Victim/Witness Assistance Section receive training on a number of topics. When the advocates were hired in February 2002, the Department provided a two week orientation session on MCPD's functions, missions and divisions. The orientation also included training about the other victim services programs in the County. Other training completed by the victim advocates include:

- Department of Justice, Office for Victims of Crime, Victim Assistance Academy (40 hours);
- MCPD Crisis Intervention Team Certification (40 hours);
- Sexual Assault Advocacy Training (24 hours);
- Counseling Victims of Sexual Abuse: The Three Stages of Healing (8 hours);
- Living in a Violent Home (8 hours); and
- Grief, Trauma and Post Traumatic Stress Disorder Training (4 hours).

#### **4. Workload and Performance Data**

The advocates maintain a Victim Assistance Contact Record for every victim contacted. It includes information about each contact with the victim and specific services provided or referrals made. Each advocate manually compiles and reports information from the contact records monthly to the Deputy Director of the Community Services Division. The format and detail of the monthly reports varies across the advocates. MCPD is developing a database to automate the collection and reporting of the Section's workload data. Staff report that the system should be in place by April 2003.

Workload data indicates that the Victim/Witness Assistance Section advocates contacted 4,274 victims between July and December 2002. The advocates most often contacted victims of larceny (30%), vandalism (15%), burglary (13%), domestic violence (10%), assault and battery (8%) and aggravated assault (8%).

The victim advocates also collect data on referrals to other services. The advocates made 1,470 referrals between July and December 2002. The vast majority of referrals were to DHHS' Victim Assistance and Sexual Assault Program (63%) and the Abused Persons Program (24%). Other referrals were made to the State Criminal Injuries Compensation Board, the Montgomery County Conflict Resolution Program, the Women's Law Center, Montgomery County Rental Assistance Program, and the Crisis Center.

## **F. DOMESTIC VIOLENCE UNIT, MONTGOMERY COUNTY POLICE DEPARTMENT**

The Montgomery County Police Department (MCPD) established the victim case coordinator position in January 2002. The coordinator is organizationally located in the Domestic Violence Unit of the Family Services Division. The MCPD Domestic Violence Unit works in partnership with the community and other County agencies to coordinate a consistent response to domestic violence. In February 2002, the Unit became a fully operational investigative unit, with the addition of sworn positions and the victim case coordinator.

MCPD officers respond to approximately 8,000 calls dispatched as a domestic violence incident annually. Of the events verified by the responding officer as domestic violence, approximately 30% result in an arrest (25% are on-scene arrests). The Domestic Violence Unit assigns Unit detectives to investigate domestic violence cases.

### **1. Victim Services**

The victim case coordinator provides outreach, assistance, and referrals to victims involved in domestic violence cases assigned to the Domestic Violence Unit investigators. The coordinator also maintains the MCPD database of information about domestic violence incidents and uses the information to identify victims who may need assistance. The goal is to provide information and referrals that maintain victim safety.

#### **a. Identifying Clients**

The corporal in the Domestic Violence Unit identifies domestic violence cases daily and assigns them to Unit detectives for investigation. Each detective coordinates with the victim case coordinator to provide information about the victim and initiate victim services.

In some cases, the victim case coordinator receives referrals from the MCPD Victim/Witness Assistance Section. The Victim/Witness Assistance Section provides initial response to felony domestic assaults. The victim advocates in the Section then refer the victims to the victim case coordinator in the Domestic Violence Unit for on-going assistance and services if the case is assigned to the Domestic Violence Unit for investigation.

#### **b. Services Provided**

The victim case coordinator works with the victim and MCPD detective throughout the investigation. The coordinator uses an initial discussion with a victim to:

- Collect additional information about the incident and the history of abuse;
- Inquire about the relationship between the victim and abuser;
- Discuss the option of pressing charges;

- Conduct a lethality assessment;
- Discuss safety planning;
- Provide information about victim services and civil protection orders; and
- Refer the victim to needed resources, e.g., the Abused Persons Program.

After the initial conversation, the coordinator will keep the victim apprised of arrests and court orders pertaining to the case. On rare occasions, the coordinator accompanies the victim to criminal hearings to provide support and assistance. The coordinator may also contact other programs to see if the victim followed through with the referrals provided. For cases that go to court, the coordinator works with the MCPD detectives and the State's Attorney's Office to provide information and assistance with the case, and continues to assist the victim through the court process.

The coordinator interacts regularly with other front line victim assistants through a group called the Montgomery County Victim Assistants. The group was established in April 2002 and meets every other month to share information, provide peer support, and avoid duplication among providers. Participants represent:

- MCPD's Domestic Violence Unit;
- MCPD's Victim/Witness Assistance Section;
- DHHS' Abused Persons Program;
- DHHS' Victim Assistance and Sexual Assault Program;
- Sheriff's Office;
- State's Attorneys Office; and
- Rockville, Gaithersburg and Takoma Park Police Departments.

## **2. Funding and Staffing**

The victim case coordinator is a full time civilian employee of the Police Department. The full cost of this position (\$84K in FY 03) approximates the cost of the Domestic Violence Unit's direct services to victims. The operating costs associated with the victim case coordinator are included in the overall operating costs of the Domestic Violence Unit.

## **3. Workload and Performance Data**

Workload data for the victim case coordinator specifically are not available at this time. Domestic Violence Unit staff indicate that the workload or number of victims served by the victim case coordinator essentially mirrors the number of cases handled by the Unit detectives. Unit staff report that the Domestic Violence Unit detectives investigated approximately 134 cases of domestic violence in 2002.

The coordinator estimates that the initial phone conversation with a victim takes between 30 minutes and one hour, with an average length of 45 minutes. The coordinator spends at least another 30 minutes after each conversation on notes and paperwork.

Outcome or results data are not currently available for this victim service. The coordinator reported that the following outcome data would be useful:

- Whether the victim feels more informed after the service is provided;
- Whether the assistance provided changed the victim's response to the domestic violence situation; and
- Whether the violence stopped.

## G. MONTGOMERY COUNTY DEPARTMENT OF CORRECTION AND REHABILITATION

The stated mission of the Montgomery County Department of Correction and Rehabilitation (DOCR) is “to protect and serve the residents of Montgomery County and the general public by providing progressive and comprehensive correctional services.” While DOCR functions are principally directed toward offenders, certain DOCR programs and policies directly relate to crime victims. Specifically, the Detention Services Administration Unit, the Pre-Trial Services Unit, and the Pre-Release Center/CART programs each manage programs that include some victim services.

### 1. Victim Services

#### *Victim Notification*

State law outlines specific victim notification requirements, some of which apply explicitly to correctional facilities. According to §11-508 of the Criminal Procedure Article, correctional facilities in Maryland are required to notify a victim, victim’s representative, or witness **if he/she has filed a notification request form** and any of the following events occurs:

- An escape;
- A recapture;
- A transfer to another commitment unit;
- A release from confinement and any conditions attached to the release; or
- The death of the defendant.

*The legal responsibility to notify is contingent upon the victim formally stating his/her request for notification and providing the necessary contact information (e.g., name, address, telephone number).*

The County accomplishes victim notification through the use of the Victim Information & Notification Everyday (VINE) system and DOCR staff. VINE is a statewide system managed by the Governor’s Office of Crime Control and Prevention. For more information on VINE, see page 25; in addition, Appendix J (©59) contains a copy of the State’s brochure on the VINE system.

DOCR participates in VINE by sending an electronic data stream on all jail bookings and releases to the VINE system. DOCR enters data on any individual committed to the Detention Center upon completion of the intake process, including sentenced inmates and inmates awaiting trial. After receiving the data, the VINE system will automatically telephone whoever is registered to receive notification for any inmate whose status changed and inform them of the change. DOCR receives a call from VINE after 24 hours if the system was unable to successfully notify a registered individual.

For every victim that formally registers for notification, DOCR staff will notify those individuals to ensure full compliance with State law. In the extremely rare case of an escape or a release of the wrong prisoner, DOCR will contact a victim immediately after the Department contacts the appropriate law enforcement agency.

**Results of informal test of VINE.** With DOCR's assistance, OLO conducted an informal test of the VINE system. DOCR provided OLO a list of three inmates with a scheduled release date of November 22, 2002. OLO registered to be notified for these three inmates through VINE. All three inmates were released on November 22<sup>nd</sup>, and OLO received notification calls from VINE on that same date.

The average time between when the offender release information was entered into the computer system and OLO received a notification call from VINE was 35 minutes. The notification was not "completed" for one inmate through OLO deliberately neglecting to verify receipt of the notification. For this inmate, OLO received automated notification calls from VINE approximately every two hours for a 24-hour period, after which the notification ceased.

When contacting the VINE system to check on a Montgomery County Detention Center inmate's status or to register for automated notification, VINE provides the following information:

- The inmate's name and Detention Center identification number;
- The address and phone number of the Detention Center; and
- A statement that the inmate's scheduled release date is "unknown."

### *Pre-Trial Services Unit*

The Pre-Trial Services Unit (PTSU)'s mission is to maximize the release of pre-trial defendants from detention while maintaining a high appearance rate for court hearings and a low rate of new arrests while defendants are awaiting trial. PTSU carries out this mission through careful screening of defendants prior to release and by providing supervision tailored to the needs of the court, the community and the individual defendants.

For all domestic violence cases that are referred to PTSU, a letter is sent to the victim informing him/her that the offender has been placed under pre-trial supervision and detailing any conditions that were included in the pre-trial contract, e.g., no physical, verbal, or written contact with the victim; stay away from the victim's home and place of employment. The letter, which includes the phone numbers for PTSU and for the State's Attorney's Office, encourages the victim to contact PTSU with concerns about the defendant or regarding any violations of the pre-trial conditions.



PTSU's letter to domestic violence victims also includes a referral sheet for the victim with information about public and private service providers for domestic violence counseling and education. The only time PTSU does not send a letter with additional information is when the case file does not contain an address for the victim.

On occasion during a bond hearing, a judge will order PTSU to contact a particular domestic violence victim by telephone to check on the victim's safety. PTSU staff report that although this service is not normally requested, it has recently been occurring with greater frequency. This type of "welfare check" service is not a traditional function of PTSU.

### ***Pre-Release Center/CART***

The principle victim service provided by the Pre-Release Center (PRC) and the Community Accountability, Reintegration, and Treatment program (CART) relates to ensuring the payment of court-ordered restitution by inmates who are employed. Specifically, if the court orders an offender to pay restitution to a victim, then PRC/CART staff coordinate the payment of restitution with an inmate's employer to ensure that the restitution is being paid and that the payment goes to the correct place.

The Pre-Release Center (PRC) offers services to ease an offender's reentry into the community. PRC provides inmates with an opportunity to participate in a residential treatment and work-release program. Intensive, structured programming includes counseling, behavioral contract management, employment development and placement, community resource and treatment services placement, and involvement in support groups and community activities.

Community Accountability, Reintegration, & Treatment (CART) is a non-residential program providing community supervision and intensive treatment to offenders. Offenders live at home, have supportive sponsors, and are monitored electronically instead of being confined in correctional housing. The majority of CART participants spend several months at the PRC prior to transfer to CART.

### ***Other Services***

DOCR also conducts Victim Impact Groups for offenders. This involves bringing victims to the Detention Center to lead a group discussion among offenders that focuses on how victims are impacted by crime. While it is debatable whether this activity meets a strict definition of victim services, it is considered an indirect victim service by many professionals because it focuses on preventing future victimization.

## **2. Funding and Staffing**

The portion of DOCR's resources spent on victim services is not tracked separately and would be very difficult to estimate. DOCR does not have any staff solely assigned to conduct victim services and no specific budget items earmarked for victim services.

## **3. Workload and Performance Data**

Data on VINE usage are currently unavailable. DOCR staff estimate that 10-15% of all telephone calls received by the Detention Center are from victims, primarily seeking information about the status of individual offenders.

In FY 02, PTSU supervised 459 defendants involved in domestic violence cases. Program staff estimate that letters were sent out to the victims in all cases except for nine where the victim's address was not provided.

## H. MONTGOMERY COUNTY OFFICE OF HUMAN RIGHTS

The stated mission of the Office of Human Rights is to:

- Enforce antidiscrimination laws in housing, commercial real estate, employment, and public accommodations;
- Promote, monitor, and enforce fair housing laws relating to access and treatment;
- Provide training and technical assistance in civil rights laws;
- Address community conflict motivated by prejudice, intolerance, and bigotry based on race, ethnicity, religion, disability, and sexual orientation; and
- Promote increased understanding and tolerance among diverse groups.

The Office of Human Rights' victim services target the needs of victims of hate/violence crimes. In particular, OHR administers a compensation fund and oversees a community-based support network for victims of hate/violence crimes.

### 1. Victim Services

#### *Partnership Fund for Victims of Hate/Violence*

In 1987, the County Council enacted legislation to establish the Partnership Fund for Victims of Hate/Violence (the Fund). The Fund was initially created to help victims repair or replace property that was damaged by a hate/violence incident. The law established a \$2,000 maximum payment per hate/violence incident, which must be based upon actual expenses incurred. The law also created a seven-member, volunteer Partnership Board that meets monthly to consider claims under the Fund.

In November 2002, the Council passed legislation (*Bill 27-02, Partnership Fund for Victims of Hate/Violence – Amendments<sup>1</sup>*) that amended the type of claims and level of reimbursement that can be paid to victims from the Partnership Fund. The maximum amount to be paid for property damage remains at \$2,000 per hate/violence incident. However, victims can now receive an additional \$4,000 for personal injuries caused by a hate/violence incident. Personal injury awards are limited to actual costs incurred for medical expenses, psychological services, or lost wages. In addition, Bill 27-02 raised the limit in compensation that a victim can receive from the Fund in any 12 month period from \$5,000 to \$8,000.

As amended, the law now also requires a police report to be filed within seven days of an incident for a victim to be eligible for compensation, although the requirement can be waived by the Partnership Board for "good cause." The Board must reduce any payment from the Fund by any amount the victim receives or is entitled to receive from any private or public source as compensation for damages from the hate/violence incident.

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<sup>1</sup> Appendix H (©43) contains a summary of the Partnership Fund and copy of Bill 27-02, as enacted in November 2002

The FY 03 County appropriation to the Fund is \$25,000. By law, the County must also contribute \$2 for every \$1 of private contributions to the Fund, up to an additional \$30,000 per year. According to Office of Human Rights staff, the Board has never needed to solicit outside dollars to augment the Fund.

**Partnership Board for Victims of Hate/Violence.** The Partnership Board for Victims of Hate/Violence consists of seven volunteer community members, who are appointed by the Executive and confirmed by the County Council. Each member is appointed for a term of three years.

The Partnership Board meets once per month to consider claims against the Fund. Staff support to the Board is provided by the Office of Human Rights.

**Definition of Hate/Violence Incident.** In terms of what constitutes a hate/violence incident, the Office of Human Rights evaluates the following factors:

- If a racial, religious, or ethnic statement is made during the incident;
- If hate groups symbols are displayed;
- If the motive of an act is to harm, injure, or intimidate a particular group or organization; or
- If the victim perceives that she or he has been a victim of a hate crime based on their religion, race, ethnic background, or sexual orientation.

Law enforcement is not required to determine an act to be a hate crime. It is also not required that the offense is formally charged as a hate crime for it to be a qualifying incident.

**Outreach to Victims.** Office of Human Rights staff learn of victims of hate/violence incidents through police reports, from victims themselves, or referrals from someone who knows the victim. Office of Human Rights staff contact all potential hate/violence victims for whom they have been provided contact information.

Vandalism victims receive a letter notifying them of services available, and violence victims are contacted via telephone to offer services. Victims who request an application for compensation from the Partnership Fund are sent one and have 30 days to return the application with the appropriate documentation. Office of Human Rights staff investigate the application, verify receipts, etc., and make a staff recommendation to the Board at its next meeting.

### ***Network of Neighbors***

The Network of Neighbors was created in 1977 within the Office of Human Rights as a method of providing community-based support and assistance to victims of hate/violence incidents through the use of community volunteers. The stated goals of the Network of Neighbors are to:

- Offer support to victims;
- Restore a sense of community when acts of hate/violence have occurred;
- Serve as a referral source; and
- Participate in community activities which promote harmony and counteract acts of hate and violence.

After learning about a hate/violence incident, a Network of Neighbors volunteer member contacts the victim and listens, offers support, and communicates available resources. Incidents of hate/violence are usually reported to the Office of Human Resources by one of three sources:

1. The victim him/herself;
2. Someone else who is aware of the incident; or
3. Police reports from the MCPD Community Services Division.

Most of the incidents become known to the Network of Neighbors program through police reports. After learning of an incident, the victim receives a letter explaining the Network of Neighbors and offering to have a member contact the victim. The victim must contact the Office of Human Rights to state that they would like the Network services before any further action is taken. After receiving the victim's consent, the Office of Human Rights contacts a Network member who lives near the victim. The Network member then contacts the victim to provide the services. Confidentiality is maintained by the Network member unless permission is received from the victim to share particular information with anybody else.

### **3. Funding and Staffing**

The Partnership Fund and the Network of Neighbors programs fall under the Community Mediation for Hate/Violence Incidents section of the Office of Human Rights' operating budget. The FY 03 budget appropriation for Community Mediation for Hate/Violence Incidents is \$184,480 and includes 2.5 workyears. According to staff, this amount is a reasonable estimate of OHR's cost of victim services.

In addition to paid staff, there are currently 78 trained volunteers available to provide services as needed through the Network of Neighbors program.

#### **4. Workload and Performance Data**

Over the past three fiscal years, the Partnership Fund reports the following total amounts awarded, almost all of which was related to reimbursing victims for expenses from incidents of hate/violence vandalism:

- \$647 awarded in FY 00;
- \$100 awarded in FY 01; and
- \$2,000 awarded in FY 02.

In 2001, the Network of Neighbors contacted 15 victims of hate/violence incidents; five of the 15 victims requested the Network's services.

## **I. ADVISORY BOARDS/TASK FORCES**

Montgomery County has one standing advisory board and one task force that deal with victim-related issues, the Victim Services Advisory Board and the County Executive's Task Force Against Domestic Violence. The origins, functions, responsibilities, and recent activities of these two groups are described below. This section also includes a summary of legislation introduced last year to create a Commission on Domestic Violence.

### **1. Victim Services Advisory Board**

The Advisory Board for Victims and Their Families, known as the Victim Services Advisory Board (VSAB), was established by law in the mid-1980's. The law creating VSAB was re-codified in 1995 as part of the reorganization of the Department of Health and Human Services. Appendix M (©67) contains the law establishing the VSAB.

Members of the Board are appointed by the County Executive and confirmed by the County Council. The Board consists of 19 voting members who serve three year terms and four non-voting ex-officio members. The voting members include:

- Five citizens from among the mental health, legal, medical, dental, and nursing professions;
- Ten at-large citizen members that represent the community as a whole;
- One member of the clergy;
- One representative designated by the Alcohol and Other Drug Abuse Advisory Council; and
- One representative designated by the Mental Health Advisory Committee.

By law, the non-voting ex-officio members are the Director of the Department of Health and Human Services; a State's Attorney representative; a Public Defender representative; and Police Department representative.

The statutory duties of the Board are to:

- Periodically review available services and facilities for victims and their families;
- Determine the needs of victim and family services programs;
- Submit at least one report annually to the County Executive and the County Council on the progress of programs to victims and their families and of action needed to improve those programs;
- Make recommendations for appropriate allocation of funds in accordance with agreed upon priorities and consideration of financial resources;
- Assist the Director of the Department of Health and Human Services in the development of the annual victim services and families plan; and
- Act as a local advocate for victim services programming.

The statute also provides that the Board may review and comment on all local new and renewal State grant applications; review and comment on all local federal grant applications for victim service and family programs; participate in program evaluation; and review the State program services plan.

The Board meets one evening per month. DHHS' Victim Assistance and Sexual Assault Program (VASAP) provides staff support to the Board. Currently, the VASAP manager acts as the staff liaison to the VSAB and a VASAP victim assistant provides office support.

VSAB's 2002 annual report highlights the Board's activities in four areas:

- Ensuring a Montgomery County system that is victim friendly;
- Advocating for funding for victim programs and services;
- Education the community on victim-related issues; and
- Ensuring VSAB's future leadership.

Appendix N (©72) contains an excerpt from the annual report, which provides more details about VSAB's recent activities.

## **2. County Executive's Task Force Against Domestic Violence**

The County's Executive Task Force Against Domestic Violence was created by Executive Order. (See Appendix O (©73) for a copy of the most recent Executive Order extending the Task Force.)

The Executive Order states that the Task Force will include representative from the following organizations: District Court Commissioner, Judge of the Circuit Court, Judge of the District Court, Department of Health and Human Services, County Attorney's Office, County Bar Association, Commission for Women, County Council, Department of Police, Executive Staff, Housing Opportunities Commission, Office of Management and Budget, Sheriff's Office, State's Attorney's Office, County Medical Society, Montgomery County Public Schools, Clergy, Human Services Legislative Liaison, Office of Human Rights, and Montgomery College. The Task Force may also include between one and eight other County and Community representatives.

The Task Force is charged with the following functions:

- To monitor the implementation of the Domestic Violence Protection Act of 1980.
- To facilitate communication and cooperation among the public and private agencies and organizations concerned with domestic violence.
- To identify problems encountered with existing laws and resources in assisting domestic violence victims.
- To work with these institutions to address the problems identified.



- To recommend further legislation or other actions.
- To monitor diversionary programs of abusers.
- To work with individuals involved with family abuse issues, including but not limited to the special problems of children and the elderly, to correlate the interests of all to defuse domestic violence.

The Task Force meets once per month during the day. The Department of Health and Human Services' Abused Persons Program provides staff support to the Task Force. From 1995-1999 the Task Force spearheaded efforts to develop a coordinated community response to domestic violence known as Montgomery County Against Domestic Abuse. Since that point, the Task Force has generally monitored the status of various County programs related to domestic violence through presentations and discussions at their monthly meetings.

### **3. Pending Legislation to Establish the Commission on Domestic Violence**

In April 2002, the Council introduced legislation (Emergency Bill 15-02, *Domestic Violence Prevention and Victim Assistance*) that includes creation of a Commission on Domestic Violence. The Council held a public hearing and Health and Human Services Committee held a worksession on the bill. The legislation is currently pending further action by the Council.

As proposed by Bill 15-02, the Commission on Domestic Violence would consist of 11 voting and four non-voting members appointed by the Council. The Commission would:

- Advise the Council on policies, programs, and facilities to prevent domestic violence and assist victims and their children;
- Review the operation of each County-supported shelter program and advise the Council about the facility's effectiveness; and
- Monitor innovative efforts by other government or non-governmental organizations, national statistical data, and scholarly research.

## **J. FAMILY VIOLENCE UNIT, OFFICE OF THE STATE'S ATTORNEY**

The Montgomery County Office of the State's Attorney (SAO) is an independent agency in the judicial branch of government. The Office of the State's Attorney prosecutes criminal violations of state and county law on behalf of the state. The State's Attorney also ensures public access to the criminal justice system and educates the public about criminal justice issues.

The Family Violence Unit is one of four specialized prosecution teams structurally located in the SAO's Circuit Court Division. The Family Violence Unit prosecutes child abuse, domestic violence, and elder abuse cases. Family Violence Unit staff provide services to victims of these crimes in conjunction with the investigation and prosecution of criminal defendants.

### **1. Victim Services**

The primary responsibility of the SAO is to prepare and prosecute cases. One of the office's goals is to keep crime victims engaged in the prosecution process by supporting and assisting the victims. Victim services do not represent a separate program within the Family Violence Unit. Providing services to victims is intertwined with the office's other activities and responsibilities related to preparing and prosecuting cases.

#### **a. Population Served**

All victims and witnesses involved in domestic violence, elder abuse and child abuse cases that the SAO prosecutes in Circuit or District Court can receive services from the Family Violence Unit. The Unit does not collect demographic data on the victims served.

The Family Violence Unit identifies victims and witnesses through the process of identifying cases for prosecution. Two legal assistants assigned to the Family Violence Unit review all charging documents daily to identify domestic violence, child abuse, and elder abuse cases. Unit staff also identify victims and witnesses through discussion of potential new cases with or referrals from staff in the Department of Health and Human Services, Police Department, and Sheriff's Office.

#### **b. Services Provided**

Family Violence Unit staff consist of a Director, a senior legal assistant, two legal assistants, and volunteer student interns. Unit staff provide victim services throughout the process of preparing the case for prosecution.

To prepare a case for prosecution, Unit staff review charging documents, collect additional information about the alleged crime, and gather evidence, e.g., MCPD's Domestic Violence Supplemental form, 911 tapes, photos. They also contact victims, witnesses and others that can provide information to help prepare the case for prosecution.

The staff interact with victims regularly as they prepare cases for prosecution. The primary services provided to victims are information sharing, referrals, and general support. The staff in the Family Violence Unit help the victim access and understand information about the status of their case. Victims frequently contact the Unit throughout the criminal justice process to ask questions and seek advice. As a result, there is ongoing interaction with the victim.

Family Violence Unit staff report that it is common for additional violent incidents to take place while the SAO is preparing a case. As a result, the Unit provides immediate assistance to address any additional incidents and help ensure the victim's safety during the prosecution process, e.g., filing a request for a bond revocation. The Family Violence Unit also supports victims by appearing at bond hearings to share information that the judge can take into account in making decisions about a defendant's release.

The Family Violence Unit staff often refer victims to specialized services provided by the Department of Health and Human Services, such as counseling and shelter. Staff coordinate between victims and service providers to ensure that the victim gets the needed services. The staff may also assist victims file for Temporary/Protective orders.

The Family Violence Unit closes cases after the case has proceeded through the prosecution process. If a victim is involved in a case with felony charges that will be tried in Circuit Court, the Family Violence Unit hands off the victim services responsibilities to the Victim/Witness Coordinators in the State's Attorney's Office (The work of the Victim/Witness Coordinators is described beginning on page 84). Family Violence Unit staff report that victims frequently continue to contact the Unit after the case has been closed for additional information and support.

## **2. Funding and Staffing**

The Director of the Domestic Violence Unit, one senior legal assistant, and two legal assistants provide services to victims of domestic violence. The FY 03 cost of these four positions is \$235,560. The victim services work of these four staff are not independently tracked and cannot be easily separated from their other responsibilities for conducting research and coordinating cases for prosecution.

The Unit also uses law student interns to provide some services to victims. The Family Violence Unit typically has three students in the summer, three in the fall semester and three in the spring semester. The legal assistants cover the students' responsibilities between semesters and during exam times when the volunteers are not available. There is no direct cost to the SAO for the law student interns.

### **3. Workload and Performance Data**

The Family Violence Unit does not compile data on the services provided to victims involved in cases prosecuted by the State's Attorney's Office. It is difficult to track these tasks specifically because they are intertwined with the Office's other activities related to preparing and prosecuting cases.

The Family Violence Unit staff estimate that the two legal assistants that staff District Court cases handle approximately 50 cases at a time. They estimate that the director of the domestic violence unit and the senior legal assistant that staff Circuit Court cases handle approximately 15 cases at a time. Staff also estimate that 75-80% of their time on cases involves working with the victims and witnesses.

## **K. VICTIM/WITNESS ASSISTANCE UNIT, OFFICE OF THE STATE'S ATTORNEY**

By law, every State's Attorney's Office in Maryland is required to have staff dedicated to helping victims and witnesses through the court process. In Montgomery County, the State's Attorney's Victim/Witness Assistance Unit fulfills this role. The Unit is structurally located in the SAO's Circuit Court Division.

### **1. Victim Services**

Staff in the Victim/Witness Assistance Unit serve as liaisons between the Assistant State's Attorneys assigned to cases, the court, and victims and witnesses. The Unit's staff of four victim/witness coordinators (with some assistance from volunteers) provide support, notification, and information to victims and witnesses of serious crimes throughout the criminal justice process. The services provided are flexible and conform to the specific needs of individual victims and witnesses.

#### **a. Population Served**

The Victim/Witness Assistance Unit serves all victims and witnesses involved in Circuit Court cases designated as "victim-intensive." Victim intensive cases generally involve serious crimes, such as murder, rape, robbery, child abuse, serious assaults, economic (white-collar) crimes, and manslaughter. The Unit does not typically provide services to individuals involved in drug cases or burglaries. On rare occasions, if requested by a prosecutor or victim, the victim/witness coordinators assist victims involved in vehicular manslaughter cases in the District Court.

For victims and witnesses involved in Circuit Court cases that are not designated as victim intensive, the Assistant State's Attorneys and the attorneys' administrative aides provide information and referrals as needed. To provide limited assistance for victims and witnesses involved in District Court cases, the Victim/Witness Assistance Unit recruits, trains, and supervises 8-10 high school and college students each semester. The volunteers contact victims and witnesses to share information about the court system, court dates, directions to court, and other advice, e.g., appropriate personal appearance in court. The students may also gather files and related materials for the District Court team attorneys.

#### **b. Services Provided**

The Victim/Witness Assistance Unit opens a case when the Grand Jury passes down an indictment or the SAO files for information. A victim/witness coordinator contacts all the victims and witnesses involved in the case to notify them of an indictment or filing of information. The coordinator also sends a packet of information, including:

- Victim Information & Notification Everyday (VINE) brochure,
- State Board of Victim Services' Victim Rights brochure, and
- Crime Victim Notification Request and Demand for Rights Form.

The Victim/Witness Assistance Unit is required by State law to send, within 10 days of filing an indictment or filing of information, the State Board of Victim Services' Victim Rights brochure and the Crime Victim Notification Request and Demand for Rights Form. By completing and returning the Victim Notification Form, the victim is automatically registered for the VINE service. (For more information on VINE, see Chapter IV, page 25.)

In some cases, victims and witnesses require either little or no more assistance than the Coordinators can provide via the mail and telephone. This often occurs in cases settled with a plea bargain. Significantly more work is required for cases that go to trial and cases that involve children. In Montgomery County, approximately 10% of all indicted cases go to trial. SAO staff estimate that a higher proportion of victim-intensive cases go to trial (e.g., homicide, rape) than do non-victim-intensive cases

Specific services provided by the Victim/Witness Coordinators include:

- Arranging and participating in pre-trial and pre-indictment conferences;
- Conducting case-related home and field visits;
- Answering questions and providing information about the judicial system and process, including courtroom tours;
- Keeping victims and witnesses informed of the status of cases and dates they are required to appear in court;
- Arranging on-call status and scheduling of victims and witnesses for trial;
- Arranging transportation to court and conferences, including travel reservations for victims and witnesses who live outside the area;
- Reimbursing for travel and related expenses;
- Reimbursing for lost wages;
- Accompanying victims and witnesses to court;
- Helping victims write victim impact statements<sup>1</sup>;
- Following up on requests for restitution;
- Notifying victims of subsequent proceedings, such as an appeal, post-sentencing court proceeding, or sentence review (required under State law Title 11-503),
- Notifying victims and witnesses of the status of inmates and when an inmate is released; and
- Referring to outside agencies for financial, social, and counseling assistance.

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<sup>1</sup> The Victim Impact Statement provides victims and their families with the opportunity to express, in their own words, the effect that a crime has had on their lives. It also gives the community a chance to speak out on those crimes which affect the community as a whole.

The Victim/Witness Unit coordinators formally close cases after a defendant is sentenced. However, staff report that work with victims and witnesses tends to continue past case closure. Victims and witnesses may continue to contact the coordinators regarding probation conditions or violations, restitution payment, parole information, and counseling referrals. Staff report that they receive calls daily from victims whose cases are already closed.

### **3. Funding and Staffing**

The Victim/Witness Unit consists of four full time victim/witness coordinators, classified in the personnel system as client assistance workers. The FY 03 personnel cost of the four positions is \$261K, all of which is County-funded. The Victim/Witness Unit uses one or two volunteer high school and college students at a time for administrative assistance. In addition, as explained above, another 8-10 volunteer students provide some limited services to victims and witnesses involved in District Court cases.

Three of the four victim/witness coordinators are assigned to cases by police district, with one of the three coordinators handling all of the Spanish-speaking clients. The fourth coordinator is assigned to the Juvenile Court to provide services to victims and witnesses involved in crimes in which the offender is a juvenile.

The FY 02 operating expenses of the Unit totaled \$69,500. Between July 2002 and January 2003, operating expenses totaled \$24,990, of which about half (\$12,390) was paid by the Maryland State's Attorney's Coordinator Witness Protection Program. The County funds the remainder of the operating expenses.

### **4. Workload and Performance Data**

During FY 02, the SAO indicted or filed a total of 1,104 cases in Circuit Court; 647 (59%) of these cases were designated as victim intensive cases and handled by the three victim/witness coordinators. The SAO estimates that each coordinator is assigned 100 open cases at any given time.

The time required to provide services varies depending on the seriousness of the crime and the specific needs of the victims and witnesses. A case that is plea-bargained can be resolved within two months. More complex cases (e.g., murder, rape) typically last approximately one year. Cases may need to be tried a second time, remaining open for multiple years.

In the District Court, 12 courtrooms heard criminal cases each week during FY 2002. The SAO estimates that between 2,080 and 4,320 victims/witnesses were involved in District Court cases each week. The SAO uses 8-10 student interns to provide information to those victims/witnesses. No merit employees are assigned to these cases.

## **L. MONTGOMERY COUNTY SHERIFF'S OFFICE**

The Sheriff is a State Constitutional officer who is elected locally every four years. The Sheriff's major responsibilities fall into three main categories: court security and transports; service of warrants and court orders; and evictions and court-ordered seizures.

The Domestic Violence Unit within the Montgomery County Sheriff's Office provides services to domestic violence victims involved in the criminal and civil justice systems. The Sheriff's Office places high priority on serving and protecting domestic violence victims, and provides services that extend beyond what is legally mandated. Specifically, the Domestic Violence Unit:

- Serves Interim and Temporary Protective/Peace Orders that are issued when domestic violence victims seek civil relief from abusive situations;
- Offers enhanced personal security measures for vulnerable victims;
- Coordinates Montgomery County's Assessment, Lethality, and Emergency Response Team (ALERT) for Domestic Violence; and
- Contacts victims to provide assistance to help them get through their crisis situation and receive the protection the court offers.

### **1. Victim Services**

The Domestic Violence Coordinator's Team within the Domestic Violence Unit focuses its services solely on victims. The other members of the Unit perform a mix of services that deal with victims and offenders.

#### **a. Population Served**

The Sheriff's Office serves three different categories of domestic violence victims:

- Victims in cases where the alleged offender is arrested and has a bond review hearing;
- Victims who file a petition for a Temporary Protective or Peace Order; and
- Victims who are granted an Interim Protective or Peace Order from a District Court Commissioners during hours when courts are closed.

The Domestic Violence Coordinator's Team routinely use different methods to identify domestic violence victims in need of service. First, staff conduct a daily review of police reports and charging documents that list the names of domestic violence victims. Second, staff conduct a daily review of the petitions filed for Temporary Protective/Peace Orders. Third, staff identify high-risk victims at weekly meetings of the ALERT team (described below).



## **b. Services Provided**

### ***Assessment, Lethality and Emergency Response Team (ALERT)***

The Assessment, Lethality and Emergency Response Team (ALERT) for Domestic Violence was established in February 2001.<sup>1</sup> ALERT includes representatives from the different departments/agencies who are involved with responding to incidents of domestic violence: the Department of Police, Department of Health and Human Services, Department of Correction and Rehabilitation, State's Attorney's Office, Sheriff's Office, and the State Department of Parole and Probation. Appendix P (©77) contains a copy of the Memorandum of Understanding that established ALERT.

ALERT participants work collectively to review domestic violence cases in order to assess the risk of lethality, maximize victim safety, and provide information about the history and pattern of abuse at key system decision points. The Domestic Violence Coordinator within the Sheriff's Office manages ALERT and is responsible for:

- Reviewing petition for Interim and Temporary Orders on a daily basis to assess the risk of lethality;
- Coordinating with the State's Attorney's Office's ALERT Program Manager to identify high-risk cases in the criminal justice system;
- Accepting referrals from participating ALERT agencies about potentially dangerous offenders or high risk victims;
- Contacting participating agencies about victims at risk for lethality so that the agencies can activate an appropriate response;
- Monitoring and coordinating intervention in high-risk cases for lethality as appropriate;
- Establishing a case management system and related offender database to distribute information so that it is available at key system decision points;
- Convening weekly meetings of ALERT representatives; and
- Making recommendations to ALERT participants about system-wide protocols, information practices, and inter-agency agreements that would remove barriers and improve victim safety and batterer accountability.

Since its inception in early 2001, ALERT has intervened in hundreds of cases.

### ***Post-Arrest Victim Assistance Project***

The Post-Arrest Victim Assistance Project was started in 2001 as a collaboration among the Sheriff's Office, the State's Attorney's Office (SAO), and the Circuit Court's Domestic Violence Assistance Program (Appendix Q (©81) contains the Memorandum

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<sup>1</sup> The Council recommended establishing ALERT, based upon an earlier OLO study of domestic violence, Office of Legislative Oversight, Report Number 2000-1, *Improving the Response to Domestic Violence in Montgomery County*, April 25, 2000.

of Understanding regarding this project). The genesis of the project was OLO's 2000 report on domestic violence, which identified the service gap that occurred with domestic violence victims not being contacted immediately following an arrest and bond hearing of an alleged offender.

For domestic violence incidents where an arrest is made, the principal services now provided by the Sheriff's Office are: to provide information to the judicial system that allows for an accurate assessment of the offender's potential danger to the victim; and to contact and follow-up with the victim after an offender's bond hearing.

On a daily basis, before bond hearings begin, the State's Attorney's Office (SAO) Domestic Violence Program Manager provides a list of the scheduled domestic violence defendants and charging documents to the Sheriff's Domestic Violence Team. The Domestic Violence Team then researches each defendant's civil history and notes any previous civil Protection Orders that have been placed against the offender or other notable civil events. This information is passed back to the SAO to share with the court.

The goal of this process is to ensure that the judge making the decision about release and bond conditions has all the pertinent information on a defendant that will allow a more accurate assessment of the defendant's threat to the victim. The Sheriff's Office is the only agency that has access to both the criminal and civil justice system databases and therefore has a unique ability to provide information on potential lethality factors that otherwise might not be considered by the court.

A victim assistant from the Sheriff's Office attends the criminal bond review hearings, notes the conditions of the bond, and then contacts the victim via telephone to ensure the victim is aware of the bond conditions of the defendant's release. The victim assistant also provides the victim with information on:

- Remedies available if bond conditions are violated;
- The availability of additional civil remedies, specifically Interim and Temporary Protective Orders and the procedures for obtaining them;
- Potential attorney representation through the House of Ruth/Women's Law Center Domestic Violence Assistance Project;
- Options for safe shelter;
- Victim advocacy and counseling programs, specifically the educational groups run by the Abused Persons Program;
- The VINE system;
- Victim compensation options; and
- Safety planning.

In addition, victim assistants in the Sheriff's Office contact domestic violence victims who file Interim or Temporary Protective/Peace Orders in the Rockville Courts in the most serious cases and all the petitioners who file in the District Court in Silver Spring. Victims are given information about filing criminal charges as well as the information

described above. If a victim wants to file criminal charges, the victim assistants explain how to file charges with a District Court Commissioner or, in certain situations, arrange a meeting for the victim with the Family Violence Unit of the Montgomery County Police Department to see if police are willing to investigate and file the charges.

### ***Protective and Peace Orders***

The Sheriff's Office is responsible for serving all Interim and Temporary Protective and Peace Orders issued by the District and Circuit courts. The deputies will also serve all arrest warrants that have been issued simultaneously with the civil orders (Appendix R (©84) contains a Memorandum of Understanding between the Sheriff's Office and MCPD concerning the service of arrest warrants related to civil orders). This function of the Sheriff's Office operates 24 hours a day, seven days a week.

Victims who are granted Interim or Temporary Protective/Peace Orders are interviewed in-person by deputies or public safety aides (civilian employees in the Sheriff's Office). The deputies/public safety aides obtain information from the petitioner related to service of the orders, e.g., where the person named in the petition can be found, whether the person owns weapons.

In cases where a victim has urgent needs (e.g., a need for safe shelter), the deputies/aides contact one of the victim assistants immediately. In less urgent cases, they may attach a referral form for one of the victim assistants to contact the petitioner if the petitioner requests. If a victim consents, then a public safety aide or deputy will also take pictures of the victim's injuries at the interview and save them in a database for use at subsequent civil and/or criminal hearings.

### ***Enhanced Security Measures***

The Sheriff's Office offers victims who file for civil protection the option of having welfare checks conducted during the week between the Temporary and Final Protective Order hearings. These checks may be in person or by telephone. The deputies ask these victims at the welfare checks if they have had any contact with the Abused Persons Program and if they want any. If they do, deputies send the Domestic Violence Team a referral form. A copy of the form and the petition for protection is forwarded to APP.

Through a partnership with ADT Security, the Sheriff's Office manages the Abused Women's Active Response System (AWARE) program, which provides alarm pendants to particularly vulnerable domestic violence victims. In the AWARE program, ADT Security places alarm systems in the homes of domestic violence victims who are in high risk situations. The participants must wear an ADT pendant ("panic button") that is used to activate the alarm within a certain area of the victim's home. The activation sends a silent alarm to the ADT monitoring center. The ADT dispatcher alerts 911 call-takers who will dispatch it as an "AWARE alarm."

The Sheriff's Office also offers victims of domestic violence the use of a donated cellular phone to contact the police department in an emergency. The phones can only be used to call 911 and cannot accept incoming calls. In FY 02, the Sheriff's Office issued hundreds of cell phones and 22 ADT alarm pendants.

## **2. Funding and Staffing**

The FY 03 budget appropriation for the Sheriff's Office Domestic Violence/Special Operations Program, which includes all functions aimed at both victims and offenders, is \$1.3 million. Of that total, the Domestic Violence Coordinator's Team budget is \$191K.

The Domestic Violence Coordinator's Team consists of four employees for a total of 2.5 workyears. The Domestic Violence Coordinator position is one workyear, the two victim assistants share one workyear, and there is one half-time clerical support staff position. In addition, the Domestic Violence Unit employs six full time and two part time public safety aides. The aides conduct face-to-face interviews with victims who have obtained Protective and Peace Orders. The aides obtain information on the respondent from state and federal databases. They check for open warrants, prior criminal history, and then enter the orders into state and federal databases.

The victim assistants and associated activities are funded through a Department of Justice Violence Against Women Act (VAWA) grant of \$74,415. Funding from this grant will run out on June 30, 2003 and it is currently unknown whether the federal government will renew the grant. The two part-time public safety aides are partially funded through a STOP grant from the State of Maryland Governor's Office on Crime Control and Prevention.

## **3. Workload and Performance Data**

The Domestic Violence Coordinator's team in the Sheriff's Office has only limited data on its victim assistance activities due to the relatively short time it has been up and running. However, available data indicate that the program contacted 515 victims between April and December 2002. These 515 victims would not have been contacted prior to the existence of the program.

**TABLE 23**  
**SUMMARY OF SHERIFF'S OFFICE VICTIM ASSISTANCE ACTIVITY**  
**APRIL – DECEMBER 2002**

<b>Data Category</b>	<b>Number</b>
Victims contacted	515
Victims unable to contact	60
Victims contacted after bond hearings	163
Referred for Temporary Order	70
Referred for Protective Order	157
Referred to Police Department	13
Provided information and safety planning only	206

Source: Sheriff's Office

The table below summarizes the number of Temporary (previously called Ex Parte) Orders filed in FY 2000-2002 as well as the information on welfare checks conducted in conjunction with the Temporary Orders. Staff anticipate that the number of Temporary Orders will increase during 2003 as a result of the recent changes in State law that allow petitioners to file for an Interim Protective Orders with a District Court Commissioner when the District Court clerk's offices are closed. Petitioners can now file for civil protection 24 hours a day, seven days a week.

**TABLE 24**  
**NUMBER OF TEMPORARY ORDERS, WELFARE CHECKS, AND RESULTING ARRESTS**  
**FY 01 AND FY 02**

	<b>FY 01</b>	<b>FY 02</b>
Temporary (previously called Ex Parte) Orders	1,978	2,200
Number of welfare checks completed by Sheriff's Office	3,940	4,998
Number of welfare check violations that resulted in an arrest	11	8

Source: Sheriff's Office and *Montgomery Measures Up!*, 2002.

## **M. DOMESTIC VIOLENCE ASSISTANCE PROGRAM, MONTGOMERY COUNTY CIRCUIT COURT, FAMILY DIVISION**

The Domestic Violence Assistance (DVA) program began in FY 99. The DVA program provides legal representation and related victim services to domestic violence victims, primarily in Circuit Court proceedings. Two full-time attorneys, one from the House of Ruth and one from the Women's Law Center, staff the DVA program. Funding for the two attorney positions is provided through a grant from the Administrative Office of the Courts.

### **1. Victim Services**

Domestic violence victims can file for civil protective orders in either Circuit Court or District Court. The Domestic Violence Assistance program primarily serves victims of intimate partner violence who choose to file for civil protection in the Circuit Court, Family Services Division. In high lethality cases, DVA staff will provide assistance in District Court proceedings.

The range of legal and other support services provided by the DVA program to domestic violence victims includes:

- Legal representation at court proceedings, including hearings for Temporary/Final Protective Orders, Peace Orders, order modifications, and order appeals;
- Assistance with completing court forms;
- Court accompaniment at criminal proceedings;
- Referrals to other sources of assistance;
- Safety planning; and
- Legal information on divorce and custody issues.

The DVA program is located on the Third Floor of the Circuit Court. The staff consists of two full-time attorneys, one from the House of Ruth and one from the Women's Law Center. The program usually has one or two volunteer interns (typically law students), who assist the attorneys. The two DVA attorneys coordinate their work directly with Abused Persons Program staff to meet the needs of individual domestic violence victims. DVA staff also participate in ALERT meetings and attend the monthly meetings of the County Executive's Task Force on Domestic Violence.

In addition, the two DVA attorneys have provided several trainings on domestic violence legal remedies and resources to court personnel, community service providers, lay advocates and community groups. Examples include training offered by the Interfaith Coalition Against Domestic Violence and the First Annual Public Forum on Domestic Violence.

## **2. Funding and Workload**

For two years, a federal Violence Against Women Act (VAWA) grant funded the DVA program. Currently, the program is in its second year of funding through a grant from the Administrative Office of the Courts. The FY 03 grant awarded jointly to the House of Ruth and the Women's Law Center for the DVA program totaled approximately \$118,000. According to the Circuit Court Family Division's FY 02 annual report, DVA staff:

- Completed 426 intakes ("intake" is defined to include a needs assessment, agency referral, and inquiry into the abuse incident and history of abuse);
- Provided information and/or assistance with completing court forms for an additional 289 individuals; and
- Appeared in court on behalf of clients 250 times for protective order, appeals, modifications, and other types of hearings.

## **N. MUNICIPAL POLICE DEPARTMENTS**

The Gaithersburg Police Department, Rockville Police Department, and Takoma Park Police Department each operate a victim services program. Although not identical, the three municipal Police Departments provide a core of similar victim services.

### **1. Victim Services**

Each Police Department hires one non-sworn individual to provide services to crime victims. In Rockville and Gaithersburg, the position is titled victim advocate and in Takoma Park the position is titled victim witness coordinator.

All three municipal police departments determine eligibility for victim services in the same manner. Any city resident who is a victim of crime or any victim of crime committed within the city, as well as the victim's family members, is eligible for services. There is no charge for victim services provided by the three municipal police departments.

Since the victim services programs are similar, the services provided by the Takoma Park Police Department will be used to represent the services provided by all three programs unless a specific distinction is noted.

The position description for the victim witness coordinator in Takoma Park summarizes the coordinator's responsibilities as follows:

The victim witness coordinator is a non-sworn position that provides timely support, advocacy and information, and referral to crime victims and witnesses, making them aware of the range of available services and facilitating their access to those services. Emphasis is on problem identification, intervention, and coordination of resources to resolve problems, particularly in the areas of family violence, child abuse and neglect, crimes against the elderly, and crimes affecting the multicultural immigrant population. (Source: Victim/Witness Coordinator Position Description; see Appendix S (©86) for full copy of position description)

In a relatively small number of violent crime situations, the victim witness coordinator assists Takoma Park officers at a crime scene. In most cases, however, the victim witness coordinator conducts outreach to crime victims based upon review of the previous day's police reports. All violent crime victims (including all domestic violence victims) receive a telephone call within 24-48 hours of the incident. All other victims receive a standard letter that advises them of their rights and provides general information about available services.



Depending upon an initial assessment of a victim's needs, the victim witness coordinator will provide some direct services and coordinate referrals to other programs for additional services. Examples of direct services provided to victims on an as needed basis include:

- Accompanying a victim to the District Court Commissioner to obtain charging documents and assisting the victim with filling out forms;
- Transporting a victim to the Crisis Center, court, State's Attorney's Office, or other County agency for services or interviews; and
- Providing Spanish translation or arranging translation and interpretation services;

The victim witness coordinator places a high priority on meeting the needs of domestic violence victims, which includes accompanying them to file for Interim, Temporary, and Protective Orders. In addition, the victim witness coordinator helps police investigators collect evidence related to domestic violence criminal cases, which can include retrieval of 911 tapes, photos, and statements. This evidence is provided directly to the Family Violence Unit in the State's Attorney's Office.

The coordinator also works with officers to identify problems or crime trends in the city; helps to develop the city's crime prevention training and cross cultural education activities; conducts training sessions for city police officers and other staff on victim related issues; and prepares victim-related information used by the Police Department.

The portfolio of the victim advocate in Rockville extends somewhat beyond the services described above to include some short-term counseling; this is because the individual who currently holds the position is a trained social worker. In addition, Rockville's victim advocate conducts some crime prevention and substance abuse prevention activities (including the "Every 15 Minutes" program) in the three high schools located within the city limits.

**Service coordination.** Because the Takoma Park Police Department operates largely independently from the Montgomery County Police Department (MCPD), there is little potential for case overlap between the victim witness coordinator in Takoma Park and the MCPD victim advocates.

To avoid service overlap with the other two municipalities, however, victim advocates based in the Rockville and Gaithersburg Police Departments and the victim advocates assigned to the Police Districts that include Rockville and Gaithersburg have developed an informal agreement for assigning victims for follow-up assistance. Specifically:

- The Rockville and Gaithersburg Police Department victim advocates follow-up with victims in situations where the crime was committed within their respective city limits, except that an MCPD victim advocate follows-up in situations where a Montgomery County Police officer was the first to respond to the crime scene; and

- An MCPD victim advocate assumes responsibility for following-up with victims in all crimes that involve an MCPD investigator, i.e., from MCPD's Major Crimes, Family Services, Special Investigations, or Criminal Investigations Division.

## **2. Funding and Staffing**

The combined FY 03 cost for the Rockville, Gaithersburg, and Takoma Park Police Department's victim services programs totals approximately \$120,000. Each program is staffed by one full-time, civilian employee.

## **CHAPTER VI: RESULTS OF INTER-AGENCY MEETINGS**

As part of this project, OLO convened three inter-agency meetings of key representatives from the different programs that provide specialized services to victims and witnesses of crime. Participants included managers and front-line staff representatives from the:

- State's Attorney's Office;
- Office of the Sheriff;
- Department of Health and Human Services;
- Department of Correction and Rehabilitation;
- Montgomery County Police Department;
- Office of Human Rights; and
- Takoma Park Police Department

The purpose of holding these meetings was to solicit agency views on:

- Priorities for improving the efficiency and effectiveness of victim services provided in the County;
- Gaps in the delivery of services of crime victims and witnesses; and
- Specific program resource needs.

Appendices T, U, and V (©89, 94, & 99) contain copies of the three agendas, a complete list of meeting participants, and a list of recommendations and other issues identified at the meetings.

In sum, the inter-agency meeting participants agreed on the need to improve the extent of information exchange and coordination between and among victim services programs. The strategies identified for improving system-wide coordination included a written procedures manual that outlines the roles and specific victim services provided by each program, and increased opportunities for information exchange through regular meetings and joint training.

To enhance the frequency and substance of communication (among providers) about individual victims, the group recommended creating a shared victim contact database. In order for such a database to work, the group identified the need to address a number of legal issues related to confidentiality and the disclosure of information about individual victims.

The major system-wide gaps identified by the group were:

- A lack of awareness within the community of the victim services available; and
- Insufficient capacity of victim services programs to serve non-English speaking clients.

A number of specific service gaps were identified by the group. These included:

- The lack of emergency victim support services to domestic violence victims in situations where an arrest is made but the offender is released from custody shortly after the arrest; and
- No mechanism for consistently providing support services to victims who file charges directly with the District Court Commissioner, victims (other than domestic violence victims) whose cases are heard in District Court, and domestic violence victims whose alleged offender is under pre-trial services.

The program-specific resource needs identified included more victim services and/or administrative staff in the: State's Attorney's Office; Montgomery County Police Department's Family Services Division, Domestic Violence Unit; Abused Persons Program, and Victim Assistance Sexual Assault Program (VASAP).

## CHAPTER VII: FINDINGS

For each of the past two years, there were approximately 70,000 crimes reported in Montgomery County. Part I crimes (including murder, forcible rape, robbery, aggravated assault, and larceny) represent approximately 40% of the crimes reported; and Part II crimes (including minor assaults, vandalism, narcotic drug violations, and disorderly conduct) represent the other 60%.

According to the National Crime Victimization Survey, only 49% of all violent victimizations and 37% of all property crimes are reported to the police. Applying this to Montgomery County means that there are significantly more crime victims than the approximately 70,000 incidents reflected in the County's crime statistics.

This chapter presents the Office of Legislative Oversight's findings on the government-based programs that provide specialized services to victims and witnesses of crime in Montgomery County. OLO's findings are organized into four categories:

- A national perspective on the definition and structural location of victim services;
- Lessons from the empirical research;
- Overview of victim services in Montgomery County; and
- Findings on coordination, data collection, service overlaps, and opportunities for improvement.

### A NATIONAL PERSPECTIVE - DEFINITION AND STRUCTURAL LOCATION OF VICTIM SERVICES

**Finding #1: The impact of crime on individual victims and witnesses varies significantly. Victims experience varying degrees of physical, financial, and/or emotional injuries from a criminal incident.**

Victims and witnesses experience the effects of crime differently. A victim's reaction to and recovery from a criminal incident depends upon the specific circumstances of the crime as well as the victim's unique psychological history and support system.

The National Organization for Victim Assistance (NOVA) identifies three main categories of potential injuries that a crime victim or witness may experience:

- **Physical injuries** – involve damage to the victim/witness's body. Physical injuries range from minor (bumps, scratches) to moderate (bruises, broken bones) to severe (stabbing, gunshot wounds). Recovery from physical injuries can be relatively quick or require ongoing treatment.

- **Financial injuries** – involve loss of money or possessions, or damage to items that must be repaired or replaced. There may also be expenses related to the crime such as medical care, counseling, transportation, and time off from work to go to court.
- **Emotional injuries** – refer to the psychological stress or the “trauma of victimization.” Initial reactions may include shock, fear, anger, confusion, guilt, shame, self-blame, and helplessness; and longer-term effects may include anxiety disorders, depression, flashbacks, or post-traumatic stress disorder.

In addition, victims and witnesses can also experience harmful effects from what is described as a “second victimization” due to “insensitive treatment by the criminal justice system.

**Finding #2: Programs across the country provide a continuum of specialized services designed to meet both immediate and longer-term needs of victims and witnesses.**

An estimated 10,000 programs in the United States provide specialized services to victims and witnesses of crime. Victim services are designed to meet the immediate and/or longer-term needs of victims and witnesses, including:

- Emergency services, e.g., on-scene support, 24/7 crisis center, shelter for domestic violence victims;
- Information about and referral to other victim services and other sources of assistance, e.g., temporary cash assistance, health care, housing;
- Counseling, safety planning, legal representation, and/or assistance with filing claims for compensation;
- Court-related services, e.g., notification of court dates/action, court accompaniment, transportation to and from court, assistance with victim impact statements, and help with filing for civil protection;
- Post-sentencing services, e.g., notification of offender’s status, help with obtaining restitution; and
- Compensation programs that reimburse victims of crime for crime-related expenses, such as medical costs, funeral costs, lost wages, and property damage.

Many programs also conduct public information campaigns to educate the community on victim issues and available services. In addition, some programs organize training on victim-related issues for police officers, prosecutors, judges, and other allied professionals in the criminal justice and social services systems.

**Finding #3: Victim services are provided by different organizations across the criminal justice and social service systems, and each structural location offers distinct advantages. Nationally, private non-profit organizations sponsor a majority of victim services programs.**

It is common to find multiple providers of victim services in one jurisdiction. Nationally, private, non-profit organizations sponsor a majority of the programs that provide victim services. Within government, prosecutors' offices sponsor the largest number of victim services programs, followed by law enforcement agencies.

Different structural locations offer different advantages and disadvantages in terms of a program's ability to accomplish specific objectives, target particular victims, and successfully offer various services. For example: a prosecutor's office provides easy access to clients via charging sheets; a law enforcement office provides swift access to clients via arrest reports or calls to appear on the scene; and a social services department provides access to services for victims of unreported crime.

#### LESSONS FROM THE EMPIRICAL RESEARCH

**Finding #4: It is difficult to measure reliably whether programs that provide victim services achieve desired outcomes.**

Determining whether a victim services program is making a difference in victims' lives is substantially different than counting the number of victims served. Examples of the desired long-term outcomes cited in the research literature on victim services include:

- Victims prevail over the trauma of their victimization.
- Victims realize they can move on.
- Victims have positive experiences in the justice process.

Examples of short-term outcomes cited in the research literature include: victims are more knowledgeable about the justice system; victims are aware of programs that provide compensation/restitution to victims; and victims are kept physically safe.

It is challenging to measure program outcomes that assess a victim's feelings or emotional recovery. In addition, the complex and non-linear nature of victim services makes it difficult to determine the effectiveness of a specific intervention. Specific obstacles often cited to conducting outcome evaluations of victim services include:

- Victims do not necessarily remember the services provided, or may actually erase the memory in an effort to forget the victimization;
- The involvement of multiple programs makes it hard to measure the effect of a specific service; and
- Victims often blur their views on the outcome of the criminal justice proceeding with feelings about the service received.

**Finding #5: Conducting a “needs assessment” offers an alternative mechanism for obtaining useful feedback from crime victims and witnesses for the purpose of improving services.**

The various guides for developing programs to assist crime victims consistently advise communities to “conduct a needs assessment,” either before starting a new program or for improving programs. The purpose of a needs assessment is to find out what victims and witnesses of crime in a community want in terms of services and whether they felt that their needs were met by existing programs.

Needs assessments typically involve questionnaires, individual interviews, and/or focus groups of victims; in some cases, a needs assessment also seeks the views of service providers. Despite the limitations of the data collected (e.g., response rates are typically low, surveys often exclude victims of unreported crime), the information gained can offer insight into how victims felt about the services they were offered and received. Results of a needs assessment can also help to identify potential areas for program change and improvement.

Examples of findings from needs assessments conducted in other places include:

- Victims identify friends and family as the most frequently used and best source of support following a crime;
- Many victims are not aware of the services that are available;
- A frequent victim complaint is that victim service agencies become involved too late in the process; and
- Many victims do not apply for compensation either because they do not know it is available, do not understand the program(s), or because their own insurance paid for the expenses incurred.

**Finding #6: Developing effective relationships with other organizations is one of the most important initial and ongoing activities that victim services programs must undertake.**

The National Institute of Justice, Office for Victims of Crime (OVC) identifies the building of effective relationships among victim service providers as key to developing successful programs. OVC lists five reasons for victim services staff to establish networks among other service providers:

- To gain access to victims and witnesses;
- To identify other resources in the community that can help victims and witnesses;
- To improve the treatment of victims and witnesses already served by other organizations;
- To develop and institutionalize program support; and
- To share information and strategies.



## OVERVIEW OF VICTIM SERVICES IN MONTGOMERY COUNTY

**Finding #7: There are two locally-funded victim compensation funds and 17 other government-based programs that provide specialized services to adult victims or witnesses of crime in Montgomery County.**

There are two local compensation funds and 17 other government-based programs that provide specialized services to crime victims and witnesses. These programs are structurally located in ten different government organizations across the criminal justice and social service systems.

County law established both victim compensation funds. DHHS administers the Crime Victim Compensation Fund, and the Office of Human Rights administers the Partnership Fund for Victims of Hate/Violence.

As Table 7 (page 114) shows, nine of the 17 other programs primarily provide services to victims/witnesses of crime and eight provide services to victims as one component of their entire program. For example, victim advocates in the Police Department almost exclusively work with crime victims and their families while counselors at the Crisis Center serve crime victims as one among many different types of clients.

**Finding #8: The various programs in the County offer a wide range of specialized services to victims and witnesses of crime.**

Table 8 (page 115) summarizes the victim services provided by the government-based programs in the County. Available services include crisis intervention and resource mobilization, counseling (short and long term), court accompaniment, assistance with completing court forms, notification services and reimbursement for crime-related expenses.

Some services are designed for specific categories of crime victims. One set of County programs primarily serve victims of domestic/partner violence. (Table 8 denotes these programs with a check mark.) In addition, the Office of Human Rights' victim services are designed for victims of hate/violence incidents, and Adult Protective Services targets its victim services to seniors.

Table 9 (page 118) summarizes the different ways that a victim becomes a recipient of victim services. Some victims initiate contact with a program, based upon their own knowledge that the program exists or a recommendation from a friend or relative. More often, a victim contacts a specific program as the result of a referral from another program. Other crime victims become clients as the result of a contact (usually by telephone or letter) initiated by a program staff member.

**Finding #9: In FY 03, the County pays for approximately 80% of the more than \$5.5 million spent on government-based victim services in the County. The balance of funding primarily comes from State and Federal grants.**

The FY 03 cost of government-based victim services in the County is at least \$5.5 million. The \$5.5 million figure includes FY 03 appropriations for the programs whose primary function is to serve crime victims and witnesses. It excludes funding for programs that provide victim services as one component of multiple activities (e.g., the Crisis Center), where the cost of victim services is not separately tracked. (See Table 10, page 119.)

The County pays for 81% of the \$5.5 million, and State and Federal grants pay for an additional 17%. The balance is paid by the cities of Gaithersburg, Rockville, and Takoma Park.

The Department of Health and Human Services receives the largest amount in County funds for victim services (\$1.9 million for the Abused Persons Program and \$1.4 million for VASAP); and also receives the largest amount in non-County funds (\$0.7 million). The Montgomery County Police Department receives the second largest amount of County funding (\$0.6 million), followed by the Office of the State's Attorney (\$0.3 million), the Office of Human Rights (\$0.2 million) and the Office of the Sheriff (\$0.1 million).

**Finding #10: While victim services in the County are primarily funded and administered locally, State laws and State programs impact the County's services to victims and witnesses.**

State law provides the legal framework for victim rights in the County. In addition to a State constitutional amendment that mandates certain victim rights, other provisions in Maryland law concern the rights of victims to participate in and be notified of events that occur in the criminal justice system related to their victimization. In particular, State law details the rights of victims and witnesses before the trial, during the trial, during sentencing, and post-sentencing.

The Governor's Office of Crime Control and Prevention, Department of Public Safety and Correctional Services, Department of Human Services, and Attorney General's Office each sponsor victim services programs. Many of the State-based programs either distribute grants to community-based programs or serve victims in cases where the offender is under State supervision. This year, State agencies allocated grants totaling more than \$900K to the County for victim services programs.

Two State-based activities routinely affect services to victims in the County. Victims of crime in the County are eligible to apply for compensation from the State-run Criminal Injuries Compensation Fund, and the statewide 24/7 automated victim notification (VINE) is managed by the Governor's Office of Crime Control and Prevention (See related Findings #17 and #18 on victim compensation and the VINE system).

**Finding #11: In Montgomery County, most victim services are government-based. There is no inventory of victim services based in private, non-profit organizations, and no institutionalized relationships between the government-based and community-based programs.**

While no national census of victim services programs exists, federal grant data suggests that a large majority of programs across the country are based in private, non-profit organizations. In contrast, victim services in Montgomery County are based primarily in government organizations.

The County's victim services are staffed by merit employees, with the following exceptions:

- The County Government contracts out the operation of the Betty Ann Krahnke Shelter;
- The Circuit Court provides a grant to the House of Ruth and the Women's Law Center to run the Court's Domestic Violence Assistance program;
- The Victim Assistance and Sexual Assault Program (VASAP) provides on-call support services to rape/sexual assault victims at the hospital or police facility using a cadre of approximately 30 trained volunteers; and
- The Abused Persons Program has approximately 25 trained volunteers who help provide court accompaniment and information and assistance to domestic violence victims at both District and Circuit Court; and
- The Police Department's Victim Assistance Section and Office of the State's Attorney also use some volunteers to help with victim services on a regular basis.

There is no inventory of local victim services based outside the government and no systematic coordination between the government-based and privately-based victim services. During the course of conducting this study, OLO learned about a number of community-based organizations that serve crime victims, including the Pro-Bono Counseling Project and MIRECS (Migrant & Refugee Cultural Support, Inc.). In addition, the Victims' Rights Foundation, Inc., and Victims in Need are non-profit organizations that raise funds to assist victims of crime and their families.

## COORDINATION, DATA COLLECTION, SERVICE OVERLAPS, AND OPPORTUNITIES FOR IMPROVEMENT IN VICTIM SERVICES

**Finding #12: The victim services programs in the County operate as related but disaggregated services. Both management and front-line staff agree on the need to improve coordination among the different providers.**

Although informal networking occurs among many front-line staff members and a formal Memorandum of Agreement exists among agencies on responding to domestic violence, the victim services programs in the County do not function as an integrated system of comprehensive services to crime victims and witnesses.

As part of conducting this study, OLO interviewed numerous program staff members and convened three inter-agency meetings with representatives from the different programs that provide victim services. A predominant theme voiced throughout the interviews and meetings was the need to improve information sharing and coordination between and among the different programs. Specific examples include the need to develop:

- Parameters of services offered by each program;
- Protocols for referring victims from one program to another;
- Mechanisms for sharing information about who is being served by the different programs;
- Strategies for dealing with individual situations that are not covered by protocols;
- Opportunities to share program resources (e.g., language capabilities) and conduct joint training; and
- Joint efforts to collect program data, address system gaps, and improve overall program operations.

**Finding #13: The disaggregated structure of victim services in the County creates the potential for service overlaps between programs. Although there are anecdotes of overlap occurring, there are no data to document the extent of this problem.**

Discussions with front-line staff produced anecdotal evidence of service overlaps between different victim service providers. In addition, a comparison of the services provided by each program shows that the potential for duplication exists, especially in selected areas, such as: general victim support and referral, court accompaniment, compensation (actual payment as well as assistance with filing), and notification of offender status and court dates.

There are no data to document the extent of service overlap, so it is impossible to conclude how large a problem it really is. Based upon anecdotal evidence, it appears that service duplication is an occasional but not daily event. For the most part, a division of victims among programs seems to occur, because of the different structural locations of the current programs combined with an informal communication network among many front-line staff.

**Finding #14: State confidentiality laws that are designed to protect the privacy of communications between clients and their counselors or therapists present a barrier to information sharing between programs.**

State law provides that all communication between a victim and a social worker is privileged. As a result, the social worker (or someone being supervised by the social worker) may not disclose any information learned during the course of providing counseling services. However, the law provides that information can be shared if the client has signed a release that waives his/her privilege.

In practice, the statutory limits on information sharing present a barrier to the sharing of information that can help programs be more coordinated and effective in terms of enhancing victim safety and in receiving feedback. For example, law enforcement based programs do not currently have a way of finding out through program staff whether victims they referred to DHHS for counseling ever followed up on the referral.

At the request of Councilmember Praisner as well as the Staff Group on Domestic Violence (chaired by Judge Vaughey), the County Attorney's office is currently researching options that would allow some limited information to be shared without violating the fundamental victim rights to privacy that the laws were meant to protect.

**Finding #15: The quality and quantity of workload/activity data collected by the different programs that provide victim services vary. A community-wide needs assessment on victim services has never been conducted.**

Some of the programs that provide victim services keep some type of workload or output data, such as the number of attempted victim contacts, number of victims served, and number of victims referred to other services. The Montgomery County Police Department, for example, tracks the number of victims assisted, categorized by type of crime. As part of *Montgomery Measures Up!*, the DHHS-based victim services programs track the number of clients served and calculate several measures of efficiency, e.g., cost per client receiving counseling, cost per family housed in the Betty Ann Krahnke Shelter.

The available data, however, are insufficient to compile meaningful system-wide workload/activity data about victim services in the County, such as:

- The number and characteristics (e.g., demographics, type of crime, location of crime, whether crime was reported) of crime victims in the County who received information about available services, including data on who provided the information and how soon after the incident it was received.

- Number and characteristics of victims who took advantage of services; what services were used most often and in what sequence; and what services were seen as most valuable and which were seen as least valuable or unnecessary.
- Number and characteristics of victims who decided not to use services and the reasons behind their decision, e.g., the service was not needed, the service was duplicative, the location of the service was inconvenient.

In addition, there is currently no mechanism for obtaining feedback from crime victims and witnesses as to whether any of the victim service(s) helped them overcome the trauma of being a victim and/or made a difference in terms of their participation in the criminal justice process.

**Finding #16: In early 2003, the Montgomery County Police Department resumed the practice of activating VASAP outreach volunteers to provide 24/7 emergency support services to adult rape/sexual assault victims at a hospital or police facility.**

An example of a service coordination problem that had developed between two programs was deciding whether volunteers (recruited and trained by the Victim Assistance and Sexual Assault Program) or victim advocates (employed by the Police Department) should provide emergency support services to adult victims of rape/sexual assault. This problem, which had been a growing source of disagreement among staff and victim advocates in the community, was resolved in early 2003.

The Police Department's recent decision to resume activating the VASAP outreach volunteers to come to a hospital or police facility grew out of a series of meetings held by senior management from the Police Department and Department of Health and Human Services. These individuals jointly agreed to come together, analyze the situation, and solve the coordination problem.

The Police Department's decision enables the County to take advantage of a cadre of 30 trained volunteers; the volunteers are scheduled such that one or more are on-call and available to respond around the clock to the hospital or a police facility. In the rare situations where the victim does not go to the hospital or a police facility, the Police Department will activate a victim advocate from the Police Department's victim assistance section.

In addition, MCPD and DHHS staff have agreed to continue to work together to prevent future problems. Anticipated improvements include: increased information sharing between the departments; increased opportunities for MCPD to participate in the volunteers' training and for VASAP to participate in MCPD training; and implementing feedback mechanisms to proactively and professionally address any problematic incidents.

**Finding #17: The County has two locally-funded victim compensation programs with two different administrative structures, eligibility requirements, and maximum award limits. In addition, the County's two compensation funds reimburse for many of the same items as the State's victim compensation fund.**

Table 25 (page 120) compares key characteristics of the State's victim compensation fund to the County's Crime Victim Compensation Fund and Partnership Fund for Victims of Hate/Violence. The table indicates areas of duplication as well as inconsistencies among the three funds. The different rules also create a potentially confusing situation for victims, in terms of figuring out where and in what order to apply for reimbursement.

In many cases, a crime victim is eligible for reimbursement from both the County's Crime Victim Compensation Fund and the State's Criminal Injuries Compensation Board. Victims of hate/violence crimes are potentially eligible for reimbursement from all three funds.

The maximum award from the State's compensation fund is substantially higher than that from either of the County's funds. A victim can collect up to \$45,000 from the State, compared to \$2,500 from the County's Crime Victim Compensation Fund and \$6,000 from the Partnership Fund for Victims of Hate/Violence. The Partnership Fund also has a Board (see page 112) which provides a citizen review of expenditures.

This year, the County appropriated \$49K to the Crime Victim Compensation Fund and \$25K to the Partnership Fund for Victims of Hate/Violence. In FY 02, the Crime Victim Compensation Fund reimbursed 75 victims with an average payment of \$1,094; the Partnership Fund contacted 12 victims and paid out a total of \$2,000. For the past three years, VASAP has received eligible compensation claims that exceed the amount appropriated for the Fund. However, to date, no eligible claim has been denied. This is because the Department of Health and Human Services chose to subsidize the Fund from other parts of the DHHS budget.

One advantage of the County's compensation funds is the reimbursement timeframe. The State's reimbursement process averages six months compared to the County's average of one month. However, the current structure creates the following problems:

- *A duplicative administrative burden at the County level* – There are two administrative structures (one in DHHS and one in the Office of Human Rights) that perform parallel tasks related to victim compensation.
- *A potentially confusing set of similar programs* – Because victims often qualify for more than one program for the same incident, they must fill out multiple applications, produce multiple copies of expenditure documentation, and deal with staff from different programs. In addition, both county funds offer reimbursement for psychological services when similar services are actually provided to crime victims by DHHS.

- *The potential for “double-dipping”* – Due to the disjointed nature of the programs and a lack of formal coordination mechanisms among the funds, a crime victim could potentially receive multiple payments for the same expenses.
- *County expenditures for items that are eligible for State reimbursement* – Victims often receive County compensation first because of the much quicker turn-around time. Even if that compensation would have been eligible under the State program, the State does not reimburse the County for those expenditures.

The Criminal Injuries Compensation Board is established by State law, and is funded by a combination of State and Federal funds. The two local funds are in County law.

**Finding #18: The Governor’s Office of Crime Control and Prevention administers the statewide automated victim notification service (VINE). Local victim service providers voice varying levels of confidence in VINE.**

VINE is a 24/7 automated telephone service that provides victims of crime with information and notification about an offender’s status and court dates. Victims can call VINE at any time to receive current information about an offender or can register to have the system contact them via telephone whenever a change occurs in the offender’s court case or custody status.

As of March 2001, all non-State run local detention centers in Maryland were participating in VINE. By November 2001, all District and Circuit court information was on-line and available through VINE. The State Department of Public Safety and Corrections did not participate in VINE until October 2002. Consequently, until last fall, VINE was unable to provide information on offenders incarcerated in State-run correctional facilities. As of this writing, the State transfers data on all inmates to the VINE system twice a day, except that the State-run Baltimore City Detention Center only provides information to VINE on inmates who have been sentenced; as a result, inmates held in the Baltimore City Detention Center while awaiting trial are still not included in the VINE system.

A common theme voice by victim service providers in Montgomery County was a lack of trust in the VINE system. Although the information regarding the poor performance of VINE is anecdotal, it has led to the creation of informal networks outside of VINE where individual providers spend significant amounts of time notifying victims with the same information that is supposed to be provided by VINE.

During the course of this study, OLO conducted an informal test of the VINE system by registering for three different inmates being held at the County’s Detention Center. In all three cases, OLO received telephone notification approximately 35 minutes after an inmate’s release.



**Finding #19: Two standing advisory groups address victim services programs and activities. In addition, one board addresses compensation for hate/violence victims.**

Two standing groups meet regularly to address victim services programs and activities: the Victim Services Advisory Board (VSAB) and the County Executive's Task Force Against Domestic Violence. Additionally, the Partnership Board for Victims of Hate/Violence meets regularly to address compensation for hate/violence victims.

- County law established the Victim Services Advisory Board in 1986. The County Executive appoints and the Council confirms the Board's 19 members.
- The County Executive's Task Force Against Domestic Violence was created by Executive Order in 1981. It includes up to 30 representatives appointed by the County Executive.
- County law established the Partnership Board for Victims of Hate/Violence in 1987. The County Executive appoints and the Council confirms the Board's seven members.

In practice, each group has focused on a subset of victim-related issues and neither has had the opportunity to examine victim services programs across all agencies. The Advisory Board has concentrated its work on victim rights laws (primarily at the State level) and victim services provided by the Department of Health and Human Services. The County Executive's Task Force has worked on laws and services related to victims of domestic violence. The Partnership Board considers claims against the Partnership Fund for Victims of Hate/Violence.

In April 2002, the Council introduced legislation (Emergency Bill 15-02, *Domestic Violence Prevention and Victim Assistance*) that includes creation of a Commission on Domestic Violence, appointed by the Council. As proposed, the Commission would advise the Council on policies, programs, and facilities to prevent domestic violence and assist victims and their children. The Commission would also review the operation of each County-supported shelter program and advise the Council about the facility's effectiveness. A public hearing and Health and Human Services Committee worksession were held on the bill.

**Finding #20: Representatives from the different victim services programs identified a list of gaps in service and resource needs.**

During the course of conducting this study, OLO convened three inter-agency meetings of representatives (both managers and front-line staff) from many of the victim services programs. These meetings produced recommendations for improving coordination among victim service programs, a list of gaps in services to crime victims, and a list of specific resource needs.

Appendix V (©99) contains the full report from these three meetings. In sum, the major gaps identified were:

- A lack of awareness within the community of the victim services available;
- Insufficient capacity of victim services programs to serve non-English speaking clients;
- Lack of emergency support services to domestic violence victims in situations where an arrest is made but the offender is released from custody shortly after the arrest; and
- No mechanism for consistently providing support services to victims who file charges directly with the District Court Commissioner and victims (other than domestic violence victims) whose cases are heard in District Court.

The program-specific resource needs identified included more victim services and/or administrative staff in the: State's Attorney's Office; Montgomery County Police Department's Family Services Division, Domestic Violence Unit; Abused Persons Program, and Victim Assistance and Sexual Assault Program.

**TABLE 7  
GOVERNMENT-BASED PROGRAMS THAT PROVIDE VICTIM SERVICES IN MONTGOMERY COUNTY**

<b>Agency/Department</b>	<b>Program</b>	<b>Primarily provides victim services</b>	<b>Provides victim services as one of multiple services</b>
<i><b>County Government</b></i>			
	Crisis Center		✓
Department of Health and Human Services	Abused Persons Program		✓
	Victim Assistance and Sexual Assault Program	✓	
	Adult Protective Services Program		✓
Police Department	Victim Assistance Section	✓	
	Family Services Division, Domestic Violence Unit		✓
Department of Correction and Rehabilitation	Victim Information and Notification Everyday (VINE)	✓	
	Pre-Trial Services		✓
	Pre-Release Center/CART		✓
Office of Human Rights	Network of Neighbors	✓	
<i><b>Other Agencies</b></i>			
Office of the State's Attorney	Family Violence Unit		✓
	Victim/Witness Assistance Section	✓	
Office of the Sheriff	Domestic Violence Team		✓
Circuit Court	Domestic Violence Assistance Program	✓	
<i><b>Municipalities</b></i>			
City of Gaithersburg Police Department	Victim Advocate	✓	
City of Rockville Police Department	Victim Advocate	✓	
City of Takoma Park Police Department	Victim/Witness Coordinator	✓	

**TABLE 8**  
**VICTIM SERVICES PROVIDED BY GOVERNMENT-BASED PROGRAMS IN MONTGOMERY COUNTY**

X = Services provided to victims of all types of crime    ✓ = Services focused on victims of partner/domestic violence

Victim Services	HHS <sup>1</sup>			MCPD			Sheriff's Office	State's Attorney		Courts (DVA)	Municipal Police Departments <sup>4</sup>	
	Crisis Center	Abused Persons Program	VASAP	Office of Human Rights <sup>2</sup>	Victim Assistance Section	Domestic Violence Unit		Corrections <sup>3</sup>	Family Violence Unit			Victim/Witness Assistance Unit
<b>EMERGENCY SERVICES</b>												
Provide 24/7 access for intake, counseling and/or referrals <sup>5</sup>	X											
Provide 24/7 on scene support for crime victims at the request of law enforcement <sup>6</sup>					X							X
Provide 24/7 support for rape/sexual assault victims at the hospital/police facility <sup>7</sup>			X									
Operate shelter for victims of partner/domestic violence		✓										
Provide crisis intervention and other emergency services	X	✓	X		X		✓	✓		✓		X
<b>RESOURCE MOBILIZATION/REFERRALS</b>												
Provide referrals to other victim services		✓	X	X	X		✓	✓		✓		X
Provide referrals and follow-up to other sources of assistance (e.g. housing, child welfare)		✓	X	X	X		✓	✓		✓		X
<b>COUNSELING AND OTHER SUPPORT SERVICES</b>												
Provide short-term counseling	X	✓	X									
Provide long-term counseling		✓	X									
Intervene with landlord, employer, and/or creditor (e.g. postpone payments, get paid for time in court)		✓	X		X					✓		X
Safety planning		✓			X					✓		X
Provide legal representation										✓		
Network of Neighbors <sup>8</sup>				X								

**TABLE 8**  
**VICTIM SERVICES PROVIDED BY GOVERNMENT-BASED PROGRAMS IN MONTGOMERY COUNTY**  
 X = Services provided to victims of all types of crime    ✓ = Services focused on victims of partner/domestic violence

Victim Service Areas	Crisis Center		HHS'		Office of Human Rights <sup>2</sup>	MCPD		Corrections <sup>3</sup>	Sheriff's Office	State's Attorney		Courts (DVA)	Municipal Police Departments <sup>4</sup>
	Abused Persons Program	VASAP	Victim Assistance Unit	Domestic Violence Unit		Family Violence Unit	Victim/Witness Assistance Unit						
<b>COMPENSATION FOR CRIME RELATED EXPENSES</b>													
Help fill out application(s) for victim compensation	✓	X	X		X								
Manage program that provides compensation		X	X		X								
<b>COURT RELATED SERVICES</b>													
Provide information on the criminal justice system	X	X	X			✓			✓		X	✓	X
Provide information and assistance in filing for Temporary/Protective/Peace Orders	✓	X	X			✓			✓		X	✓	X
Notify victim/witness of court dates and actions	✓	X	X			✓			✓		X		X
Accompany victim/witness during court proceedings	✓	X	X		X						X	✓	X
Arrange or provide transportation for victim/witness to and from court	✓	X	X		X						X		X
Assist with victim impact statements	✓	X									X		
Reimburse witness for court-related expenses											X		
<b>POST-SENTENCING SERVICES</b>													
Notify victim of the offender's status	✓							X			X		
Help victim obtain court-ordered restitution payment		X						X			X		
<b>SYSTEMWIDE SERVICES</b>													
Educate the community on victimization and available services	✓	X	X		X							✓	X
Train other criminal justice/human services staff on how to improve the handling of victims/witnesses									✓				X

**TABLE 8**

**VICTIM SERVICES PROVIDED BY GOVERNMENT-BASED PROGRAMS IN MONTGOMERY COUNTY**

X = Services provided to victims of all types of crime    ✓ = Services focused on victims of partner/domestic violence

- <sup>1</sup> HHS also includes Adult Protective Services (APS), which is not included in this chart because of the limited nature of APS' victim services.
- <sup>2</sup> The Office of Human Rights provides services focused on victims of hate/violence.
- <sup>3</sup> Within the Department of Corrections and Rehabilitation (DOCOR), the Pre-Trial Services Unit performs the resource mobilization and referral functions, the notification functions are performed through DOCOR staff and the VINE system, and the restitution services are performed by the Pre-Release Center. DOCOR provides formal notification only when a notification request form has been filed by a victim, in accordance with State law.
- <sup>4</sup> Municipal Police Departments refers to the victim service programs within the City of Rockville Police Department, the City of Gaithersburg Police Department, and the City of Takoma Park Police Department.
- <sup>5</sup> APP and VASAP both have their own 24-hour hotline phone number, but the call comes into the Crisis Center and the line is staffed by Crisis Center personnel.
- <sup>6</sup> Applies to serious crimes that include instances of severe physical injury or death.
- <sup>7</sup> If the rape/sexual assault victim declines to go to a hospital or police facility, the MCPD VAU will respond to that victim. The Takoma Park Police Department (TPPD) victim assistant provides 24/7 response to rape/sexual assault incidents at the Takoma Park police station for incidents investigated by TPPD. For response at hospitals, TPPD contacts VASAP.
- <sup>8</sup> Network of Neighbors is a specialized service of providing community-based support and assistance to victims of hate/violence incidents through the use of community volunteers.

**Acronyms**

HHS	=	Department of Health and Human Services
VASAP	=	Victim Assistance and Sexual Assault Program
MCPD	=	Montgomery County Police Department
DVA	=	Domestic Violence Assistance Program

TABLE 9  
METHODS OF INITIAL ENTRY INTO MONTGOMERY COUNTY VICTIM SERVICE PROGRAMS

Method of Entry	HHS		Office of Human Rights	MCPD		Corrections	Sheriff's Office	State's Attorney		Courts (DVA)	Municipal Police Departments
	Crisis Center	Abused Persons Program		VASAP	Victim Assistance Unit			Domestic Violence Unit	Family Violence Unit		
<b>CONTACT INITIATED BY VICTIM</b>											
Victim calls a program directly	X	X	X	X			X	X			X
Victim initiates contact as a walk-in	X	X	X	X			X	X		X	X
<b>CONTACT INITIATED BY PROGRAM STAFF</b>											
Police respond to incident and activate program staff				X							X
Program staff contact victim listed in a police report			X	X							X
Program staff contact victim listed in a charging document or a grand jury indictment						X	X	X	X		
Program staff contact victim listed in an Interim, Temporary, Protective, or Peace Order		X					X			X	
Program staff contact victim listed in a statement of charges filed with a District Court Commissioner							X <sup>1</sup>	X <sup>2</sup>	X <sup>2</sup>	X	

<sup>1</sup> This occurs if it is a domestic/partner violence case and the District Court Commissioner files a charging document that leads to a bond hearing.

<sup>2</sup> This occurs if the State's Attorney's Office decides to prosecute the case and the case involves family violence and/or is heard in Circuit Court.

**TABLE 10**  
**FY 03 APPROPRIATIONS AND FUNDING SOURCES FOR GOVERNMENT-BASED**  
**VICTIM SERVICES IN MONTGOMERY COUNTY**  
**(\$ IN 000's)**

Agency/Department	Program	Funding Source			Total Appropriation
		County	Municipalities	State/ Federal Grants	
<i>County Government</i>					
Department of Health and Human Services	Abused Persons Program <sup>1</sup>	\$1,894	--	\$290	\$2,184
	Victim Assistance and Sexual Assault Program	\$1,436	--	\$384	\$1,820
Police Department	Victim Assistance Section	\$560	--	\$40	\$600
	Domestic Violence Unit	\$84	--	--	\$84
Office of Human Rights	Network of Neighbors and Partnership Fund for Victims of Hate/Violence	\$184	--	--	\$184
<i>Other Agencies</i>					
Office of the State's Attorney	Victim/Witness Assistance Section	\$274	--	\$12	\$286
Office of the Sheriff	Domestic Violence Team <sup>2</sup>	\$117	--	\$74	\$191
Circuit Court	Domestic Violence Assistance Program	--	--	\$118	\$118
<i>Municipalities</i>					
Gaithersburg, Rockville, and Takoma Park Police Departments	Victim Assistance Programs	--	\$120	--	\$120
<b>Totals</b>		<b>\$4,549</b> <b>(81%)</b>	<b>\$120</b> <b>(2%)</b>	<b>\$918</b> <b>(17%)</b>	<b>\$5,587</b>

**Note:** This table does not include the FY 03 appropriations for victim services provided by programs where the costs of serving victims are not easily tracked separately from other program activities. These programs are the Department of Health and Human Services' Crisis Center and Adult Protective Services; the State's Attorney's Office Family Violence Unit; and the Department of Correction and Rehabilitation's Pre-Trial Services Unit and Pre-Release Center/CART.

<sup>1</sup> Excludes portion of the Abused Person Program's budget allocated for offender counseling.

<sup>2</sup> Excludes portions of the Sheriff's Office budget that is not allocated specifically for victim services.



**TABLE 25**  
**SUMMARY OF COMPENSATION PROGRAMS AVAILABLE TO**  
**MONTGOMERY COUNTY CRIME VICTIMS**

	<b>Criminal Injuries Compensation Board</b>	<b>Crime Victim Compensation Fund</b>	<b>Partnership Fund for Victims of Hate/Violence</b>
<i>Origin</i>	State Law	County Law	County Law
<i>Location</i>	State of Maryland Department of Public Safety and Correctional Services	Montgomery County DHHS, Victim Assistance and Sexual Assault Program	Montgomery County Office of Human Rights
<i>Funding Source</i>	State/Federal	County	County
<i>Victim Eligibility</i>	<ul style="list-style-type: none"> <li>• A person who suffers physical injury as a result of a crime; or</li> <li>• A surviving spouse or child of a homicide victim; or</li> <li>• Any person who is dependent for principal support from a homicide victim; or</li> <li>• Any person who assumed responsibility for funeral expenses of a homicide victim.</li> </ul>	<ul style="list-style-type: none"> <li>• The crime was committed in Montgomery County; or</li> <li>• The victim is a county resident and the crime was committed in jurisdiction without a comparable program; and</li> <li>• The victim meets income limit guidelines.</li> </ul>	<ul style="list-style-type: none"> <li>• Individuals or private institutions if property damage or personal injury was caused by an act of hate/violence committed because of race, ethnicity, religion, sexual orientation, or disability and the incident occurred in Montgomery County.</li> </ul>
<i>Benefits</i>	Maximum award is \$45,000. Claimable expenses include: <ul style="list-style-type: none"> <li>• Medical Expenses</li> <li>• Lost Wages</li> <li>• Funeral Expenses</li> <li>• Psychological Services</li> <li>• Disability</li> <li>• Crime Scene Clean Up</li> </ul>	Maximum award is \$2,500. Claimable expenses include: <ul style="list-style-type: none"> <li>• Medical Expenses (including mental health)</li> <li>• Lost Wages</li> <li>• Funeral Expenses</li> <li>• Property Damage</li> </ul>	Maximum award is \$6,000. Claimable expenses include: <ul style="list-style-type: none"> <li>• Medical Expenses</li> <li>• Lost Wages</li> <li>• Psychological Services</li> <li>• Property Damages</li> </ul> The maximum award for property damage is \$2,000 and for all other eligible expenses is \$4,000.
<i>Police Report Required</i>	Yes (can be waived for good cause)	Yes (can be waived for good cause)	Yes (can be waived for good cause)
<i>Other Requirements</i>	<ul style="list-style-type: none"> <li>• An applicant must have incurred at least \$100 in out-of-pocket expenses or have lost at least two continuous weeks' earnings.</li> <li>• Awards are reduced by the amount of any payment from or on behalf of the offender or any other public or private source.</li> </ul>	<ul style="list-style-type: none"> <li>• The Compensation Fund may only provide assistance if assistance is not available from insurance, the State victim compensation program, the Partnership Fund for victims of hate violence, or any other source for the same purpose arising from the same criminal incident.</li> </ul>	<ul style="list-style-type: none"> <li>• The Fund must reduce any payment by any amount the victim receives or is entitled to receive from any private or public source as compensation for damages from the hate/violence incident.</li> </ul>

## CHAPTER VIII: RECOMMENDATIONS

This chapter outlines the Office of Legislative Oversight's recommendations to improve the effectiveness and efficiency of publicly funded services to victims and witnesses of crime in Montgomery County. OLO's recommendations reflect input from experienced practitioners in the County as well as the published research on victim services. The recommendations build upon previous work of staff and community members to improve services to victims in Montgomery County.

**OLO's primary recommendation is to evolve the structure of victim services programs into a coordinated, inter-disciplinary network.** This recommendation addresses OLO's finding that the current array of programs in the County operate as related but disaggregated services. Both management and front-line program staff agree on the need to improve coordination between and among the different providers.

In addition, OLO recommends that the Council:

- 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;
- Amend County law to consolidate the two locally-funded victim compensation funds and seek State legislation that enables the County to seek reimbursement from the State's victim compensation fund for eligible expenses paid locally;
- Lobby the State to evaluate and make continued improvements to the automated victim notification system (VINE); and
- Request OLO (or other entity) to conduct a companion study to this one that examines services provided to juvenile victims of crime in the County.

**Recommendation #1: Evolve the structure of publicly funded victim services programs into a coordinated, inter-disciplinary network of services for crime victims.**

To accomplish this significant undertaking, OLO recommends that the Council formally request the County Executive, State's Attorney, and Sheriff to convene an inter-agency task force of representatives from the different victim services programs in the County Government, Office of the State's Attorney, and Office of the Sheriff. The task force should also include representatives from the District and Circuit Courts, and cities of Gaithersburg, Rockville, and Takoma Park.

This task force should be charged with drafting a Memorandum of Understanding (MOU) among the agencies that sponsor the different victim services.<sup>1</sup> Specifically, the MOU should include an action plan and time table for developing:

- A shared resource directory;
- Written policies for each victim services program that clarify how/where the program gets its clients, what package of services are provided, and protocols for consistent, timely, and sensitive hand-offs between the different programs;
- A shared victim database;
- An inter-agency public education campaign about victim services;
- An inter-agency strategy to address the growing need to serve non-English speaking victims;
- An inter-agency approach to conducting a needs assessment across programs;
- Joint training opportunities; and
- A consistent method of tracking and reporting workload/activity data across programs.

Each of the specific items listed above are briefly explained below.

**Task A: Develop a shared resource directory.**

Victim service providers need ready access to a directory that provides accurate, current, and complete program information. The directory should include detailed information about all of the specialized victim services available in the County (both government-based and community-based), plus contact information about additional social services often needed by crime victims. A shared directory should increase efficiency by avoiding each program individually compiling data about available resources.

**Task B: Develop written policies that clarify what services each program will provide to which victims, agreed-upon procedures for referring individuals between programs, and mechanisms for dealing with “outlier” situations that fall outside the agreed-upon policies and procedures.**

For effective coordination to occur, it is imperative that mutual agreement be reached about the specific roles and responsibilities of each program. The written policies should:

- Identify and set priorities on victims/witnesses each program will serve and parameters on the services to be provided;
- Develop agreed-upon procedures to ensure consistent, timely, and sensitive hand-offs between victim service providers; and

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<sup>1</sup> Appendices P, Q, and R (©77, 81, & 84) contain examples of Memorandums of Understanding already negotiated among many of the same agencies for: the Assessment, Lethality, and Emergency Response Team for Domestic Violence (ALERT); the Post Arrest Victim Assistance Project; and the Service of Arrest Warrants related to Interim Protective and Peace Orders.

- Develop agreed-upon procedures to minimize potential overlap in services and make optimum use of available staff resources across programs, e.g., determine which program will accompany which victims to court, which program will assist which victims apply for compensation.

Because the business of victim services inevitably contains situations that do not fit within agreed-upon policies and procedures, the different programs should also agree upon how to handle “outlier” situations. An example of this might be a victim who becomes very personally attached to a particular staff person and refuses to accept support services from a different provider.

**Task C: Develop a shared victim database.**

A shared victim database that operates over a secure private network will enable service providers to track their clients through the network of services to ensure clients are getting the help they need. It will also allow providers to communicate with one another regarding shared victims, and reduce the need for victims to retell their stories and complete duplicative forms.

*OLO recognizes that confidentiality laws and current disclosure practices pose barriers to the information sharing that is required for a shared victim database. At the request of Councilmember Praisner and the Staff Group on Domestic Violence (chaired by Judge Vaughney), the County Attorney’s office is currently researching options to allow limited information to be shared without violating the fundamental victim rights to privacy that the laws are meant to protect.*

**Task D: Implement an inter-agency public education campaign about victim services.**

A common priority voiced by the different providers is the need to increase the public’s knowledge about available victim services. Of particular importance is the need to educate groups of historically underserved victims, e.g., non-English speaking victims, elderly victims. A public education campaign on victim services, planned and implemented as an inter-agency project, would likely benefit program staff as well as the community.

**Task E: Develop an inter-agency strategy to address the growing need to serve non-English speaking victims.**

All victim service providers face the growing challenge of providing services in multiple languages and the unlikely prospect of additional resources to address language needs. Potential strategies to consider include: requiring specific language capabilities when hiring new staff; devising ways to “share” staff members who speak different languages; and making greater use of community-based organizations that work with non-English speaking persons.

**Task F: Develop an inter-agency plan to conduct a needs assessment across programs.**

The National Institute of Justice identifies conducting a needs assessment as one of the most important things a jurisdiction should do, either before starting a new victim services program or to improve existing programs. The purpose of a needs assessment would be to identify the priority needs of crime victims and witnesses in the County and to determine whether existing programs met those needs. Appendix C (©5) and Appendix D (©11) contain samples of victim survey instruments used in other jurisdictions.

**Task G: Provide joint training opportunities for victim service providers.**

In addition to being cost efficient, providing joint training opportunities will provide another opportunity for program staff to interact and develop a better understanding of one another's roles and contributions. Other communities report success from opening up the training to other professionals (e.g. police officers, prosecutors, judges) who often work with victims of crime.

**Task H: Develop a consistent method of tracking and reporting workload/activity data across programs.**

A consistent system of data collection will allow for a more meaningful analysis of workload and resource allocation for individual programs as well as for victim services programs as a whole. It should also improve the ability of managers and front-line staff to examine and improve their programs based upon objective data.

**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 a hospital or police facility.**

During the past several years, a disagreement developed over whether volunteers (recruited and trained by the Victim Assistance and Sexual Assault Program) or victim advocates (employed by the Police Department) should provide emergency support services to adult victims of rape/sexual assault. To their credit, senior management from the Police Department and the Department of Health and Human Services recognized that this disagreement had grown into a high profile coordination problem that was having negative side-effects on the network of victim services.

In recent months, senior managers from both departments came together, analyzed the situation, and solved the coordination problem. As a result of these meetings, the Police Department resumed the practice of activating VASAP outreach volunteers to provide

emergency support services to rape/sexual assault victims at a hospital or police facility. The Police Department will activate a victim advocate from the Police Department's victim assistance section in the rare situations where the rape/sexual assault victim does not go to a hospital or police facility.

In addition, Police Department and DHHS staff agreed to continue to work together to prevent future coordination problems. Anticipated improvements include: increased information sharing between the departments; increased opportunities for the joint trainings, and implementing feedback mechanisms to proactively address any problematic incidents. The Council should support continuation of these collaborative efforts.

**Recommendation #3: Amend County law to consolidate the two County-funded victim compensation funds, and seek legislation to require the State's victim compensation fund to reimburse the County for eligible expenses paid locally.**

The Council should introduce legislation that creates a single local victim compensation fund by combining the Crime Victim Compensation Fund and the Partnership Fund for Victims of Hate/Violence. Both funds are established in County statute. As currently structured, DHHS administers the Crime Victim Compensation Fund and the Office of Human Rights administers the Partnership Fund.

The benefits of a single local victim compensation fund include:

- Improved coordination locally and with the State's compensation program;
- Less potential for confusion to victims;
- Elimination of duplicative administrative structures; and
- Elimination of the potential for a victim to receive multiple payments for the same expenses.

During consideration of legislation to combine the funds, the Council will need to decide whether to maintain or eliminate the current requirement for a separately appointed Board to make decisions on awards related to hate/violence incidents. The Council will also need to decide whether to maintain separate award levels for hate/violence victims.

The Council should also seek State legislation that requires the State's compensation fund to reimburse the County for victim compensation paid locally for items that are also eligible for reimbursement under the State's program. While it is beneficial for the County to provide expeditious reimbursement to crime victims, it is an unwise use of limited County resources to compensate victims for items that are eligible for reimbursement under the State program.

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

The Governor's Office of Crime Control and Prevention (GOCCP) administers the statewide VINE system, which is an automated telephone service that provides victims of crime with information and notification about offender status and court dates.

The Council should encourage the GOCCP to evaluate and improve VINE. Reliable evaluation and attention to making the system work well can increase acceptance of VINE among local victim service providers and decrease the need for informal notification networks that duplicate the services that are supposed to be provided by VINE.

**Recommendation #5: Request the Office of Legislative Oversight (or other entity) to conduct a companion study that examines services provided to juvenile victims of crime.**

Services to children or juvenile victims of crime did not fall within the scope of this initial OLO study of victim services. However, staff from virtually all of the victim service programs identified this as an area that would benefit from an in-depth examination and analysis. The needs of juvenile victims of crime are often different from the needs of adult crime victims, necessitating different programs and structures. Furthermore, the research literature on victim services consistently identifies children among the groups of traditionally underserved crime victims.

## **CHAPTER IX: AGENCY COMMENTS ON FINAL DRAFT**

The Office of Legislative Oversight circulated a final draft of this report in February 2003 to the Chief Administrative Officer and affected Executive Branch departments and offices. Copies were also sent to the Office of the State's Attorney, Office of the Sheriff, Chief Administrative Judges of the District and Circuit Courts, and Police Departments of the cities of Rockville, Gaithersburg, and Takoma Park.

Technical corrections received by March 10, 2003 have been incorporated into the final report. The written comments received on the final draft report are included in their entirety, beginning on the following page.

OLO greatly appreciates the time taken by staff to review and comment on the draft report. OLO looks forward to a continuing discussion of the issues raised as the Council reviews the report in the coming weeks.





OFFICES OF THE COUNTY EXECUTIVE

Douglas M. Duncan  
County Executive

March 11, 2003

Bruce Romer  
Chief Administrative Officer

**TO:** Karen Orlansky, Director  
Office of Legislative Oversight

**FROM:** Bruce Romer  
Chief Administrative Officer

**SUBJECT:** Office of Legislative Oversight DRAFT Report 2003-2, Services to Victims and Witnesses of Crime in Montgomery County

The purpose of this memorandum is to provide you with information and recommendations related to the above referenced document. Staff from the Department of Health and Human Services (HHS) and the Department of Police (MCP) have worked cooperatively to carefully review the OLO report and to provide detailed feedback. As always, you and your staff have studied a complex system, and in the course of your review, you have identified the system's salient strengths, weaknesses, redundancy and gaps that require additional attention.

It is important to note that the review was comprehensive and as such, the report is quite detailed. Much of the information is contextual and research-based, so collectively, we have chosen to stipulate to the substance and respond only to each of the recommendations and associated tasks, where appropriate. Relevant resource implications will also be identified.

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

HHS and MCP are in agreement with this recommendation. The inter-agency task force described would provide the foundation for the oversight that will be required to ensure that all victim service programs provided by County government will work in a manner that is coordinated, collaborative, and effective. Further, this systems-oriented approach will enable economies of scale that disconnected programs are unable to generate.

**Task A: Develop a shared resource directory.**

Currently, the County offers an automated data base of health and human services. This data base, *Services Locator*, is available via the Internet. Content for this data base is updated by HHS, and maintained by the Department of Technology Services (DTS). It may provide an ideal launching pad for the recommended joint directory. In order to make the enhancements required, personnel from DTS will need to be consulted, and agree to provide the additional support required.



**Task B: Develop written policies that clarify what services each program will provide to which victims, agreed-upon procedures for referring individuals between programs, and mechanisms for dealing with “outlet” situations that fall outside the agreed-upon policies and procedures.** HHS and MCP agree that written policies and protocols must be developed for the system of victim services. Assuring that communication channels between programs are engaged and effective will allow for constructive resolution of situations that do not fit articulated criteria, without compromising the quality of service that is provided to each victim.

**Task C: Develop a shared victim database.**

Upon resolution of each department’s concerns regarding confidentiality, HHS and MCP agree that a shared victim database would be a valuable tool for tracking clients as they negotiate and travel through the service delivery system. This database would effectively eliminate redundant data entry and would provide managers with valuable data regarding how clients use services. It would also enable a level of program analysis that does not currently exist.

A potential model for such a database currently exists in the form of the Homeless Tracking System (HTS). Currently, the HTS tracks homeless persons across all of the county services, shelters, and housing programs that these individuals utilize. Such a model could be replicated with all victim services programs, and criminal justice programs could be included once confidentiality issues are resolved. The functionality of such a system also addresses the needs outlined in “Task H”.

**Task D: Implement an inter-agency public education campaign about victim services.**

HHS and MCP agree with this recommendation, and feel that this will serve to help the public better understand the victim services system available in Montgomery County.

**Task E: Develop an inter-agency strategy to address the growing need to serve non-English speaking victims.**

In order to adequately address the growing need for providing services in multiple languages, HHS and MCP agree that the victim services system will need to pool its assets in addition to identifying community resources that currently exist or can be developed in the future. Additionally, the sharing of expertise, to include language capabilities will be a critical system characteristic. This currently describes intra-departmental operations in many HHS and MCP programs.

The inter-agency task force may be helpful in terms of assuring that the various programs move formally to weight non-English language capability as a priority skill for candidates seeking employment in those programs, whenever possible.

**Task F: Develop an inter-agency plan to conduct a needs assessment across programs.**

MCP and HHS agree that a needs assessment must be conducted in order to ensure that best practices are identified and adhered to. Further, follow-up and satisfaction surveys will be critical to ensuring that appropriate program measures have been identified and are continually met. While the inter-agency task force may be the appropriate vehicle for initial development of these measures, constant monitoring and appropriate modification must be built in to the service provision process.

**Task G: Provide joint training opportunities for victim service providers.**

The identification of training needs and the development of training to meet those needs is another area that may be effectively addressed by the inter-agency task force. Cross-agency competency would likely be enhanced using a model such as the Crisis Intervention Team training that is now in place between MCPD and HHS.

**Task H: Develop a consistent method of tracking and reporting workload/activity data across programs.**

See "Task C".

**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.**

HHS and MCP are committed to ensuring that all victims of crime receive the highest quality of services possible. Both agencies are in agreement that Montgomery County is poised to become a national model for both service provision and inter-agency cooperation. Our staffs are invigorated by a new spirit of cooperation and mutual respect forged in the interest of improving our service to innocent victims of crime. We look forward to a continued and mutually beneficial working relationship.

**Recommendation #3: Amend County law to consolidate the two locally-funded victim compensation funds, and seek legislation to require the State's victim compensation fund to reimburse the County for eligible expenses paid locally.**

This recommendation has two parts – folding the two local victim compensation funds into one, and seeking state reimbursement for funds supplied by the County for which there may be eligibility under the State's program. Both parts make sense, but the recommendation for identifying opportunities for reimbursement can be more easily supported.

There are two critical issues that highlight the need for further review of the recommendation for fund merger. First, it is important to highlight the difference between the criteria upon which the two local programs will compensate a victim. In addition to crimes, the Office of Human Rights (OHR) also compiles data on and deals with the consequences of reported incidents that may neither be classified as crimes nor reported to the police. Second, if these funds are combined, those individuals who enter the system as members of a protected class may not be adequately served, since they are not officially classified "victims of crime". The OHR notes that historically, unless protected classes are specifically identified in law and/or program, the emphasis on protection of the civil rights of these groups is lost in the vague pursuit of service equity. Some differences in categorization are, at least in this consideration, critical.

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

HHS and MCP agree that the VINE provides a prime opportunity for the State to provide support to improve victim services. This recommendation will enable improved efficiency and address workload issues for the different service providers.

Karen Orlansky, Director, Office of Legislative Oversight  
Page 4  
March 11, 2003

**Recommendation 5: Request the Office of Legislative Oversight (or other entity) to conduct a companion study that examines services provided to juvenile victims of crime.**

HHS and MCP strongly support the need for a companion OLO study regarding juvenile victims of crime. Both agencies will provide access, where lawful, to records, data and subject matter experts to facilitate this long-needed review.

In conclusion, the OLO study provides a blueprint for improving services to victims of crime in Montgomery County. Both agencies are committed to ensuring appropriate support for the work of the task force, and will work diligently and cooperatively with all of the involved service providers to enact the recommendations that result from that collaborative effort. Thank you for your consideration of this information.



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MONTGOMERY COUNTY  
**SHERIFF**

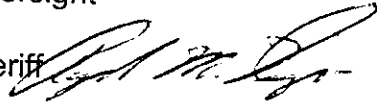


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Raymond M. Kight  
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**MEMORANDUM**

To: Karen Orlansky, Director  
Office of Legislative Oversight

From: Raymond M. Kight, Sheriff 

Subject: Office of Legislative Oversight Draft Report 2003-2, Services to Victims and Witnesses of Crime in Montgomery County

Date: March 7, 2009

Thank you for the opportunity to comment on your final draft of OLO Report 2003-2, Services to Victims and Witnesses of Crime in Montgomery County. The report is a comprehensive study of how victims and witnesses are served in the County by the publicly funded programs. The report was abundant in detail, yet you were able to conceptualize the larger issues. As usual, you have not only identified areas for improvement; you have also offered specific recommendations.

Your 2000-1 report on Improving the Response to Domestic Violence in Montgomery County resulted in the creation of the ALERT, which has proven to be highly successful. The team was able address several gaps in service which you identified in addition to their primary mission of coordinating service among the several agencies responding to domestic violence.

I agree with your primary recommendation that a coordinated, interagency network of services would benefit both service providers and the victims they serve. One of the challenges we face is the creation of a coordinated system that will prevent duplication of services during a period of limited resources.

I would be pleased to serve on an inter-agency task force with the State's Attorney and the County Executive to develop this coordinated network of services, should the Council request.

**OFFICE OF LEGISLATIVE OVERSIGHT REPORT 2003-2**  
**SERVICES TO VICTIMS AND WITNESSES OF CRIME IN MONTGOMERY COUNTY**

<b>Appendix</b>	<b>Document</b>	<b>Circle Number</b>
A	Office of Legislative Oversight Report 2003-2, Resource List	1
B	U.S. Department of Justice, "Range and Definition of Victim Services", from <i>Serving Crime Victims and Witnesses</i> , 1997	4
C	Crime Victim Survey Instrument, VS 2000, Denver, Colorado	5
D	Crime Victims/Survivors Survey Instrument, Crime Victims' Institute, Office of the Attorney General; Austin, Texas	11
E	<i>The Denver Experience: Lessons Learned</i> , U.S. Department of Justice, December 2002	17
F	State of Maryland Criminal Injuries Compensation Board – Summary and Statute	21
G	Montgomery County Crime Victim Compensation Fund- Summary and Statute	36
H	Montgomery County Partnership Fund for Victims of Hate/Violence Crime- Summary and Statute (as amended by Bill 27-02)	43
I	<i>Crime Victims and Witnesses, Your Rights and Services</i> , brochure prepared by the Maryland State Board of Victim Services, 2000	50
J	<i>VINE, Maryland</i> , brochure about Victim Information and Notification Everyday service, prepared by the Governor's Office of Crime Control and Prevention	59
K	Montgomery County Police Department, Function Code 1107, <i>Victim Witness Assistance Section</i>	61
L	Montgomery County Police Department handout, <i>Victim Witness Assistance Information</i> (The Department expects to publish an updated version of this handout in March 2003.)	65

M	County Code, Chapter 24, Article VII, Advisory Board on Victims and their Families	67
N	<i>Highlights of Yearly Activities</i> , excerpt from Victim Services Advisory Board's Annual Report, 2002	72
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P	A.L.E.R.T. Memorandum of Understanding, The Assessment, Lethality and Emergency Response Team for Domestic Violence, 2001	77
Q	Memorandum of Understanding: Post Arrest Victim Assistance Project, 2001	81
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S	Victim Witness Coordinator Position Description, Takoma Park Police Department	86
T	Agendas for Victim Services Inter-Agency Meetings, December 17, 2002, January 8, 2003, and January 13, 2003	89
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The Urban Institute, March, 2001, "The National Evaluation of State Victims of Crime Act Compensation and Assistance Programs: Findings and Recommendations From a National Survey of State Administrators."

[http://www.urban.org/UploadedPDF/410142\\_rs\\_091401.pdf](http://www.urban.org/UploadedPDF/410142_rs_091401.pdf)

## Figure 1-2 Range and Definition of Victim Services

### EMERGENCY SERVICES

**Shelter/Food:** Find housing for victims who cannot safely remain in their current home or have no place to stay, and provide food to tide them over initial crisis period

**Security Repair:** Repair locks, board up windows, and take similar security measures designed to prevent immediate reburglarization of a home or apartment

**Financial Assistance:** Provide petty cash for meeting immediate needs related to transportation, food, shelter, and other necessities

**On-scene Comfort:** Provide support at scene of crime and shortly thereafter

**Medical Care:** First aid at scene of crime

### COUNSELING

**24-Hour Hotline:** Provide round-the-clock availability for counseling or referrals to victims who telephone with troubles

**Crisis Intervention:** Meet urgent emotional or physical needs of victims

**Follow-up Counseling:** Counsel after initial victimization and for other than crisis reactions; for example, advise on practical problems created by the victimization experience

**Mediation:** Assistance in resolving family disputes and neighborhood or friend disputes without resort to the criminal justice system

### ADVOCACY AND SUPPORT SERVICES

**Personal Advocacy:** Act on behalf of victims or witnesses to secure their rights vis-a-vis other social service agencies and the criminal justice system (includes several of the individual services below)

**Employer Intervention:** Document legitimacy of clients' absences or tardiness to employers and facilitate payment of wages or salary when clients must testify in court

**Landlord Intervention:** Facilitate postponements in payment of rent, mortgages, utility bills, and similar financial obligations

**Property Return:** Facilitate postponements in payment of rent, mortgages, utility bills, and similar financial obligations

**Property Return:** Facilitate swift return of victims' property kept by police as evidence

**Intimidation Intervention:** Provide reassurance or protection for victims and witnesses experiencing fear of reprisal

**Victim Impact Reports:** Provide prosecutors and judges with descriptions of the impact of the crime on victims to assist in imposing sentencing and restitution

**Legal/Paralegal Counsel:** Provide legal advice, for example, in civil areas related to having been victimized

**Referral:** Recommend or obtain sources of assistance not provided directly by program

### CLAIMS ASSISTANCE

**Insurance Claims Aid:** Help in securing financial reimbursement for medical expenses, life insurance, and lost wages

**Restitution Assistance:** Assist in urging prosecutors to advise to judges that they impose, or probation authorities collect, restitution

**Compensation Assistance:** Help in filling out application forms for victims-of-violent-crime compensation in states that have this program.

**Witness Fee Assistance:** Help in securing any available fee for appearing in court

### COURT-RELATED SERVICES

**Witness Reception:** Staff courthouse reception area to orient victims/witnesses

**Court Orientation:** Provide information on the criminal justice system and victims' or witnesses' responsibilities in court

**Notification:** Inform witness of required upcoming court appearance

**Witness Alert:** Place witnesses on standby to come into court (and, less often, to shelters or social service agencies)

**Transportation:** Transport witnesses to and from court (and, less often, to shelters or social service agencies)

**Child Care:** Provide baby-sitting services for witnesses testifying in court

**Escort to Court:** Accompany witnesses to courtroom, support during proceedings

**POST-SENTENCING SERVICES** (usually provided by advocates within corrections agency, or by other program staff who work with or assist the agency)

**Orientation:** Explain the corrections system, the roles of officials within the system, and victims' rights within the system

**Notification:** Inform victim of the offender's status within the penal system

**Victim-Offender Reconciliation Program:** Help coordinate, if desired by both parties, meeting between offender and victim

**Restitution:** Help victims to obtain restitution payment

### SYSTEMWIDE SERVICES

**Public Education:** Educate public through media, brochures, or speeches on victimization issues and program services

**Legislative Advocacy:** Lobby or provide assistance to secure State legislation that provides or funds additional services to victims

**Training:** Train police, prosecutors, and other human service providers on how to improve their handling of victims and witnesses and how to avail themselves of the program's services

Note: These categories (but not the definitions) were originally suggested, in a somewhat different form, in the National Evaluation Program Phase I Assessment of Victim/Witness Assistance projects conducted for the Law Enforcement Assistance Administration by the American Institutes for Research. Programs surveyed for this publication (in both 1986 and 1994) were asked about their provision of each of these services except for postsentencing services.

VICTIM SERVICES



denver

Crime Victim Survey

Please fill out this survey if you have been a victim of a crime (in the last 2 years), or if someone you know was a victim. (The crime does not have to be reported to the police in order for you to be a crime victim.) This information is being gathered by Victim Services 2000 in order to improve services for victims of crime. This survey is completely confidential.

Name of Neighborhood or Community: \_\_\_\_\_

1. Please check the box that applies to you:

- checkbox You were the victim of a crime (or crimes)
checkbox Someone you know was the victim of a crime (or crimes)

What is your relationship to the victim? \_\_\_\_\_

2. What crime or crimes were you (or someone you know) a victim of? Check all that apply:

- checkbox Homicide checkbox Vehicular Homicide checkbox Drunk Driving checkbox Assault checkbox Domestic Violence checkbox Sexual Assault
checkbox Child Abuse checkbox Child Sexual Assault checkbox Elder Abuse checkbox Robbery checkbox Burglary/Theft checkbox Arson checkbox Property Crimes checkbox Fraud checkbox Other: \_\_\_\_\_

3. What year did crime occur in? \_\_\_\_\_

4. What city did the crime occur in? \_\_\_\_\_

5. What city do you live in? \_\_\_\_\_

6. What language are you most comfortable speaking? \_\_\_\_\_

7. What was the first agency (i.e., police, hospital, crisis hotline, clergy, etc.) you contacted for help after the crime? \_\_\_\_\_

8. Did you report the crime to the police? checkbox Yes checkbox No

If not, what were the reasons? \_\_\_\_\_

9. If yes, did the District Attorney's Office prosecute your case?  Yes  No

10. Do you feel you were treated with dignity and respect by:

a. The Police?  Yes  Not Enough  No  Not Applicable

b. The District Attorney's Office prosecutor?  Yes  Not Enough  No  Not Applicable

c. Agencies that provided services for you?  Yes  Not Enough  No  Not Applicable

d. Comments?: \_\_\_\_\_

11. Did any of the agencies you came into contact with, tell you about other services that could help you?

Yes  No

a. If yes, did you contact any of these other services?  Yes  No

b. If you didn't contact them, what were the reasons? \_\_\_\_\_

12. What types of services did you receive, and need but not receive because of this crime? Please include services you received at any agency in the past 18 months - not just the one that gave you this survey.

INSTRUCTIONS for Filling in the Chart:

1. Check under the column titled "Service" to see if you received any of the services listed(at any agency). If you have, put a number next (1, 2, 3 or 4) to the service in column #1.

2. Look at the services listed again, to see if any services listed were ones you needed but did not receive at any agency. If so, mark an X next to the service in column #2.

3. Answer "yes" or "no" to the questions on columns 3, 4 and 5.

Service	1 Services Received 1 = Very Satisfied 2=Satisfied 3=Dissatisfied 4=Very Dissatisfied (Choose Number)	2 Services You Needed, But Did Not Receive  (X)	3 Were services provided in your language? (Y/N)	4 Were Services Affordable? (Y/N)	5 Were services Accessible? (Easy to get to or use?) (Y/N)

Crisis Intervention (at crime scene)					
Crisis Intervention (at Agency)					
Emergency Transportation					
24 Hour Hotline					
Information & Referral					
Crime site clean up					
Emergency Financial Assistance					
Shelter					
Food					
Clothing					
Transportation					
Child Care					
Individual Counseling					
Group Counseling					
Family Counseling					
Home Visitation					
Victim Assistance (at crime scene)					
Info about your rights as a victim					
Info updates on status of your case					
Victim Assistance (at court)					
Child Advocacy					
Civil Court Advocacy					
Victim/Witness Notification					
Victim Impact Statement					
Legal Assistance					
Assistance with insurance/restitution/ compensation forms					
Restraining Order					

assistance					
Protection/Safety services					
Property return					
Guardianship					
Victim/Offender Mediation					
Family Group Conferencing					
Medical Care					
Victim Assistance (at hospital or medical facility)					
Rape Kit Exam					
Payment for Rape Kit Exam					
Physical Therapy					
In-Home Care					
Mediation					
Landlord Intervention					
Employer Intervention					
Immigration Advocacy					
Transitional Housing					
Employment					
Life Skills/Job Training					
Parenting Skills					
Crime Prevention Education					

Please list other services you received and/or needed, that are not listed above:


13. Please share any comments you have about the services you have received or needed:

**14. Please check all that apply to you:**

<input type="checkbox"/> African American <input type="checkbox"/> Anglo/White <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Latino <input type="checkbox"/> Native American <input type="checkbox"/> Multiracial	<input type="checkbox"/> Under 18 <input type="checkbox"/> 18 - 25 <input type="checkbox"/> 26 - 30 <input type="checkbox"/> 31 - 30 <input type="checkbox"/> 41 - 50 <input type="checkbox"/> 51 - 60 <input type="checkbox"/> Over 60	<input type="checkbox"/> Female <input type="checkbox"/> Male  <input type="checkbox"/> Gay/Lesbian/Bisexual/Transgender
<input type="checkbox"/> Developmentally Disabled <input type="checkbox"/> Physically Disabled <input type="checkbox"/> Hearing Impaired <input type="checkbox"/> Visually Impaired	<input type="checkbox"/> Homeless <input type="checkbox"/> Immigrant <input type="checkbox"/> Non-English Speaking <input type="checkbox"/> Refugee	Household Income Level: <input type="checkbox"/> 0 - 10,000 <input type="checkbox"/> 10,00 - 15,000 <input type="checkbox"/> 15,001 - 20,000 <input type="checkbox"/> 20,001 - 35,000 <input type="checkbox"/> 35,000 - 50,000 <input type="checkbox"/> 50,001 - 70,000 <input type="checkbox"/> Above 70,000 <input type="checkbox"/> Unknown

**15. Would you be willing to be contacted by Victim Services 2000 to participate in a Focus Group to discuss the needs of crime victims? (You are not obligated to do this.)**

**If so please in the following:**

Your Name: \_\_\_\_\_

Where can we contact you? Phone: \_\_\_\_\_

Address: \_\_\_\_\_



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If you would like to mail this survey to us, send it to:

Victim Services 2000  
303 West Colfax Ave., Suite 1300  
Denver CO 80204

[Agency Inventory of Services - Instrument](#)  
[Agency Inventory of Services - Summary](#)  
[Victim Survivor Focus Groups - Instrument](#)  
[Victim Survivor Focus Groups - Summary](#)  
[Client Satisfaction Survey - Instrument](#)

[{Structure}](#) [{Needs Assessment}](#) [{Technology}](#) [{Training}](#) [{Model Network}](#)

[{back to Training and T.A.}](#)

[home](#)



## SURVEY OF CRIME VICTIMS/SURVIVORS IN TEXAS

### Crime Victims' Institute

Office of the Attorney General  
 Crime Victims' Institute (004)  
 P.O. Box 12548  
 Austin, Texas 78711-2548

Phone: (512) 936-1655  
 Toll-free: (800)252-8011  
 FAX: (512) 708-8799  
 E-Mail: cvi@oag.state.tx.us

The Crime Victims' Institute of the Office of the Attorney General is conducting a survey to study how victims/survivors in Texas have been affected by the crimes committed against them, what types of services they received, and how they were treated by service providers. This survey is being sent to a random sampling of victims/survivors across the state of Texas whose names were identified by prosecutors as having experienced a violent crime and whose cases have reached final outcome in regards to prosecutor action in 1997. We are asking you to complete this survey so that we can design and plan programs that better serve crime victims/survivors in Texas. Your answers to these questions are confidential. The summary report will not contain names of any victims/survivors. If you have questions about this survey, you may call the Crime Victims' Institute through the Office of the Attorney General toll-free telephone number (800) 252-8011 or directly at (512) 936-1655. If you are the survivor of a homicide victim, please complete the survey as the questions apply to you. Your cooperation in completing this survey is greatly appreciated. *Please return the survey by the date mentioned in the accompanying letter in the self-addressed, stamped envelope provided.*

### SECTION I. GENERAL INFORMATION

1. Your Gender:  Male  Female

2. Your Birth-date (month/day/year):

3. Your Race/Ethnicity (Check all that apply):

- |   |  |
|---|--|
| <input type="checkbox"/> American Indian/Native Alaskan<br><input type="checkbox"/> Anglo (Non-Hispanic white)<br><input type="checkbox"/> Asian<br><input type="checkbox"/> Pacific Islander | <input type="checkbox"/> Black (Non-Hispanic)<br><input type="checkbox"/> Hispanic<br><input type="checkbox"/> Other (specify) |
|---|--|

4. Do you now have any of the following long-term, disabling conditions? (Circle all that apply):

	Yes / No	Yes / No	Yes / No
1. Developmental	Yes / No	Yes / No	Yes / No
2. Physical (pain, injury)	Yes / No	Yes / No	Yes / No
3. Psychological	Yes / No	Yes / No	Yes / No
4. Sensory (vision, hearing, etc)	Yes / No	Yes / No	Yes / No
5. Speech	Yes / No	Yes / No	Yes / No
6. Other	Yes / No	Yes / No	Yes / No



## SECTION III. VICTIM SERVICES AND RIGHTS

12. Circle how helpful each of the following was in assisting you as a crime victim/survivor.

1=not helpful, 5=very helpful or N/A= not applicable

Family	1	2	3	4	5	N/A
Friends	1	2	3	4	5	N/A
Police/Sheriff Uniformed Patrol Officer	1	2	3	4	5	N/A
Police/Sheriff Investigator/Detective	1	2	3	4	5	N/A
Police/Sheriff Victim Assistance Liaison	1	2	3	4	5	N/A
Sexual Assault/Rape Crisis Advocate/Counselor/Volunteer	1	2	3	4	5	N/A
Family Violence Advocate/Counselor/Volunteer	1	2	3	4	5	N/A
Victim Advocacy/Support Group	1	2	3	4	5	N/A
Prosecutor (County Attorney/District Attorney)	1	2	3	4	5	N/A
Victim Assistance Coordinator in Prosecutor (County Attorney/District Attorney) Office	1	2	3	4	5	N/A
Probation Officer	1	2	3	4	5	N/A
Private Mental Health Professional	1	2	3	4	5	N/A
Minister/Clergy	1	2	3	4	5	N/A
Attorney General Crime Victims' Compensation Staff	1	2	3	4	5	N/A
Medical Personnel	1	2	3	4	5	N/A
Other (specify)	1	2	3	4	5	N/A

13. Please circle which services you actually received and how useful they were to you. Circle the USEFULNESS of only those services you actually used. If you did not need the service, circle only "NOT NEEDED."

Victim advocate going to court with you	YES / NO / NOT NEEDED	1	2	3	4	5
Help with protective/restraining orders (not criminal court)	YES / NO / NOT NEEDED	1	2	3	4	5
Case information (ongoing information about case)	YES / NO / NOT NEEDED	1	2	3	4	5
Crisis intervention/counseling	YES / NO / NOT NEEDED	1	2	3	4	5
Crisis telephone hotline	YES / NO / NOT NEEDED	1	2	3	4	5
Support groups, drop-in groups, group crisis intervention	YES / NO / NOT NEEDED	1	2	3	4	5
Spiritual/Religious counseling	YES / NO / NOT NEEDED	1	2	3	4	5

Individual, group or family counseling by licensed provider	YES / NO / NOT NEEDED	1	2	3	4	5
Victim advocate present at hospital with you	YES / NO / NOT NEEDED	1	2	3	4	5
Medical services	YES / NO / NOT NEEDED	1	2	3	4	5
Child care	YES / NO / NOT NEEDED	1	2	3	4	5
Employment services (help you find a job after crime)	YES / NO / NOT NEEDED	1	2	3	4	5
Parenting classes	YES / NO / NOT NEEDED	1	2	3	4	5
Substance abuse services	YES / NO / NOT NEEDED	1	2	3	4	5
Shelter/Safe house (less than 30 days)	YES / NO / NOT NEEDED	1	2	3	4	5
Transitional housing (after shelter/safe house up to 1 year)	YES / NO / NOT NEEDED	1	2	3	4	5
Transportation (cab, bus fare, etc.)	YES / NO / NOT NEEDED	1	2	3	4	5
Bilingual services (translator, info in native language)	YES / NO / NOT NEEDED	1	2	3	4	5
Education on victim services/crime prevention	YES / NO / NOT NEEDED	1	2	3	4	5
Notification of the death of a family member	YES / NO / NOT NEEDED	1	2	3	4	5
Follow-up (contact after completion of services)	YES / NO / NOT NEEDED	1	2	3	4	5

13a. What other services would have been useful to you that you did not receive?

(Be as specific as possible.) \_\_\_\_\_  
 \_\_\_\_\_

14. Were you informed of and did you receive the following rights as a crime victim/survivor?

A victim, guardian of a victim, or close relative of a deceased victim has the following rights in the criminal justice system:	Informed (Check one)			Received (Check one)		
	YES	NO	UNSURE	YES	NO	NO NEED
(1) receive protection from harm and threats of harm from offender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) have safety of victim or victim's family considered in setting bail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) be informed of relevant court proceedings and any rescheduling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) be informed about defendant's bail and criminal justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) provide information for sentencing on impact of crime on victim	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6) receive information regarding compensation to victims of crime	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(7) be informed of parole procedures; to participate in parole process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(8) be provided with waiting area separate or secure from the offender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(9) prompt return of property, if no longer needed as evidence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(10) have employer notified of absences from work, if needed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(11) AIDS/HIV infection counseling and testing after sexual assault	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(12) attend court proceedings subject to court approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(13) complete a written Victim Impact Statement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SECTION IV. CRIME VICTIMS' COMPENSATION**

15. How were you informed of possible compensation from the Texas Crime Victims' Compensation Program to help pay expenses incurred as a crime victim/survivor? (Check all that apply.)

- No one informed me.
- Crime Victims' Compensation Program Staff
- Family Violence Staff/Counselor/Volunteer
- Police Officer/Sheriff's Deputy
- Probation Officer
- Prosecutor
- Radio/TV
- Rape Crisis Staff/Counselor/Volunteer
- Victim Assistance Coord. in Prosecutor Office
- Victim Advocacy/Support Group
- Victim Assistance Liaison in Police/Sheriff Dpt.
- Written Materials
- Other (specify)

16. Did you apply for Crime Victims' Compensation?  Yes  No  
 If no, please check all of the following reasons that explain why you didn't apply.

- I did not know about it.
- I was told that I did not qualify.
- I did not understand the program.
- I waited past the deadline.
- I had no expenses.
- My insurance paid my expenses.
- The application was too difficult.
- I couldn't find the emotional energy.
- I determined I was not eligible under guidelines
- Other (specify)

17. Did you have expenses from the crime?  Yes  No  
 If you received assistance from any of the following, please check all that apply.

- Church
- Court-ordered restitution
- Crime Victims' Compensation
- Donations to a special fund for you
- Friends or family
- Non-profit organization(s)
- Public assistance programs (food stamps, AFDC, etc. unless you received it prior to crime.)

**SECTION V. CRIMINAL JUSTICE SYSTEM**

18. What was the most negative part of the criminal justice process for you?  
 (Be as specific as possible.)

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18a. Given this experience, would you report the crime again?  Yes  No  Not Sure

19. What was the most positive part of the criminal justice process for you? (Be as specific as possible.)

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20. What would you most like to change in the criminal justice process? (Be as specific as possible.)

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21. Would you be willing to be interviewed in person or by telephone at a later date?  
 Yes     No

*\*Thank you for completing this survey. If you would like to add any comments or mention any other areas of concern that you have as a victim/survivor, please do so below.*

**\*PLEASE RETURN THE SURVEY TO THE CRIME VICTIMS' INSTITUTE BY THE DATE MENTIONED IN THE ACCOMPANYING LETTER IN THE SELF-ADDRESSED, STAMPED ENVELOPE PROVIDED.**

## The Denver Experience: Lessons Learned

In their 1989 book, *Teamwork: What Must Go Right/What Can Go Wrong*, Carl E. Larson and Frank M.J. Lafasto described eight characteristics found in high performing teams: a clear, elevating goal; a results-driven structure; competent team members; a unified commitment; a collaborative climate; standards of excellence; external support and recognition; and principled leadership. The discussion below uses these characteristics as a framework to analyze the planning and collaboration of VS2000. What worked? What did not? What lessons were learned?

### 1. Establish a Clear, Elevating Goal

- **Base the project goal on project values.** At the inception of the project, Denver VS2000 convened a facilitated, all-day, team-building session attended by members of the planning committee who represented more than 50 VS2000 participant agencies. The purpose of the meeting was to define the project's core values and create a common vision. Four core values were identified: victim-centered services, an atmosphere that welcomes diversity, creative collaboration, and passionate well-being (self-care so you can care for others).
- **Use words and pictures of clear, elevating goals so people fully understand them.** A few months into the project, VS2000 convened a Visioning Session to define the vision further and begin developing the structure of the model victim service network. Visual exercises were used. In one exercise, participants were asked to draw pictures of what the world or their communities would look like if seamless services were provided for all victims of crime.
- **Be aware of and address changes in participants' attitudes, perceptions, and level of support and participation.** As time passes, participants sometimes become uncomfortable comparing their original ideas with the actual developments. As the Denver VS2000 project matured, conversations and actions naturally shifted from philosophy and visions to the implementation of new initiatives and new ways of delivering services. This made some participants feel their turf was threatened. Others felt that the time and work involved had begun to outweigh any evidence of tangible change. Commitment began to wane and participation on working teams and committees decreased. Two things became clear. VS2000's core values and mission needed to be revisited, and it was more important than ever for all decisions to be made with input from all participants.

### 2. Develop a Results-Driven Process

- **Maintain balance between the process and the product.** Denver VS2000 continues to be a large, collaborative effort, which involves many agencies that compete for funding and territory. Issues of trust were present from the beginning. Mindful of this, VS2000 staff and meeting facilitators knew it was critical for the participants to have time to express and process these and other issues. This made participants feel that they had a voice and it was heard. Opportunities were provided to participants to engage in trust-building discussions with their colleagues. In the first year, especially, meetings often consisted of processing issues and clarifying positions. This created an atmosphere of mutual trust and collective ownership of the project and its outcomes that was crucial to sustaining a collaborative network of this magnitude.
- **Provide the participants with immediate feedback about the results of the time and effort they spent on the project.** Design, and insert into the work,



some short-term goals that the participants can achieve. This will keep participants motivated to continue working on the long-term goals. Aware that busy people would continue to attend meetings only if they see tangible results, project staff interspersed challenging, short-term goals that could successfully be completed while working on the longterm goal of creating a model victim service network. Another long-term goal, that of developing a technology system, began with smaller goals of providing participants with e-mail accounts and training them in basic software applications for word processing, spreadsheets, and databases. The larger goal of raising the awareness of service providers to create a truly seamless network of victim services began with the smaller goal of implementing a cross-training plan throughout VS2000. Selecting interns from a minority intern recruitment program was a short-term commitment to the goal of embracing the spirit of diversity.

- **Maintain good communications among all stakeholders involved in the process.** A network of good communications is necessary for the success of any collaboration, particularly one as diversified as the Denver VS2000 project. A staff of 5 provided communications support for the approximately 150 individuals who worked in 5 teams on 15 committees and subcommittees. The staff coordinated meetings; maintained a participant database; wrote and disseminated a newsletter; announced meetings, trainings, and other pertinent information; established e-mail accounts for project participants; maintained a meeting calendar; recorded minutes; and uploaded products created by the project onto the VS2000 Web site. Communications were further enhanced by frequently including updates about the progress of other teams, team committees, and committee agendas. In addition, time was allotted for agency updates and networking.

### 3. Develop the Capabilities of Project Participants

- **Encourage and inspire all team members to participate.** All Denver VS2000 participants, both management and staff, were encouraged to join in and share the responsibility for the project. They were encouraged to make decisions about the structure and components of the VS2000 model service network. When it became clear that each person's opinion was important and actively sought, individuals who may normally remain reserved and quiet in group situations began to take a more active role and display leadership qualities. During times of disagreement, it was helpful to revisit the core vision and values to maintain focus and inspire participants.
- **Recruit diverse and balanced leadership.** Ongoing recruitment for leadership of the VS2000 project sought diverse individuals of all levels of skill, knowledge, and experience to reflect the diversity of the field and to provide balance and broad perspective to the project. Believing a diverse and balanced work force would be best for the development of the project, VS2000 required each team on the project to have the same diversity as existed in the field, including age and work experience. Included in the leadership search were direct service providers, such as victim service providers, community members, and allied professionals, as well as policymakers and administrators, such as agency directors and administrative and program staff.

### 4. Recruit Unified and Committed Stakeholders

- **Commitment needed from all levels of the VS2000 project and agencies.** The VS2000 staff believed that multilevel participation by all stakeholders regardless of position would give the project greater and necessary depth and breadth of perspective. For example, the executive directors of Denver's victim service agencies serve as members of the VS2000 Steering Committee. In

addition, many also participate on the project's working teams and committees and allow or require their staff to participate also.

## 5. Create a Collaborative Climate

- **Understand the obstacles to using collaboration in victim services.** Collaboration is not often seen in victim services because the conditions for successful collaboration rarely exist. Normally, victim services funding is scarce and the competition for it is intense. Victim services work often operates from a model of scarcity, forcing the service provider to function with the anxiety and fear of losing or not finding resources. None of this is conducive to collaboration. VS2000 was possible because the basic needs and resources were met by a grant, allowing the individuals enough relaxation, security, and peace of mind so that ideas could emerge, take root, and grow.
- **Recognize the value of building relationships between criminal justice-based and community-based programs.** A tension often exists between community-based and criminal justice-based programs. Rather than acknowledging that the work done by both programs is necessary and complements the other in serving victims, program members argue about each program's relative value and contribution. The experience of VS2000 indicated that collaboration would not be realized without a solid understanding of roles by both the criminal justice-based and community-based programs and without the establishment of respect and trust between them. VS2000 found that cross training was critical for increasing understanding. Guided discussions were very valuable in helping the participants work through issues of tension and develop the trust necessary for a collaborative environment.
- **Understand that collaboration is a process that requires constant evaluation and adjustment.** A collaborative effort is not a destination but a journey. During the project, all VS2000 team members had to constantly assess whether the collaborative effort represented the populations being targeted for better service. As new collaborators joined the effort, it was important and necessary to reassert the agreements and understandings of the collaboration to maintain the original collaborative climate established by the core VS2000 group. As team members reached out to other victim services providers, allied professionals, victims, and underserved communities, it was very important that the original collaborative climate was strong and that all involved had a good understanding of its meaning.

## 6. Set a Standard of Excellence

- **Set a standard of excellence that provides results that meet the needs of the targeted community.** The needs assessment that VS2000 conducted was a necessary first step in defining the project's standard of excellence. In this assessment, focus groups were most helpful in clearly identifying areas where victim services did not reflect the "no wrong door" vision. Focus groups noted where victims seeking services might run into obstacles.
- **Stress the importance of evaluation.** As a profession, victim services often does not evaluate the impact of its services adequately. Those who work in victim services will never know if their work is truly making a difference unless the consumers of their services evaluate them and provide feedback. Since VS2000 projects are guided by the concept of creating and providing *victim-centered* services, evaluation and feedback from those served is very important for assessing the effectiveness of a VS2000 project.

## 7. Recruit External Support and Recognition

- **Recognize the importance of diversified support.** VS2000 worked hard to cultivate relationships and garner the support of external entities that were interested or willing to help provide services or support for victims of crime. These included allied professionals in local seminaries, law schools, and corporations such as AT&T Wireless. By building the broadest, most integrated victim service network possible, the greatest number of victims can be assisted.
- **Acknowledge the critical roles of funding entities.** Ranging from housing staff members to helping ensure the ongoing viability of project initiatives, the support of the Denver VALE board in administering the VS2000 project has been critical. The Denver District Attorney's Office, which housed the Denver VALE board, was key in making VS2000 a reality. Denver District Attorney Bill Ritter devoted the resources of his office to administrative, housing, and oversight functions for the VS2000 effort, as well as providing his leadership and commitment to the issues of victim rights and services.
- **Understand that internal support is also critical.** One's own organization must provide support and recognition. VS2000 discovered that those who were involved in successful collaborations enjoyed the internal support of their agencies. VS2000 also discovered that collaboration takes time and energy, and receiving only superficial commitment from partner agencies impeded success.

## 8. VS2000 Leadership Principles

- **Embrace diversity, critique, and conflict as opportunities for growth and understanding.** One goal of the VS2000 model is for the collaboration participants to develop trust in the leadership and believe it to be fair, open, and supportive of creative decisionmaking. The VS2000 model believes this will ensure many voices are heard and participants will be encouraged to work hard. In the VS2000 model, the leadership invites criticism as an important step in resolving conflict and moving forward collaboratively. Further, it is important for leadership to embrace criticism and conflict as positive opportunities to achieve mutual understanding. The VS2000 Community Advocates and the Victim Advisory Council are two groups that invited criticism and embraced conflict as an impetus for growth.
- **Consensus building and collaboration.** While the consensus model of decisionmaking has been important to the grassroots and feminist philosophies underlying victim services, applying it to collaboration is more challenging. On the plus side, consensus building empowers more people to participate. On the minus side, having increased numbers of participants makes decisionmaking difficult. An organization must take care to implement and manage the consensus-building process wisely.

Excessive emphasis on the consensusbuilding process can ultimately be unproductive. Skilled management and implementation of the process and capable facilitation of the group are needed to ensure that the group actually reaches decisions and honors them rather than reprocessing them.

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STATE OF MARYLAND CRIMINAL INJURIES COMPENSATION BOARD (CICB)–  
SUMMARY AND STATUTE

**Origin**

State Law

**Structural Location**

State of Maryland Department of Public Safety and Correctional Services

**Source of Funds**

CICB funds for crime victim assistance come from both the federal Crime Victims Fund and the state Criminal Injuries Compensation Fund:

*Federal:* The federal Crime Victims Fund provides an annual grant to state crime victim compensation programs that is equal to 40% of the amount awarded by the state program to victims of crime from state revenues. The Fund derives its revenues from criminal fines, forfeited bail bonds, penalties, and special assessments collected by the U.S. Attorney's Offices, federal U.S. courts, and the Federal Bureau of Prisons. In FY 2002, the amount was \$1,550,000.

*State:* The Maryland Criminal Injuries Compensation Fund receives a portion (\$20) of additional court costs that convicted defendants are required to pay in both Circuit and District Court. In FY 2002, the amount was \$4,103,415.

**Eligibility**

CICB eligibility is limited to:

- A person who suffers physical injury as a result of a crime.
- A surviving spouse or child of a homicide victim.
- Any other person who is dependent for principal support from a homicide victim.
- Any person who assumed responsibility for funeral expenses of a homicide victim.

The crime must be reported to the police within 48 hours (although this provision can be waived for good cause) and the claim must be filed within 180 days of the incident. An individual must have incurred at least \$100 in out-of-pocket expenses or have lost at least two continuous weeks' earnings. An individual who caused, provoked, or contributed to the incident that caused the injury is not eligible for compensation.

A CICB award is reduced by the amount of any payments received from or on the behalf of the offender or from any other public or private source, including an award of the State Workers' Compensation Commission under the Maryland Workers' Compensation Act.

### **Benefits**

The maximum allowable claim in any award is \$45,000. The following is the compensable costs along with the limits for each category:

- Medical Expenses - \$45,000
- Disability - \$25,000
- Funeral Expenses - \$5,000
- Total Dependency - \$25,000
- Partial Dependency - \$17,500
- Psychological Services - \$5,000
- Crime Scene Clean Up - \$250

### **Requirements**

An applicant must fill out an Application for Victim Compensation and return it to the CICB along with supporting documentation for the claim.

CRIMINAL PROCEDURE/TITLE 11. VICTIMS AND WITNESSES

SUBTITLE 8. CRIMINAL INJURIES COMPENSATION BOARD

§ 11-801. Definitions.

(a) In general.- In this subtitle the following words have the meanings indicated.

(b) Board.- "Board" means the Criminal Injuries Compensation Board.

(c) Claimant.- "Claimant" means the person filing a claim under this subtitle.

(d) Crime.-

(1) "Crime" means:

(i) except as provided in paragraph (2) of this subsection, a criminal offense under state, federal, or common law that is committed in:

1. this State; or

2. another state against a resident of this State; or

(ii) an act of international terrorism as defined in Title 18, § 2331 of the United States Code that is committed outside of the United States against a resident of this State.

(2) "Crime" does not include an act involving the operation of a vessel or motor vehicle unless the act is:

(i) a violation of § 20-102, § 20-104, § 21-902, or § 21-904 of the Transportation Article; or

(ii) operating a motor vehicle or vessel that results in an intentional injury.

(e) Dependent.- "Dependent" means:

(1) a surviving spouse or child of a person; or

(2) a person who is dependent on another person for principal support.

(1) a surviving spouse or child of "a victim of a crime who died as a direct result of a crime" or "a person who dies as a direct result of trying to prevent a crime or an attempted crime from occurring in the person's presence or trying to apprehend a person who had committed a crime in the person's presence or had, in fact, committed a felony"; and

(2) a person dependent for principal support upon "a victim of a crime who died as a result of a crime" or "any person who dies as a direct result of trying to prevent a crime or an attempted crime from occurring in the person's presence or trying to apprehend a person who had committed a crime in the person's presence or had, in fact, committed a felony".

(f) Victim.- "Victim" means a person:

(1) who suffers physical injury or death as a result of a crime or delinquent act;

(2) who suffers psychological injury as a direct result of:

(i) a fourth degree sexual offense or a delinquent act that would be a fourth degree sexual offense if committed by an adult;

(ii) a felony or a delinquent act that would be a felony if committed by an adult; or

(iii) physical injury or death directly resulting from a crime or delinquent act; or

(3) who suffers physical injury or death as a direct result of:

(i) trying to prevent a crime or delinquent act or an attempted crime or delinquent act from occurring in the person's presence;

(ii) trying to apprehend an offender who had committed a crime or delinquent act in the person's presence or had committed a felony or a delinquent act that would be a felony if committed by an adult; or

(iii) helping a law enforcement officer in the performance of the officer's duties or helping a member of a fire department who is being obstructed from performing the member's duties.

**§ 11-802. Legislative policy.**

(a) Legislative policy.- The General Assembly finds:

(1) that many innocent persons suffer personal physical or psychological injury or die because of crimes or delinquent acts or in their efforts to prevent them or apprehend persons committing or attempting to commit them;

(2) that these persons or their dependents may as a result suffer disability, incur financial hardships, or become reliant on public assistance; and

(3) that there is a need for government financial assistance for these victims.

(b) Statement of policy.- The policy of the State is that help, care, and support be provided by the State, as a matter of moral responsibility, for these victims.

**§ 11-803. Secretary's designee.**

The Secretary may designate a person to carry out the duties of the Secretary.

**§ 11-804. Criminal Injuries Compensation Board.**

(a) Established.- There is a Criminal Injuries Compensation Board in the

Department.

(b) Composition; appointment of members.-

(1) The Board consists of five members.

(2) Of the five members of the Board:

(i) no more than four may belong to the same political party; and

(ii) one shall have been admitted to practice law in the State for at least 5 years immediately preceding the appointment.

(3) The Secretary shall appoint the members of the Board, with the approval of the Governor and the advice and consent of the Senate.

(c) Tenure.-

(1) The term of a member is 5 years.

(2) A member who is appointed to fill a vacancy occurring other than by expiration of a term serves for the rest of the unexpired term.

(d) Chairman.-

(1) With the approval of the Governor, the Secretary shall designate one member of the Board as chairman.

(2) The chairman serves at the pleasure of the Secretary.

(e) Compensation.-

(1) Each member of the Board shall devote the time necessary to perform the duties listed under this subtitle.

(2) Each member of the Board is entitled to:

(i) compensation in accordance with the State budget; and

(ii) reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

**§ 11-805. Powers and duties of Board.**

(a) In general.- Subject to the authority of the Secretary as set forth in Title 2, Subtitle 1 of the Correctional Services Article, the Board has the following powers and duties:

(1) to establish and maintain an office and to appoint and prescribe the duties of a claims examiner, a secretary, clerks, and any other employees and agents as may be necessary;

(2) to adopt regulations to carry out the provisions and purposes of this subtitle, including procedures for the review and evaluation of claims and regulations for the approval of attorneys' fees for representation before the Board or before the court on judicial review;



(3) to request from the State's Attorney, the Department of State Police, or county or municipal police departments any investigation and information that will help the Board to determine:

- (i) whether a crime or a delinquent act was committed or attempted; and
- (ii) whether and to what extent the victim or claimant was responsible for the victim's or claimant's own injury;

(4) to hear and determine each claim for an award filed with the Board under this subtitle and to reinvestigate or reopen a case as the Board determines to be necessary;

(5) to direct medical examination of victims;

(6) to hold hearings, administer oaths, examine any person under oath, and issue subpoenas requiring the attendance and testimony of witnesses or requiring the production of documents or other evidence;

(7) to take or cause to be taken affidavits or depositions within or outside the State; and

(8) to submit each year to the Governor, to the Secretary, and, subject to § 2-1246 of the State Government Article, to the General Assembly a written report of the activities of the Board.

(b) Employees.- Except as otherwise provided by law, an employee of the Board is subject to the State Personnel and Pensions Article.

(c) Delegation of hearing powers; application of Maryland Rules to subpoenas.-

(1) The Board may delegate to a member or employee of the Board its powers under this section to hold hearings, administer oaths, examine a person under oath, and issue subpoenas.

(2) A subpoena issued under this section is subject to the Maryland Rules.

**§ 11-806. Records of proceedings.**

(a) In general.- Except as provided under subsection (b) of this section, the record of a proceeding before the Board or a Board member is a public record.

(b) Confidential records or reports.- If the confidentiality of a record or report that the Board obtains is protected by law or regulation, the record or report shall remain confidential, subject to the law or regulation.

**§ 11-807. Criminal incident report.**

(a) "Law enforcement unit" defined.- In this section, "law enforcement unit" means:

- (1) the Department of State Police;
- (2) the Police Department of Baltimore City;
- (3) the police department, bureau, or force of a county;
- (4) the police department, bureau, or force of a municipal corporation;
- (5) the office of the sheriff of a county;
- (6) the office of the State's Attorney for a county;
- (7) the office of the Attorney General; or
- (8) the office of the State Prosecutor.

(b) Informing victims about compensation.- When a report of a violent crime is filed with a law enforcement unit, the law enforcement unit shall give to a victim of that violent crime written information that the Board supplies about compensation for victims.

(c) Failure to comply with section not grounds for action.- A failure to comply with this section is not grounds for any civil or criminal action against a law enforcement unit.

**§ 11-808. Eligibility for awards.**

(a) In general.-

(1) Except as provided in paragraph (2) of this subsection, the following persons are eligible for awards in the manner provided under this subtitle:

(i) a victim;

(ii) a dependent of a victim who died as a direct result of:

1. a crime or delinquent act;

2. trying to prevent a crime or delinquent act or an attempted crime or delinquent act from occurring in the victim's presence or trying to apprehend a person who had committed a crime or delinquent act in the victim's presence or had committed a felony or a delinquent act that would be considered a felony if committed by an adult; or

3. helping a law enforcement officer perform the officer's duties or helping a member of a fire department who is obstructed from performing the member's duties;

(iii) any person who paid or assumed responsibility for the funeral expenses of a victim who died as a direct result of:

1. a crime or delinquent act;

2. trying to prevent a crime or delinquent act or an attempted crime or

delinquent act from occurring in the victim's presence or trying to apprehend a person who had committed a crime or delinquent act in the victim's presence or had committed a felony; or

3. helping a law enforcement officer perform the officer's duties or helping a member of a fire department who is obstructed from performing the member's duties; and

(2) A person who commits the crime or delinquent act that is the basis of a claim, or an accomplice of the person, is not eligible to receive an award with respect to the claim.

(b) State residents as victims in other states.- A resident of the State is eligible for an award under this subtitle if the resident becomes a victim in another state other than this State that:

(1) does not operate a criminal injuries compensation program;

(2) operates a criminal injuries compensation program for which the victim is ineligible; or

(3) operates a criminal injuries compensation program for which money has not been appropriated or made available.

(c) Who may file claim.-

(1) A person eligible to receive an award under subsection (a) or (b) of this section may file a claim under this subtitle.

(2) If a person eligible to receive an award is under 18 years of age, the person's parent or guardian may file a claim under this subtitle.

(3) If a person eligible to receive an award is mentally incompetent, the person's guardian or other person authorized to administer the person's estate may file the claim on the person's behalf.

**§ 11-809. Filing of claims.**

(a) Time of filing.-

(1) A claimant shall file a claim not later than:

(i) 180 days after the occurrence of the crime or delinquent act on which the claim is based; or

(ii) 180 days after the death of the victim.

(2) For good cause, the Board may extend the time for filing up to 2 years after the occurrence of the crime or delinquent act or the death of the victim.

(3) In a case of child abuse, a claimant may file a claim up to 2 years

(b) Place of filing; acceptance required.-

(1) Claims shall be filed in the office of the Board in person or by mail.

(2) The Board shall:

(i) accept for filing each claim that meets the requirements of this subtitle and the regulations of the Board; and

(ii) notify the claimant within 10 days after receipt of the claim.

**§ 11-810. Conditions for awards on claims.**

(a) In general.-

(1) The Board may make an award only if the Board finds that:

(i) a crime or delinquent act was committed;

(ii) the crime or delinquent act directly resulted in:

1. physical injury to or death of the victim; or

2. psychological injury to the victim that necessitated mental health counseling;

(iii) police, other law enforcement, or judicial records show that the crime or delinquent act or the discovery of child abuse was reported to the proper authorities within 48 hours after the occurrence of the crime or delinquent act or the discovery of the child abuse; and

(iv) the victim has cooperated fully with all law enforcement units.

(2) For good cause, the Board may waive the requirements of paragraph (1)(iii) and (iv) of this subsection.

(b) Serious financial hardship.- Unless total dependency is established, family members are considered to be partly dependent on a parent with whom they reside without regard to actual earnings.

(c) Minimum allowable claim.- The Board may make an award only if the claimant, as a result of the injury on which the claim is based, has:

(1) incurred at least \$100 in unreimbursed and unreimbursable expenses or indebtedness reasonably incurred or claimed for:

(i) medical care;

(ii) expenses for eyeglasses and other corrective lenses;

(iii) mental health counseling;

(iv) funeral expenses;

(v) repairing, replacing, or cleaning property;

(vi) disability or dependent claim; or

(vii) other necessary services; or

(2) lost at least 2 continuous weeks' earnings or support.

(d) Contributory conduct.-

(1) (i) Except as provided under subparagraph (ii) of this paragraph, in considering a claim and in determining the amount of an award, the Board shall determine whether the victim's conduct contributed to the infliction of the victim's injury, and, if so, reduce the amount of the award or reject the claim.

(ii) The Board may disregard the responsibility of the victim for the victim's own injury if that responsibility is attributable to efforts by the victim:

1. to prevent a crime or delinquent act or an attempted crime or delinquent act from occurring in the victim's presence; or

2. to apprehend an offender who had committed a crime or delinquent act in the victim's presence or had committed a felony or delinquent act that would be a felony if committed by an adult.

(2) A claimant filing for injuries incurred as the occupant of a motor vehicle or a dependent of an occupant of a motor vehicle operated in violation of § 21-902 of the Transportation Article may not receive an award unless the claimant proves that the occupant did not know or could not have known of the condition of the operator of the vehicle.

(3) A claimant may not receive an award if:

(i) the victim initiated, consented to, provoked, or unreasonably failed to avoid a physical confrontation with the offender; or

(ii) the victim was participating in a crime or delinquent act when the injury was inflicted.

(e) Family and household members.-

(1) A victim or dependent may not be denied compensation solely because the victim:

(i) is a relative of the offender; or

(ii) was living with the offender as a family member or household member at the time of the injury or death.

(2) If the Board can reasonably determine that the offender will not receive any economic benefit or undue enrichment from the compensation, the Board may award compensation to a victim or dependent who is a relative, family member, or household member of the offender.

§ 11-811. Amount of award.

(a) In general.-

(1) (i) Except as otherwise provided in this subsection, an award under this subtitle shall be made in accordance with the schedule of benefits, as it existed on January 1, 2001, and degree of disability as specified in Title 9, Subtitle 6 of the Labor and Employment Article and any other applicable provisions of the Labor and Employment Article, except for Title 9, Subtitle 8 of the Labor and Employment Article.

(ii) For determining the amount of an award under this subtitle, the term "average weekly wages" does not include tips, gratuities, and wages that are undeclared on the claimant's State or federal income tax returns for the applicable years.

(iii) If a claimant does not have "average weekly wages" to qualify under the formula in Title 9, Subtitle 6 of the Labor and Employment Article, the award shall be in an amount equal to the average of the maximum and minimum awards listed in the applicable portion of that subtitle.

(2) An award for loss of earnings or support made under this subtitle may be up to two-thirds of the victim's gross average wage, but may not be less than the amount provided in paragraph (1) of this subsection.

(3) An award for funeral expenses may not exceed \$5,000.

(4) Subject to the limitation under subsection (b)(3) of this section and § 11-812 of this subtitle, a person who is eligible for an award as the result of the death of a victim or psychological injury may be eligible, under the regulations that the Board adopts, to receive psychiatric, psychological, or mental health counseling.

(5) Subject to the limitation under subsection (b)(6) of this section and § 11-812 of this subtitle, a parent, child, or spouse of a victim who resides with the victim and who is eligible for an award as the result of the injury of a victim is eligible to receive psychiatric, psychological, or mental health counseling.

(b) Limits.- Compensation awarded under this subtitle may not exceed:

(1) \$25,000 for a disability-related or dependency-related claim;

(2) \$45,000 for a medical claim;

(3) \$5,000 for each claimant for psychiatric, psychological, or mental health counseling under subsection (a)(4) of this section;

(4) a total of \$45,000, including any subsequent and supplemental awards;

(5) \$250 for each claimant for repair, replacement, or cleaning of property damaged, soiled, or littered as a result of a crime or law enforcement investigation of a crime; or

(6) for an award for psychiatric, psychological, or mental health counseling made under subsection (a)(5) of this section:

(i) \$1,000 for each claimant; and

(ii) \$5,000 for each incident.

(c) Required reductions.- An award made under this subtitle shall be reduced by the amount of any payments received or to be received as a result of the injury:

(1) from or on behalf of the offender;

(2) from any other public or private source, including an award of the State Workers' Compensation Commission under the Maryland Workers' Compensation Act; or

(3) as an emergency award under § 11-813 of this subtitle.

(d) Apportionment among claimants.- If there are two or more persons entitled to an award as a result of the death of a victim, the award shall be apportioned among the claimants.

(e) Negotiation with health care providers.- The Board may negotiate a settlement with a health care provider for the medical and medically related expenses.

**§ 11-812. Funding, length, and termination of awards.**

(a) Appropriation and availability of funds.- The Board may not make an award unless money is appropriated and available for the full amount of the award.

(b) Multiyear awards.- If a multiyear award is made, the total amount of the award shall be obligated and held for the time necessary to complete payment in accordance with the provisions of the award.

(c) Terminated awards.- If payment of an award is terminated for any reason after June 30 of the fiscal year in which the award was made, the rest of the award shall revert to the Criminal Injuries Compensation Fund established under § 11-819 of this subtitle.

**§ 11-813. Emergency award pending final decision.**

(a) When authorized.- The Board may make an emergency award to the claimant before making a final decision in the case, if the Board determines, before taking action on the claim, that:

(1) an award likely will be made on the claim; and

(2) the claimant will suffer undue hardship unless immediate payment is made.

(b) Limitation on amount; deduction from final award; repayment of excess.-

(1) The amount of an emergency award under this section:

- (i) may not exceed \$1,000; and
  - (ii) shall be deducted from any final award made to the claimant.
- (2) A claimant shall repay the Board:
- (i) the excess of the amount of the emergency award over any final award;  
or
  - (ii) if a final award is not made, all of the emergency award.

**§ 11-814. Board decisions on claims; review by Secretary.**

(a) Notification if additional material is required.- Within 30 days after the receipt of a claim, the Board shall notify the claimant if additional material is required.

(b) Report of Board decision.-

(1) Except as provided in paragraph (2) of this subsection, within 90 days after the receipt of a claim and all necessary supporting material, the Board shall:

- (i) complete the review and evaluation of each claim; and
- (ii) file with the Secretary a written report setting forth the decision and the reasons in support of the decision.

(2) For good cause shown, for a period not to exceed 1 year the Board may extend the time to file its report with the Secretary after receipt of the claim and all necessary supporting material until the first to occur of the following events:

- (i) the claimant no longer has expenses related to the crime; or
- (ii) the claimant has been awarded the maximum amount authorized under §§ 11-811(b) and 11-812 of this subtitle.

(c) Secretary review of Board decision.- Within 30 days after the receipt of a written report from the Board, the Secretary shall modify, affirm, or reverse the decision of the Board.

(d) Finality of Secretary's action.- The decision of the Secretary to affirm, modify, or reverse the decision of the Board is final.

(e) Copy to claimant.- The claimant shall be given a copy of the final report on request.

**§ 11-815. Judicial review.**

Within 30 days after the final decision of the Secretary, a claimant aggrieved by that decision may appeal the decision under §§ 10-222 and 10-223 of the State Government Article.

**§ 11-816. Payment of award.**



(a) In general.- An award under this subtitle shall be paid in the manner that the Board specifies in its decision.

(b) Execution or attachment of award.- An award under this subtitle is not subject to execution or attachment other than for expenses resulting from the injury that is the basis for the claim.

(c) Lump sum payment.- In each case under this subtitle that provides for compensation to an employee or the employee's dependent, the Board may convert the compensation to be paid in a partial or total lump sum without discount, if in the Board's opinion the facts and circumstances of the case warrant.

**§ 11-817. Subrogation.**

Acceptance of an award made under this subtitle subrogates the State, to the extent of the award, to any right or right of action of the claimant or the victim to recover payments on account of losses resulting from the crime or delinquent act with respect to which the award is made, including the right to recover restitution ordered under § 11-603 of this title.

**§ 11-818. False claims.**

(a) In general.- A person may not assert a false claim under this subtitle.

(b) Penalty.- A person who violates this section:

(1) is guilty of a misdemeanor and on conviction is subject to a fine not less than \$500 or imprisonment not exceeding 1 year or both; and

(2) shall forfeit any benefit received and reimburse the State for payments received or paid on the person's behalf under this subtitle.

**§ 11-819. Criminal Injuries Compensation Fund.**

(a) In general.-

(1) There is a Criminal Injuries Compensation Fund.

(2) The Fund consists of:

(i) moneys distributed to the Fund from the additional court costs collected from defendants under § 7-409 of the Courts Article;

(ii) any investment earnings or federal matching funds received by the State for criminal injuries compensation; and

(iii) funds made available to the Fund from any other source.

(3) The Fund is a special continuing, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(4) The Treasurer shall separately hold the Fund and the Comptroller shall account for it.

(5) The Fund shall be invested and reinvested in the same manner as other State funds.

(6) The Fund is subject to audit by the Office of Legislative Audits as provided in § 2-1220 of the State Government Article.

(b) Uses.- The Criminal Injuries Compensation Fund:

(1) shall be used to carry out the provisions of this subtitle; and

(2) may be used for:

(i) any award given under this subtitle; and

(ii) the costs of carrying out this subtitle.

(c) Effect of section.- This section does not prohibit the Fund from receiving money from any other source.

## MONTGOMERY COUNTY CRIME VICTIM COMPENSATION FUND – SUMMARY AND STATUTE

**Origin**

County Law

**Structural Location**

Montgomery County Department of Health and Human Services, Victim Assistance and Sexual Assault Program

**Source of Funds**

Funds are provided by an annual County appropriation.

**Eligibility**

A victim is eligible for compensation if the crime was committed in Montgomery County or if the crime victim is a resident of the County and the crime occurred in a different jurisdiction that does not offer comparable compensation assistance. Victims also must meet income guidelines that mirror the Public Housing Income Limits maintained by the Housing Opportunities Commission.

A victim must file a police report within 48 hours of the crime and must file a claim for compensation within 90 days after the crime is reported (although these requirements can be waived for good cause). An individual who caused, provoked, or contributed to the crime is not eligible for compensation.

The Compensation Fund may only provide assistance if assistance is not available from insurance, the State victim compensation program, the Partnership Fund for victims of hate violence, or any other source for the same purpose arising from the same criminal incident.

**Benefits**

The Compensation Fund can provide up to \$2,500 per incident. Compensable costs include:

- Medical Expenses (including mental health treatment)
- Lost Wages
- Funeral Expenses
- Property Loss/Damage

Property determined to be “luxury” items are not compensated for. Additionally, a member of a victim’s immediate family may receive up to \$500 for mental health services.

**Requirements**

A victim must fill out a Compensation and Property Replacement Application and return it to the Victim Assistance and Sexual Assault Program along with supporting documentation and income verification.

MONTGOMERY COUNTY CODE  
Chapter 32

§32-23

- (2) picketing at a particular private residence:
  - (A) when that residence is also used for the occupant's sole place of business; or
  - (B) during a public meeting.
- (c) As used in this Section:
  - (1) "Picket" or "picketing" means to post a person or persons at a particular place to convey a message.
  - (2) A "public meeting" is a gathering:
    - (A) announced in advance to the public or a portion of the public;
    - (B) held to discuss a matter; and
    - (C) attended by at least 3 people who do not reside at the residence where the meeting is held.
- (d) Section 32-17 applies to any violation of this Section. (1993 L.M.C., ch. 36, § 2.)

**ARTICLE II. VICTIM ADVOCATE PROGRAM.****Sec. 32-24. Program established.**

- (a) This Section establishes the victim advocate program to assist and support victims of crime.
- (b) The program is administered by:
  - (1) the County Executive; or
  - (2) a nonprofit community-based service agency.
- (c) If the Executive contracts with a nonprofit community-based service agency, that agency must:
  - (1) have a proven record in client service and advocacy; and
  - (2) be able to work with the business community to obtain goods and services and financial donations. (1987 L.M.C., ch. 4, § 1; 1998 L.M.C., ch. 25, § 1.)

§32-25

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Chapter 32

**Sec. 32-25. Services available.**

- (a) The victim advocate program provides the following types of aid to a crime victim:
- (1) referral to community and governmental agencies that provide needed services;
  - (2) assistance in negotiating complex governmental systems;
  - (3) assistance in applying for compensation from the State Criminal Injuries Compensation Board, and in dealing with the Board's investigation and hearing process;
  - (4) compensation for costs incurred by a victim who meets income limits set by regulation for court appearances, claim hearings, and medical (including mental health) treatment;
  - (5) replacement of property lost as a result of a crime and needed for the well-being of the victim, such as eyeglasses, hearing aids, door, windows, or locks of a victim who meets income limits set by regulation; and
  - (6) other services or financial assistance directly related to the effects of the crime on a victim who meets income limits set by regulation.
- (b) (1) The victim advocate program may provide compensation to a victim under subsection (a)(4), replacement property under subsection (a)(5), and other financial assistance under subsection (a)(6) only to the extent that:
- (A) compensation, replacement property, and other financial assistance are not available from insurance, the State victim compensation program, the Partnership Fund for victims of hate violence under Section 27-26F, or any other source for the same purpose arising from the same criminal incident;
  - (B) the compensation, replacement property, and other financial assistance do not exceed an amount set by regulation; and
  - (C) appropriated funds are available.
- (2) Regulations may set different limits for compensation, replacement property, or other financial assistance paid to a crime victim in connection with a single criminal incident.
- (c) A victim must file a claim for compensation under subsection (a)(4) or for replacement of property under subsection (a)(5) within 90 days after the crime is reported. The

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§32-25

program administrator may waive this deadline if the administrator determines that it was difficult or impossible for the victim to meet the deadline.

- (d) A limit on compensation under this Section applies separately to each victim of a criminal incident. Compensation paid to an individual victim in connection with one criminal incident does not count toward the limit on compensation that the program may pay to the same individual in connection with a separate criminal incident.
- (e)
  - (1) A member of a victim's immediate family or household may receive compensation for mental health services (including services provided by the County) related to the crime. "Immediate family" means a parent, child, spouse, or sibling of the victim. The administrator may require reasonable proof that a relationship qualifies under this subsection.
  - (2) Compensation provided under this subsection is subject to the same requirements and limitations as compensation provided to a victim, except that compensation under this subsection must not exceed a percentage of the maximum compensation available (for any purpose) to any victim under regulations referred to in subsection (b). The percentage is:
    - (A) 20 percent, if the member of the family or household meets income limits that apply to a victim; or
    - (B) 10 percent, if an authorized person waives the income limit under subsection (f)(2).
- (f) The Director of Health and Human Services or the Director's designee at or above the level of the program administrator may waive the income limits referred to in subsections (a)(4), (5), and (6) and (e)(2):
  - (1) if the Director or designee determines that the costs of the crime are likely to reduce the victim's income below the income limits in the future; or
  - (2) for up to 10 percent of the maximum compensation (for any purpose) otherwise available to a victim, if the Director or designee determines that a waiver would promote the purposes of the Victim Advocate Program. (1987 L.M.C., ch. 4, § 1; 1998 L.M.C., ch. 25, § 1.)

§32-26

MONTGOMERY COUNTY CODE  
Chapter 32**Sec. 32-26. Duties of program administrator.**

The program administrator must:

- (a) coordinate services available to a victim;
- (b) follow up on services provided to a victim;
- (c) solicit goods, services, and financial donations to assist in the replacement or repair of property of a victim damaged as a result of a crime;
- (d) make the program more effective by keeping program data and identifying additional services;
- (e) develop and maintain effective coordination and communication with community and government agencies that provide services to crime victims; and
- (f) provide information to crime victims and the general public about the compensation and services available through the program. (1987 L.M.C., ch. 4, § 1; 1998 L.M.C., ch. 25, § 1.)

**Sec. 32-27. Eligibility.**

- (a) An individual is eligible for compensation or services under this Article if the individual was a victim of a crime committed in Montgomery County that was reported to an appropriate law enforcement agency within 48 hours after the crime occurred or was discovered. The program administrator may waive this deadline if the administrator determines that it was difficult or impossible to meet this deadline.
- (b) A resident of the County who was a victim of a crime committed outside the County is eligible for
  - (1) services under this Article to the extent that appropriate services are available; and
  - (2) compensation or property replacement under subsections 32-25(a)(4), (5) if comparable assistance is not available from the jurisdiction where the crime occurred. (1987 L.M.C., ch. 4, § 1; 1998 L.M.C., ch. 25, § 1.)

**Sec. 32-28. Crime Victim Compensation Fund.**

- (a) There is a Crime Victim Compensation Fund to compensate victims of crime and provide other financial assistance and services to crime victims.



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- (b) The Fund receives appropriated funds from the County and may receive funds contributed by a private person, other government agency, or any other source. The County should appropriate additional funds to match every \$1 of private contributions with \$2 of County funds. Unused amounts in the Fund at the end of a fiscal year remain available in the Fund for the next fiscal year unless otherwise appropriated.
- (c) The program administrator must use funds from the Fund to pay compensation and other financial assistance to victims under this Article, and may use up to 10 percent of the Fund to publicize the Fund and solicit private contributions. (1998 L.M.C., ch. 25, § 1.)

**Sec. 32-29. Penalty.**

Any person who makes a false claim under this Article:

- (a) has committed a Class A violation; and
- (b) must reimburse the Crime Victim Compensation Fund for any payments from the Fund that were based on the false claim. (1998 L.M.C., ch. 25, § 1.)

**Sec. 32-30. Regulations.**

The County Executive must adopt regulations under method (2) to implement this Article. (1987 L.M.C., ch. 4, § 1; 1998 L.M.C., ch. 25, § 1.)

Note—Formerly, § 33-28.

MONTGOMERY COUNTY PARTNERSHIP FUND FOR VICTIMS OF HATE/VIOLENCE –  
SUMMARY AND STATUTE

**Origin**

County Law

**Structural Location**

Montgomery County Office of Human Rights

**Source of Funds**

Funds are provided by an annual County appropriation of \$25,000.

**Eligibility**

Individuals and private institutions are eligible to receive financial assistance from the Partnership Fund if property damage or personal injury was caused by an act of hate/violence committed because of race, ethnicity, religion, sexual orientation, or disability and the incident occurred in Montgomery County. The Montgomery County Office of Human Rights evaluates the following factors to determine if an act of hate/violence has occurred:

- A racial, religious, or ethnic statement is made during the incident.
- Hate group symbols are displayed.
- The motive of an act is to harm, injure, or intimidate a particular group or organization.
- The victim perceives it to be a hate/violence incident.

Victims must return the application within 30 days of receipt, although extensions can be granted. A police report is required to be filed within seven days of the incident, although this requirement may be waived by the Partnership Board for “good cause”. The Fund must reduce any payment by any amount the victim receives or is entitled to receive from any private or public source as compensation for damages from the hate/violence incident.

**Benefits**

The Partnership Fund may provide up to \$6,000 per incident. Compensable costs along with the limit for each category include:

- Property Damage - \$2,000
- Personal Injury - \$4,000
  - Medical Expenses
  - Lost Wages
  - Psychological Services

Awards are limited to actual damages incurred. Over any 12-month period, a victim of hate/violence may not receive more the \$8,000 from the Fund.

**Requirements**

A victim must fill out an Application for Compensation and return it to the Office of Human Rights with supporting documentation.

Bill No. 27-02  
 Concerning: Partnership Fund for  
Victims of Hate/Violence -  
Amendments  
 Revised: 10/28/02 Draft No. 3  
 Introduced: July 30, 2002  
 Enacted: November 26, 2002  
 Executive: December 5, 2002  
 Effective: March 6, 2003  
 Sunset Date: None  
 Ch. 30, Laws of Mont. Co. 2002

**COUNTY COUNCIL  
 FOR MONTGOMERY COUNTY, MARYLAND**

---

By: Council President at the request of the County Executive

---

**AN ACT to:**

- (1) increase the compensation a victim of hate/violence may receive from the Partnership Fund;
- (2) expand the reasons why a victim of hate/violence may receive payment from the Partnership Fund;
- (3) require that a police report be submitted with all claims of hate/violence unless the Partnership Board waives this requirement; and
- [[ (3) ]] (4) generally amend the law governing the Partnership Fund for Victims of Hate/Violence.

By amending

Montgomery County Code  
 Chapter 27, Human Rights  
 Section 27-26

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec 1. Section 27-26 is amended as follows:**

2   **27-26. Partnership Fund for victims of hate/violence.**

3           (a) Fund established.

4           (1) There is a Partnership Fund for victims of hate/violence.

5           (2) The Fund is created to [help] compensate victims of  
6           hate/violence [to repair or replace the victim's property  
7           damaged] for personal injury and property damage caused  
8           by the hate/violence incident.

9           (3) The Commission on Human Rights must define what  
10          conduct is an act of hate/violence.

11          (4) The County Executive must determine who will administer  
12          the Partnership Fund.

13          (b) Board established.

14          (1) The Partnership Board has 7 members from the private  
15          sector appointed by the Executive and confirmed by the  
16          County Council.

17          (2) Each member is appointed for 3 years. At the end of a term,  
18          a member continues to serve until a successor is appointed  
19          and confirmed.

20          (3) A member of the Partnership Board is not paid for service  
21          on the Board.

22          (c) Contributions.

23          (1) The Board should solicit and deposit private contributions to  
24          the Fund. The Board may spend up to 10 percent of the  
25          Fund to publicize the Fund and solicit private contributions.

- 26 (2) The County must contribute \$25,000 per year to the Fund to the  
27 extent that funds are appropriated.
- 28 (3) The County government must also contribute \$2 for every \$1 of  
29 private contributions to the Fund, up to an additional \$30,000 per  
30 a year, to the extent that funds are appropriated.
- 31 (d) Victim compensation.
- 32 (1) The Board may pay a victim of hate/violence up to \$2,000 from  
33 the Fund for each incident of hate/violence to [repair or replace  
34 the victim's property damaged] compensate the victim for  
35 property damage caused by the hate/violence incident.
- 36 (2) [A victim of hate/violence may not receive more than [\$5,000]  
37 \$8,000 from the Fund in any 12-month period.] The Board may  
38 pay a victim of hate/violence up to \$4,000 from the Fund for each  
39 incident of hate/violence to compensate the victim for personal  
40 injuries caused by the hate/violence incident. Personal injury  
41 awards must be limited to actual damages for medical expenses,  
42 psychological services, or lost wages.
- 43 (i) Lost wages must be based solely on employment  
44 income and must be calculated based on an individual's  
45 gross average weekly wage immediately before the  
46 incident of hate/violence.
- 47 (3) A victim of hate/violence may not receive more than \$8,000  
48 from the Fund in any 12-month period.
- 49 (e) Police Report. A police report, filed over the telephone or in person to  
50 an appropriate law enforcement agency within 7 days after an act of  
51 hate/violence occurred or was discovered, must be submitted with all

52 claims. The Board may waive this requirement if an individual had  
53 good cause for not filing a police report.


54 ~~[(e)]~~ (f) Reduction of compensation. The Board must reduce any payment from  
55 the Fund by any amount the victim receives or is entitled to receive  
56 from any private or public source as compensation for damages from  
57 the hate/violence incident.

58 (i) The Board may pay for lost wages only to the extent that  
59 compensation is not available from an employer for vacation,  
60 sick, or any other type of leave, insurance, the State victim  
61 compensation program under Maryland Code, Criminal  
62 Procedure Article Section 11-811, the County victim assistance  
63 program under Section 32-25, or any other source arising from  
64 the same incident.

65 ~~[(f)]~~ (g) False claims. Any person who makes a false claim under this Section:  
66 (1) commits a Class A violation; and  
67 (2) must reimburse the Fund for any payments received under this  
68 Section.

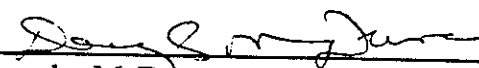
69 ~~[(g)]~~ (h) Regulations. The County Executive may adopt regulations to  
70 implement this Section under method (2).

71 *Approved:*

72   
Steven A. Silverman, President, County Council

11/26/02  
Date

73 *Approved:*

74   
Douglas M. Duncan, County Executive

12/3/02  
Date

75 *This is a correct copy of Council action.*

76 *Mary A. Edgar* *December 9, 2002*  
Mary A. Edgar, CMC, Clerk of the Council Date



M A R Y L A N D



**CRIME VICTIMS  
AND WITNESSES:  
Your Rights and Services**

Parris N. Glendening  
*Governor*

Kathleen Kennedy Townsend  
*Lt. Governor*

and the  
STATE BOARD OF VICTIM SERVICES  
Roberta Roper, *Chair*

*Keep this brochure for  
information and questions that arise as your  
case proceeds.*

PRINTED 1/00



Maryland State  
**Board of  
Victim Services**

300 E. Joppa Road, Suite 1105  
Baltimore, Maryland 21286-3016  
410-321-3521 FAX 410-321-3116  
E-Mail Address: INFO@GOCCP-STATE-MD.ORG  
TOLL FREE: 877-687-9004

**MONTGOMERY COUNTY**

Officer \_\_\_\_\_

Complaint # \_\_\_\_\_

Phone # \_\_\_\_\_

Investigator \_\_\_\_\_

Phone # \_\_\_\_\_

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 your rights as a victim  
 have been violated  
 please contact the  
 Maryland State Board  
 of Victim Services.  
 Toll Free at  
 1-877-9CRIME2

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## VICTIM RIGHTS AND SERVICES

The members of the State Board of Victim Services regret that you have been the victim of a crime. In addition to your personal losses, the experience may have created stress, fear and confusion for you. We would like to help.

The State Board of Victim Services was created by the Maryland General Assembly to address the unique needs of crime victims and to make recommendations for improving state and local crime victim services.

This brochure is designed to inform you of victims' rights and services and to help you use them. It outlines the steps a case goes through in the criminal justice process and explains the responsibilities of the criminal justice system to crime victims and witnesses.

### GENERAL RIGHTS

*Under the Maryland Constitution and under State laws and guidelines, a victim of crime must be treated with dignity, respect and sensitivity during all phases of the criminal justice process. After a crime has been committed, and throughout the criminal justice process, different rights and services apply to specific victims during the periods outlined throughout this brochure. For assistance in your community, and to find out your specific rights, refer to the Resource Section of this brochure.*

Throughout this handbook, the use of the universal masculine ("he," "him," and/or "his") is used only to simplify the narrative. The use of these words can be interchanged with the universal feminine ("she," "her," and/or "hers") where appropriate to the individual reader's case.

## THE CRIMINAL JUSTICE PROCESS

### AFTER YOU REPORT A CRIME

If the police arrest a suspect, he will be taken before a Court Commissioner. Information regarding your case will also be provided to the local prosecutor, also called the State's Attorney.

The Court Commissioner will decide if there is enough evidence - known as "probable cause" - to charge the suspect with the crime, and if so, on what conditions the suspect could be released until a hearing before a judge.

If the suspect is held in custody after the Commissioner hearing, he will be entitled to a bail hearing before a judge. The judge will then decide whether to release the suspect, perhaps with certain conditions, or to keep him in jail until a trial is held. A defendant can only be detained if the facts show he is a danger to the community and/or there is a risk that he will not show up at the trial. Most suspects are released.

The prosecutor will review any available information, including that provided by the police and Commissioner, and determine what charges, if any, the suspect should be prosecuted. In more serious cases, the prosecutor may use a Grand Jury to make these decisions.

In serious cases a suspect has the right to ask the judge for a Preliminary Hearing. At this hearing, the judge will decide if there is enough evidence or "probable cause" to continue with the charges against the suspect.

If the prosecutor proceeds with the case, a trial date will be set by the court. Due to crowded court dockets, *the case may take several months to come to trial.* The prosecutor will notify the victim and key witnesses if and when it is time to prepare for trial.

### YOUR RIGHTS BEFORE THE TRIAL

A victim or witness can request that their address and phone number remain confidential and not be released

by the judge, States Attorney, police, District Court Commissioner or juvenile intake worker.

Once a suspect (now called the defendant) has been charged with a crime, the defendant's attorney will try to discover information which will help him to prepare the case. The attorney will probably ask for, and generally receive, the names and addresses of witnesses involved in the case. You are not however, required to talk to the defendant's attorney or his representative.

If the defendant threatens you, or interferes with you in any way, do not hesitate to call the police. *If you are acting as a witness for the prosecution and your safety has been threatened as a result, contact the State's Attorney and your local police agency immediately.* It is a crime for the defendant to do anything to stop you from testifying at the trial. Victim/witness protection resources may be available to increase your protection and enable your continued participation in court proceedings.

Before the trial, the defendant may be required to appear at various court hearings. *As a victim, you have the right to attend these hearings, the trial, and any related hearings or proceedings.* You may ask the prosecutor to notify you of any appearance that you should attend. Often the judge will grant several "continuances" of delays, at the request of the defense or the prosecution. Even though delays and continuances are frustrating, it is important that you continue to appear in court when you are requested.

### DURING THE TRIAL

*A victim has the right to be present at the trial.* A victim or witness can request that their address and phone number remain confidential, and not be released. The prosecutor can help you prepare for the trial by telling you what questions he will ask and what questions to expect the defendant's attorney to ask.

### AFTER THE TRIAL

If the defendant is found guilty, the judge will hold a

sentencing hearing, often at a later date. The judge has several sentencing options including: confinement in prison or jail, probation, payment of fines or restitution, or any combination of these options.

Probation is the most frequently imposed sentence. Probation means that a convicted offender will be released and may be under the supervision of a probation officer. Probation often includes special conditions such as: drug testing, repayment of restitution, monthly reporting to a probation or parole officer, etc.

*At the sentencing hearing, the victim or victim's representative may address the court to describe the impact of the crime. In cases resulting in serious physical injury or death, the court must consider a victim's or the victim's representatives written impact statement describing the effects of the crime on the victim. A written victim impact statement provides a victim or a victim's surviving family members an opportunity to tell the court about the emotional, physical, and financial impact of the crime.*

*A victim also has the right to request restitution. The State's Attorney will help you make this request to the judge.*

## **AFTER SENTENCING**

*After the trial is over, a victim may have the right to have stolen or other property returned once the case is finished. The State's Attorney will help you retrieve your property.*

*Finally, a victim has the right to be notified of any further hearings related to the defendant's sentence or release by the Division of Correction, Patuxent Institution, or the Parole Commission. If you so request the State's Attorney will see that your request to be notified is forwarded to the correct criminal justice agency for future contact and/or notification.*

## **HELP THROUGHOUT THE JUSTICE PROCESS**

Throughout the criminal justice process, and even after it has been completed, you may experience physical, emotional, or psychological distress as a result of your victimization. This is a normal reaction, and help is available. Please refer to the *Resource Section* of this brochure if you would like to locate supportive services within your local community.

# **CRIMINAL INJURIES COMPENSATION BOARD**

## **OVERVIEW**

The Criminal Injuries Compensation Board (CICB) was established to provide financial assistance to Maryland's crime victims when no other resources are available. Victims or surviving family members of deceased victims may be eligible to be reimbursed for their medical, mental health, and/or funeral expenses, and/or lost income resulting from a crime under the following conditions:

## **WHO MAY APPLY?**

- (a) Crime victims, or their parents or guardians on their behalf;
- (b) Dependents of victims who died as a result of a crime;
- (c) Persons who paid the funeral expenses of a victim who died as a direct result of a crime;
- (d) Persons injured while preventing a crime or assisting a police officer; and
- (e) Persons injured or killed as a result of an individual driving while intoxicated.

## **WHAT IS REQUIRED?**

- (a) A crime report to police within 48 hours\* of the crime;
- (b) A completed claim form sent to CICB within 180 days\* of the crime;
- (c) Physical injury or death directly related to the crime;
- (d) Innocence of the victim: that is, the victim bears no responsibility for the crime or the injury; and
- (e) Serious financial hardship resulting from the crime.

For Further Information and Assistance in Filing — Call or Write:

Criminal Injuries Compensation Board  
Suite 312, Plaza Office Center  
6776 Reisterstown Road  
Baltimore, Maryland 21215-2340  
(410) 585-3010 TTY: 1-800-735-2258

Toll Free Number  
1-888-679-9347

\*may be waived for "good cause"

## DOMESTIC VIOLENCE

When a loved one hurts you, it can be embarrassing, confusing, and sometimes life-threatening. No one has the right to hurt you or your children - even a family member. Getting help is the first step toward a safe future. This section gives you information about special rights and resources available to victims of domestic violence and/or stalking.

### SPECIAL RIGHTS AVAILABLE TO VICTIMS

In Maryland, the police may make an arrest for an incident of domestic violence without witnessing the assault if they have "probable cause" to believe that assault took place. Officers must make an arrest if an offender is in violation of the "stay away" or "don't abuse" provision of a Civil Protective Order.

If an arrest is not made at the scene, a domestic violence victim may: (1) make application with a District Court Commissioner to file criminal charges or (2) request that the State's Attorney file a criminal charge. Some jurisdictions may charge a nominal fee for the incident report.

A victim of domestic violence may receive, upon request, a copy of the incident report from the law enforcement agency that responded to the call.

A domestic violence victim may also request a "domestic stand-by" from an officer to ensure that she is safe while removing personal items to meet her emergency needs, along with the emerging needs of any children in her care.

### OTHER LEGAL REMEDIES

In addition to filing criminal charges, against their abuser, victims of domestic violence can also apply for a Civil Protective Order if they: 1) are or were married to the abuser, 2) live with the abuser, 3) have a child together with the abuser, or 4) are related to the abuser. Also, a person who is a parent or child of the victim can apply as well, if they have lived with the victim or the abuser for 90 days in the

past year. The Protective Order is a court order instructing the abuser to stop the abuse, leave the joint residence, stay away from the victim's work, or other remedies ordered by the court. A person may apply for a Protective Order at a District or Circuit Court. This order may be for the victim or on behalf of a family member, such as a child or vulnerable adult.

### SERVICES AVAILABLE

Domestic violence is a complex crime that usually becomes more frequent and more severe without outside help. If you have been harmed by an intimate partner, it is important that you contact a local domestic violence program or legal service listed in the *Resource Section* of this brochure to help you understand how it has affected your life, and how to get the support and advocacy you need to live in safety again.

### PROTECTION FROM STALKING

Maryland offers special protection for victims of stalking. Stalking is malicious conduct, and includes persistently approaching or pursuing another person with the intent to place them in fear of injury or death.

If you think that you are a victim of stalking, tell the police when they make an arrest, and/or **immediately** file an application with the Court Commissioner to let him know that you may be a victim of stalking and are afraid for your safety. The Court Commissioner *shall* consider a stalking victim's safety when deciding to release a defendant on pretrial release.

## PROTECTION BY PEACE ORDER

If you have a legitimate reason to fear bodily harm from an act committed by someone *other than* your spouse; a person that you have had a long-term relationship with, or someone with whom you have a child, you may seek relief by obtaining a "*peace order*."

Please be advised that a domestic incident of this nature may be addressed by obtaining an *ex parte*/ protection order.

The acts must have occurred in the previous 30 days and include: an act that causes serious bodily harm; places you in fear of imminent serious bodily harm; assault in any degree; rape or sexual offense; false imprisonment; harassment; stalking; trespassing or destruction of property.

The peace order will be granted if the court finds clear and convincing evidence that the accused committed and is likely to commit acts against you in the future. If the court finds reasonable grounds to issue a temporary peace order, the accused may be ordered to refrain from committing the acts; contacting or attempting to contact or harass you, and stay away from your residence, workplace or school.

### TO APPLY YOU MUST:

- *File an application for petition at the District Court;*
- *Swear under oath before a Judge to the acts being alleged in support of the peace order; and*
- *Pay a \$20 (non refundable) filing fee.*

### IF GRANTED:

- *Pay \$30 to have the order served;*
- *The order will be temporary for 7 days until a hearing is scheduled; and*
- *May be extended up to 6 months after the hearing.*

**A VIOLATION OF THE PEACE ORDER  
OR TEMPORARY PEACE ORDER IS  
PUNISHABLE BY CONTEMPT, CRIMINAL  
PROSECUTION OR BOTH.**

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## SEXUAL ASSAULT

Sexual assault and rape are violent crimes that often leave victims feeling alone and frightened. Crimes of sexual violence are even more painful because victims must discuss very intimate details of the crime. Knowing what may happen ahead of time can reduce your anxiety and help you get through the process more comfortably. The most commonly asked questions are answered below.

### WHO WILL PAY FOR MY MEDICAL EXPENSES?

A rape or sexual assault victim shall be examined without charge, if a police report has been filed. The hospital and physician are entitled to be paid by the Department of Health. You and your insurance company will be responsible for any other medical treatment you receive. You may be eligible for compensation for any other medical expenses not covered by insurance. (*See the Criminal Injuries Compensation Board.*)

### IS THERE MANDATORY TESTING OF THE OFFENDER FOR THE HIV VIRUS?

Upon written request to the State's Attorney, a victim of a crime involving a sexual offense, or other crimes that might result in exposure to the HIV virus, may ask the court to order the accused to be tested for HIV. If you are afraid that you were exposed to this virus, talk to the State's Attorney and/or your local sexual assault counselor for guidance in your individual situation.

### HOW MUCH OF MY PERSONAL HISTORY WILL BE MADE PUBLIC IN A TRIAL?

Evidence relating to a victim's prior sexual conduct can seldom be admitted as evidence, however, this issue varies depending on the circumstances of your case. If you have concerns about what information will be made public, you may wish to consult with a sexual assault advocate or the Victim/Witness Coordinator in your State's Attorney's Office.

9

## CAN I RECOVER FROM THIS VIOLENT ASSAULT?

Sexual assault is a life-threatening experience and may result in extreme and long lasting trauma to the victim. The physical and emotional results of this trauma generally come in three stages; however, the effects of the assault are different for each victim.

- The *Acute Reaction* usually occurs immediately; the most common signs of this stage are shock, disbelief, fear, anger, helplessness, mood swings, and eating or sleeping disturbances.
- The next stage is often the *Outward Adjustment*. This can be a temporary period where the victim reports that everything is back to normal and tries to regain control over personal feelings and life situations.
- The *Integration* stage most often begins with depression, followed by a renewal of Acute Reaction symptoms. The victim may become overwhelmed by the assault, make drastic life changes, and may also experience guilt.

Eventually, with emotional support if necessary, a survivor of sexual violence or other acts of violence, can work through the trauma and move past the experience and fear generated by the assault.

If you have experienced a rape or sexual assault, contact the Sexual Assault Center listed in the *Resource Section* of this brochure and ask for the emotional support and legal advocacy that is available to you as you work to heal and recover from this crime.

## THE JUVENILE JUSTICE SYSTEM

If you were victimized by someone under the age of 18, the offender is considered a juvenile, and your case will be handled differently than if the offender is an adult. The primary difference is an emphasis on rehabilitation rather than punishment. Juveniles are not convicted of a crime, but are found to be delinquent, and their records are not made available to the public.

### NOT ALL JUVENILE OFFENDERS ARE SENT TO COURT

If the offender is a juvenile, the police typically file a "complaint" about the juvenile suspect with the Department of Juvenile Justice (DJJ). New cases are reviewed by an intake officer at the local DJJ office. The intake officer will contact any victim involved in the complaint.

The intake officer will decide whether to close the case, place the juvenile on informal supervision, send the youth to a treatment program, or forward the case to the State's Attorney's office for a formal hearing in Juvenile Court. The intake officer has 90 days to take action on the case. You will receive a letter advising you of the decision and your right to appeal if the case is closed. *You must file an appeal within 30 days.*

### JUVENILE DELINQUENCY

A juvenile is considered delinquent if he commits an act which would be a crime if committed by an adult. More serious juvenile complaints go directly to the State's Attorney's office to be handled in Juvenile Court. This depends on the severity of the delinquent act, the youth's age, and prior delinquent record.

For juvenile complaints involving a serious delinquent act, the State's Attorney may request that the juvenile be tried as an adult in Circuit Court. A Circuit Court judge rules on this request at a "Waiver Hearing" and determines if the case will be heard in Circuit or Juvenile Court.



## WHAT HAPPENS IN JUVENILE COURT?

The State's Attorney must take action within 30 days of receiving a juvenile complaint. There are several types of hearings that may occur:

**Detention Hearing:** If the juvenile is considered dangerous or his well-being is threatened, a hearing will be held by a Juvenile Court judge to decide whether or not to detain the juvenile in a secure facility for up to 30 days, or to release him to the custody of a parent or guardian.

**Adjudicatory Hearing:** This hearing is held in Juvenile Court to determine if the juvenile who committed the offense is "delinquent." It must take place within 60 days. As in an adult case, the juvenile is entitled to an attorney, and the attorney may contact you before the hearing to try to discover information to help the juvenile offender. *However, you are not required to talk to the juvenile's attorney or his representative.*

**Disposition Hearing:** If the offender is found to be delinquent, the judge will hold a separate disposition hearing to determine appropriate action against the juvenile. He may be placed on probation, placed in the custody of a juvenile justice facility, or ordered to participate in appropriate services.

**Restitution Hearing:** If the juvenile is found to be delinquent, a restitution hearing may be held. The State must prove that the victim's personal property was stolen, damaged or destroyed, and/or that there were medical or funeral expenses incurred by the victim as a result of the delinquent act.

If the court determines that restitution should be paid, the judge will enter a judgement of restitution against the juvenile. The court may also hold the juvenile's parents liable for the expenses in an amount not to exceed \$10,000. Restitution may be a condition of the juvenile's probation.

## HOW DO I FIND OUT ABOUT MY CASE?

The victim, and in most cases, the general public have a right to attend any of the hearings mentioned above, if the juvenile is alleged to have committed a delinquent act which would have been a felony if committed by an adult. In other cases, the court *may* exclude the general public and admit only those persons having a direct interest in the proceedings. For information about your case, contact your local Department of Juvenile Justice office listed in the **Resource Section** of this brochure.

# Maryland Victim Assistance Services

Maryland Network Against Domestic Violence  
1-800-MDHELPS

Maryland Coalition Against Sexual Assault  
1-800-983-7273

Stephanie Roper Committee and Foundation  
1-877-VICTIM1

Criminal Injuries Compensation Board  
1-888-679-9347

National Organization of Parents of Murdered Children  
1-513-721-5683

Mothers Against Drunk Driving (MADD)  
1-800-446-6233

Division of Correction  
Victim Services Unit  
1-410-585-3331

Maryland Parole Commission  
Victim Notification  
1-877-241-5428

Division of Parole and Probation  
Office of Victim Services  
1-410-585-3500

Prevent Child Abuse Maryland  
1-800-CHILDREN

Maryland State Police Headquarters  
1-410-486-3101

Maryland State Board of Victim Services  
Compliance Program  
1-877-9CRIME2

Crime Victim Legal Advocacy Program  
1-877-VICTIM-1

# VINE Registration Information

Please record the following information before calling the VINE service:

Offender Name

Case Tracking Number  
(for court information)

Offender Number  
(for detention center offenders)

Institution Number  
(for Division of Correction offenders)

Your Four-Digit PIN

The Maryland Statewide VINE service is provided by the Governor's Office of Crime Control & Prevention and the Maryland State Board of Victim Services. Do not depend solely on VINE or any other single service for your protection.

Appr ss

# VINE

**1-866-MD4VINE**  
(1-866-634-8463) TOLL-FREE



## Victims have a right to know.

A service provided by the:  
• Governor's Office of Crime Control & Prevention  
• Maryland State Board of Victim Services

Cooperating agencies include:

- Maryland District Courts
- Maryland Circuit Courts
- Maryland State's Attorneys' Offices
- Maryland County Detention Centers
- Maryland Department of Public Safety and Correctional Services

Parris N. Glendening, Governor  
Kathleen Kennedy Townsend, Lt. Governor

# Call VINE.

Victim Information & Notification Everyday

# What is VINE?

## Victim Information and Notification Everyday

VINE is a free, anonymous, automated telephone service that provides victims of crime with two important services: information and notification.

### Information

For *offender information*, call the Maryland Statewide VINE program toll-free at 1-866-MD4VINE (1-866-634-8463) and follow the prompts. Callers provide basic information to search the VINE database. VINE will quickly provide the caller with offender court case and/or custody status information.

### Notification

Callers may choose to register for automated telephone notification for certain court and custody status events. In some instances, notification letters may be sent as well.

## Victim Information & Notification Everyday

### What will VINE do for me?

VINE will provide you with vital court case and custody status information for an offender currently involved in the criminal justice system in Maryland. If you choose you may register to receive telephone notification for certain court case and custody status events. The Maryland VINE service is available in both English and Spanish.

If you are the victim of the crime and have completed and returned the *Maryland Crime Victim Notification Request Form*, you will automatically be registered to receive notification from the VINE system for court case and custody status events. If you are not the victim of the crime or have not submitted the *Maryland Crime Victim Notification Request Form*, you may follow the instructions below to receive telephone notification for both court case and custody status events.

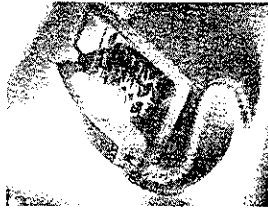
### What do I need to do?

Call the Maryland VINE Line toll-free at 1-866-MD4VINE (1-866-634-8463) from a touch-tone telephone and follow the prompts.

If your offender is currently involved in an active court case or in custody at a correctional facility, you may enter a telephone number where you would like to be notified should his or her status change. You may register up to two different telephone numbers with VINE. VINE appears on "caller i.d." as unknown, therefore if you have unknown calls blocked, VINE will be unable to notify you.

You will need to select a four-digit Personal Identification Number, or PIN, that will be used to confirm any telephone notifications received from VINE. It is important that you select a number that is easy for you to remember.

When you receive a notification from VINE, listen to the complete message and then enter your PIN. Entering your PIN lets VINE know that you successfully received the notification and stops the system from calling you further for notification of that particular event.



# 1-866-MD4VINE

# VICTIM/WITNESS ASSISTANCE SECTION



FUNCTION CODE: 1107  
EFFECTIVE DATE: 05-11-98

## Contents:

- I. Policy
- II. Goals
- III. Assessing Victim/Witness Needs
- IV. Training for Department Personnel
- V. Victim/Witness Referral Information
- VI. Department Personnel Responsibilities
- VII. Victim/Witness Assistance *Section*
- VIII. Proponent Unit
- IX. Cancellation

### I. Policy

The Montgomery County Department of Police is committed to the fair, compassionate, and sensitive treatment of victims and witnesses of crime. This can be accomplished by providing the highest quality of law enforcement while working in partnership with the community. This partnership will help to assure that victims/witnesses are afforded reasonable protection and timely information to assist them with coping and recovering from the effects of crime.

The department recognizes that every victim needs and expects a minimum level of follow-up contact to bring their experience to closure. The importance of the first responder's role in this cycle of events is critical to the beginning of this process. The department cannot meet every need but does have a responsibility to increase victims' awareness and assist them in navigating an increasingly complicated system of justice. (CALEA 55.1.1)

### II. Goals

*The goals of the Victim/Witness Assistance Section are:*

- A. Develop, implement, and coordinate appropriate victim/witness assistance programs and activities within the department. (CALEA 55.1.3.a)

- B. Promote coordination of all individuals, agencies, and organizations providing services in order to develop an integrated community system of victim/witness assistance. (CALEA 55.1.3.d)

### III. Assessing Victim/Witness Needs (CALEA 55.1.2)

- A. The Quarterly Crime Statistics, reflecting the number of incidents and percent of change in specific crimes, is issued and distributed department-wide by the Office of Media Services. This report is available publicly and will be kept on file in the Victim/Witness Assistance *Section*. Publications by the Bureau of Justice Statistics and the U.S. Department of Justice, which detail national criminal victimization trends, also serve as references in the Victim/Witness Assistance *Section*.
- B. *An assessment of needs and an inventory of resources* has been compiled *and is regularly updated* based on direct contact with victims/witnesses and information shared through networking with state and local victim assistance professionals. *This assessment is reported annually to the Chief of Police and is inserted into the division's Procedure Manual* for dealing with victims of specific crime categories, e.g., burglary or attempted suicide.
- C. Resource directories, brochures, and other program materials are collected and catalogued for reference and referral purposes. Information on new services available will be *made available to all department members for appropriate dissemination to the public.*
- D. *Surveys to identify unmet victim/witness needs will be conducted* by the Victim/Witness Assistance *Section*. Results of the surveys will be discussed at scheduled inter-agency victim/witness assistance

meetings to ensure unfulfilled needs are met without duplicating services. Affected units will be provided with survey results so the overall quality of victim services can be continuously enhanced.

IV. Training For Department Personnel

- A. Training will specifically address terms of confidentiality and associated penalties for breach of confidentiality or misuse of privileged access as the issue relates to all department members. Victim/witness assistants, who undergo background investigations before acceptance, will sign confidentiality agreements (MCP 573, "Confidentiality Agreement") during their orientation. (CALEA 55.1.3.b)
- B. A training program for all paid and volunteer non-sworn employees will include the following topics: (CALEA 55.1.3.a)
  - 1. Treatment of victims/witness from a customer service perspective and within the context of Maryland law.
  - 2. General issues and consequences of victimization.
  - 3. Victim/witness rights and responsibilities.
  - 4. Community and departmental resources to aid victims/witness of crime.
- C. Periodic (at least biannual) in-service programs and workshops coordinated by the Victim/Witness Assistance *Section* will be offered to all department members on specific victim issues (e.g., domestic violence, crime prevention). A library of journal references, books, and videotapes is maintained in the *Volunteer and Community Resources Division* to support ongoing education on victim/witness issues. (CALEA 55.1.3.a)
- D. Sworn officers are instructed in the following areas in recruit training: (CALEA 55.1.3.a, 55.2.3.a)
  - 1. Rape and sexual offenses
  - 2. Interviewing of witnesses
  - 3. *Domestic violence*
  - 4. *Victim needs*
  - 5. Sexual harassment
  - 6. *Services provided by the Victim/Witness Assistance Section*

- V. Victim/Witness Referral Information (CALEA 55.1.3.a)
  - A. Written directives which currently govern the implementation and delivery of victim/witness assistance include the following: (CALEA 55.2.3.a)
    - 1. FC 252, "Radio Communications"
    - 2. FC 253, "Telephone Reporting Unit"
    - 3. *FC 516.C, "Questioning/Investigation of Aliens/Foreign Speaking Persons"*
    - 4. FC 535, "Domestic Violence"
    - 5. FC 612.A, "Child Abuse"
    - 6. FC 612.B, "Missing Persons-Adults/Children"
    - 7. FC 612.D, "Investigation of Rapes & First, Second & Third Degree Sex Offenses"
    - 8. FC 672, "Investigation of Institutional Abuse"
    - 9. FC 1100, "Community Outreach Section"
    - 10. *FC 1121, "Interpreters/Language Services"*
    - 11. *MOU, "Vulnerable Adults," located in FC 1211, "Inter-Departmental Agreements"*
  - B. The department will systematically review written directives pertaining to patrol and investigative procedures which impact directly on victims/witnesses of crime to ensure that appropriate inclusions are made to reflect state guidelines for the treatment of victims and witnesses of crime (Article 27, Section 761).
  - C. *It is each officer's responsibility to ensure that, upon first contact, every victim receives a copy of the Maryland "Crime Victims and Witnesses: Your Rights and Services" brochure which is provided by the Governor's Office of Crime Control and Prevention. The officer will make a note in the initial report narrative concerning the issuance of the brochure to the victim.* Every victim will also be provided with a copy of the Montgomery County Victim/Witness Assistance Information Sheet. This distribution will ensure that all victims and potential victims of crime are apprised of basic criminal justice procedures and are directed to a number of standard resources. (CALEA 55.2.3.a)
  - D. The Victim/Witness Assistance *Section's SOP* will address the delivery of victim/witness

assistance services by *victim/witness assistants* in coordination with investigators assigned to follow-up on incidents.

E. The public and media will be periodically informed about the agency's victim/witness services through the following mechanisms: (CALEA 55.1.3.c)

1. Direct referral by sworn officers
2. Communications personnel
3. Police Service Aides
4. Victim/witness outreach efforts via telephone and letter contact from *victim/witness assistants*
5. Departmental/community resource publications
6. Public forums
7. Community/professional conferences and seminars

#### VI. Department Personnel Responsibilities

- A. Victim/witness assistance provided by communications personnel and first responders is essential. Officers routinely provide their name and telephone number to victims and witnesses and advise them how to report additional police information, seek a case status report, or obtain a copy of a police report through the district stations or Records Division. (CALEA 55.1.3.a, 55.2.3.c, d)
- B. Victims and witnesses will be advised to call 911 in an emergency, or the police non-emergency number (301-279-8000) at any time during a 24 hour period for non-immediate response or referral. Emergency communications personnel and Police Service Aides, who are most often the first line of contact, are trained to respond to victim/witness inquiries with referral and information responsive to a wide variety of problems. (CALEA 55.2.1.b, 55.2.3.d)
- C. In crisis related cases, victims may also be directed to a 24 hour crisis hotline which serves as a clearinghouse for a number of county victim services under the Department of *Health and Human Services*.
- D. Victims/witnesses who have been threatened or fear intimidation will be encouraged to report these incidents to the department. A thorough investigation will be initiated by a *police*

officer. Victims will be advised of appropriate courses of action which include crime preventative measures and legal avenues of recourse. Protection will be afforded to the extent reasonable and practical, consistent with the threat and department staffing levels. Criminal charges are encouraged utilizing Article 27, Section 27 (Victim Witness Intimidation). (CALEA 55.2.2, 55.2.3.b)

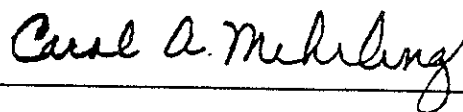
E. The Office of Stress Management, in conjunction with the Personnel *Division*, will coordinate victim/witness services rendered to agency personnel and their families following line of duty deaths or serious injuries as outlined in *FC 1151, "Line of Duty Deaths."* (CALEA 55.2.6)

#### VII. Victim/Witness Assistance Section (CALEA 55.1.4)

- A. The authority and responsibility for administration and coordination of this agency's role in structured victim/witness assistance rests with the director of the *Volunteer and Community Resources Division*. Patrol and investigative responsibilities in providing victim/witness assistance are directed by the chiefs of those respective bureaus. (CALEA 55.1.3.a)
- B. The Victim/Witness Assistance *Section* has a central telephone number (301-840-2666) which is answered by recorded message when volunteer personnel are not available. Victims *and witnesses* are instructed to call 911 in an emergency or advised that a *victim/witness assistant* will return their call at the earliest possible time in non-emergency situations. (CALEA 55.2.1.a)
- C. The *coordinator of the Victim/Witness Assistance Section* or designee will attend scheduled inter-agency victim/witness assistance meetings (e.g., *County Executive's Task Force Against Domestic Violence, State's Attorney's Victim/Witness Directors*). (CALEA 55.1.3.d)
- D. Regular contact with service providers will be maintained to promote networking and collaboration on a systematic approach to needs assessment and service delivery. (CALEA 55.1.3.d)

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- E. The Department of Police will cooperate with joint efforts to educate the professional and lay community on issues of victim/witness assistance. (CALEA 55.1.3.d)
- F. The Department of Police conducts an outreach program providing support, information, and referral to crime victims and witnesses. Outreach will be attempted to all victims of crime in their service area either by telephone call, letter, or brochure distribution. This program is designed to complement the services already being rendered by *police officers and* other agencies. (CALEA 55.2.3.a, 55.2.4.a, e)
- G. *Victim/witness assistants will staff the district stations, Monday through Friday, during regular office hours. Victim/witness assistants will work closely with the central and decentralized investigative sections.*
- H. The purpose of the contact is to listen, answer questions, assess the victim's needs for counseling, financial compensation, crime prevention information, or other services, and make the appropriate referrals or recommendations. Under no circumstances will the *victim/witness assistants* address issues requiring the knowledge or experience of a sworn officer. (CALEA 55.2.3.a)
- I. As directed, *victim/witness assistants* may ask specific questions of the victim to ascertain additional facts relevant to the crime which may lead to further investigation or closure of the case. Any feedback or supplemental information derived from the calls will be provided to the assigned investigator or supervisor.
- J. *Victim/witness assistants* will deal with victims with sensitivity and respect, at all times observing strict confidentiality. *Victim/witness assistants* may serve as liaisons between victims and the police, facilitating communication and easing demands on sworn officers by handling routine inquiries and requests. (CALEA 55.1.1)
- K. Referrals to designated service providers will be made as specific needs are identified through outreach. Records will be maintained on all outreach attempts and referrals stemming from client contacts.
- L. Case outcomes will be monitored by two separate feedback mechanisms:  
1. Victims will receive a follow-up call as deemed necessary to confirm outcome of recommendations. (CALEA 55.2.4.a)  
2. A quarterly report on referral follow-through will be exchanged with *collaborating agencies*.
- M. District commanders and supervisors of the investigative sections will provide the *Victim/Witness Assistance Section* with all event reports. Trained volunteers will photocopy the event reports for the *Victim/Witness Assistance Section* and return the reports for normal disposition. In instances where access to the complete report may compromise an on-going investigation, only the first page containing victim/witness information will be provided. The *Victim/Witness Assistance Section* may also receive referrals directly from the victim, patrol officer, court commissioner, or any other county agency.
- VIII. Proponent Unit: *Volunteer and Community Resources Division*
- IX. Cancellation
- This directive cancels Function Code 1107, effective date 03-15-93, and Headquarters Memoranda 97-15 and 94-20.*



Carol A. Mehrling  
Chief of Police



## MONTGOMERY COUNTY DEPARTMENT OF POLICE

# VICTIM/WITNESS ASSISTANCE INFORMATION



The Montgomery County Department of Police is committed to the fair, compassionate and sensitive treatment of victims and witnesses of crime. Our commitment to victims/witnesses includes ensuring that victims and witnesses are afforded reasonable protection; are kept reasonably informed of case status and the arrest of any suspect; receive stolen property promptly unless needed for court, and are given information and referrals that may aid in coping and recovering from the effects of crime.

### COUNTY POLICE DISTRICT STATIONS:

<b>1st District</b>	
1451 Seven Locks Road, Rockville, MD 20854	
Main .....	(301) 279 - 1591
Victim Assistance.....	(240) 773 - 5636
Community Services.....	(301) 279 - 1438
.....	
<b>2nd District</b>	
7359 Wisconsin Avenue, Bethesda, MD 20814	
Main.....	(301) 652 - 9200
Victim Assistance.....	(301) 657 - 0149
Community Services.....	(301) 657 - 0119
.....	
<b>3rd District</b>	
801 Sligo Avenue, Silver Spring, MD 20910	
Main.....	(301) 565 - 7744
Victim Assistance.....	(301) 565 - 5736
Community Services .....	(301) 565 - 5736
.....	
<b>4th District</b>	
2300 Randolph Road, Wheaton, MD 20902	
Main .....	(240) 773 - 5500
Victim Assistance.....	(240) 773 - 5526
Community Services.....	(240) 773 - 5524
.....	
<b>5th District</b>	
2000 Aircraft Drive, Germantown, MD 20874	
Main .....	(301) 840 - 2650
Victim Assistance.....	(240) 773 - 5636
Community Services.....	(301) 601 - 1649
.....	
<b>6th District</b>	
18749 N. Frederick Avenue, Montgomery Village/ Gaithersburg, MD 20878	
Main.....	(240) 773 - 5700
Victim Assistance.....	(240) 773 - 5636
Community Services.....	

### Need to Know About an Inmate's Custody Status or Release?

Call 1 - (800) 510 - 8373  
The VINE<sup>®</sup> Service

#### What is VINE?

VINE is a free, anonymous, fully automated service for crime victims and witnesses.

- VINE allows you to check the custody status of an inmate in the Montgomery County Detention Center and register to receive automatic telephone notification when the inmate is transferred or

### IMPORTANT POLICE INFORMATION

**Emergency (24 hours)..... 911**

- To request police assistance if a crime is about to occur, is in progress, has just occurred or if someone is in danger or at risk of being injured.

**Non-Emergency (24 hours)..... (301) 279 - 8000**

- To request police assistance where there is no reason to believe there is any physical danger. You may be referred to our Telephone Reporting Unit (TRU).

**Victim/Witness Assistance Section..... (240) 773 - 5636**

- Assists victims in finding support, information and appropriate sources within the community to help in the aftermath of crime.

**Family Services Unit..... (240) 773 - 5400**

- Investigates child abuse, rape and certain sex offenses involving victims under 18 years of age. Also handles reported cases of youth runaways and houses the Domestic Violence Unit.

**Domestic Violence Unit..... (240) 773 - 5050**

- Investigates cases of family trouble, including domestic abuse.

**Fraud Section..... (301) 840 - 2590**

- Investigates reports of credit card fraud, forgery, counterfeiting and embezzlement.

**Crime Solvers Tip Line..... (240) 773 - 5038**

- Allows citizens to offer anonymous information about crime. Rewards are paid for information leading to the arrest and indictment of criminals or the capture of wanted persons.

**Drug Tip Hotline..... 1 - 800 - 673 - 2777**

- Allows citizens offer anonymous information relating to illegal drug activity.

**Crime Prevention Unit..... (301) 840 - 2585**

- Provides advice as how to increase protection of your home or business, including information about Neighborhood Watch.

### OBTAINING POLICE REPORTS

Copies of Accident Reports can be obtained at the district police station located in the district where the accident occurred. To obtain a copy of an Event Report, direct your request in person or in writing to:

Montgomery County Department of Police  
Information & Support Services Division, Headquarters  
2350 Research Boulevard  
Rockville, MD 20850..... (240) 773 - 5330

Walk-in hours: 7:30 a.m. – 5:00 p.m. Monday – Friday

Payment is \$5.00 per report. Please provide the correct report number and payment with your request. Checks should be made payable to Montgomery County Government.



**HOW TO FILE CHARGES**

- Report the incident to the police.
- Obtain the report number from the officer.
- See a District Court Commissioner to file criminal charges. A warrant or a summons to appear in court may be issued for the offender. If a Commissioner declines to issue charges, you can request that the State's Attorney file charges against the offender.

**District Commissioners:**

- Rockville (24 hours) ..... (301) 340 - 0160
- Silver Spring..... (301) 588 - 5181
- Germantown..... (301) 540 - 0963

Report Number: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Officer's Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Additional Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**DOMESTIC VIOLENCE INFORMATION**

- If you have been hurt or threatened at home by a spouse or intimate partner – this is a crime. Dial 911 and notify the police immediately. *(You do not have to be a U.S. citizen to receive help.)*
- If you are injured – seek medical attention and have them call the police for you. If you need emergency shelter, please call the Abused Persons Crisis line at... (240) 777 - 4210 and [after 5 p.m.]..... (240) 777 - 4000
- If you have left home and are in fear of harm if you return – call the police to request they accompany you back home to get essential items such as clothing and medicine.

**EMERGENCY PROTECTION FROM DOMESTIC VIOLENCE (Ex Parte Order)**

An Ex Parte Order can temporarily remove the abuser from the home, order the abuser to stop the abuse and enter counseling, and award custody of children. An Ex Parte Order must be issued by a judge and is served by the Montgomery County Sheriff's Office (240) 777-7000. Violation of the Ex Parte Order is a crime and should be reported to the Sheriff's Office immediately. To file for an Ex Parte Order, you should:

- Appear before the Civil Clerk Monday through Friday, before 3:30 p.m. at any of these locations:
  - ...50 Courthouse Square (Circuit Court)
    - Rockville, MD.....(240) 777 - 9400
  - ...27 Courthouse Square (District Court)
    - Rockville, MD.....(Criminal Division)...(301) 279 - 1406
    - and (Civil Division).....(301) 279 - 1500
  - ...8665 Georgia Avenue (District Court)
    - Silver Spring..... (301) 608 - 0660

**CONCERNED ABOUT HIV EXPOSURE?**

If you are the victim of an offense which may have resulted in exposure to HIV, you can obtain further information about your rights under Maryland Law, Article 27, Section 763, by contacting the State's Attorney's Office at..... (240) 777 - 7300

**RESOURCE/REFERRAL INFORMATION**

**Emergency Food, Shelter, Financial and/or Counseling Assistance**

- Montgomery County Crisis Center..... (240) 777 - 4000  
24 hour hot line and walk-in service to assist in situational or mental health crisis
- Victim Assistance and Sexual Assault Program  
Crisis Line (24 hours)..... (240) 777 - 1355  
Provides counseling and, in some cases, financial assistance to victims of general and sexual crimes
- Abused Persons Program Crisis Line..... (240) 777 - 4000  
Assists victims of mate-related physical abuse, including shelter and counseling services.
- Health and Human Services Emergency Services  
(Provides food stamps, medical assistance, temporary cash assistance and other financially eligible services.)
  - Germantown ..... (240) 777 - 3420
  - Rockville..... (240) 777 - 4600
  - Silver Spring..... (240) 777 - 3100
  - After 5:00 p.m. call..... (240) 777 - 4000
  - Maryland Energy Assistance Program... (240) 777 - 4450
  - First Call for Help - Food Hot Line... 1 - (800) - 492 - 0610
  - Associated Catholic Charities..... (301) 942 - 1856
  - Maryland Youth Crisis Hot Line..... (301) 738 - 2255
  - Suicide Hot Line..... (301) 738 - 2255
  - Maryland Center for Missing Children... 1 - (800) 637 - 5437

**Montgomery County Government Agencies**

- Office of Child Support Enforcement..... (301) 610 - 4500
- Landlord/Tenant Affairs..... (240) 777 - 3600
- Child Protective Services (24 hours)..... (240) 777 - 4417
- Adult Protective Services (24 hours) ..... (240) 777 - 3000

**Court-related Numbers**

- State's Attorney's Office..... (240) 777 - 7300
- Sheriff's Office..... (240) 777 - 7000
- Family Services Division - Circuit Court... (240) 777 - 9079
- Department of Juvenile Justice ..... (301) 279 - 1580
- Division of Parole & Probation
  - Rockville ..... (301) 424 - 2214
  - Silver Spring ..... (301) 588 - 8240
  - Gaithersburg ..... (301) 948 - 7910
- Domestic Violence Assistance
  - House of Ruth - Circuit Court ..... (240) 777 - 9077

**Other Useful Numbers:**

- Consumer Credit Counseling..... (301) 231 - 5833x1300
- Legal Aid Bureau..... (301) 942 - 8100
- Verizon's Unlawful Call Center..... 1 - (800) 518 - 5507
- To report annoying or harassing phone calls

MONTGOMERY COUNTY CODE  
Chapter 24

§24-43

- (f) conduct or participate in one or more public forums each year concerning alcoholism and other drug abuse; and
- (g) issue an annual report to the County Executive, County Council, and Director of the Department of Health and Human Services by October 1 of each year. The report must:
  - (1) evaluate the progress of local alcohol and other drug abuse programs;
  - (2) identify actions needed to improve local alcohol and other drug abuse programs; and
  - (3) outline goals of the Council for the following year. (CY 1991 L.M.C., ch. 40, § 1; 1995 L.M.C., ch. 13, § 1.)

**Editor's note**—Section 5 of 1995 L.M.C., ch. 13, reads as follows: “Sec. 5. A regulation that implements a function assigned to the Department of Health and Human Services by 1995 LMC ch. 13 continues in effect but is amended to the extent necessary to provide that the regulation is administered by the Director of the Department of Health and Human Services.”

**Secs. 24-44—24-46. Reserved.**

**Note**—See the editor's note at the beginning of this article.

**ARTICLE VI. RESERVED.\***

**Secs. 24-47—24-53. Reserved.**

**ARTICLE VII. ADVISORY BOARD ON VICTIMS AND THEIR FAMILIES.**

**Sec. 24-54. “Board” defined.**

In this Article, “Board” means the Advisory Board on Victims and Their Families. (1986 L.M.C., ch. 61, § 1.)

**Sec. 24-55. Established.**

Under Part III of Title 8 of the Health General Article of the Annotated Code of Maryland, this Article establishes the board. (1986 L.M.C., ch. 61, § 1.)

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\*Note—See the editor's note to art. V of this chapter.

§24-56

MONTGOMERY COUNTY CODE  
Chapter 24**Sec. 24-56. Membership.**

- (a) The Board is appointed by the County Executive, subject to confirmation by the County Council.
- (b) The Board consists of:
  - (1) Nineteen voting members who are residents of Montgomery County, of whom:
    - a. Five are from among the mental health, legal, medical, dental, and nursing professions;
    - b. Ten may be members of the listed professions but represent the community as a whole;
    - c. One is a member of the clergy;
    - d. One is a representative designated by the Alcohol and Other Drug Abuse Advisory Council; and
    - e. One is a representative designated by the Mental Health Advisory Committee; and
  - (2) Four nonvoting ex officio members, of whom:
    - a. One is the Director of the Department of Health and Human Services;
    - b. One is a representative of the State's Attorney;
    - c. One is a representative of the Public Defender; and
    - d. One is a representative of the Police Department.
- (c) The Board must elect a chairman from among its members:
  - (1) Whose term is one year; and
  - (2) Who may be reelected.
- (d)
  - (1) The term of an appointed member is 3 years.
  - (2) A member ordinarily serves no more than 2 terms.

MONTGOMERY COUNTY CODE  
Chapter 24

§24-56

- (3) The terms of appointed members are staggered as required by the terms provided for appointed members of the Board on July 1, 1986.
  - (1) At the end of a term, an appointed member continues to serve until a successor is appointed and qualifies.
  - (2) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.
- (e) If a vacancy occurs, the County Executive must appoint a successor, subject to confirmation by the County Council, within 60 days of the vacancy. (1986 L.M.C., ch. 61, § 1; 1987 L.M.C., ch. 10, § 1; CY 1991 L.M.C., ch. 40, § 1; 1995 L.M.C., ch. 13, § 1.)

**Editor's note**—Section 5 of 1995 L.M.C., ch. 13, reads as follows: “Sec. 5. A regulation that implements a function assigned to the Department of Health and Human Services by 1995 LMC ch. 13 continues in effect but is amended to the extent necessary to provide that the regulation is administered by the Director of the Department of Health and Human Services.”

**Sec. 24-57. Meetings.**

- (a) The Board must meet at least quarterly. Once a year, the chairman must set a meeting schedule for the coming year with the consent of the Board.
- (b) A meeting of the Board may also be convened at the request of two-thirds of the members of the Board.
- (c) A majority of the members of the Board constitutes a quorum for the transaction of business.
- (d) A majority vote of those present is sufficient for any action taken by the Board. (1986 L.M.C., ch. 61, § 1.)

**Sec. 24-58. Compensation.**

Members do not receive compensation for serving on the Board. (1986 L.M.C., ch. 61, § 1; FY 1991 L.M.C., ch. 9, § 1.)

**Sec. 24-59. Duties of the Board.**

- (a) With the advice and assistance of the Department of Health and Human Services, the Board must:

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MONTGOMERY COUNTY CODE  
Chapter 24

- (1) Periodically review available services and facilities for victims and their families;
  - (2) Determine the needs of the victim and family services program;
  - (3) Each year, submit at least one report to the County Executive and the County Council on the progress of programs to victims and their families and of actions needed to improve those programs;
  - (4) Make recommendations for appropriate allocation of funds in accordance with agreed upon priorities and consideration of financial resources;
  - (5) Assist the Director of the Department in the development of the annual victim services and families plan;
  - (6) Provide input to the Governor's victim services program; and
  - (7) Act as a local advocate for victim services programming.
- (b) The Board may:
- (1) Review and comment on all local new and renewal State grant applications;
  - (2) Review and comment on all local federal grant applications for victims service and family programs;
  - (3) Participate in program evaluations; and
  - (4) Review the State program services plan. (1986 L.M.C., ch. 61, § 1; 1995 L.M.C., ch. 13, § 1.)

**Editor's note**—Section 5 of 1995 L.M.C., ch. 13, reads as follows: “Sec. 5. A regulation that implements a function assigned to the Department of Health and Human Services by 1995 LMC ch. 13 continues in effect but is amended to the extent necessary to provide that the regulation is administered by the Director of the Department of Health and Human Services.”

**Sec. 24-60. Staff support.**

The Director of the Department of Health and Human Services must:

- (1) Provide staff services and administrative support to the Board; and

MONTGOMERY COUNTY CODE  
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- (2) Facilitate in every way possible the work of the Board. (1986 L.M.C., ch. 61, § 1; 1995 L.M.C., ch. 13, § 1.)

**Editor's note**—Section 5 of 1995 L.M.C., ch. 13, reads as follows: “Sec. 5. A regulation that implements a function assigned to the Department of Health and Human Services by 1995 LMC ch. 13 continues in effect but is amended to the extent necessary to provide that the regulation is administered by the Director of the Department of Health and Human Services.”

**Sec. 24-61. Reserved.**

**Editor's note**—Section 24-61, establishing the advisory capacity of the Board on victims and their families, derived from 1986 L.M.C., ch. 61, § 1, was repealed by FY 1991 L.M.C., ch. 9, § 1.

## Highlights of Yearly Activities

### Ensuring a Montgomery County System that is Victim-Friendly:

- Attempted to correct the sexual assault outreach protocol as changed by the Police, Major Crimes Division.
  - Met with Chief Moose, and other police representatives in an attempt to reactivate the Sexual Assault Assistance Team (SAAT) as originally set up in 1979.
  - Contacted the Commission for Women and attended one of their meetings for support to correct the outreach protocol of the Major Crimes Division in Montgomery County.
  - Wrote a letter to the Council requesting legislation to support the Board's position on the outreach protocol.
  - Drafted a proposed law on paper concerning the SAAT team and presented it to select members of the County Council.
  - Met with Sarah Lee Todd, Executive Assistant to the County Executive, to explain the Board's concerns for the way that sexual assault victims were being treated in our County.
  - Wrote follow-up letter to the County Executive's office outlining the Board's concerns for victims of rape and sexual assault and what we expected.
- Contacted the following organizations for their support to correct the outreach protocol to rape and sexual assault victims in Montgomery County:

Wrote follow-up letters to organizations listed below outlining our position and requesting their support:

*Stephanie Roper Committee*

*State Board on Victim Services*

*National Center for Victims of Crime*

*Executive Task Force on Domestic Violence*

*Association for the Advancement of Colored People*

*Maryland Network Against Domestic Violence*

*Maryland Coalition Against Sexual Assault*

### Advocating for Funding for Victim Programs and Services:

- Met with staff of VASAP and APP to gather information concerning budget issues and problems within their programs.
- Attended the annual budget meeting with HHS Director Chuck Short.
- Met with CIVS Chief Corinne Stevens to lobby for budget requests.
- Testified before the County Council on the budget.
- Met with each member of the County Council to lobby for victim program budget needs.

### Educating the Community on Victim-Related Issues:

- Appeared on Cable TV to discuss the Victim Services Advisory Board and how it serves the community.
- Met with each member of the County Council to lobby for victims' issues.
- Attended a dinner meeting of the HHS subcommittee of the County Council to discuss common issues.
- Wrote a follow-up letter to each Council member outlining our concerns for victims' issues and what we requested of them.
- Lobbied State legislators for support with phone calls and personal letters.
- Researched victims' issues and what could be done to make corrections.

### Ensuring VSAB's Future Leadership:

- Wrote Guide/Handbook for Victim Services Advisory Board members and planned a yearly calendar.
- Set up a new plan for change of leadership within the Board, and elected new officers with a graduated plan implemented to turn over the leadership to a new chairperson.



# EXECUTIVE ORDER

Office of the County Executive  
Montgomery County, Maryland

Subject	Number
Extension of Task Force on Spousal Abuse	15-95
Originating Department	Effective Date
Department of Addiction, Victim, and Mental Health Services	2/28/95

WHEREAS, domestic violence remains a serious problem in Montgomery County, and

WHEREAS, the 1980 Legislature expanded the options for victims of domestic violence by enacting the Domestic Violence Protection Act, codified at subtitle 5, Family Law Article, Annotated Code of Maryland, and there is a need to facilitate the development and implementation of new procedures in law enforcement and human service agencies directly involved in cases of domestic violence, in order to assure that these options are made available to victims and

WHEREAS, there is a need for such institutions to work together to improve the services offered, and to increase public awareness of domestic violence, and

WHEREAS, there is a demonstrated relationship between child abuse and domestic violence.

NOW, THEREFORE BE IT RESOLVED, that the Task Force on Spousal Abuse, created on January 15, 1981, by Executive Order No. 3-81, and extended on or about January 15, 1982, March 29, 1983, February 22, 1984, February 1, 1985, June 30, 1986, November 21, 1986, May 6, 1988, and January 23, 1991 be retitled Task Force Against Domestic Violence and extended to November 30, 1998.

A. Task Force Against Domestic Violence

Composition - The Task Force Against Domestic Violence is composed of between 22 and 30 members.

(a.) The membership must include one representative from each of the following:

1. District Court Commissioner
2. Judge of the Circuit Court
3. Judge of the District Court
4. Montgomery County Department of Addiction, Victim, and Mental Health Services
5. Montgomery County Attorney's Office
6. Montgomery County Bar Association
7. Montgomery County Commission for Women





# Executive Order

Office of the County Executive  
Montgomery County, Maryland

Subject	Number
Extension of Task Force on Spousal Abuse	15-95
Originating Department	Effective Date
Department of Addiction, Victim, and Mental Health Services	2/28/95

8. Montgomery County Councilmember
9. Montgomery County Department of Police
10. Montgomery County Department of Social Service
11. Montgomery County Executive Staff
12. Montgomery County Department of Family Resources
13. Montgomery County Housing Opportunities Commission
14. Montgomery County Office of Management and Budget
15. Montgomery County Medical Society
16. Montgomery County Public Schools
17. Montgomery County Sheriff's Office
18. State's Attorney for Montgomery County
19. Clergy of Montgomery County
20. Human Services Legislative Liaison
21. Human Relations Commission
22. Montgomery College

(b.) The membership may be composed of one (1) to eight (8) other County and Community Representatives.

## B. Appointment

Appointment of members by the County Executive will be extended without compensation. The Task Force will elect its own chairperson from among its members.

## Functions

The Task Force Against Domestic Violence will have the following responsibilities:

1. To monitor the implementation of the Domestic Violence Protection Act of 1980.
2. To facilitate communication and cooperation among the public and private agencies and organizations concerned with domestic violence.
3. To identify problems encountered with existing laws and resources in assisting domestic violence victims.



# Executive Order **COPY**

Office of the County Executive  
Montgomery County, Maryland

Subject Extension of Task Force on Spousal Abuse	Number 15-95
Originating Department Department of Addiction, Victim, and Mental Health Services	Effective Date 2/28/95

4. To work with these institutions to address the problems identified.
5. To recommend further legislation or other actions.
6. To monitor diversionary programs of abusers.
7. To work with individuals involved with family abuse issues, including, but not limited to the special problems of children and the elderly, to correlate the interests of all to defuse domestic violence.

Staff and clerical support will be provided by the Division of Victim Services, Department of Addiction, Victim, and Mental Health Services.

Douglas M. Duncan, County Executive

Approved as to form and legality:

Frank E. Couper  
Assistant County Attorney

2/1/95  
Date



# Executive Order

Office of the County Executive  
Montgomery County, Maryland

Subject	Number
Extension of Task Force on Spousal Abuse	15-95
Originating Department	Effective Date
Department of Addiction, Victim, and Mental Health Services	2/28/95

Distribution: County Executive's File  
Secretary of Council  
Department of Finance (2)  
Department of Facilities and Services

**A.L.E.R.T.**  
**MEMORANDUM OF UNDERSTANDING**  
The Assessment, Lethality and Emergency Response Team  
for Domestic Violence

This Memorandum of Understanding is made between the Montgomery County Sheriff's Office, Montgomery County State's Attorney's Office, Montgomery County Department of Police, Montgomery County Department of Health and Human Services, Montgomery County Department of Correction and Rehabilitation and the State Department of Parole and Probation.

### **I. Background/Purpose**

Working to improve the public sector's response to domestic violence has been a high priority in Montgomery County for the past decade. In a continuing effort to maximize the resources of the principal agencies involved in responding to domestic violence, the Montgomery County Council's Office of Legislative Oversight in April 2000, released a comprehensive study of service delivery.<sup>1</sup> Among its recommendations was that an integrated system to provide more information at key decision points was critical to the process. Individual agency practices could be more effective when performed as part of a coordinated community approach to maximize victim safety and batterer accountability.

To this end, the Montgomery County Government, (as represented by the Department of Police, the Department of Health and Human Services and the Department of Correction and Rehabilitation); the Montgomery County State's Attorney's Office; the Montgomery County Sheriff's Office and the State Department of Parole and Probation are committed to developing an integrated system of domestic violence services to improve victim's safety and to more effectively hold batterers legally accountable.

The participants have agreed to establish the Assessment, Lethality, and Emergency Response Team (ALERT) for Domestic Violence. The ALERT participants will work collectively to assess the risk of lethality, to maximize victim safety, and to provide information about the history and pattern of abuse at key system decision points. ALERT will consist of a Domestic Violence Coordinator to manage day to day case review, information distribution, and to coordinate interventions with representatives from each of the participating agencies. This Memorandum of Understanding (MOU) defines the role of the Domestic Violence Coordinator and outlines the responsibilities of the participating agencies.

---

<sup>1</sup> Office of Legislative Oversight, Report Number 2000-1, *Improving the Response to Domestic Violence in Montgomery County*, April 25, 2000.

## II. Role of the Domestic Violence Coordinator

The primary role of the Domestic Violence Coordinator is to work with practitioners throughout the civil and criminal domestic violence decision systems so they may have enhanced information about the dangerousness of an offender and the risks facing a victim. Individual agencies may then activate the necessary interventions and other appropriate responses. The Domestic Violence Coordinator will also establish a case management system to monitor high-risk cases in order to maximize consistency in public sector case interventions.

The Domestic Violence Coordinator will:

- Review Domestic Violence Ex-Parte Orders and Petitions on a daily basis to access for lethality indicators;
- Coordinate with the State's Attorney's Office's ALERT Program Manager to identify high-risk cases in the criminal justice system;
- Accept referrals from participating ALERT agencies about potentially dangerous offenders or high risk victims;
- Contact participating agencies about victims at risk for lethality so that the agencies can activate an appropriate response;
- Monitor and coordinate intervention in high-risk cases for lethality as appropriate;
- Establish a case management system and related offender database to distribute information so that it is available at key system decision points;
- Convene periodic meetings of ALERT staff; and
- Make recommendations to ALERT agencies about system-wide protocols, information practices, and inter-agency agreements that would remove barriers and improve victim safety and batterer accountability.

## III. Responsibilities of ALERT

### A. Members and Participants

The participating ALERT agencies will be the Montgomery County State's Attorney's Office, the Montgomery County Sheriff's Office, the Montgomery County

Department of Police, the Montgomery County Department of Correction and Rehabilitation, the Montgomery County Department of Health and Human Services and the State Department of Parole and Probation.

B. All ALERT agencies will:

- Designate an agency contact for the Domestic Violence Coordinator and an ALERT team representative;
- Inform staff about the establishment and mission of ALERT and the role of the Domestic Violence Coordinator;
- Notify the Domestic Violence Coordinator of potentially dangerous offenders or high-risk victims;
- Activate appropriate response services at the request of the Domestic Violence Coordinator and provide feedback to the Domestic Violence Coordinator; and
- Participate in regular ALERT meetings

#### IV. Term of Agreement

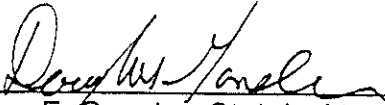
Representatives of the participating agencies will meet periodically to review this Memorandum of Understanding and make such modifications as may be deemed necessary.

Any agency's participation in this Memorandum of Understanding may be terminated upon 30 days written notice to all other participating agencies.

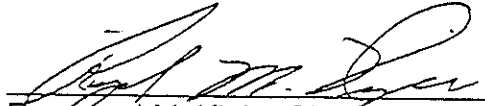
In Witness thereof, the parties have executed this Memorandum of Understanding on this 14<sup>th</sup> day of June, 2001.

APPROVED:

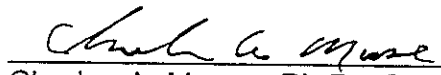
Montgomery County State's Attorney's Office

  
\_\_\_\_\_  
Douglas F. Gansler, State's Attorney

**Montgomery County Sheriff's Office**

  
\_\_\_\_\_  
Raymond M. Kight, Sheriff

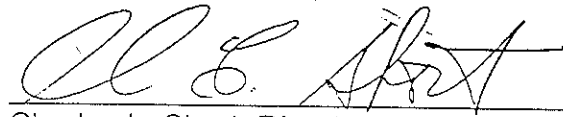
**Montgomery County Department of Police**

  
\_\_\_\_\_  
Charles A. Moose, Ph.D., Chief of Police

**Montgomery County Department of Correction and Rehabilitation**

  
\_\_\_\_\_  
Arthur Wallenstein, Director

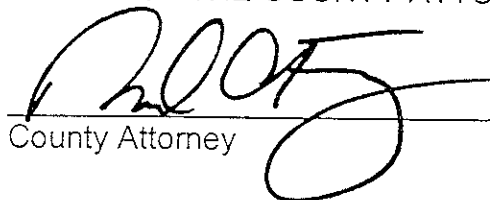
**Montgomery County Department of Health and Human Services**

  
\_\_\_\_\_  
Charles L. Short, Director

**State Department of Parole and Probation**

  
\_\_\_\_\_  
John Arney, Field Supervisor

APPROVED AS TO FORM AND LEGALITY  
OFFICE OF THE COUNTY ATTORNEY

  
\_\_\_\_\_  
County Attorney

8-21-01  
Date

# Memorandum of Understanding

## Post Arrest Victim Assistance Project

This Memorandum of Understanding (MOU) is entered into this 10<sup>th</sup> day of March 2001 between the Montgomery County Sheriff's Office; the Montgomery County State's Attorney's Office, the House of Ruth, Baltimore, Inc. and the Women's Law Center of Maryland, Inc.

### **Background**

Recognizing that a coordinated community approach is essential to the reduction of the incidence of domestic violence, Montgomery County, Maryland has had a history of collaborative efforts between law enforcement and victim service agencies. In 1995, the County formally established these links with the creation of Montgomery County Against Domestic Abuse (MCADA). The goal of MCADA was to provide consistency in the efforts to maximize victim safety and batterer accountability. Subsequently, several new joint initiatives were begun:

- Victim assistance was provided in the District Court and Circuit Court by the Abused Persons Program,
- The Montgomery County State's Attorney's Office created a dedicated domestic violence docket for the District Court,
- The Montgomery County Police and the Montgomery County Sheriff's Office both created specialized domestic violence units,
- The House of Ruth and the Women's Law Center provided attorney representation for domestic violence victims at Protective Order hearings, and
- The Sheriff's Office began welfare checks for the period between the Ex-Parte and Protective Order hearings.

In April 2000, the Montgomery County Council's Office of Legislative Oversight released a major study of how domestic violence cases were handled in the County.<sup>1</sup> Among its recommendations was the creation of an interagency team to identify and respond in high-risk cases, ALERT (Assessment, Lethality, and Emergency Response Team). The Team consists of a Domestic Violence Coordinator, based in the Montgomery County Sheriff's Office, and representatives from law enforcement and human services.

### **Development of the Application:**

Lack of contact with victims immediately following an arrest and bond hearing was quickly identified as a gap in service to victims. The House of Ruth Legal Clinic Director, the Legal Projects Manager for the Women's Law Center, the Domestic Violence Coordinator, and the Chief of the Domestic Violence Unit in the State's Attorney's Office pursuant to this MOU have entered into a collaborative effort to eliminate this gap in service.

<sup>1</sup> Office of Legislative Oversight Report Number 2000-1, *Improving the Response to Domestic Violence in Montgomery County*, April 25, 2000.



**Responsibilities**

***State's Attorney's Office (SAO):***

1. The Domestic Violence Program Manager or her designee will examine all domestic violence arrests from the previous day and coordinate with the Sheriff's Domestic Violence Coordinator (DVC).
2. The State's Attorney's Office will provide the Domestic Violence Coordinator with a list of all bail hearings and charging documents related to the arrest of defendants.

***Sheriff's Office:***

1. The DVC will collaborate with the SAO's Domestic Violence Program Manager on bail hearings.
2. The victim advocate, under the supervision of the DVC, will contact victims after criminal bond hearings to advise them of the outcome of the hearing and their option of additional civil remedies, specifically Ex-Parte Orders of Protection; shelter; victim advocacy and counselling; the VINE system and the Criminal Injuries Compensation Board. The advocate will also advise victims of options available if there are violations of bond conditions or Protective Orders.
3. The victim advocate will refer eligible victims to the Domestic Violence Assistance (DVA) service at the Circuit Court, staffed by the House of Ruth and the Women's Law Center.
4. The Sheriff's Office will conduct welfare checks on petitioners (with written permission) in the week between the Ex-Parte and Protective Order hearings.

***House of Ruth/Women's Law Center DVA:***

1. The DVA project at the Circuit Court will assist eligible victims with Ex-Parte Petitions and Orders.
2. The DVA attorneys will represent eligible victims with representation at Protective Order hearings whenever possible.

**Miscellaneous Terms and Conditions:**

Representatives of the participating agencies will meet periodically to review this Memorandum of Understanding and make such modification as may be deemed necessary.

The roles and responsibilities described above are contingent upon the Sheriff's Office receiving the requested VAWA funds for this project. The beginning and end dates of this collaborative effort would coincide with the grant period, anticipated to be October 1, 2001 through September 30, 2002.

Appendix Q

Memorandum of Understanding  
Victim Assistance  
March, 2001  
Page 3 of 3

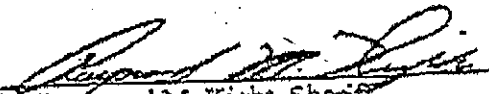
Approval

We have read and agreed to this MOU. Further, we have reviewed and approved the portion of the proposed project budget pertaining to the collaborative effort described herein.


Montgomery County State's Attorney's Office

  
by Douglas F. Gansler, State's Attorney

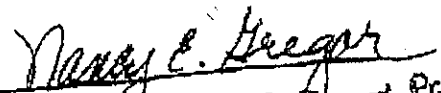
Montgomery County Sheriff's Office

  
by Raymond M. Kight, Sheriff

The House of Ruth, Baltimore, Inc.

  
by Carole Alexander, Executive Director

The Women's Law Center of Maryland, Inc.

  
by Nancy Gregor, Board President

Grants to Encourage Arrest Policies and Enforcement of Protection Orders  
2001-x827-MD-WE

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
MONTGOMERY COUNTY SHERIFF'S OFFICE  
AND THE  
MONTGOMERY COUNTY DEPARTMENT OF POLICE**

**CONCERNING THE SERVICE OF ARREST WARRANTS RELATED TO  
INTERIM PROTECTIVE AND INTERIM PEACE ORDERS**

This Memorandum of Understanding (MOU) concerning the service of arrest warrants related to Interim Protective and Interim Peace Orders is entered into on this 29<sup>th</sup> day of December, 2002, between the Montgomery County Sheriff's Office (Sheriff's Office) and the Montgomery County Department of Police (Police Department).

1. The purpose of this MOU is to increase law enforcement efficiency and enhance officer safety by consolidating the service of arrest warrants with related Interim Protective and Interim Peace Orders.
2. Pursuant to Md. Code, Courts Article, Section 2-605(b), the District Court Administrative Judge has designated the Police Department as the primary agency responsible for the service of District Court criminal process in Montgomery County, Maryland.
3. Pursuant to Md. Code, Courts Article, Section 2-605(a), the District Court Administrative Judge has designated the Sheriff's Office as the primary agency responsibility for the service of District Court Interim Protective and Interim Peace Orders in Montgomery County, Maryland.
4. When a criminal warrant is related to and issued at the same time as an Interim Protective or Interim Peace Order, the Sheriff's Office will be responsible for attempting service of both the warrant and the Interim Order on the defendant/respondent. This will minimize duplication of effort by the respective agencies and avoid difficulty in service of a warrant due to a temporary change of residence by the defendant/respondent.
5. The Sheriff's Office is responsible for tracking and entering these warrants in the Warrant Index System (WARS) and MILES/NCIC Systems, maintaining these warrants and responding to hit confirmation requests.
6. The Police Department retains responsibility for serving and processing arrest warrants issued subsequent to the issuance of an Interim Protective or Interim Peace Order. The Police Department also retains primary investigative responsibility for all reports of domestic violence, regardless of who serves the warrant/protective order.
7. The Sheriff's Office will promptly forward to the Police Department Domestic Violence Unit copies of the following items when an Interim Protective or Interim Peace Order and associated arrest warrant is issued and processed by the Sheriff's Office:
  - a. Interim Protective or Interim Peace Order;

**Memorandum of Understanding  
Sheriff's Office and Police Department  
Warrants Related to Interim Orders  
December, 2002  
Page 2 of 2**

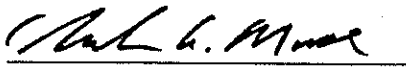
- b. Arrest warrant;
- c. Any photographs taken; and,
- d. Any other relevant material.

8. In the event a Montgomery County Police Officer serves an Interim Protective or Interim Peace Order, the officer will promptly notify the Sheriff's Office Domestic Violence Unit by telephone identify the person served, case identification, time, date of service, and name of the officer serving the order.

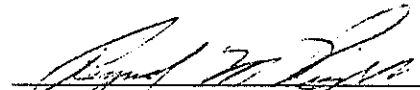
9. The parties will meet periodically to review the effectiveness of this MOU or to resolve any implementation issues.

10. Either party may terminate this MOU by sending 30 days written notice to the Chief of Police or Sheriff.

Montgomery County  
Department Of Police

  
By: Charles A. Moose, Ph.D.  
Chief of Police

Montgomery County Sheriff's Office

  
By: Raymond M. Kight  
Sheriff

## **VICTIM WITNESS COORDINATOR**

### **POSITION DESCRIPTION**

The position of Victim Witness Coordinator for the Takoma Park Police Department compliments and augments professional City personnel in assisting victims of crime. Assigned to the Support Services Bureau/Criminal Investigation Division, the Victim Witness Coordinator is a non-sworn position that provides timely support, advocacy and information and referral to crime victims and witnesses, making them aware of the range of availability of services and facilitating their access to those services. Emphasis is on problem identification, intervention and coordination of resources to resolve problems particularly in the areas of family violence, child abuse and neglect, crimes against the elderly and crimes affecting the multicultural immigrant population.

### **DUTIES AND RESPONSIBILITIES**

Contact victims of all crime classifications via telephone or letter to ascertain needs, provide support, advise victims of their rights, relay information on police procedures, explain the criminal justice system, coordinate referrals to appropriate county agencies and community resources, (e.g., counseling, financial compensation, court accompaniment) and provide information on re-victimization and crime prevention.

When necessary, meet personally with victims to provide above services.

When necessary, provide Spanish translation or arrange translation and interpretation services.

Accompany victims to Police Commissioner to obtain charging documents against offenders, assisting in filling out forms.

Accompany domestic violence victims to court proceedings for support and to assist with obtaining Ex-Parte and Protective Orders, including filling out Petitions and providing lay advocacy during Court hearings.

In emergency situations, transport victims to Crises Center and/or shelter, if necessary.

Transport victims to court, State's Attorney's Office or other County agencies for services or interviews, if necessary.

At the request of Detectives or the State's Attorney's Office, schedule interviews with victims and witnesses and accompany them, if necessary.

Advocate on behalf of victims within the police department, county agencies and criminal justice agencies and liaise with other professionals to build a responsive, supportive relationship among criminal justice workers in order to better help victims to navigate through the maze of available resources, service providers and the criminal justice system.

Obtain information that can be used in supplemental reports based on information learned from victims to formally update or close cases.

Collect evidence from officers in domestic violence cases, including physical retrieval of 911 tapes, photos, reports and statements, for eventual transfer to the State's Attorney's Office.

Work closely with officers on projects to identify problems or crime trends or patterns in the city and assist with development of appropriate responsive strategies which may include diversion activities, crime prevention training and cross cultural education.

Train and update officers and staff on any victim related issues.

Coordinate return of property to crime victims.

Draft, update and translate correspondence and all victim related informational brochures and fact sheets.

Work closely with victim assistants from other law enforcement, criminal justice and government or private victim assistance agencies to foster cooperation and coordination between this department and other agencies.

Maintain an updated record on all Victims\Witnesses contacted for departmental use.

Research and inventory services and opportunities available to victims of crime county and statewide in order to update program.

Assist the Department's Accreditation Manager to ensure compliance with law enforcement accreditation standards relating to victim witness assistance (CALEA 55).

Keep the Chief of Police and Support Services staff informed and apprised of victims' concerns and of activities and efforts undertaken by the Victim Witness Coordinator through the preparation and completion of monthly reports.

Recruit, coordinate, train and supervise student and volunteer victim assistants, as needed.

Serve on appropriate Department and/or City committees when requested.

Attend and/or work at Department sponsored community functions.

Attend in-service training, seminars, workshops, conferences and meetings in order to make contacts with others involved in victim services and remain updated and knowledgeable about current victim related laws, services and the criminal justice system.

### **REQUIRED SKILLS, KNOWLEDGE AND ABILITIES**

Significant interpersonal and oral communication skills in order to be able to assist a variety of persons, many of whom may be in crisis situations and/or distraught.

Knowledge of a wide range of community and government based resources within the County and State to which victims can be referred.

Knowledge of police and criminal justice procedures and policies.

Basic knowledge of Maryland criminal law.

Appropriate advocacy skills for use within the Department, other victim assistance agencies, criminal justice agencies and courts.

Knowledge of and ability to complete the various forms related to victim assistance, (e.g., applications for compensation, court petitions).

Knowledge of victims' legal rights according to the Annotated Code of Maryland and CALEA 55 Standards.

Strong analytical abilities to interpret situations in order to find effective solutions to problems.

Ability to coordinate and/or present informative, educational presentations on topics of concern to victims, witnesses and the Department.

Ability to draft correspondence and informational brochures and fact sheets.

Flexibility in work schedule in order to accommodate victims of crime who are in immediate need or who cannot be reached during normal workday.

**VICTIM SERVICES INTER-AGENCY MEETING**  
**DECEMBER 17, 2002**  
**8:30-10:00 AM**  
**5<sup>TH</sup> FLOOR FRONT CONFERENCE ROOM, COUNCIL OFFICE BUILDING**

**Agenda**

1. Overview/purpose of meeting
2. OLO victim services study update
3. Introductions and summary of victim services provided (3 minutes each, Departments listed alphabetically)

Department of Correction and Rehabilitation

- Pre-Trial Services Division (*Jeanne Carlson*)

Department of Health and Human Services

- Abused Persons Program (*Cindy Anderson*)
- Victim Assistance and Sexual Assault Program (*Nadja Cabello*)

Montgomery County Police Department

- Domestic Violence Unit (*Shelley Lipton*)
- Victim/Witness Assistance Section (*Ellen Alexander*)

Municipal Police Departments

- Takoma Park Police Department (*Diana Dean*)

Sheriff's Office

- Domestic Violence Program (*Hannah Sassoon*)

State's Attorney's Office

- Family Violence Unit (*Christina Miles*)
- Victim/Witness Assistance Unit (*Paula Slan*)

4. Identification and discussion of each participant's top three priorities for improving the efficiency and effectiveness of services to adult victims of crime in Montgomery County.
5. Set date for next meeting.



**VICTIM SERVICES INTER-AGENCY MEETING**

**JANUARY 8, 2003**

**8:30-10:00 AM**

**\*\*\*3<sup>RD</sup> FLOOR CONFERENCE ROOM, COUNCIL OFFICE BUILDING\*\*\***

**A. Overview/purpose of meeting**

**B. Group discussion of the recommendations/strategies listed below.**

1. Develop a written procedures manual that outlines the roles and specific victim services provided by each program.

*Suggested Discussion Questions*

- *Is the primary function to share information about the services provided or to formally coordinate services among the different providers?*
- *What specific information should be included in the written manual?*
- *Who should be tasked with putting the manual together?*

2. Create a shared victim contact database.

*Suggested Discussion Questions*

- *Who would use the data base and how would it change current practices?*
- *What specific information should be included? Excluded?*
- *How timely would data entry need to be for the information to be useful?*

3. Develop an inter-agency “ALERT team” for crime victims (other than domestic violence victims) who need multiple services.

*Suggested Discussion Questions*

- *Who should participate?*
- *What would be the stated purpose(s) of such a team?*
- *Is there an existing group that could be modified or expanded to assume this responsibility?*

4. Increase the bi-lingual capacity of all victim services programs.

*Suggested Discussion Questions*

- *In addition to Spanish, is there agreement on what other non-English language skills are most often needed?*
- *What is the group's experience with the telephone language line?*
- *Should language training be a requirement for employees providing victim services?*

5. Develop a method to provide immediate support services for domestic violence (DV) victims who file for an interim (after-hours) order, and for DV victims in situations where an arrest is made but the offender is released from custody.

*Suggested Discussion Questions*

- *What services for these DV victims are the highest priorities to provide?*
- *Which victim services program is currently in the best position to provide these services?*

**C. Questions/comments about any other recommendations identified by group at December 17, 2002 meeting.**

**D. Closing remarks**

**VICTIM SERVICES INTER-AGENCY MEETING**

**JANUARY 13, 2003**

**8:30-10:00 AM**

**\*\*\*5<sup>TH</sup> FLOOR FRONT CONFERENCE ROOM, COUNCIL OFFICE BUILDING\*\*\***

**A. Overview/Purpose of meeting**

**B. Distinction between “information sharing” and “coordination”**

Effective “information sharing” among service providers results in, for example:

- Having accurate knowledge of what services each program provides to which victims;
- Knowing what resources each program has, e.g., number/type of staff available during what hours, language capabilities; and
- Knowing how to contact one another, e.g., telephone numbers, e-mails, faxes, correct contact person for what services.

Effective “coordination” between and among service providers results in, for example:

- Reaching agreement on the package of services and sequence of services that will be offered by which program staff for which subgroups of victims;
- Reaching agreement on when and how victims will be “passed-on” from one provider to another;
- Developing a cooperative approach for providing needed services to the inevitable group of individual victims that won’t fit (for a variety of reasons) into agreed-upon procedures; and
- Identifying where there are potential service overlaps, service gaps, and services in need of improvement, and altering activities to address these issues.

**C. Issues Related to Information Sharing**

1. How are victim services staff already sharing information?  
*Example: the regularly scheduled victim assistants’ meetings co-chaired by Diana Dean and Shelley Lipton.*
2. What additional types of activities and products are needed to promote effective and ongoing information sharing?  
*Examples: opportunities for inter-agency training, distribution of current staff contact lists, development of shared resource directory.*
3. What specific steps should be taken to implement the information sharing activities/products listed above?

#### D. Issues Related to Coordination

1. Does the **DRAFT** chart accurately describe the current victim/witness services offered by the different programs?
2. How are victim service programs already coordinating activities?  
*Examples: the ALERT team identifies high risk domestic violence victims and the participating agencies may alter their activities to better protect those victims; the City of Rockville VA and the MCPD VA based at the Rockville District Station have a process for dividing the pool of Rockville crime victims to avoid service duplication.*
3. In what service areas can more than one program potentially provide the same service to the same victim?
4. In what service areas are there gaps for specific categories of victims?
5. What process would lead to the coordination needed to resolve the issues identified in #3 and #4 above?
6. What other specific items should be addressed to improve coordination? For example:
  - ❖ Developing agreed-upon procedures to ensure consistent, timely, and sensitive hand-offs between victim service providers;
  - ❖ Developing strategies for providing feedback between and among providers about victims being served (or not served);
  - ❖ Developing a shared strategy for improving the County's capacity to provide victim services to non-English speaking victims; and
  - ❖ Developing a plan to implement a shared victim database.
  - ❖ Developing agreement on system-wide priorities for services and funding.

#### E. Closing Remarks

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**INTER-AGENCY MEETING – DECEMBER 17, 2002****SUMMARY OF RECOMMENDATIONS FOR IMPROVING THE EFFICIENCY AND EFFECTIVENESS OF SERVICES TO ADULT VICTIMS OF CRIME IN MONTGOMERY COUNTY****I. IMPROVE COORDINATION AMONG VICTIM SERVICES PROGRAMS****A. Strategies to improve system-wide coordination**

1. Clarify the goals and activities of the different programs that provide victim services.
  - Develop a written procedures manual that outlines the roles and specific victim services provided by each program
  - Increase opportunities to learn more about each others' activities by holding inter-agency meetings and joint trainings among victim services staff.
2. Enhance the frequency and substance of communication (among providers) about individual crime victims.
  - Create a shared victim contact database.
  - Address confidentiality issues for inter-agency disclosure of information about individual victims.
  - Develop an inter-agency "ALERT team" for crime victims (other than domestic violence victims) who need multiple services.

**B. Strategies to improve coordination between specific programs -**

1. For rape and sexual assault victims:
  - Develop written agreement between Police and VASAP re: response to rape and sexual assault victims.
  - Need to clearly define agency roles and sequence of activities.
2. For domestic violence victims:
  - Develop better approach to coordinating between MCPD and APP (including the BAK shelter and other non-residential programs) in developing criminal investigations.
  - Facilitate faster receipt of police reports by APP.
  - Improve coordination of victim services within the Police Department; specifically between the Victim Assistance Unit and Family Services Division.

## II. ELIMINATE GAPS IN SERVICES TO VICTIMS OF CRIMES

### A. System-wide Services

- Increase the bi-lingual capacity of all victim services programs.
- Increase community education/publicity/awareness of services available.

### B. Advocacy and Support Services

- Provide someone to help victims who choose to file charges directly with the District Court Commissioners with developing their “statements of charges.”
- Develop appropriate program(s) to support/assist DV victims when the alleged offender is under pre-trial supervision. (Judge is currently assigning PTSU staff with the job of contacting DV-victims in situations where alleged DV offender is assigned to PTSU.)

### C. Court Related Services

- Create a VASAP presence at District Court for general crime victims by arranging to have physical space allocated for this purpose.
- Involve District Court Commissioners in DV-related victim services – training. (This is especially important with new process for interim orders.)
- Provide opportunities for DV victims filing for an Ex Parte Order in Silver Spring District Court to meet with Sheriff’s Office staff without needing to travel to Rockville.

### D. Emergency Services

- Develop a method to provide immediate support services for DV victims who file for an interim (after-hours) order.
- Develop routine mechanism for contacting DV victims in situations where an arrest is made but the offender is released from custody.

## III. INCREASE RESOURCES FOR EXISTING VICTIM SERVICES ACTIVITIES

### A. State’s Attorney Office

- Replace volunteers (who are doing victim services work) with paid staff.
- Add staff to enable greater involvement of SAO Victim/Witness Coordinator involvement in District Court cases.
- Increase administrative support staff in SAO’s Family Violence Unit.

**B. Department of Health and Human Services**

- Un-freeze APP position(s).
- Provide additional staff to meet APP service needs, including court monitoring of DV-cases and signing up offenders for counseling.
- Add one bilingual, Spanish-speaking Therapist position and one bilingual, Spanish-speaking Victim Assistant within VASAP

**C. Police Department**

- Obtain a PAA position in MCPD Family Services Division, Domestic Violence Unit to assist with evidence collection for domestic violence cases.

**IV. OTHER RECOMMENDATIONS**

1. Examine the classification of different types of "Victim Assistants"
2. Develop a short (e.g., two hour) education/awareness programs for DV offenders who are referred to PTSU.
3. Improve counseling for victims of multiple crimes and with multiple needs.