

VICTIM SERVICES ADVISORY BOARD

2010-2011
ANNUAL REPORT



MONTGOMERY COUNTY, MARYLAND

VICTIM SERVICES ADVISORY BOARD

Montgomery County, Maryland
2010-2011 Annual Report
Advocating for the Victims of Crime

MISSION STATEMENT

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

MANDATE

The Board must periodically

- Review available services and facilities for victims and their families
- Determine needs of the victim and family services/programs
- Submit at least one report annually to the County Executive and County Council on the progress of programs to victims and their families along with the actions needed to improve those programs
- Make recommendations for appropriate allocation of funds in accordance with agreed upon priorities and consideration of financial resources

The Board also assists the Director of the Department of Health and Human Services in the development of the Annual Victim Services and Families Plan, and acts as a local advocate for victim services programming.

Montgomery County Code -- Art. VII, Section 24-56.

Visit Our Website:

<http://www.montgomerycountymd.gov/hhstmpl.asp?url=/content/hhs/vasap/advbrd.asp>

or

www.montgomerycountymd.gov/vasap (Click on Advisory Board)

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MESSAGE FROM THE CHAIR, TAZEEN AHMAD

Dear County Executive Leggett and County Council Members:

In this report of the Victim Services Advisory Board (VSAB) I am pleased to report that we continue to make important strides in meeting the mandate laid out for us in the Montgomery County Code. Our all-volunteer board has worked tirelessly to advise policy makers and administration officials on legislation, policy and best practices that benefit victims of crime in Montgomery County. Our 2010-2011 priorities have been focused on a broad range of issues including but not limited to:

- *Diminution of Credit and legislation related to Reconsideration hearings*
- *Lack of funding of the Criminal Injuries Compensation Board*
- *Human Trafficking Issues*
- *Bullying in schools and other child victims issues*
- *Reinstitute the “Welcome to Marriage” letter distributed to all couples seeking a marriage in Montgomery County*
- *Fundraising for the Victims Compensation Fund*
- *Support of new all-volunteer, non-profit: Court Watch Montgomery*

Additionally the Board has spent a significant amount of time identifying and advocating for certain budget priorities amidst this most recent budget crisis. Our advocacy has been and will continue to be premised on the notion that the offices within our county and our county’s government should be provided with adequate funding to serve the community. To determine the impact of major budget cuts on County programs that provide services to crime victims we have conducted interviews of various affected departments and compiled the results for this report. While we understand that due to the financial constraints we face in today’s economy that the need for victim services will never fully be met, however, the need for consistent quality in those services is essential.

As we move forward, our board will continue to work on the aforementioned priorities, and will carry on the task of providing both you and the County Council with recommendations about how we can meet the needs of victims and their families in Montgomery County to the best of our ability. On behalf of the Board I would like to say that it has been our pleasure to serve the community in this capacity, and I thank you for this opportunity to share our report with your office.

Sincerely,

Tazeen Ahmad
Chair, Victim Services Advisory Board

MEETINGS AND MEMBERSHIP 2011

MEETINGS

The Board meets the fourth Thursday of each month, from 7:00 to 9:00 p.m., at the office of the Montgomery County Department of Health and Human Services, 1301 Piccard Drive, Fourth Floor Conference Room, Rockville, Maryland 20850. The Board does not meet in August and combines its November and December sessions into one meeting. All meetings are open to the public.

MEMBERSHIP

Tazeen Ahmad
Katy Daneshvar
Rachel Goldfarb
Marille Herrmann
Sharron Levine
Parker O'Shea
Rabbi David Rose
Judith Thomas-Mayorga.
JudithWhiton

Linda Anderson
Samantha Davis
Lara Gregorio
Kim Johnson
Gerald McClellan
Rosemary Pascarella
William C. Smith Jr
David Udoff
Toni Zollicoffer

EX-OFFICIO MEMBERSHIP

Ellen Alexander (Montgomery County Police)
Nadja Cabello (HHS)
Deborah Howard (HHS)
VACANT (Office of Public Defender)
George Simms (SAO)
Dudley Warner (HHS)

FORMER MEMBERS 2010

Sandra Barnhard
Kim Barry
Kareem Davis
Lisa Fadden
Virginia Baran Lyons
Beverly Stern
Naureen Weissman
Peggy Bradley (HHS)

MAJOR ISSUES

DIMINUTION CREDITS

One of VSAB's policy priorities is getting the state of Maryland to address its good behavior (diminution) credit program for violent offenders in the prison system. Currently, Maryland inmates serving time for violent crimes receive 10 days per month off of their sentences for good behavior and for participating in various prison programs. In some cases, these inmates can receive as many 20 days per month off of their sentences. We are seeking to have the General Assembly pass legislation that would reduce the amount of time that these offenders earn because we believe it has contributed to the disproportionately high crime rate in Maryland. According to the Census Bureau, Maryland is the eighth most violent state in the US, with the second highest homicide rate. The state has also suffered from a 51 percent recidivism rate among violent offenders.

When the number of days an inmate has earned off of their sentence equals the number of days left on their sentence, that inmate is free to go, regardless of whether the inmate has been granted parole or is otherwise deemed ready for release. Members of the Board believe that this program -- together with other mechanisms for sentence reductions -- allows inmates to remove too much of their original sentence. Although corrections officials use time off for good behavior as a tool to help them manage the prison population, we believe the current regulations create a dangerous situation for law-abiding citizens. In some instances, the results have been tragic; some of these released offenders have gone on to commit more crimes, as in the case of the 2008 murder of a Gaithersburg woman who was robbed at gunpoint and shot to death by a repeat violent offender who had gained early release partially through this program.

The Board supports the recommendation of installing a "truth in sentencing" program for violent offenders that would require violent criminals to serve 85% of a sentence before they are eligible for a parole hearing. Board member William C. Smith has written several Op-Ed articles and letters to local newspapers on this topic to increase public awareness of the issue, as has fellow Board member David Udoff. In December 2011, Maryland Del. Ben Kramer discussed the good behavior credit issue and the lack of truth in sentencing for violent offenders in Maryland with Board members. For the past several years, Del. Kramer has sponsored/supported legislation that would reduce the amount of time that violent offenders can earn off their sentences through good behavior credits (State Sen. Nancy King has also sponsored such legislation on the Senate side). These proposed bills have been heard but not put to a vote by the House or Senate Judiciary Committees, whose chairmen have sole discretion as to whether to put them to a vote or simply "shelve" them.

Corrections officials in Maryland have pointed out to the Board and to legislators that good behavior credits are necessary to help corrections officers manage the prison population. But they also agree that the system is flawed. One official who attended a Board meeting in October 2011 said that judges may not be aware of how much a convicted violent offender's sentence can get reduced through good behavior when they issue those sentences.

In 2009 and 2010, bills that would have limited the number of good behavior credits for violent offenders failed to get out of the Senate House Judiciary Committees. In 2011, several gun control measures were proposed in the General Assembly, one of which would have limited good behavior credits for those convicted of crimes involving firearms to five days per month instead of 20. The legislation (SB 173 and HB 172) was actually amended in the Senate and became a "task force" bill, meaning that a committee would have been formed to study the issue of good behavior credits. This committee would then report its findings to the Governor of Maryland by December. The amended bill was moved out of the Senate Judiciary Committee and was passed unanimously by the full Senate. But it had to go to the House Rules Committee, and the legislation died there. (The House Judiciary Committee, which let the original HB 172 die, never saw the amended version of the bill)

Lawmakers are bringing good behavior credits and truth in sentencing back to the legislative session in 2012. Three bills are being drafted that address the issues of 1) the number of days per month that violent offenders can earn off their sentence, 2) the *total* number of days that violent and sexual offenders can earn off their sentences, and 3) the revocation of good behavior credits for inmates who smuggle telecommunications devices into their cells.

CRIMINAL INJURIES COMPENSATION BOARD

The Victim Services Advisory Board would like to present for the Council's deliberation the ongoing financial crisis affecting the State's Criminal Injuries Compensation Board (CICB). The lack of funding for CICB -- coupled with a backlog of \$2.5 million of unpaid crime victim compensation claims -- has had a direct negative effect on Montgomery County crime victims. The claims submitted by our crime victims to the State's CICB have been lingering in unpaid status for many months, and with no solution to this financial problem in sight our county's crime victims will not be reimbursed for medical expenses, disability, psychological services or funeral expenses. Because the state has not provided sufficient funds for the CICB, it continues to lose matching Federal Funds.

There are some concrete steps the Council can take to mitigate this State CICB crisis and its effects on the claims for our County's crime victim residents:

1. Support State legislative initiatives that increase the amount of fees that offenders are ordered to pay in order to increase the level of CICB funding.
2. Review the County's crime victim compensation fund legislation for possible changes to assist local crime victims when they apply for the compensation fund; specifically, increase the total amount of dollars that can be awarded from \$2,500 to \$8,000 and provide for a local increase in the total base of the fund in order to provide mitigation for financial losses for more Montgomery County crime victims.

HUMAN TRAFFICKING

The board is also addressing the issue of human trafficking. Board member Kim Johnson has been reviewing this issue for possible legislative initiatives to be put forward. Although in 2011 three bills related to human trafficking passed [HB 674 - Human Trafficking - Awareness, Training, and Distribution of Materials; HB 345/SB 299 Human Trafficking Investigations

(Wiretapping) and HB 266/SB 327 Human Trafficking Victim Protection Act], the legislature did not enact HB 418/SB 247 Human Trafficking - Asset Forfeiture and Labor Trafficking. This bill would have allowed courts to order the forfeiture of all ill-gotten gains of convicted traffickers. It would also have created the Anti-Human Trafficking Fund for the forfeited assets to provide grants to law enforcement and victim service providers. This legislation is expected to be reintroduced in 2012. If enacted, it could help to fund a number of services needed by victims, including emergency shelter, education, therapy, treatment for substance abuse, child care and housing. The Betty Ann Krahnke Center in Montgomery County provides, as needed, emergency short-term housing for victims of human trafficking. The center is managed by the Department of Health and Human Services, Abused Persons Program.

The Board has contacted the Montgomery County Police Department, the Polaris Project and several Maryland State legislators to better understand the extent of human trafficking in the county, the services that are provided to victims, and potential legislation addressing this issue. Montgomery County Police have said that human trafficking is not a huge problem in the county, but it does exist. Some human trafficking cases involve juveniles, and gangs appear to be profiting from this activity. The board will continue to monitor the topic of human trafficking and advocate as necessary for improved victim services.

BULLYING IN SCHOOLS

The Victim Services Advisory Board continues its commitment to ensure that students in Montgomery County Public Schools who are victims of crime and who are in need of specialized crime victim counseling receive it in a timely fashion. Though a database was formulated to track the number of crime events that occur in schools, there is no codified method of referral or a way to track referrals to crime victim services. Children who are victimized and go unnoticed or untreated for the emotional issues associated with victimization can have major issues during their adulthood. The Board plans to continue Bullying Agenda and other Child Victims Issues Tasks:

- *Educate parents and students about the MCPS reporting form for bullying*
- *Distribute literature*
- *Research the current proposed legislation, Senate Bill 549 related to corporal punishment and thinking behind it*
- *Write letters to Senators in response to Senate Bill 549*
- *Investigate actions previously completed by VSAB related to child victim issues*
- *Re-engage MCPS*
- *Partner with other Boards/Commissions such as PTA and Hate/Violence Board*
- *Identify schools who handle bullying issues well*

WELCOME TO MARRIAGE LETTER

In 2011, the Board decided to attempt to reinstate the “Welcome to Marriage” letter (the “letter”) to be given to all couples applying for a marriage license in Montgomery County.

The letter used to be a part of the standard County package distributed to applicants. Its purpose was to inform couples of the available counseling resources at their disposal if they encountered difficult times during their marriage and to encourage them (or an individual spouse) to seek counseling as an alternative to domestic violence or abuse.

It is not clear when the practice of including the letter was discontinued. The Board thought the letter could be another tool to help combat domestic violence and, therefore, decided to reinstate it. The letter was drafted and reviewed and is being revised by the Board. It will be sent to Montgomery County for review. The letter included a list of national, state and local agencies and/or organizations that provided social or counseling services to victims of domestic abuse. Because the “Welcome to Marriage” letter is intended for public distribution, it needs to be approved by the Director of HHS before its inclusion in the County package accompanying the license application. That approval process is underway.

FUNDRAISING

Throughout the year, the Board explored various venues by which funds could be raised for the Crime Victims' Compensation Fund (CVCF). Board Chair, Tazeen Ahmad was able to secure two donations that totaled \$5000 for the fund. The Ahmadiyya Muslim Community, whose National Headquarters are in Silver Spring Maryland donated \$2500 to the fund and Humanity First, a non-profit organization, based in Baltimore, Maryland also donated \$2500. Over the past three years total money raised for the fund from donations made by the Ahmadiyya Muslim Community and Humanity First USA has been \$15,500. As a result of the Montgomery County Government matching donations, in a two to one ratio, for the County's Crime Victims' Compensation Fund, the fund received a total of \$46,000 to help crime victims in Montgomery County.

The Board also reached out to the community through public television (Channel 16) to publicize the existence of the Crime Victims' Compensation Fund and its purpose. Board member Gerald McClellan appeared on the program **Inside Out** to explain the work of the Board and how members of the general public can both contribute financially and use the services of the compensation funds. The Board will also promote a series of public service announcements on public television throughout the year to promote and advocate for victims' services.

The Fundraising committee of the Board will continue to explore ways to raise additional monies for the fund. The law that governs the Montgomery County Crime Victims' Compensation Fund allows 10% of monies collected to be spent to advertise and hold fundraising events.

COURT WATCH MONTGOMERY

The VSAB supports the recommendations of Court Watch Montgomery, an all-volunteer non-profit organization that provides a public eye on the conduct of civil protective/peace order hearings in Montgomery County's District Courts. In October 2011, Court Watch Montgomery published a report "Protecting Victims of Domestic Violence in Montgomery County: Challenges and Opportunities with Protective and Peace Orders," making the following recommendations:"

- The Respondent should be delayed fifteen minutes (staggered exits/victim first), allowing the Petitioner to leave the courthouse and reach her transportation safely.
- Bailiffs should patrol the hallways and waiting areas to ensure that victims feel safe and to avoid incidents of harassment or intimidation.
- Judges should tell each Respondent violation of an order is a crime and tell each victim to call the police if a violation occurs.
- Judges should always ask about the presence of a firearm and tell Respondents they must surrender them.
- A video in English and Spanish played at the beginning of each docket would provide a succinct overview of the process and save the judges time.
- Judges should uniformly reiterate the provisions of each order and allow parties to ask questions to ensure they understand.
- Judges should always question dismissing Petitioners if they have been coerced, if they feel safe and reiterate that they can return to court if necessary. The more serious cases should be referred to victim advocates.
- Interviews of victims could be performed in Silver Spring by utilizing an already existing video link or having one sheriff on duty. The administrative judge or Clerk of the Court should evaluate the cause of lengthy wait times in Silver Spring and act to correct the problem.

Since publication of the Report in October, 2011, District Court judges and personnel have produced an audio introduction to civil domestic violence proceedings and implemented recommended staggered exits/victim first. Judges give more comprehensive explanations of individual orders and overall, the process seems more user-friendly. The hallways remain unpatrolled by bailiffs and Silver Spring petitioners must still travel to Rockville for Sheriff interviews.

BUDGET PRIORITIES FOR 2013

The Board supports Montgomery County's commitment to serving victims of crime. Victim services contribute to health, mental health and safety within the community. They are part of the County government's fundamental responsibilities and should be a priority in the next fiscal year.

Overall, victim services have absorbed severe budget cuts even as the County population continues to increase. The decrease in funding and staffing levels has had a negative impact on many programs.

The Board has identified the following budgetary priorities for FY 2013:

1. Abused Persons Program
 - a. Increased staffing for therapeutic and victim assistance services
 - b. Additional resources to provide individual services to domestic violence offenders
2. Victim Assistance and Sexual Assault Program
 - a. Restoration of staffing to previous levels
 - b. Emergency food for victims
 - c. Funds to transport victims to counseling sessions
3. Betty Ann Krahnke Center
 - a. Additional nursing care
 - b. Hiring of a child therapist
 - c. Addiction treatment and training materials
 - d. Building maintenance
4. Montgomery County Police Department
 - a. Reinstatement of two lost positions
5. State's Attorney's Office
 - a. Additional prosecutors for economic crimes committed against vulnerable adults
6. Family Justice Center
 - a. Increased onsite counseling services for victims of domestic violence
 - b. Maintenance of the career catchers program, which helps victims become financially independent by providing them with interview and job skills
 - c. Expansion of the video conferencing program with the courts to provide protective orders without the victim having to leave the Family Justice Center

SUMMARY OF VSAB INTERVIEWS WITH VICTIM-SERVING PROGRAMS

Background

During the past year, VSAB members conducted interviews with representatives from eight victim services agencies and organizations in Montgomery County. The purpose of the interviews was to gain a clear, in-depth understanding of the range of services available to victims of violence, to identify strengths and areas of need within local programs, and to solicit suggestions for how the Victim Services Advisory Board could help local agencies and organizations sustain and scale-up their programs.

Scope of Interviews

The interview focused on the populations served by each program, types of services offered, programmatic strengths and areas of need, challenges, and ways VSAB can help programs advance their goals. Each interviewee was asked the following questions about his/her program:

- *What does your program do? Whom do you serve?*
- *What funds do you have at your disposal?*
- *How many people do you serve?*
- *What are your program's strengths? What is your program doing well?*
- *What is your program's greatest need?*
- *What do you think needs to change in terms of services or public policy?*
- *If you had a wish list what would be on it? If you had additional funding, what would you do with it?*
- *What are new opportunities or initiatives you are pursuing?*
- *What are challenges your program faces?*
- *How can the Board help you in its capacity as an advisory committee to the Montgomery County Council and Executive?*
- *What are your priorities for victims in the county?*
- *How have recent budget cuts impacted your program's ability to provide services to crime victims?*
- *Do you use volunteers and if so how many, and in what capacity?*

Strengths

Agencies and organizations serving victims of violence in our county are involved in remarkable and innovative efforts to combat domestic violence, sexual assault, bullying, stalking, child abuse, elder abuse, and other forms of violence. The eight programs explored through VSAB interviews collectively serve tens of thousands of people each year. Some key strengths identified both within programs and within the community include:

- Competent, experienced, and dedicated staff
- Improved community awareness of abuse and violence
- County emphasis on systems change, or addressing the “bigger picture” of violence in our community
- Integration of services at the Family Justice Center
- Coordination between the county police, the Office of the State’s Attorney, VASAP, and other agencies
- Breadth of services, e.g., counseling for family members of homicide victims and tutoring for survivors of domestic violence
- Effective fundraising strategies
- Responsiveness to victims
- Professionalism among staff members

Needs and Challenges

The majority of the programs are struggling to meet the needs of a higher volume and increasingly diverse population of victims. Furthermore, the increase of internet crimes has presented new challenges for law enforcement, victim service providers, and prosecutors. Better community awareness of local resources is to be celebrated, but it has also presented a challenge for programs because they must serve a larger number of victims with funding sources that can be flat, declining, or unstable. Interviewees identified the following major program needs:

- Additional personnel and volunteers, such as trilingual therapists (including those fluent in American Sign Language), more prosecutors, staff to fill evening and weekend hours, forensic medical care providers, volunteer advocates, and others
- Additional and stable funding sources, particularly to address losses due to the economic crisis
- Better collaboration and coordination across programs serving victims of domestic violence
- Enhanced community outreach and awareness

Table 1: Areas of Need in Local Victim Services Organizations

Agency / Organization	RESOURCES			ADVOCACY AND SUPPORT		
	Materials and Supplies	Funding / Fundraising	Additional and Specialized Personnel	Policy	Community Outreach	Advocacy to County and State Gov't
Family Justice Center			X		X	
Betty Ann Krahnke Center Shelter	X	X			X	X
Victim Assistance and Sexual Assault Program		X	X	X		X
State's Attorney's Office		X	X		X	
MCPD Victim Assistance Unit	X	X	X		X	X
Abused Persons Program		X	X		X	X

How VSAB Can Help

Interviewees described the various ways that VSAB can support them, principally through advising the County Council and Executive. Specific suggestions include:

- Advocate for the reinstatement of lost positions in agencies providing victim services within the County
- Support requests for additional funding, for everything from reimbursement for expenses incurred to program expansion
- Be an independent voice to the County Council on policy, budget and legislative changes needed to improve victim and victim family services
- Emphasize the need for resources to meet agencies' mandates—programs need funding to do what is needed to restore crime victims to their previous lives
- Advocate for more coordinated and effective policies, such as more stringent consequences for offenders and policies that support a victim-friendly environment
- It was noted that some regulations create complications for families being served by the new Family Justice Center.

Acknowledgments

VSAB is grateful to the representatives of these organizations for offering their time in participating in interviews. Interviewees' ideas and input are valuable to VSAB as the Board identifies its priorities for 2013 and beyond.

- Hannah Sassoon, Director - The Family Justice Center
- Susan Ward, Clinical Director – The Betty Ann Krahnke Center
- Nadja Cabello, Director, Trauma Services, Victim Assistance and Sexual Assault Program (VASAP)
- Deborah Howard- Supervisory Therapist, Victim Assistance and Sexual Assault Program (VASAP)

- George Simms - State's Attorney's Office
- Ellen Alexander, Director - MCPD Victim Assistance Unit
- Nadja Cabello, Director, Trauma Services, Abused Persons Program (APP)
- Marja Booker, Supervisory Therapist, Abused Persons Program (APP)
- Vivian Levi, Program Manager I, Abused Persons Program (APP)

ATTENDANCE AT EXTERNAL MEETINGS & TRAININGS

Outside Meetings Attended by VSAB Members: 2010-2011

Criminal Justice Coordinating Committee (Quarterly Meetings)

HHS Quarterly Leadership meetings

County Executive Meetings with Boards and Commissions

Council HHS Committee Hearings with Boards and Commissions

HHS Director, County Budget Presentation

Family Justice Center

Safe Silver Spring

Montgomery County NOW

GUEST SPEAKERS 2010-2011

Throughout the year, various victim services experts made insightful educational presentations to the Board:

January 2010 - Parents of rape victim spoke of the handling of the crime by the school system, the police, and the judicial system.

March 2010 - David Udoff, friend of a murder victim briefed about Diminution of Credits.

May 2010 - Delegate Kathleen Dumais on 2010 legislative updates related to victims of crimes. Other guests were Joe Dutrow, James Coyle, and Jeanette Feldner.

October 2010 - Morton Davis, a former board member gave an overview of some of the initiatives that were implemented during his tenure on the board.

July 2011 - Tony Hausner, Director, Safe Silver Spring briefed the board on goals and objectives of the organization.

December 2011 –Delegate Ben Kramer spoke on the topic of diminution credits and reconsideration of sentencing.

ADMINISTRATIVE SUPPORT

Nadja Cabello and Deborah Howard are the staff support for the Board.

Mona Cabrera assisted with the Annual Report.

Victim Services Advisory Board

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