

Academy Forum

Continuing the Message of the Roper Victim Assistance Academy

A Quarterly Newsletter

Issue #5 - January 2007

Just a Thought

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Just a thought...

Serving Crime Victims: The Criminal Injuries Compensation Board

Robin Woolford

Recognizing that many innocent persons suffer physical and psychological injury or death as a result of criminal acts, the Criminal Injuries Compensation Board (CICB) was created by the Maryland legislature in 1968. Maryland became the fourth state in the nation to establish a program to help victims and their families ease the financial burden of crime.

How it works

Individuals who are injured during a crime may be compensated for medical expenses, dependency, loss of earnings, counseling, and crime scene clean up. In cases of homicide, funeral expenses and loss of support may be compensated to survivors who qualify. Victims of international terrorism are also eligi-

ble. CICB will not compensate for pain and suffering or loss of property.



CICB is, by law, the payer of last resort - all other resources must be used first. Only those expenses directly related to the injury and not covered by insurance or other sources (e.g., workers compensation, death benefits, civil litigation, restitution, charity, etc.) will be considered.

CICB does not use taxpayers' money. It is funded through the Criminal Injuries Compensation Fund. Monies paid into the fund come from defendant paid fees assessed by Circuit, District, and traffic courts. The federal government, through the Victims of Crime Act of 1984 (VOCA), reimburses each state 60% of

the amount of state funds it awards. Money that is not awarded is retained as a reserve.

CICB has been instrumental in alleviating the financial hardship faced by victims. In 2006, CICB received over 1500 new claims and paid out approximately \$5.5 million. While the number of claims has risen (up from 985 in 2000), the average turnaround time has been cut to 148 days (down from 362 in 2000).

Recent changes

Recent changes in our statute have expanded the eligibility for compensation and protection for victims:

* CICB no longer counts the first \$25,000 in life insurance proceeds when calculating the benefit to homicide survivors.

* The maximum amount available in an emergency award is now \$2000.

* The requirement to file within 180 days has been eliminated. There is now a simple three year time limit to file a claim.

* A victim of abuse perpetrated by a family member may file, if the offender was supporting the family, for lost wages while the defendant is incarcerated.

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EDITOR'S CORNER

Greetings Alumni!

I hope everyone enjoyed a wonderful holiday season! It is such a busy time of year, both professionally and personally - I'm sure you are all looking forward to a little peace in your lives for at least a little while. I know that you all certainly deserve it!

Well we just finished our first full year of the Academy Forum. My how time does fly! Thanks to everyone's input, our newsletter has been a great success. Here's looking forward to another great year! Keep all that wonderful information coming - we couldn't do it without you. And if you are interested in being a part of the Outreach Committee, plan to sign up at the next General Board meeting. We would love to have you!

I know it seems like it has been such a long time since we have all seen one another, too long in fact. I hope to see all of you at the General Board meeting and luncheon on Thursday, January 11th from 10:00am to 1:00pm at the University of Baltimore. The Executive Board meeting will follow from 1:00 to 2:00pm. There will be many exciting things that you won't want to miss. Please make every effort to attend. Also, keep in mind that this will be our election meeting, so think about who you want to represent your class on the Executive Board.

I look forward to seeing you and wish you all the best in 2007!

Debbie Creswell, Editor

creswelld@harfordsheriff.org

Web Links

Although we have a virtual library at our fingertips every time we turn on the computer, we often lose sight of the forest through the trees just trying to navigate the world-wide web. So, here are some sites we thought you might find useful ... happy surfing!

www.centerfortruejusticeandhealing.org - The Center for True Justice and Healing is an organization that provides supportive services and assistance to families suffering from loss, with a focus on victims of violent crime. Founded in April 2005 by Reverend Wayne Price, an Alum of the 2005 RVAAM Academy, CTJH operates and funds the Grief Victim Support Ministry to assist those going through the grieving process.

www.ilj.org - The Institute for Law and Justice is a private corporation dedicated to consulting, research, evaluation, and training in criminal justice. Some of the ILJ speciality areas include: Family Violence, Juvenile Justice, Courts and Prosecution Improvements.

www.protect.org - PROTECT is a national pro-child, anti-crime membership association. PROTECT is committed to building a powerful nonpartisan force for the protection of children from abuse, exploitation, and neglect.

www.mivictims.org - The National Coalition of Homicide Survivors website provides links to nationwide victim service agencies, support hotlines, court case updates, and much more.

www.legalmomentum.org - Legal Momentum advances the rights of women and girls by using the power of the law and creating innovative public policy. Some of the programs include: Violence Against Women, Equality Work Programs, Family Initiative Program, Immigrant Initiative Program, and Sexuality and Family Rights Program.

Family Law 4-506 (d) lists options for relief that may, according to a judge's discretion, be included in a Protective Order. The list includes an order for the surrender of all firearms in the respondent's possession. Designated as item 12 on the Final Order (judge's worksheet), there is a check-off box beside it that, if checked, becomes part of the order. Despite the fact that State (see Public Safety Article 5-133(b)(8)) and Federal law (18 U.S. Section 921-929) prohibit respondents from possessing any firearms (excluding black powder and antique firearms), a failure to check the box may be interpreted as tacit permission for the respondent to possess a firearm. One such case was recently litigated in Circuit Court. A respondent who had been charged with a handgun violation was acquitted. The defense attorney argued that the judge's failure to check item 12 (the surrender provision) implied that it was not unlawful for his client to have a gun during the life of the order. Although we may disagree with this interpretation of the law since none of us can give direct or implied permission for anyone to violate the law, it is worthy of our consideration.



A respondent who is under a Protective Order cannot be in possession of firearms (excluding black powder and antique firearms) under state and/or federal law. The only action a respondent can take with any firearms in his/her possession is to surrender them. They cannot be sold or transferred. Although this is optional relief under the Family Law Article, it is actually mandated under existing criminal laws regulating firearm possession. Short of seeking a change in existing law, I would remind each of you to remember and check off option 12 whether requested or not.

I intend to discuss this issue with the Administrative Judges at the January meeting."

Chief Judge B. Clyburn

News From the Field

This past October, Chief Judge Ben Clyburn sent out the following memorandum to all District Court Judges, Administrative Clerks, and Administrative Commissioners reminding the judiciary of the guidelines that must be followed in relation to DV Protection Orders and Firearms.

"Judges Axel and Williams have brought an important issue to my attention relating to the surrender of firearms in DV Protective Orders. The purpose of this memorandum is to remind you of the necessity to address the firearm issue.



Just a thought...

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* All debt collection activities (e.g., referrals to collection agencies by medical providers, garnishing of wages) must cease until a decision on the claim is made.

Technology is playing an increasingly important role in moving claims through our system. Our tracking system, installed in 2002, is being upgraded to allow us to go 'paperless' - faxes you send will not be printed but will be directed to the recipient's computer; bills, records, and police reports will be imaged and instantly retrievable. We are working to allow our applications to be completed and filed online.

Helping your clients

As advocates, there are many things you can do to help us get claims processed (and money in the victim's hands) faster.

* Please make sure the application is signed by the claimant and that the police complaint number is on the form. Neatness does not count - but it will save a few phone calls.

* Sometimes it can be difficult to talk to the detective or locate the police report. Any help you may render to help us get that information we need would be greatly appreciated.

* 80% of our claims have little doubt as to whether they are approved or denied. It's that 20% that involve making a judgment call that take a significant part of our time. Was the victim culpable? Were the drugs found near the body an indication of a deal gone bad? Did the victim start or fail to avoid the fight in the bar? An advocate is always welcome to submit a letter or otherwise communicate with the investigator if clarification or explanation is needed.

Please do not hesitate to give us your thoughts - whether it is a suggestions to improve our service, an idea to add a benefit, or ask if a particular scenario fits our guidelines. We're happy to hear from you at any time!

Hot Topics

In past issues of the Academy Forum, we have explored the topic of professionalization in the field of victim services. A core component of that ultimate goal is training and education, with continuing or advanced training requirements to keep our skills and knowledge base up-to-date. Last year, the RVAAM began providing advanced training to alumni in order to continue providing quality education and training to victim service providers in Maryland. This year, we have been offered an outstanding opportunity to attend the American Society of Victimology's **Fifth American Symposium on Victimology**, which will be held at the University of Baltimore April 11th-13th. We hope that ALL RVAAM alumni will be able to participate - so mark your calendars now!

So, what is Victimology? Simply stated, Victimology is the study of crime victims and their relationship to the criminal justice system. While it attempts to address questions of how crime victims have been harmed, neglected, or exploited in both public and private settings, it is equally interested in how victims can be assisted, served, and educated about crime and violence. Victimologists are interested in the demographics of crime victims and why certain people become victims of crime. This is where we, as victim service providers in Maryland, fit into this equation. While we know the demographics of the victims that we serve and what crimes have been committed against them, we also know where the gaps in service and public education lie. Our knowledge and expertise are necessary in order for those who create policies regarding the delivery of victim services to accurately reflect what should be done to better serve victims and survivors of crime. **The American Society of Victimology (ASV)** was formed in 2003 and has sponsored symposiums to bring together service providers, educators, and researchers to foster networking and partnerships to address these issues.

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Alumni Updates

It seems like only yesterday when we were all together at the Academy. But in a blink of an eye another year has almost passed us by. Here's just a snapshot of some of the special events and milestones our alums have experienced since we last met...

Jennifer (Weber) Goode (2005) - Jennifer has made a career change and now works in the Security Unit for a federal contractor on the Aberdeen Proving Grounds. Prior to leaving the Harford County Sheriff's Department, Jennifer received a Unit Citation from the Warrant/Fugitive Unit.

Tina Shankle - (2005) - A belated "Happy Birthday," to Tina who celebrated her special day on December 16th!

Please make the following changes to the contact information in your Alumni Directory:

Carolyn Breck (2004) - If you need to reach Carolyn by email, please contact her at her new address at jcbreck@verizon.net. Don't forget to make this change in your Alumni Directory!

Debbie Neighoff (2005), Angela Giles (2006), and Patricia Fisher (2006) - all three have a new work address! Their new address is: Division of Corrections Victim Service Unit, 6776 Reisterstown Road, Suite 310, Baltimore, MD, 21215.

Hot Topics

(Cont. from page 3)

The theme for this year's Symposium is "Research and Practice in Victim Services." Attending this event will not only provide Alumni the opportunity to be exposed to some of the emerging issues and promising practices in the field, but it will also afford Alum the opportunity to network with some of the leaders in the field of Victimology at both a local and national level. In addition to attending the Symposium, RVAAM Alumni also have the opportunity to submit a poster presentation on topics related to victim services. If you have a topic that you would like to present, we encourage you to do so! Please contact Dr. Debra Stanley (dstanley@ubalt.edu) for more information regarding submitting a presentation.

Because this is such a fantastic opportunity, registration for the Symposium has been significantly reduced to allow RVAAM Alumni to attend at the student rate of \$50. We are hopeful that this reduced rate will allow you to attend, and show the ASV just how dedicated RVAAM Alumni are to making a difference in the field of victim services. Don't miss out on this exciting event!!! For more information, and to obtain a registration form, please go to <http://american-society-victimology.us>

Save the Date

American Society of Victimology's Fifth Annual Symposium

April 11th - 13th, 2007

Hosted at the University of Baltimore

For more information, contact Debra Stanley at dstanley@ubalt.edu or contact ASV at <http://american-society-victimology.org>

Roper Victim Assistance Academy 2007

June - Dates TBA

Hosted at the Maryland Public Safety Education & Training Center

For more information, go to <http://rvaam.ubalt.edu>

The 33rd Annual NOVA North American Victim Assistance Conference

July 22nd - 27th, 2007

Grand Sierra Resort, Reno Nevada

For more information, contact NOVA at www.trynova.org

The 20 / 20

Each newsletter we pose twenty questions to one of our members to get an inside look at who they are ... this month get to know Robin Haskins, an alumni of the 2004 Academy

My favorite sound is...

Rushing water

My childhood nickname was...

Robo

The last book I read was...

The Power of a Praying Wife by Stormie Omartian

My least favorite thing to do is...

Cleaning hardwood floors

My favorite time of day is...

Morning

My favorite word is...

Thank you

If I could learn any language, it would be...

Spanish

My greatest accomplishment (so far) has been...

Professional development

I can't stand...

People who constantly complain and murmur

My favorite retreat...

Vacationing with my husband (Europe, Australia, Israel, Aruba, Hawaii)

I appreciate...

The unconditional love my husband has for me

My favorite indulgence is...

See's Chocolates

If I could invite any three people (alive or deceased) to dinner, it would be...

Jesus Christ, Jacqueline Kennedy Onnassis, and Ruby Dee

Best piece of advice I ever got was...

Life is like being in a boxing ring - you must learn

to roll with the punches.

This advice was provided by my Dad who was a professional boxer.

The occupation, other than the one I am currently in, I would want is...

Nursing

The occupation I would most certainly not like to have is...

Workers responsible for cleaning up animal 'road kill.'

If I had to choose an animal that symbolizes my personality, it would be a...

German shepherd - they are strong but sweet.

My motto or favorite saying is...

"If you want something done correctly, do it yourself."

If I could go anywhere in the world, it would be...

Kenya, Africa

One of my goals for 2007 is...

To draw closer to God

Occupational Outlook



Nothing available at this time - if you hear of any positions in your jurisdiction, please send them our way!!

Editorial Board

- Debbie Creswell — Editor**
- Jen Weber — Assistant Editor**
- Sharon Leasure — Assistant Editor**
- Bonnie Cord — Assistant Editor**
- Heather Pfeifer — Art Director/Layout**

Alumni Directory

Please help us keep the Alumni Directory up to date! If any of your personal and/or professional information has changed, please contact Debbie Creswell via email at creswell@harford.sheriff.org or by phone at (410) 836-5490. We will then publish those changes in the following newsletter.

Watch for the next edition of the Academy Forum in April 2007