



RACIAL EQUITY IMPACT NOTE

DEPARTMENT OF LEGISLATIVE SERVICES
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2024 Session
SB0471

Criminal Procedure - Victim Compensation - Alterations (Victim Compensation Reform Act of 2024)

Bill Summary

This Administration bill makes numerous changes to statutory provisions regarding victim compensation awarded through the Criminal Injuries Compensation Board (CICB). Among other changes, the bill (1) alters the duties, powers, and procedures for CICB to make awards to victims of crime and (2) alters the amount and types of awards CICB is authorized to make to specified victims of crime.

Racial Equity Impact Statement

The bill's provisions that expand eligibility for financial compensation to specified victims of crime will generally offer increased opportunities for financial assistance to a greater portion of the victim population. Because homicide victims currently account for the largest amount of monetary awards by CICB, Black applicants for awards may benefit most due to their overall overrepresentation in the homicide victim population. The specific impacts of the bill's provisions cannot be estimated without more detailed demographic data about awardees.

Analysis

Criminal Injuries Compensation Board

CICB within the Governor's Office of Crime Prevention and Policy administers a compensation program for victims of crime, persons who have made efforts to prevent crime, and their dependent survivors. After review and evaluation of claims filed, the board awards compensation from the Criminal Injuries Compensation Fund (CICF) for medical expenses, funeral or death-related

expenses, property damage, disability or dependency claims, other necessary services, and lost wages under certain circumstances. In general, a claim must be filed with CICB within three years after the occurrence of the crime or delinquent act or the death of the victim.

The bill's impacts are largely financial and will benefit victims of specified crimes who are eligible for financial compensation from CICB. The bill makes comprehensive changes to the duties, powers, and procedures for CICB to make awards, and the changes that most impact potential awardees include:

- Expanding eligibility for awards to include (1) the domestic partner, dependent minor, or adult legal guardian of a victim who resides with the victim and (2) the domestic partner, dependent minor, or adult legal guardian of an individual who is incarcerated for abuse under specified circumstances. Under existing law, victims, their dependents, parents, children, spouse, and in some circumstances, individuals who paid or assumed responsibility for funeral expenses, are eligible for assistance under specified circumstances.
- Increasing the timeframe for filing a claim from three years to four years based on several potential triggering events. In addition, the bill removes the deadlines for a claimant to file a claim for child abuse, allowing a claim to be filed at any time.
- Expanding the circumstances under which CICB may make an award to a claimant as a result of the injury on which the claim is based, including if costs have been incurred, as specified, for certain relocation, child care, medical supplies, and transportation expenses.
- Increasing the maximum limits on awards for (1) funeral expenses; (2) psychiatric, psychological, or mental health counseling, under specified circumstances; and (3) repair, replacement, or cleaning of property damaged, soiled, or littered as a result of a crime or law enforcement investigation of a crime, as specified. In addition, the maximum amount of an emergency award is increased from \$5,000 to \$10,000. The bill also requires the board to make emergency awards for funeral expenses, crime scene cleanup, and emergency relocation unless there is clear and convincing evidence that a claim is without merit.

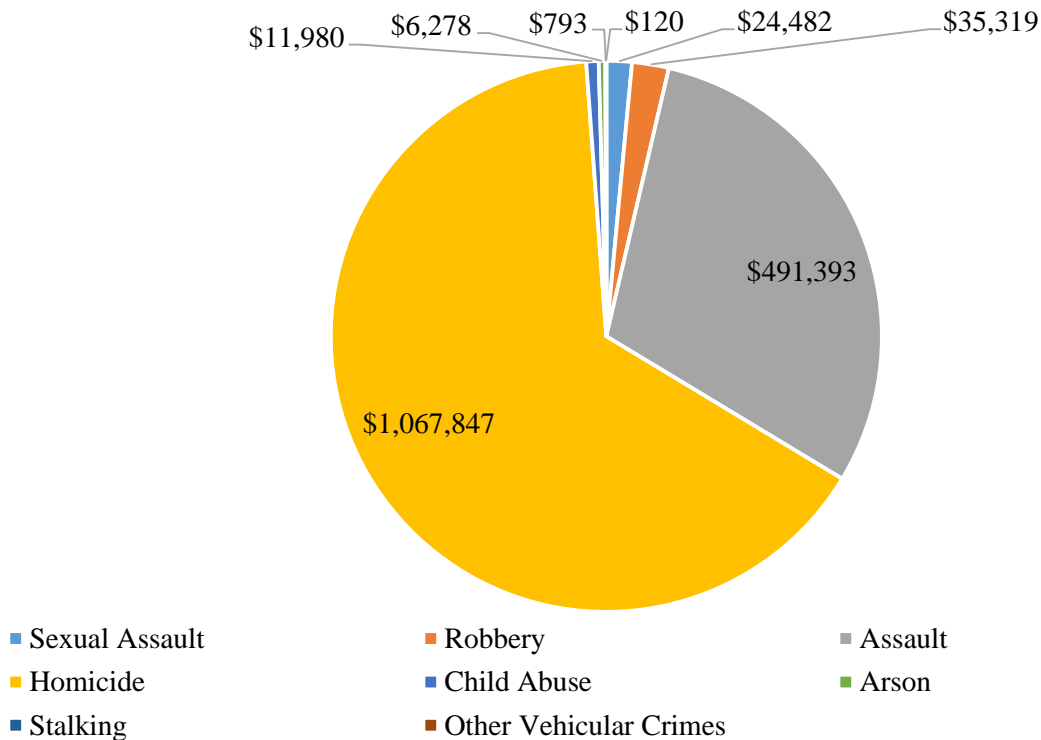
The bill also mandates the addition of two members to the board (now mandated to reflect the racial, ethnic, geographic, and gender diversity of the State) – one member must be a survivor of violence who is a member of a community that experiences violence and incarceration at disproportionately high rates; and one member must represent an organization that provides assistance to victims applying for victim compensation.

Impacts of the Bill

Exhibit 1 shows the breakdown of fiscal 2023 claims awarded by CICB by crime type. Of the approximately \$1.6 million awarded in fiscal 2023, 65% was for claims related to homicides. This was up from 58% in fiscal 2022 and 42% in fiscal 2021. While there is no data available for the racial demographics of award recipients, it is likely that Black claimants may benefit most from the changes in the bill, particularly based on the demographics of homicide victims in the State.

The Uniform Crime Report reports that, in 2022, 80% of homicide victims in Maryland were Black.

Exhibit 1
CICB Awarded Claims by Crime Type
Fiscal 2023



Source: Criminal Injuries Compensation Board FY2023 Annual Report

Conclusion

A racial equity impact analysis specific to the bill’s provisions is not possible at this time since there is no data available that documents the demographics of CICB award recipients. The significant increase in award amounts as a result of homicides over the three-year period from fiscal 2021 to 2023 indicates an increasing financial burden on the dependents and other family members of homicide victims. The provisions of the bill address this burden, at least to some extent, by increasing award amounts, expanding eligibility for receiving funds, and streamlining some of the administrative restrictions and procedures for making awards.

The bill mandates that CICB produce a yearly report containing anonymized data indicating the race, gender, age, and county of residence of victims/award applicants. This data may aid in future racial equity analyses by providing a clearer picture of the demographics of those most affected

by crime. Specifically, future reported data from CICB may aid in assessing impacts on racial groups by age, gender, and residence.

Information Sources: Criminal Injuries Compensation Board; Governor’s Office of Crime Prevention and Policy; Department of State Police; Department of Legislative Services

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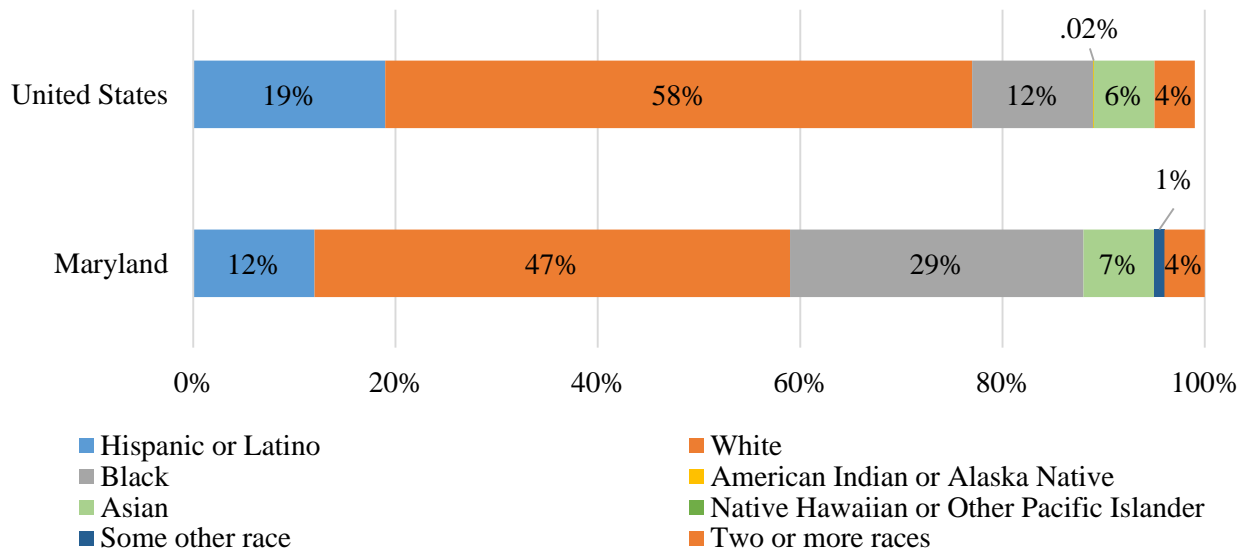
Appendix – Maryland Demographics

Race and Ethnicity of the Maryland Population

Maryland’s 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. In addition to an increase in population, Maryland’s racial demographics have become more diverse. Maryland is now a state in which racial minorities make up a majority of its total population. Notable changes relevant to this shift are the increase in groups who identify as “other” and “multiracial” (*i.e.*, two or more racial identities), which total 5% of the State’s population. Additionally, the change in demographics is due to the decrease in the number of individuals who only report “white” as their racial group. Despite this decrease, non-Hispanic whites remain the largest race demographic group in the State at 47% of the State’s population.

Compared to the U.S. population overall, Maryland’s population of individuals who identify as a single race is more diverse. Maryland is ranked as the fourth most diverse state by the U.S. Census Bureau’s [Diversity Index](#). As shown in **Exhibit 1**, in Maryland, 47% identify as white alone compared to 58% of the national population. Similarly, 51% of the population identify as non-white or multi-racial compared to 38% of the national population. In both the State and national populations, the largest shares of the non-white population are individuals who are Black, with 29% of the State population identifying only as Black and another 2.5% identifying as Black in combination with some other race. Maryland’s Asian population is 7%, which is slightly higher than the Asian share of the national population of 6%. The State’s overall population by ethnicity, however, is slightly less diverse than the U.S. population; 12% of the State’s population identified as Hispanic or Latino compared to 19% of the U.S. population.

Exhibit 1
U.S. and Maryland Population by Race and Ethnicity
2020



Source: U.S. Census Bureau, 2020 Census Redistricting Data (Public Law 94-171), Table ID P2, HISPANIC OR LATINO, AND NOT HISPANIC OR LATINO BY RACE.