



DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES

CRIMINAL INJURIES COMPENSATION BOARD

Fiscal Year 2015 ANNUAL REPORT

Governor Larry Hogan
Lt. Governor Boyd Rutherford
Secretary Stephen Moyer
CICB Chair Cynthia Pease
Executive Director D. Scott Beard

Program Summary

Mission

The CICB is a state agency with the purpose of compensating victims of crime for losses sustained from their victimization.

Program Description

Pursuant to the authority granted to it by the Maryland Annotated Code, Criminal Procedure Article, §§11-801 through 11-819 and the Secretary of the Department of Public Safety and Correctional Services, the Maryland Criminal Injuries Compensation Board (CICB) provides financial assistance to crime victims who have suffered compensable injuries or loss in the aftermath of criminal victimization. The CICB, under the authority of the Secretary, consists of an appointed Board, which hears disputed claims and makes decisions regarding awards and denials, and an employed staff, which processes requests for compensation under the direction of CICB's Executive Director. The Criminal Injuries Compensation Fund (CICF) consists of a state special fund appropriation comprised of fees levied throughout the criminal justice process and a federal matching fund appropriation also comprised of fees levied on offenders in the federal criminal justice system.

Program Overview

The primary function of the CICB is to fairly and efficiently process claims according to the laws of the state of Maryland. The claims examination program of CICB serves the Mission of the agency by financially assisting crime victims. It is the goal of CICB's claims examination process to provide resources for each victim, whether through an award of CICF money to eligible victims or through a referral to other resources for victims who do not meet the CICF eligibility requirements.

Claims Examination

There is one claims administrator, seven full-time claims examiners, and two full-time claims processors responsible for the claims examination process within CICB.

The claims examination team is responsible for the following areas: (1) receiving applications for compensation; (2) communicating with the victim and claimant about the claims process; (3) efficiently processing the claim for compensation so that the claimant receives the compensation award in the most expedient manner possible; (4) providing referrals to other programs for financial reimbursement if they are found ineligible for compensation through CICB; and, (5) processing the claim award for payment through the Department of Public Safety and Correctional Services Division of Financial Services.

During Fiscal Year 2015, the agency:

- Received 1,593 claims for compensation from crime victims in Maryland;
- Approved and paid 644 awards for compensation;
- Approved and paid 165 supplemental awards for compensation;
- Awarded \$3,959,623.76 to crime victims;
- Denied or Closed 884 claims as ineligible

Note: The number of received claims is different from the number of awarded and denied claims because claims may be received in one Fiscal Year and decided in another Fiscal Year.

In addition to providing awards and/or other financial assistance to each crime victim, it is a key goal of the CICB to expeditiously process the claims. During Fiscal Year 2015, the CICB staff continued to process claims on a priority basis to individual crime victims and small businesses. The CICB staff negotiates medical claims, maximizes third party payments on claims, and engages in other cost saving measures in an effort to ensure funding availability for future victims of crime.

Revenue Recovery

The main purpose of the Revenue Recovery program is to recover revenue owed to victims as the result of a court order for restitution upon a defendant's conviction, in a claim in which the CICB has already made an award to the victim. The Revenue Recovery Program is staffed by one individual. When CICB pays for a victim's reimbursable expenses, MD. CODE ANN., CRIM. PROC. §11-817 creates a right of subrogation which allows CICB to recover the costs that may otherwise be paid out to a victim or a claimant.

The revenue recovery specialist is responsible for tracking offenders through the criminal justice process and, if necessary, works with prosecutors to request restitution. The specialist also initiates collection efforts after a restitution judgment where a CICB award has been made. In FY15, CICB recovered \$73,781.34.

Victim Services

Another important program of the CICB is the Victim Services program. The Victim Services program is staffed by the Victim Services Coordinator. The purpose of the Victim Services program is to ensure that victims of crime are receiving all of the rights to which they are entitled throughout the compensation process. The victim services specialist works collaboratively with the claims examination team to help ensure that victims are restored financially, whether through CICB compensation or other sources. Additionally, the victim services specialist provides outreach to community and criminal justice-based allied professionals; assists victims and claimants through the compensation appeals process; and provides continuing education on emerging victim-related issues to the CICB team.

*CLAIMS BREAKDOWN FY15

| CRIME TYPE | CLAIMS PAID (#) | CLAIMS PAID (%) | PAID BY CATEGORY (\$) | PAID BY CATEGORY (%) |
|---|-----------------|-----------------|-----------------------|----------------------|
| Assault | 530 | 63.86% | \$2,422,151.86 | 61.17% |
| Homicide | 231 | 27.83% | \$1,254,618.90 | 31.69% |
| Sexual Assault | 18 | 2.17% | \$40,387.52 | 1.02% |
| Child Abuse (<i>incl. sexual abuse</i>) | 27 | 3.25% | \$83,028.20 | 2.10% |
| DWI/DUI | 1 | .12% | \$15,283.83 | .39% |
| Other Vehicular Crime | 8 | .96% | \$102,906.32 | 2.60% |
| Stalking | 0 | 0% | \$0.00 | 0% |
| Robbery | 15 | 1.81% | \$41,247.13 | 1.04% |
| Terrorism | 0 | 0% | \$0.00 | 0% |
| Kidnapping | 0 | 0% | \$0.00 | 0% |
| Arson | 0 | 0% | \$0.00 | 0% |
| TOTAL | 830 | 100% | \$3,959,623.76 | 100% |
| **Domestic Violence | 115 | 13.86% | \$377,093.81 | 9.52% |

*Claims received in one fiscal year may have a determination made in a different fiscal year. Therefore claims approved and claims denied do not equal claims received. Also, the claims included herein are included based on the date all documents are received so that CICB staff is able to complete a claim. This is called the "new date." Finally, this chart includes original claims and supplemental claims paid during the fiscal year.

**Domestic Violence is considered a 'Crime Category' that is applicable to many Crime Types. Data for Domestic Violence was pulled based on payouts from all applicable categories.

Conclusion

CICB is meeting its mission of compensating crime victims in Maryland for losses suffered due to crime. The claims against the fund continue to outpace the income generated by the various sources set up to support the fund. Costs saving measures have been utilized to minimize this impact.

Over the past several years, CICB has strictly enforced its statutory position as the fund of last resort. When appropriate, claimants are asked to apply to other sources of reimbursement and provide documentation of denial before CICB will process their claim. These efforts, along with the negotiation of medical claims, have saved the Criminal Injuries Compensation Fund (CICF) millions of dollars.