

Title 01 EXECUTIVE DEPARTMENT

Subtitle 04 OFFICE OF CRIME CONTROL AND PREVENTIION

Chapter 01 Domestic Violence Program

Authority: Family Law Article, §§4-501 and 4-513—4-516, Annotated Code of Maryland

.01 Purpose.

The Maryland Domestic Violence Program is a State-wide program to make available a temporary sheltered environment and supportive services to meet the special needs of victims of domestic violence and their children through a network of local domestic violence service programs.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Abuse" means:

(a) An act that causes serious bodily harm;

(b) An act that places an individual in fear of imminent serious bodily harm;

(c) Battery or assault and battery;

(d) Rape or sexual offense as defined by Criminal Law Article, §§3-303—3-306, Annotated Code of Maryland, or attempted rape or sexual offense; or

(e) False imprisonment.

(2) "Batterer" means an individual who has abused a current or former spouse, or current or former cohabitant.

(3) "Nonshelter services" means those services provided to the victim of domestic violence and any immediate family while not residing at the safe accommodation.

(4) "Office" means the Governor's Office of Crime Control and Prevention.

(5) "Program" means a local domestic violence service program, in a specific area of the State, designed to meet the needs of a victim of domestic violence and the family.

(6) "Safe accommodation" means that location where the victim of domestic violence and children may take refuge from the batterer.

(7) "Shelter" means a specific facility operated by a domestic violence program designed to be a safe accommodation.

(8) "Shelter services" means those services provided to the victim of domestic violence and any children while they reside at the safe accommodation.

(9) "Victim of domestic violence" means an individual who has received deliberate, severe, and demonstrable physical injury or is in fear of imminent deliberate, severe, and demonstrable physical injury from a current or former spouse, or a current or former cohabitant, as defined in Family Law Article, §4-501, Annotated Code of Maryland.

.03 Eligibility.

A. A victim of domestic violence who is a resident of Maryland and any children are eligible for shelter services from a program.

B. A victim of domestic violence and any immediate family are eligible for nonshelter services from a program.

.04 Application Procedure.

A. A victim of domestic violence or a batterer may apply directly to a program for service, or be referred from another source.

B. Program staff shall assess the application and determine whether services are available and appropriate for the applicant. When the program is at capacity or when the service is not appropriate to the applicant's needs, the staff shall refer the applicant to other appropriate resources.

C. For the applicant who is accepted for shelter services, staff shall explain the services available and obtain the applicant's written agreement to abide by the shelter rules.

D. Within the first 3 working days from the date of admission to a shelter, staff, with the applicant, shall develop and begin to implement a written comprehensive service plan.

.05 Program Services.

A. The program shall include the following services:

- (1) Receipt and response to crisis calls on a 24-hour basis;
- (2) Safe accommodation and board for the victim of domestic violence and any children;
- (3) Counseling services for the victim of domestic violence to alleviate the immediate crisis;
- (4) Counseling services for the batterer; and
- (5) Information and referral service as needed to other community resources.

B. The program may include the following services:

- (1) Continuing counseling after the immediate crisis;

- (2) Legal services and counseling as provided by attorneys or paralegal personnel;
 - (3) Specialized services designed to help children of a victim of domestic violence or a batterer;
 - (4) Accompaniment for legal and medical services; and
 - (5) Supportive services to help meet the need for:
 - (a) Housing,
 - (b) Employment,
 - (c) Education,
 - (d) Parenting skills,
 - (e) Child care,
 - (f) Health care,
 - (g) Transportation.
- C. The program may offer education and training to the community.

.06 Duration of Services.

A. The program shall terminate services when:

- (1) The goal set in the service plan is reached;
- (2) The recipient requests termination of services;
- (3) A shelter services recipient fails to abide by the shelter rules; or
- (4) The shelter staff decides with the recipient that the service is no longer appropriate.

B. Residence in the shelter may not continue beyond 2 months unless a reevaluation of the service plan confirms that continuing residency is required and the shelter has available space.

.07 Requirements for a Shelter Provided by a Program.

A. The shelter shall have available:

- (1) Room and board capacity for the resident victim of domestic violence and any minor children;
- (2) Counseling; and
- (3) Paid staff or volunteers trained to assess need, establish eligibility, and develop comprehensive service plans.

B. The shelter shall meet the physical requirements of applicable State and local fire codes and applicable State and local health codes.

C. The program shall make available to the Office upon request a copy of the shelter rules, including the grievance procedure.

.08 Requirements for the Domestic Violence Program Staff.

A. Professional, paraprofessional staff and volunteers shall be trained to provide crisis intervention and continuing counseling and supportive services.

B. Paraprofessional staff and volunteers shall have experience in interviewing persons under stress and shall be supervised by professional staff.

.09 Requirements for Program Documentation and Records.

A. Fiscal Recording. The program shall:

- (1) Maintain books, records, documents, and other evidence of all expenditures and income;
- (2) Maintain records according to generally acceptable standards of accounting; and
- (3) Present upon receipt of reasonable notice all books, records, documents, and other evidence for inspection, review, or audit by State auditors or others authorized to monitor the performance of the program.

B. Case Record. For each:

- (1) Applicant for service, the program shall collect and retain basic identifying and demographic data concerning the applicant, and the nature of the request for service;
- (2) Recipient of service, the program shall collect and retain data concerning the services rendered, including the service plan, and disposition of the case.

C. The program is responsible for compilation and transmittal of statistical data as required by the Office.

D. The program shall retain all records for a period of 3 years following the completion of services.

.10 Confidentiality.

A. The program may not disclose any identifying information regarding an applicant or recipient of service to any agency or individual without written authorization from the applicant or recipient except:

- (1) As required by State law regarding the reporting of cases of suspected child abuse or neglect; or
- (2) To Governor's Office of Crime Control and Prevention employees authorized to monitor or audit the program.

B. The program shall maintain all written records regarding applicants and recipients of service in a securely locked location.

.11 Grievance Procedure.

A. The program shall make available to any applicant or recipient of service aggrieved by a decision, action, or inaction of the program, a procedure by which the grievance may be heard. The procedure shall include a notice of the grievance rights and the steps to take to initiate the grievance process, an opportunity to be

heard, and a written decision by the program director or the director's designee that affirms or reverses the program's action. The written determination shall include the basis for the decision.

B. The program shall make available to the Office upon request a summary of each decision rendered, including findings of fact concerning each grievance heard.

Administrative History

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