

HB0174 Victims of Sexually Assaultive Behavior.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR HB0174
Criminal Procedure - Victims of Sexually Assaultive Behavior

Bill Sponsor: Delegate Simpson

Committee: Judiciary

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB0174 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

One of the most disturbing and debilitating things about victimhood is the feeling that you are no longer in control of your own life. Decisions are taken from you and you are left to suffer their consequences. If a State's Attorney determines not to charge your abuser, after you have had the courage to come forward, you should at least be able to understand why. Someone should have the courage to face you to help you understand.

This is common decency to the victim. It should not have to be legislated, but we live in a world where the victim, and their rights are often overlooked. It is such a simple thing to at least have an Assistant State's Attorney show the victim the respect of being heard.

We support this bill and recommend a **FAVORABLE** report in committee.

TESTIMONY HB0174.pdf

Uploaded by: Jared Schablein

Position: FAV

TESTIMONY FOR HB0174

Criminal Procedure - Victims of Sexually Assaultive Behavior

Bill Sponsor: Delegate Simpson

Committee: Judiciary

Organization Submitting: Lower Shore Progressive Caucus

Person Submitting: Jared Schablein, Chair

Position: FAVORABLE

I am submitting this testimony in favor of HB00174 on behalf of the Lower Shore Progressive Caucus. The Caucus is a political and activist organization on the Eastern Shore, unaffiliated with any political party, committed to empowering working people by building a Progressive movement on the Lower Eastern Shore.

The feeling that you're no longer in control of your life is one of the most distressing and devastating elements of victimhood. Decisions are taken from you and you are left to suffer their consequences.

After you have had the courage to come forward and the State's Attorney chooses not to charge your abuser, you should at least be able to understand their decision. Someone should have to face you to help you understand why the decision was made.

To the victim, this is simply acceptable conduct. Although it shouldn't, the victim and their rights are frequently ignored in our society. It would be so easy to at least give the victim the courtesy of being heard by an Assistant State's Attorney.

It is for these reasons the Lower Shore Progressive Caucus supports this bill and recommends a **FAVORABLE** report in committee.

VSAB Support HB174.pdf

Uploaded by: Leslie Frey

Position: FAV



VICTIM SERVICES ADVISORY BOARD

February 2, 2023

The Honorable Luke Clippinger
Chair, House Judiciary Committee
Room 101, House Office Building
Annapolis, Maryland 21401

Re: Support – HB 174 – Criminal Procedure - Victims of Sexually Assaultive Behavior

Dear Chairman Clippinger:

House Bill 174 alters Maryland law to require, under certain circumstances, an assistant State's Attorney to explain the State's Attorney's decision not to prosecute a suspect accused of engaging in criminal sexual assault. Specifically, House Bill 174 would require an assistant State's Attorney to meet with a sexual assault victim upon request when the State's Attorney decides not to prosecute, or to dismiss, a case against a sexual assault suspect, so that the State's Attorney has to explain, to the victim herself or himself or the victim's designated representative, why that decision was made.

The Montgomery County Victim Services Advisory Board (VSAB) advises the Montgomery County Council and County Executive on assisting the needs of victims of a broad range of violent crimes, including rape, domestic violence, sexual assault, and human trafficking. The number and severity of sexual assault and domestic violence cases referred to Montgomery County HHS Trauma Services increased substantially during the COVID-19 pandemic. This is consistent with data showing violent crime has risen nationally over the last few years, leading to increased prosecutions.

Standing up to an abuser takes incredible courage. This is particularly true for victims of sexual assault, who are especially vulnerable members of our community. They are often reluctant to report instances of sexual assault because the abuser may well be someone they know, or even love, in the case of intimate partner violence. House Bill 174, when passed into law, will ensure that when a sexual assault victim has shown the courage to report a sexual assault to the police and the State's Attorney's office, the State's Attorney's office will have the corresponding courage to speak with the victim and explain why a decision not to prosecute was made in his or her case. Victims of sexual assault deserve that kind of honesty and forthrightness from their government officials. Simply put, it is the right thing to do.

Accordingly, VSAB asks the committee to issue a favorable report on House Bill 174.

Sincerely,

Brian D. Koosed
VSAB Co-chair

Department of Health and Human Services

CVR - required meeting with SAO - testimony - hous

Uploaded by: Lisae C Jordan

Position: FAV



Working to end sexual violence in Maryland

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Testimony Supporting House Bill 174
Lisae C. Jordan, Executive Director & Counsel
February 2, 2023

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judiciary Committee to report favorably on House Bill 174.

House Bill 174

Communication with Survivors of Sexual Violence -- Required Meeting with Prosecutor

Sexual assault continues to be one of the most under-reported and under-prosecuted crimes. For every one-thousand sexual assault, an estimated nine are referred to prosecutors. See, <https://www.rainn.org/statistics/criminal-justice-system>.

Attorneys at the Sexual Assault Legal Institute (SALI) provide representation and counsel to over 400 sexual assault survivors annually, many of whom have questions about the criminal justice system and their options. A shocking number of clients tell us that they have reported the crime and heard nothing since. HB174 was prompted by the senate sponsor's constituent having this experience. It is unfortunate that legislation is needed to address what should be a standard practice and support for survivors.

There is no question that successful prosecution of sexual assault is difficult and prosecutors must make hard choices about when to pursue a case and when to dismiss one. However, the survivor should always be given respect and treated with recognition of the trauma involved. HB174 provides this by requiring a meeting and explanation when a State's Attorney Office chooses not to go forward with a case and the victim requests a meeting.

**The Maryland Coalition Against Sexual Assault urges the
Judiciary Committee to
report favorably on House Bill 174**