



**Working to end sexual violence in Maryland**

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**Testimony Supporting Senate Bill 294**  
**Lisae C. Jordan, Executive Director & Counsel**  
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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 Judicial Proceedings Committee to report favorably on Senate Bill 294.

**Senate Bill 294 – Protection of Identity of Victims of Sexual Assault and Stalking**

This bill would expand protection for the identities of victim/survivors in criminal and juvenile cases to include adult victims/survivors of sexual assault and stalking. The bill would also create a process for victim/survivors to request redaction of information in previously filed cases.

**Privacy is vital for survivors of sexual violence.**

Survivors have different reactions and experiences of sexual assault, but one common thread is the desire to control information about what happened to them. Laws, professional ethics, and agency values all support protection for victim/survivor privacy. These range from provisions of the Violence Against Women Act (34 U.S.C. §1229(b)(2); see also, VOCA 34 U.S.C. §20103 et seq.) to ethical rules applying to mental health professionals (*e.g.* NASW Code of Ethics, 1.07) to the mission of rape crisis centers (*see, e.g.*, MCASA Comprehensive Sexual Assault Program Standards). People and agencies who work with survivors fiercely protect privacy and insist that a survivor should be the one to decide when their identity is shared.

**Court filings can create a gaping hole in privacy protections for survivors.** Crim.Law §3-317 requires the name of a survivor in charging documents and survivor information can appear in a variety of places in court files. The advent of the internet and easy access to court filings has made what was previously an obscure document buried in file rooms easy to obtain. Some jurisdictions have already adopted internal practices to protect privacy, such as using initials, but this is inconsistent across the State. In 2024, the General Assembly enacted legislation protecting identifying information for minors, including for minor victims of sex crimes.

**Suggested Friendly Amendment:** MCASA strongly supports HB294 and its goals. MCASA is aware of the concerns raised by the Department of Health, however, we object to disclosing survivors' names to the Boards without their explicit permission. Additionally, we express concerns about unnecessary sealing of records that should be open to the public. It is important to shine light on the issue of sexual assault. Privacy should not create secrecy.

Should the Committee wish to clarify this issue, we respectfully suggest that the Court be required to redact when possible and that denying access to the files all together be subject to the existing motion to seal process. This may be as straightforward as substituting "UNTIL" for "UNLESS" on page 2, line 29, and adding a requirement that "REDACTION OF IDENTIFYING INFORMATION SHALL OCCUR WITHIN 10 DAYS OF A REQUEST FOR DISCLOSURE OR INSPECTION OF A RECORD."

**The Maryland Coalition Against Sexual Assault urges the  
Judicial Proceedings Committee to  
report favorably on Senate Bill 294**