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SUPPORT FOR SB 294

Mr. Chairman and Members of the Judicial Proceedings Committee:

We are writing to express the support of the Office of the State Prosecutor for Senate Bill 294. The Office of the State Prosecutor is tasked with enforcing political corruption and police misconduct cases throughout Maryland and believes that this legislation will help protect victims of sexual assault and make them feel supported in reporting the crimes against them.

The Office of the State Prosecutor

The Office of the State Prosecutor is an independent agency within the Executive Branch of government. The Office is tasked with ensuring the honesty and integrity of State government and elections by conducting thorough, independent investigations and, when appropriate, prosecutions of criminal conduct affecting the integrity of our State and local government institutions, officials, employees, and elections.

SB 294 –Protection of Identity of Victim of Sexual Assault or Stalking

The Office of the State Prosecutor recently created a unit to address Official Misconduct involving special victims. We now have a specialized prosecutor and investigator to handle the complexities of prosecuting cases involving people using their positions to exploit victims. Over the years, our office has seen that one of the primary concerns of victims is the publicity that the victim endures after reporting a crime against a public official. This legislation will help prevent victims of sexual assault of any age from having their name in public filings and limit the inevitable scrutiny that comes with making these types of accusations against people in positions of trust.

Our Office has been following the federal practice of anonymizing crime victims for years; however, not all jurisdictions are familiar with the practice, and we have had victims become extremely concerned about the possibility of undue publicity related to their allegations. While we cannot comment on specific investigations, we have had many cases we could not charge criminally because of how concerned the victim was with the public nature of the trial process.

This legislation helps ensure that all victims can pursue justice with anonymity if they have experienced sexual violence by creating a safe environment for reporting the conduct they have suffered at the hands of a public official. We believe this is important legislation to ensure justice for victims throughout the State and prevent further harm to them.

We encourage this Committee to issue a favorable report on Senate Bill 294.

Sincerely,

CHARLTON T. HOWARD, III
STATE PROSECUTOR