



Working to end sexual violence in Maryland

P.O. Box 8782
Silver Spring, MD 20907
Phone: 301-565-2277
Fax: 301-565-3619

For more information contact:
Lisae C. Jordan, Esquire
443-995-5544
www.mcasa.org

Testimony Opposing Senate Bill 589
Lisae C. Jordan, Executive Director & Counsel
February 19, 2020

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 in the State of Maryland. We urge the Judicial Proceedings Committee to report unfavorably on Senate Bill 589.

Senate Bill 589 – Expungement of Charges and Unit Rule

Senate Bill 589 would alter the “unit rule” which currently requires that records of related charges remain available together. This issue is particularly relevant in sexual assault cases, where plea agreements to lesser charges are frequently made to spare victims the ordeal of testifying.

Information about past charges is critical for safety planning and informed decision-making. A victim of a person who has previously been charged with sex crimes may take additional precautions. Currently, rape crisis centers can view information about past charges on the Judiciary's website and help victims make informed decisions. SB589 would deprive professionals and the public from this important safety-related informational.

The partial expungement envisioned by Senate Bill 589 would effectively end access to information about many convictions involving sexual assault. Many sex crimes cases are pled down to simple assault or some other lesser crime. SB589 attempts to address the issue of intertwined facts by removing the records from the court website and Central Repository, but permitting access by law enforcement. Again, victims and advocates need access to this information to conduct safety planning and this process would deprive them of needed information. If the Committee chooses to report favorably on this bill, MCASA urges amendments to treat partially expunged records the same way that shielded protective orders are – victim advocates should be able to view the entire narrative describing the facts. See Family Law Article §4-512.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to report unfavorably on Senate Bill 589**