

# **THE COALITION TO PROTECT MARYLAND'S CHILDREN**

*Our Mission: To combine and amplify the power of organizations and citizens working together to keep children safe from abuse and neglect. We strive to secure the budgetary and public policy resources to make meaningful and measurable improvements in safety, permanence, and well-being.*

## **Testimony to the House Judiciary Committee**

**SB766 Criminal Procedure – Out of Court Statements – Child and Vulnerable Adult Victims  
March 10, 2021**

### **\*\* SUPPORT \*\***

The Coalition to Protect Maryland's Children (CPMC) is a consortium of Maryland organizations and individuals formed in 1996 to promote meaningful child welfare reform.

CPMC supports SB776 which would help the court to admit into evidence out of court statements made by a child victim or a vulnerable adult victim.

The bill would extend Maryland's current tender years hearsay exception to cover out of court statements of children in very serious neglect cases and to cover out of court statements of vulnerable adults, some of whom may be victims of sexual, physical or financial abuse by families or caregivers, or others.

Under the hearsay exception, children and vulnerable adults still have to testify in court in criminal cases to allow defendants to confront them. This bill would simply help allows some of a victim's additional out of court statements, once deemed admissible, to also be allowed in court. Those out of court statements are only admissible if made to a professional and if they have the indicia of reliability and guarantee of trustworthiness provided for in the statute.

Ideally, the out of court statements in the child abuse context covered by the tender years exception are made to trained forensic interviewer social workers at a children's advocacy center, and are elicited in trauma-informed manner. The out of court statements can help provide additional evidence that a frightened child cannot provide in a traumatic court setting.

We urge a favorable report on SB776.

**Advocates for Children and Youth | Associated Catholic Charities | Board of Childcare  
| Center for Hope, LifeBridge Health | Child Justice, Inc | Citizens Review Board | Court  
Appointed Special Advocates | Family Tree | Maryland Coalition Against Sexual Assault |  
Md Coalition Against Domestic Violence | MD Chap. National Association of Social Workers |  
Diana Philip | State Council on Child Abuse and Neglect**