



**BILL NO:** Senate Bill 300

**TITLE:** Criminal Procedure - Victims of Sexually Assaultive Behavior

**COMMITTEE:** Judicial Proceedings

**HEARING DATE:** March 15, 2022

**SUBMITTED BY:** Caroline Ackerman, Managing Attorney of Maryland Legal Services & Special Projects, Amara Legal Center

**POSITION:** SUPPORT

The Amara Legal Center writes to support Senate Bill 300 (SB300). We are grateful that Senators Hough and Young introduced this important legislation to ensure that survivors of sexual assault receive timely communication about decisions not to prosecute their cases. Thank you for giving us the opportunity to share our thoughts.

The Amara Legal Center (“Amara”) provides free legal services in Washington, D.C., Maryland, and Northern Virginia to survivors of sex trafficking and to anyone whose rights are violated while involved in commercial sex. Since 2013, Amara has served over 500 clients with more than 800 legal matters. Although many believe that sex trafficking only occurs overseas or among foreign nationals, the vast majority of Amara’s clients are U.S. citizens, both juveniles and adults born and raised in the D.C. metro area. Amara provides brief legal advice, partial and full representation for civil legal issues such as civil protection orders, divorce, child custody and support, and name changes. In addition to civil legal services, Amara provides victim-witness advocacy for clients working with law enforcement, criminal/juvenile defense, and representation in criminal record sealing and expungement cases.

When survivors of sexual assault or sex trafficking come forward, they are frequently met with doubt, victim-blaming, and a lack of understanding. Many survivors do not report their assault because of the nature of the reporting process and the reality of being judged or blamed by law enforcement, medical professionals, family members, and society at large. According to a 2018 report by the U.S. Department of Justice’s Bureau of Justice Statistics, the number of incidents of sexual assault are increasing while reports of sexual assault to law enforcement are decreasing.<sup>1</sup> Therefore, when survivors do come forward, it is crucial that they are treated with respect, compassion, and humanity. SB300 requires that prosecutors meet with survivors or their representatives to explain decisions to dismiss criminal charges or not to file criminal charges against the perpetrator of the sexual assault, within twenty days after the survivor requests a meeting. This bill recognizes that survivors not only deserve a timely explanation when cases are not prosecuted, but also that they deserve the opportunity to meet with the assigned prosecutor, ask questions, and voice their perspectives. When sexual assault cases are not prosecuted, survivors may face a variety of challenges including safety risks or retaliation from the perpetrator because the survivor reported the assault. Retaliation takes many forms including threats, harassment on social media, and efforts to sabotage a survivor’s employment or relationships. With an

---

<sup>1</sup> “The rate of rape or sexual-assault victimization increased from 1.4 victimizations per 1,000 persons age 12 or older in 2017 to 2.7 in 2018 . . . . The percentage of rape or sexual-assault victimizations reported to police declined from 40% to 25%.” Rachel E. Morgan, Ph.D., and Barbara A. Oudekerk, Ph.D., *Crime Victimization, 2018*, Department of Justice, Office of Justice Programs, Bureau of Justice Statistics (2018), <https://bjs.ojp.gov/content/pub/pdf/cv18.pdf>.



understanding of the aftermath that survivors face, we believe it is essential for them to receive timely communication from prosecutors about decisions on their cases.

For these reasons, the Amara Legal Center supports SB300. We respectfully urge a favorable report.