

**AISHA N. BRAVEBOY**  
STATE'S ATTORNEY



**JASON B. ABBOTT**  
PRINCIPAL DEPUTY STATE'S ATTORNEY

**State's Attorney for Prince George's County**  
14735 Main Street, Suite M3403  
Upper Marlboro, Maryland 20772  
301-952-3500

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Testimony in **Support** of

**SB 20 – Criminal Procedure – Out of Court Statements – Child Victims**

Dear Chairman Smith and members of the Judicial Proceedings Committee, I am writing to express my strong support for Senate Bill 20 on behalf of State's Attorney Aisha Braveboy and the Maryland State's Attorney Association. Passage of SB20 would provide for additional protections for children whose testimony is needed for court, helping to reduce the trauma that these children are already facing.

Under current Maryland law, Criminal Procedure (CP) 11-304 allows for certain interviews of child victims to be admitted into evidence. CP 11-304 provides for several safeguards to guarantee the trustworthiness of these statements. The child victim must be under the age of thirteen (13), the statement must have been given to a person specified under the statute (for example, a social worker), and the child must still testify if the proceeding is in the criminal or juvenile court. Additionally, the court must "examine" the child to make specific findings of guarantees of trustworthiness in the statement.

The proposed SB20 simply serves to expand the types of crimes that would allow for these statements to be admitted into evidence. The need for this expansion is clear. Adverse Childhood Experiences (ACES) that children experience has lasting impact on their lives, even into adulthood. ACES include instances not only where the child was the victim, but where the child witnessed violence, such as domestic violence in the home. Witnesses to violence are often forced to repeatedly explain what they observed, over and over – to responding officers, to detectives, to medical personnel, and to prosecutors. Forcing a child to relive trauma that we know has ongoing adverse effects is cruel and unnecessary. This bill serves to expand the protections that we already provide to some child victims to a broader number of children who have experienced or witnessed violence, while still ensuring a level of trustworthiness.

Unfortunately, sometimes children are the only witnesses to some of the most serious crimes that our communities face. SB20 helps to protect these children from reliving that trauma again and again, while still providing a mechanism for these types of cases to move forward. For the foregoing reasons, I respectfully urge a favorable report on SB20.

Thank you,



Jessica L. Garth  
Special Victims & Family Violence Unit, Chief