



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 Regarding Senate Bill 295
Lisae C. Jordan, Executive Director & Counsel
February 14, 2023

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. If the Committee chooses to move forward on HB295, we urge the Judicial Proceedings Committee to amend Senate Bill 295 to ensure greater victim participation.

Senate Bill 295

Crime Victim Participation in Proceedings Regarding Sentence Reduction

Senate Bill 295 creates a process for reduction of sentences on motion of the State's Attorney and after a determination by the Court that the interest of justice will be better served by a reduced sentence.

MCASA appreciates the provisions incorporating crime victim rights laws requiring notice to a victim. We note that Criminal Procedure §11-403 also clearly provides a victim with the right to be heard at a sentencing disposition hearing and that "sentencing disposition hearing" is defined to include "alteration of a sentence" so would encompass the hearing contemplated by SB295.

However, it could inflict significant trauma on a rape victim to participate in person and, conversely, if a victim does not object to the reduction, it is onerous to require personal appearance.

We therefore urge the Committee to permit a victim to submit victim impact statement and to require the Court to consider the statement, including previously filed statements.

On page 2, amend lines 23-25 as follows:

(D) (1) NOTICE OF THE HEARING UNDER SUBSECTION (D) OF THIS SECTION SHALL BE GIVEN TO THE VICTIM OR THE VICTIM'S REPRESENTATIVE AS PROVIDED IN §§ 11-104 AND 11-503 OF THIS ARTICLE.

(2) A VICTIM MAY SUBMIT A VICTIM IMPACT STATEMENT REGARDING PROPOSED SENTENCE REDUCTION

(3) THE COURT SHALL CONSIDER ANY VICTIM IMPACT STATEMENT FILED IN THE CASE AT THE TIME OF SENTENCING OR UNDER THIS SUBSECTION.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to Amend Senate Bill 295**