

KAREN LEWIS YOUNG
Legislative District 3
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Committee on Education, Energy,
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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 23, 2023

Support of SB 391 – Criminal Procedure – Victims of Sexually Assaultive Behavior

The Honorable Luke Clippinger, Chair

Judiciary Committee

Maryland Senate

11 Bladen Street, Room 302

Annapolis, MD 21401

Chair Clippinger, Vice-Chair Moon, and Esteemed Members of the Judiciary Committee:

Senate Bill 391 improves the communication process for survivors of sexual assault when they are informed that prosecutors are declining to charge their attackers. The same bills (House Bill #270 for 2021 and House Bill #225 for 2022) passed the House of Delegates. However, they were not voted on in the Senate. This year, eight out of the eleven senators on the Judicial Proceedings Committee voted in favor of this bill.

After conversations with a constituent who reported a sexual assault, I drafted this legislation with the input of an advocacy group as well as an Assistant State's Attorney. The Chief of Police in my district also voiced a strong need for this legislation.

In this particular case, the State's Attorney initially chose not to file charges and did not contact the survivor with an explanation. Under this legislation, the survivor has the right to request a meeting with an Assistant State's Attorney (ASA) with knowledge of the case. That meeting is required to occur within twenty days of the request, at which time the ASA can explain why the office did not move forward and answer questions from the survivor.

According to the U.S. Justice Department, only 23% of survivors report their assault, and only 20% of those reports lead to charges. Some survivors report hearing nothing after filing charges against their assailant. The Rape, Abuse, and Incest National Network (RAINN) reports that 995 of every 1000 sexual assault perpetrators will never face prison.

Women of color and LGBTQ+ people are disproportionately affected by sexual assault and are less likely to report their attackers. With the majority of reported cases of sexual assault never

leading to arrests or prosecution, countless survivors face the daunting task of sharing their stories of their attacks on police officers and prosecutors, only for prosecutors to decline pressing charges.

Maryland can make a statement of support for sexual assault survivors by reforming and improving this process. For these reasons, I urge you to support SB 391 and request a favorable report.

Thank you,

A handwritten signature in blue ink that reads "Karen Lewis Young". The signature is written in a cursive, flowing style.

Senator Karen Lewis Young