



**Governor's Family Violence Council**  
100 Community Place, Crownsville, MD 21032

ARUNA MILLER, Co-Chair  
*Lieutenant Governor*

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## **TESTIMONY IN SUPPORT OF SENATE BILL 424**

February 9, 2024

### **Governor's Family Violence Council**

The Governor's Family Violence Council supports Senate Bill 424, a bill that, at a criminal trial for second degree assault, allows for the admission of certain statements made by victims and witnesses if that statement is offered against a defendant who has engaged in, directed, or conspired to commit wrongdoing that was intended to and did procure the unavailability of the victim or witness. Current law, Courts and Judicial Proceedings 10-901, allows for the admission of these statements in any criminal trial of a felony, but excludes these statements in second degree assault cases, a common charge in family violence and intimate partner cases.

Victims of intimate partner violence who have been subpoenaed as a witness in a criminal trial against their abuser face many pressures and barriers, including fear of repercussion if they testify. If the defendant threatens a victim or coerces them not to testify, and that wrongdoing can be demonstrated, Senate Bill 424 allows the victim to testify through their prior statements, statements that were made at a time they were safe and able to state what happened to them. Senate Bill 424 aligns with the mission of the Governor's Family Violence Council, which is to provide recommendations that will allow for the reduction and elimination of abusive behaviors.

For these reasons, the Governor's Family Violence Council urges a favorable report on Senate Bill 424.