



The Honorable William Smith & Members of the Senate Judicial Proceedings Committee
Senate Judicial Proceedings Committee
11 Bladen Street, Annapolis, MD 21401

Dear Chairperson Smith and Judicial Proceedings Committee,

The Frederick County Domestic Violence Coordinating Council (DVCC) writes in support of Senate Bill 146: Criminal Procedure – Admission of Out-of-Court Statements – Assault in the Second Degree. The Frederick County DVCC is a multidisciplinary public commission, formed in 2020, to increase collaboration and communication among criminal and civil justice stakeholders, service providers, and community members with the goal of reducing and preventing domestic violence in Frederick County.

The DVCC is in support of Senate Bill 146 because most domestic assault prosecutions are categorized as second-degree assaults. While not felonies, they are critical State intervention points—working to interrupt the cycle of violence before a felony-level assault occurs. Under current law, an abuser benefits by engaging in wrongdoing that makes a Victim or witness unavailable to testify against them--because relevant and inculpatory statements are excluded under the hearsay rules. The research is clear that behavior aimed at manipulating and silencing victims is a common technique of domestic abusers. When they benefit from their wrongdoing in the courtroom, their abuse is enabled and perpetuated by a system that fails to hold them to account.

We urge a favorable report on SB 146.

Brett Engler, Esq.
Frederick County State's Attorney's Office
Chair, Frederick County DVCC