
BILL NO:	Senate Bill 0549
TITLE:	Civil Actions - Immunity - Disclosure of Allegations of Sexually Assaultive Behavior (Stop Silencing Survivors Act)
COMMITTEE:	Judicial Proceedings
HEARING DATE:	February 6, 2025
POSITION:	SUPPORT

The Women's Law Center of Maryland's clients have all experienced intimate partner violence, which may include physical, mental, and sexual abuse. A common form of abuse that we see regularly is the use and threat of SLAPP suits to silence victims from seeking redress in the courts.

SLAPP – or Strategic Lawsuits Against Public Participation – suit laws protect individuals and groups, many with few assets, from defending costly legal challenges to their lawful exercise of such constitutionally protected rights as free speech, assembly, and the right to petition the government. Most often what we've seen is a domestic violence survivor seeking out the aid of law enforcement and then being forced to defend against abusive litigation. The abuser's goal is often not to win the case but rather to cause the victim to devote such significant resources to defending themselves that they are unable to continue the challenged activities, including seeking protection from abuse. Abusers may also sue or threaten to sue anyone who helps the victim, including friends, neighbors, advocates, lawyers and law enforcement officials. This threat of litigation makes it harder for the victim to find help.

When Maryland first enacted its anti-SLAPP protections in 2004, it was seen as a vanguard, one of the only states protecting against frivolous SLAPP suits. Maryland's repeal of the spousal defense to rape and sexual offenses was another step forward to ensuring that gender-based violence survivors are treated equally in the eyes of the law - however, current law doesn't expressly protect survivors of sexual assault from defamation lawsuits by their attackers. SB0549 extends these protections.

We know that most sexual assault – more than 95% according to NIH (PMID: 33305675) – is never reported. We know the barriers women face in reporting their assault, including age, fear, the relation/power of the perpetrator, negative reactions to disclosure, and the belief - or personal experience - that reporting would not result in justice and societal norms. With SB0549, Maryland once again has the opportunity to lead the nation in extending civil protections and immunity from liability for the disclosure of allegations of sexually assaultive behavior.

Legal protections and resources for women in this country are deteriorating before our eyes. In this evolving context, the Women's Law Center of Maryland believes it is more important than ever to protect victims of sexual abuse from additional trauma, including the financial abuse of SLAPP suits. We implore our representatives in the General Assembly to support Senate Bill 0549 and stop the silencing of survivors.

The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.