



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 142: Marriage—Confidential Communication—Criminal Charge. The Frederick County DVCC is a multidisciplinary public board, 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 SB 142. Currently, Maryland is one of only a *few* states that does not have an exception to the marital communications privilege for a crime committed against the other spouse. In practice, this means that an offending spouse can prohibit their victim from testifying in a Court of law as to confessions, apologies, or other acknowledgments of violence they committed. In crimes such as marital rape and domestic assault, these communications are critical pieces of evidence of brutal crimes that most often occur behind closed doors--with no witnesses other than the perpetrator and victim. To allow an offender to keep their confessions and relevant communications from the judge or jury is unjust. A martial communications privilege without a crime exception is archaic and the privilege statute must be modernized to reflect the reality of martial violence.

We urge a favorable report on SB 142.

Brett Engler, Esq.
Chair, Frederick County DVCC