



COMMISSION FOR WOMEN COMMUNITY ENGAGEMENT CLUSTER

February 6, 2025
Senator William C. Smith
Chair, Senate Judicial Proceedings Committee
Miller Senate Office Building, 2 East Street
Annapolis, MD 21401

RE: SB 549 Civil Actions-Immunity-Disclosure of Allegations of Sexually Assaultive Behavior
(Stop Silencing Survivors Act)

Position: **SUPPORT**

Dear Chairperson Smith, and members of the Senate Judicial Proceedings Committee,

On behalf of the Montgomery County Commission for Women, I am writing to ask for your support of SB 549 — Civil Actions-Immunity-Disclosure of Allegations of Sexually Assaultive Behavior. Sexual violence remains pervasive within our society. In Maryland, just over 1 in every 4 adult women (26.8%) are a victim of rape within her lifetime¹. Just under half of women within Maryland (47.6%) and about a third of men (30.7%) report experiencing other forms of sexual violence². Despite the pervasiveness of sexual violence, sexual assault remains under-reported and under-prosecuted³. Retaliatory lawsuits have emerged as another tool for perpetrators to continue to exert control over the survivor—individuals accused of sexual assault file defamation lawsuits against survivors who report the abuse.

Montgomery County Commission for Women advocates for legislation that promotes the equal and full participation of women and girls in every aspect of community living and access to education, healthcare, and work advancement with political and economic power. Retaliatory lawsuits against sexual assault survivors retraumatize survivors and place financial burdens on individuals who have already been victimized. As retaliatory lawsuits against survivors are particularly common at the undergraduate level, they have the potential to limit the survivor's educational trajectory^{4,5}. Thus, protections are needed so those impacted by sexual assault can seek out support without further fear of victimization by their abuser.

¹ Maryland Coalition Against Sexual Assault (2024, September). Sexual Assault in Maryland. chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://mcasa.org/assets/files/Sexual_Assault_in_MD_Fact_Sheet_2024.09.pdf

² Maryland Coalition Against Sexual Assault (2024, September). Sexual Assault in Maryland. chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://mcasa.org/assets/files/Sexual_Assault_in_MD_Fact_Sheet_2024.09.pdf

³ Maryland Legislative Agenda for Women (MLAW). (2024, November 23). MLAW fall agenda conference. chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://mdlegagendaforwomen.org/wp-content/uploads/2024/11/2024-merged-proposal-packet-for-web.pdf

⁴ Jordan, L.C. (2024, November 23). Stop silencing survivors [conference presentation]. Maryland Legislative Agenda for Women. Columbia, MD, United States. chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://mdlegagendaforwomen.org/wp-content/uploads/2024/11/2024-merged-proposal-packet-for-web.pdf

⁵ Diaz, J. (2024, November 10). This lawyer is fighting defamation lawsuits that can silence sexual assault victims. *National Public Radio*. <https://www.npr.org/2024/11/08/nx-s1-5111723/me-too-assault-victims-protections-defamation>

This bill comes at a critical time as individuals who confidentially report sexual assault are threatened by lawsuits and maligned in the media by their accusers^{6,7,8}. Retaliatory lawsuits may have a chilling effect on the reporting and help-seeking behaviors of survivors of sexual assault. Survivors report fear of reprisal as a barrier to reporting and accessing resources. Protections, such as the proposed legislation, that make it safer to report without the fear of retaliation, are needed. This legislation aligns with current national trends, where states are introducing and passing laws to protect survivors against retaliatory lawsuits.

Therefore, I urge a favorable report on SB 549 on behalf of the Montgomery County Commission for Women.

Sincerely,

Commissioner Elizabeth Richards
Chair, Policy & Legislative Committee
Montgomery County Commission for Women

⁶ Robinson, K. (2025, January 22). Sean 'Diddy' Combs files \$50 million defamation lawsuit over alleged sexual assault videos. *USA Today*. <https://www.usatoday.com/story/entertainment/celebrities/2025/01/22/sean-diddy-combs-sues-for-defamation/77889904007/>

⁷ Curto, J. (2025, January 23). Chris Brown files \$500M defamation suit against Warner Bros. over documentary. *Vulture*. <https://www.vulture.com/article/chris-brown-defamation-lawsuit-warner-bros.html>

⁸ Weidner, A. (2024, December 19). Andrew Cuomo sues former aide, sexual misconduct accuser for defamation. *CBS News*. <https://cbs6albany.com/news/local/andrew-cuomo-sues-former-aide-sexual-misconduct-accuser-for-defamation-charlotte-bennett-new-york-letitia-james-attorney-general-governor>