



**BILL NO:** Senate Bill 549  
**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 WITH AMENDMENTS**

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The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals, for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 549.**

Under Senate Bill 549, a person who has in good faith alleged that another person has engaged in sexually assaultive behavior (see § 10-923 of MD. Code Ann. Courts and Judicial Proceedings) is not liable for defamation. Good faith is defined in SB 549. There would be a presumption that the disclosing person acted in good faith unless it could be shown by clear and convincing evidence that they did not so act, rather that they disclosed false information with actual malice or intentional or with reckless disregard for the truth. Attorney fees could be awarded to the prevailing party.

Senate Bill 549 is essentially a specific anti-SLAPP (strategic lawsuit against public participation) type measure to address the increasing occurrence of an abuser retaliatorily suing their victim/survivor for defamation. Abusers use the judicial system to continue to harass their victims, retraumatizing them, causing them fear, and causing expense to defend against the lawsuit. This happens sometimes even if the abuser has been found to have committed the acts for which he or she was charged. The very existence of the lawsuit against a survivor can be very damaging to a survivor. Defamation lawsuits filed against victims who speak out are prohibitively expensive, time-consuming and emotionally draining, and contribute to a silencing effect on all victims, present and future.<sup>1</sup>

We note that the same behavior of using the legal system as a retaliatory act against a survivor also occurs in domestic violence cases and we offer what we hope is considered a friendly

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<sup>1</sup> <https://www.wusf.org/2024-11-10/this-lawyer-is-fighting-defamation-lawsuits-that-can-silence-sexual-assault-victims>. Last Viewed 2/3/2025.



amendment to add that population to this bill, perhaps by using the definition of a person eligible for relief found in Md. Code Ann. FL Section 4-501 et seq.

Because the defamation suits by perpetrators of sexual and intimate partner abuse are a damaging retaliatory act against a survivor, the **Maryland Network Against Domestic Violence urges a favorable report on SB 549 with amendment.**

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