



violence in Maryland

P.O. Box 8782
Silver Spring, MD 20907
Phone: 301-565-2277
Fax: 301-565-3619

Working to end sexual

For more information contact:
Lisae C. Jordan, Esquire
443-995-5544
www.mcasa.org

Testimony Supporting Senate Bill 298 Lisae C. Jordan, Executive Director & Counsel January 30, 2025

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judicial Proceedings Committee to report favorably on Senate Bill 298.

Senate Bill 298 – Out of Court Statements - Vulnerable Adult Victims and Witnesses

This bill would create a hearsay exception permitting judges and fact finders to hear evidence of statements by vulnerable adults. This is similar to Maryland's current tender years statute permitting judges and fact finders to hear statements of children under age 13, see Crim.Pro. §11-304.

The Office of the Attorney General provides a clear description of the issue SB298 addresses, noting that every year in courts across Maryland there are criminal cases involving the abuse of vulnerable adults that are dismissed or cannot be prosecuted because the vulnerable adult victim has memory loss by the time of trial. This loss can be due to aging, dementia, or worsening mental disability and therefore they are unable to testify. Allowing the statements that the victim makes near the time of the alleged crime to a trusted individual to be considered as admissible evidence would greatly improve the ability to prosecute these crimes and achieve justice for Maryland's most vulnerable victims.

MCASA concurs with the Attorney General and emphasizes that testifying regarding sexual assault and abuse can be particularly traumatic and difficult for vulnerable adults. The challenges these survivors face create significant barriers to seeking justice in these cases and endanger the community by permitting sex offenders to go free.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to
report favorably on Senate Bill 298**