

CHRIS WEST
Legislative District 42
Baltimore and Carroll Counties

Judicial Proceedings Committee



Annapolis Office
James Senate Office Building
11 Bladen Street, Room 322
Annapolis, Maryland 21401
410-841-3648 · 301-858-3648
800-492-7122 Ext. 3648
Chris.West@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

January 30, 2025

The Maryland State Senate Judicial Proceedings Committee
The Honorable William C. Smith, Jr.
2 East Miller Senate Building
Annapolis, Maryland 21401

Re: Senate Bill 333: *Criminal Procedure - Victims and Witnesses - Out of Court Statement of Child to Forensic Interviewer*

Dear Chairman Smith and Members of the Committee,

Under current Maryland law, a court may admit into evidence in a juvenile court proceeding or in a criminal proceeding an out of court statement that would otherwise be prohibited from introduction under the rule against hearsay evidence if the statement is made by a child victim or a child witness so long as certain criteria is met:

First, the child must be under the age of 13. Second, the child must either be an alleged victim or witness in a case concerning a crime of violence or the alleged victim or a child alleged to need assistance in the case in a court case involving child abuse, rape or attempted rape, certain sexual offenses, or certain other crimes of abuse or neglect. Third, the out of court statement must have been made to a physician, a psychologist, a nurse, a social worker, a principal, vice principal, teacher, school counselor, a licensed therapist or a licensed counselor.

Senate Bill 333 merely adds to the list of people qualified to testify about such hearsay in a court proceeding a forensic interviewer. The term forensic interviewer is defined as a professional who is trained in child forensic interviewing procedures and techniques that allow for neutral, legally sound, nonleading and developmentally appropriate interviews with children to gather information without influencing the information provided by the child. The term "forensic interviewer" does not include law enforcement officers, and under SB 333, the interviewer must be employed by or work under a contract with a child advocacy center.

So Senate Bill 333 merely adds a qualified forensic interviewer to the list of people who can give hearsay testimony in court relating to statements made by children. This bill is a narrow way to ensure we are properly protecting young people from the most heinous crimes, while ensuring that their testimony is credible and reliable.

I appreciate the Committee's consideration of Senate Bill 333 and will be happy to answer any questions the Committee may have.