



Working to end sexual violence in Maryland

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Testimony Supporting House Bill 677
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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 Judiciary Committee to report favorably on House Bill 677.

House Bill 677 – 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 HB677 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
Judiciary Committee to
report favorably on House Bill 677**