



FREDERICK COUNTY GOVERNMENT
OFFICE OF THE COUNTY EXECUTIVE

Jessica Fitzwater
County Executive

**HB 442 – Criminal Procedure – Victims and Witnesses – Out of Court Statement of a
Child to Forensic Interviewer**

DATE: February 6, 2025
COMMITTEE: House Judiciary Committee
POSITION: Favorable
FROM: The Office of Frederick County Executive Jessica Fitzwater

As the County Executive of Frederick County, I urge the committee to give **HB 442 – Criminal Procedure – Victims and Witnesses – Out of Court Statement of a Child to Forensic Interviewer** a favorable report.

Current state law only permits a handful of professionals to conduct interviews with children that are admissible in court. These professions include physicians, psychologists, nurses, social workers, principals (or other school staff), counselors, and therapists. However, this leaves interviews conducted by forensic interviewers as inadmissible in court. As many Child Advocacy Centers (CACs) depend on forensic interviewers for maltreatment investigations, this can create situations where children are required to withstand the traumatic experience of testifying in an in-person courtroom or not have their stories shared in the prosecution of the case.

HB 442 would expand the list of professions qualified to conduct out of court interviews to include forensic interviewers.

Frederick County is proud to have a CAC that among other services, conducts interviews with children who have been the victims of or witnesses to crime. Currently, our CAC only has one part time staff member that is permitted to obtain court admissible interviews under current state law, leaving children who enter the CAC on days the staff member is absent unable to provide an interview in this safe environment that would be admissible in court. By expanding the list of qualified interviewers to include forensic interviewers, HB 442 would ensure children who enter our CAC would always have access to a qualified staff member to perform court admissible interviews.

Out of court statements are an important tool to allow children who have faced abuse or maltreatment to share their story in a safe and comfortable environment, reducing the need for children to go through the traumatic experience of testifying in court, often in the same room as their abuser. Requiring children to testify in court extends their traumatic experience, and sometimes leaves cases to go to settlement due to the child's inability to share their testimony in this high stress environment. HB 442 will help streamline functions within CACs throughout the state while also reducing the need to subject children to further adverse experiences.

Thank you for your consideration of HB 442. I urge you to advance this bill with a favorable report.

Jessica Fitzwater, County Executive
Frederick County, MD