



Working to end sexual violence in Maryland

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

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

Testimony Supporting House Bill 613 with Sponsor Amendments **Lisae C. Jordan, Executive Director & Counsel** February 11, 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 Judiciary Committee to report favorably on House Bill 613 with Sponsor Amendments.

House Bill 613 – Protection of Identity of Victim of Sexual Assault

This bill would expand protection for the identities of victim/survivors in criminal and juvenile cases to include adult victims/survivors of sexual assault. The bill would also create a process for victim/survivors to request redaction of information in previously filed cases.

Privacy is vital for survivors of sexual violence.

Survivors have different reactions and experiences of sexual assault, but one common thread is the desire to control information about what happened to them. Laws, professional ethics, and agency values all support protection for victim/survivor privacy. These range from provisions of the Violence Against Women Act (34 U.S.C. §1229(b)(2); see also, VOCA 34 U.S.C. §20103 et seq.) to ethical rules applying to mental health professionals (*e.g.* NASW Code of Ethics, 1.07) to the mission of rape crisis centers (*see, e.g.*, MCASA Comprehensive Sexual Assault Program Standards). People and agencies who work with survivors fiercely protect privacy and insist that a survivor should be the one to decide when their identity is shared.

Court filings can create a gaping hole in privacy protections for survivors. Crim.Law §3-317 requires the name of a survivor in charging documents and survivor information can appear in a variety of places in court files. The advent of the internet and easy access to court filings has made what was previously an obscure document buried in file rooms easy to obtain. Some jurisdictions have already adopted internal practices to protect privacy, such as using initials, but this is inconsistent across the State. Last session, the General Assembly enacted legislation protecting identifying information for minors, including for minor victims of sex crimes.

House Bill 613 seeks to expand privacy protections to include all survivors of sexual assault. MCASA supports HB613 and its goals. Sponsor amendments will use the more comprehensive definition of victim of sexual assault found in Courts & Judicial Proceedings §10-923, which is particularly important because it will include survivors of sexual abuse of a minor (Crim.Law §3-602) and sexual abuse of a vulnerable adult (Crim.Law §3-604). Sponsor amendments also correct a practical error in the bill as introduced and will retain language requiring that someone advise the Court if an identified person is a minor and therefore in need of protection. These are important amendments and MCASA urges the Committee to include them.

**The Maryland Coalition Against Sexual Assault urges the
Judiciary Committee to
report favorably on House Bill 613 with Sponsor Amendments**