



## THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

Hello Mr. Chair and Members of the committee:

Delegate J. Sandy Bartlett, District 32, for the record. Today, I will be introducing HB629: Civil Actions - Immunity - Disclosure of Allegations of Sexually Assaultive Behavior the Stop Silencing Survivors Act. This bill will protect those who, in good faith, bring forth information regarding sexual assaultive behavior from being held civilly liable for their disclosures. Currently, survivors and witnesses alike can be civilly sued for libel and/or slander if they share information of sexually assaultive behavior. This unfortunate loophole results in a chilling effect leading to survivors and witnesses being discouraged from speaking up about sexual violence.

In Maryland, "more than 1 out of every 4 (26.8%) adult women [...] has been the victim of rape sometime in her lifetime. Nearly half [...] of Maryland's adult women [...] have experienced other forms of sexual violence."<sup>1</sup>. In recent years, this body has made a concerted effort to reform and support victim services in our state. I am delighted with the progress that we have all made; however, we can do more. States like California, Rhode Island, Tennessee, New York, and Washington State have passed laws to stop retaliatory suits. By protecting survivors from retaliatory lawsuits for being brave enough to share their story, we are sending a clear message to victims that we support them.

This bill does not arbitrarily protect anyone who falsely claims to have information about sexual violence incidents. As written, the language requires the establishment of good faith by mandating the presumption of good faith unless: there is clear and convincing evidence that the disclosure is in actual malice toward the alleged or intentionally, recklessly, false. As a state, we have decided that sexual crimes deserve our attention, and reforms need to be made to promote disclosure of information regarding these instances. We cannot and should not knowingly allow the threat of civil retribution to deter victims from coming forward. For these reasons, I urge this body to render a fair and favorable report.

<sup>1</sup>[https://mcasa.org/assets/files/Sexual\\_Assault\\_in\\_MD\\_Fact\\_Sheet\\_2024.09.pdf](https://mcasa.org/assets/files/Sexual_Assault_in_MD_Fact_Sheet_2024.09.pdf)