



BILL NO: Senate Bill 295
TITLE: Civil Actions – Immunity – Disclosure of Allegations of Sexually
Assaultive Behavior - (Stop Silencing Survivors Act)
COMMITTEE: Judicial Proceedings
HEARING DATE: February 3, 2026
POSITION: **FAVORABLE**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that works to lead diverse community partners toward the common purpose of reducing the occurrence and impact of intimate partner violence.. **MNADV urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 295.**

Under Senate Bill 295, a person who has in good faith alleged that another person has engaged in sexually assaultive behavior (see § 10-923 of MD. Code Ann. Courts and Judicial Proceedings) is not liable for defamation. Good faith is defined in SB 295. There would be a presumption that the disclosing person acted in good faith unless it could be shown that they did not so act, rather that they disclosed false information with actual malice or intentional or with reckless disregard for the truth. Attorney fees could be awarded to the prevailing party.

Senate Bill 295 is essentially a specific anti-SLAPP (strategic lawsuit against public participation) type measure to address the increasing occurrence of an abuser retaliatorily suing their victim/survivor for defamation. Abusers use the judicial system to continue to harass their victims, retraumatizing them, causing them fear, and causing expense to defend against the lawsuit. This happens sometimes even if the abuser has been found to have committed the acts for which he or she was charged. The very existence of the lawsuit against a survivor can be very damaging to a survivor. Defamation lawsuits filed against victims who speak out are prohibitively expensive, time-consuming and emotionally draining, and contribute to a silencing effect on all victims, present and future.¹

We note that the same behavior of using the legal system as a retaliatory act against a survivor also occurs in domestic violence cases and we offer what we hope is considered a friendly

¹ <https://www.wusf.org/2024-11-10/this-lawyer-is-fighting-defamation-lawsuits-that-can-silence-sexual-assault-victims>. Last Viewed 1/30/2026.



amendment to add that population to this bill, perhaps by using the definition of a person eligible for relief found in Md. Code Ann. FL Section 4-501 et seq.

Because the defamation suits by perpetrators of sexual and intimate partner abuse are a damaging retaliatory act against a survivor, the **Maryland Network Against Domestic Violence urges a favorable report on SB 295 with amendment.**

For further information contact Laure Ruth ■ Public Policy Director ■ 301-852-3930 ■ lruth@mnadv.org

1997 Annapolis Exchange Parkway, Suite 300 ■ Annapolis, MD 21401
Tel: 301-429-2951 ■ E-mail: info@mnadv.org ■ Website: www.mnadv.org