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February 6, 2020

Chairman Willaim C. Smith, Jr.
Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

RE: Senate Bill 271: Crimes- Victim and Witness Intimidation- Penalties and Procedures

POSITION: Support

Dear Chairman Smith and Members of the Judicial Proceedings Committee,

The Governor's Office of Crime Prevention, Youth, and Victim Services is providing this letter of support for Senate Bill 271: Crimes- Victim and Witness Intimidation- Penalties and Procedures

This legislation offers additional protection for victims and witnesses in criminal adjudications. Senate Bill 271 expands to all criminal cases the exception to hearsay rule within Courts and Judicial Proceedings Article Section 10-901 to ensure evidence offered against a criminal defendant will not be excluded if the party has engaged in, directed, or conspired to commit wrongdoing that was intended to procure the unavailability of the witness.

Senate Bill 271 offers harsher penalties with individuals who threaten or harm victims or witnesses to prevent accurate testimony from being given. If Senate Bill 271 is enacted, an individual who causes a serious physical injury to a potential declarant would be guilty of a felony and subject to a 15 year imprisonment which may run separate and concurrent from, or consecutive to the sentence for the original violation. Additionally, if the intimidation results in the death of a victim or witness, the defendant, upon conviction, would be guilty of a felony and

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subject to a 25 year sentence to run separate and concurrent from, or consecutive to the sentence for the original violation.

Protection of victims and witnesses has been a priority for the Governor's Office of Crime Prevention, Youth, and Victim Services. In FY20, Governor Hogan allocated over \$2.6 million towards victim and witness relocation funding in Maryland, with a majority of funding focusing on addressing witness intimidation in Baltimore City. The Governor's Office of Crime Prevention, Youth, and Victim Services has partnered with the Maryland State's Attorney Association to distribute funding to local State's Attorney Offices for victim and witness relocation. In the proposed budget for FY21, Governor Hogan has once again allocated additional funding to foster safe and beneficial cooperation between local communities and the justice system.

For these reasons, the Governor's Office of Crime Prevention, Youth, and Victim Services supports Senate Bill 271 and urges a favorable report.

Sincerely,

A handwritten signature in black ink, appearing to read "V. Glenn Fueston, Jr.", with a stylized flourish at the end.

V. Glenn Fueston, Jr.

Executive Director

Governor's Office of Crime Prevention, Youth, and Victim Services