



Marjorie Cook Foundation
Domestic Violence Legal Clinic

2201 Argonne Dr • Baltimore, Maryland 21218 • 410-554-8463 • dlennig@hruthmd.org.

TESTIMONY IN SUPPORT OF SENATE BILL 807

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DOROTHY J. LENNIG, LEGAL CLINIC DIRECTOR

The House of Ruth is a non-profit organization providing shelter, counseling and legal services to victims of domestic violence throughout the State of Maryland. Senate Bill 807 prohibits a criminal justice unit from asking a sexual assault victim to sign a waiver preventing or limiting the investigation or prosecution of the sexual assault. **We urge the Senate Judicial Proceedings Committee to favorably report on Senate Bill 807.**

According to the Baltimore Sun, police departments throughout the country offer victims of sexual assault the chance to start “putting it all behind them” by signing a waiver that lets police off the hook for pursuing the perpetrator. Such forms have been used hundreds of times in Maryland. This bill would eliminate that practice.

Rape is a highly traumatic experience. Many rape victims, if asked to decide whether law enforcement should investigate or whether prosecutors should proceed with the case, will waive further investigation or prosecutions simply to put an end to the process and to avoid further trauma by having to relive the rape. One of the key differences between the criminal and civil justice systems is that our criminal justice system serves to protect our State’s citizens from harm, even if the victim of the crime does not wish the case to go forward. Perpetrators of rape are extremely dangerous and, if not held responsible, likely to rape other victims in the future. The State has an obligation to protect both individual victims of specific acts and potential future victims. As such, decisions about whether to investigate and prosecute acts of rape should be made by law enforcement and prosecutors, not victims.

The House of Ruth urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 807.