



Working to end sexual violence in Maryland

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Testimony Supporting Senate Bill 776
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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 Judicial Proceedings Committee to report favorably on Senate Bill 776.

Senate Bill 776 – Out of Court Statements of Child and Elder Victims

Maryland's "tender years" exception permits a judge or jury to hear a child's statement regarding abuse or sex crimes when the child is under 13 and was made to certain professionals. This bill would expand the tender years exception to the hearsay rule to permit admission of statements by vulnerable adults, including regarding sexual abuse and physical abuse, and by children not only in sexual abuse cases, but also in neglect and physical abuse cases.

The tender years hearsay exceptions was created in recognition that most sexual assaults and sexual abuse occurs in private and that victims face significant barriers to reporting. Survivors may be embarrassed or reluctant to report what a family member or other trusted adult has done to them. Others may face coercion or threats from the perpetrator. These underlying policy considerations are also present in cases involving abuse of vulnerable adults and involving child maltreatment other than sexual abuse. Our laws should support these survivors as well.

**The Maryland Coalition Against Sexual Assault urges
the Judicial Proceedings Committee
to report favorably on Senate Bill 776**