



SB776 Criminal Procedure – Out of Court Statements – Child and Vulnerable Adult Victims
Senate Judicial Proceedings Committee – March 10, 2021
Testimony of Joyce Lombardi, Director of Government Relations and Legal Services
Position: **SUPPORT**

Center for Hope (CFH) writes in support of SB776, which would help the court admit into evidence in criminal cases some out of court statements made by a child in serious neglect cases and by a vulnerable adult victim. Current law does not extend to either of those two groups.

Center for Hope, a subsidiary of LifeBridge Health, helps clients heal from acute violence such as child abuse, domestic violence, street violence and elder abuse through integrated, evidence-based programs that extend beyond hospital walls. Center for Hope now includes the Baltimore Child Abuse Center, one of the state's oldest and largest children's advocacy centers. Children's advocacy centers engage multidisciplinary teams of experts to respond to allegations of child abuse. Md. Cts and Jud Proc §11-928. Trained forensic interviewers are trained to ask neutral open-ended questions to elicit narrative responses in the victim's own words. These interviews are admissible in some circumstances.

Center for Hope Elder Justice Program was created to provide an evidence-based approach to the growing -- but often overlooked -- problem of serious harm caused to older and vulnerable adults by family, caregivers and other trusted adults. The project convenes a multi-disciplinary team of experts, including forensic interviewers, law enforcement, medical and mental health professionals to review cases to identify gaps in services and systemic improvements.

Under current Maryland's "tender years" exception to the hearsay rule, out of court statements made to, eg one of our forensic interviewers, may be admissible in court proceedings for certain child abuse cases. This bill would extend that law to include serious child neglect cases (such as medical neglect in which children face near-fatal consequences) and cases involving vulnerable adults. Vulnerable adults include elderly or mentally or physically challenged adults.

Under Maryland law, children and vulnerable adults still have to testify in court to allow defendants to confront them. This bill would help allows a victim's additional out of court statements, once deemed admissible, to also be allowed in court. Those out of court statements, which are elicited in trauma-informed manner and places, may help provide evidence that a frightened child or vulnerable adult cannot provide in a traumatic court setting.

We urge a favorable report on SB776.

LifeBridge Health is a regional health system comprising Sinai Hospital of Baltimore, Levindale Geriatric Center and Hospital in Baltimore; Northwest Hospital; Carroll Hospital and Grace Medical Center (formerly Bon Secours). At LifeBridge Health and Center for Hope, we are committed to convening national best practice and trauma experts to respond to violence, abuse and exploitation of our area's most vulnerable populations.