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Senate Committee Passes Weakened Version of Rape Survivor Family Protection Act *Amendments Would Permit Publishing Names of Rape Victims and Children*

Silver Spring, Md., March 15, 2017— The Rape Survivor Family Protection Act passed the Maryland Senate Judicial Proceedings Committee last night with amendments weakening protections for rape victims and children conceived through rape. Senate Bill 574 would create a process to terminate the parental rights of rapists when a child is conceived as a result of rape.

As introduced, the Rape Survivor Family Protection Act prohibits courts from ordering that the names or personally identifying information of the rape survivor or child conceived from rape be published. The House of Delegates passed the bill with these provisions intact, Senate Judicial Proceedings Committee stripped off these provisions and would allow judges to order that a rape victim to publish her name and the name of the child as a condition of moving forward with litigation. Theoretically, publication is to provide notice that the case exists, but few professionals believe that potential fathers actually read the small ads placed in classified sections to see if they have conceived a child. Ads are, however, included in on-line versions of newspapers and the names of rape victims and their children can easily be found by search engines, such as Google. The Maryland Attorney General's Office analyzed the bill and confirmed that publication of names is not necessary.

The Maryland Coalition Against Sexual Assault expressed concern about the Committee amendments, "While we are grateful the bill is out of Committee, we believe that permitting publication of a rape victim's name only serves as a tool of shame and humiliation, and does nothing to enhance access to the courts," said Lisae C. Jordan, Executive Director and Counsel. Other amendments by the senate Judicial Proceedings Committee included reducing the statute of limitations from 7 to 3 years, eliminating the ability of a child to file a petition, and depriving the court of authority to order temporary custody while a case is pending. The Committee, chaired by Senator Bobby Zirkin (D-Baltimore County), also amended the bill to prevent prosecutors from introducing evidence that a defendant testified one way in the family law case and another way in a criminal case.

The bill's sponsor remained hopeful that legislation can be enacted this year. Senator Brian Feldman (D-Montgomery County), said "I look forward to working with the House to iron out the differences between our bills. Maryland needs a strong and fair policy that supports rape survivors who have chosen to go forward with a pregnancy after rape."

About 5% of women of reproductive age who are raped become pregnant as a result, with about 38% carrying a child to term. The Rape Survivor Family Protection Act is a top priority of the Maryland Coalition Against Sexual Assault and supported by a wide array of organizations including the Women's Law Center of Maryland, Maryland Chapter of the National Association of Social Workers, and both pro-choice and anti-abortion advocates.

MCASA supports legislation that promotes justice for survivors of sexual violence, accountability for offenders, and protection for the general public. A description of MCASA's full 2017 legislative agenda can be found at this link: <http://www.mcasa.org/law-public-policy/legislative-agenda/>

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