

TESTIMONY IN SUPPORT OF BILL HB0226 - FAVORABLE
Criminal Law - Person in a Position of Authority - Sexual Offenses With a Minor

TO: Chair Clippinger, Vice Chair Moon, and
members of the Judiciary Committee

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Feb 7, 2023

I am Chris Apple, I live in Columbia in District 13. This testimony is in support of Bill HB0226.

When a person uses their position of authority to initiate a sexual contact or relationship with a minor in their care, it is not always considered a crime in Maryland. In fact, if the child is above a certain age, it is only a crime if the authority figure is a teacher at a public or private school. Current law makes no mention of other positions of authority, such as gym instructors, private tutors, or religious leaders.

Student-teacher relationships are often similar to other mentor-mentee relationships. In both cases the mentee can come to regard their mentor as an authority, and can come to respect and trust their mentor. In both cases, a mentor can exploit that trust and use it to begin a sexual relationship with the child in their care. Student-teacher relationships are so similar to other kinds of mentorship that this seems a clear loophole in the current law.

Previous testimony has included several examples of mentors who abused the minors in their care. Because the abusers were not public or private school teachers, they could not be prosecuted under current law. HB0226 provides good amendments to close this loophole and covers many additional mentor-mentee relationships that could be exploited.

I respectfully urge the committee to issue a favorable report for HB0226.