

OFFICE OF THE STATE'S ATTORNEY

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CIRCUIT COURT
DIVISION

ST. MARY'S COUNTY, MARYLAND

January 24, 2024

The Honorable William C. Smith, Jr.
Chairman, Senate Judicial Proceedings Committee
11 Bladen Street
Annapolis, MD 21401

Dear Chairman Smith and Members of the Judicial Proceedings Committee:

I write in support of SB0130—Criminal Law—Indecent Exposure in the Presence of a Minor. As the State's Attorney for St. Mary's County, my office prosecutes all offenses, including crimes against children. Sexual crimes committed against children are some of the most heinous crimes in our society.

As the law stands, an offender who intentionally exposes their genitals to a child faces the same penalty for doing the same to an adult. Further, there is no sentencing enhancement for exposing oneself with a prurient intent. The Indecent Exposure statute's current three-year maximum penalty does not sufficiently penalize the nefarious intent of an offender who exposes their genitals to a child with a prurient intent.

SB0130 provides a more appropriate sentence factoring in the added egregious element of offenders exposing their genitals to a child with prurient intent. The five-year maximum sentence would only apply when an offender knows or should have known that a child over the age of two is present. The statutory language further requires a prurient intent element. This intent element is directed to appropriately sentence those who seek to sexually victimize children.

I strongly urge a favorable report on SB0130.

Respectfully,

Jaymi Sterling
State's Attorney for St. Mary's County