



Working to end sexual violence in Maryland

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Testimony Supporting Senate Bill 113
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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 which provides direct legal services for survivors across the State of Maryland. We urge the Judicial Proceedings Committee to report favorably on Senate Bill 113.

**Senate Bill 113 – Sexual Solicitation of a Minor – Images of Child Sexual Abuse
(Child Pornography)**

This bill would update Maryland's sexual solicitation of a minor statute to include a solicitation to violate child pornography laws, Criminal Law §11-207.

Since the pandemic, sex offenders are increasingly using technology to groom children and persuade them to create sexual images of themselves. A study in the UK found online grooming crimes continue to climb and have jumped by more than 80% in four years, <https://www.nspcc.org.uk/about-us/news-opinion/2022/online-grooming-crimes-rise/>. Children in the US face similarly high rates of on-line solicitation. This often includes interacting with children via social media, apps, and games, and the creation of sexual images. Current law prohibits some of the activities of these offenders, but gaps remain. Senate Bill 113 helps close a remaining loophole.

Maryland's current sexual solicitation of a minor law is structured to address an offender soliciting a child to violate a list of sex crimes and trafficking laws. The current law also permits prosecution when an offender solicits a parent or guardian of the child to commit one of the listed sexual crimes. Finally, if an offender solicits a law enforcement officer posing as a child or posing as the parent or guardian of a child, the offender can be convicted. This piece of the statute is particularly important because the child pornography law does not cover solicitation to a parent or guardian or to a law enforcement officer posing as a parent, guardian or child.

Senate Bill 113 will not affect current protections for teens involved in sexting. The statute addressing this issue, Courts & Judicial Proceedings § 3-8A-35 specifically addresses §11-207 and diverts cases involving sexting.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to
report favorably on Senate Bill 113**