

OFFICE OF THE STATE'S ATTORNEY

JAYMI STERLING
STATE'S ATTORNEY



CIRCUIT COURT
DIVISION

ST. MARY'S COUNTY, MARYLAND

DATE: January 19, 2024

BILL NUMBER: HB 145

POSITION: Favorable

The St. Mary's County State's Attorney's Office supports HB 145.

HB 145 seeks to amend Criminal Law Article 3-809; Revenge Porn-Visual Representation, by modernizing or evolving the definition of what constitutes a visual representation with the current state of technology and various social media.

As a prosecutor for over 20 years, there have been many cases, especially in the last 10 years with advances in technology and the progression of social media, in which images are created via electronic means therefore not a printed photograph. During my tenure, with the Charles County State's Attorneys Office, I assisted in preparing a response to a request to dismiss in a case involving an argument over whether a video created on a phone constituted a visual representation under the meaning of a videotape or film. This amendment of definition is evolving with the current environment of cellular telephones, computer generated images, and electronic devices all which can be used to distribute revenge pornography.

Thus, this amendment serves to protect persons from harm from all means of electronic communication when relationships are broken, or a trust is broken.

Sarah Proctor

Sarah F Proctor
Chief of Special Victims Unit
For St. Mary's County State's Attorney Office