

DATE: February 6, 2020

BILL NUMBER: SB259

COMMITTEE: Judicial Proceedings

BILL TITLE: Criminal Law – Crime of Violence – Definition

DHS POSITION: Support

The Department of Human Services (the Department) respectfully submits this letter of support regarding Senate Bill 369. Senate Bill 369 would alter the definition of a crime of violence under sexual abuse of a minor by removing the requirement that the victim be under the age of 13, where the offender is an adult at the time of the offense.

This proposed legislation recognizes the severity of the crime of child sexual abuse, by removing the arbitrary age requirement for it to be considered a crime of violence. This change provides additional protections for minors aged 13 and older, who may be experiencing sexual abuse. In addition, repeat offenders would now be subject to those penalties found under Criminal Law §14–101 (b), (c), and (d).

The sexual abuse of a minor should be considered a crime of violence for anyone under the age of 18 who has been violated by an adult. Moreover, the stricter sentencing for repeat offenses should be opened to perpetrators who have abused children over the age of 13. The penalties for continued and repeat sexual abuse of a minor should not be limited to pre-teenage children. The Department believes this legislation works to address an inequity for children ages 13-17 years old that are repeatedly abused. By opening the definition to include this age group, this legislation acknowledges the severe and lasting impact that violence and trauma can have on a child's development. Knowing their abuser will face stricter penalties may mean more teenagers feel less afraid to share what they are experiencing.

For these reasons, the Maryland Department of Human Services supports this bill as it will provide protections for teenage victims of child sexual abuse. It acknowledges that the age of the victim does not make the crime of sexual abuse any less violent. The Department respectfully requests that the Committee return a favorable report for SB 369.