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THE SENATE OF MARYLAND  
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**Support SB 303**  
**Public Health - Nonconsensual Condom Removal - Prohibition**

**Why SB 303 is needed?**

- Currently, Maryland does not have any law that expressly prohibits nonconsensual condom removal, commonly known as “stealthing.”<sup>1</sup>
- It is estimated that 6% males aged 18-25 years old have purposely removed a condom in a nonconsensual manner.<sup>2</sup>
- It is estimated that 5% of males and 19% of females aged 18-25 years have been victims of nonconsensual condom removal.<sup>2</sup>
- While there is less public awareness about this issue, nonconsensual condom removal is a form of sexual assault as it a disempowering and demeaning violation of a sexual agreement.
- Nonconsensual condom removal potentially exposes the individual who experiences such a violation to sexually transmitted infections and pregnancy.
- California was the first state to pass a law creating civil penalties for stealthing. Legislators in New York, New Jersey, Massachusetts, and Wisconsin have proposed similar bills.

**What SB 303 does?**

- SB 303 prohibits an individual from causing contact of an “intimate part” from a sexual organ from which a condom has been nonconsequally removed.

<sup>1</sup> [§ 3-308. Sexual offense in the fourth degree.](#)

<sup>2</sup> [Stealthing Perpetration and Victimization](#)

- SB 303 allows an individual who experiences such a violation to file a civil action against the violator, and a court may award compensatory damages, injunctive relief, reasonable attorney's fees, and litigation expenses, or any other appropriate relief.

#### **What SB 303 accomplishes?**

- SB 303 clarifies that the nonconsensual removal of a condom is a prohibited act which has previously been unclearly captured in existing code.
- This bill increases protection for survivors of sexual assault, which disproportionately impacts marginalized communities.<sup>3</sup>
- This bill also increases protection for sex workers, who are at elevated risk of experiencing violations of a sexual agreement in their line of work.
- Making nonconsensual condom removal a civil offense, rather than criminal offense, empowers the survivor to decide whether or not to file the lawsuit.
- This bill is another step towards mitigating rape culture and enhancing remediation opportunities for sexual assault survivors in the state of Maryland.

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<sup>3</sup> <https://stoprape.humboldt.edu/statistics>