

AISHA N. BRAVEBOY
STATE'S ATTORNEY



JASON B. ABBOTT
PRINCIPAL DEPUTY STATE'S ATTORNEY

State's Attorney for Prince George's County
14735 Main Street, Suite M3403
Upper Marlboro, Maryland 20772
301-952-3500

January 28, 2022

MEMORANDUM

TO: Maryland Senate Judicial Proceedings Committee
William C. Smith, Jr., *Chair*
Miller Senate Office Building, 2 East Wing
11 Bladen St., Annapolis, MD 21401 – 1991

THRU: Aisha N. Braveboy
State's Attorney for Prince George's County

FROM: Jessica Garth, Chief
Special Victims & Family Violence Unit

RE: **Senate Bill 0033**

CC: Judith Danso, Chief of Staff

Dear Chairman Smith and Members of the Committee:

I am writing to show my strong support for Senate Bill 0033 on behalf of State's Attorney Aisha Braveboy and the MSAA, and to urge a favorable report. The Spousal Rape Defense denies equal protection to spouses from rape and sexual assault and must be repealed.

As the Chief of the Special Victims & Violence Unit in the State's Attorney's Office for Prince George's County, I am very familiar with the methods employed by domestic abusers to dominate and control their victims, including within a marriage. Unfortunately, the use of sexual assault within an abusive relationship is not uncommon. The Spousal Rape Defense allows abusers to sexually assault their unconscious or incapacitated victims, as long as they are married, without consequences. These victims are not entitled to the same protections and access to justice as unmarried victims who have suffered the *exact* same abuse.

SB33 corrects this injustice and extends protections under Maryland law to all victims, regardless of whether they are married to their abusers. Passage of this bill would allow my

office to prosecute domestic abusers who employ sexual assault as a weapon fairly and equally regardless of the marital status of the victim.

The Spousal Rape Defense prevents the fair and equitable prosecution of some of the worse offenses that a victim can suffer, at the hands of the person that she or he should be able to trust the most. It is time for our married victims to have the same rights as our unmarried victims.

For the foregoing reasons, I respectfully urge a favorable report on SB33.

Thank you,



Jessica L. Garth
Special Victims & Family Violence Unit, Chief