



ANTHONY B. COVINGTON

State's Attorney for Charles County

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

Re: Favorable Report for Senate Bill 68

Dear Chairman Smith and Members of the Committee:

For the past several years the Judicial Proceedings Committee has considered proposed legislation to consider sexual abuse of a minor a crime of violence when it impacts children who are over the age of 12. I appreciate the time this committee has put into this legislation and the compromises that have been made over the past couple of years, however, we are currently still failing our vulnerable victims. Sexual Abuse of a Minor occurs when a family member, household member, or a person who holds a position of care and custody over a child sexually abuses that child. This young victim has not just been sexually violated, but also had their trust ripped from them, another violation. This crime should be considered a crime of violence.

Statistically, 1 in 10 children are sexually abused before the age of 18 and 15% of all sexual assault victims are between the ages of 12 and 17. 90% of children who are victims of sexual abuse know their abuser, 30% of are abused by family member and 60% are abused by a person the family trusts. The vast majority of these cases would fall under the Sexual Abuse of a Minor Statute in Maryland, a crime that is currently only considered a crime of violence if the victim is 12 or younger.

In addition to categorizing sexual abuse of a minor as a crime of violence, this legislation would also increase Lifetime Sexual Offender Supervision. As it currently reads Lifetime Sexual Offender Supervision under Criminal Procedure Section 11-723 is only available in cases of Sexual Abuse of a Minor if the victim is 12 or younger. Further, although the Legislature determined in 2017 that there was to be no legal difference between Second Degree Rape and Second Degree Sexual Assault, Criminal Procedure Section 11-723 still categorizes them differently. As the statute reads now Lifetime Sexual Offender Supervision is available for any second degree rape but is only available for two categories of Second Degree Sexual Assault. This is clearly not what this legislative body intended in 2017. Anal penetration, fellatio and cunnilingus should all be treated the same, and provided the same protections as vaginal penetration.

I urge a favorable return of this bill.

Thank you,

K.A. Marsh

Kathryn A. Marsh
Special Victims Liaison, Assistant State's Attorney



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