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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 068**

CC: Judith Danso, Chief of Staff

Dear Chairman Smith and Members of the Committee:

I am writing to show my strong support for SB68 on behalf of State's Attorney Aisha Braveboy, my office, and the MSAA. Passage of SB68 would serve to further provide justice for some of our most vulnerable victims in two important ways.

First, current Maryland law marks sexual abuse of a minor as a crime of violence if the victim is under the age of 13 years and the offender is an adult at the time of the offense. SB68 would expand the lifetime supervision statute to include cases in which the victim is under the age of 16 years and the offender is over the age of 21 years.

Explaining to a minor victim's family that their case is not being treated the same way as the case of a younger victim is one of the many difficult conversations that we have as prosecutors, and it is just one more injustice suffered by some of our most vulnerable victims. If you consider that 15% of all sexual assault victims are between the ages of 12 and 17 and that 90% of children who are victims of sexual abuse know their abuser, 30% are abused by a family

member, and 60% are abused by a person the family trusts, the need to expand this protection becomes clear.

Second, SB68 serves to bring the language of the lifetime sexual offender supervision statute, Criminal Procedure 11-723, in line with other recent legislative changes. In 2017, this legislative body made the decision to treat survivors of second degree sexual assault and survivors of second degree rape equally under the law, by updating the definition of second degree rape to also include sexual acts as opposed to solely vaginal intercourse. Unfortunately, the language in the lifetime sexual offender supervision statute was not similarly updated at that time, which causes inequity when applying this important protection. I do not believe that this was the intent of the legislative body, and SB68 serves to correct this issue. Statistics show that community supervision, like that provided by the lifetime sexual offender supervision statute, reduces recidivism.

At the end of the day, reducing the amount of sexual abuse of children in our communities and providing equitable treatment to all victims are goals that we all share.

For the foregoing reasons, I respectfully urge a favorable report on SB68.

Thank you,



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