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**SB 33**

February 1, 2022

**TO:** Members of the Judicial Proceedings Committee  
**FROM:** Natasha Mehu, Director of Government Relations  
**RE:** Senate Bill 33 – Criminal Law - Sexual Crimes - Repeal of Spousal Defense  
**POSITION: Support**

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill 33.

Current law allows marriage to be a legal defense to sex crimes involving the capacity of a victim. HB 153 repeals an exemption in current law which states a person cannot be prosecuted for sexually assaulting his or her legal spouse. It is highly unusual to have a law that provides less protections for married individuals. This bill will end this archaic law and send a powerful message that there are no excuses for sexual assault. Furthermore, this bill will protect the rights of disabled spouses who are disproportionately impacted by spousal violence.

Baltimore City's Sexual Assault Response Team (SART) provides a collaborative, victim-centered, and trauma-informed response to sexual violence with a focus on offender accountability. By repealing the spousal rape defense and finally eliminating the last vestiges of English common law's subordination of women, sexual violence survivors across Maryland will have increased access to safety and justice.

We respectfully request a **favorable** report on Senate Bill 33.