



**Working to end sexual violence in Maryland**

P.O. Box 8782  
Silver Spring, MD 20907  
Phone: 301-565-2277  
Fax: 301-565-3619

For more information contact:  
Lisae C. Jordan, Esquire  
443-995-5544  
[www.mcasa.org](http://www.mcasa.org)

**Testimony Opposing House Bill 959 Unless Amended**  
**Lisae C. Jordan, Executive Director & Counsel**  
February 22, 2022

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's eighteen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence in the State of Maryland. We urge the Judiciary Committee to report unfavorably on House Bill 959 unless amended.

**House Bill 959**

**Expanding Definition of "Person in Authority" in Misdemeanor 4<sup>th</sup> Degree Sex Offense**

Section 3-308 of the sex crimes subtitle prohibits certain persons in authority from having sexual contact, sexual acts, or vaginal intercourse with their students. Unlike the corollary felony provisions in §3-602, the "person in authority" provisions restrict these sexual interactions 24/7. This bill has two components. First, it expands "person in authority" to include anyone working in any capacity in a public or private preschool, elementary school, or secondary school. Second, it adds "A SCHOOL RESOURCE OFFICER, POLICE OFFICER, OR OTHER SECURITY OFFICER at a public or private preschool, elementary school, or secondary school" to the list of officials specifically identified as persons in authority.

MCASA respectfully opposes classifying "A SCHOOL RESOURCE OFFICER, POLICE OFFICER, OR OTHER SECURITY OFFICER" who has sexually exploited a student as having committed a misdemeanor 4<sup>th</sup> degree sexual offense. These are law enforcement professionals with enormous power and authority by virtue of their professional roles. When they sexually exploit a student, the Maryland General Assembly should make this a felony and impose punishment greater than the one year/\$1000 fine available under §3-308.

**The Maryland Coalition Against Sexual Assault urges the  
Judiciary Committee to report unfavorably on  
House Bill 959 unless Amended**