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Calvert and St. Mary's Counties

Judicial Proceedings Committee



THE SENATE OF MARYLAND
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Senate Bill 68 – Sexual Offenses – Crime of Violence and Lifetime Supervision

Dear Chairman Clippinger and Members of the Committee,

I am writing to introduce Senate Bill 68 – Sexual Offenses – Crime of Violence and Lifetime Supervision. This bill resolves an inconsistency in current Maryland law and ensures that offenders who commit sexual abuse of a minor are subject to existing penalties and supervision to decrease the risk of recidivism.

Under current law, an offender who commits sexual abuse of a minor in violation of §3-602 of the Criminal Law Article against a minor under the age of 13 is considered to have committed a crime of violence under certain circumstances, while an offender who violates §3-602 against a minor under the age of 12 is subject to lifetime supervision. This inconsistency means that a person who commits this crime against a victim who is 12 years old has committed a crime of violence but is not subject to lifetime supervision. The bill makes these provisions consistent by requiring lifetime supervision for offenders who violate §3-602 against a minor under the age of 13. It is important to note that a person may petition for discharge from lifetime sexual offender supervision after serving at least five years of the extended sexual offender supervision. Also, if a petition for discharge is denied, the person can renew the petition each year.

The other provisions of the bill address instances of §3-602 where the victim is 13, 14, or 15 years old. These victims deserve the same protections as those who are under the age of 13. This bill specifies that in cases where the victim is between the ages of 13 and 15, the crime of violence statute and lifetime supervision will only apply to offenders who are 21 or older. Senate Bill 68 makes no other changes to the circumstances already in law for when a violation of §3-602 is considered to be a crime of violence.

Senate Bill 68 is narrowly targeted to protect Marylanders from a relatively small but significant number of offenders who have committed these very serious crimes. The bill is prospective and does not apply to any conviction before the bill's effective date. Senate Bill 68 is designed to protect our most vulnerable citizens from some of the most heinous crimes, specifically felony sexual assaults. This bill passed the Senate 45-0.

I respectfully request a favorable report on Senate Bill 68. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey