

**OFFICERS**

ELIZABETH GREEN  
 President  
 ROBIN WEIMAN  
 1<sup>st</sup> Vice President  
 AMALIA HONICK  
 BENJAMIN ROSENBERG  
 RABBI STEVEN SCHWARTZ  
 RABBI JONATHAN SEIDEMANN  
 MELANIE SHAPIRO  
 RABBI ANDREW BUSCH  
 Past President  
 HOWARD LIBIT  
 Executive Director

**WRITTEN TESTIMONY**

**Senate Bill 129 - Criminal Law – Sexual Crimes – Repeal of Spousal Defense**

**Judicial Proceedings Committee– March 9, 2023**

**SUPPORT**

**MEMBER ORGANIZATIONS**

Adat Chaim Congregation  
 American Jewish Committee  
 Americans for Peace Now  
 Baltimore Chapter  
 American Israel Public Affairs Committee  
 American Red Magen David for Israel  
 American Zionist Movement  
 Amit Women  
 Association of Reform Zionists of America  
 Baltimore Board of Rabbis  
 Baltimore Hebrew Congregation  
 Baltimore Jewish Green and Just Alliance  
 Baltimore Men's ORT  
 Baltimore Zionist District  
 Beth Am Congregation  
 Beth El Congregation  
 Beth Israel Congregation  
 Beth Shalom Congregation of  
 Howard County  
 Beth Tfiloh Congregation  
 B'nai B'rith, Chesapeake Bay Region  
 B'nai Israel Congregation  
 B'nai Jacob Shaarei Zion Congregation  
 Bolton Street Synagogue  
 Chevra Ahavas Chesed, Inc.  
 Chevrei Tzedek Congregation  
 Chizuk Amuno Congregation  
 Congregation Beit Tikvah  
 Congregation Tiferes Yisroel  
 Federation of Jewish Women's  
 Organizations of Maryland  
 Hadassah  
 Har Sinai - Oheb Shalom Congregation  
 J Street  
 Jewish Federation of Howard County  
 Jewish Labor Committee  
 Jewish War Veterans  
 Jewish War Veterans, Ladies Auxiliary  
 Jewish Women International  
 Jews For Judaism  
 Moses Montefiore Anshe Emenah  
 Hebrew Congregation  
 National Council of Jewish Women  
 Ner Tamid Congregation  
 Rabbinical Council of America  
 Religious Zionists of America  
 Shaarei Tfiloh Congregation  
 Shomrei Emenah Congregation  
 Suburban Orthodox Congregation  
 Temple Beth Shalom  
 Temple Isaiah  
 Zionist Organization of America  
 Baltimore District

**Background:** Senate Bill 129, (SB129) would repeal the law allowing marriage as a defense to sex crimes. Currently, Maryland law provides that marriage is a defense to most sex crimes, however in the cases of rape not by force and all fourth-degree sexual offenses, it is a complete defense. Like many states, Maryland's laws were based on the premise that marriage is consent to sex and, therefore, a man could not rape his wife. However, marriage should never be a defense to a sex crime.

**Written Comments:** The Baltimore Jewish Council represents the Associated Jewish Community Federation of Baltimore and its agencies, including CHANA. CHANA is a domestic violence, sexual abuse, and elder abuse agency that serves the citizens of Greater Baltimore. People in abusive marriages come to CHANA because they want to know their options and rights. What underlies all domestic violence is power and control. Our clients experience physical, sexual, psychological, financial, technological and spiritual abuse. Some are hit, kicked, and raped, while others are told daily that they are stupid and worthless. However, current Maryland law protections many abusers for sex crimes when the abuser is married to the victim. SB129 would create more protections for abuse victims by repealing marriage as a defense to sex crimes.

With this in mind, the Baltimore Jewish Council urges a favorable report on SB129.