



**COMMISSION FOR WOMEN
COMMUNITY ENGAGEMENT CLUSTER**

March 8, 2023

Senator William Smith
Chair, Senate Judiciary Committee
3 East Miller Senate Office Building
Annapolis, MD 21401

Re: SB129 / Criminal Law – Sexual Crimes - Repeal of Spousal Defense
Position: **FAVORABLE**

Dear Chairperson Smith and Members of the Senate Judiciary Committee,

On behalf of the Montgomery County Commission for Women, I am writing to request your support for SB129 — Repeal of Spousal Defense. To date, Maryland law provides a defense to sexual crimes committed in the marriage. This includes rape (without force) and rape without mutual consent, in particular with a spouse who is cognitively impaired.

The reality is sexual assault in marriage is not uncommon. When it happens, abuse is often involved, the wounded spouse is traumatized and the marital bed becomes unsafe, unpleasant, and defiled. Power, control, and manipulation, even in subtle forms, is destructive to the soul and does not promote safety or uphold the sacredness of marriage. Healthy marriages tend to have a natural flow of consent, open communication, and familial connection between a couple. Enjoyable, safe, and mutual intimacy in and out the marital bed is rightfully expected. Because marital rape is not uncommon, there are many women suffering in silence. Your support for SB129 - is vital and the shift in law that is needed to break this traumatic and soul crushing cycle. Your support conveys:

- To perpetrators: Sexual offenses in marriage are not tolerated.
- To community members: We are dedicated to making family and home safe again.
- To victims: I believe you! It's safe to break your silence.

SB129 is powerful for prevention and upholding the law. I respectfully urge your support for this bill – SB129.

Respectfully,

Tondalayo Royster
Montgomery County Commission for Women