



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
mcasa.org

Testimony Supporting House Bill 233
Lisae C. Jordan, Executive Director & Counsel
February 7, 2023

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen 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 favorably on House Bill 233.

HB233 – Child Pornography – Streaming

This bill updates Maryland's child pornography possession law in response to changes in technology and adds streaming to existing law with this language:

“KNOWINGLY OR INTENTIONALLY ACCESS WITH INTENT TO VIEW”

Current law against possession of child pornography prohibits a person from “knowingly possess and intentionally retain” child pornography. This law omits the practice of offenders who stream, but do not download, child pornography. Federal law regarding child pornography also uses the language “knowingly accesses with intent to view”. 18 USC §252(a)(4)(b).

Child pornography is devastating to the children involved. The images of their sexual abuse and exploitation often live on the Internet, including the dark web, forever, and haunt them throughout their lives. The US Supreme Court described the continued harm suffered by one victim who had been sexually abused by a relative when she was 8-to-9 years of age:

“[A] major blow to her recovery came when, at the age of 17, she learned that images of her abuse were being trafficked on the Internet. The digital images were available nationwide and no doubt worldwide ... The knowledge that her images were circulated far and wide renewed the victim's trauma and made it difficult for her to recover from her abuse ... The full extent of this victim's suffering is hard to grasp. (Her original abuser's) crimes were compounded by the distribution of images of her abuser's horrific acts, which meant the wrongs inflicted upon her were in effect repeated; for she knew her humiliation and hurt were and would be renewed into the future as an ever-increasing number of wrongdoers witnessed the crimes committed against her.” *Paroline v. United States*, 134 S. Ct. 1710, 1717-18 (2014)

House Bill 233 is a needed amendment to current law to help give prosecutors the tools necessary to respond to the black market of images of the rape and molestation of children.

**The Maryland Coalition Against Sexual Assault urges
the Judiciary Committee to report favorably on House Bill 233**