



VICTIM SERVICES ADVISORY BOARD

February 7, 2023

The Honorable Luke Clippinger
Chair, House Judiciary Committee
Room 101, House Office Building
Annapolis, Maryland 21401

Re: Support – HB 226 – Criminal Law – Person in Position of Authority

Dear Chairman Clippinger:

House Bill 226 alters Maryland criminal law to expand the categories of individuals who may be prosecuted for engaging in sexual acts with a minor. Specifically, the bill expands the definition of “person in a position of authority” to encompass those working at child-care or other after-school facilities, those tutoring minors or instructing them in music or art, etc. Current law limits the definition of “person in a position of authority,” which creates a loophole where certain abusers can “groom” minors in order to take advantage of them sexually. House Bill 226 attempts to close these gaps and expand the protections Maryland law otherwise gives minors by increasing the punishment for those who would use their position to take advantage of minors.

The Victim Services Advisory Board (VSAB) advises the County Council and County Executive on meeting the needs of crime victims. These include victims of a broad range of violent crimes, including rape, domestic violence, sexual assault, and human trafficking. The number and severity of sexual assault and domestic violence cases referred to Montgomery County HHS Trauma Services increased substantially in the last several years when comparing intake data. Therefore, the importance of the VSAB mission is more critical than ever.

In our society there is a fundamental power imbalance between minors and adults in positions of authority. Minors place their trust in these adults based on the assumption that they are looking out for these children’s best interests. This trust should never be violated, but unfortunately it can be and has devastating consequences for the victims. Consequently, expanding the definition of “person in a position of authority” will help to deter such predatory behavior and ensure that those who do commit such crimes are punished fully.

VSAB asks the committee to issue a favorable report on House Bill 226.

Sincerely,

Neda Bolourian
VSAB Co-chair

Department of Health and Human Services