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TESTIMONY IN SUPPORT OF HB0004, Criminal Law - Sexual Crimes - Repeal of Spousal
Defense

1/19/2023

TO: Chair Clippinger and members of the House Judiciary Committee

FROM: Ayla Hurley

Chair Clippinger and members of the House Judiciary Committee, my name is Ayla Hurley, I live in Columbia, Maryland, and I am writing in support of HB0004 to repeal the prohibition on prosecuting a person for rape against their spouse.

I write to you as the daughter of an abuse survivor, and I myself have been the victim of sexual assault as a teenager. To know that now, as a recently married person, I have *lost* rights that bring justice to victims of sexual assault is diminishing and unethical. Marriage is not and has not been a contract of ownership over another person for decades. I married my husband in a legal partnership of equals; neither of us belongs to the other, and the laws which keep this medieval loophole of “sexual ownership” over a spouse needs to be repealed.

Victims of sexual assault, be it by a spouse or not, have a hard enough time finding justice in our legal system. That this prohibition exists in our state is an embarrassment to Marylanders and the Maryland government. I urge the House Judiciary Committee to stand by survivors of sexual abuse and once again allow them to obtain justice against abusive spouses, and not turn them back to their abusers, legal hands tied. Please support HB0004. Thank you.