



Working to end sexual violence in Maryland

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Support for House Bill 170 Only if Amended
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February 2, 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. MCASA urges the House Judiciary Committee to support House Bill 170 only if Amended.

House Bill 170 – Sentencing Minors Who are Victims of Sex Crimes

This bill establishes factors to consider when a minor is convicted as an adult, and specifically directs that a minor who is convicted as an adult and has been a victim of sex trafficking or a sexual crime under subtitle 3 of Title 3 of the Criminal Law Article in the past 3 months may be sentenced in juvenile court when the victim in the instant case is the abuser of the convicted child. MCASA respectfully suggests that minors who are victims of §3-602, sexual abuse of a minor, or of §3-709, sextortion, be added to those who would benefit from the law if the Committee chooses to move forward on the bill.

MCASA notes that bill has many strong provisions, however, we are concerned that the attention on sentencing may miss the more important point: a factfinder should consider whether a defendant was a victim of a sex crime or trafficking at the hand of the alleged victim as a part of the determination of guilt. This important information should also be considered when a decision is made about whether to try the case in juvenile or adult case.

The current law regarding duress in Maryland is completely inadequate to address the complex issues these situations involve. MCASA applauds the intent of this bill and looks forward to future work on this issue.

**The Maryland Coalition Against Sexual Assault urges the
Judiciary Committee to report favorably on House Bill 170 Only with Amendments**