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**WRITTEN TESTIMONY**

**House Bill 412 - Criminal Law – Sexual Crimes – Consent and Second-Degree Rape**

**Judiciary Committee – February 21, 2023**

**SUPPORT**

**Background:** House Bill 412, (HB412) would change the elements of second-degree rape from force, or threat of force to consent as defined in the bill.

**Written Comments:** The Baltimore Jewish Council represents the Associated Jewish Community Federation of Baltimore and its agencies, including CHANA. CHANA is a domestic violence, sexual abuse, and elder abuse agency that serves the citizens of Greater Baltimore. People who have been abused and assaulted come to CHANA because they want to know their options and rights. We support HB412 because lack of force or threat of force does not mean a victim wanted to have sexual intercourse with their perpetrator. This bill would be particularly helpful for our clients who have disabilities, as well as some of our elder abuse clients. It would have helped a paralyzed client who was sexually assaulted by a neighbor who claimed he was helping her with her activities of daily living. He groomed her, paying attention to her, showing her affection and helping her. Because she asked him for support with caring for herself, he believed that he had the right or discretion to violate her. While it would not stop the assault from happening, HB412, would allow more victims justice against their perpetrators.

With this in mind, the Baltimore Jewish Council urges a favorable report on HB412.

*The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of The Associated Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.*