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January 24, 2024

The Honorable William Smith & Members of the Senate Judicial Proceedings Committee
Chairperson, Senate Judicial Proceedings Committee
11 Bladen Street
Annapolis, MD 21401

Re: Favorable Report for Senate Bill 113

Dear Chairperson Smith and JPR Committee Members:

I am a prosecutor in Calvert County, in charge of the Child Abuse, Child Exploitation, and Sexual Assault cases. I have been a prosecutor for the past 20 years. I write to you today in support of SB0113, Sexual Solicitation of a Minor through Child Pornography.

Currently, the statute for Sexual Solicitation of a Minor (3-324) is only applicable when an offender solicits a minor child (or undercover officer) for sexual acts or trafficking. It does not cover those instances where an offender contacts a minor to ask for child pornography. Solicitation of Child Pornography *can* be charged under 11-207, but because this statute covers so many different actsⁱ, it would make more sense legally to add the solicitation of Child Pornography to the Sexual Solicitation of a Minor Statute.

Additionally, the Sexual Solicitation of a Minor statute as it currently reads does not apply to Solicitation of Child Pornography involving law enforcement officers posing as a minor. This is another loophole in the law that HB0099 would rectify. An offender soliciting photos from an undercover officer cannot be charged under 11-207.

I have had many cases of this nature during my career, but one in particular involved an offender soliciting a child on Facebook Messenger. The child's father saw the messages and brought it to the attention of law enforcement. The Detective was able to pose as the minor and continue to respond to the messages, but because the offender was only asking for nude photos and videos from the undercover officer, there was not enough to charge him. House bill 99 would fix that gap in the law.

Because of Social Media platforms and Online Gaming, children are more vulnerable than ever to online predators. We need to have all of the tools possible to hold these offenders accountable. I strongly urge this Committee to issue a favorable report on HB0099.

Sincerely,

Rebecca Cordero

Rebecca Cordero
Senior Assistant State's Attorney
Calvert County State's Attorney's Office

ⁱ "knowingly promote, advertise, solicit, distribute, or possess with the intent to distribute any matter, visual representation, or performance that depicts a minor engaged as a subject in sadomasochistic abuse or sexual conduct". Criminal Law Article 11-207.