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February 1, 2024

The Honorable William C. Smith, Jr.  
11 Bladen Street  
Annapolis, MD 21401

Dear Chair Smith and Judiciary Proceedings Committee Members:


I write in support of SB0177—Law Enforcement Officers, Correctional Employees, and Court-Ordered Service Providers—Prohibition on Sexual Activities—Penalties and Registration. I am the Chief of the Special Victims Division for the Montgomery County State's Attorney's Office and a member of the Montgomery County's Child Advocacy Center's Multidisciplinary Team and Sexual Assault Response Team. I also chair Choose Respect Montgomery, an initiative aimed at reducing teen dating violence and sexual assault. Lastly, I co-chair the Maryland State's Attorneys Association's Special Victims Subcommittee.

Section 3-314 of the Criminal Law Article already prohibits law enforcement officers, correctional employees, and court-ordered service providers from engaging in sexual activity with a person under their supervision or in their custody. The penalty of one year, however, is insufficient. In addition, the fact that the current law does not require sexual offender registry for this crime puts it out of synch with all other sexual offenses in our Criminal Code.

Senate Bill 177 provides an appropriate sentencing range and registration requirement for these offenders, and brings the penalties and registration requirement for these offenses into parity with similar offenses in the law. Moreover, by providing a higher penalty and by making this crime a felony, this bill will provide greater protection against sexual assault for individuals involved in the criminal justice system.

Law enforcement officials hold positions of trust in our society. Those that abuse that trust and sexually assault individuals in their custody or under their supervision should be held fully accountable and the law should clearly reflect the gravity of their actions. I urge a favorable report on SB0177.

Sincerely,

  
Debbie Feinstein  
Chief, Special Victims Division  
Senior Assistant State's Attorney