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The Honorable Luke Clippinger
6 Bladen Street
Annapolis, MD 21401

Dear Chair Clippinger and Judiciary Committee Members:

I write on behalf of the Montgomery County State's Attorney's Office and the Maryland State's Attorney's Association in support of HB544—Sexual Extortion, Stalking, and Revenge Porn—Statute of Limitations and In Banc Review. I am the Chief of the Special Victims Division for the Montgomery County State's Attorney's Office, and a member of the Governor's Family Violence Council (FVC). I chair a subcommittee for the FVC that focuses on stalking prevention and awareness. I also co-chair the Maryland State's Attorneys Association's Special Victims Subcommittee.

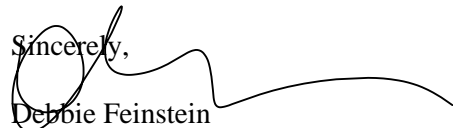
Currently, the statutes criminalizing sexual extortion, stalking, and revenge porn are misdemeanors that must be charged no more than one year after the underlying crime occurs. House Bill 544 removes the statute of limitations for filing, enabling victims of these crimes to seek justice when the crime is discovered, which may be months or years after the crime is committed.

House Bill 544 does not change anything about the prosecution of these crimes; it only extends the investigation time. Several factors may contribute to a delay in charging. First, the investigation often involves significant analysis of electronic devices. These investigations are time intensive. Special tools are required to bypass passwords, and in Montgomery County, at times, we need to send devices to federal investigators to access the device contents. Advances in technology should not be a shield for those that extort, stalk, or take revenge.

Second, victims may not report these crimes contemporaneous with their occurrence. Perpetrators of domestic violence and sexual assault may gaslight their victim, make their victim feel like they deserved what happened to them, or convince their victim that they are exaggerating the severity of the harm they suffered. With respect to domestic violence victims, it often takes time for the victim to decide to pursue a criminal charge against their abuser. The very power dynamic that controlled the relationship also controls a victim's readiness to report and their understanding of the severity of what happened to them.

The removal of the statute of limitations will allow for full investigations and reporting on victims' terms. I urge a favorable report on HB544.

Sincerely,


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