

Testimony in Support of HB496, February 13, 2024

Good afternoon. My name is Jennifer J and I am speaking on behalf of my daughter RJ who at the age of eighteen was a victim of sexual assault by her pediatrician.

RJ was a patient of the pediatrician since she was one week old and continued to see him throughout her eighteen years. RJ developed anxiety and sought advice and medication for treatment from her pediatrician. RJ confided in her doctor on the stresses she was experiencing as a freshman away at college and shared with him the struggles she was having as she felt comfortable and trusted him.

At the last doctor's appointment, I attended with RJ we discussed RJ interning with the pediatrician as she wanted to pursue a career as a physician assistant. I always attended RJ's doctor appointments, however on April 26, 2019 I was stuck at work and unable to attend. RJ indicated it was not a big deal as the appointment was a routine prescription check that would only be 5-10 minutes long.

Unfortunately, the appointment lasted over an hour and unbeknownst to RJ all the staff were sent home for the day leaving RJ and the doctor alone in the office. The appointment started routinely with vital checks and questions about how the prescription was making her feel and then the doctor told RJ to lay down on the examination table. RJ was uncomfortable and did not expect this and she started to experience an anxiety attack. The doctor kept talking to her about nonsense topics all the while putting his hands in her pants and touching her lower abdomen and then lower to her vagina where he digitally penetrated her. The assault lasted 2-5 minutes while he stood over her, during which time RJ was hysterically crying, choking and hyperventilating. He only stopped assaulting her because RJ told him she couldn't breathe.

RJ never at any point gave the pediatrician consent nor did she deserve to be sexually assaulted.

During the trial the judge found RJ extremely credible but found the doctor not guilty of 2<sup>nd</sup> Degree Rape because under Maryland law in order to find guilt there needed to be proof of force. Even though the doctor took RJ's trust that was built over eighteen years and knew she looked up to him as a mentor and he took advantage of a young woman suffering from anxiety, this was not considered force under Maryland law.

I am writing this because RJ is not mentally able to discuss, relive and experience the trauma again. As she now has fear of going to doctor's offices and of doctors RJ is no longer pursuing a career in the medical field and struggles with panic and anxiety attacks on a daily basis.

RJ is a victim of being sexually assaulted by her pediatrician and a victim by the State of Maryland due to the unclear interpretation of the 2<sup>nd</sup> Degree Rape definition. Please remove the force aspect and codified consent and please vote favorably for HB412 to pass to give my daughter and other rape victims hope for justice in the future.

Thank you.