



Working to end sexual violence in Maryland

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Testimony Supporting Senate Bill 1098
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The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judiciary Committee to report favorably on Senate Bill 1098.

Senate Bill 1098 -- Eliminating Diminution Credits for 1st Degree Rape

This bill eliminates diminution credits for rapists convicted of first degree rape and what was formerly known as first degree sexual offense. This will help prevent some of the most violent and dangerous sex offenders from being released into the community. This is an undesignated cross-file of HB301.

First degree rape involves rape plus an aggravating factor, specifically when the assailant rapes and there is also proof that the rapist did:

- (i) employ or display a dangerous weapon, or a physical object that the victim reasonably believes is a dangerous weapon;
- (ii) suffocate, strangle, disfigure, or inflict serious physical injury on the victim or another in the course of committing the crime;
- (iii) threaten, or place the victim in fear, that the victim, or an individual known to the victim, imminently will be subject to death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping;
- (iv) commit the crime while aided and abetted by another; or
- (v) commit the crime in connection with a burglary in the first, second, or third degree.

These are some of the most heinous and violent sex crimes. Survivors should be able to rely on the sentence imposed at trial without fear that the violent rapist will be released early because of "good behavior" or other diminution credits.

**The Maryland Coalition Against Sexual Assault urges the
Judiciary Committee to
report favorably on Senate Bill 1098**