

WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor



DOROTHY LENNIG
Executive Director

TESTIMONY IN SUPPORT OF HOUSE BILL 496

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Bethany Young, Director of Policy and Legislation

The Governor's Office of Crime Prevention and Policy's (GOCPP) role is to advise the Governor on criminal justice strategies, coordinate across public safety agencies, and allocate resources Statewide to support public safety.

House Bill 496 defines consent, lists elements that establish consent or the lack thereof, and establishes nonconsensual sex, even absent force or the threat of force, as second-degree rape. Current law requires proof of force or threat of force to establish second-degree rape. Requiring prosecution to establish force or a threat of force creates a barrier to accountability for sexual predators and justice for survivors.

Rape is one of the most cruel and damaging acts one human can commit against another. It undermines an individual victim's feeling of safety and bodily autonomy. By eliminating the elements of force or threat, HB496 will send a clear message to would-be perpetrators that there is no gray area – sex without clear and voluntary agreement is a crime.

GOCPP urges the House Judiciary Committee to favorably report on House Bill 496.