



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Favorable: HB 364 – Criminal Law – Child Pornography – Prohibitions and Penalties

Hearing on 2/04/2025 at 1:00pm

To: Chair Clippinger, Vice Chair Bartlett and my Fellow Members of the Judiciary Committee

HB 364 – Criminal Law – Child Pornography – Prohibitions and Penalties is drafted to bring Maryland code in line with current child pornography trends. The goal is to protect vulnerable underage victims by holding offenders accountable in relation to the volume of images possessed.

HB 364 enhances the charging capability of prosecutors in child pornography possession crimes in two ways:

- 1) HB364 permits the combination of 100 images into one felony count; and
- 2) HB364 creates a felony charge that is specific to images that contain children under the age of 13.

The bill enhances the sentence to 10 years that is consecutive to any separate sentence imposed for a violation of Criminal Law § 11-207 or § 11-208.

This bill was introduced last year and passed the Senate in the same posture. A similar legislation was introduced in 2023 as SB899.

There has been a documented trend of victims of child pornography decreasing in age, with brutalization and depictions of violence and abuse becoming increasingly common in cases of this type. To accommodate for this shift, a harsher penalty is requested to appropriately prosecute offenders with many images who often aid in distributing or creating this material.

Currently, in Maryland, there is a documented increase in child pornography cases. Current trends indicate that it has become increasingly common for child pornography to be mass downloaded using social media platforms. This bill scales the charge with the extremity of the crime.

To better support affected victims, it is essential to explore and strengthen a more comprehensive approach to seek justice for every individual impacted by these traumatizing crimes.

In conclusion, I respectfully request a favorable report for HB 0364 – Criminal Law – Child Pornography – Prohibitions and Penalties to allow victims to receive justice proportional to the crime and child pornography distribution trends. Thank you for your attention and consideration.