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Legislative District 22  
Prince George's County

Judiciary Committee

Chair, Public Safety Subcommittee

Chair, Prince George's  
County House Delegation



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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

February 3, 2026

The Honorable J. Sandy Bartlett  
Chair of the House Judiciary Committee  
100 Taylor House Office Building  
Annapolis, Maryland 21401

House Bill 138

Good afternoon, Chair Bartlett, Vice-Chair Davis, and the members of the House Judiciary Committee. I am Delegate Nicole Williams, and I will be testifying in favor of House Bill 138, also known as **Criminal Law - Third-Degree Sexual Offense - Burglary**. This bill adds burglary in the first, second, or third degree to the list of aggravating factors in cases involving forcible nonconsensual sexual contact.

House Bill 138 is a technical change that will be critically important to burglary victims who suffer from forcible nonconsensual sexual contact by perpetrators. Current law in Maryland establishes that rape in the second degree is the act of rape alone, while rape in the first degree is rape plus an aggravating factor, such as the use of weapons, threats of death, suffocation, multiple assailants, or burglary in the first, second, or third degree.<sup>1</sup> Additionally, the law states that a fourth degree sexual offense includes the act of touching without consent alone, while third degree sexual offense includes the same conduct plus an aggravating factor. However, in the list of aggravating factors for third degree sexual offenses, burglary in the first, second, and third degree is missing from the list.<sup>2</sup>

There are a disturbing number of cases where individuals committing burglaries will engage in nonconsensual sexual contact with victims while doing so. This is deeply unsettling. It is already a violation of one's privacy, safety, and comfort for a burglar to enter one's own home. It is an even greater violation for a burglar to engage in forcible nonconsensual sexual contact

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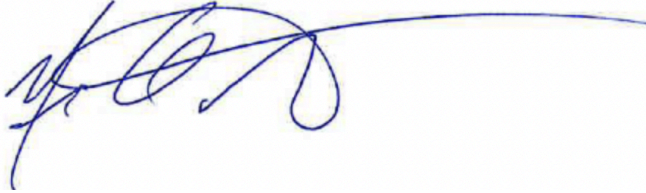
<sup>1</sup> See Criminal Law 3-304 and Criminal Law 3-303.

<sup>2</sup> See Criminal Law 3-308(b)(1) and Criminal Law 3-307(a)(1).

with their victims in their own home. House Bill 138 is a means to redress the harm inflicted upon these victims by strengthening our criminal law.

For these reasons, I urge this committee to give a favorable report on House Bill 138.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Nicole Williams', with a long horizontal flourish extending to the right.

Delegate Nicole A. Williams, Esq.