

# **THE COALITION TO PROTECT MARYLAND'S CHILDREN**

*Our Mission: To combine and amplify the power of organizations and citizens working together to keep children safe from abuse and neglect. We strive to secure the budgetary and public policy resources to make meaningful and measurable improvements in safety, permanence, and well-being.*

## **Testimony to the Senate Judicial Proceedings Committee**

### **SB505 - Criminal Law - First-Degree Child Abuse - Continuing Course of Conduct**

**February 11, 2021**

**\*\* SUPPORT \*\***

The Coalition to Protect Maryland's Children (CPMC) is a consortium of Maryland organizations and individuals formed in 1996 to promote meaningful child welfare reform.

CPMC members listed below SUPPORT the passage of Senate Bill 505, which would increase the criminal penalties for adults who repeatedly physically abuse a child.

Under current Maryland law, a parent/caregiver who physically abuses a child multiple times over a short time period can only be convicted of second degree child abuse rather than first degree. First degree child abuse, which occurs when a parent or adult with permanent or temporary care or custody of a child causes abuse that results in death or severe physical injury, carries a 25 year maximum penalty. Second degree child abuse occurs when a parent/caregiver causes any physical abuse to a child, and carries a 15 year maximum penalty. Md. Code, Crim. Law § 3-601.

The bill closes a gap between penalties for ongoing sexual abuse and physical abuse in Maryland criminal law. In Maryland, repeated sexual abuse over a 90-day period is considered a "continuing course of conduct" under Maryland law, and is a first degree felony. Md. Code, Crim. Law §3-315. There is no similar continuing course of conduct for physical child abuse, so SB505 creates one. SB505 would establish as first-degree physical child abuse three or more criminal acts that constitute second-degree child abuse.

Given the close proximity and access to children that abusers almost always have, physical child abuse often happens multiple times in a short period of time. A continuing course of conduct merits a stronger criminal penalty.

As child welfare practitioners around the state of Maryland, we are dedicated to not only treating and preventing child abuse, but also helping to transform how agencies and systems respond to it.

For these reasons, we urge a favorable report of SB505.

**Advocates for Children and Youth | Associated Catholic Charities | Center for Hope, LifeBridge Health | Board of Childcare | Child Justice, Inc | Court Appointed Special Advocates | Family Tree | MD Chap. National Association of Social Workers | Diana Philip | State Council on Child Abuse and Neglect**