

SENATOR SARAH ELFRETH  
*Legislative District 30*  
Anne Arundel County

Budget and Taxation Committee

*Subcommittees*

Education, Business and Administration

Chair, Pensions

*Senate Chair*

Joint Committee on Administrative,  
Executive, and Legislative Review

Joint Committee on the Chesapeake and  
Atlantic Coastal Bays Critical Area



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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

January 21, 2021

**Testimony in Favor of SB0043**  
**Criminal Law - Law Enforcement Officers - Prohibition of Sexual Activity**

Chairman Smith, Vice-Chairman Waldstreicher, and Members of the Judicial Proceedings Committee,

I respectfully request a favorable report of Senate Bill 43, legislation which would prohibit law enforcement officers from engaging in sexual conduct with a victim, witness, or suspect in an investigation in which the officer is involved. Additionally, officers would be further prohibited from sexual conduct with individuals requesting the assistance of law enforcement whilst responding in the course of their official duties.

This legislation, introduced by Delegate Nicole Williams last session, passed the House unanimously but unfortunately was not able to be heard in this Committee because of the shortened session.

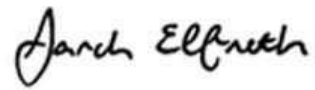
Not only is this legislation simply the correct course of action to ensure that our most vulnerable are protected from those we entrust to protect us, but there are also specific instances in Maryland of law enforcement officers using their authority to coerce women into sexual acts. This legislation would protect against such coercive actions.

As a recent example of such an incident, in 2018 Officer Ryan Macklin of Prince George's County pulled a young woman over in the course of his duty and thereafter forced her to engage in sexual acts. While Mr. Macklin is not representative of the vast majority of law enforcement officers who protect and serve our community, we should take action on a State level to ensure that criminal acts such as this will simply not be tolerated. This legislation also ensures a reasonable exception for those who are already in a pre-existing legal sexual relationship with an officer, unless there is an active protective order between the parties to protect against any instances of officer involved domestic violence.

Lastly, I would like to thank the members of this Committee for your long and continued work to ensure public trust in our public safety system. In that vein, I believe we are at a critical opportunity to ensure that our criminal justice system protects those that are most vulnerable -- and I believe

that this bill does just that. Thank you and again I respectfully request a favorable report of Senate Bill 43.

Sincerely,

A handwritten signature in black ink that reads "Sarah Elfreth". The signature is written in a cursive, flowing style.

Sarah Elfreth