

A LIFE BRIDGE HEALTH GROUP

CENTER FOR HOPE

Advancing hope, healing and resilience



HB277 - Criminal Law - First-Degree Child Abuse - Continuing Course of Conduct

House Judiciary Committee – January 28, 2021

Testimony of Joyce Lombardi, Director of Government Relations and Legal Services, Center for Hope

Position: **SUPPORT**

Center for Hope supports HB277. The Center for Hope, a subsidiary of Life Bridge, is an innovative and interconnected program that addresses trauma and violence through the lifespan, and includes child advocacy, domestic violence programs, street violence interruption programs and an elder abuse program

HB277 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 would establish as first-degree *physical* child abuse three or more criminal acts that constitute second-degree child abuse. By contrast, 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. **HB277 creates parity between the laws governing the two type of child abuse.**

Child abusers often increase the frequency and intensity of their crimes, as long as they can get away with it. A continuing course of conduct merits a stronger penalty.

The bill is unfortunately timely. In Maryland, there is evidence to show **that child abuse is becoming more frequent, and more severe during the pandemic**. For example, between March and April, 2020, over 86 percent of cases referred to Children’s National Hospital due to child abuse concerns required hospitalization, compared to 50 percent during the same period last year. Ten percent of those hospitalized died as a result of their abuse, more than triple the death rates this time last year. *Source: 2021 Legislative Session Issue Brief, Dept of Legislative Services p. 220*

The Center of Hope is dedicated to not only treating and preventing child abuse, but also helping to transform how agencies and systems respond to it.

For all of the reasons stated, we request a **FAVORABLE** report for HB277.

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