



Secular Maryland

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January 19, 2022

The Honorable William C. Smith Jr.  
Judicial Proceedings Committee  
2 East Miller Senate Office Building  
Annapolis, MD 21401-1991

Re: FAVORABLE SB0022 Criminal Law - Unnatural or Perverted Sexual Practice - Repeal

Chairman and Members of the Committee

This bill revokes Criminal Law §3-322. That section of Maryland law invokes no distinction between consensual and non-consensual sexual activities, or between sexual activities involving only independent adults or including children. Private, consensual, sexual activities between competent adults should not be criminalized.

Laws like this were part of a larger body of law - derived from church law - designed to prevent nonprocreative sexual activity anywhere, and any sexual activity outside of marriage. Our right to liberty under the Due Process Clause should be understood to give adults the right to engage in non-injurious private conduct without intervention of the government. Please revoke this overly broad and outdated law.