

TESTIMONY IN SUPPORT OF BILL SB0049 - FAVORABLE
Criminal Law - Person in a Position of Authority - Sexual Offenses With a Minor

TO: Chair Smith, Vice Chair Waldstreicher,
and members of the Judicial Proceedings
Committee

FROM: Robert Garner
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Greetings,

Under current Maryland law – I was surprised to learn recently – the state limits its definition of a person in a position of authority with respect to sex crimes involving children.

As I was aghast to learn, if the child is above a certain age, a crime has occurred only if the authority figure is a teacher at a public or private school. This is by no means the only type of authority figure who could influence or interact with a child.

Growing up, I'm sad to say I knew of several peers who were exploited by adults in positions of privilege or power (though I did not learn about these interactions until much later); church or youth group leaders, scout leaders, private tutors: These individuals are as much teachers as the classroom instructors already specified in law – and they should be held to no lesser a standard.

As I mentioned, I was shocked to learn these sorts of positions are not already written into statute. I respectfully urge the committee to issue a favorable report for SB0049 and help Maryland close a glaring loophole with respect to protecting our children and prosecuting those who abuse their positions of mentorship.

Thank you for taking the time to consider my testimony.

Kind Regards,

Robert Garner