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DATE: January 25, 2022

BILL NUMBER: HB 223

POSITION: Favorable

Dear Chairman Clippinger and Members of the Committee,

My name is Lindsey Carpenter and I am an Assistant State's Attorney in the Special Victims Unit at the Frederick County State's Attorney's Office. I am a member of the Frederick County Child Advocacy Center Multi-Disciplinary Team, the Frederick County Sexual Assault Response Team, and a co-chair of the Frederick County Human Trafficking Response Team. I am writing on behalf of the Frederick County State's Attorney's Office and MSAA requesting a favorable report on HB 223.

HB 223 amends the definition of Person in Position of Authority for Fourth Degree Sexual Offenses. Currently, the definition only includes individuals who are employed or contracted by a school, such as teachers, coaches, or administrators. HB 223 recognizes the harsh reality that many sexual predators seek out positions that give them access to children in programs that are not associated with schools such as extracurricular activities, after-school programs, and day camps. Currently, individuals who exploit that power dynamic are unable to be held accountable, however, HB 223 remedies this issue.

For example, if a martial arts instructor were to groom a student from a young age but not engage in sexual relations with that student until the student turns 16, as the predator knows that is the age of consent, the instructor would not be able to be prosecuted under the current law because he or she is not currently employed by or under contract with a public or private school, rather they are operating as an independent company. HB 223 seeks to protect our children by ensuring that sexual predators are held accountable when they exploit a position where they were entrusted with the safety of our children. When an individual enrolls their child in an after-school program or an extracurricular activity, or sends their child to a day or overnight camp, the last thing that any parent expects is that their child will become a victim of sexual abuse. Yet, these are the locations where sexual predators seek employment, to give them access to children. On behalf of the Frederick County State's Attorney's Office and MSAA I urge this committee to send a clear message to Marylanders that we will protect our children and hold sexual predators accountable by issuing a favorable report on HB 223.

Lindsey M. Carpenter
Assistant State's Attorney
For Frederick County