



Working to end sexual violence in Maryland

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Testimony Supporting Senate Bill 65
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January 25, 2024

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judicial Proceedings Committee to report favorably on Senate Bill 65.

Senate Bill 65 -- Child Pornography – Images of Younger Children

This bill increases the penalties for possession of child pornography where the image depicts a child under or indistinguishable from a child under the age of 13. It also clarifies how to calculate the number of images in a video and increases penalties for possession of large numbers of images (over 100 images).

Victims of child pornography suffer long lasting a repeated harm. They initiating are sexual abused during the creation of the images, but then experience repeated harm as the pictures of their abuse are circulated. Child pornography, now often referred to as images of child sexual abuse, are typically shared electronically. The material travels the web, around the world, and shared by the sex offenders interested in exploiting children by viewing their sexual abuse.

In Maryland, possession of child pornography requires that the child depicted be under the age of 16 and the crime is a is a misdemeanor with a penalty with up to 5 years and a \$2,500 fine or both for a first offense, and up to 10 years and a \$10,000 fine or both for subsequent offenses. SB65 proposes that the penalty for possessing an image of child under 13 or more than 100 images have a potential penalty of up to 10 years.

These cases include horrific and vile depictions of sexual abuse of children. Without providing unnecessary detail, consider cases involving children and bodily fluids, or with animals, or violence. Remember that the very definition of child pornography includes children who are a “subject of sadomasochistic abuse”. Maryland law already recognizes

that children under the age of 13 are particularly vulnerable through its “tender years” statute, Criminal Law §11-304. Age 13 is also recognized in juvenile law as a relevant demarcation line. Senate Bill 65 is consistent with these approaches. MCASA condemns pornographic images of any child. SB65 creates a reasonable and appropriate recognition of the need additional sentencing options for those who help create and sustain a market for images of younger children.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to
report favorably on Senate Bill 65**