



Working to end sexual violence in Maryland

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2018 Legislative Priorities - Preliminary

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes all of 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 in the State of Maryland.

The Maryland Coalition Against Sexual Assault (MCASA) supports legislation that promotes justice for survivors of sexual violence, accountability for offenders, and protection for the general public. MCASA responds to policy questions and legislative initiatives throughout Maryland's legislative session (January-April).

Our priority list will expand as session approaches, but 2018 priorities currently include the following:

Rape Survivor Family Protection Act – HB1/SB2

Current law gives rapists who cause a child to be conceived the same rights as other biological parents. Additionally, if a rapist-parent cannot be located, current law requires that the victim's name be published in the newspaper. MCASA continues to support legislation to limit the parental rights of rapists when the child was conceived through rape and to increase protections for rape survivors who have a child conceived through rape. We stand firm in our commitment to enacting legislation with a clearing and convincing standard of evidence. This is the same standard used in other family law cases that result in the termination of parental rights. Lead Sponsors: Delegates Kathleen Dumais and Michael E Busch; Senators Brian Feldman, Susan Lee, and Mike Miller.

Access to HIV Prophylaxis

Maryland currently pays for medical expenses of sexual assault survivors related to the assault, but refuses reimbursement for HIV prophylaxis beyond the first packet of medication. This creates significant barriers for survivors. This bill will clarify that n-PEP must be provided when appropriate. Sponsors: TBD.

Past Bad Acts

This bill expands admissibility of prior acts of sexual abuse or sexual assault in later sex crimes cases. MCASA worked with Vice-Chair Kathleen Dumais, House Judiciary Committee, and State's Attorney Scott Shellenberger, to renew a request to the Rules Committee of the Maryland Judiciary asking that they address this issue. Rules of evidence are traditionally the responsibility of the courts.

Pre- and Post-trial Stay Away Orders – Criminal Penalties for Violations

Currently, a defendant who violates an order to stay away from a victim pending trial or sentencing does not face criminal penalties unless the case involves sex crimes against a minor. This bill will expand criminal penalties to all crimes of violence. Lead Sponsors: Senator Susan Lee and Delegate Aruna Miller.

College Sexual Assault – Fair Process

A bill codifying fair process in college sexual assault proceedings is anticipated. This is, in part, to pre-empt efforts by pro-perpetrator groups such as FIRE. Lead Sponsors: Delegate Ben Barnes and Senate TBD.

Certification of Victim Helpfulness – U Visas

Requiring public officials to respond to requests for a certification of helpfulness within 90 days. Certifications of helpfulness are used in U Visa applications, which are available to persons in the US without status who are victims of violent crime and assist with prosecution. Survivors of rape, incest, human trafficking, and other sex crimes are among those eligible. Lead Sponsors: Senator Victor Ramirez and Delegate Marice Morales.

Earned Safe & Sick Leave

This bill would create a limited right for employees who are survivors of sexual assault, domestic violence, and stalking to take earned, paid time off to address issues related to the violence. It would create a similar limited right for paid sick time. Lead Sponsors: Delegate Luke Clippinger and Senator Mac Middleton.

Permanent Protective Orders

Expanding the availability of permanent protective orders.
Lead Sponsors: Delegate Vanessa Atterbury and Senator TBD

Education About Boundaries and Consent

Providing age-appropriate education to middle and high school students about the importance of obtaining consent before touching someone else. Lead Sponsors: Delegate Ariana Kelly and Senator TBA.