

State of Maryland
Applicable Law for Prosecution of Sexual Abuse
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For criminal prosecutions (i.e., where the State charges someone with a crime), none of the most serious sex crimes, and none involving victims under the age of 16 have an applicable statute of limitations in Maryland. Our state recognizes no limitations period for First or Second Degree Rape or Third Degree Sex Offense, all of which are felonies. For those crimes, a prosecution may commence any time after an offense, so long as the defendant is still alive. At the risk of oversimplification, one or more of the felony charges would apply where any of the following were true: A) the victim was under 14 (and the perpetrator was more than four years older); B) the victim was under 16 (and the perpetrator was over 21); C) the victim was cognitively impaired; or D) the incident involved force, threat of force, multiple assailants, a weapon, or serious injury. The other applicable category of sex crimes is Fourth Degree Sex Offense, which is a misdemeanor and is subject to a 3-year statute of limitations in cases where the victim is a minor. In other words, some, but not all incidences of sex crimes involving 16 and 17 year old victims do have an applicable statute of limitations for criminal prosecution.

For civil suits (i.e., where a plaintiff sues someone for monetary compensation), a victim may file a suit alleging sexual abuse of a minor up to twenty years after he/she reaches the age of majority (i.e., until the victim turns 38) or three years after the defendant receives a criminal conviction for the underlying offense, whichever is later. According to Archbishop Lori, there was apparently a bill before the General Assembly last session that would extend the deadline even further than that, and interestingly enough, the Archdiocese supported it.