



# Maryland Network Against Domestic Violence

Attached is the MNADV's 2014 Legislative Agenda – Final Report.

## Bill Signing for Domestic Violence Bills

The Governor will be **signing** a number of **domestic violence bills** on **Monday, April 14, 2014 at the State House beginning at 10:30 am.**  
Join advocates and legislators in celebrating our successes.

## AN OUTSTANDING YEAR FOR DOMESTIC VIOLENCE LEGISLATION

2014 was an extraordinarily successful year for domestic violence legislation. The combined efforts of public officials, legislative leaders, domestic violence and sexual assault service providers, allied partner organizations, grassroots advocates, and the media combined to promote the passage of three of the MNADV's four priority bills as well as other valuable legislation that will improve the lives of domestic violence victims and hold abusers more accountable.

Under the leadership of Senator Brian Frosh and Delegate Luke Clippinger and with the support of Lt. Governor Brown, the Maryland General Assembly passed SB 333/HB 307, *Peace Orders and Protective Orders – Burden of Proof*, which changed the standard of proof required for final protective and peace orders from “clear and convincing evidence” to a “preponderance of the evidence.” This traditional standard of proof in civil cases, used by every other state in the country, has taken almost ten years to pass since it was first discussed in the late 1990s.

Senator Brian Frosh, Senator Jamie Raskin, and Delegate Kathleen Dumais sponsored SB 334/HB 309, *Family Law – Domestic Violence – Permanent Final Protective Orders*, which also passed. The Lt. Governor again provided important support for this bill, which will expand the number of victims eligible for a final permanent protective order by adding second degree assault, the most common domestic violence crime, and enable them to get these orders if their abusers serve at least 12 months of their sentence.

SB 434/HB 647, *Peace Orders and Protective Orders – Extensions*, was sponsored by Senator Brian Frosh and Delegate Jeff Waldstreicher and its passage will ensure that protective and peace orders will remain in effect when victims file for extensions.

In addition to the bills on the MNADV's priority list, the Maryland General Assembly passed other significant legislation that positively affects domestic violence law.

Two slightly different bills, SB 683/HB 185, *Courts - Committing a Crime of Violence in the Presence of a Minor - Penalties*, and SB 337/HB 306, *Criminal Law – Crimes Committed in the Presence of a Minor – Penalties*, enhanced the penalty for people who were convicted of committing a crime of violence in the presence of a minor. The concept contained in this bill had been addressed in previous sessions, but until this year, passage was not successful. In 2014, the bills were promoted by Attorney General Gansler and Lt. Governor Brown and sponsored by Senator Bobby Zirkin, and Delegates Luiz Simmons and Ben Kramer. Amendments combined the two bills and HB 306/SB 337 finally passed the General Assembly.

Other bills of note also passed this year: SB 272, *Sentencing Procedures – Statement by Victim or Victim’s Representative (Alex’s Law)* enhanced victims’ rights in court, sponsored by Senator Nancy Jacobs; SB 369/HB 352, *Peace Orders and Protective Orders – Penalties – Second or Subsequent Offense* increased penalties for subsequent offenses, sponsored by Senator Norman Stone, Jr. and Delegate Geraldine Valentino-Smith; SB 790, *Health Insurance – Communications between Carriers and Enrollees – Conformity with the Health Insurance Portability and Accountability Act (HIPAA)*, sponsored by Senator Delores Kelley, increased privacy and confidentiality for domestic violence victims; and SB 818/HB 559, *State Government – Human Trafficking Address Confidentiality Program*, sponsored by Senator Jennie Forehand and Delegate Barbara Robinson, establishes a program similar to the current address confidentiality program for domestic violence victims for those who are victims of human trafficking .

HB 397, *Peace and Protective Orders – Consent Orders – Shielding* was initially opposed by the MNADV; however, it was finally passed after being heavily amended to provide more protections for domestic violence victims.

The MNADV is extraordinarily appreciative of the leadership of the legislative sponsors and the Lt. Governor and Attorney General. This year’s successes would not have been possible without the collaboration of our partners Laure Ruth from the Women’s Law Center, Dorothy Lennig from the House of Ruth Maryland, and Lisae Jordan from the Maryland Coalition Against Sexual Assault. The MNADV Board of Directors, domestic violence and sexual assault program providers, allied service providers, and grassroots advocates, who contacted legislators across the state, sent a powerful message that constituents wanted these bills passed. Finally, the support of the media, which included articles and editorials by the *Washington Post*, *Baltimore Sun*, *Daily Record*, *Herald-Mail*, and others, ensured that the public was informed about the importance of these bills to Maryland citizens.