



# Maryland Network Against Domestic Violence

## Legislative Alert

**FROM:** Cynthia Lifson, Maryland Network Against Domestic Violence  
**DATE:** January 29, 2014

On Tuesday, January 28, members of the Senate Judicial Proceedings Committee heard testimony on the key legislative priorities of the Maryland Network Against Domestic Violence for the 2014 session of the Maryland General Assembly.

The bills of importance include the following:

**SB 333 AND SB 28 ■ PEACE ORDERS AND PROTECTIVE ORDERS – BURDEN OF PROOF**

**SB 334 ■ FAMILY LAW – DOMESTIC VIOLENCE – PERMANENT PROTECTIVE ORDERS**

**SB 337 ■ CRIMINAL LAW – CRIMES COMMITTED IN THE PRESENCE OF A MINOR-  
PENALTIES**

**SB 41 ■ DOMESTIC VIOLENCE – PERSONS ELIGIBLE FOR RELIEF**

These bills would significantly improve our Code in the following ways:

**Peace and Protective Orders – Burden of Proof:** A final protective order could be obtained by *proving abuse by preponderance of the evidence* instead of the current heavy burden of *clear and convincing evidence*. The preponderance of the evidence standard is used for the majority of family law cases.

**Family Law – Domestic Violence – Permanent Protective Orders:** Those dealing with extreme domestic violence could obtain a final permanent protective order in cases where the respondent has been convicted of *second degree assault*, the majority of domestically related crimes, not just the crimes currently listed in our Code, and is *sentenced to five years of imprisonment* for the crime, *not* after *serving* five years for the crime.

**Criminal Law – Crimes Committed in the Presence of a Minor – Penalties:** Criminal defendants who are *convicted of domestically related crimes in the presence of children* would be eligible for an *enhanced penalty*.

**Domestic Violence – Persons Eligible for Relief:** *People who have engaged in sexual relations – either consensual or non-consensual- and who have experienced abuse* will not be limited to the relief in the peace order statute, but will be *eligible for the relief available in the protective order statute*.

### We need your support for these bills

We urge you to contact members of the Senate Judicial Proceedings Committee. In particular, we request that you thank the chairman of the Senate Judicial Proceedings Committee, Senator Brian Frosh, for his leadership in this effort. The names of the members of the Senate Judicial Proceedings Committee with contact information are listed on page 2.

## Judicial Proceedings Committee (JPR)

2 East, Miller Senate Building, Annapolis, MD 21401  
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### To e-mail the entire JPR Committee – copy and paste:

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Please forward to us a copy of your e-mail at [mcohen@mnadv.org](mailto:mcohen@mnadv.org) so we can keep track of the legislators who have been contacted. Thank you very much.