

**Department of Legislative Services**  
 Maryland General Assembly  
 2017 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1272  
 Judiciary

(Prince George's County Delegation)

**Prince George's County - Domestic Violence - Definition of Abuse**  
**PG 314-17**

This bill expands, in Prince George’s County only, the definition of “abuse” as it applies to petitions for domestic violence protective orders to include “harassment” and the “malicious destruction of property.”

**Fiscal Summary**

**State Effect:** General fund expenditures for the Judiciary increase by \$36,800 in FY 2018 only for programming changes. Otherwise, the bill does not materially impact the workload of the Judiciary. The enforcement of additional protective orders can be handled using existing budgeted resources. Revenues are not affected.

(in dollars)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	36,800	0	0	0	0
Net Effect	(\$36,800)	\$0	\$0	\$0	\$0

*Note: ( ) = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** The bill does not materially impact the workload of the circuit court. The enforcement of additional protective orders can be handled using existing budgeted resources. Revenues are not affected.

**Small Business Effect:** None.

## Analysis

**Bill Summary:** “Harassment” means an intentional or knowing course of conduct or a series of acts, including written or electronic communication or transmission, that continues after a reasonable warning or request to stop by or on behalf of another person and that (1) seriously alarms, torments, terrorizes, or disturbs another person; (2) has no legal purpose; and (3) would cause a reasonable person to suffer mental or emotional distress.

“Malicious destruction of property” means an act that willfully destroys, injures, or defaces the real or personal property of another, including a permanent drawing, painting, marking, or inscription, even if the property is held as tenants by the entirety and that (1) seriously alarms, torments, terrorizes, or disturbs the other person; (2) has no legal purpose; and (3) would cause a reasonable person to suffer mental or emotional distress.

**Current Law:** An individual may seek relief from “abuse” by filing a petition for a protective order with the court, or if the clerk’s office is closed, with a District Court commissioner.

“Abuse” is defined as:

- an act that causes serious bodily harm;
- an act that places a person eligible for relief in fear of imminent serious bodily harm;
- assault in any degree;
- rape or sexual offense or attempted rape or sexual offense in any degree;
- false imprisonment; or
- stalking.

If the person for whom relief is sought is a child, “abuse” may also include abuse of a child, as defined in statute. “Abuse” may also include abuse of a vulnerable adult, as defined in statute, if the person for whom relief is sought is a vulnerable adult.

**Background:** According to the 2015 *Uniform Crime Report*, 30,534 domestic violence crimes were reported in Maryland, including 2,023 in Prince George’s County. The domestic violence crimes reported statewide included 604 reports of malicious destruction of property; specific information regarding harassment is not included in the *Uniform Crime Report*.

In fiscal 2015 (the latest information readily available), the Circuit Court for Prince George’s County granted 227 temporary protective orders and 191 final protective orders.

In fiscal 2016, the District Court granted 3,138 interim protective orders, 3,989 temporary protective orders, and 1,813 final protective orders in Prince George's County.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of State Police; Department of Public Safety and Correctional Services; Prince George's County; Department of Legislative Services

**Fiscal Note History:** First Reader - March 1, 2017  
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