
By: Senators Kelley, Miller, Hoffman, Ruben, Roesser, Forehand, Van Hollen, Frosh, Green, Trotter, Bromwell, Hollinger, Sfikas, Stone, Jimeno, Pinsky, Middleton, Teitelbaum, Lawlah, Conway, Colburn, Hughes, Middlebrooks, and Young

Introduced and read first time: January 13, 1997

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 18, 1997

CHAPTER _____

1 AN ACT concerning

2 **Domestic Abuse - Duties of Law Enforcement Officers**

3 FOR the purpose of requiring a law enforcement officer who responds to a request for
4 assistance from a person who alleges to have been a victim of domestic abuse and
5 who believes there is a danger of serious and immediate injury to himself or herself
6 to accompany the complainant to the family home so that the complainant may
7 remove any medicine or medical devices of the complainant and of any child in the
8 care of the complainant; and generally relating to domestic abuse and the duties of
9 law enforcement officers.

10 BY repealing and reenacting, with amendments,
11 Article 27 - Crimes and Punishments
12 Section 798
13 Annotated Code of Maryland
14 (1996 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article 27 - Crimes and Punishments**

18 798.

19 (a) (1) In this section the following words have the meanings indicated.

20 (2) "Abuse" has the meaning stated in § 4-501 of the Family Law Article.

2

1 (3) "Victim" includes a "person eligible for relief" as described in § 4-501 of
2 the Family Law Article.

3 (b) (1) Any person who alleges to have been a victim of abuse and who believes
4 there is a danger of serious and immediate injury to himself or herself may request the
5 assistance of a local law enforcement agency.

6 (2) A local law enforcement officer responding to the request for assistance
7 shall:

8 (i) Protect the complainant from harm when responding to the
9 request; and

10 (ii) Accompany the complainant to the family home so that the
11 complainant may remove:

12 1. The personal clothing of the complainant and of any child in
13 the care of the complainant; [and]

14 2. The personal effects of the complainant and of any child in
15 the care of the complainant that are required for the immediate needs of the complainant
16 or the child; AND

17 3. ANY MEDICINE OR MEDICAL DEVICES OF THE
18 COMPLAINANT AND OF ANY CHILD IN THE CARE OF THE COMPLAINANT.

19 (c) Any law enforcement officer responding to such a request shall have the
20 immunity from liability described under § 5-326 of the Courts Article.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1997.