



State of Maryland
Office of the Attorney General

January 28, 2020

TO: The Honorable William C. Smith, Jr., Chair, Judicial Proceedings Committee

FROM: Carrie J. Williams, Assistant Attorney General

RE: Attorney General's Support for SB210 (SUPPORT)

The Attorney General urges the Judicial Proceedings Committee to report favorably on Senate Bill 210. Senate Bill 210 would allow a person who has been sexually assaulted to seek a protective order against the perpetrator. Currently, unless the sexual assault victim is otherwise a “person eligible for relief,” he or she must seek a peace order under those circumstances.

Adding a person who has been sexually assaulted to the list of people eligible for a protective order provides additional protection to victims of sexual abuse. To be eligible for a peace order, the petitioner must allege that an act of abuse occurred within 30 days of the filing of the petition. A person who has suffered the trauma of a sexual assault may need longer than 30 days to decide whether to come forward or whether to seek legal protection. Senate Bill 210 would give victims one year to seek protection.

Moreover, to obtain a peace order, the petitioner must prove by a preponderance of the evidence that the abuse occurred *and* the petitioner is likely to commit another act of abuse in the future. For a protective order, a preponderance of the evidence that the abuse occurred is sufficient. A peace order also lasts only 6 months, while a protective order lasts one year and can, under certain circumstances, be extended to two years.

In order to provide adequate protections to victims of sexual assault, the Attorney General urges the Judicial Proceedings Committee to report favorably on Senate Bill 210.

cc: Members of the Judicial Proceedings Committee