

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 248
Protective Orders – Relief Eligibility – Rape and Sexual Offenses
DATE: January 22, 2020
(1/30)
POSITION: Support

The Maryland Judiciary supports House Bill 248. This bill alters who is considered a “Person eligible for relief” as it applies to a protective order to include “an individual who alleges the commission of any of the following acts within one year before the filing of the petition: (I) Rape or a sexual offense under § 3-303, § 3-304, § 3-307, or § 3-308 of the Criminal Law Article; or (II) Attempted rape or sexual offense in any degree.”

The Maryland Judiciary supports House Bill 248, which clarifies that victims of certain sexual offenses are persons eligible for relief under the protective order statute. Currently, there is an ambiguity as to whether such victims are eligible for relief under the protective order or peace order statute. As you know, the relief is mutually exclusive and, as such, clarification is essential. This bill provides the clarity needed for uniform application and affords greater measures of protections for those seeking such relief.

cc. Hon. Vanessa Atterbeary
Judicial Council
Legislative Committee
Kelley O’Connor