

BILL NO: House Bill 1352
TITLE: Peace Orders and Protective Orders – Coercive Control
COMMITTEE: Judiciary
HEARING DATE: February 27, 2020
POSITION: **SUPPORT**

House Bill 1352 would add “coercive control” to the definition of abuse in both the Peace and Protective order statutes. The Women’s Law Center supports House Bill 1352 because at the core of most intimate partner violence there is coercive control, even when the abusive behavior does not include physical violence.

House Bill 1352 expands the definition of abuse to add coercive control to the definitions of abuse in both the peace and protective order statutes (Md. Code Ann. Family Law Section 4-501 et seq. and CJP Section 3-1501 et seq.). Coercive control is defined as repeated or continuous behavior toward an adult individual that (1) is controlling or coercive; (2) has a “serious effect” on the other individual; and (3) the individual who engages in the behavior knows or reasonably should know will have a “serious effect” on the other individual. Intimate partner violence is usually defined as a pattern of behavior where one person tries to control another through a variety of tactics. It does not always include physical violence and is often much more subtle and nuanced. It can be very typical that coercive control is the start of escalating behavior that can end in physical violence and sometimes death.

Sometimes this coercive control is more damaging than physical violence and yet our laws and courts almost always require, under current law, a physical manifestation. The WLC speaks to so many women describing the coercive nature of their relationship, seeking assistance, only to have them end up asking “do I have to wait until he harms me physically (punches, hits, kills)?” Unfortunately, our answer is often “yes, under current Maryland law, what he is doing to you does not meet the definition of abuse.”

Therefore, the Women’s Law Center of Maryland, Inc. urges a favorable report on House Bill 1352.

The Women’s Law Center of Maryland is a private, non-profit, membership organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change. The Women’s Law Center operates hotlines, Protection Order Advocacy and Representation Projects in Baltimore City, Baltimore County and Carroll County and the Multi-Ethnic Domestic Violence Project.