



BILL NO: Senate Bill 363
TITLE: Courts – Improperly Summoning a Police Officer – Civil Liability
COMMITTEE: Judicial Proceedings
HEARING DATE: February 9, 2021
POSITION: **SUPPORT WITH AMENDMENTS**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judicial Proceedings Committee to amend SB 363 and issue a favorable report.**

The MNADV fully supports the intent of HB 363, to create a civil cause of action for persons to pursue for racially biased calls to the police. Specifically, the bill permits a lawsuit for civil damages when a person knowingly calls the police to a location with the intent to infringe on a person's rights pursuant to the U.S. or Maryland Constitution, unlawfully discriminate against that person, cause the person to feel harassed, humiliated, or embarrassed, or be required to leave a location they are lawfully located.

However, as drafted, SB 363 could have a negative impact on survivors of domestic violence. For example, it could prevent a well-intentioned neighbor from calling the police. Currently, a neighbor might contact the police regarding violence that they hear next door. When the police arrive the victim of domestic violence can decline to pursue charges against the abuser or seek a protective order. SB 363 would allow the abuser to then initiate a civil action against the Good Samaritan neighbor. In addition, if a victim of domestic violence initially seeks assistance from the police and later decides to not pursue charges or a protective order, the abuser could then sue the victim under SB 363. We are confident that there is language that would protect callers in these situations while preserving the intention of the bill.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report with amendments on SB 363.**